



City of Durham North Carolina
Police Department
Professional Standards Division
Office of the Staff Inspector



2014 Bias Based Policing Traffic Report
January 1, 2014-June 30, 2014



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Staff Inspector

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Pursuant to GO 4074 R-2, a review of the traffic stop data was conducted for the first half of 2014. This review is designed to identify any trends, patterns or issues that may provide for an early indication of race, or bias based profiling. Biased based profiling can alienate citizens and foster a distrust of law enforcement by the community. Since the Durham Police Department operates under a Community Orientated Policing philosophy, it is only in the best interest of the department and its ongoing mission, to identify any potential areas of bias based profiling and addresses those incidents promptly and appropriately.

Durham Police Department General Order 4074 R-2 strictly forbids bias based profiling and Rules and Regulations 2.1, Responsibility for Knowing Law, Procedures, and Department Directives requires officers to know the laws and ordinances they are charged with enforcing and states that all members shall read and be familiar with all rules, directives pertaining to their specific job, general orders, and bulletins. Members confused about the meaning of any rule or directive, shall promptly ask for an explanation from their supervisor. North Carolina General Statute 114-10.01 requires that the department keep statistics on vehicle stops. This review is an in-depth study of data captured and reported to the State of North Carolina. The demographic data utilized is from the 2010 US Census.

Additional sources of information used in preparation of this report and its findings consist of voiced community concerns, citizen complaints, Professional Standards investigations, and violations of policies and procedures. An annual review of the current policy is conducted as part of this inquiry to ensure its value in practice and principle.

Charts of traffic stop data garnered from the North Carolina Department of Justice were analyzed as it pertains to the initial purpose of a traffic stop, the enforcement action and the probability of being searched during a stop. All three charts reflect gender and race to gain a numerical view of any trends. Additionally, my review will consist of a four year comparison to seek out any long-term trends or issues that may potentially require further agency attention/discussion. Complete data is not available from the North Carolina Department of Justice for 2009 and thus not included for analysis.

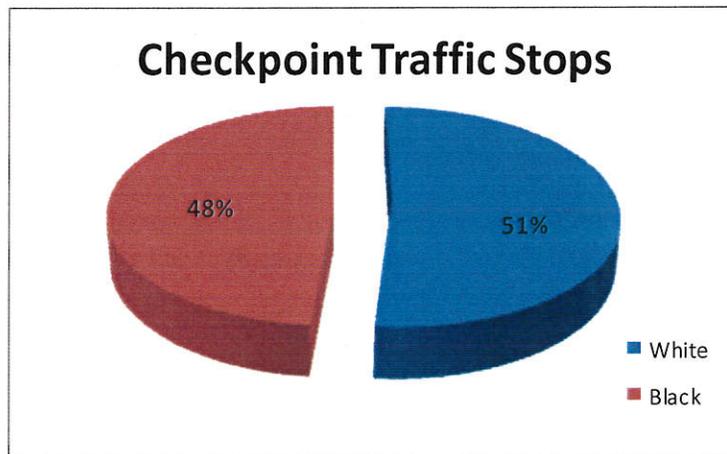
Durham Police Compliance Rate for Traffic Stop Reporting 2010 – 2014

CY2010	88.0%
CY2011	86.0%
CY2012	83.8%
CY2013	84.3%
1/1/14-6/30/14	88%

Findings 2013 Trends:

From January 1, 2014 through June 30, 2014 the Durham Police Department conducted 12,172 traffic stops. These traffic stops were made for one of two general reasons: officers observed a vehicle being operated in an unlawful manner or motorists were stopped at a checkpoint.

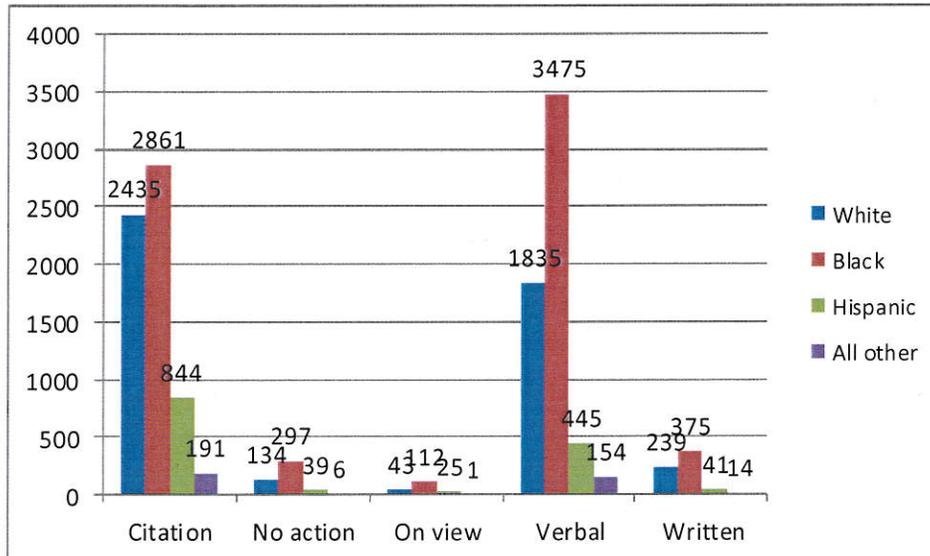
Approximately 4% of stops in Durham during the first half of 2014 occurred at checkpoints. Officers do not target specific individuals for stops at checkpoints; stops occur uniformly for any motorists driving in a certain area at a certain time. Approximately 48% percent of motorists stopped at checkpoints in Durham during the first half of 2014 were Black, while 51% were white.



