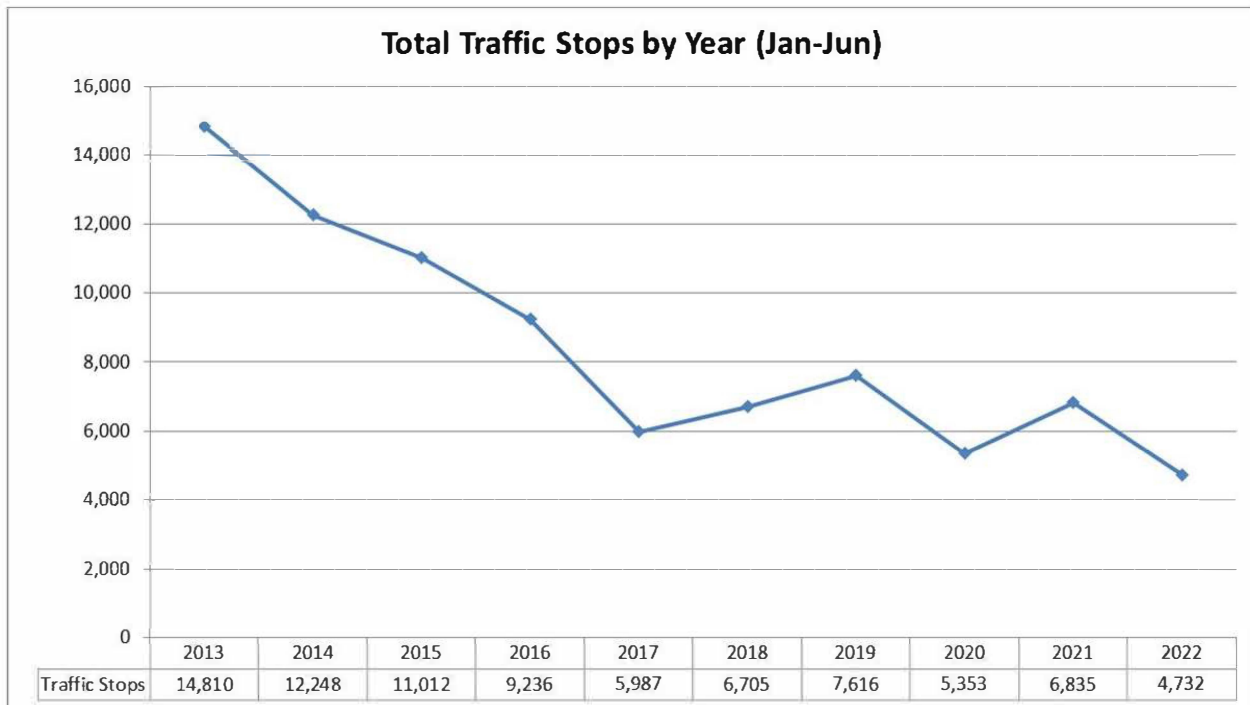


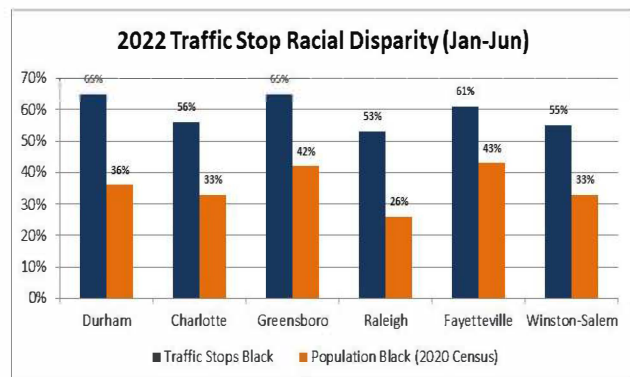
The following is an executive review of traffic stop data for the first six months of 2022, which is compiled from the SBI-122 traffic stop reports. During this period, the department conducted 4,732 total traffic stops, which is a 30.8 percent decrease from the 6,835 stops for the same period in 2021, and is the lowest volume over the last 10 years (Figure 1). Note: Significant staffing shortages occurred during the period, which could result in some atypical measures contained in this report, as compared to a normal year. This includes Traffic Services¹ officers, which had 60 percent fewer stops than last year.

Figure 1



Of the drivers stopped, 3,090 were Black (65%), 1,512 were White (32%) and 130 (3%) were other races. Broken down by ethnicity, 626 (13%) were Hispanic. The primary reason for the traffic stop was classified as 56 percent driver-based violations, 41 percent vehicle-based violations, and 3 percent for other reasons². No enforcement action³ was taken in 65 percent of the stops for Black drivers and 55 percent for White drivers.

While the percentage of black drivers stopped (65%) is higher than the estimated population of the City of Durham (36%), similar disparities were observed in other major cities in North Carolina⁴.



¹ Includes Traffic And Crash Team (TACT) and Motors.

² Includes Checkpoint, Investigation and Other Motor Vehicle Violation.

³ Includes Written Warning, Verbal Warning and No Action Taken.

⁴ Based on 2020 census data. <https://www.census.gov/programs-surveys/acs>.

