

Race-Based Decisions: Traffic Citations and Municipal Court Dispositions

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Abstract

Numerous studies have demonstrated that race can affect a police officer's decision to stop and ticket a motorist. With a large sample of traffic cases from a major city in the Pacific Northwest, the present study examined the effects of driver race on criminal justice decisions in the street and in the courtroom. Using municipal court data, analyses showed that police officers were more likely to cite African Americans than other races for failing to produce a driver's license or proof of automobile insurance but were less likely to ticket African Americans for committing a moving violation. Police officers were equally as likely to ticket White and African American drivers for equipment violations, which can be used as a pretext for more intrusive police practices. Logistic regression analyses showed that African Americans were more likely than other racial groups to have their traffic tickets dismissed in court for a lack of evidence or probable cause. A race-based pursuit of questionable traffic cases can undermine the perceived legitimacy of the police and degrade public support for police officers, particularly within African American communities.

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Introduction

The use of police discretion is pervasive and has often been controversial (Brown, 1988; Klockars, 1985). In many instances, the exercise of discretion can be racially or ethnically biased. A police officer's decision to stop or arrest a driver or search a vehicle can be affected by the officer's subjective judgments. Although most police officers strictly abide by the law in their enforcement practices, others abuse their authority by inappropriately initiating traffic stops based on non-legal factors, such as a motorist's race or ethnicity (Greenwald, 2003). As an extralegal component of routine enforcement activities, the consideration of a civilian's race in an officer's decision-making process is referred to as race-based policing or racial profiling, which occurs when race is perceived as the sole indicator of criminality or justification for enforcement activities (Schafer, Carter, Katz-Bannister, & Wells, 2004, 2006; Withrow, 2004; Wu, 2005).

Law enforcement strategies with elements of race-based policing spur significant distrust in the police, particularly among young people of color, who have long experienced strained relationships with law enforcement authorities (Flexon, Lurigio, & Greenleaf, 2009; Friedman, Lurigio, Greenleaf, & Albertson, 2004; Human Rights Watch, 2000). The number of charges of racial profiling has risen during the most recent war on drugs, which began in the late 1980s and primarily targeted African Americans in urban communities (Lurigio & Loose, 2008; Walker & Katz, 2008). More recently, charges of racial profiling have appeared in the context of heated debates concerning the enforcement of immigration laws (Arnold, 2007).

Background

Traffic Stops

Traffic stops are by far the most common police-citizen encounter. A national survey found that more than half of all citizens aged 19 and older have had contact with the police through traffic stops (Durose, Smith, & Langan, 2007). For most people, traffic stops are an opportunity to form firsthand opinions about the fairness and integrity of police officers, who are the most visible symbols of the criminal justice system (Walker & Katz, 2008). Citizens' attitudes toward the police are largely based on their experiences with the police during traffic encounters as well as the outcomes of such encounters (Tillyer, 2008).

Police officers exercise considerable discretion in terms of both initiating and resolving traffic stops (Ramirez, McDevitt, & Farrell, 2000). The former signifies the decision to stop, thereby initiating the encounter, whereas the latter signifies the decision to sanction, thereby ending the encounter, which can include a verbal warning, the issuance of a citation or ticket, or the effectuation of an arrest. Numerous studies have examined the degree to which non-legalistic factors are considered in police officers' decisions to stop, cite, or arrest drivers (Withrow, 2004). Most germane to the present research are the previous studies that have explained the effects of the driver's race—and to a much lesser extent their age and gender—on stopping, citing, and arresting citizens. Race often enters into the discretionary formula due to the saliency of color, which becomes more obvious after a citizen has been pulled over and questioned. Of greatest concern to researchers and policy makers alike is the application of race as the sole or determining factor in making the decision to stop and cite a motorist (Harris, 2006; Kowalski & Lundman, 2007). Race-based policing is typically defined as

any police-initiated action that relies upon the race, ethnicity, or national origin of an individual rather than the behavior of that individual or information that leads the police to a particular individual who has been identified as being engaged in or having been engaged in criminal activity (Ramirez et al., 2000, p. 3).

Race-based disparities in the criminal justice system are generally measured by comparing the percentage of people of different racial origins at each step in the criminal justice process with the percentage of those people in the general population of a municipality, jurisdiction, or state. With respect to traffic stops, disproportionality is a measure of the proportion of people officially stopped, compared with their representation in the general population or their risk of being stopped, which takes into account the proportion of people in different racial or ethnic groups who drive in a municipality and is known as the “benchmark” (Gaines, 2006).

