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DID THE TIMES SCAPEGOAT L.A.'S FINEST? (PART II)

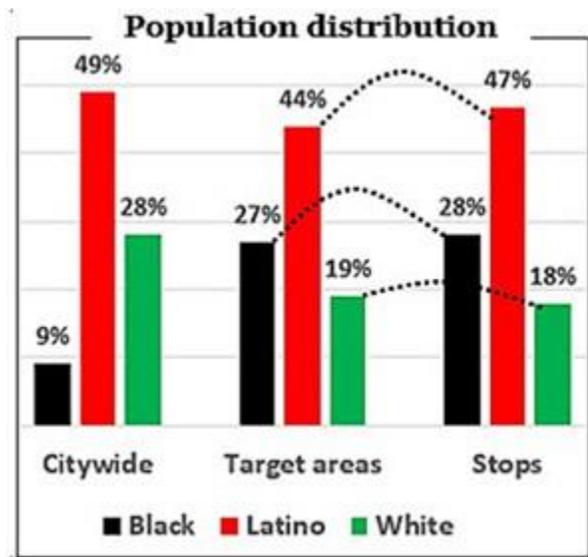
***Quit blaming police racism for lopsided outcomes.
And fix those neighborhoods!***

For *Police Issues* by Julius (Jay) Wachtel. [Part I](#) challenged the [L.A. Times' apparent conclusion](#) that race and ethnicity drove officer decision-making practices during LAPD's stop-and-frisk campaign. Let's explore who got stopped and who got searched in greater detail.

Who got stopped?

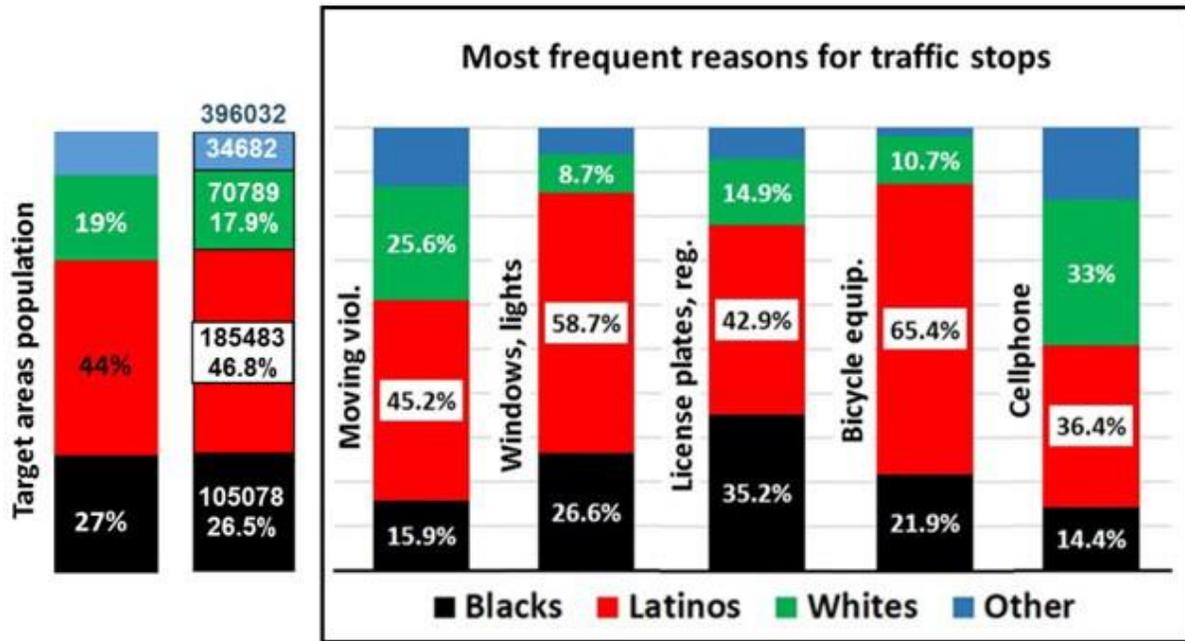
L.A. City is twenty-eight percent white. Yet as the Times noted, only eighteen percent of the 549,488 persons stopped during a ten-month period were white. On the other hand, Blacks, who comprise a mere nine percent of the city's total population, figured in twenty-seven percent of stops. Proof positive of bias, right?

Not so fast. L.A.'s communities are far from integrated. We coded a random sample of stops for location and identified 52 distinct neighborhoods. Armed with demographics, we compared again. Check out those dotted lines. Once location is factored in, the racial/ethnic makeup of those who were stopped closely corresponds with the demographics of the place where they were stopped. That's what one would expect.