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 regarding percentages, which are affected by the total number of stops made. When considering Traffic Services officers, which conducted 942 stops as a group, the breakdown is 51 percent Black and 45 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, which would affect traffic stop percentages outside of their normal duty assignments.

On April 19, 2022, the Crime Area Target Team (CATT) was formed, which is a proactive unit operating throughout the City of Durham. The unit has a directive to focus enforcement action on crime hot spots, with the specific mission to reduce gun violence. CATT was responsible for 28.5 percent of traffic stops, 48.3 percent of searches and 51.4 percent of firearm contraband found during the period they operated.

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 still 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.

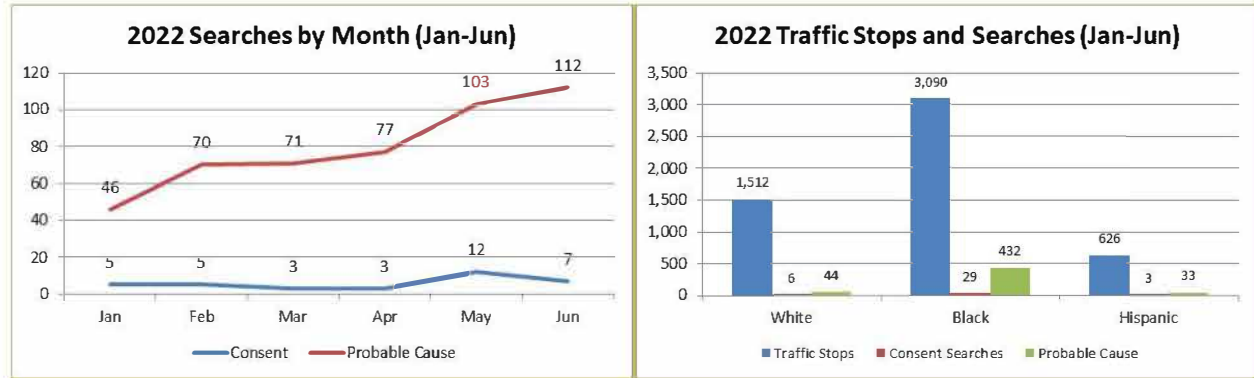
Table 1 – Consent Requests and Forms by Month

	Consent Requests			Forms On File		
	Granted	Denied	Total	Granted	Denied	Total
January	5	1	6	7	1	8
February	5	1	6	6	1	7
March	3	2	5	3	2	5
April	3	1	4	5	1	6
May	12	0	12	12	0	12
June	7	0	7	9	0	9
Total	35	5	40	42	5	47

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 42 consent searches listed from that source for the Department in the first half of 2022, there were actually just 35 traffic stops in which a consent search occurred.

Of the 4,732 traffic stops in the first half of 2022, there were 40 consent requests for a search (0.85%) made by officers, with 35 being granted and 5 being denied. There are 47 forms on file for the period, including 42 where consent was granted and 5 that were denied (Table 1).



Graph 1 – Types of Searches by Month

Graph 2 – Search Rate by Drivers Stopped

Thirty-five (35) of the vehicles stopped (0.74%) during the first half of 2022 resulted in a consent search (Graph 1), of which 29 drivers were Black, 6 were White, and 3 were Hispanic⁷. The rate for which a consent search occurred was 0.94 percent for Black motorists, 0.40 percent for White motorists and 0.48 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	1,512	3,090	4,732	626	4,106	4,732
Drivers Searched (All)	58	509	571	39	532	571
Consent	6	29	35	3	32	35
Search Warrant	0	1	2	0	2	2
Probable Cause	44	432	479	33	446	479
Search Incident to Arrest	6	22	28	3	25	28
Protective Frisk	2	25	27	0	27	27
Multiple Search Types	0	0	0	0	0	0
Percent Searched (All)	3.84%	16.47%	12.07%	6.23%	12.96%	12.07%
Consent	0.40%	0.94%	0.74%	0.48%	0.78%	0.74%
Search Warrant	0.00%	0.03%	0.04%	0.00%	0.05%	0.04%
Probable Cause	2.91%	13.98%	10.12%	5.27%	10.86%	10.12%
Search Incident to Arrest	0.40%	0.71%	0.59%	0.48%	0.61%	0.59%
Protective Frisk	0.13%	0.81%	0.57%	0.00%	0.66%	0.57%
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%.

