Pergamon

Journal of Criminal Justice 31 (2003) 1–11

JOURNAL OF CRIMINAL JUSTICE

Conflict theory and racial profiling: An empirical analysis of police traffic stop data

Matthew Petrocelli[a], Alex R. Piquero[b], Michael R. Smith[c,*]

[a]*Department of Sociology and Criminal Justice, Southern Illinois University, Edwardsville, IL 62026, USA*
[b]*Center for Studies in Criminology and Law, University of Florida, 201 Walker Hall, P.O. Box 115950, Gainesville, FL 32611-5950, USA*
[c]*Criminal Justice Program, Washington State University, Spokane, 668 North Riverpoint Boulevard, Box B, Spokane, WA 99202-1662, USA*

Abstract

Using data collected by the Richmond, Virginia Police Department, this article applies conflict theory to police traffic stop practices. In particular, it explores whether police traffic stop, search, and arrest practices differ according to racial or socioeconomic factors among neighborhoods. Three principal findings emanate from this research. First, the total number of stops by Richmond police was determined solely by the crime rate of the neighborhood. Second, the percentage of stops that resulted in a search was determined by the percentage of Black population. Third, when examining the percentage of stops that ended in an arrest/summons, the analyses suggest that both the percentage of Black population and the area crime rate served to decrease the percentage of police stops that ended in an arrest/summons. Implications for conflict theory and police decision-making are addressed.

Introduction

Conflict theory holds that law and the mechanisms of its enforcement are used by dominant groups in society to minimize threats to their interests posed by those whom they label as dangerous, especially minorities and the poor. Over the past several years, racial profiling by police has become an issue of national significance. In his first speech to Congress on February 27, 2001, President Bush addressed racial profiling and directed Attorney General John Ashcroft to develop a set of recommendations to end racial profiling by America's police forces. Although empirical data on racial profiling is scarce (Government Accounting Office, 2000), conflict theory suggests that police may indeed target minorities when conducting traffic stops or field interrogations.

Using data collected by the Richmond, Virginia Police Department, this article tests the application of conflict theory to police traffic stop practices. In particular, it explores whether police traffic stop, search, and arrest practices differ according to racial or socioeconomic factors among neighborhoods (e.g., Smith, 1986). Previous research on conflict theory and the police used data from multiple cities or states to examine differences in minority treatment by the police at the macro level. This article extends the current research by presenting a micro-level analysis of police practices using census tract data from a single city. It begins with a discussion of prior research on conflict theory and its relationship to racial profiling.

* Corresponding author. Tel.: +1-509-358-7711.
E-mail address: mikesmith@wsu.edu (M.R. Smith).

0047-2352/02/$ – see front matter © 2002 Elsevier Science Ltd. All rights reserved.
PII: S0047-2352(02)00195-2

Conflict theory and racial profiling

Conflict theory

According to Simmel (1950), conflict is a fundamental social process. As such, society is largely molded and shaped by the competing interests of social groups who vie for dominance in order to enact or maintain a social structure most beneficial to them. Conflict theory asserts that the relative power of a given social group dictates social order in that powerful groups not only control the lawmakers, but also the law enforcement apparatus of the state. In essence, laws are made which serve the interests of the privileged and the police are used to suppress and control any segment of society that poses a threat to the status quo (Black, 1976; Dahrendorf, 1959; Quinney, 1970; Turk, 1969; Vold, 1958).

The notion of "threat" underlies the conflict perspective. In a capitalist society where economic resources equate to power, it is in the interest of the ascendant class to maintain economic stratification in order to dictate the legal order (Chambliss, 1976; Chambliss & Seidman, 1971; Quinney, 1974, 1975; Taylor, Walton, & Young, 1973). According to Quinney (1974, p. 24), "the dominant economic class, through its use of the legal system, is able to pressure a domestic order that allows its interests to be promoted and maintained." Indeed, economic stratification is so important to the vitality of the advantaged that they will pressure legislators to enact repressive measures intended to control groups considered volatile and threatening (Tagaki, 1974). The larger the gap in economic disparity, the more pronounced the dynamic, and as "the more economically stratified a society becomes, the more it becomes necessary for dominant groups to enforce through coercion the norms of conduct that guarantee supremacy" (Chambliss & Seidman, 1980, p. 33).

Turk (1969) also claims that culturally dissimilar groups are viewed as threats to the existing social order. More specifically, racial minorities are considered a threat to the dominant class in the United States (Blalock, 1967; Quinney, 1970; Turk, 1969). Swigert and Farrell (1976) report that Whites maintain criminal stereotypes about non-Whites. This is compounded by the fact that Whites perceive the proportion of non-Whites in their communities as an indicator of a crime problem and that interracial victimization is considered particularly threatening to Whites as compared to non-Whites (Lizotte & Bordua, 1980). Using data from the National Crime Survey, Liska, Lawrence, and Sanchirico (1982) demonstrated that fear of crime was related to the percentage of African-Americans in cities, while Chiricos, Hogan, and Gertz (1997) linked fear of crime among Whites to the perception that they were the racial minority in their neighborhood.

