Center For
POLICING EQUITY



COMPOUNDING ANTI-BLACK RACIAL DISPARITIES IN POLICE STOPS

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INTRODUCTION

Academic research on racial disparities in policing has long established that Black people disproportionately bear the burden of policing in the United States.[1] Center for Policing Equity (CPE), in its work to investigate and reduce racial disparities in policing, has produced dozens of jurisdiction-specific assessments of policing data that further affirm this distinct pattern of disparities.[2] These reports, called Justice Navigator Assessments (JNAs), show that anti-Black racial disparities are apparent throughout the decisions police officers make over the course of an interaction with a community member – including decisions on who is stopped, searched, subjected to force, and more.

What neither academics nor CPE have provided, until now, is an overarching picture of how the disparate outcomes from each of these various decisions compound over the course of a police-community member interaction. When these various disparities and decision points are examined sequentially, particularly at vehicle stops, what we see is a picture of consistent, compounding anti-Black disparities. Crucially, we also see that these disparities do not appear to be based on or justified by higher levels of apparent criminality among Black drivers, nor do they appear to contribute to public safety.

Specifically, as we will show, we know that:

- Police decide to stop Black people more often than White people;
- Police decide to stop Black people for non-safety-related, pretextual reasons more often than White people;
- Police decide to search Black people they've stopped more often than White people; and
- These disparate decisions lead to wide-reaching, harmful consequences for Black drivers in particular and the community more broadly.

This white paper provides an overview of the various decisions police officers make in any encounter with a community member – including whom to stop and for what reason, whether to conduct a search, whether to arrest or cite drivers, and whether to use force – and illustrates how disparities at each step increase the risks of harm at subsequent decision points throughout the encounter. We focus on vehicle stops and use evidence from academic literature, a novel analysis of data from eight of the nine largest local police agencies in California between 2019 and 2022, and 20 of CPE's JNAs analyzing data from various types and sizes of law enforcement agencies across the country. This paper also illustrates how racial disparities in traffic stops do not appear to support or be justified by any clear public safety needs.

1 *See, for example: Baumgartner et al (2018); Davis and Langston (2018); Greenwald (2003); McDevitt et al (2003); Epp et al (2014); Kramer & Remster (2018); Baumgartner et al (2014); Chanin et al (2018); Shoub et al (2020); Geller et al (2021); Kahn et al (2016); Hoekstra & Sloan (2022); Wright & Headley (2020); Kramer & Remster (2018).*

2 *At the time of publication, nine of CPE's JNAs are publicly available. See, for example, CPE (2021), Assessment of San Diego Police Department, Justice Navigator; CPE (2023), West Hollywood, CA, Justice Navigator. justicenavigator.org. There are 15 others that are private, and new assessments are continuously being produced for public release.*

HOW RACIALLY DISPARATE POLICING DECISIONS COMPOUND HARMS AGAINST BLACK DRIVERS

THE DECISION TO STOP

Every incidence of police contact puts community members at risk of harm throughout subsequent points in the encounter.

Police stop Black people more often than White people, and disproportionately for non-safety-related or pretextual reasons, such as equipment violations or license/registration checks. Police are also more likely to search drivers who are stopped for non-safety-related reasons.

THE DECISION TO SEARCH

Disparities in stop rates and stop reasons drive disparities in search rates.

Police search Black people more often than White people once stopped, and more often do so without probable cause, even though Black people are no more likely — and often less likely — to possess contraband. Searches increase the likelihood of a use of force incident.

THE DECISION TO USE FORCE

Disparities in search rates further compound to drive disparities in use of force rates.

Police use force against Black people at disproportionately high rates compared to White people, both at vehicle stops and in general. These disparities are not justified by differences in apparent criminality in terms of contraband discovery rates, citations, or arrests.

FURTHER CONSEQUENCES OF UNNECESSARY POLICE CONTACT:

- Fines and fees
- Risks of arrest and incarceration
- Court summons
- Increased future criminal behavior
- Increased likelihood of physical and mental health issues
- Increased negative attitudes toward police
- Reduced cooperation with law enforcement
- Reduced engagement with the labor market
- Reduced engagement with medical, financial, and educational systems

PART 1:
THE DECISION TO STOP

The first step in any police-community member interaction is when an officer decides to stop someone. In 18 of the 19 JNAs for which we were able to analyze vehicle stop data, police recorded stopping Black people at disproportionately high rates compared to White people per capita.[3] The results ranged from Black people being stopped 0.9 times as often as White people (in the one city with no disparity) to them being stopped 19 times more often. Across all jurisdictions, the median stop rate disparity was police stopping Black people 2.6 times as often as White people. This is true of both publicly available and private JNAs.