Race and Traffic Stops

A substantial number of investigators have conducted studies in a wide variety of locations, finding a link between drivers’ race and police traffic stops (Farrell & Yee, 2003; Gaines, 2006; McDevitt, Farrell, & Yee, 2003; Meehan & Ponder, 2007; Roh & Robinson, 2009). For example, in a study on racial disparities and police contacts in Sacramento, California, African Americans were stopped for suspected traffic violations at a rate significantly higher than their representation in the city’s general population (Greenwald, 2003). African Americans comprised only 14% of the residents, but accounted for 26% of the motorists stopped by the police in that city. No disparity was found between the rate of traffic stops for White drivers and their representation in the city’s population.

In Providence, Rhode Island, non-White drivers were stopped at a rate disproportionately higher than their representation in the city’s population (McDevitt, Farrell, & Yee, 2003). Although 32% of registered drivers were non-White, 55% of police stops involved people of color. In addition, non-Whites were more likely than Whites to receive a citation for relatively minor traffic infractions, such as equipment violations, which have been noted as one basis for

pretextual stops (Withrow, 2004). A multivariate study of racial profiling in the state of Washington concluded that state patrol officers were more likely to cite African American drivers than Whites; however, no association was found between the driver's race and the seriousness of the citation (Mosher et al., 2008).

Structural or neighborhood variables, which are confounded with race, were associated with the issuance of traffic tickets in a southwestern city (Ingram, 2007). According to Ingram, economic disadvantages and minority population were related to the number of tickets that officers issued during traffic stops. Drivers of lower socioeconomic status and persons of color were more likely to be recipients of citations than middle- or upper-class White drivers. Race and location can affect the decision to stop a motorist, especially when the circumstances involve an African American driving in a White community (Greenleaf, Skogan, & Lurigio, 2008; Ingram, 2007; Meehan & Ponder, 2002; Roh & Robinson, 2009). This suggests "contextual awareness," which refers to an officer's heightened sensitivity to individuals (or activities) that are incongruent with the officer's expectations (e.g., a White driver in an African American community or an African American driver in a White community) (Withrow, 2004). Roh and Robinson (2009) also examined racial disparity at the macro level and stressed the importance of the officer's beat and the interaction between the macro and micro. Hence, higher crime areas or "hot spots" will generate greater scrutiny and attract more aggressive police tactics.

The use of racially tinged discretion can also extend to vehicle searches. For example, a multivariate analysis of police officers' decisions during traffic stops showed that motorists of color were more likely to have their vehicles searched, compared with White drivers, controlling for other factors (Schafer, et al. 2006). Similarly, in the state of Maryland, African Americans were significantly more likely than Whites to have their vehicles searched by the police for

contraband. African Americans constituted 18% of the population, but accounted for 63% of the drivers searched by the state police (Knowles, Persico, & Todd, 2001).

Reasons for Traffic Stops

Citizens' attitudes toward the police are largely based on how the police treat them during an encounter as well as the outcome of the encounter (Skogan, 2003). A substantial body of research on procedural justice has demonstrated that people's perception of the fairness of the process or procedures of a criminal justice proceeding can affect their satisfaction with the proceeding (Tyler, 2004). People's perceptions of procedural justice during traffic stops depend in part on their view of whether the police are behaving consistently when stopping and sanctioning drivers. Fair procedures guarantee that similar cases are treated in a similar manner and that those carrying out the procedures are impartial and neutral (Buttram, Folger, & Sheppard, 1995). Thus, the reasons that motorists are given for being pulled over during a traffic stop can influence their beliefs about the fairness of the police (Miller, 2009).

A study conducted in Kansas City, Missouri, suggested that traffic stops are used as a pretext to investigate minority drivers rather than to enforce traffic codes (Novak, 2004). This investigation found that race (an extralegal factor) was unrelated to moving violations, but was associated with less serious infractions in which police officers have greater discretion. Specifically, African Americans were more likely to be stopped and cited for nonmoving violations. Such stops suggest that race is a basis for police decisions. Further, pretextual stops are much less likely to be supported by probable cause, thereby producing a proportionally greater number of citations for African Americans than for drivers of other races (Miller, 2009).