Hence, economic and racial minorities are seen as a threat to the ruling class. Conflict theory maintains that the privileged, acting on the perception of threat, will use the crime control apparatus of the state to restrain and limit those who threaten their interests. Practically, this means that one should expect more aggressive law enforcement practices in areas with greater percentages of poor and non-White citizens. This "threat hypothesis" has been tested in several arenas of American policing.

Conflict theory and the police

Chambliss and Seidman (1971, p. 269) summarize the process of law enforcement, from a conflict/Marxian point of view, with six propositions:

1. The agencies of law enforcement are bureaucratic organizations.
2. An organization and its members tend to substitute for the official goals and norms of the organization ongoing policies and activities that will maximize rewards and minimize the strains on the organization.
3. This goal substitution is made possible by:
   (a) The absence of motivation on the part of the role-occupants to resist pressures toward goal-substitution;
   (b) The pervasiveness of discretionary choices permitted by the substantive criminal law and the norms defining the roles of the members of law enforcement agencies; and
   (c) The absence of effective sanctions for the norms defining the roles in those agencies.
4. Law enforcement agencies depend on political organizations for resource allocation.
5. Organizations will minimize strains on themselves by processing those who are politically weak and powerless, while refraining from processing those who are politically powerful.
6. Therefore, it may be expected that law enforcement agencies will process a disproportionately high number of the politically weak and powerless, while ignoring the violations of those with power.

Researchers have been particularly interested in testing conflict theory against police practices because of the unique status police hold in society. If law can be seen as the nails that hold society together, then police can certainly be viewed as the hammer of the state. In their analysis of the U.S. police in *The Iron Fist and the Velvet Glove*, the Center for Research on Criminal Justice (1975) goes

so far as to suggest that the police often-times function with an "iron fist." The unique position of the police is troubling from the conflict perspective because they are seen as "agents of the ascendant class" (Sorenson, Marquart, & Brock, 1993, p. 418) who are, by oath, required to enforce laws that only serve the privileged at the expense of the underclass. In effect, they are seen as armies of occupation doing the "dirty work" of a rather insidious system designed to protect the wealthy and the White (Blauner, 1972; Chamlin, 1989). These claims have been empirically tested as a function of police resources, arrests, homicides by police, the killing of police officers by civilians, and civil rights complaints against police.

Police resources

Jacobs (1979) tested the conflict proposition that law enforcement personnel should be most numerous in metropolitan areas where differences in economic resources are greatest. Using census tract data in large metropolitan areas, he found that economic inequality was correlated with police strength (measured as the total number of police and other law enforcement personnel). Similarly, Liska, Lawrence, and Benson (1981) explored the possibility that the size of a police agency was driven by the perceived threat of the dominant class by analyzing 109 U.S. municipal police departments from 1950 to 1972. Testing the assertion that relatively small, culturally dissimilar groups may not be perceived as posing much of a threat while a relatively large culturally dissimilar group (composing 20–30 percent of the population), which is also racially dissimilar, may be perceived as a substantial threat to the social order, they found that the percentage of non-White increases in the population substantially influenced police size. This effect was particularly apparent in the South, just after the advent of the civil disorders of the 1960s. These findings are consistent with conflict theory, as both the actual number of non-Whites *and* the increased perception of threat (meaning civil rights activism) impacted the size of the crime control apparatus.

Interestingly, the effects of segregation were also tested vis-a-vis the conflict perspective. Liska et al. found that more racially segregated jurisdictions experienced a decrease in police size. This finding is explained through the work of Blauner (1972) and Spitzer (1975), who argued that segregation acted as a means of social control. When races are segregated, the visibility of "threatening classes" to the White majority is diminished, as is the actual incidence of interracial crime. Thus, White perception of the criminal threat is reduced and demands for greater police protection wane.

Jackson and Carroll (1981) looked at the allocation of police resources through police expenditures. Hypothesizing that more money would be spent on law enforcement in cities with a high concentration of non-Whites and minority political activity, they found that the racial composition of a city and the level of Black mobilization activity were significant predictors of police expenditures. More specifically, they found the size of the Black population was a significant predictor of police salaries and operational budgets, while Black political mobilization was a significant predictor of capital expenditures. Unlike Liska et al. (1981), the frequency of riots in the 1960s did not predict allocation of police resources.

Arrests

The threat hypothesis predicts that as the percentage of racial and economic minorities increases, the perceived threat to the privileged class will intensify leading to increased pressure to enact more stringent crime control measures. As a result, the total number of arrests should rise independent of the actual crime rate. Liska and Chamlin (1984) tested the threat hypothesis against arrest rates and found that income inequality did indeed predict total arrests for both property and personal crimes. Liska, Chamlin, and Reed (1985) again tested this hypothesis using UCR data, and found that consistent with conflict theory, percent non-White, income inequality (as measured by the Gini index), and a low level of segregation increased the certainty of arrests for Whites and non-Whites.