The fact of racial disparities in traffic stops is also supported by more than three decades of academic research showing that Black people are stopped at disproportionately high rates.[4] These studies have assessed traffic stops across the country using various benchmarks and statistical modeling strategies to assess proportionality, and have consistently produced evidence of racial disparities. There is little reasonable doubt at this point that anti-Black racial disparities in police traffic stops are a general fact in the United States.

There are various reasons why police might stop Black people more often. Ongoing racial segregation combined with widespread racial stereotypes can drive perceptions of higher crime rates in areas with more Black residents, leading to greater police deployment in those neighborhoods.[5] Poorer infrastructure due to systemic disinvestment from these neighborhoods may facilitate traffic violations due to inherently less safe conditions.[6] Greater use of discretionary policing in neighborhoods with more Black residents – particularly for minor infractions or ill-defined, highly subjective reasons such as suspicious persons or activity – along with racially biased 911 calls regarding alleged "suspicious persons"[7] can also lead to higher rates of recorded crime, further contributing to the self-reinforcing cycle of criminalization and racially disparate policing.[8]

3 *Ibid.*

4 *See, for example: Baumgartner et al (2018); Davis and Langston (2018); Greenwald (2003); McDevitt et al (2003); Epp et al (2014); Kramer & Remster (2018).*

5 *Quillian & Pager (2001).*

6 *Rau et al (2022).*

7 *Ananthakrishnan et al (2022).*

8 *Gaston (2019).*

Higher stop rates of Black people may also be driven by officers' racial bias. Gelman et al,[9] after showing that disparities in stop-and-frisk rates in New York City persist even after controlling for race-specific estimates of crime participation, posit two possible explanations for disparate stop rates: that police may use "wider discretion and more relaxed constitutional standards in deciding to stop minority citizens," or that they "simply form the perception of 'suspicion' more often based on a broader interpretation of the social cues that capture police attention and evoke official reactions" with non-White people than with White people.[10]

As the above discussion makes clear, we know that police stop Black people at disproportionately high rates. But, some might ask whether there are aspects of Black people's behavior that could explain this disparity. They might wonder whether Black people commit more driving violations or are otherwise engaged in more observable criminal activity, which leads to them being stopped more often. Let's investigate that possibility.

There is no evidence that Black people commit more traffic offenses generally,[11] but research does show that police are more likely to stop Black people for non-safety-related, pretextual reasons. In all 16 JNAs for which data on vehicle stop reasons were provided, police stopped Black people more often than White people for non-safety-related offenses such as license or registration violations; equipment violations such as broken tail lights or cracked windshields; or cosmetic infractions such as objects hanging from rearview mirrors or windows that are tinted too dark. Meanwhile, White people were stopped more often for moving violations, such as speeding or running red lights. This has also been shown to be consistent across various jurisdictions explored in academic publications.[12]

These non-safety-related offenses are generally administrative: expired license plates or darkly tinted windows pose no obvious, direct threat to public safety.[13] [14] Moving violations, however, have a much more immediate and direct impact on public safety: actions such as speeding excessively or running red lights create dangerous situations for other drivers and pedestrians. So, based on the reasons people are being pulled over, Black people are not committing more traffic violations that would threaten public safety than White people.

These types of non-safety-related stops are often pretextual, meaning the person is ostensibly stopped for a minor traffic infraction, but the officer's true intent is to seek evidence of an unrelated crime for which they lack the legal standard of reasonable suspicion.[15] While police officers sometimes use traffic law violations to initiate contact with a known suspect for a specific crime, many traffic stops are made to discover evidence of much less concrete criminal activity – for example, stopping someone because the officer thinks the person looks like they may be involved in drug dealing. Pretextual stops, having been upheld by the US Supreme Court, are thus a tool enabling police to employ tactics that courts have otherwise discouraged or even banned – specifically, racial profiling and stop and frisk.[16]

9 *Gelman, et al (2007)*

10 *Ibid.*

11 *Baumgartner et al (2018), p. 69-77.*

12 *For examples, see: Epp et al (2014); Rushin & Edwards (2021).*

13 *Center for Policing Equity (2024).*

14 *Of all 272,921 vehicles involved in fatal crashes nationally between 2017 and 2021, only 638 (0.2%) had visible equipment issues listed as contributing factors. See National Highway Traffic Safety Administration, Fatality Analysis Reporting System.*

