



**Efficacy of the California Department of Justice Police & Resident Contact Data  
Set for Evaluating Police Stops**

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*For the:*  
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## **Executive Summary**

The purpose of the following analysis is to evaluate the California Department of Justice (DOJ) data set detailing the interactions between police and residents that occurred during traffic enforcement to determine if it is statistically possible for the California Racial & Identity Profiling Advisory (RIPA) Board to establish a pattern or practice of discrimination in law enforcement behavior. Pursuant to state law, police officers throughout the state of California collect and report detailed information relating to the enforcement contacts they have with residents. The below report analyzes the data that the DOJ collected in 2021 from 58 law enforcement agencies out of over 500 in the state – which was examined by the RIPA Board in their [2023 Annual Report](#) – to evaluate the efficacy of this data set in informing policing professionals and policymakers about the state of racial profiling in California. This analysis was commissioned by the Peace Officers Research Association of California (PORAC) and developed by Dr. Brian Withrow, one of the nation’s leading experts on racial profiling.

PORAC previously commissioned Dr. Withrow to analyze the RIPA Board’s 2022 and 2023 reports, in which he found the RIPA Board frequently employed flawed methodology when conducting its data analyses – inflating alleged racial disparities in the frequency of traffic stops and actions taken by officers. To better understand the source from which these conclusions are drawn, Dr. Withrow has now conducted an original examination of the DOJ’s 2021 stop data set. His analysis makes evident that the limited scope of data collected by the DOJ is the root cause of the RIPA Board’s misconceived deductions about basic law enforcement practices. Key findings in the following analysis include:

- **Data Collected Makes It Impossible to Assess Racial Profiling:** The definition of racial profiling contained in AB 953 (2015) – which established the RIPA Board – is the *“consideration of or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to routine or spontaneous law enforcement activities or in deciding upon the scope and substance of law enforcement activities following an initial contact.”* To allege an individual was stopped on the basis of their identity-related criteria, it is essential to measure what an officer perceived the resident to be *before* initiating the contact. However, the RIPA Board’s data collection form only asks about the officer’s perception of a driver’s race or ethnicity *after* the stop was initiated. This means that it is simply not possible, legally or scientifically, to allege that racial profiling has occurred based on the current data available.
- **Data Collected Uses Inaccurate Population Benchmarks:** It is misleading to use residential population as a benchmark for determining a reasonable proportion of stopped drivers based on race. The demographics of an area’s driving population are vastly different than the overall population. Instead, the number of drivers is determined by the community’s urban or suburban nature, type of employment in the area, and other factors that would explain why higher rates of drivers are stopped in one area versus another. The focus on the identity of those being stopped ignores the setting where the contact occurs and the assignment of the officer – which would provide logical reasoning for why stops occur in certain places among certain groups.
- **Data Collected Does Not Capture Context of Police Stops & Officer Actions:** The data set does not contain important context on events surrounding the stop and around the action taken by the officer. While officers most commonly report “no action” as the outcome, this is far from what is occurring during the interaction. In reality, the officer did not select one of the other options because they only include various uses of force and do not allow officers to provide the severity of the infraction that

led to a warning or citation. Furthermore, the form does not collect additional details around use of force which would clarify whether the officer employed force for the defense of themselves or others. This contextual information is absolutely critical to be able to assess if racial profiling has occurred.

- **Data Collected Does Not Accurately Attribute the Cause for a Search:** Some searches are required by law, such as a warrant, and others are left to an officer's discretion and ability to receive consent. In cases where a search is conducted, the RIPA form does not indicate the legal justification for the search or when it occurred during the stop. Furthermore, when reporting the reason for the search, an officer can report multiple bases – inflating the number of “search incidents” to much higher levels than the actual number of “search requests” that occurred.
- **Data Analyzed Does Not Consider Calls for Service:** The RIPA Board chose to not differentiate stops that originate as a request for police presence in its analysis – despite this information being available in the DOJ data set. It is unfair to question an officer's choice to initiate a stop if they are responding to a call for service, as it would be unethical for them to ignore a citizen asking for assistance. Officers are dispatched to a disproportionately higher percentage of calls for service wherein the subject of the contact is Black, which points to the higher proportion of Black drivers being stopped compared to their makeup of the overall population.

While PORAC firmly agrees that racial bias exists across nearly every profession, including law enforcement, it is of the utmost importance that the RIPA Board's annual reports accurately portray the true state of racial profiling in California. The data set the RIPA Board uses has significant analytical limitations which in turn make it difficult to determine causal relationships between a driver's identity and the action taken by an officer. The reality is that data offers only a sliver of what occurs during a traffic stop. And when race is the only variable considered, it therefore can be the only possible justification for why a stop occurred.

## Policy Recommendations

The best data sets are those that recognize the complexities associated with an issue and provide robust qualitative information. However, the data the RIPA Board collects and analyzes – despite the breadth of its reach – is woefully inadequate as a measure of potential racial profiling in routine police operations. The data also provides little insight for policing professionals or policymakers on how or why police officers make enforcement decisions. For an issue as important as racial profiling, it is absolutely imperative that we get this right. PORAC recommends the following considerations be taken into account to improve the data collection process and statistical analysis of stop data in California by the RIPA Board:

- **Align Data Collection with California Law:** At a minimum, it is necessary to add a question to the RIPA form that officers fill out asking what they perceived the resident’s race to be, and if it was even possible to perceive it, *before* the stop was initiated.
- **Clearly Define Pretextual Stops:** The RIPA Board defines a pretext stop as occurring when an officer stops a driver for a minor infraction in order to investigate a “hunch” regarding a different crime. However, the RIPA Board provides no definition for “minor infraction” or a way for officers to report the reason for their “hunch.” Without this information, the data set remains uninformed about routine police operations and considers far more stops as pretext than actually exist.
- **Use Driver Population as the Benchmark:** Comparing the racial breakdown of stopped drivers to their portion of the overall population creates skewed disparity calculations. Measuring stop data against the total number of drivers by race would ensure more accurate comparative rates.
- **Capture More Context Around Stops & Searches:** This data set does not contain sufficient information on what occurred prior to and during a stop that might further explain, and in some cases justify, a police officer’s enforcement decision. The way officers report why they conducted a search also inflates the number of “search incidents” to significantly higher levels than the true number of “search requests.” As such, we recommend the RIPA form include fields to capture additional context on events that occurred during a stop, note if use of force was reactive or proactive, and limit the reporting basis for a search to one variable.
- **Include Discussion of Limitations:** It is standard statistical best practice to discuss the limitations of any analysis. We recommend that the RIPA Board include a section on their own limitations moving forward – to show where there is room for improvement and where the data is insufficient to draw certain conclusions.
- **Require Board Member Trainings:** RIPA Board members should be required to undergo some degree of experiential learning so they can better understand the profession of law enforcement as they propose recommendations for reform.

## **Qualifications of the Analyst**

Brian L. Withrow, Ph.D. is a Professor in the School of Criminal Justice and Criminology at Texas State University. Dr. Withrow began his career as a State Trooper with the Texas Department of Public Safety in 1981, shortly after earning a Bachelor of Criminal Justice degree from Stephen F. Austin State University. During the 'active policing' phase of his career he was a State Trooper, Training Officer, Inspector and Bureau Manager at the Austin Headquarters. While at DPS Brian earned his Master of Public Administration degree from Texas State University. He left active policing in 1993, to manage a police leadership and executive development program called the Law Enforcement Management Institute of Texas at Sam Houston State University. While at Sam Houston Brian completed his Doctor of Philosophy degree in Criminal Justice. In 1999, he accepted his first academic appointment as an Assistant Professor at Wichita State University. In 2009, he accepted an invitation to join the faculty at Texas State University, where he remains.

Dr. Withrow maintains an active research agenda that focuses on police operations and officer decision making. He has published two books on racial profiling, one book on research methods, and one book on police ethics. His scholarly research has been published in numerous academic journals. He is the author of numerous reports on racial profiling. Dr. Withrow is often asked to assist in litigation relating to allegations of racial profiling.