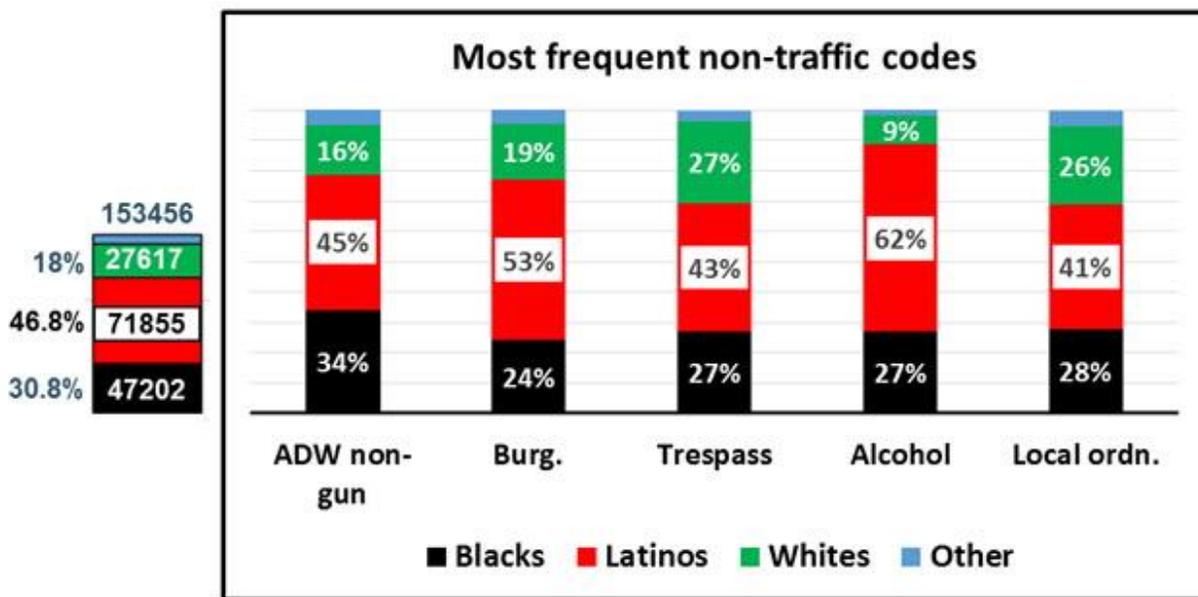


Still, that doesn't prove that bias *didn't* play a role in targeting. For more insight about officer decisionmaking we focused on two data fields pertinent to the "why's" of a stop: "traffic violation CJIS offense code" and "suspicion CJIS offense code." (For a list of these Federally-standardized codes click [here](#).) Seventy-two percent of those stopped (n=396,032) were detained in connection with a traffic violation. Overall, the racial/ethnic distribution of this subset was virtually identical to that of the target area. We collapsed the ten most

frequent violations into five categories. This graphic displays shares for each racial/ethnic group:



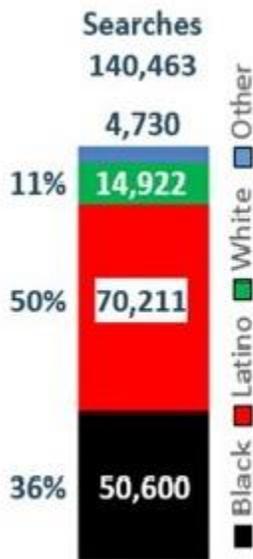
Twenty-eight percent of stops (n=153,456) were for non-traffic reasons. Of these, 82 percent (n=126,005) bore a CJIS crime suspicion code. Here are the top five:



The remaining eighteen percent of non-traffic stops lacked a CJIS suspicion code. That subset was 29.5 percent Black, 48.9 percent Latino and 17.4 percent white, which closely resembles the racial/ethnic distribution of target areas.

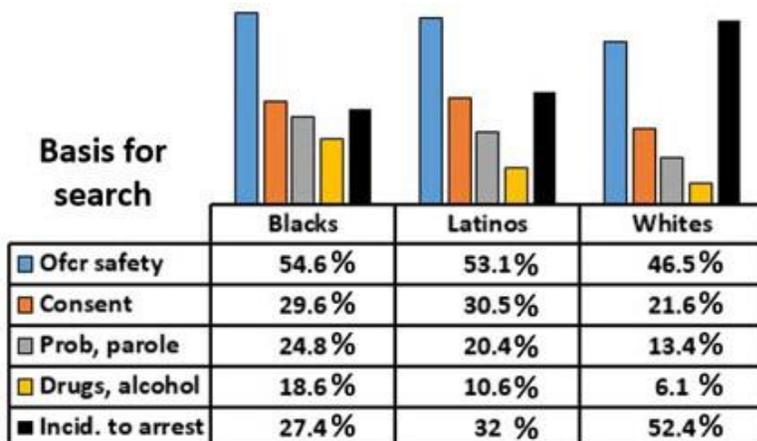
Proportionately, the distribution of stops – traffic and otherwise – roughly corresponded with each racial/ethnic group’s share of the population. But there were exceptions. Whites were frequently dinged for moving violations and yakking on cell phones, and Latinos for obstructed windows and inoperative lighting. Most importantly, Blacks had an oversupply of license plate and registration issues, with implications that we’ll address later.