Homicides by the police

Proponents of the conflict model argue that the use of lethal force by the police is influenced by the racial and class standing of the perpetrator/victim (Knoohuizen, Fahey, & Palmer, 1972; Tagaki, 1974). Tagaki (1974, p. 30) goes so far as to state that police have a lower threshold of suspicion for Blacks as opposed to Whites, which manifests itself in the police having "one trigger finger for Whites, another for Blacks." Several empirical studies do report that Blacks are disproportionately fired upon and killed by police (for a full discussion of this body of literature, see Binder & Scharf, 1982), although the disparity has been decreasing steadily since the mid-1980s (Walker, 1992).

Because the threat or use of violence is crucial to maintaining class order, conflict theorists hypothesize that state coercion, including lethal force, will be greatest in jurisdictions with the greatest inequalities. Jacobs and Britt (1979) first tested this

assertion and reported that inequalities in the distribution of economic resources predicted the use of lethal force by the police. Sorenson et al. (1993) used UCR Supplemental Homicide Reports of the largest U.S. cities from 1980 to 1984 to test the threat hypothesis and also found economic inequalities to be the most accurate predictor of felon killings by police. They also found absolute poverty (i.e., the percentage of citizens living below the poverty line) and percent Black to be significant predictors of police caused homicides. Lastly, Jacobs and O'Brien (1998) studied 170 cities and concluded that economic stratification along racial lines best predicts the use of deadly force by the police, while cities with more Blacks and a recent growth in the number of Blacks experience a higher rate of police killings of Blacks.

Police killings by civilians

Because the literature does support the threat hypothesis in the realm of police killings of civilians, Chamlin (1989) hypothesized that states with higher degrees of racial and economic inequality should also exhibit a higher rate of police killed *by* civilians. Specifically, he tested the proposition that increases in the relative population size of threatening groups (e.g., Blacks, Hispanics, and the poor) will increase the level of antagonism between crime control agents and civilians. Increased levels of antagonism are predicted to make police–citizen encounters more volatile and thereby increase the rate of police killings. Using multivariate analyses, he found that while economic inequality had little effect on police killings, increases in the population of racial minorities and the percent poor did positively impact the rate of police killings.

Civil rights complaints

In the latest test of the threat hypothesis, Holmes (2000) regressed the average number of civil rights violations criminal complaints (alleging police brutality) reported to the Department of Justice on relevant independent variables to include city population, index crime rate, percent Black, percent Hispanic, region, and majority/minority income inequality. Consistent with the conflict perspective, he found that "threatening people" (i.e., percent Black, percent Hispanic, and majority/minority income inequality) were positively related to the average number of civil rights criminal complaints, while "threatening acts" (index crime rate) were not. Using data from the Houston Police Department, Kessler (1999) found that, although officers working in areas where community policing had been implemented received significantly fewer complaints than officers working in other areas, the percentage Black in the area was related to sustained violent, criminal, conduct, and total complaints. Similarly, Lawton, Hickman, Piquero, and Greene (2001) found that complaints against Philadelphia police tended to be higher in areas with high unemployed males as well as areas with high female-headed households with children.

Racial profiling and conflict theory

Research on the policing of certain classes of people has generated a number of important insights. Chambliss (1994, p. 177), for example, engaged in a series of ride-a-longs in Washington, D.C. and observed that the Rapid Deployment Unit, a unit designed to target drugs and potential riots, seemed to focus their efforts on the "urban ghetto," an area of Washington where 40 percent of the Black population lives below the poverty level. The end result of this selective targeting, at least according to Chambliss, was a focus on young Black males, which negatively affected families and education, created moral panic, and swelled prison populations that were comprised predominantly of minorities—especially young Black males.

Despite the large body of literature on conflict theory, racial profiling by police, per se, is a relatively new topic for empirical inquiry; consequently, research on racial profiling is limited. In one of the largest and most sophisticated studies of racial profiling to date, the New York Attorney General's Office (1999) analyzed more than 181,000 field interrogation cards completed by NYPD officers from 1998 to 1999 and found that although Blacks comprised only 25.6 percent of New York City's population, they accounted for 50.6 percent of all persons stopped by the NYPD. Hispanics were also overrepresented among persons stopped, while Whites were significantly underrepresented.

Thus, even after controlling for the differential rates at which minorities commit criminal offenses within precincts (as measured by arrests), Blacks (23 percent more) and Hispanics (39 percent more) were still stopped more frequently than Whites across all crime categories. These findings support the work of Liska et al. (1985) who found that cities with higher percentages of non-Whites produced higher arrest rates independent of crime rates. In the case of New York, minority citizen involvement in crime did not explain the rates at which minorities were stopped by police relative to Whites.

As the result of litigation over the allegedly discriminatory traffic stop practices of New Jersey

state troopers, the State of New Jersey undertook a study of the stop and search activities of troopers in two State Police districts. Examining the stops that occurred from April 1997 through February 1999, and including most of 1996 and a few months from 1994, a New Jersey Attorney General's team found that 627 of the 87,489 traffic stops involved a vehicle search. Of those searches, 77.2 percent involved Black or Hispanic motorists. During a similar time period, only 33.9 percent of the total traffic stops made in the two districts were of Blacks and Hispanics (Office of the Attorney General, 1999).