## **Overview of the Data**

The data used in this analysis was provided by the California Department of Justice. The data set contains information on police/resident contacts occurring within the state of California from January 1, 2021, through December 31, 2021. During this time frame 58 police agencies reported 3,184,543 police/resident contacts. The data set contains the following broad categories of information relating to each of these contacts:

- The agency initiating and/or conducting the contact
- The time of the contact
- The duration of the contact
- The location of the contact
- The race or ethnicity of the individual involved in the contact
- The gender or gender-identity of the individual involved in the contact
- The age of the individual involved in the contact
- The perceived disability of the individual involved in the contact
- The reason for the contact
- The initiation for the contact (i.e. officer initiated or call for service)
- The action(s) taken by officers during the contact
- The basis for a search (if applicable)
- Contraband or evidence discovered during the contact (if applicable)
- The basis for property seized (if applicable)
- The type of property seized (if applicable)
- The result of the contact

## I. Analytical Limitations

It is likely this data set is the broadest and most comprehensive collection of police/resident contacts available. Even so, there are several important analytical limitations that deserve attention at the outset.

**First**, these data cannot be used to establish a direct causal relationship between a police officer's decision to initiate a contact and the race or ethnicity of the resident contacted. The source of this limitation begins in how the state of California defines racial profiling.

There appear to be two legal definitions of racial profiling in California law. The first comes from Chapter 684 and defines racial profiling as "the practice of detaining a suspect based on a broad set of criteria which casts suspicion on an entire class of people without any individualized suspicion of the particular person being stopped." The second comes from Assembly Bill 953, Section 4(e) as follows.

(e) "Racial or identity profiling," for purposes of this section, is the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.

Both definitions require that a police officer know the race or ethnicity of an individual *before* initiating the contact. It is simply not possible to allege that a police officer acted out of *racial animus* unless we can establish that the officer knew the race or ethnicity of an individual *before* making an enforcement decision. This limitation is, of course, removed for analyses of officer behavior after the officer is aware of the resident's race or ethnicity, likely when the officer makes the first face-to-face contact with the resident.

**Second**, most of the variables contained in the data set are measured at the nominal level. This severely restricts the capacity for an analysis to measure the individual impact that a single variable has on the events during or the outcome of a contact. Nominal variables have attributes that cannot be logically ordered. The variable *Race* is a nominally measured variable. This variable's attributes (Black, White, Asian, Pacific Islander, etc.) are essentially labels and cannot be ordered logically. In contrast, variables measured at the scale level have attributes that can be ordered logically. The variable *Age* is an example. The attributes for this variable can range from 0 to 100, and maybe even higher.

To illustrate this limitation, consider how one might report the measures of central tendency (average) or variability for each of these variables. For the variable *Race* the only measure of central tendency available is the mode, the most frequently occurring attribute. There are no summary statistical measures for variability available for nominally measured variables. For the variable *Age* all three measures of central tendency (mean, median and mode) are available. For variability there are two options – the range and standard deviation.



**Third**, like all police stop data sets, this data set does not contain sufficient information on various events that occur either prior to or during a stop that might further explain, and in some cases justify, a police officer's enforcement decision. The reason for the stop is the most obvious example. The variable *Reason for the Stop* has eight attributes (e.g., traffic stop, reasonable suspicion, parole/probation mandatory supervision, knowledge of outstanding arrest/wanted person, etc.). In these data a 'traffic violation' is the most commonly reported reason for a stop. This attribute is further divided into three categories (moving, equipment, non-moving).

There is also space provided for the officer to report the actual CJIS offense code for an alleged traffic violation. Despite this level of detail, it is not possible to definitively measure the relative level of severity of an alleged offense. For example, numerous individuals are stopped for speeding violations. An alleged speeding violation of ten miles over the posted limit may appear to be a relatively minor violation, and it would be if it occurred in a rural stretch of an interstate highway where the posted speed limit is 70 miles per hour. On the other hand, this same violation occurring in an active school zone (when children are present) would be a substantially more severe threat to public safety. Knowledge of the relative severity of an alleged violation would provide insight into the results of the stop (e.g., citation or warning) and other events occurring during the stop. In addition, it would address whether racial and ethnic minority residents are more commonly stopped for less severe offenses.

**Fourth**, like most police stop data sets, this data set does not record the order of events occurring during the stop that may explain an officer's enforcement decision. The actions taken (by a police officer) during a stop is the most obvious example. The *Actions Taken During Stops* variable contains numerous attributes, most of which are related to the use of force by a police officer (firearm discharge, use of an electronic device, use of a baton, canine bite, use of chemical spray, etc.). Unfortunately, nothing in the data set explains whether the use of this force was reactive or proactive on the part of the officer. For example, we cannot know whether an officer used force to protect themselves or another person *following* a threat or actual use of force from a resident. It is not possible to know if an event might have precipitated, or even justified, the officer's use of force.

## II. Reference Benchmarks

Most police stop data sets are used to determine whether one or more racial or ethnic groups are overrepresented in stops. In most cases the residential population (e.g., U.S. Census) is used as a benchmark. The *a-priori* assumption here is that if the percentage of individuals from a particular racial identity that are stopped by the police exceeds the percentage of these individuals represented within the residential population, then the police might be targeting these individuals. For example, if twelve (12) percent of the residential population identifies as Black and twenty (20) percent of the traffic stops involve Black residents then one might assume that the police are targeting Black residents for enforcement. This assumption is false for several reasons:

**First**, the residential population is neither a valid nor reliable measure of the driving population. The demographic features of a community's driving population are affected by transient traffic, the proximity of the community to other urban or suburban populations, time of day, employment patterns and many other factors.

**Second**, the relative exposure to routine police supervision is not equal across a jurisdiction. By virtue of their enhanced need for public safety services, some neighborhoods are assigned additional policing resources, e.g., more patrol officers. Normally, allocation of policing resources is based on some measure of demand external to police operations, like the crime rate or calls for service rather than traffic stops. The residents in these neighborhoods are inadvertently subjected to higher levels of routine police observation, and thereby experience a higher probability of being observed committing a traffic violation.

**Third**, characteristics of individuals within the residential population affect the amount of time they are exposed to routine police observation. Age is an example. A young White male will likely drive more frequently than an elderly White male. Individuals that drive for work will drive more than individuals who are retired or work from home.

**Finally**, because of the manner in which individuals are selected for enforcement contact, it is not likely a stop data set (with respect to its demographic features) will approximate the residential population. The best way to select a representative sample from a population is through random selection. Theoretically, if all individuals in a population have an equal and non-zero probability of being selected into a sample, and if the sample is collected randomly, then it will approximate the population. Individuals are not randomly selected for enforcement contact.

Despite this, it is useful to at least consider the residential population within the state of California and how it compares to the manner in which the California Department of Justice (DOJ) collects information on race and ethnicity. According to the United States Census Bureau as of July 1, 2021, the total population of California is 39,142,991. The Census Bureau differentiates between race and ethnicity. The attributes for race include White, Black or African American, American Indian and Alaska Native, Asian, Native Hawaiian and Other Pacific Islander, and Two or More Races. Within each of these attributes, the Census Bureau allows individuals to designate their ethnicity. The only attributes available for ethnicity are Hispanic and non-Hispanic. Importantly, respondents to the U.S. Census self-select their race and ethnicity (see Table 1). The DOJ collects information about the race and ethnicity of residents contacted by the police differently than the U.S. Census Bureau:

**First**, the DOJ considers Hispanic/Latino a race rather than an ethnicity. **Second**, the DOJ includes an additional race category (Middle Eastern/South Asian). This racial category is not collected by the U.S. Census Bureau. **Third**, and perhaps more relevant to this analysis, the determination of a resident's racial or ethnic identity is based on a police officer's perception of the resident's race or ethnicity, which typically occurs after the decision to stop has been made and when the officer and resident encounter each other face to face (see Table 2).

### **Demographic Features of Individuals Contacted by the Police**

As just mentioned, the reporting protocols imposed on police officers by the DOJ require that police officers report their perception of an individual's race, age, gender identity and physical disability. Neither the criteria that police officers use nor the training they receive for making these decisions are clearly stated.