15 *May et al (2013)*

16 *Baumgartner et al, 2017, p. 25.*

The Origin and Proliferation of Pretextual Stops

A study analyzing data on 20 million stops suggests that the proliferation of low-level, pretextual stops was driven by the war on drugs in the 80s and 90s, not as a means to promote traffic safety, but as a way to catch drug dealers through guesswork. As Baumgartner and colleagues describe:

> *"... (O)fficers are trained to use traffic stops as a general enforcement strategy aimed at reducing violent crime or drug trafficking. When officers are serving these broader goals, they are making an investigatory stop, and these stops have little (if anything) to do with traffic safety and everything to do with who looks suspicious.*[17]
>
> *But investigatory stops were always a blunt instrument for stopping crime because drug dealers and violent criminals do not have any strong systematic driving tendencies that distinguish them from innocent motorists ... With marching orders to make a lot of stops in order to find drug dealers, but without any clear indicators of who the drug dealers are, Epp et al. (2014) argue that police officers utilize stereotypical criminal profiles to decide who gets stopped. In America, people of color and young black men in particular are associated (either implicitly or explicitly) with criminality and thus more likely to arouse police suspicions. Crucially, even if for most officers these biases are slight, with only a small marginal likelihood of affecting their behavior, the cumulative effect could still be very great."*[18]

Even as it has become clear that the war on drugs was a policy failure,[19] these practices have continued as law enforcement agencies have become reliant on them for funding. Colgan (2022) discusses how agencies, sometimes pressured by the elected leaders who oversee them, use revenue from traffic tickets and property seized at traffic stops to provide departmental funding. As of 2012, revenue from fines and fees made up 15% of all law enforcement operating expenses; one in 10 agencies relied on these fines and forfeitures for more than one-third of their operating expenses.[20] Federal programs that fund local law enforcement agencies through grants, such as the recently shuttered Department of Transportation's Data-Driven Approaches to Crime and Traffic Safety program, have also incentivized departments to continue making pretextual stops.[21]

17 *Ibid.*
18 *Ibid.*
19 *Neath, et al (2024).*
20 *Makowsky (2019), p. 6.*
21 *Eisenberg et al (2024).*

Recent research has shown that these pretextual stops don't actually promote public safety, and that ending them has no discernible negative effect on overall crime or on traffic safety. In New York City, researchers used a police surge to assess the impact of many officers making many non-safety-related stops in particular areas on crime levels, and found that "only the increase in stops made based on probable cause indicators of criminal behaviors were associated with crime reductions. The largest increase in investigative stops in impact zones was based on indicators of suspicious behavior that had no measurable effect on crime." [22]

Another study focusing on the de-prioritization of non-safety offenses by city leaders in Fayetteville, North Carolina showed that "the relative de-prioritization of investigatory stops was not associated with an increase in non-traffic crime outcomes, which were reduced or unchanged." [23] The study also showed that the re-prioritizing of traffic enforcement to focus on traffic safety issues was associated with a 13% decrease in total traffic crashes and a 28% decrease in traffic fatalities.

The police chief of New Haven, Connecticut also reprioritized traffic enforcement to focus on dangerous driving. The following year, the department reported equipment and administrative stops were reduced by 6%, accidents dropped by 10%, and crime dropped by 5%.[24] Meanwhile, when prosecutors in Ramsey County, Minnesota decided to not prosecute cases that were based on pretextual stops, researchers found no discernible impact on crime rates.[25]

So, from a purely public safety perspective, the higher stop rate for Black people, largely driven by non-safety-related stops, is not justified by and does not support public safety needs.

Well, one might suggest, perhaps there are other indicators of criminality during or arising from the stop that would indicate that Black people are engaged in criminal activity more often, justifying the higher stop rates. Let's examine search rates, contraband discovery rates, and stop outcomes to see if this is the case.

22 *MacDonald et al (2016)*
23 *Fliss et al (2020)*
24 *Ross et al (2020).*
25 *Pulvino et al (2023)*

PART 2:
THE DECISION TO SEARCH



Once police stop a person, they must then decide whether to search that person or their vehicle. As described by Baumgartner above, widespread enforcement of non-safety-related violations began as a deliberate strategy to conduct searches of people and vehicles in an effort to find drugs, weapons, or other paraphernalia indicative of criminality. We also showed above that Black people are more often targeted for these types of stops.