Under existing research findings, the disparities in searches among minorities and Whites cannot be explained by a difference in the probability that minorities will be found in possession of contraband or illegal weapons. For example, in his study of the stop and search practices of the Maryland State Police, Lamberth (1997) found that although only 17.5 percent of speeders along the I-95 corridor through Maryland were Black (January 1995 through September 1996), 72.9 percent of persons searched were Black. Once searched, however, Blacks were no more likely than Whites to be in possession of contraband.

Likewise, Zingraff et al. (2000) analyzed 1998 traffic stop data from the North Carolina Highway Patrol and found that African-Americans were slightly more likely to be ticketed than Whites when compared to their percentage among licensed drivers in North Carolina. Moreover, they found that Blacks were significantly more likely than Whites to be searched even though they were slightly less likely than Whites to be in possession of contraband.

In sum, conflict theory asserts that representatives of the dominant social class, such as police who maintain social control, view minority citizens as posing an increased risk of criminality (Blalock, 1967; Center for Research on Criminal Justice, 1975; Lizotte & Bordua, 1980; Quinney, 1970; Swigert & Farrell, 1976; Turk, 1969). Research findings that show lower minority "hit rates" (number of successful searches/number of stops) compared to Whites are indicative of this perspective. Consistent with conflict theory, police perhaps are more likely to search minority drivers because they erroneously expect to find contraband more frequently among the disadvantaged and minority class (e.g., Chambliss, 1994).

The results from most reported racial profiling studies indicate that minorities are stopped, searched, and sometimes ticketed at rates that exceed those for Whites when compared to some benchmark population (GAO, 2000; Harris, 1999; Lamberth, 1997; New York Attorney General's Office, 1999; Office of the Attorney General, 1999; San Diego Police Department, 2000; San Jose Police Department, 1999; Zingraff et al., 2000). Using individual stops as the unit of analysis, however, Smith and Petrocelli (2001) found that although African-Americans in Richmond, Virginia were stopped at rates that exceeded their proportion in the driving-eligible population, they were no more likely to be searched than Whites and were actually less likely than Whites to be ticketed or arrested. Moreover, race of the officer did not predict the race of the motorist stopped, nor did it predict whether a search or an arrest took place.

Current focus

The analysis presented below builds on prior research by focusing on how neighborhood context may influence police behavior. This is particularly important since much of the previous research on police decision-making (i.e., traffic stops, arrests, etc.) tended to focus on city- and state-level differences. One exception to this research focused on identifying the manner in which neighborhood context shaped police behavior.

Using data from the Police Services Study, Smith (1986) studied five measures of police behavior and eleven neighborhood characteristics to test the neighborhood context hypothesis. He found that suspects confronted in lower-status (SES) neighborhoods incurred a higher risk of being arrested, while those encountered in non-White or racially mixed communities were more apt to be handled coercively by police. In subsequent analyses, Smith observed a significant interaction between the suspect's race and the racial composition of the neighborhood in which coercive confrontations occurred such that police were more likely to exercise coercive authority toward Black offenders in primarily Black neighborhoods. In fact, Black suspects in White neighborhoods were handled less coercively by police compared to Black suspects in Black neighborhoods. In sum, Smith concluded that police responded differently depending on the type of neighborhood in which encounters occurred such that police respond to both "places and people."

Given recent evidence on the nature of police behaviors across different social (state, city, neighborhood) contexts, the current analysis examines the extent to which police stop, search, and arrest decisions are a function of neighborhood demographic and socioeconomic characteristics in the City of Richmond.

Study site and methods

Richmond is the capital of Virginia and a city of approximately-200,000 people. The Richmond Police Department is comprised of 690 sworn officers. Thirty percent of the officers are Black, 67 percent are White, and 3 percent are persons of other races. Women make up 13 percent of the department's sworn personnel. The police department serves a city whose population is 57.2 percent Black, 38.3 percent White, and 2.6 percent Hispanic. In 1990, median household income in Richmond was US$23,551, and 17 percent of families lived below poverty level.[1] Like many cities in the south, Richmond has many racially segregated neighborhoods where persons of one racial group (usually Blacks or Whites) make up almost the entire neighborhood population.

Traffic stop data were collected by the Richmond Police Department from January 17, 2000 through March 31, 2000. During traffic stops, officers equipped with mobile data computers (MDCs) in their cars recorded preselected information on the driver and the stop itself directly into their computers. Eventually, these data were matched with demographic data from the officers. A full description of the data fields can be found in Appendix A. During the ten-week data collection period, 6,699 traffic stops were recorded by the city's computer-aided dispatch system.[2] Of those stops, the city estimated that 179 (2.7 percent) were conducted by officers not equipped with MDCs in their automobiles. Officers themselves entered data on 4,782 traffic stops, yielding a compliance rate with the data collection protocol of 73 percent. These data, along with census-tract level crime and demographic information, serve as the basis for the findings below (see Table 1).