## I. Race

The most frequently perceived race of residents contacted in 2021 is Hispanic (42.4 percent), followed by White (30.7 percent) and then Black (15.0 percent) (see again Table 2). Officers are allowed to report multiple racial/ethnic categories for individuals when recording stop data. The DOJ classifies these cases as Multiracial which represents 1.0 percent of the total stops. Within this classification there is considerable diversity (See table 3).<sup>1</sup>

An initial comparison of the U.S. Census data and the DOJ contact data reveals an over-representation of Black/African American residents. The statewide population of Black residents in California is six (6) percent while the percentage of residents contacted by police officers is fifteen (15) percent. Although not as substantial, there appears also to be an over-representation of Hispanic residents. The statewide population of Hispanic residents in California is 40.2 percent while the percentage of residents stopped by the police is 42.4 percent (see again Tables 1 and 2).

These observations are not definitive proof of racial or ethnic discrimination. There are numerous plausible alternative explanations for these over-representations that must first be eliminated. For example, the DOJ data set does not contain information on police officer allocation. It is probable that policing resources are allocated to locations (e.g. patrol districts) on the basis of demand for public safety services. Some of these locations (particularly in urban areas) may also be principally populated by racial and ethnic minorities. The residents in these locations are inadvertently subjected to higher levels of routine policing observation. This affects the probability of being observed and stopped. More detailed data on the exact location of stops, the demographic information of the residents in these locations, the number of police officers assigned to each location, and other information that might affect police decision making (e.g. the crime rate) are necessary for evaluating the plausibility of this and other alternative explanations.

## II. Age

The average age (mean) of residents contacted in 2021 is 35.97 years of age. This average is skewed by the presence of outliers within the data set. One case reflects an age of 445 years of age. Forty-six cases reflect an age between 101 and 120 years of age. On the other end of the distribution, two cases reflect an age of -120 years of age. 2,269 cases reflect an age between one and ten years of age. With the possible exception of the case reporting an age of 445, these outliers have a negligible effect on the mean average especially when we recall that there are 3,184,542 cases in the data set. Even so, the most reliable indicator of age is likely either the median (33 years of age) or mode (30 years of age)

White, Asian, Native American and Middle Eastern/South Asian residents are older than the mean average age of all residents contacted. Pacific Islander, Black, Multiracial and Hispanic residents are younger than the mean average age of all residents contacted (see Table 4). Because age strongly correlates with criminal behavior it is likely this variable would be an important factor in explaining actions taken by officers during stops as well as the results of the stop.

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<sup>1</sup> Annual Report, 2023, Racial Identity Profiling Advisory Board, Page 35 footnote 111.

### **III. Gender and Gender Identity**

The overwhelming majority of residents contacted by the police are perceived as cisgender (99.6 percent) and the majority within this category are male (72.1 percent) (see Table 5). Here again, it is not clear what information police officers use or are instructed to use in making this determination. The percentages of transgender and gender non-conforming individuals are relatively small in comparison to the overall number of contacts. As a result, a meaningful analysis of contacts involving these individuals is challenging.

### **IV. Disability**

The overwhelming majority of residents contacted by the police are not perceived to exhibit a disability (98.8 percent). It is not apparent what information police officers use or are instructed to use in making this determination. Among the 1.2 percent of individuals that are perceived to exhibit a disability, the most frequently reported disability is a mental health condition (0.84 percent) (see Table 6). Here again, the percentage of physically disabled individuals contacted is relatively small in comparison to the overall number of contacts. As a result, a meaningful analysis of contacts involving these residents is challenging. Although, more thorough attention should be given to residents with a mental health condition. This is an emerging challenge in policing that deserves further analysis.

### **Why Contacts Happen**

It is important to remind ourselves of an aforementioned analytical limitation. The reason a resident is contacted does not contain any additional information that might explain the relative severity of the alleged behavior within the context of public safety. It is therefore not generally possible to evaluate whether residents by demographic categories (e.g., race) are contacted for what we might consider major or minor alleged offenses.

#### **I. Differentiation Between Calls for Service and Officer-Initiated Contacts**

Racial profiling analysis often overlooks measures of officer discretion. Absent administrative regulation or instruction, police officers have broad discretion to initiate or not initiate contacts for the full range of violations and legitimately suspicious behaviors that they observe. And it is completely acceptable to question an officer's decision to initiate or not initiate a contact. This level of discretion does not exist when officers are directed or dispatched to requests from citizens for assistance. Although calls for service are often prioritized with respect to their level of severity, thereby affecting response times, it is considered unethical for police officers to ignore residents' requests for assistance.

The overwhelming majority of police/resident contacts in 2021 were initiated by police officers (93.9 percent). The rest (6.1 percent) were predicated by a citizen call for service (see Table 7).

An interesting pattern emerges when we consider the race/ethnicity of the residents contacted and the origin of the contact, simultaneously:

- For two of the racial/ethnicity groups (Native American and Pacific Islander) the percentage of contacts originating as a call for service essentially equals the overall percentage of contacts for these racial/ethnic groups (0.3 percent and 0.5 percent, respectively).

- For three of the racial/ethnic groups (Asian, Hispanic, and Middle Eastern) the percentage of contacts originating as a call for service (2.8 percent, 38.2 percent and 2.1 percent, respectively) is less than the overall percentage of contacts (5.3 percent, 42.4 percent, and 4.8 percent, respectively) for these racial/ethnic groups.
- For three of the racial/ethnic groups (Black, Pacific Islander and White) the percentage of contacts originating as a call for service (23.8 percent, 31.3 percent and 1.1 percent, respectively) is more than the overall percentage of contacts (15 percent, 30.7 percent, and 1 percent, respectively) for these racial/ethnic groups.

The most pronounced difference involves contacts with Black residents. The overall percentage of all contacts involving Black residents is 15 percent. The percentage of contacts initiated by an officer involving a Black resident is 15.5 percent. The percentage of contacts initiated by a call for service involving a Black resident is 23.6 percent. This suggests that police officers are dispatched to a disproportionately higher percentage of calls for service wherein the subject of the contact (rather than the complainant) is a Black resident (see Table 8).

In subsequent analyses, an additional evaluation of contacts by race/ethnicity and origin of contact will be conducted if alternative patterns are identified.

## **II. Reasons for a Contact**

Overwhelmingly, (86.9 percent) of all contacts are based on an alleged traffic violation (see Table 9).

The data set further defines contacts for traffic violations as either moving, equipment, or non-moving violations. Overwhelmingly, (72.5 percent) of all alleged traffic violations are moving (see Table 10).

As previously mentioned, the variable describing the reason for which residents are contacted is generic. It does not capture the relative level of severity for the alleged violation within the context of public safety. The allegation that racial and ethnic minority residents are contacted for relatively minor violations is a consistent issue within the racial profiling research agenda. Unfortunately, the nondescript nature of this variable does not provide insight into this allegation. Such information would be helpful as the state of California considers legislation that would limit pretextual stops.

When the two most commonly reported reasons for the contact (traffic violation and reasonable suspicion) are compared for each racial/ethnic category, there is a notable pattern that appears to affect Black/African American residents.

Black/African American residents are over-represented in stops for reasonable suspicion when compared to their representation in contacts overall. Black/African American residents represent 15 percent of all contacts and 23.2 percent of the contacts (by racial/ethnic group) for reasonable suspicion (see Table 11).

Because the data set does not contain an indication of whether the officers knew the race or ethnicity of the resident prior to the stop, it is not possible to determine whether the race or ethnicity of the resident affected an officer's reasonable suspicion. More broadly, there are no indicators within the data set that

would measure additional contextual factors (resident behavior, time of day, crime rate, etc.) that are associated with a contact that might affect an officer's perception of suspicion.

### **What Happens During Contacts**

There are 24 separate variables describing what actions are taken by a police officer during a contact. By far, the most frequent single occurrence is 'no action' (80.1 percent). Within this context the 'no action' occurrence merely means that the officer did not select one of the other 23 options. It does not mean that the officer did nothing during the contact, like issue a citation or make an arrest. This series of variables should not be interpreted as the disposition of a stop.