This racial demographic ratio is similar for other traffic stop purposes where an officer observes a vehicle being operated in an unlawful or unsafe manner:

	Total	Total
• Other Motor Vehicle Violation:	Black (161),	White (99)
• Safe Movement Violation:	Black (681),	White (438)
• Seat Belt Violation:	Black (299),	White (132)
• Stop Sign Violation:	Black (522),	White (374)
• Speed Limit Violation:	Black (2084),	White (1850)
• Vehicle Equipment Violation	Black (1066),	White (465)
• Vehicle Regulatory Violation	Black (1726),	White (857)

The greatest difference in the percentage of black motorists and white motorists being stopped for a specific purpose was for vehicle equipment or regulatory violations. These stops represent 22% of all stops from January 1 through June 30th 2014.



- 6% of the total Black motorists stopped were searched, whereas 1% of total white motorists stopped were searched.
- Verbal warnings were issued at a rate nearly two times more often for African American motorists than white motorists.
- There were six total incidences of citizen complaints regarding bias based profiling situations. One was investigated by Professional Standards and the other 5 were investigated on a division level during 2014. All 6 complaints resulted in either not sustained or unfounded.
- Twenty eight sworn members met a reporting threshold of a minimum of 25 stops and less than 80% compliance with reporting. RMS. This information has been forwarded to the respective commanders for review. Caution should be used with this value, as the CAD shows a record of 13,749 traffic stops in Durham for the 1/1/14-6/30/14 period whereas the State data indicates a total of 12,172. There are members noted in the comparison report that are not sworn or have been improperly categorized. Analytical Services is aware of the issue and are working on a solution.

Findings – Trend (January through June, 2013 and 2014)

- Although initial stops for African Americans remained higher than whites, white drivers were ticketed consistently at a rate higher (49% for 2013 and 52% for 2014) than black driver (38% for 2013 and 40% for 2014). Hispanic drivers were more likely to receive a traffic citation on a traffic stop than any other tracked group (58% and 61% respectively).
- African American (drivers and passengers) were the more likely to be searched during a traffic stop – Average of 6% (2013 and 2014) and compared to 1% (2013 and 2014) Whites and >1% for other races. Hispanics accounted for 1% of searches.
- For the 2013-2014 January-June review there has been a consistent level of racial and ethnic interaction for traffic stop activity.
- The data should not be viewed in a vacuum, as the act of conducting a traffic stop is not random in nature and may be the result of targeted enforcement of high crime areas that have a disproportionate ethnicity to the general population composition or relative crime rate. It is the data in conjunction with the formal complaints and community concerns that would provide for statistical validity.
- In an effort to further understand the data the Department has taken the initiative to gather more germane data. A policy was enacted to gather geographical data during traffic stops that can be cross referenced with crime trends and calls for service.

Summary:

Upon the review of the data and in the context of the other variables noted in this report, there does not appear to be an indication of bias based profiling in our citizen/motorist encounters. It is recommended that Racial Profiling and Biased Based In-service training continues be provided routinely as a proactive means to awareness and prevention. At a micro-level, first line supervisors should continue to monitor their subordinates as they provide citations, warnings and data collection for traffic stops. The current policy on Biased Based Profiling appears to be adequately addressing the practice and spirit of the directive.

I would recommend a review of this data with the Executive Command Staff to view the data and findings for more discussion on the information. The importance of proper reporting pursuant to NC state law and Durham Police policy should be emphasized and better monitored by first line supervisors to reduce the percentage of employees who are not abiding by reporting requirements. A monthly report to the district and division commanders noting those who fail to report traffic stops may be a more suitable option to increase compliance.