Hypotheses

Consistent with conflict theory, the following hypotheses are tested:

H1: Racial and socioeconomic variables will influence overall traffic stop rates within census tracts; relatively speaking, Black and poor census tracts will experience higher stop rates than predominantly White and wealthy census tracts.

H2: Racial and socioeconomic variables will influence the percentage of traffic stops that result in a search; relatively speaking, Black and poor neighborhoods will experience a higher percentage of stops resulting in searches than predominantly White and wealthy neighborhoods.

H3: Racial and socioeconomic variables will influence the percentage of traffic stops that result in a summons or arrest; relatively speaking, Black and poor neighborhoods will experience a higher percentage of stops resulting in an arrest than predominantly White and wealthy neighborhoods.

The primary analytic device used to test these hypotheses was ordinary least squares regression.[3] This technique is used to examine whether and to

Table 1
Description of variables

	Measurement	Mean	S.D.	Minimum	Maximum	Description
Dependent variables						
Stop rate	Interval	67.31	257.03	0.93	2,130.43	Stop rate per 1,000 population
Search	Interval	8.65	7.50	0	36.92	Percent of stops resulting in a search
Arrest	Interval	61.74	14.44	38.30	100	Percent of stops resulting in at least one arrest/summons
Independent variables						
Black	Interval	55.05	36.37	0.6	99.4	Percent Black population
Other	Interval	1.45	2.03	0	14.86	Percent population of non-Black minorities
Poverty	Interval	18.74	17.84	1.00	80.80	Percent of families below poverty
Unemployment	Interval	8.78	10.62	0.90	76.90	Percent unemployed
Income	Interval	38,879	28,223	7,718	209,274	Mean family income
Part I rate	Interval	212.89	748.53	14.07	6,043.48	Part I crime rate per 1,000 population

Table 2
Stop rate regressed against predictor variables

Independent variables	*b*	S.E.	β
Black	− 0.0064	0.093	− 0.087
Other	− 2.629	2.137	− 0.123
Poverty	0.0094	0.183	0.061
Unemployment	0.406	0.508	0.097
Income	1.265E − 05	0.000	0.013
Part I rate	0.337***	0.034	0.819
Constant = − 0.340			
R^2=.674			

*** $P < .001$.

Table 4
Arrest regressed against predictor variables

Independent variables	*b*	S.E.	β
Black	− 0.169*	0.069	− 0.437
Other	1.411	1.591	0.125
Poverty	− 0.0014E − 02	0.136	− 0.018
Unemployment	− 0.198	0.378	− 0.090
Income	− 4.617E − 05	0.000	− 0.092
Part I rate	− 0.0058*	0.025	− 0.267
Constant = 79.402			
R^2=.355			

* $P < .01$.

what degree racial and socioeconomic variables influence stop, search, and arrest practices within Richmond's seventy census tracts.

Results

Table 2 presents the results of a multiple regression predicting the overall stop rate by the police per 1,000 citizens. Only one of the six coefficients exerted a significant effect on the total number of stops: Part I crime rate. That is, police stops were significantly higher in areas with higher crime rates. It is also worth pointing out that neither percent Black nor any of the socioeconomic characteristics were significantly related to the total number of stops by police.[4]

Next, the same set of independent variables was employed to predict the percentage of total stops that resulted in a search. As can be seen from Table 3, only one of the six coefficients was significant. Namely, the percent Black population was positively and significantly related to the percentage of total stops that resulted in a search. This result suggests that searches were more prevalent in neighborhoods that were characterized by a high percentage of Blacks.[5]

Table 3
Search regressed against predictor variables

Independent variables	*b*	S.E.	β
Black	0.121**	0.039	0.570
Other	− 0.643	0.905	− 0.104
Poverty	− 0.0093	0.077	− 0.217
Unemployment	− 0.0032	0.215	0.026
Income	1.058E − 05	0.000	0.038
Part I rate	− 0.0009	0.014	− 0.073
Constant = 4.628			
R^2=.305			

** $P < .05$.

The final model regresses the percentage of stops involving at least one arrest/summons on the same six independent variables. The results may be found in Table 4. Two of the six coefficients attained significance in this model: percent Black population and Part I crime rate per 1,000 citizens. The negative sign of both coefficients requires comment. Notice that in areas where there is a higher percentage of Black population, the chance of stops involving at least one arrest/summons is lower. Similarly, in high crime rate areas, the chance of stop involving at least one arrest/summons is lower.

Discussion

Under the backdrop of conflict theory, this article set out to examine how police decisions to stop, search, and arrest were a function of the demographic and socioeconomic characteristics of Richmond neighborhoods. The previous analyses lead to three main conclusions. First, the total number of stops by Richmond police was determined solely by the crime rate of the neighborhood. Neighborhoods with higher crime rates were likely to evidence a higher number of stops by the police. In fact, none of the demographic and socioeconomic characteristics exerted direct effects on the number of police stops. At first glance, these results appeared troubling for conflict theorists. Second, the percentage of stops that resulted in a search was determined by only one characteristic: the percentage of Black population. This result suggested that in areas predominantly inhabited by Blacks, police stops were likely to result in a search. Third, when examining the percentage of stops that ended in an arrest/summons, the analysis revealed a slightly different pattern of substantive results; namely, both the percent Black population as well as the crime rate served to decrease the percentage of police stops that ended in an arrest/summons.