It should come as no surprise, then, to learn that once stopped, Black people are searched much more often than White people. In all 18 of CPE's JNAs for which search data were available, police searched Black people at higher rates than White people, with a median disparity of Black people being searched 3.0 times as often. This pattern is corroborated in various academic studies,[26] including one covering 11 state patrol agencies, 97 municipal police departments, and 19 sheriff's offices.[27]

Again, one might think that this heightened search rate indicates some greater level of observable indicators of criminality among Black drivers. After all, police are supposed to have either probable cause or the consent of the driver before initiating a search. However, despite being searched more often, Black people are generally found with contraband on them at similar or lower rates than White people who are searched.

26 *For example, see Baumgartner et al (2014); Chanin et al (2018); Shoub et al (2020).*

27 *Baumgartner et al (2017).*

In 11 of the 15 JNA jurisdictions for which data on vehicle stop search outcomes were available, Black people who were searched had contraband found on them at similar or lower rates than White people who were searched. This means the higher search rate cannot be explained or accounted for by any significant difference in search outcomes between Black and White drivers. Further, in three of the four jurisdictions in which police recorded finding contraband on Black people more often, the search rate disparity was far greater than the difference in contraband found rates. For example, in one jurisdiction, police searched Black people 2.6 times as often as White people, even though searches of Black people were only 1.2 times as likely to result in the discovery of contraband. Thus, the disparate search rate is still not justified.[28] Again, the fact that police search Black drivers more than White drivers despite finding contraband on them at similar or lower rates is generally corroborated by years of academic research.[29]

Still, one might think, perhaps there is some other indicator that Black people are more likely to be engaged in criminal activity that is not captured in search and contraband found rates. If so, we would expect Black drivers to be cited or arrested more often, and released with a warning or no action less often, than White drivers. Let's investigate stop outcomes to see if that's the case.

How Non-Evidence-Based Searches Drive Racial Disparities

We noted that police search Black people more often than White people, but find contraband on Black people at similar or lower rates than White people. One important factor to consider is the stated reason for searches. Across the nine JNAs for which CPE was able to analyze the reason for the search, police found contraband in one out of every three searches. However, this number drops sharply when we look at searches not based on probable cause, the legal requirement for police to make non-consensual searches.

The most problematic type of search is the "consent search," where an officer has no probable cause to believe someone has anything illegal on them, but asks to search them anyway. Research has shown that these searches result in the discovery of contraband much less often than probable cause searches.[30] This is corroborated across six of the nine JNA agencies where search reason could be analyzed, revealing that consent searches failed to turn up contraband 73% to 91% of the time.

Research has shown that police are more likely to subject Black people to consent searches,[31] and we see this outcome as well in five of those six JNA cities. Similarly, across eight of the nine largest local police agencies in California between 2019 and 2022, 21% of searches were listed as "consent" searches, and consent searches failed to uncover contraband 92% of the time. It is also likely that most people don't know they can refuse to submit to a consent search, or at least

28 *It's important to note that discovered contraband is not necessarily indicative of serious crime. It's rare that contraband of any kind is found during a search, and an even smaller fraction of discovered contraband is related to serious criminal activity. Many instances of discovered contraband are simple drug possession, gun registration issues, or open containers of alcohol. While more substantial discoveries do occur, they come at the expense of thousands of stops that yield nothing; contraband searches are fundamentally unproductive and do not prevent serious crime.*

29 *See, for example: Knowles et al (2001); Becker, S. (2004); Leinfelt, F. H. (2006); Carroll & Gonzalez (2014); Roach et al (2022).*

30 *Dias et al (2024).*

31 *Shoub (2021).*

don't feel comfortable doing so:[32] In the one agency that recorded consent search refusals, only 1.2% of people refused.

Similarly, one typical condition of parole or probation is that the person must submit to a search whenever asked, regardless of whether there is any evidence of wrongdoing. In the three JNA cities that recorded parole/probation as a search reason, officers failed to find contraband in 72% to 86% of these searches. In the eight California agencies analyzed, 24% of discretionary searches were "parole/probation" searches, which failed to discover contraband 88% of the time.

Even searches labeled as "plain view" – meaning there was purportedly something illegal in plain view of the officer – were typically unproductive. In one JNA jurisdiction, 80% of plain view searches did not result in contraband being found; in another JNA jurisdiction, only 50% did so. In the eight California agencies analyzed, 33% of "visible contraband" searches failed to uncover contraband. If illegal substances being in plain view of the officer was the basis for the search, and no contraband is found, it seems highly questionable whether the search was in fact justified.

