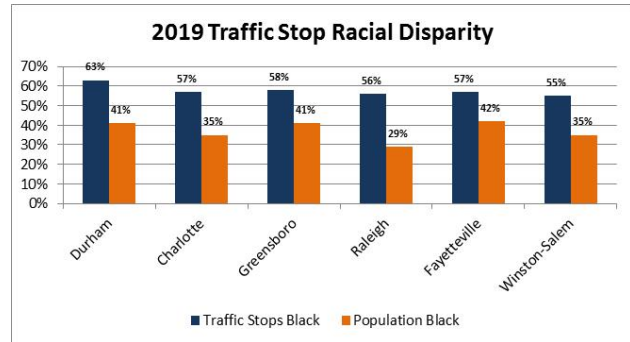


The following is an executive review of traffic stop data for calendar year 2019, which is compiled from SBI-122 traffic stop reports submitted by officers. During this period, the department conducted 14,819 traffic stops, a 15.4 percent increase from the 12,838 stops for calendar year 2018. Of the drivers stopped in 2019, 9,284 were Black (63%), 5,062 drivers were White (34%) and 473 (3%) were from other race categories. Broken down by ethnicity, 1,454 (10%) were Hispanic. No enforcement action¹ was taken in 61 percent of the stops for Black drivers and 54 percent of the stops for White drivers.

While the percentage of Black drivers stopped (63%) is higher than the estimated population of the City of Durham (41%), similar disparities were observed in other major cities in North Carolina².



The traffic stop data for each officer was reviewed. The number of stops ranged from a few stops a year to several hundred, depending on the officer's assignment. The lower the number of stops conducted by an officer, the more notable the appearance of any racial disparity might be in regard to percentages, which are affected by the total number of stops made. When considering Traffic Services officers, which conducted 2,929 stops as a group³, the breakdown is 48 percent Black and 48 percent White, which is much closer to the overall demographics of the City. Examining this group of officers is useful, because they conduct the most traffic stops of any unit in the department due to the nature of their job, and these stops are distributed geographically throughout Durham. In addition, the officers' numbers do not account for off-duty assignments, such as Bulls Eye and Southside patrols, which are in areas with high concentrations of minority residents. These extra-duty assignments would affect traffic stop percentages outside of their normal duty assignments.

The data was further analyzed for officers that stopped at least 25 vehicles and had a 75 percent or higher stop rate of minorities. That list consisted of 19 total officers in the first half of the year and 24 in the second half. The commanders of those officers were tasked with a more thorough analysis of their individual traffic stops, including a random review of in-car camera video. Most of the officers worked in Uniform Patrol for either District 1 or District 4, which have the highest minority populations⁴ and the highest per capita violent crime figures.

Based upon the data analyzed, there was no evidence of unexplainable disparities regarding traffic stops among the officers. Rather, officers are stopping vehicles consistent with the demographics and crime statistics of their assigned areas.

¹ Includes Written Warning, Verbal Warning and No Action Taken.

² Based on 2010 census data. <https://www.census.gov/topics/population.html>

³ Includes Traffic And Crash Team (TACT) and Motors.

⁴ Based on 2010 census data. District 1 is 62 percent Black and 20 percent White by race, and 21 percent Hispanic by ethnicity. District 4 is 54 percent Black, 32 percent White and 10 percent Hispanic.

Consent Search Data

In October of 2014, it became the policy of the Durham Police Department that a consent form must be filled out for requests to search. A report is generated monthly that shows the number of consent searches stemming from traffic stops, which is then reconciled with the number of forms. While there are some discrepancies, most are due to differences in report requirements. For example, a request to search a vehicle is not always initiated from a traffic stop, or the officer may not be able to obtain sufficient information when a request is denied to complete a form⁵. The following is the consent search information that came from our internal database, which is more detailed than the summarized data provided on the State’s web site⁶.