These results seem to point to a 'hurdle-effect' when it comes to police officers differentially applying their power across communities in Richmond. For example, the first hurdle, being stopped, seems more of a function of the crime rate of the area rather than any sort of demographic and/or socioeconomic characteristic. Moreover, since it is difficult to determine suspect race in many stops, it is not surprising to find a null effect for the percent Black in the population. Once the hurdle of being stopped has been crossed, however, searches appear more prevalent in areas comprised of a high percentage of Black residents. This particular result could indicate that officers are more likely to search Black residents based on general perceptions (Piliavin & Briar, 1964). Even further, searches could be a function of the areas in which officers patrol. For example, it may be the case that officers possess some sort of 'ecological attribution bias'. As Smith (1986) suggests, police may respond differently depending on the type of neighborhood in which the encounters occur such that police assessments of individuals may reflect the kinds of people who live in a particular neighborhood. Thus, Black residents may be searched more frequently because of the location in which they are stopped. Once this search hurdle is crossed, however, it seems that arrests may not be likely to be characterized by macro-level factors; instead, the decision to arrest may be more likely a function of other unmeasured macro-level and/or individual characteristics. In sum, Richmond police search Black suspects at a higher rate; however, this trend is reversed when it comes to arrest since the percent Black coefficient is negatively related to arrest. Thus, since Richmond police are more likely to search stopped motorists in areas of high Black concentration, the nonsignificant effect for percent Black on arrests may indicate that police make too many searches that are either unsubstantiated or do not yield evidence that could meet/exceed the bar for arrest. A correction, then, is made. As Chambliss (1994, p. 179) found in Washington, D.C., vehicle stops (and subsequent searches) generally yielded hit rates of 10 percent (for finding illegal drugs, weapons, or someone who was wanted by authorities), although officers believed that they found serious violations in about a third of vehicle stops.

Before discussing the relevance of the above findings for conflict theory in general, and police practice in particular, several limitations must be mentioned that preclude any sort of definitive statement regarding racial profiling (or the lack thereof) in Richmond. First, the data came from one city and during a particular time period. Thus, the extent to which the results would hold in other cities in other time periods remains an open question. In addition, because of a contractual agreement with the Richmond Police Department, data were only collected for a ten-week period. Although the data provided sufficient statistical power for the analyses conducted, it remains possible that more data or data from a different time period could yield different results. Clearly, future research should attempt to address such issues. Second, the data set provided by the police department did not contain information on individual characteristics, specifically suspect-level data on demeanor (Worden & Shepard, 1996). Given the importance of suspect antagonism in determining police decision-making (Klinger, 1994; Smith, 1986), and how controlling for such micro-level factors typically overshadows the effect of macro-level variables, future efforts may wish to concentrate on an examination of both macro- and micro-level characteristics. Third, the data did not examine the influence of organizational factors. Prior research has shown that organizational characteristics influence police decision-making at the street level (Smith, 1984); although one would not expect much variation within a single police force, the influence of organizational characteristics on decision-making remains an empirical question. Finally, although fairly traditional statistical techniques were employed in this analysis, future efforts may wish to investigate models that take into consideration the potential overdispersion of stops, searches, and arrests throughout the City of Richmond, as well as potential spatial autocorrelation.

With these limitations in mind, the results bear import for conflict theory explanations of police decision-making as well as police practice. Recall that conflict theory presents a theory of the behavior of the criminal law. According to conflict theorists, relatively powerless people are more likely to be officially defined as criminal, processed by the criminal justice apparatus, and possess little ability to infiltrate the criminal justice and legislative decision-making systems (Center for Research on Criminal Justice, 1975). These assumptions led to the hypotheses that demographic (Blacks) and socioeconomic (poor) factors would be related to police decision-making.

For the most part, the findings from the current analysis appear mixed on this front. One of the most important factors in starting the wheels of the criminal justice process is the police officer's decision to stop a motorist. Conflict theorists would hold that officers would be more likely to profile poor, minority (typically Black) areas, and to make a higher percentage of stops in such areas. The analysis did not uncover such a finding, thereby suggesting that it may not be the area per se that determines the police officer's decision to stop; as the results showed, the crime rate appears to be a more important factor in

the decision to stop.[6] Still, areas characterized by a higher percentage of Blacks tend to have drivers searched more often than areas characterized by a lower percentage of Blacks. This result seems to provide some support for conflict theorists (see Chambliss, 1994). Still, police decisions to stop, search, and arrest were not determined from the socioeconomic characteristics of Richmond neighborhoods.[7]

In the end, this study is neither the definitive nor the last statement on racial profiling, as empirical research in this area is just beginning. As researchers chart the future study of racial profiling, they must bear in mind that the collection of multiple levels of data are necessary for a more complete understanding of how police officers make decisions on the street with regard to stopping, searching, and arresting motorists. To deny that individual- and neighborhood-level characteristics do not influence such decisions would be to deny the fact that police "patrol people and places" (Smith, 1986). Only when researchers, citizens, and policymakers adopt this perspective will people be better equipped to deal with issues related to racial profiling.