Finally, "officer safety" searches – which can be defined as "when, absent probable cause, the officer possesses a reasonable belief that the suspect is dangerous and may gain immediate control of a weapon"[33] – failed to find contraband 84% to 97% of the time across the three JNA cities where they were recorded. These searches targeted Black drivers 1.6 to 4.9 times as often as White drivers, which is not surprising given "the widely documented stereotype that depicts African Americans as violent and prone to crime."[34] Across the eight California jurisdictions, "officer safety" searches failed to uncover contraband 90% of the time.

So, not only do police search Black people more often in general; they also search Black people more often when there is no evidence that they possess illegal contraband or are otherwise engaged in illegal activity.

32 *See also Blanks (2015), p. 935: "Many black people who are stopped understand or believe that the potential cost of saying no to an officer could result in officer agitation ... and a belief the officer may end up searching the car anyway. Under these circumstances, while consent is 'voluntarily given' in the eyes of the law, it does not feel that way to those people giving it."*

33 *Ison (1983).*

34 *Najdowski et al (2015).*

PART 3:
THE DECISION TO CHARGE



After stopping and potentially searching a driver, officers must decide what the outcome of that stop will be. They can arrest the person, immediately taking them into custody; they can issue the person a summons or citation, requiring them to appear in court at a later date or to pay a fine; or they can release the driver with a written or verbal warning or no action. Unlike summonses and citations, written and verbal warnings carry no obligation on the part of the driver to appear in court or pay a fine.

In some instances, officers may have little discretion in deciding the outcome of a stop. If the driver has an active warrant, for example, an officer would generally be required to arrest them. If a person is violent or has certain types or amounts of illegal contraband on them or in their vehicle, an officer may be required to arrest them. But in most instances, officers have considerable discretion regarding the outcome of a stop.

Stops resulting in a warning or no action, then, could be due to two reasons: the officer is being lenient by only issuing a warning when a citation (or even an arrest) is warranted; or the officer stopped someone and then determined they had no grounds to arrest or cite them. However, officers' decisions about when to issue warnings or take no action must be interpreted in the context of any patterns of racial disparities in stops and stop reasons.

In some jurisdictions, officers may be more likely to ticket drivers for non-moving violations than for moving violations because of racially targeted policing driven by incentives to generate high volumes of citations and associated funding. For example, a report examining citation data showed that officers in dozens of Alabama

law enforcement agencies were more likely to issue warnings instead of citations for dangerous driving than for insurance violations, especially in predominantly White, wealthy suburbs.[35] In other jurisdictions, routine warning or no action outcomes for non-moving violations may indicate an unsuccessful attempt at pretextual policing – or, in other words, that officers couldn't find any grounds on which to arrest or cite the driver after pulling them over.

In either case, a large proportion of warning or no action outcomes would seem to indicate that officers lacked evidence of wrongdoing for actual public safety concerns. If a law enforcement agency is making lots of non-safety stops to generate ticket revenue, then releasing drivers with a warning or no action when a citation was justifiable wouldn't make sense. If an agency is making a lot of pretextual stops in an effort to discover violations beyond those for which the person was pulled over, then a warning or no action outcome implies they were unsuccessful in their efforts. We therefore assume that an outcome of a warning or no action indicates a lack of evidence of criminal activity.

In 4 out of the 18 JNAs in which CPE was able to analyze stop outcomes, Black drivers were released with a warning or no action at the same rate as White drivers. In 10 of the 18 JNAs, Black drivers were released with a warning or no action at considerably higher rates than White drivers. This indicates that in most cities studied, Black people who were stopped had lower rates of apparent criminality than White people based on the stop outcome.[36]

This means that Black people were stopped more, and stopped more for non-safety violations, and they were searched more, despite no evidence showing they were more likely to be engaged in illegal activity – in terms of being found in possession of contraband or of being cited or arrested – than White people.

Even when arrested, research has shown that Black people are more likely to have their cases thrown out in court and less likely to be convicted, indicating that the arrest may not have been warranted.[37] Thus, an arrest is not itself a reliable indicator of actual criminality.