Among the categories wherein some action was taken the most frequently occurring were 'search of a person was conducted' (10.7 percent), 'handcuffed or flex cuffed' (9.8 percent), 'search of property was conducted' (5.6 percent), and 'patrol car detention' (5.4 percent). Importantly, police officers are allowed to report multiple actions occurring within single stop events, which explains why the total number of actions taken (4,292,975) exceeds the total number of contacts (3,184,543) and the sum of the percentages exceeds 100 percent.

15 of the 24 'actions taken' categories describe some level of force. These actions will be the focus of a later analysis. There appears to be an incongruence within the four categories describing searches. The data reflects that officers requested to search a person 87,944 times, yet they report conducting 342,084 searches of a person. Similarly, the data reflects that officers requested to search property 65,412 times, yet report conducting 177,109 property searches. It would be understandable if the number of actual searches was less than the number of search requests. Just because an officer requests a search does not mean that a search will be conducted. But in these cases, the number of searches conducted substantially exceeds the number of requests. There are several explanations for this, none of which find any support within other variables inside the data set. As a result, the analysis of searches will be conducted using another variable (see Table 12).

A more instructive pattern emerges when the 'actions taken' variables relating to the use of force are compared with the race or ethnicity of the resident:

- In thirteen of the fifteen use of force categories, Black/African American residents are over-represented when compared to their representative percentage of all contacts. For example, Black/African American residents represent 15 percent of all contacts and 31.7 percent of contacts wherein a chemical spray was used. The only two categories wherein Black/African American residents are under-represented are field sobriety test (12.1 percent) and canine search (14.7 percent).
- In eleven of the fifteen use of force categories, Multiracial residents are over-represented when compared to their representative percentage of all contacts. For example, Multiracial residents represent 1.0 percent of all contacts and 2.2 percent of contacts wherein a canine bite was used to hold a person.
- In ten of the fifteen use of force categories, Hispanic residents are overrepresented when compared to their representative percentage of all contacts. For example, Hispanic residents represent 42.4 percent of all contacts and 58.4 percent of the contacts wherein a canine search was conducted.

Hispanic residents are under-represented in contacts involving the use of an electronic device (39.2 percent), a canine bite to hold a person (41.3 percent), a baton or other impact weapon was used (41.8 percent), chemical spray was used (35.1 percent), and other physical or vehicle contact (35.3 percent).

- In contrast, White residents are under-represented in fourteen of the fifteen use-of-force categories. White drivers represent 30.7 percent of all residents stopped and 33.9 percent of the stops where in other physical or vehicle contact was used (Table 13).

While the patterns in Table 13 may provide some insight into the enforcement activities of California's police officers, and in turn inform the policy process, they are rather meaningless without additional measures of context. Here are some examples:

The 'search of a person was conducted' category does not indicate the legal justification for the search or when it actually occurred during the stop event. A related action category, 'asked for consent to search' occurred during 2.8 percent of all stops. The 'search of a person was conducted' action category occurred during 10.7 percent of all stops. This suggests some of these searches were justified (or initiated) by other bases, like pursuant to an arrest, a search of a person who is on parole or probation, exigent circumstances, or a search warrant.

The fifteen 'actions taken' categories that are defined as a use of force only document what the officers did during a stop. What is not known from these data is whether these force options were reactive or proactive on the part of the police officer or whether they had a legitimate law enforcement purpose. An officer's use of force may be a reaction to a threat or actual use of force from a resident. A person may have been legitimately removed from a vehicle because they are inebriated, to protect another person, to conduct an investigation or to move them to a safer place. A curbside or patrol car detention may be necessary for the same reasons. An individual may have been handcuffed or flex cuffed pursuant to an arrest or for the officer's protection during a search. Unless additional variables are collected that would describe contextual information and the order of events during a stop (in particular those preceding a use of force action) it is simply not possible to determine the appropriateness or legitimacy of an officer's use of force.

## **Searches**

Searches are undeniably one of the most controversial issues in racial profiling research. But not all searches are created equally. Some searches are required by law, regulation or policy. Searches of a person incident to an arrest or a vehicle prior to impoundment are often required, meaning the officer has no discretion and cannot refuse to conduct them. Some searches are justified by an officer's desire for personal protection. 'Terry' searches of a person are allowed if a police officer has a reasonable suspicion that an individual is armed, engaged, or about to be engaged in unlawful conduct. The scope of these searches is narrow and usually only allows a cursive 'pat down' search. Some searches are justified by a level of proof that a crime either has been committed or is being committed. Searches pursuant to a warrant issued by an independent magistrate who determines if probable cause exists for search is an example. Searches may also occur when evidence of criminal activity is in plain view or when evidence of criminal activity may be destroyed, e.g., in exigent circumstances. Each of these searches has some

administrative or legal justification. They are either required, reviewed beforehand by an independent magistrate, or allowed by previous court rulings.

The consent search is fundamentally different from other types of searches. It is neither required nor does it need any legal justification. In order to legally conduct a consent search, all a police officer needs to do is ask an individual to waive their Fourth Amendment protection against an unreasonable search and seizure. Normally, this is done by merely asking an individual for permission. Furthermore, officers are actually constrained from articulating a justification for a consent search. An articulated 'hunch' may not survive a challenge based on a potential violation of the Fourth Amendment.

Because the consent search requires no legal justification or supervision, it is completely discretionary for the police officer. In most jurisdictions an officer can choose to ask or to not ask for consent without supervisory approval or repercussion. For this reason, the consent search has the potential for abuse. As a result, it deserves most of the attention from individuals and advocacy groups interested in police officer conduct.

Within the data set there are thirteen (13) discrete bases (or justifications) for a search. The most frequently reported basis for a search is 'incident to an arrest' (41.4 percent), which are often administratively required. Searches based on 'officer safety' (30.3 percent) and 'consent given' (22.8 percent) are the second and third most frequently reported bases, respectively (see Table 14).

The total number of search bases reported in the data set is 553,266, however 32.5 percent of these search incidents report two or more bases. This suggests that there are actually only 377,386 independent search events (see Table 15). This means that 11.9 percent of all stops may include some type of search.

It is not clear why officers are allowed to report multiple bases for a single search event. This practice has the potential of masking the actual number of searches and their justifications. In order to avoid this, a single variable should be used to record the primary justification for the search. The attributes of this variable could be the aforementioned thirteen bases for the search.

Table 16 represents searches by their bases for each racial/ethnic category.

- Black/African American residents are over-represented in all but one search basis category when compared to the percentage of stops involving Black/African American residents. Black/African American residents represent 15 percent of all stops and 22.3 percent of all consent searches.
- Hispanic/Latino residents are over-represented in all but three search basis categories when compared to the percentage of stops involving Hispanic/Latino residents. Hispanic/Latino residents represent 42.4 percent of all stops and 48.5 percent of all consent searches.
- Multiracial residents are over-represented in all but three search basis categories when compared to the percentage of stops involving Multiracial individuals. However, with the exception of searches predicated on 'school policy', the level of over-representation is very slight.
- Pacific Islander residents are over-represented in five search basis categories when compared to the percentage of stops involving Pacific Islander individuals. With the exception of stops based on 'school policy' the levels of over-representation are slight.



- Asian and Native American residents are slightly over-represented in one search basis category (search warrant and incident to arrest, respectively) when compared to the percentage of stops involving Asian and Native American stops.
- Middle Eastern/South Asian and White residents are under-represented in all search bases categories (see Table 16).

### **Contraband or Evidence Seized During Contacts**

Within the data set there are eleven variables describing contraband or evidence seized during a contact. Overall, 125,815 of the 3,184,543 contacts (4 percent) involved some sort of contraband or evidence seizure (see Table 17). Most (71.9 percent) seizures involved a single item, the rest involved two or more items.

Contacts involving a contraband or evidence seizure when compared to the race or ethnicity of the resident reveal an instructive pattern:

- Black/African American residents appear to be over-represented when compared to their overall representation of contacts. Black/African American residents represent 15 percent of all stops. Approximately one-fourth (25.5 percent) of stops involving Black/African American residents involve a contraband or evidence seizure. This percentage is slightly higher in call for service contacts.
- Hispanic residents appear to be over-represented when compared to their overall representation of contacts, but only in two types of contacts. Hispanic residents represent 42.4 percent of all stops but in 44.3 percent of all contacts and 46.0 percent of discretionary (i.e., not call for service) contacts contraband or evidence was seized.
- White residents appear to be under-represented when compared to their overall representation of contacts. For example, White residents represent 30.7 percent of all stops and 24.9 percent of stops wherein contraband or evidence was seized (Table 18).