Judges might be more likely to dismiss pretextual traffic citations based on the lack of probable cause. In *Whren v. United States* [517 U.S. 806 (1996)], the United States Supreme

Court recognized that the Constitution prohibits selective enforcement of the law based on considerations such as race; however, the justices held that—as long as police officers have probable cause to believe that a motorist has violated a traffic law—they can stop the motorist’s car. In this case, the court ruled that subjective intentions play no role in probable cause analysis. The fear that this ruling would open the door to racial discrimination has been well founded, and much scholarly research has been devoted to the exploration of “driving while black.” The decision has “etched out a clear, bright, line rule authorizing states to hold that pretextual traffic stops are legal” (Cooper, 2003, p. 70).

Current Study

The current study was conducted in a large city in the Pacific Northwest with a population of approximately 600,000 residents. Tensions between the police and minorities had been escalating in the city; consequently, the Mayor’s Office asked researchers to explore racial disparities in the issuance of traffic citations. Specifically, using descriptive, bivariate, and multivariate analyses, we investigated the relationship between race and the reasons for stopping and ticketing motorists. In addition, we explored the relationship between race and court dispositions. These court cases are the focus of the present study.

Although many investigations of racial profiling have revealed the specific location of the study, many others have identified the settings in only the most general terms—to wit, a Southwest City (Ingram, 2007) or a Midwest City (Meehan & Ponder, 2002) (see also, Schafer, Carter, Katz-Bannister, & Wells, 2006). Our decision to conceal the identity of the department harkens back to the days of classic police deviance research (Skolnick, 1966; Stoddard, 1968; Sykes & Clark, 1975), which kept departments anonymous in order to enlist their cooperation and trust. Our rationale followed the same logic and was mindful of the delicacy and volatility of

the issue for the agency involved in our project. Further, we decided that revealing the department's identity would not appreciably enhance the quality or utility of our scholarship and could distract readers from the thrust of the study itself by forcing them to interpret the findings in the context of their pre-existing or stereotypic beliefs about the setting.

The current investigation explored whether race is a factor in the most common episodes in which both police officers and court judges interact with citizens—namely, the initiation and disposition of routine traffic stops, respectively. The present study is the first to analyze the effects of race on both the nature and rate of traffic stops and court dispositions. We investigated whether race was related to the reason for stopping and ticketing a motorist. We also studied the effects of race on the outcomes of traffic offenses that reach the courtroom.

The vast majority of studies involving race and traffic stops focus on two outcomes: whether the police stop minorities at a disproportionate rate or whether minorities are subjected to differential outcomes during the stop (more likely than Whites to be ticketed, arrested, searched, etc.) (Tillyer, 2008). The present study is the first to track outcomes from the street to the courtroom. In particular, we were interested in the quality of the stops and whether the cases differed by race on court dispositions.

Using the data from court cases in a large city, we explored several hypotheses about the effects of race-based policing on criminal justice decisions in the street and in the courtroom. Is the race of the driver related to the decision to institute a traffic stop? What role does race play in the kinds of citations issued? Are African Americans more likely than Whites to be the recipients of tickets for equipment or seatbelt violations? We hypothesized that, if race-based policing was occurring in the city, African Americans would be more likely than non-African Americans to be

stopped and ticketed disproportionately. They would also be more likely than non-African Americans to be the targets of pretextual stops for non-traffic violations.

Is the race of the driver related to outcomes in traffic court? What are the most common reasons that citations are dismissed by the court, and do the reasons vary by drivers' race? We hypothesized that, if African Americans were being subjected to more pretextual stops than non-African Americans, they would be more likely than non-African Americans to have their cases dismissed in court because of the lack of probable cause. Thus, our measure of court case dismissals reflected whether race-based policing was occurring in the streets.

Methodology

Sample of Court Records

We obtained data on traffic citations from all of the city's municipal court records for a period of three consecutive years (2002 through 2004). Using SPSS 16.0, we entered and analyzed more than 326,000 traffic court cases. The data set contained types of traffic violations, court charges, and case dispositions as well as reasons for the dismissal of traffic citations, such as "no prosecuting witness," "no officer notes," "double jeopardy," "no probable cause for traffic stop," "officer cannot identify the driver in court," and "driver has sad story." The race of the driver was the study's primary predictor variable. The vast majority of the city's residents were White (74%); 10% were African American, and 17% were Asian. Native Americans and Alaskans constituted less than 2% of the city's population. For descriptive purposes, we also analyzed motorists' age and gender.