35 *Alabama Appleseed Center For Law & Justice (2023).*

36 *Most of the academic literature has focused exclusively on arrest outcomes, and it is true that in most JNAs and in the academic literature, police are more likely to arrest Black people than White people. However, arrests are only one of several stop outcomes that could indicate some degree of law violation, in addition to citations and summons. Therefore, we instead focus on racial differences in the relatively non-negative outcome of a warning or no action, which would indicate a lack of apparent criminality, as compared to any negative outcome – arrest, citation, or issuance of a summons – each of which would presumably indicate some degree of law violation.*

37 *See, for example, Tomic & Hakes (2008); Meyers (2022).*



RECAP OF COMPOUNDING DISPARITIES IN VEHICLE STOPS

Thus far, we've established that:

1. Police stop Black people at higher rates than White people.
2. This higher stop rate is not based on public safety needs, but is driven by non-safety-related, pretextual stops, which do not contribute to maintaining or improving public safety.
3. Police search Black people at higher rates than White people, even though they are no more likely, and in many cases are less likely, to be found in possession of contraband, indicating the higher stop and search rates are not justified by any significant differences in contraband discovery rates.
4. Police release Black people with a warning or no action more often than White people, further indicating there were no reasons related to road safety, public safety, criminal apprehension, or crime prevention that could justify stopping or searching Black people at higher rates.

So, anti-Black disparities in stop and search rates are ubiquitous, yet there is no evidence that Black people are more likely to be engaged in apparent criminality, meaning these disparities are not justified by and do not support public safety needs. Some of this may be driven by deeply ingrained cultural stereotypes: research has shown that people automatically associate Black people with criminality, aggressiveness, and danger.[38] Based on the research shown here and well documented elsewhere, we know that to be a faulty association, but Black people continue to be subjected to disproportionately burdensome policing regardless.

Some readers may think this is fairly innocuous – if Black people are stopped more and searched more, but they're ultimately more likely to be released with a warning or no action taken, is it that big of a problem? The answer is an emphatic yes. The stop itself can be stressful and even traumatic, particularly when it proves to be unwarranted, and particularly given the accumulation of such fruitless stops and searches that Black people are repeatedly subjected to. And, as we will show, there are many other negative consequences to these fruitless stops that go well beyond arrests or fines. Next, let's examine some of the effects these disparities have on individuals and their communities.

38 *Devine (1989).*

PART 4:

CONSEQUENCES OF COMPOUNDING DISPARITIES

USE OF FORCE

The most immediate and serious negative outcome of these compounding disparities is an increased likelihood that the person stopped will experience police use of force. In all 20 JNAs in which CPE was able to analyze use of force, Black people had force used against them at disproportionately high rates compared to White people. In 13 of these assessments, CPE was able to produce regression analyses of use of force disparities, allowing us to account for neighborhood crime rates, poverty rates, and demographics. After accounting for these factors, Black people had force used on them between 3.2 and 11.5 times as often as White people. This elevated likelihood of police use of force against Black people is also borne out in decades of academic literature.[39]

These disparities in force rates are driven by the disparities in stop and search rates we illustrated above. First, every police-community member interaction has the potential to escalate to the point that officers decide to use force, and officers generally don't use force until an interaction is initiated for some reason. This means that police stopping Black people at disproportionately high rates exposes them to the increased possibility of having force used against them at similarly disproportionate rates.

Second, CPE research examining use of force at vehicle stops in eight of the nine largest municipal California law enforcement agencies found that police were three times more likely to search drivers at non-safety-related stops than at safety-related stops, and police were more than 14 times as likely to use force when a search was conducted. This means that conducting a search greatly impacts the likelihood of force, and officers are more likely to conduct searches at exactly the kind of non-safety-related stops that disproportionately target Black people. The notion that police are more likely to use force when stops involve more physical contact through a search not only follows common sense, but is borne out in academic literature.[40]

39 *See, for example: Geller et al (2021); Kahn et al (2016); Hoekstra & Sloan (2022); Wright & Headley (2020); Kramer & Remster (2018)*

40 *Morrow et al (2018).*

We've illustrated thus far that disparities in stop rates drive disparities in search rates, and that disparities at both of those decision points compound to increase use of force rates. So, when police disproportionately decide to stop and search Black people, and for non-safety-related reasons, it directly contributes to the increased harms Black people experience from police use of force.[41]

How Reimagining the Scope of Policing Can Reduce Racially Disparate Harm

Deprioritizing and restricting the types of vehicle stops police make is one way to reduce disparities in stops and use of force. However, there are also opportunities to shift the roles and responsibilities that police are commonly tasked with in ways that would reduce unnecessary police contact.

In eight of the 14 JNA jurisdictions for which CPE has analyzed calls for service (i.e., 911 calls), the call type category with the largest percentage of calls was public assistance, ranging from 21% to 45% of all calls. Public assistance calls are for things like being locked out of a home or building; road obstructions; help with disabled or abandoned vehicles; lost or found property; animal complaints; or downed power lines, chemical spills, and other hazards. Most of these types of calls don't require a sworn police officer and could be better handled by other municipal employees such as public works or animal control personnel.