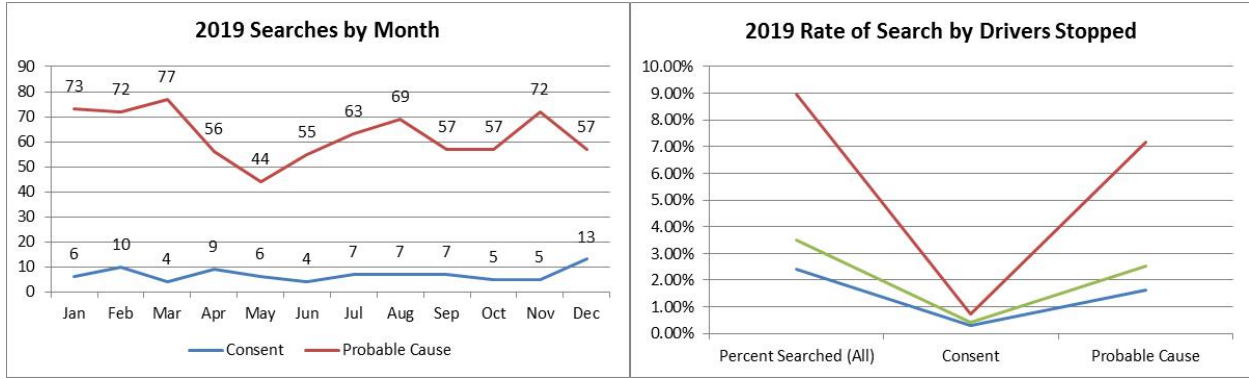
Table 1 – Consent Requests and Forms by Month

	Consent Requests			Forms On File		
	Granted	Denied	Total	Granted	Denied	Total
January	6	3	9	6	3	9
February	10	1	11	9	1	10
March	4	2	6	4	2	6
April	9	5	14	9	4	13
May	6	1	7	7	1	8
June	4	1	5	3	1	4
July	7	2	9	7	2	9
August	7	3	10	7	3	10
September	7	0	7	7	1	8
October	5	1	6	5	1	6
November	5	2	7	4	2	6
December	13	1	14	11	1	12
Total	83	22	105	79	22	101

Of the 14,819 traffic stops in calendar 2019, there were 105 consent requests for a search (0.7%) made by officers, with 83 being granted and 22 denied. There are 101 total forms on file for the period, including 79 where consent was granted and 22 that were denied (Table 1).

⁵ The number of forms will not always equal the number of consent searches stemming from traffic stops, and totals may actually be higher.

⁶ The NC Department of Justice web site is not a suitable source for this information, due to the way they structure their Type of Search by Basis of Search report. For each *Type of Search* (i.e. consent, probable cause), an officer can choose up to six (6) *Basis of Search* selections for a single traffic stop, giving the appearance of a greater number of consent searches than what actually occurred. Instead of 112 consent searches for the Department in calendar year 2019, there were actually just 83 traffic stops in which a consent search occurred.



Graph 1 – Types of Searches by Month

Graph 2 – Search Rate by Drivers Stopped

Eighty-three (83) of the vehicles stopped (0.56%) during calendar year 2019 resulted in a consent search (Graph 1), of which 67 drivers were Black, 16 were White, and 6 were Hispanic⁷. The rate for which a consent search occurred was 0.72 percent for Black motorists, 0.32 percent for White motorists and 0.41 percent for Hispanic motorists (Table 2). The rates for which a probable cause search occurred (Graph 2) were significantly higher for each of these groups.

Table 2 – Count and Rate of Search by Drivers Stopped⁸

Type (all searches)	White	Black	Total by Race	Hispanic	Non-Hispanic	Total by Ethnicity
Drivers Stopped	5,062	9,284	14,819	1,454	13,365	14,819
Drivers Searched (All)	121	834	960	51	909	960
Consent	16	67	83	6	77	83
Search Warrant	0	0	0	0	0	0
Probable Cause	83	666	753	37	716	753
Search Incident to Arrest	18	69	87	8	79	87
Protective Frisk	4	32	37	0	37	37
Multiple Search Types	0	0	0	0	0	0
Percent Searched (All)	2.39%	8.98%	6.48%	3.51%	6.80%	6.48%
Consent	0.32%	0.72%	0.56%	0.41%	0.58%	0.56%
Search Warrant	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Probable Cause	1.64%	7.17%	5.08%	2.54%	5.36%	5.08%
Search Incident to Arrest	0.36%	0.74%	0.59%	0.55%	0.59%	0.59%
Protective Frisk	0.08%	0.34%	0.25%	0.00%	0.28%	0.25%
Multiple Search Types	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