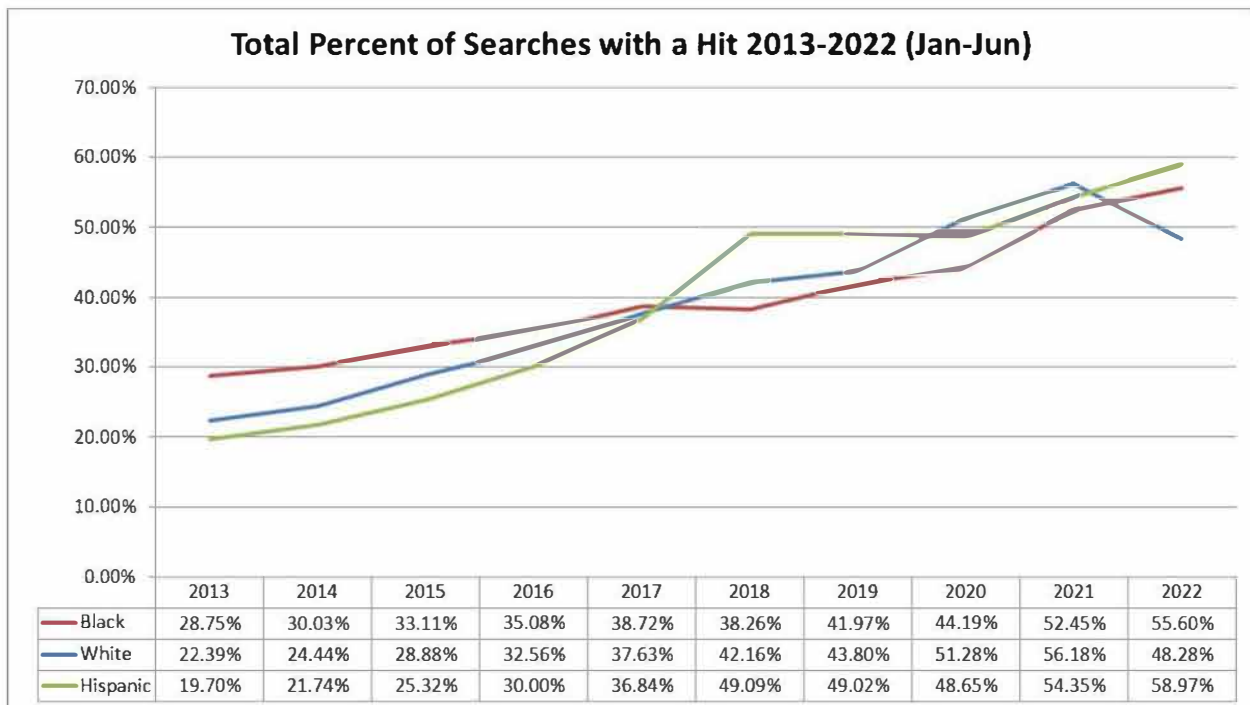
⁸ Race categories of Native American, Asian and Other, representing four (4) total searches, were eliminate for formatting reasons.

Search Results

There were 571 traffic stops during the period in which a search occurred, with 312 (54.64%) resulting in contraband being found, which was the highest ratio over the last 10 years (Figure 2). The rate was 14.29 percent for consent searches, and 61.17 percent for probable cause searches. When broken down by race, similar rates were observed. There were more instances of firearm contraband being found on searches in the 1st half of 2022 (113) than all of 2021 (111).

- Of the 35 traffic stops in which a consent search occurred, 5 (14.29%) resulted in contraband being found, including 10.34 percent for Black drivers, 33.33 percent for White drivers and 33.33 percent for Hispanic drivers.
- Of the 479 traffic stops in which a probable cause search occurred, 293 (61.17%) resulted in contraband being found, including 62.04 percent for Black drivers, 56.82 percent for White drivers and 63.64 percent for Hispanic drivers.

Figure 2



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:

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

[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 the first six months of 2022, racial disproportionality tested as statistically significant for stops of all drivers and stops of males only (Table 3).

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

Model	Original Number of Stop Records	Stops in Intertwilight Period (ITP ¹¹)	Stop Risk in Daylight	Stop Risk in Darkness	Risk Ratio	p-value	Statistical Significance ¹²
All intertwilight stops	4,732	753	71.79%	65.72%	1.09	.0216	p<.05
All intertwilight stops (male only)	2,968	501	74.95%	62.52%	1.20	.0063	p<.01
All intertwilight stops (female only)	1,764	252	66.75%	68.74%	0.97	.4234	None
Uniform Patrol (male only)	1,885	389	71.62%	62.48%	1.15	.0612	None

This was the first time since the RTI study that statistically significant racial disproportionality was detected in any category. However, when traffic stops for male drivers are isolated to Uniform Patrol and CATT officers are removed, the findings were not significant. This suggests the risk ratios were impacted by 1) a significant reduction in stops by Traffic Services officers; 2) a higher proportion of total stops made by Gang and CATT officers; and 3) the likelihood of Gang and CATT officers recognizing specific vehicles and occupants with whom they are familiar and may be engaged in ongoing criminal activity during daylight hours.

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 20 total officers. 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 geographical areas with higher minority populations, including District 1 and District 4¹³, which also have the highest per capita violent crime figures¹⁴.

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.

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

¹¹ The Intertwilight Period (ITP) range was 5:29pm to 9:06pm.

¹² The statistical test does not give a binary yes or no answer to whether there is a systemic issue with racial disproportionality in traffic stops—it can only provide evidence or fail to provide evidence for the hypothesis that racial disproportionality exists.

¹³ 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. 2020 census data was not available at the district level at the time of this report.

¹⁴ Identified violent crime suspects: 80% Black, 8% White, 11% Hispanic; 76% Male, 24% Female