Sample for Multivariate Analyses

In order to conduct meaningful multivariate analyses, we drew a random sample of 16,303 traffic violations (5% of the universe) from all relevant court cases. The sample of cases

matched the statistics of court cases on all variables included in the study. We measured the race of the driver as a dummy variable. In the sample for the multivariate analyses, Whites accounted for 69% of the cited drivers, African Americans for 17%, and Asians for 14%. Approximately two thirds (68%) of the cited drivers in the sample were men. The age of the drivers ranged from 16 to more than 70 years old. The average age of drivers in the sample was 36. For the purpose of analyses, we combined ages into categories with 5-year intervals, ranging from 1 (under 19) through 12 (over 70). We measured the study's secondary predictor, type of traffic citation (e.g., seatbelt violation, no insurance), as a dummy-coded variable (Table 1).

The study's two outcome measures for the logistic regression analyses were case dismissals and case retentions, which we coded as dichotomous variables. We coded cases that were retained by the court for further disposition (i.e., not dismissed) as "1"; we coded cases that were dismissed by the court as "0" and used them as the reference category for the analyses (Table 1). Approximately three-fourths of the cases were retained. We conducted follow-up analyses that further examined the nature of the cases dismissed by the court.

We created the dismissal variable to identify cases dropped from the court process due to insufficient evidence or legal grounds (i.e., probable cause). We coded dismissals that were based on a lack of probable cause for the traffic stop (e.g., recorded as insufficient evidence, unarticulated facts, and inadequate rationale) as "1"; we coded dismissals for other reasons, such as proof of insurance provided, court motion granted, conditions met, double jeopardy, driver deceased, etc., as "0."

Table 1*Variable Descriptions for Multivariate Analysis*

Variable	Description	Min	Max	Mean	SD	N
<i>Dependent Variables</i>						
Retentions	Dichotomous variable measuring whether the defendant's case was retained or dismissed. Retained = 1, Dismissed = 0.	0	1	.76	.43	16,233
Dismissals	[Subsample of Dismissals] Dichotomous variable measuring whether dismissals were based on inadequate rationale, lack of evidence, unarticulated facts or related. Dismissed based on insufficient cause = 1, Dismissed for other reason = 0.	0	1	.10	.31	3,915
<i>Independent Variables</i>						
Age	Categorical (recoded from continuous) variable measuring defendants age by year.	1	12	4.64	2.53	16,195
Gender	Dichotomous variable measuring defendant sex. Male = 1, Female = 0.	0	1	.68	.47	16,145
African American	Dummy coded variable for defendant race/ethnicity. African American = 1, All Else = 0.	0	1	.17	.38	16,027
Other	Dummy coded variable for defendant race/ethnicity. Other = 1, All Else = 0.	0	1	.14	.34	16,027
White	Dummy coded variable for defendant race/ethnicity. White = 1, All Else = 0.	0	1	.69	.46	16,027
Seatbelt	Dummy coded variable for type of infraction/charge. Seatbelt Violation = 1, All Else = 0.	0	1	.03	.17	16,171
Equipment	Dummy coded variable for type of infraction/charge. Equipment Violation = 1, All Else = 0.	0	1	.15	.36	16,171
License	Dummy coded variable for type of infraction/charge. License or Insurance Violation = 1, All Else = 0.	0	1	.28	.45	16,171
Traffic	Dummy coded variable for type of infraction/charge. Traffic Violation = 1, All Else = 0. (comparison variable)	0	1	.53	.50	16,171

Note: Values are Rounded. The original data set contained 326,075 cases. The data used in analysis and presented includes a 5% random subsample of cases (n = 16,303).

Results

Traffic Cases on the Street and Motorists' Characteristics

Whites accounted for 72% of the cited motorists, African Americans for 18%, and Asians for 10%. Slightly more than two thirds (68%) of the cited drivers were men. The age of the drivers ranged from 14 to 100. Most of the cited motorists were between the ages of 26 and 39 (41%); 8% were 55 years old or older. Only 6% of the drivers were under the age of 19; more than 25% were 25 years old or younger. The mean age was 36; the modal age was 23 (Table 2).

