We are coming together today to discuss racial disparities in vehicle stops in the midst of protests around the country demanding answers to the killing of black citizens by police. Even at this time where the grief and sorrow of unjust killings is palpable, discussing police stops is crucial. Academic Research emphasizes the power of police (traffic) stops in society. “Pulled Over”: How Police Stops Define Race and Citizenship by Charles R. Epp, et. al explores the effects of police stops. They state (or write): “No form of direct government control comes close to these stops in sheer numbers, frequency and proportion of the population affected, and, in many instances the degree of coercive intrusion.” The primary focus of this book’s research is the detrimental effect of Investigative stops on people of color in contrast to “traffic-safety” stops such as speeding or running a red light. The study was performed by widespread surveys of drivers in Kansas City Missouri and Kansas. He quotes another researcher who found similar results to their own: “Widespread stops, searches, questioning and arrests “drive a wedge between the police and the community as the latter can begin to feel like targets rather than partners.”

Knowing the power of police stops to define race and citizenship, it is tragic that twenty years of Annual Vehicle Stop Reports has shown increases in disproportions and disparities of black motorists stopped in Missouri.  It is evident that the limited transparency and accountability offered by MO Rev Statute 590.650 in terms of Vehicle Stop Reports has been insufficient to erase the disparities of police stops and searches over the years. It is past time to create an “open data” philosophy toward criminal justice and police accountability data in Missouri and across the country. With respect to the Vehicle Stop Reports this would mean releasing each department’s vehicle stop database used to generate the departmental reports plus additional data (such as locations of stops) so that the public, legislators, and other elected officials may better understand police practices.

**Resident and Non-Resident Driver Analysis**: The 2018 Vehicle Stop Report was the first report to include analysis of departmental stops based on whether the individual stopped was a resident of the jurisdiction of the police department. This was a welcome development. However, this is also an example of why an “open data” philosophy is needed. The information obtained from law enforcement agencies regarding resident disparities was only applied to the general category of the total number of police stops. It was not applied across the board. For example it was not applied to Investigative Stops or any other category of data for that matter.

“Open Data with respect to the Vehicle Stop Report”.

I would like to take the opportunity to illustrate a fraction of what can be done with a Vehicle Stop Database kept in accordance with the Missouri Statute 590.650. The University City Vehicle Stop Database was obtained by an Open Records/Sunshine Request. There is considerable variance in the practices of law enforcement agencies across the state that have resulted in the disparities seen. For University City we looked at Investigative Stops in 2018 since there was a significant number of them with a large disparity in black drivers affected.~~( and the detrimental effect they have on race and the concept of citizenship).~~ Please note that in the analysis I am providing for University City, many of the caveats mentioned in the “Message from the Attorney General Eric Schmitt” apply.

It was a welcome surprise to find out Friday that the AG Report used the 5 year U.S. Census Bureau’s American Community Survey (ACS) data. It is what we used to get a more accurate analysis of the University City data than the 2010 Census data. Since we also used this population data in analysis of U City, the disparities for black drivers will be higher than reported in the AG Report for 2018.

Before we begin, let me illustrate what you would know from the AG Report specifically about investigative stops for black and white drivers in U City in 2018:

There were 1134 Investigative Stops in 2018. 181 of them were white and 910 of them were black. OK. That’s basically it. If you do a lot of math not found in the AG report it can be concluded that black drivers undergo a disproportion of investigative stops that is 6.33 times higher than whites.

From the data that the AG used in 2018, these numbers mean that the combined resident and non-resident drivers who are black are disproportionally stopped at 6.33 times than white drivers in U City.

Due to limited time, I am going to focus on black drivers that make up 35.57% of the population over 16 and white drivers who make up 54.23% of the population over 16 in U City according to our calculations from the ACS data (See note at the bottom of the page about ACS data).

Note as we progress from the disproportions in all traffic stops to investigative stops and then to investigative stops with searches, the intrusiveness of the stop intensifies and becomes more invasive.

* Using the ACS population data, black resident drivers are stopped at 4.02 times the rate of white drivers.
* For investigative stops, black resident drivers are stopped at 8.93 times the rate of white resident drivers and
* black resident drivers are 15.24 times more likely to be searched than white drivers.

Exploring U City Investigative Stops and Searches for residents and non residents:

Black motorists experience investigative searches at a rate of 8 times that of whites.

Black motorists are 1.59 times more likely to be searched in an investigative stop, but whites are 24% more likely to be found with contraband when searched.

Black motorists are 1.59 times more likely to be searched in an investigative stop, but whites are 87% more likely to be found with drugs.

Black motorists found with drugs are 17% more likely to be charged with drug possession than if the driver is white

White motorists are 1.59 times less likely to be subjected to an investigative search than black motorists even though white motorists are 82% more likely to have searches that result in charges

Black resident drivers are 7.41 times more likely than white drivers to be “inconvenienced” by investigative stops than white drivers (“Inconvenienced” is where the stop resulted in No\_Action or a warning but no citation).

There was a total of 349 investigative stops of black drivers in 2018 that were pulled over where there was no action taken or a warning was given, while there was only 75 whites.

As you have seen, aside from focusing on investigative stops and the intrusiveness of these stops, having an “open data” philosophy with respect to the Vehicle Stop Data allows the public, legislators, and elected officials to understand police practices in ways not currently available. Knowing this allows us to hone in on possible problem areas of high racial disparities in policing practices and explore possible changes. (ie. We have currently filed a freedom of information lawsuit to obtain vehicle stop databases from other departments; hopefully the courts will agree that they should be available to the public.)

Appendix B of the VSR gives a summary of the disparities over the years of the law enforcement agencies reporting to the Attorney General. Since Mayors preside over local police departments, they should be held accountable for the disparities in stops and work to decrease them.

Some useful changes to the Vehicle Stop Report that would allow the public to understand policing practices would be to include approximate street addresses of all the stops and/or the closest intersection where the stop occurred. It would also be very useful to change the statute to include pedestrian stops. Given 20 years of increasing disparities in vehicle stops in Missouri, it is unimaginable that there is not a high disparity in pedestrian stops as well. Third, there should be training to ensure that officers are correctly categorizing their investigative stops. There have been changes to the vehicle stop forms relating to investigatory stops that officers fill out, so hopefully there will be more clarity in categorizing stops.

Also crucial to criminal justice reform and an “open data” philosophy, would be to compile statistics on the actions of municipal courts that correspond to the data in vehicle stop report. With a little work, this would be possible and I would be glad to speak to this later.

Finally with regard to warrant arrests. Catagorization of the nature of the warrant would be very beneficial to better understand policing by means of the vehicle stop report. Warrant arrests for minor offenses, such as failure to pay a speeding ticket or metro fair violation, if they are occurring should end. I would be happy to discuss my thoughts on this matter as well.

ACS Data:

We I took the numbers in Table B03002 (<https://data.census.gov/cedsci/table?q=race%20by%20Race%20and%20Ethnicity&g=1600000US2975220&hidePreview=true&tid=ACSDT5Y2018.B03002&t=Race%20and%20Ethnicity&vintage=2018>)

and figured out the percentage breakdown by race/ethnicity, which enables a percentage of the population without double counting Hispanic.

We then applied those percentages to the age buckets in Tables B01001A through B01001. I excluded any age bucket below 15 yrs old, and then applied a 2/3 modifier to the 15-17 age bucket, to account for the driving age population in that age bucket. I then totaled all of the remaining figures and used that as the percentage breakdown of driving population by race/ethnicity. This prevented double counting the hispanic population that the AG encountered.