Durham Police Department
 Drivers and Passengers Searched by Sex, Race, and Ethnicity
 Tuesday, September 23, 2014
 Report From 1/1/2014 through 6/30/2014

Type	Gender	White	Black	Native American	Asian	Other	Total By Race	Hisp.	Non Hispanic	Total By Ethnicity	Total Stopped	Percent Searched
Driver	Female	15	89	0	0	0	104	2	102	104	4804	2.16
Driver	Male	76	373	0	0	0	449	40	409	449	7368	6.09
Pass.	Female	15	91	0	0	0	106	6	100	106	106	100
Pass.	Male	42	209	0	0	0	251	35	216	251	251	100
	Female	30	180	0	0	0	210	8	202	210	4910	4.28
	Male	118	582	0	0	0	700	75	625	700	7619	9.19

Durham Police Department

Type of Search by Basis of Search

Tuesday, September 23, 2014

Report From 1/1/2014 through 6/30/2014

Type of Search	Erratic/Susp Behavior	Obs. of Susp. Contra.	Other Official's Info.	Susp. Movement	Informant Tip	Wit. Observation	Total
Consent	157	87	7	125	71	1	448
Probable Cause	49	138	1	48	24	2	262
Protective Frisk	10	3	0	18	4	1	36
Search Incident to Arrest	8	2	0	23	5	1	39
Search Warrant	0	0	0	0	0	0	0
Total	224	230	8	214	104	5	785

Stops may include multiple bases of search for each stop and totals may not equal total searches

Durham Police Department
 Enforcement Action Taken by Driver's Sex, Race, and Ethnicity
 Tuesday, September 23, 2014
 Report From 1/1/2014 through 6/30/2014

Action	Gender	White	Black	Native Am.	Asian	Other	Total By Race	Hisp.	Non Hisp.	Total By Ethnicity
Citation Issued	Female	927	1218	10	37	6	2198	256	1942	2198
No Action Taken	Female	49	118	0	2	1	170	14	156	170
On-View Arrest	Female	8	26	0	0	0	34	1	33	34
Verbal Warning	Female	702	1365	10	30	3	2110	144	1966	2110
Written Warning	Female	105	180	0	7	0	292	16	276	292
Written Warning	Male	134	195	2	3	2	336	25	311	336
Verbal Warning	Male	1133	2110	24	59	28	3354	301	3053	3354
On-View Arrest	Male	35	86	0	1	0	122	24	98	122
No Action Taken	Male	85	179	0	3	0	267	25	242	267
Citation Issued	Male	1508	1643	32	82	24	3289	588	2701	3289
Female Total	Female	1791	2907	20	76	10	4804	431	4373	4804
Male Total	Male	2895	4213	58	148	54	7368	963	6405	7368
Total		4686	7120	78	224	64	12172	1394	10778	12172

Initial Purpose of Traffic Stop by Driver's Sex, Race, and Ethnicity

Tuesday, September 23, 2014

Report From 1/1/2014 through 6/30/2014

Purpose	Gender	White	Black	Native American	Asian	Other	Total By Race	Hispanic	Non Hispanic	Total By Ethnicity
Checkpoint	F	78	88	0	0	0	166	62	104	166
Checkpoint	M	155	131	0	2	0	288	123	165	288
Driving While Impaired	F	1	7	0	0	0	8	0	8	8
Driving While Impaired	M	13	4	1	1	0	19	10	9	19
Investigation	F	78	130	0	1	0	209	41	168	209
Investigation	M	146	221	2	3	5	377	90	287	377
Other Motor Vehicle Violation	F	35	50	0	1	0	86	11	75	86
Other Motor Vehicle Violation	M	64	111	0	2	2	179	33	146	179
Safe Movement Violation	F	160	236	2	13	2	413	29	384	413
Safe Movement Violation	M	278	445	8	24	9	764	71	693	764
Seat Belt Violation	F	41	104	2	1	2	150	9	141	150
Seat Belt Violation	M	91	195	2	2	5	295	23	272	295
Speed Limit Violation	F	739	928	12	41	4	1724	105	1619	1724
Speed Limit Violation	M	1111	1156	27	71	13	2378	208	2170	2378

Stop Light/Sign Violation	F	149	208	0	5	0	362	29	333	362
Stop Light/Sign Violation	M	225	314	9	23	6	577	69	508	577
Vehicle Equipment Violation	F	153	397	4	4	0	558	53	505	558
Vehicle Equipment Violation	M	312	669	5	5	5	996	137	859	996
Vehicle Regulatory Violation	F	357	759	0	10	2	1128	92	1036	1128
Vehicle Regulatory Violation	M	500	967	4	15	9	1495	199	1296	1495
Female Total	F	1791	2907	20	76	10	4804	431	4373	4804
Male Total	M	2895	4213	58	148	54	7368	963	6405	7368
Total	A	4686	7120	78	224	64	12172	1394	10778	12172