### **Results of Stops**

Within the data set there are eleven (11) variables that describe the results (i.e., disposition) of the contacts and an additional five variables wherein the officer may record the actual code for an alleged violation. The majority of all contacts (52.0 percent) resulted in the issuance of a citation. A little over one-fourth (26.3 percent) of all contacts resulted in the issuance of a warning. A small percentage of stops (7.6 percent) resulted in no action (see Table 19). Of the contacts containing some result other than 'no action', most (88.6 percent) indicate a single result. The remaining (11.4 percent) have multiple reported results.

When the race/ethnicity of the resident is considered, several alternative patterns emerge (see Table 20).

**Black/African American residents**, when compared to their representation among all contacts (15.0 percent), represent:

- 27.0 percent of contacts resulting in a field interview;
- 26.0 percent of contacts resulting in no action;
- 22.3 percent of contacts resulting in an arrest with a warrant;

- 20.1 percent of contacts resulting in an arrest without a warrant;
- 16.7 percent of contacts resulting in the issuance of a warning;
- 13.0 percent of contacts resulting in a field cite and release; and
- 11.6 percent of contacts resulting in the issuance of a citation.

**Hispanic residents**, when compared to their representation among all contacts (42.4 percent), represent:

- 47.5 percent of contacts resulting in an arrest without a warrant;
- 47.3 percent of contacts resulting in a field cite and release;
- 44.7 percent of contacts resulting in field interview;
- 43.2 percent of contacts resulting in no action;
- 43.2 percent of contacts resulting in the issuance of a citation;
- 42.0 percent of contacts resulting in a custodial arrest without a warrant; and
- 38.7 percent of contacts resulting in the issuance of a warning.

**White residents**, when compared to their representation among all contacts (30.7 percent), represent:

- 33.8 percent of contacts resulting in the issuance of a warning;
- 30.9 percent of contacts resulting in a custodial arrest with a warrant;
- 30.7 percent of contacts resulting in the issuance of a citation;
- 29.0 percent of contacts resulting in field cite and release;
- 26.0 percent of contacts resulting in an arrest without a warrant;
- 24.5 percent of contacts resulting in no action; and
- 22.9 percent of contacts resulting in a field interview.

It would appear from this that Black/African American residents, when contacted, are more likely to be the subject of a field interview, arrested (with or without a warrant), or experience no action. Hispanic residents, when contacted, are more likely to be arrested (without a warrant), cited and released, or experience a field interview. White residents, when stopped, are more likely to be issued a warning. Overall, this suggests a higher probability of more punitive stop outcomes for Black/African American and Hispanic residents (see Table 20).

Repeating the previous analysis using only the contacts that were initiated by a call for service changes the above pattern (see Table 21).

**Black/African American residents**, when compared to their representation among all contacts (15.0 percent), represent:

- 30.7 percent of contacts resulting in a field interview;
- 26.1 percent of contacts resulting in a custodial arrest with a warrant;
- 24.2 percent of contacts resulting in an arrest without a warrant;
- 23.1 percent of contacts resulting in no action;
- 23.1 percent of contacts resulting in the issuance of a warning;
- 22.0 percent of contacts resulting in a field cite and release; and

- 16.8 percent of contacts resulting in the issuance of a citation.

**Hispanic residents**, when compared to their representation among all contacts (42.4 percent), represent:

- 47.1 percent of contacts resulting in the issuance of a citation;
- 43.0 percent of contacts resulting in an arrest without a warrant;
- 40.1 percent of contacts resulting in a field interview;
- 37.8 percent of contacts resulting in a field cite and release;
- 37.4 percent of contacts resulting in a custodial arrest with a warrant;
- 36.8 percent of contacts resulting in no action; and
- 32.3 percent of contacts resulting in the issuance of a warning.

**White residents**, when compared to their representation among all contacts (30.7 percent), represent:

- 37.9 percent of contacts resulting in the issuance of a warning;
- 33.6 percent of contacts resulting in no action;
- 32.6 percent of contacts resulting in field cite and release;
- 31.5 percent of contacts resulting in custodial arrest with a warrant;
- 28.2 percent of contacts resulting in the issuance of a citation;
- 26.4 percent of contacts resulting in an arrest without a warrant; and
- 23.0 percent of contacts resulting in a field interview.

What is missing from these analyses is any qualitative data that might justify the results of the contacts. For example, more detailed information (perhaps within another variable) on the relative level of severity of the alleged offense within the context of public safety might provide some insight into whether an individual was legitimately warned, cited, or arrested. This information would provide insight into whether race or ethnicity might play a role in an officer's enforcement decision. More punitive outcomes (e.g., the issuance of a citation or an arrest without a warrant) would be justified, or at least explained, when the alleged violation is more severe.

### **Synthesis of Contact Events and Outcomes**

The events and outcomes of police/resident contacts are not independent. Instead, they represent the results of interdependent decisions made along and within the linear path of a traffic stop. In racial profiling analysis, it is critical to determine whether one or more racial/ethnic groups are over-represented. It is equally important to determine whether one or more racial/ethnic groups are consistently and/or progressively more over-represented as the contact progresses (see Table 22).

- **Black/African American** residents represent 15.0 percent of all contacts and:
  - 23.2 percent of contacts for reasonable suspicion;
  - 22.3 percent of searches predicated by consent;
  - 25.5 percent of contacts wherein contraband or evidence was seized;
  - 20.1 percent of the residents arrested without a warrant; and
  - Are overrepresented in 13 of the 15 use of force actions taken during a stop.

- **Hispanic/Latino** residents represent 42.4 percent of all contacts and:
  - 48.5 percent of searches predicated by consent;
  - 44.3 percent of contacts wherein contraband or evidence was seized;
  - 47.5 percent of the residents arrested without a warrant; and
  - Are over-represented in 10 of the 15 use of force actions taken during a stop.
  
- **Multiracial** residents represent 1.0 percent of all contacts and:
  - 1.3 percent of searches predicated by consent;
  - 1.1 percent of contacts wherein contraband or evidence was seized; and
  - Are over-represented in 11 of the 15 use of force actions taken during a stop.
  
- **White** residents represent 30.7 percent of all contacts, and:
  - 31.3 percent of stops for reasonable suspicion.

### **Conclusions and Recommendations**

It is not possible with this data set alone to definitively determine whether residents of a particular race/ethnic category are over-represented in contacts, much less targeted by California’s police officers. There are two reasons for this:

**First**, there is nothing in the data set indicating whether the officers knew the race/ethnicity of the drivers prior to the contact. This information is collected *after* the contact has been initiated, likely when the officers make their first face-to-face contact with the resident. So, it is more likely that the decision to initiate a contact is based on driver behavior or other contextual information rather than the race/ethnicity of the resident.

**Second**, it is not likely that a benchmark based on the residential population within the state of California would be a valid and reliable measure of the driving population, much less the population subjected to routine police observation. The data set contains information on contacts from 58 agencies throughout the state. There are as many as 509 agencies throughout the state.<sup>2</sup> The residential populations of the communities served by the 58 agencies that reported data in 2021 vary. For example, the data from Los Angeles County represents 533,582 contacts, or 17.8 percent of all contacts in 2021. The residential population (as of July 1, 2021) in Los Angeles County includes 9.0 percent Black or African American and 49.1 percent Hispanic. In comparison the residential population of the entire state of California was, at the same time, 6 percent Black or African American and 40.2 percent Hispanic. At the very least, if the residential population is used as an estimate of the driving population, it should be a composite from the jurisdictions served by the agencies that report data to the DOJ.

Furthermore, there are likely considerable differences in the residential populations between patrol districts or beats. This is particularly true in large urban areas. Because of this, the data set should contain detailed information on where the contact occurred, preferably at either the U.S. Census block or tract level. This would provide a more accurate estimate of the driving population.

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<sup>2</sup> 2008 Census of State and Local Law Enforcement Agencies, by Brian A Reaves, US Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, July 2011.