Serious calls – those involving reports of bodily harm, property harm, or threats – were the category with the highest percentage of calls in only three of the eight jurisdictions, and even there they accounted for at most one-third of all calls. In each of these three cities, public assistance was the next highest call category, ranging from 16% to 21% of all calls for service. Shifting public-assistance-type calls to non-police responders could reduce unnecessary police contact that carries the possibility of escalating to a use of force incident, while freeing up officer time to respond to more critical, public-safety-related calls.

Deprioritizing or restricting low-level and discretionary enforcement could also help reduce racial disparities by decreasing police presence in neighborhoods with higher proportions of Black residents.[42] In six of the eight jurisdictions in which CPE was able to analyze law enforcement activities related to public order concerns, nuisances, or suspicious behavior, we found that police initiated or were involved in more of these activities in neighborhoods with more Black residents. These types of enforcement activities are generally related to quality-of-life offenses such as suspicious persons; disorderly conduct; noise complaints; loitering; and drug use or possession, which generally don't have implications for public safety more broadly.

41 *There is also a common but unfounded assumption that most use of force incidents result in an arrest (See, for example, "Police Force Analysis System: Dallas Police Department." Policing Strategies, LLC. March, 2023), since officers may only use force to overcome resistance to make an arrest, and since significant resistance is itself an arrestable offense. However, it turns out this may not actually be true. In Center for Policing Equity's forthcoming study covering eight of the largest law enforcement agencies in California, we found that only 30% of use of force incidents at vehicle stops ended in an arrest, while 60% ended in the driver being released with a warning or no action taken. The lack of any apparent arrestable offense or threat to public safety in the majority of these incidents inherently calls into question the appropriateness of the use of force, and forces us to question whether resistance to such disproportionate and unnecessary encounters is not a reasonable, logical response.*

42 *Though these disparities are at least in part driven by community calls for service, which are also biased against Black people. See Ananthakrishnan, et al (2022).*

CRIMINAL LEGAL SYSTEM INVOLVEMENT

We know from the above that Black people are stopped at disproportionately high rates for non-safety-related, pretextual reasons, and that these stops aren't justified by any clear public safety benefits. They do, however, have serious and lasting negative consequences for those involved and for the public's general safety and well-being.

There can be immediate and material consequences for people stopped by police. The most obvious of these is any monetary fine imposed,[43] which is typical of most citations. For those unable to pay promptly, there are often associated costs for late fees. If someone remains unable to pay, their vehicle may be impounded, their license may be revoked, or they may be arrested. These consequences can take away their means of transportation to work, eliminating their income and, ironically, making it even more difficult for them to pay the fines or fix the problem for which they were stopped.[44] [45]

When police issue someone a summons to appear at a later date, there is also generally an associated fine, and the requirement to appear in person may disrupt that person's job, childcare, or other responsibilities,[46] though with some time between the stop and the hearing, they may be able to remediate some of those effects. When a person is arrested, there are even higher costs, and any other responsibilities – such as employment, childcare, etc. – are immediately compromised. Even when people are released from custody, they will likely have to return to court for later hearings, costing them more time and disruption to their lives.

It should come as no surprise that these types of fines, fees, and forfeitures disproportionately affect poor people and Black and brown people.[47] Some arrests at traffic stops are important and do contribute to public safety, such as those involving drivers under the influence. However, as described above, many non-safety-related stops such as those for equipment, license, or registration violations are not based on and do not facilitate public safety. These consequences can also continue to compound. If someone continues driving despite a suspended license, they may be stopped and fined for that offense as well, while if they fail to appear at any required court hearings, a warrant for their arrest, and additional fines and fees, will be issued.[48]

These disparities in police-community interactions are only the beginning of the sequence of compounding harms in the criminal legal system, not the end. A recent report by MDRC found that disparities in police interactions also exacerbate disparities in later stages of the criminal legal process, such as "charging and release-condition decisions (for example, release with or without supervision while awaiting trial)," and that "(d)isparities were found to accumulate across pretrial decision points, culminating in longer incarceration sentences." [49]

43 *Calame & Boddupalli (2020).*
44 *Ibid.*
45 *Colgan (2022).*
46 *Jashnani et al (2021).*
47 *Ibid.*
48 *Lopez (2016).*
49 *Anderson et al (2024).*