Appendix A. Variables captured

	Scale
Driver variables	
Age (year of birth)	interval
Gender	nominal
Race	nominal
Asian	
Black	
Hispanic	
Native American	
Middle Eastern descent	
White (Caucasian)	
Officer variables	
Race	nominal
Asian	
Black	
Hispanic	
Native American	
Middle Eastern descent	
White (Caucasian)	
Gender	nominal
Age	ordinal
1 = 21–25	
2 = 26–30	
3 = 31–35	
4 = 36–40	
5 = 41–45	
6 = 46–50	
7 = 51+	
Length of service	ordinal
1 = 0–5 years	
2 = 6–10 years	
3 = 11–15 years	
4 = 16–20 years	
5 = 21–25 years	
6 = 26+ years	
Shift (day, evening, power)	nominal
Event variables	
Census tract of stop	nominal
Reason for stop	nominal
Defects (no city decal, equipment, expired registration or inspection)	
Investigation	
Moving violation	
Disposition of stop (up to three possible)	nominal
Advised (warning)	
On-view felony arrest	
On-view misdemeanor arrest	
Summons issued	
Warrant served	
Mental detention order	
Parking/city decal citation	
DUI arrest	
Offense report	
Miscellaneous report	
Juvenile violation report	
Other report	
Suspension notification issued	
Vehicle towed	
Vehicle search	
Information received	
Stolen vehicle recovered	
Property found or seized	
Guns/weapons found or seized	
Search conducted (yes or no)	nominal
Type of search conducted	nominal
Consent	
Incident to arrest	
Inventory	
Pat-down	

Notes

1. Income and poverty data are not yet available from the 2000 census.

2. To be sure, the ten-week data collection period is somewhat short. The authors return to this point in the Discussion section.

3. Supplemental analysis indicated that the assumptions underlying the OLS model were met.

4. In this and subsequent models, percent minority population was excluded due to problems with multicollinearity. In Richmond, minorities other than African-Americans make up less than 3 percent of the population. Thus, percent Black appears to be the best variable to measure the influence of race.

5. Percent minority population was again excluded from the model due to problems with multicollinearity.

6. To be sure, this does not fully negate the possibility that police officers do not target Black motorists.

7. Although not technically a conflict theory, some of the core propositions from Donald Black's (1976) theory of the behavior of law also imply that more powerful social actors have the ability to use law against less powerful actors. Basically, Black describes law (i.e., government social control) as a quantitative variable such that there can be more law at certain times and places and less law at other times and places. Although not the focus of this presentation, future efforts aimed at studying racial profiling may find Black's theory useful.

References

Binder, A., & Scharf, P. (1982). Deadly force in law enforcement. *Crime and Delinquency*, *28*(1), 1–23.

Black, D. (1976). *The behavior of law*. New York: Academic Press.

Blalock, H. (1967). *Towards a theory of minority group relations*. New York: Capricorn Books.

Blauner, R. (1972). *Racial oppression in America*. New York: Harper and Row.

Center for Research on Criminal Justice (1975). *The iron fist and the velvet glove: An analysis of the U.S. police*. Berkeley, CA: Author.

Chambliss, W. (1976). The state and criminal law. In W. Chambliss & M. Mankoff (Eds.), *Whose law? What order? A conflict approach to criminology.* (pp. 66–106). New York: Wiley.

Chambliss, W. J. (1994). Policing the ghetto underclass: the politics of law and law enforcement. *Social Problems*, *41*, 177–194.

Chambliss, W. J., & Seidman, R. (1971). *Law, order, and power*. Reading, MA: Addison-Wesley.

Chambliss, W. J., & Seidman, R. (1980). *Law, order and power*. Reading, MA: Addison-Wesley.

Chamlin, M. (1989). Conflict theory and police killings. *Deviant Behavior*, *10*, 353–368.

Chiricos, T., Hogan, M., & Gertz, M. (1997). Racial composition of neighborhoods and fear of crime. *Criminology*, *35*, 107–131.

Dahrendorf, R. (1959). *Class and class conflict in industrial societies*. Stanford, CA: Stanford University Press.

Government Accounting Office (2000). *Racial profiling: Limited data available on motorist stops*. Washington, DC: U.S. Government Accounting Office.

Harris, D. (1999, December). The stories, the statistics, and the law: Why "driving while Black" matters. *Minnesota Law Review*, *84*, 265–326.

Holmes, M. (2000). Minority threat and police brutality: Determinants of civil rights complaints in U.S. municipalities. *Criminology*, *38*(2), 343–365.

Jackson, P., & Carroll, L. (1981). Race and the war on crime: The sociopolitical determinants of municipal police expenditures in 90 non-southern cities. *American Sociological Review*, *46*, 390–405.

Jacobs, D. (1979). Inequality and the police use of deadly force. *Social Problems*, *26*, 403–412.