Similarly, the demand for public safety services varies considerably between patrol districts or beats. Police resources (e.g., patrol officers) are typically assigned to locations wherein the demand for their services is higher. Normally, this administrative decision is based on some measure of demand external to the police department, like the crime rate or calls for service. The residents that live in these areas are inadvertently subjected to higher levels of routine police observation. As a result, contacts within these locations will be more frequent. Of course, there is always a danger of over policing, which is why it is important to base allocation decisions on measures of demand external to the police department. Ideally, the DOJ data set should contain detailed information about the location in which the contact was made like crime rate or the call for service rate. This data would provide some insight into the potential for over policing. During these conversations, it is critical to consider the input of those who benefit from the availability of public safety resources within their neighborhoods.

One of the salient questions in racial profiling research is whether racial/ethnic minorities are stopped for less serious alleged violations, merely as a pretext, to conduct a search, collect evidence of another crime, or to gather intelligence information. Because of this, some consideration should be given to adding a variable that would qualitatively describe the relative seriousness of the alleged violation for which the resident is stopped. Currently, the variable describing the reason for the stop is non-descript. In most cases, the reason for the stop is an alleged traffic violation. From the data available, we cannot evaluate the relative seriousness of the alleged offense. For example, a stop for an inoperable headlight would be less serious during the day and more serious during the night. As a result, it is not possible to know whether racial and ethnic minorities are stopped for less serious, or possibly pretextual, reasons.

The second most commonly reported reason for a stop is reasonable suspicion. The DOJ data set does not contain any variables with which a police officer might report the presence of contextual factors that 'created' this reasonable suspicion. For example, traffic stops often increase following a sustained increase of crime within a specific location. Consideration should be given to adding another variable that would allow a police officer to report the contextual factors that contributed to a reasonable suspicion, even if this means the entry of narrative information.

Before leaving this area of concern, it is important to offer a few comments on the current controversy relating to pretextual stops. In its 2023 Annual Report, the Racial and Identity Policing Advisory Board defines a pretextual stop as follows.

A pretext stop is when an officer stops someone for a lawful traffic violation or minor infraction with the intention to use the stop to investigate a hunch regarding a different crime that by itself would not amount to reasonable suspicion or probable cause.<sup>3</sup>

The footnote associated with this definition suggests that the RIPA Board has changed its reporting rules by further defining the term 'reasonable suspicion'. Specifically, the RIPA Board indicates that "...reasonable suspicion cannot be based solely on a hunch or instinct".<sup>4</sup> While this definition might be an excellent conceptual definition of a pretextual stop, it defies actual measurement. Furthermore, defining

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<sup>3</sup> Racial and Identity Profiling Advisory Board, Annual Report 2023, January 1, 2023, p. 61.

<sup>4</sup> Ibid.

a stop for a minor violation (a subjective distinction) as a pretext and then prohibiting them would remove an important enforcement tool.

The series of variables describing the actions taken by police officers during a stop has a fundamental flaw. It is not possible to determine whether these actions, in particular the use of force actions, are proactive or reactive. These variables only record what the officer did. They do not record what the resident did, if anything, to warrant this action. For example, when an officer reports a use of force action, it cannot be determined whether or not this action was done in response to a physical confrontation initiated by the resident stopped. In addition, it would be essential to indicate whether a resident's action occurred prior to or after an officer's use of force. The absence of these variables severely limits our ability to determine whether an officer's use of force is warranted.

Similarly, it would be immensely helpful to include more contextual information about the intent of the use of force. Removing a person from a vehicle may appear to be aggressive, but there are numerous legitimate reasons for doing this. For example, removing an individual from a vehicle stopped on a busy highway may be necessary to avoid injury or to protect the other occupants of the vehicle from victimization.

The variables describing the basis for a search should be reorganized into a single variable. The attributes of this variable should be the bases for a search that are currently measured as separate variables. This, along with prohibiting officers from entering multiple bases would increase the accuracy of this measure. In the current data set architecture, it is possible for an officer to report multiple bases for a single search. This has the potential for masking the distinction between the various types of searches.

Consent searches in most jurisdictions are conducted outside of the purview of routine supervision and without strict policy guidance. So, the most likely method for managing consent searches is to increase what a police officer must do prior to requesting a consent search. We have some evidence that adding another level of administrative review might reduce the potential for consent searches to be abusive. This evidence comes from our experience with custodial interrogations. Prior to the *Miranda* decision (1968), custodial interrogations were unregulated by all accounts. Some were even abusive. The *Miranda* decision imposed a regulation that criminal suspects must be informed of their legal protections against self-incrimination and their right to seek counsel prior to and during custodial interrogations. The immediate effect of this was a substantial reduction in the percentage of cases that were solved by confession. Within a few years, the percentage of cases solved by a confession returned to pre-*Miranda* levels. What changed over the long term was an increase in the level of professionalism exhibited by police officers during custodial interrogations. *Miranda* made custodial interrogation more 'expensive' for the police. It required another step and forced criminal investigators to document the absence of coercion during interrogations.

A similar outcome is likely if the consent searches were formalized. This would involve requiring officers to document that they informed individuals of their Fourth Amendment protections prior to asking for consent to search, and in particular their right under the law to refuse. This is far more formal than merely asking an individual "*Do you mind if I search your car?*"

In addition, consent searches should routinely be subjected to supervisory review. This review must involve the percentage of consent searches that produced contraband or evidence of a crime and the race or ethnicity of the individual searched. There is some anecdotal evidence that merely informing individual police officers of this information, in summary form and on an annual basis, reduces searches based on consent, improves the productivity of consent searches and reduces the over-representation of racial and ethnic minorities that are asked for consent to search.

Finally, prior to the advent of the racial profiling research agenda (circa 1995), very little was actually known about traffic stops. This was unfortunate given the ubiquitous nature of this activity within the criminal justice process. The racial profiling controversy encouraged police departments, and those who supervised them, to collect and analyze data on stops. The result of this has, in the long run, benefitted American policing. The best data sets are those that recognize the complexities associated with what would seem like a routine traffic stop. There are dozens of contextual events that drive officer decision making. Unfortunately, few data sets consider these as important.

**The DOJ data set, despite the breadth of its reach, is woefully inadequate as a measure of potential racial profiling in routine police operations and provides little insight for policing professionals or policy makers on how or why police officers make enforcement decisions.**

**Appendix**

**Table 1. State of California population by race (U.S. Census Bureau, July 1, 2021).**

<b>Race/Ethnicity per U.S. Census categories</b>	<b>Percent of Residents</b>
White alone	71.1
Black or African American alone	6.5
American Indian and Alaska Native alone	1.7
Asian alone	15.9
Native Hawaiian and Other Pacific Islander alone	0.2
Two or More Races	4.2
Hispanic or Latino	40.2
White alone, not Hispanic or Latino	36.2

**Table 2. Residents contacted by race or ethnicity in 2021 (Caldron).**

<b>Race/Ethnicity per DOJ Categories</b>	<b>Percent of All Contacts</b>
Hispanic/Latino	42.4
White	30.7
Black/African American	15.0
Asian	5.3
Middle Eastern/South Asian	4.8
Multiracial	1.0
Pacific Islander	0.5
Native American	0.3

**Table 3. Races/Ethnicities represented with the Multiracial classification in 2021.**

<b>Race/Ethnicity</b>	<b>Percentage</b>
Hispanic/Latino	72.0
White	66.0
Black/African American	30.7
Middle Eastern/South Asian	29.4
Asian	21.0
Pacific Islander	16.8
Native American	14.8



**Table 4. Average age (mean) of residents contacted by race/ethnicity in 2021.**

<b>Race/Ethnicity</b>	<b>Mean Average Age</b>
White	39.20
Asian	38.45
Native American	38.39
Middle Eastern/South Asian	36.51
<b>Overall</b>	<b>35.97</b>
Pacific Islander	35.70
Black	34.34
Multiracial	34.15
Hispanic/Latino	33.85

**Table 5. Perceived gender and gender identity of residents contacted in 2021.**

<b>Gender/Gender Identity</b>	<b>Percent</b>
Male	72.1
Female	27.5
Transgender Man/Boy	0.1
Transgender Woman/Girl	0.05
Gender Nonconforming	0.3

