

TRAFFIC STOP AND SEARCH AUDIT

CONCEPT PAPER

Proposed Project

The Minneapolis Police Department proposes to undertake an audit of the policies and practices related to traffic stops and searches in Minneapolis in partnership with the Council on Crime and Justice. The audit will employ ethnographic research methods under the guidance and direction of the Council.

Background To The Traffic Stop and Search Audit

Nationally, there have been numerous studies that show that people of color, especially African Americans and Latinos, are disproportionately stopped by the police. Those same studies found people of color are more likely to be subjected to searches. Many of the people who experience these stops and searches feel they have been targeted because of their race and not because of a traffic violation (Angulo and Weich 2003, Sutton 2000, Harris 1999, 1998, and 1997).

These national findings are similar to those in Minnesota. According to a study of the traffic stops made by the St. Paul Police Department, Hispanics were stopped "at a rate slightly higher than their proportion of the population, and blacks at a rate substantially higher than their representation in the population" (2001:5). The study, conducted by the Institute on Race and Poverty at the University of Minnesota, IRP found that "whites, Asians, and Native Americans were stopped at rates lower than their representation in the over-eighteen population" (2001:5). Once stopped, the IRP study concluded that "African American, Hispanic, and Native American drivers are subjected to both pat down searches of their persons and searches of their vehicles at rates higher than the search rates for whites and Asian drivers" (2001:4).

A study by the Council on Crime and Justice had similar findings when it analyzed data collected by the Minneapolis Police Department in 2000. In this study, "African Americans accounted for 37% of traffic stops citywide, compared to 18% of the population in 2000." The Council found that traffic stops of "Hispanics and American Indians were approximately equal to their representation in the population" (2001:3). The study further found that 39.5% of the stops of African American drivers were concentrated in five neighborhoods of the city accounting for 31.6% of the City's total CAD events. In each of these neighborhoods, however, the percentage of African Americans stopped was higher than their population percentage within the neighborhood (2001:5).

A study of traffic stops and searches in 65 jurisdictions throughout Minnesota, including Minneapolis, was released on September 24, 2003. This study was authorized and funded by the state legislature. It was jointly conducted by the Council and IRP. The basic finding of this study is that "law enforcement officers stopped Black, Latino, and American Indian

drivers at greater rates than White drivers, searched Black, Latinos, and American Indians at greater rates than White drivers, and found contraband as a result of searches of Blacks, Latinos, and American Indians at lower rates than in searches of White drivers". (Minnesota Statewide Racial Profiling Report: All Participating Jurisdictions 2003:4). While this data establishes that a racial disparity exists in traffic stops and searches, it does not explain why the disparities exist.

The purpose of this study is to identify the specific causes of the racial disparities in stops and searches in Minneapolis. According to the Minnesota legislature, "the reality or public perception of racial profiling alienates people from police, hinders community policing efforts, and causes law enforcement to lose credibility and trust among the people law enforcement is sworn to protect and serve" (Minn. Stat. 626.847, sec. 3, Avoiding Racial Profiling; Policies and Learning Objectives Required). Through this joint effort, the Minneapolis Police Department and the Council will seek to achieve both objective fairness and perceived fairness with respect to traffic stops and searches.

Design and Methodology

The proposed ethnography will be conducted using audit protocol modeled after the Domestic Violence Safety and Accountability Audit (SAA) developed by Ellen Pence of Duluth, Minnesota (Pence & Lizdas, 1998). Under the guidance and direction of the Council an Oversight Committee will develop the ethnographic framework and the audit protocol.

The premise behind the audit methodology is that workers are institutionally organized to perform their jobs. In other words, police are guided in how they perform their jobs by the forms, policies, philosophy, practices and culture of the institution in which they work. The audit is not a performance review of employees; rather, it examines the institution or system and how it functions. Audits involve mapping the system, interviewing and observing workers and analyzing paperwork and other text generated through the handling of cases. This method of analyzing institutional practices is rooted in the emerging sociological field of institutional ethnography (Pence & Lizdas, 1998).

In the first phase of this project, the Council will map the level of police activity across the city. Data defining policing patterns will be generated by GIS software. The variables will include: 911 call dispatch addresses; 2002 arrests for selected Index Crimes; traffic stop and search data along with data on the discovery of contraband; and population data by race and ethnicity from the 2000 U.S. Census. All variables will be analyzed and mapped by location or address. The resulting product will provide the context for an ethnographic analysis of the policies and practices surrounding stops and searches in Minneapolis.

In the second phase, the Council will staff and direct the work of the Oversight Committee which will in turn, develop a model framework for discretionary decision-making around traffic stops and searches. This framework will be modeled on the SAA protocol. In order to reach agreement upon a model framework, a group decision making process will be used. The framework will identify the primary discretionary decision-making points relating to traffic stops and searches. It will also identify the principle indicators of both objective and perceived fairness with respect to the activity occurring at each decision point.

Once the preliminary model has been established, it will be used to examine traffic stop and search policies and practices within the MPD. An audit team will be created and trained to carry out the audit process. For this study, the audit team will include stakeholders, such as police administration, a patrol officer, a community member, a prosecutor, and a researcher. The audit will include, but is not limited to, interviewing patrol officers, observing traffic stop and searches and analyzing policies, paperwork and other text generated in police reports.

The data gathered by the audit team will then be analyzed by the Council’s research staff and the Oversight Committee. The analysis of information will focus on examining the policies and practices of patrol officers as compared to the preliminary model framework developed by the Oversight Committee and given the policing patterns identified through the GIS mapping..

Timeline for this Project

<u>Activity</u>	<u>Date</u>
Oversight Committee meetings will begin	November, 2003
Over 6-8 meetings, Committee will identify preliminary framework	By July, 2004
Recruitment of Audit Team	June - August 2004
Training of Audit Team	August-September 2004
Conduct Audit	October 2004- March 2005
Text Review and Analysis of Data (by Oversight Committee)	April- June 2005
Report Completed	July 2005

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**PROPOSED
OVERSIGHT COMMITTEE
MEMBERS**