Table 2

Count and Percent for Driver Race, Gender, and Age

Category	Number	%
Race		
White	221,734	72
African-American	55,003	18
Asian	32,407	10
Gender		
Male	210,820	68
Female	96,867	32
Age		
14-25	80,558	26
26-39	125,844	41
40-55	79,204	26
50+	23,085	7

Race and Traffic Citations

Traffic or moving violations accounted for the majority of the citations (53%), followed by insurance/license violations (28%), equipment violations (15%), and seatbelt violations (3%). Relative to their representation in the general population, both African Americans (42%) and Asians (59%) were over-cited whereas Whites (56%) were under-cited for traffic violations. The

data showed no evidence that police officers were using petty or minor charges, such as the “failure to illuminate one’s license plate” or “broken taillight,” as a pretext to stop and search a vehicle for illegal drugs or weapons. Specifically, police were equally likely to ticket African Americans, Whites, and Asians for equipment violations. Race was also unrelated to being cited for not wearing a seatbelt: 3% each of Whites and African Americans and 4% of Asians were ticketed for not wearing their seatbelts. However, African Americans were three times more likely than Whites and Asians each to be ticketed for no driver’s license (10% vs. 3%, respectively) (Table 3).

Table 3

Traffic Violations by Race (Percentages)

Race	Seatbelt	Equipment	Traffic	Insurance	No Valid License	No Possession of License
White	3	16	56	17	3	5
African American	3	14	42	23	10	8
Asian	4	13	59	17	3	4
Other	4	12	55	19	3	7

$X^2 = 305.86, p < .000$

Traffic Cases in Court and Court Charges

Traffic court cases fell into two broad categories: traffic infractions (non-criminal offenses, not punishable by incarceration) and traffic offenses (criminal offenses, punishable by incarceration). Most of the criminal traffic offenses were for driving under the influence of alcohol, reckless or negligent driving, and vehicular assault. An overwhelming majority of

drivers (94%) were issued an infraction citation; only 6% were issued a criminal citation, including people who were arrested and booked.

The charges leveled against drivers in court differed by race. African American drivers were two times more likely than White drivers and nearly three times more likely than Asian drivers to receive a criminal citation. Only 6% of Whites and 5% of Asians received a criminal citation, whereas 13% of African Americans received a criminal citation. As expected, an examination of the nature of the charges leveled in court paralleled the types of traffic citations issued by the police. Overall, more than half of all cases involved traffic code violations and 18% involved insurance violations. The remaining cases were for equipment (15%), seatbelt (3%), and license violations (10%). White, African American, and Asian drivers were highly similar in terms of the proportions of drivers in each group who were charged with seatbelt violations (approximately 3% for all races) and equipment violations (approximately 14% for all races) (Table 3).

Drivers differed with respect to violations for an expired or missing driver's license and lack of insurance. African Americans were less likely than other races to be charged with traffic infractions and more likely than others to be charged with insurance or license-related infractions, especially for having no valid driver's license. Not having a valid license is a criminal offense rather than a traffic infraction; not having a valid license accounted for the disparity in criminal charges against African American motorists.

Court Dispositions

Approximately 25% of drivers had their cases dismissed in court for a wide variety of reasons. Court records indicated 58 different categories of dispositions, but only a handful of these categories contained a sufficient number of cases for analysis purposes. The most common

reason for dismissing charges was “all conditions met” (29% of the total dismissal codes). Nearly 30% of drivers had their cases dismissed because the court upheld drivers’ or a city motion to dismiss the case; 9% were dismissed because the case was the first time they were cited for not producing an insurance card, and 4% had their cases dismissed because the prosecution witness (overwhelmingly, a police officer) failed to appear in court (Table 4).

Table 4

Count and Percent for Major Reasons for Dismissal

Dismissal Code	Number	%
All conditions met	22,817	29
Dismissed on city motion	12,873	16
Own motion granted	9,931	13
Had insurance	12,540	16
Dismissed – first time without insurance card	6,895	9
No prosecuting witness	2,823	4
All other (51) reasons	11,140	14

As displayed in Table 5, among the 25% of drivers whose cases were dropped, African Americans were two times less likely than Whites and Asians to have their cases dismissed because they met all their conditions or they showed proof of insurance. In contrast, African Americans were approximately two times more likely than Whites and Asians to have their cases dismissed by the city on a motion or because they were first-time offenders with respect to the failure to produce a valid driver’s license. African Americans’ failure to produce a valid driver’s

license is consistent with our findings on the types of traffic tickets issued to the city’s motorists with differing backgrounds.