**Table 6. Perceived physical disability of residents contacted in 2021.**

<b>Type of Disability</b>	<b>Percentage</b>
None	98.80
Deafness	0.06
Speech Impairment	0.05
Blind	0.02
Mental Health Condition	0.84
Development	0.03
Hyperactivity	0.00006
Other	.012
Multiple Disability	0.08

**Table 7. Differentiation between officer initiated and call for service contacts in 2021.**

<b>Type of Contact</b>	<b>Number</b>	<b>Percent</b>
Officer Initiated	2,991,251	93.9
Call for Service	193,292	6.1
<b>Totals</b>	<b>3,184,543.00</b>	<b>100.0</b>

**Table 8. Contacts by origin and race/ethnic category in 2021.**

Race/Ethnicity	Total Contacts	Percent		Percent Officer Initiated	Percent Call for Service Initiated
Asian	168,492	5.3		5.5	2.8
Black/African American	478,937	15		15.5	23.6
Hispanic/Latino	1,348,972	42.4		42.6	38.2
Middle Eastern/South Asian	152,441	4.8		5.0	2.1
Native American	9,411	0.3		0.3	0.3
Pacific Islander	16,736	0.5		0.5	0.5
White	977,832	30.7		30.7	31.3
Multiracial	31,721	1.0		1.0	1.1
<b>Overall</b>	<b>3,184,542</b>	<b>100.0</b>		<b>93.9</b>	<b>6.1</b>

**Table 9. Reported reason for contact in 2021.**

Reason for Stop	Percent
Traffic violation	86.8
Reasonable suspicion	10.5
Knowledge of outstanding arrest/wanted person	0.7
Parole/probation/PRCS/Mandatory supervision	0.8
Investigation to determine whether person was truant	0.3
Consensual encounter resulting in search	0.9
Possible conducted under Education Code	0.0*
Determine whether student violated school policy	0.0**
Total	100.0

\*n=41, \*\*n=98

**Table 10. Types of traffic violations in 2021.**

Type of Traffic Violation	Percent
Moving	72.5
Equipment	13.8
Non-moving	13.7

**Table 11. Contacts for traffic violations and reasonable suspicion by race/ethnicity in 2021.**

<b>Race (Percent of all contacts)/ Reason</b>	<b>Asian (5.3)</b>	<b>Black/ African American (15.0)</b>	<b>Hispanic / Latino (42.4)</b>	<b>Middle Eastern / South Asian (4.8)</b>	<b>Native American (0.3)</b>	<b>Pacific Islander (0.5)</b>	<b>White (30.7)</b>	<b>Multi-racial (1.0)</b>	<b>Totals</b>
<b>Traffic violation</b>	5.7	14.0	42.6	5.3	0.3	0.5	30.6	1.0	100.0
<b>Reasonable suspicion</b>	2.6	23.2	39.4	1.7	0.3	0.5	31.3	1.0	100.0

**Table 12. Actions taken during contacts in 2021.**

<b>Action Taken</b>	<b>Count</b>	<b>Percent</b>
Person removed from vehicle by order	137,152	4.3
Person removed from vehicle by physical contact	14,415	.5
Field sobriety test	71,378	2.2
Curbside detention	222,360	7.0
Handcuffed or flex cuffed	310,914	9.8
Patrol car detention	170,661	5.4
Canine search	2,139	.1
Firearm pointed at person	17,365	.5
Firearm discharged or used	155	0.0
Electronic device used	823	0.0
Impact projectile discharged or used	317	0.0
Canine bite of held person	230	0.0
Baton or other impact weapon used	196	0.0
Chemical spray used	322	0.0
Other physical or vehicle contact	14,547	.5
Person photographed	19,134	.6
Asked for consent to search person	87,944	2.8
Search of person was conducted	342,084	10.7
Asked for consent to search property	65,412	2.1
Search of property was conducted	177,109	5.6
Property was seized	34,647	1.1
Vehicle impound	52,387	1.6
Admission or written statement obtained from student	77	0.0
No action taken	2,551,207	80.1
<b>Totals</b>	<b>4,292,975</b>	<b>134.9</b>

**Table 13. Use of force actions taken during contacts by race/ethnicity of residents in 2021.**

<b>Race (Percent of all contacts)/ Actions taken during contact</b>	<b>Asian (5.3)</b>	<b>Black/ African American (15.0)</b>	<b>Hispanic / Latino (42.4)</b>	<b>Middle Eastern / South Asian (4.8)</b>	<b>Native American (0.3)</b>	<b>Pacific Islander (0.5)</b>	<b>White (30.7)</b>	<b>Multi-racial (1.0)</b>	<b>Totals</b>
Person removed from vehicle by order	1.9	26.6	49.4	1.6	0.2	0.4	18.6	1.3	100.0
Person removed from vehicle by physical contact	2.3	28.0	49.4	1.3	0.1	0.4	17.0	1.4	99.9
Field sobriety test	3.5	12.1	52.0	2.5	0.5	0.6	27.8	0.9	99.9
Curbside detention	2.0	23.8	45.8	1.5	0.2	0.4	25.4	1.0	100.1
Handcuffed or flex cuffed	2.3	23.7	45.7	1.7	0.3	0.5	24.7	1.1	100.0
Patrol car detention	2.6	24.3	44.2	1.8	0.3	0.5	25.1	1.3	100.1
Canine search	2.6	14.7	58.4	1.4	0.2	0.7	20.5	1.4	99.9
Firearm pointed at person	2.0	27.3	46.6	1.4	0.3	0.6	20.7	1.0	99.9
Firearm discharged or used	1.3	21.9	49.0	4.5	0.0	0.0	21.9	1.3	99.9
Electronic device used	1.0	28.4	39.2	1.3	0.6	0.6	26.9	1.9	99.9
Impact projectile discharged or used	2.2	23.7	43.8	1.6	0.3	0.3	27.8	0.3	100.0
Canine bite of held person	1.3	26.5	41.3	2.2	0.0	0.4	26.1	2.2	100.0
Baton or other impact weapon used	2.0	28.1	41.8	2.0	0.0	0.0	24.5	1.5	99.9
Chemical spray used	1.9	31.7	35.1	1.9	0.0	1.2	25.8	2.5	100.1

Other physical or vehicle contact	3.4	21.5	35.3	3.6	0.2	0.6	33.9	1.4	99.9
Person photographed	3.3	18.5	42.7	1.7	0.4	0.8	31.1	1.5	100.1
Asked for consent to search person	1.9	21.3	48.1	1.2	0.2	0.4	25.7	1.3	100.1
Search of person was conducted	2.1	25.2	45.4	1.4	0.3	0.5	24.1	1.1	100.1
Asked for consent to search property	1.9	25.8	47.7	1.2	0.2	0.4	21.6	1.1	99.9
Search of property was conducted	1.9	29.0	43.8	1.2	0.2	0.4	22.2	1.2	99.9
Property was seized	2.9	20.2	40.9	1.3	0.4	0.6	32.4	1.2	99.9
Vehicle impound	2.3	15.0	55.8	1.9	0.5	0.5	22.9	1.1	100.0
Admission or written statement obtained from student	3.9	16.9	45.5	0.0	0.0	0.0	33.8	0.0	100.1
No action	6.0	13.0	41.4	5.6	0.3	0.5	32.2	1.0	100.0

**Table 14. Reported bases for searches in 2021.**

<b>Basis for Search</b>	<b>Frequency</b>	<b>Percent Occurring in All Stops</b>
Consent given	86,112	22.8
Officer Safety	114,309	30.3
Search warrant	5,727	1.5
Parole	76,116	20.2
Suspect weapon	35,348	9.4
Visible contraband	25,667	6.8
Odor contraband	13,350	3.6
Canine detect	1,011	0.3
Evidence of crime	20,048	5.3
Incident to arrest	156,396	41.4
Exigent circumstances	1,686	0.4
Vehicle inventory	17,469	4.6
School policy	27	0.0
<b>Total</b>	<b>553,266</b>	