Who got searched?



Ninety-seven percent of searches (n=135,733) were of Blacks, Latinos or whites. Justification codes appear in the “basis for search” field. While the CJIS offense and suspicion fields carry a single entry, basis for search is populated with a dizzying variety of comma-delimited combinations (e.g., “1, 4, 5, 12”):

- 1 – Consent search
- 2 & 5 – Officer safety pat-down
- 3 – Presence during a search warrant
- 4 – Subject on probation or parole
- 6 – Drugs, paraphernalia, alcohol
- 7 – Odor of drugs or alcohol
- 8 – Canine detected drugs
- 9 & 10 – Search incident to arrest
- 11 – Miscellaneous
- 12 – Vehicle impound



We collapsed the most frequently-used codes into five categories: officer safety, consent, probation/parole, drugs and alcohol, and incident to arrest (percentages exceed 100 because multiple codes were often used.)

Officer safety was the primary reason cited for

searching Blacks and Latinos. When it came to whites, incident to arrest took first place. That may be because whites were substantially less likely than Blacks or Latinos to grant consent, have drugs or alcohol in plain view or be under official supervision.

Patterns between groups seemed otherwise consistent, and what differences exist could be attributed to place and economics. Yet a niggling problem persists. Why, as the *Times* complains, were whites searched far less frequently during traffic stops than Blacks or Latinos? After all, when searched, whites had *more* contraband!

Traffic stops

| | All groups | Blacks | Latinos | Whites |
|----------------------------|------------|--------|---------|--------|
| Search conducted | 15.0% | 23.3% | 16.1% | 5.0% |
| Search & contraband seized | 16.7% | 17.2% | 15.9% | 20.1% |

Contraband found

| | All groups | Blacks | Latinos | Whites |
|-------------|------------|--------|---------|--------|
| All stops | 7.4% | 9.1% | 8.0% | 5.3% |
| Traffic | 3.1% | 4.9% | 3.2% | 1.3% |
| Non-traffic | 18.6% | 18.5% | 20.2% | 15.3% |

We'll get to that in a moment. But first we'd like to point out a couple things that the *Times* left out. First, only fifteen percent of traffic stops involved a search. When all traffic

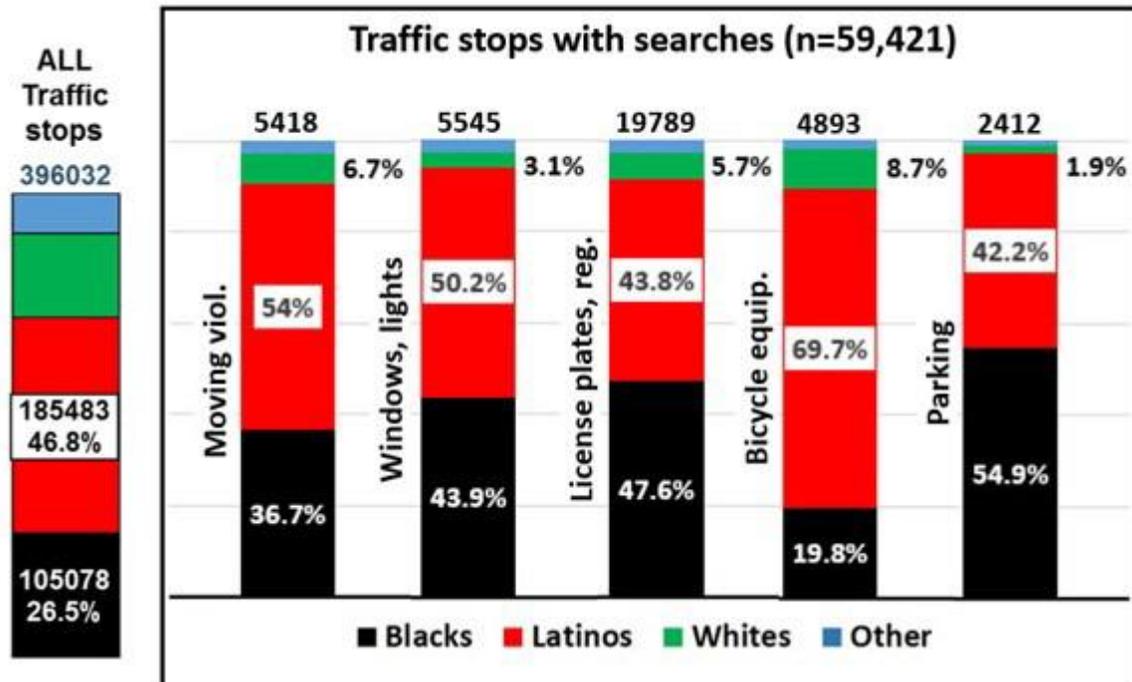
stops are taken into account contraband was seized – much, assumedly in plain view – from 4.9 percent of Blacks, 3.2 percent of Latinos and 1.3 percent of Whites.