Table 5

Dismissals by Race (Percentages)

	White	African American	Asians	Others
All Dismissals	23	29	24	26
Reasons for Dismissal				
All conditions met	32	15	35	31
Had insurance	18	8	18	16
City motion	16	23	11	11
Own motion granted	11	16	12	16
No prosecution witness	3	4	4	2
First time no license	8	15	6	6
All other dismissals	12	18	15	16

$X^2 = 33.93, p < .000$

African Americans were three times more likely than Whites to have their tickets dismissed because the stop was made without probable cause (0.3% vs. 0.1%, respectively, of all tickets issued). Half of the African Americans drivers had their tickets dismissed because officers stopped them without sufficient probable cause, compared with 39% of White motorists. A dismissal for the lack of probable cause occurred only three times among Asian motorists. African Americans were also more likely to have their citations dismissed for other factors

consistent with the lack of probable cause, such as “in the interest of justice” and “no evidence presented.”

In 670 court outcomes, officers were unable to identify the ticketed driver; this occurred 354 times (53%) among African Americans motorists, 239 times (36%) among White motorists, and 77 times (12%) among Asian motorists. African Americans were more than four times more likely than Whites to be misidentified or not identified by officers (2% vs. 0.5%, respectively). Asians were two times more likely as Whites to be misidentified or not identified by officers (1% vs. 0.5%, respectively). In the 14- to 25-year-old age group, which accounted for 26% of the motorists who received citations, approximately 58% of the tickets were dismissed among African Americans due to an inability to identify the driver; similarly, 60% of the tickets dismissed among Asians stemmed from the failure to identify the driver.

Disposition of Cases Carried Forward

The remaining 75% of cases were not dismissed but carried forward to disposition. The court recorded 28 distinctive types of case outcomes; three of these types accounted for 94% of all cases—namely, paid in full (45% of cases), finding entered (31%), and defaulted or forfeited cases for which defendants did not appear (13%)—so only these types of cases were examined in detail. Cases dismissed with prejudice were dropped from future court processing. The racial distribution of these dispositions is presented in Table 6.

Table 6*Non-Dismissals and Case Dispositions by Race (Percentages)*

	Whites	African American	Asians	Others
Not Dismissed	77	71	76	74
Charge Disposition				
Paid in full	50	25	47	43
Finding entered	29	33	23	33
Default or forfeit	10	28	7	15
All other dispositions	11	14	10	9

Among the cases that were not dismissed, 28% of African Americans failed to appear in court or otherwise forfeited their case, compared with 10% of Whites and 7% of Asians. White motorists were the most likely to pay their traffic fines in full in order to dispose of their case, followed closely by Asians. A significantly smaller percentage of African Americans (25%, or half the rate for Whites) paid their traffic fines in full (Table 6).

Case Retentions

Controlling for other factors (gender, age, type of violation), African Americans were significantly less likely to have their charges retained, compared with Whites. No other difference was found between African American and non-African American motorists. Drivers with seatbelt and equipment violations were more likely to have their charges retained than those charged with traffic violations (Table 7).

Table 7*Logistic Regression Explaining Retention of Charges in Court*

	b	Exp(B)	%	Sig.
Age	-.014	.986	---	.059
Gender	.002	1.002	---	.966
African American ^a	-.159	.853	14.7	.001
Other ^a	-.064	.938	---	.250
Seatbelt ^b	.387	1.472	47.2	.002
Equipment ^b	.188	1.206	20.6	.002
License ^b	-.732	.481	51.9	.000

$X^2 = 15,854$
 $N = 431.76$ $p = .000$

Note: Figures are rounded.

a. White is the comparison group

b. Traffic violation is the comparison group

Case Dismissals

Men were significantly more likely than women to have their cases dismissed because of over-charging by police officers. Similarly, African Americans were significantly more likely than Whites to have their tickets dismissed for a lack of substantiated facts in support of the charge, independent of other factors. Drivers charged with equipment or license violations were significantly less likely than those charged with traffic or moving violations to have their tickets dismissed for unsubstantiated charges or lack of probable cause (Table 8).

Table 8**Logistic Regression Explaining Dismissals by Reasons of Inadequate Charge**

	b	Exp(B)	%	Sig.
Age	-.013	.987	---	.568
Gender	.524	1.689	68.9	.000
African American ^a	.414	1.513	51.3	.001
Other ^a	.226	1.254	---	.148
Seatbelt ^b	.185	1.203	---	.524
Equipment ^b	-1.494	.224	77.6	.000
License ^b	-1.722	.179	82.1	.000

$X^2 = 3,823$

$N = 235.41$ $p = .000$

Note: Figures are rounded.

a. White is the comparison group

b. Traffic violation is the comparison group

Discussion and Conclusions

Race-Based Policing

This study focused on the relationship between the motorists' race and the legal decisions made on the street and in the courtroom. We found that African Americans were cited for equipment and seatbelt violations at a comparable rate as Whites and other minorities. These types of tickets have been related to "pretextual stops;" that is, legal traffic stops conducted as justification for more invasive police practices (Hecker, 1996). Based on these two traffic offenses, our results suggest that officers engaged in non-race-based police practices.