PUBLIC SAFETY RISKS

There are also less obvious consequences for those stopped by police. A research survey that followed the same respondents over 18 months found that contact with law enforcement increased self-reported criminal behavior in Black and Latine adolescents, and the younger they were when stopped, the stronger that relationship was.[50] Similar results have been found in other studies.[51]

Contact with police has also been shown to: increase the odds of developing mental[52] and physical[53] health issues and more negative attitudes toward the police;[54] reduce young people's commitment to school, increase their likelihood of having delinquent friends, and reduce feelings of guilt about offending;[55] reduce student's likelihood of graduating high school;[56] and reduce the likelihood that affected persons will interact with various institutions – such as the labor market and medical, financial, and educational systems – which in turn "severs an already marginalized subpopulation from institutions that are pivotal to desistance from crime and their own integration into broader society."[57][58]

These disparities further diminish public safety by deterring Black people from cooperating with police investigations and the criminal adjudication system more generally.

> *"Notably, disparate treatment of minorities at the hands of our criminal justice system reinforces a sense of mistrust. It leaves minority citizens less willing to serve as jurors, less likely to report crime, and less appreciative of the efforts of the vast majority of law enforcement officers who serve the public with honesty and integrity ... routinely and casually using race and ethnicity as risk factors in exercising law enforcement discretion is profoundly unwise, not only because these factors can be used as a means of racial harassment, but also because this practice increases minority fear and mistrust of the police and reduces the potential for cooperation between minority communities and the police.*[59]
>
> *Simply stated, for law enforcement and prosecuting agencies to be effective in combating the scourge of illicit drugs, they must earn and maintain the respect and confidence of all citizens."*[60]

Indeed, one study found that "experiencing one or more traffic stops in the past year significantly decreased the likelihood of contacting the police for assistance and to report a neighborhood problem."[61]

All of this reinforces the notion that what police consider routine activity, particularly non-safety-related vehicle stops and non-evidence-based searches, is far from routine for community members; and the risks these activities present – to individual health and well-being, and to community safety more generally – demand that any stops or other police interactions be driven by clear public safety needs.

50 *Del Toro et al (2019).*
51 *See, for example: Wiley et al (2013); Liberman et al (2014); Petersen et al (2023); Bernburg & Krohn (2003).*
52 *See, for example: Geller (2017); Geller et al (2014); Hirschtick et al (2020).*
53 *See, for example: McFarland et al (2019); Jackson et al (2020); Testa et al (2021).*
54 *Tyler et al (2014).*
55 *Wiley et al (2013).*
56 *Bernburg et al (2003).*
57 *Brayne (2014).*
58 *Stagoff-Belfort et al (2022).*
59 *Verniero & Zoubek (1999), P. 47-48.*
60 *Ibid, P. 85.*
61 *Gibson et al (2010).*



CONCLUSION

Academic research has clearly established that disparities throughout the criminal legal system adversely affect Black people and communities. These disparities, however, have generally been examined in isolation from each other, which obscures the cumulative manner in which they're experienced by Black people during real police interactions. Only by stepping back and considering how racially disparate policing decisions compound over the course of each officer-community member interaction can we begin to see a more comprehensive picture of the harms that racially disparate policing inflicts upon Black people and communities.

In this paper, we've illustrated some of the cumulative effects of those various disparities in traffic policing: how police stop Black people at disproportionately high rates, and more often do so for non-safety-related or pretextual reasons; how these disparities in stop rates exacerbate anti-Black disparities in search rates; and how these disparities in stop and search rates further compound to drive disparities in use of force rates. We've also shown that these disparities are not justified by differences in apparent criminality, in terms of contraband discovery rates, citations, or arrests; that reducing the non-safety-related stops driving these disparities does not increase or otherwise adversely affect crime rates more generally; and that these non-safety-related stops drive negative outcomes such as future criminality and reduced engagement with educational and other beneficial institutions among those stopped.

The onset of all these potential negative outcomes is an officer's decision to stop someone – a decision that disproportionately targets Black people. This means that reducing unnecessary, non-safety-related stops is key to reducing racial disparities in policing overall; and, as we've shown, this can be done without negatively impacting crime rates or public safety more generally.

Policing should be focused on improving and maintaining public safety. Where there are policing practices with no apparent public safety benefit and with apparent adverse outcomes, those practices should be stopped, and police should spend their increasingly strained resources on tactics that do serve public safety interests.

For specific guidance on policy interventions to reduce the various disparities discussed in this brief, see CPE's white paper on traffic safety and the policy interventions discussed in CPE's Justice Navigator.

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