Jacobs, D., & Britt, D. (1979). Inequality and police use of deadly force: An empirical assessment of a conflict hypothesis. *Social Problems*, *26*(4), 403–412.

Jacobs, D., & O'Brien, R. (1998). The determinants of deadly force: A structural analysis of police violence. *American Journal of Sociology*, *103*, 837–862.

Kessler, D. A. (1999). The effects of community policing on complaints against officers. *Journal of Quantitative Criminology*, *15*, 333–372.

Klinger, D. A. (1994). Demeanor or crime? Why "hostile" citizens are more likely to be arrested. *Criminology*, *32*(3), 475–493.

Knoohuizen, R., Fahey, R. P., & Palmer, D. J. (1972). *The police and their use of fatal force in Chicago*. Chicago: Chicago Law Enforcement Study Group.

Lamberth, J. D. (1997). *Report of John Lamberth, Ph.D.* American Civil Liberties Union Web site: http://www.aclu.org/court/lamberth.html.

Lawton, B. A., Hickman, M. J., Piquero, A. R., & Greene, J. R. (2001). Using GIS to analyze complaints against police: A research note. *Justice Research and Policy*, *3*, 95–108.

Liska, A., & Chamlin, M. (1984). Social structure and crime control among macrosocial units. *American Journal of Sociology*, *90*, 383–395.

Liska, A., Chamlin, M., & Reed, M. (1985). Testing the economic production and conflict models of crime control. *Social Forces*, *64*, 119–138.

Liska, A., Lawrence, J., & Benson, M. (1981). Perspectives on the legal order: The capacity for social control. *American Journal of Sociology*, *87*, 413–426.

Liska, A., Lawrence, J., & Sanchirico, A. (1982). Fear of crime as a social fact. *Social Forces*, *60*(3), 760–770.

Lizotte, A., & Bordua, D. (1980). Firearms ownership for sport and protection. *American Sociological Review*, *45*, 229–243.

New York Attorney General's Office. (1999). *The New York City Police Department's "stop & frisk" practices*. New York: Author.

Office of the Attorney General. (1999). *Interim report of the state police review team regarding allegations of racial profiling*. New Jersey: Author.

Piliavin, I., & Briar, S. (1964). Police encounters with juveniles. *American Journal of Sociology*, *17*, 206–214.

Quinney, R. (1970). *The social reality of crime*. Boston: Little, Brown and Company.

Quinney, R. (1974). A critical theory of law. In R. Quinney (Ed.), *Criminal justice in America* (pp. 1–25). Boston: Little, Brown and Company.

Quinney, R. (1975). Crime control in capitalist society: A critical philosophy. In I. Taylor, P. Walton, & J. Young (Eds.), *Critical criminology* (pp. 181–212). London: Routledge and Kegan Paul.

San Diego, California Police Department. (2000). *Vehicle stop study: Mid-year report*. San Diego, CA: Author.

San Jose, California Police Department. (1999). *Vehicle stop demographic study*. San Jose, CA: Author.

Simmel, G. (1950). *The sociology of Georg Simmel*. (Trans-

lation and Introduction by K.H. Wolff). Glencoe, IL: Free Press.

Smith, D. A. (1984). Organizational context of legal control. *Criminology*, *22*(1), 19–38.

Smith, D. A. (1986). The neighborhood context of police behavior. In A. J. Reiss Jr., & M. Tonry (Eds.), *Communities and crime, crime and justice: A review of research (Vol. 8)*. Chicago: University of Chicago Press.

Smith, M., & Petrocelli, M. (2001). Racial profiling?: A multivariate analysis of police traffic stop data. *Police Quarterly*, *4*(1), 4–27.

Sorenson, J., Marquart, J., & Brock, D. (1993). Factors related to killings of felons by police officers: A test of the community violence and conflict hypotheses. *Justice Quarterly*, *10*, 417–440.

Spitzer, S. (1975). Toward a Marxian theory of deviance. *Social Problems*, *22*, 638–651.

Swigert, V., & Farrell, R. (1976). *Murder, inequity and the law: Differential treatment in the legal process*. Lexington, MA: Heath.

Tagaki, P. (1974). A garrison state in a 'democratic' society. *Crime and Social Justice*, *1*, 27–33.

Taylor, I., Walton, P., & Young, J. (1973). *The new criminology*. New York: Harper Torchbooks.

Turk, A. T. (1969). *Criminality and legal order*. Chicago: Rand McNally.

Vold, G. (1958). *Theoretical criminology*. New York: Oxford.

Walker, S. (1992). *Taming the system*. New York: Oxford University Press.

Worden, R., & Shepard, R. (1996). Demeanor, crime, and police behavior: A reexamination of the police services study data. *Criminology*, *34*, 83–105.

Zingraff, M., Mason, M. H., Smith, W. R., Tomaskovic-Devey, D., Warren, P., McMurray, H. L., & Fenlon, C. R. (2000). *Evaluating North Carolina State Highway Patrol data: Citations, warnings, and searches in 1998*. North Carolina State University Web site: http://www.nccrimecontrol.org/shp/ncshpreport.htm.