Nonetheless, African Americans were the recipients of 17% of all the tickets yet constituted only 8% of the city's population. In contrast, three fourths of the city's residents were White, and they

received roughly 70% of the tickets. Hence, with respect to the number of traffic citations issued, Whites were proportionately represented whereas African Americans were over-represented. These results are consistent with numerous previous studies of police traffic stops (e.g., Greenleaf et al., 2008; Greenwald, 2003; Ingram, 2007; McDevitt et al. 2003; Mosher et al., 2008).

Also similar to the findings of prior studies, we found that African American drivers were more likely than those of other races to be cited for failing to produce a valid driver's license or proof of vehicle insurance (Mosher et al., 2008). Further, Whites and other minorities (e.g., Asians) were more likely than African Americans to be ticketed for moving violations. Officers might have stopped African Americans drivers for minor infractions, such as seatbelt or equipment violations, and subsequently discovered more serious violations, such as no valid driver's license or vehicle insurance. Therefore, as noted above, we found no evidence that driver's race was linked with vehicle equipment or seatbelt violations—two charges that are frequently associated with racial profiling. However, we did find that African Americans were cited for driver's license and insurance violations at a higher rate than their representation in the city's population whereas Whites were cited at a rate comparable to their representation.

Race and Court Outcomes

Most of the drivers scheduled to appear in traffic court were White men between the ages of 26 and 39 when they were stopped by the police. A majority of the motorists were issued an infraction rather than a criminal violation. Nearly three fourths of the infractions were for traffic or insurance code violations. Approximately 25 percent of these traffic cases were dismissed because drivers met all their conditions, demonstrated that they had a valid license, or had purchased vehicle insurance. More than half the cases with dispositions were paid in full,

although this varied by race. Specifically, African Americans were two times less likely than Whites and Asians to have their cases dismissed because they met all their conditions or they showed proof of insurance; they were also twice as likely to have their cases dismissed by the city on a motion or because they were first-time offenders (with respect to their failure to produce a valid license) and three times more likely to fail to appear in court, thereby defaulting on their case.

We inferred from these courtroom dispositions that officers were more likely to stop African Americans without probable cause, compared with other racial groups. African Americans were more likely than Whites or Asians to have their citations dismissed “in the interest of justice” and for “an absence of evidence.” Although these disparities alone offer no proof that the police are profiling motorists, they are analogous to many other studies suggesting that police practices are racially biased (Tillyer, 2008). For this reason, low-visibility police-citizen interactions can have a chilling effect on public trust, particularly if it involves a seemingly unjustified stop. Such infractions can also erode support for key initiatives, such as community policing. In short, negative traffic encounters can diminish public confidence in the police and increase citizen resentment.

Unlike the results concerning the nature of traffic tickets themselves, the finding that African Americans were more likely than Whites to have their citations dismissed for a lack of evidence or lack of probable cause supports our hypothesis of racially-based policing and suggests that drivers might be less inclined to believe that the police stopped them for a legitimate reason. For example, Lundman and Kaufman (2003) found that African Americans were less likely than White drivers to report that the police were justified in stopping them and were less likely to reveal that the police behaved properly during the stop. Similarly, Engel

(2005) reported that African American drivers were more likely than White drivers to believe that a traffic stop was illegitimate; more discretionary stops (e.g., for vehicle defects) were viewed as even more unjust.

Our data further indicated that African Americans were four times more likely than Whites while Asians were twice as likely as Whites to be either mistakenly identified or unidentified by police officers in the court. Consequently, their tickets were dismissed, causing an economic loss to that municipality. While we are fairly confident that traffic violators did not perceive this as a problem, revenues generated from traffic fines are essential to municipal budgets.

Stereotyping—the failure to differentiate individuals from particular groups—might play a role in race-based policing. However, the inability of individuals to distinguish or recognize physical differences (e.g., facial features) among people of a racial group different from their own stems mostly from perceptual rather than racial biases (see Slone, Brigham, & Meissner, 2000). Specifically, people tend to view the facial features of members of their own race as more heterogeneous whereas the facial features of members of another race are seen as more homogenous (Meissner, Brigham, & Butz, 2005). Thus, people have more difficulty recognizing individuals from another race.