**Table 15. Number of search bases reported for searches in 2021.**

<b>Number of Search Bases Reported</b>	<b>Frequency</b>	<b>Percent</b>
1	254,786	67.5
2	84,705	22.4
2	26,787	0.8
4	7,808	0.2
5	2,417	0.1
6	718	0.0
7	151	0.0
8	22	0.0
9	3	0.0
<b>Totals</b>	<b>377,398</b>	<b>100.0</b>

**Table 16. Bases for search by race/ethnicity of the resident contacted in 2021.**

<b>Basis for search/ Race or ethnicity of individual stopped (percentage of all stops)</b>	<b>Asian (5.3)</b>	<b>Black/ African American (15.0)</b>	<b>Hispanic / Latino (42.4)</b>	<b>Middle Eastern / South Asian (4.8)</b>	<b>Native American (0.3)</b>	<b>Pacific Islander (0.5)</b>	<b>White (30.7)</b>	<b>Multi-racial (1.0)</b>	<b>Totals</b>
Consent given	2.0	22.3	48.5	1.2	0.2	0.4	24.2	1.3	100.1
Officer Safety	1.8	29.0	45.2	1.3	0.2	0.3	20.9	1.3	100.0
Search warrant	5.9	18.9	51.0	2.7	0.3	0.7	19.8	0.7	100.0
Parole	1.4	30.2	43.1	0.9	0.3	0.4	22.5	1.2	100.0
Suspect weapon	1.3	37.4	45.6	1.1	0.1	0.3	13.1	1.0	99.9
Visible contraband	1.1	42.9	38.4	0.8	0.2	0.3	15.1	1.1	99.9
Odor contraband	1.0	54.7	34.9	0.7	0.1	0.2	7.3	1.1	100.0
Canine detect	3.9	9.3	60.4	1.8	0.3	0.9	22.7	0.8	100.1
Evidence of crime	2.1	27.0	45.1	1.3	0.3	0.4	22.5	1.4	100.1
Incident to arrest	2.5	20.9	45.3	1.8	0.4	0.6	27.4	1.1	100.0
Exigent circumstances	2.1	28.1	41.7	2.0	0.3	0.6	24.0	1.2	100.0
Vehicle inventory	1.9	20.7	50.9	1.8	0.3	0.5	22.4	1.4	99.9
School policy	0.0	33.3	48.1	3.7	0.0	3.7	7.4	3.7	99.9

**Table 17. Contraband or evidence seized during contacts in 2021.**

Type of Contraband or Evidence Seized	Number	Percent of All Contacts
Firearm	15,843	0.5
Ammunition	10,003	0.3
Weapon	11,599	0.4
Drugs	53,870	1.7
Alcohol	20,613	0.6
Money	5,856	0.2
Drug paraphernalia	32,781	1.0
School policy	27	0.0
Stolen property	6,890	0.2
Electronic device	5,563	0.2
Other	14,381	0.5
<b>Totals</b>	<b>163,059</b>	<b>5.6</b>

**Table 18. Contraband or evidence seizures by type of contact and race/ethnicity of the resident in 2021.**

Race (Percent of all contacts)/ Type of contact	Asian (5.3)	Black/ African American (15.0)	Hispanic/ Latino (42.4)	Middle Eastern/ South Asian (4.8)	Native American (0.3)	Pacific Islander (0.5)	White (30.7)	Multi-racial (1.0)
Percent of all contacts including a seizure	2.0	25.5	44.3	1.3	0.3	0.5	24.9	1.1
Percent of call for service contacts including a seizure.	2.3	26.6	38.3	1.6	0.3	0.5	29.0	1.4
Percent of discretionary contacts including a seizure.	2.0	25.2	46.0	1.2	0.3	0.4	23.8	1.1



**Table 19. Results of contacts in 2021.**

<b>Results of Stop</b>	<b>Number</b>	<b>Percent</b>
No action	242,099	7.6
Warning	836,223	26.3
Citation	1,656,298	52.0
In field cite and release	177,178	5.6
Custodial warrant	53,859	1.7
Custodial w/o warrant	185,758	5.8
Field interview card	119,282	3.7
Noncriminal transport	11,384	.4
Contact legal guardian	3,140	.1
Psychological hold	23,990	.8
U.S. Homeland Security	201	0.0
Referral School Administration	158	0.0
Referral School Counselor	50	0.0

**Table 20. Results of all contacts by race/ethnicity of the resident in 2021.**

<b>Race (Percent of all contacts) / Result of contact</b>	<b>Asian (5.3)</b>	<b>Black/ African American (15.0)</b>	<b>Hispanic / Latino (42.4)</b>	<b>Middle Eastern / South Asian (4.8)</b>	<b>Native American (0.3)</b>	<b>Pacific Islander (0.5)</b>	<b>White (30.7)</b>	<b>Multi-racial (1.0)</b>	<b>Totals</b>
Percent of contacts resulting in no action	2.6	26.0	43.2	2.1	0.2	0.4	24.5	0.9	99.9
Percent of contacts resulting in the issuance of a warning	4.6	16.7	38.7	4.4	0.3	0.5	33.8	1.0	100.0
Percent of contacts resulting in the issuance of a citation	6.4	11.6	43.2	6.2	0.3	0.6	30.7	1.0	100.0

Percent of contacts resulting in field cite and release	6.1	13.0	47.3	2.6	0.4	0.5	29.0	1.1	100.0
Percent of contacts resulting in a custodial arrest with a warrant	1.7	22.3	42.0	0.9	0.5	0.5	30.9	1.2	100.0
Percent of contacts resulting in the arrest without warrant	2.6	20.1	47.5	1.8	0.4	0.5	26.1	1.0	100.0
Percent of contacts resulting in a field interview	2.1	27.0	44.7	1.8	0.2	0.4	22.9	1.0	100.1

**Table 21. Results of call for service contacts by race/ethnicity of the resident in 2021.**

<b>Race (Percent of all contacts) / Result of contact</b>	<b>Asian (5.3)</b>	<b>Black/African American (15.0)</b>	<b>Hispanic / Latino (42.4)</b>	<b>Middle Eastern / South Asian (4.8)</b>	<b>Native American (0.3)</b>	<b>Pacific Islander (0.5)</b>	<b>White (30.7)</b>	<b>Multi-racial (1.0)</b>	<b>Totals</b>
Percent of contacts resulting in no action	2.6	23.1	36.8	2.0	0.3	0.5	33.6	1.1	100.0
Percent of contacts resulting in the issuance	2.7	23.1	32.3	2.1	0.3	0.4	37.9	1.3	100.1

of a warning									
Percent of contacts resulting in the issuance of a citation	3.1	16.8	47.1	3.5	0.1	0.3	28.2	0.8	99.9
Percent of contacts resulting in field cite and release	3.4	22.0	37.8	1.8	0.3	0.5	32.6	1.5	99.9
Percent of contacts resulting in a custodial arrest with a warrant	1.9	26.1	37.4	1.2	0.4	0.5	31.5	1.1	100.1
Percent of contacts resulting in an arrest without warrant	2.5	24.2	43.0	1.9	0.4	0.5	26.4	1.1	100
Percent of contacts resulting in a field interview	2.6	30.7	40.1	2.2	0.2	0.5	23.0	0.8	100.1

**Table 22. Synthesis of contact events and outcomes by race/ethnicity in 2021.**

<b>Race/Ethnicity per DOJ categories</b>	<b>Percent of All Contacts</b>	<b>Percent stopped for reasonable suspicion</b>	<b>Over-representation in the 15 use of force actions</b>	<b>Percent of searches based on consent</b>	<b>Percent of contacts yielding contraband or evidence</b>	<b>Percent of contacts resulting in an arrest w/o warrant</b>
Hispanic/Latino	42.4	39.4	10/15	48.5	44.3	47.5
White	30.7	31.3	1/15	24.2	24.9	26.1
Black/African American	15.0	23.2	13/15	22.3	25.5	20.1
Asian	5.3	2.6	0/15	2.0	2.0	2.6
Middle Eastern/South Asian	4.8	1.7	0/15	1.2	1.3	1.8
Multiracial	1.0	1.0	11/15	1.3	1.1	1.0
Pacific Islander	0.5	0.5	6/15	0.4	0.5	0.5
Native American	0.3	0.3	2/15	0.2	0.3	0.4

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