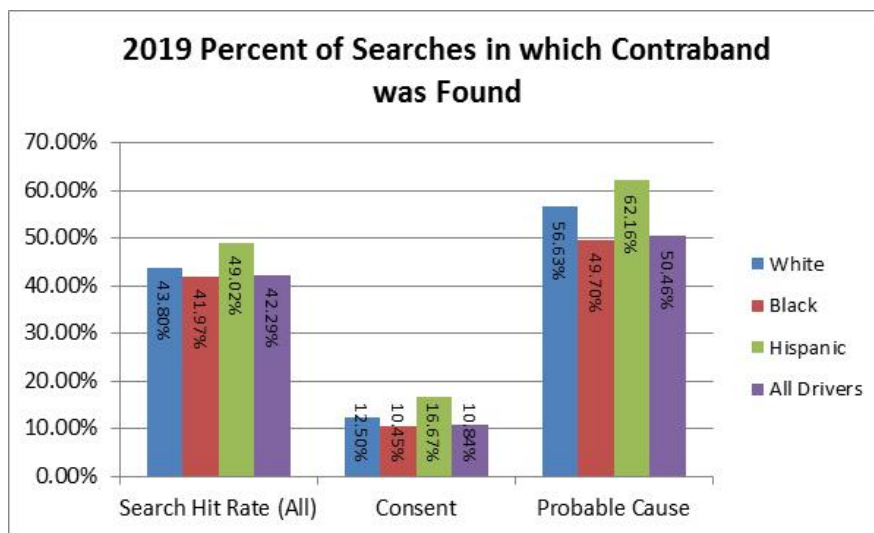
⁷ Hispanic is an ethnicity, not a race. Groups will not add up to 100%.

⁸ Race categories of Native American, Asian and Other, representing only five (5) total searches, were eliminated for formatting reasons.

Search Results

There were 960 traffic stops during the period in which a search occurred, with 406 (42.29%) resulting in contraband being found. The rate was 10.84 percent for consent searches, and 50.46 percent for probable cause searches (Graph 3).

- Of the 83 traffic stops in which a consent search occurred, 9 (10.84%) resulted in contraband being found, including 10.45 percent for Black drivers, 12.50 percent for White drivers and 16.67 percent for Hispanic drivers.
- Of the 753 traffic stops in which a probable cause search occurred, 380 (50.46%) resulted in contraband being found, including 49.70 percent for Black drivers, 56.63 percent for White drivers and 62.16 percent for Hispanic drivers.



Graph 3 – Percent of Searches in which Contraband was Found

Veil of Darkness

In March 2016, RTI International published research⁹ on traffic stop data entitled Exploring racial disproportionality in traffic stops conducted by the Durham Police Department. The following excerpt on the study methodology can be found in the *Analytical Approach* section on page 1 of the report:

[To study the racial distribution of traffic stops in Durham, we used the “veil of darkness” (VOD) approach, which is based on the logic that police officers are less likely to be able to ascertain the race of a motorist after dark than they are during daylight (Grogger & Ridgeway, 2006). This method takes advantage of the fact that there is seasonal variation in the amount of daylight at certain times of the day. Using this method, the existence of racial disproportionality can be assessed by comparing the race of drivers stopped during daylight with the race of drivers stopped after dark during the intertwilight period.]

In addition to the aforementioned report, RTI developed The RTI-STAR Traffic Stop Analysis Tool¹⁰, allowing any law enforcement agency to automate the data processing and analysis of traffic stop data using this peer-reviewed, scientifically sound method to identify racial disproportionality. When the tool was applied to Durham’s data for calendar year 2019, no evidence of racial disproportionality existed in any of the models¹¹ based on statistical significance alone (Table 3). In addition, the difference in the stop risk for Black drivers in daylight and darkness was minimal.

Table 3 – RTI Statistical Traffic Analysis Report (STAR) – Black Drivers

Model	Original Number of Stop Records	Stops in Intertwilight Period (ITP ¹²)	Stop Risk in Daylight	Stop Risk in Darkness	Risk Ratio	p-value	Statistical Significance
All intertwilight stops	14,819	2,003	65.44%	67.41%	1.02	0.6355	None
All intertwilight stops (male only)	8,759	1,176	63.15%	63.99%	1.03	0.4787	None
All intertwilight stops (female only)	6,060	827	70.44%	72.15%	0.98	0.8343	None
Uniform Patrol (male only)	6,042	873	64.53%	63.25%	1.05	0.3004	None

⁹ Available at https://www.rti.org/sites/default/files/resources/VOD_Durham_FINAL.pdf.

¹⁰ Available at <http://www.rti.org/impact/rti-star-traffic-stop-analysis-tool>.

¹¹ There was insufficient data to run the model against traffic stops made by the Traffic Services unit.

¹² The Intertwilight Period (ITP) range was 5:29pm to 9:06pm.