Neither did the *Times* say anything about the kinds of contraband seized. Since LAPD's goal was to tamp down violence, we selected all encounters, traffic or not, where "contraband_type" includes the numeral "2", meaning a firearm. Overall, 3,060 of the 549,488 individuals stopped during the project (0.06 percent) had a gun or were present when a gun was found. Whites were substantially *less* likely than Blacks or Latinos to be found with a gun, and particularly when searched.

Gun recoveries

| | Black | % | Latino | % | White | % |
|----------------------|---------|------|---------|------|--------|------|
| Total encountered | 152,280 | | 257,338 | | 98,406 | |
| No search, gun found | 141 | 0.09 | 223 | 0.09 | 75 | 0.08 |
| Search, gun found | 1,096 | 0.72 | 1,182 | 0.46 | 198 | 0.20 |
| Total with guns | 1,237 | 0.81 | 1,405 | 0.55 | 273 | 0.28 |

Back to traffic stops with a search. For this subset the top codes were the same, excepting that parking infractions replaced cellphone misuse. Here are the results:



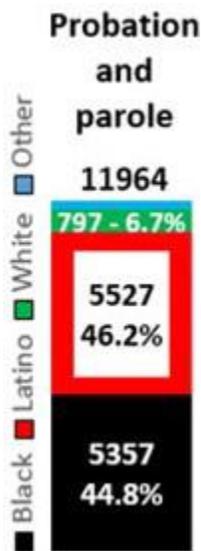
When we examined *all* traffic stops the one disparity that caught the eye was a substantial over-representation of Blacks for license plate and registration violations. As the above graphic illustrates, that's even more so for traffic stops that led to a search. Overall, license plate and registration issues were the most frequent traffic violations linked to a search, appearing in out of every three episodes (19,789/59,421).

What's the takeaway?

First, not all stops are created equal. Non-traffic stops are often precipitated by observations – say, a gangster with bulging pockets – that may “automatically” justify a [“Terry” stop-and-frisk](#). Discerning what's going on inside a vehicle is far trickier. Without something more, ordinary moving violations (e.g., speeding or running a stop sign) and equipment boo-boos (e.g., inoperative tail lights) don't give an excuse to search.

That “more” can be a registration or licensing issue. If a plate has expired or is on the wrong vehicle, or if a vehicle's operator lacks a valid license, officers have an opening to parlay a stop into something more. Indeed, a 2002 California Supreme Court decision ([In re Arturo D.](#)) expressly endorsed intrusive searches for driver license and vehicle registration information. (In time, the enthusiastic response apparently backfired, and just days ago California's justices literally slammed on the brakes. (See [People v. Lopez.](#)) In any event, it often really *is* about money. Registration and licensing issues are tied to

economics, making many Blacks vulnerable to inquisitions while lots of whites get a free pass.



Our analysis of the “basis for search” and “basis for search narrative” fields revealed that at least 11,964 of the 549,488 persons in the dataset were on probation or parole. More than half (6,810, 56.9 percent) were encountered during a traffic stop. It’s not surprising that every last one was searched. Blacks, whose share of persons under supervision ([30 percent of probationers; 38 percent of parolees](#)) is about three times their proportion of the population ([12.3 percent](#)) were, as a group, by far the most exposed.

Policing is a complex enterprise, rife with risk and uncertainty. As with other human services, its practice is unavoidably imprecise. Although we’re reluctant to be too hard on our media friends, this may be a good time to remind the *Times* that trying to “explain” dissimilar outcomes by jumping to the usual conclusion – essentially, that cops are racists – can do a major disservice. As we’ve pointed out in a series of posts (be sure to check out our [“stop and frisk”](#) section), when cops target high-crime areas, the socioeconomics of urban America virtually assure disparate results.

So should police abandon aggressive crime-fighting strategies? That debate has been going on for a very long time. In our view, the *real* fix calls for a lot more than guns and badges. (For the latest, supposedly most “scientific” incarnation of targeted policing check out “Understanding and Responding to Crime and Disorder Hot Spots,” available [here](#).) In our own, very measly opinion what’s *really* needed is a “Marshall Plan” for America’s neighborhoods, so that everyone regardless of ethnicity, skin color or financial resources gets the chance to prosper.

Of course, we all know that. Still, we’re waiting for a candidate to utter that magic word. Psst...once again, it’s “neighborhoods”!