Perceptions of Legitimacy and Police-Community Relations

If the police initiate traffic stops with a questionable degree of probable cause, they risk losing not only their case in court but also the “hearts and minds” of law-abiding citizens. According to Tyler (2004), “a central reason people cooperate with the police is that they view them as legitimate legal authorities entitled to be obeyed,” (p. 84). Tyler (2004) further asserted that the legitimacy of the police is linked to the belief that the police are entitled to expect that

citizens will comply with the law and help them combat crime. However, if officers engage in dubious traffic stops involving racial minorities, police strategies—such as community oriented policing, which depend heavily on citizen cooperation—could be undermined (Skogan, 2003).

Researchers have examined the determinants and effects of the public's perceptions of police legitimacy (Tyler, 2006). For example, Sunshine and Tyler (2003) found that favorable public perceptions of police legitimacy in New York City were related to greater compliance with the law as well as greater public willingness to assist, support, and cooperate with the police. Unfavorable perceptions of police legitimacy were associated with a willingness to break the law and unwillingness to aid police. The investigators also found that the public's perception of procedural justice—the extent to which police apply the law fairly and treat the public with respect—was by far the most powerful predictor of perceived legitimacy, explaining more about such perceptions than performance evaluations of police effectiveness as measured by the prevention of crime or the apprehension of criminals (Sunshine & Tyler, 2003).

Perceived bias in the criminal justice system can translate into a “crisis of legitimacy.” Law enforcement agencies can only operate successfully if they have the cooperation and support of the community (Bobo & Thomson, 2006). In a study by Bobo and Thompson (2006), when participants were asked whether drug laws are “enforced fairly on all would-be drug users,” 79% of White respondents answered affirmatively whereas only 34% of African American respondents did so. As a result of such perceptions, when asked whether they believed that the police would take a complaint about a home burglary seriously, only 35% of African Americans expected such a response, compared with 60% of Whites. Indeed, when trust in the police erodes, public safety is inevitably compromised.

Racial profiling has garnered considerable attention during the last two decades and has been the subject of widespread research. Despite this wealth of attention, few—if any—studies have established the existence of systematic racial discrimination in traffic stops, which is attributable in part to the complexity of studying the issue (e.g., finding a valid benchmark) and operationally defining racial profiling (Schafer et al., 2006). To date, academics have never examined what occurs in the court after a citation has been issued. Our study is likely the first to investigate the link between race and traffic court dispositions. We encourage future researchers to continue exploring the effects of race on the types of traffic tickets issued and the dispositions rendered in the courtroom.

Study Limitations

The current study had several limitations. Specifically, we drew entirely on official data and had no information on how frequently officers issued a verbal admonition or to whom. Moreover, we explored nothing about the actual decision-making process that the police used to determine who to stop, when to stop, and for what reasons and, most crucial, whether that process differed with respect to the race of the motorist. Observational research would be required to determine what actually occurred during street encounters between the police and citizens.

The validity of our conclusions about the effects of race on police decisions to stop and ticket motorists would have been bolstered by the inclusion of cases in which officers exercised their discretion by not citing a driver. However, the design and funding of our research could not accommodate the inclusion of direct observations and the coding of officer-motorist contacts on the scene; only the secondary analyses of court records was supported and expectable given the

goals of our research. In addition, the primary purpose of our study was to track citations into the courtroom, which would obviously be impossible for cases that involved no citations.

We also had no information on the race of the officers and the effect of this variable on enforcement patterns. Were African American officers (who constituted 10% of the police department) less likely than White officers to stop African American drivers? How did an officer's race affect the legitimacy of the stop? Analysis of these questions could lead to varying conclusions about racial profiling and courtroom dispositions (cf., Gillard-Matthews, Kowalski, & Lundman, 2008). Further, we had no information on police beats or the demographic characteristics of the citizens residing in such areas. Thus, we were unable to examine the "race and place" effect or the interaction between various locations in the city and motorists' race.

Finally, the role of the judges in case dispositions was unexplored. Judges are central figures in the decision-making process in traffic court. Although judges are trained to rely on the law and legal precedent, they can also be influenced by local politics and ideology (Wenner & Dutter, 1988). Data regarding the judges' characteristics and whether a driver/defendant was represented by an attorney were unavailable. Including these variables might have helped us to better explicate court dispositions.

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