



Racial and Ethnic Profiling: a Pervasive National Problem

Police routinely single out, stop and search people of color at grossly disproportionate rates while they are walking, driving, flying or otherwise going about their business. Whether under the guise of the “war on drugs” or crime suppression sweeps, traffic stops and “stop and frisks” are often used as a ‘pretext’ for determining whether these individuals are engaged in some sort of criminal activity. These racially motivated searches are extremely counterproductive. ‘Hit’ rates drop when law enforcement go after individuals based on their race.¹

A national survey conducted in 2002 by the United States Department of Justice found that blacks and Hispanics were two to three times more likely to be stopped and searched than whites but were less likely to be found in possession of contraband.²

- *In Arizona*, analysis of data related to highway stops made between July 1, 2006 and June 30, 2007 found that Native Americans were more than 3 times as likely to be searched as whites by Arizona Department of Public Safety Officers. African Americans and Hispanics were 2.5 times more likely to be searched than whites. Whites, however, were found to be more likely to be carrying contraband than Native Americans or Hispanics and seizure rates of drugs, weapons or other illegal materials for whites and African Americans was found to be similar.³

- *In New York*, a court ruling in 2008 ordered the New York Police Department (NYPD) to release all of its ‘stop-and-frisk’ data from 1998 through the beginning of 2008 to the Center for Constitutional Rights (CCR). CCR’s analysis determined that the NYPD disproportionately stops and frisks black and Latino individuals with a mere 4-6% stops resulting in arrests and only 6-7% resulting in summons. The NYPD yielded more contraband from stops made of whites than any other racial group.⁴

- *In Los Angeles*, analysis of data by Yale University⁵ gathered between July 2003 and June 2004 found that the stop rate of blacks and Hispanics, respectively, is 3,400 times and 360 times higher than the stop rate for whites. Simultaneously, the analysis found that frisked blacks and Hispanics, respectively, are 42.3% and 31.8% less likely to be found with a weapon than frisked non-Hispanic whites.

Law enforcement officers are more successful when they base investigations on relevant indicators of criminal activity rather than on race. In 2005, the Narragansett Police Department in Rhode Island began basing their decisions to search on probable cause instead of on race and also seek supervisory approval. As a result, minorities went from being three times as likely to be searched to only 1.1 times as likely and the department’s search productivity rate jumped to 50%, one of the highest in the state.¹

Racial profiling forces people to surrender their most basic constitutional and human rights. Singling people out on the basis of their race is in direct breach of the founding principles of our country. Everyone in America deserves equal treatment and protection under the law and the right to be free from unreasonable searches and seizures.

¹ David Harris, *Confronting Ethnic Profiling in the United States*, Justice Initiatives, Open Society Justice Initiative 69 (June 2005).

² U.S. Department of Justice, Bureau of Justice Statistics, *Contacts between Police and the Public: Findings from the 2002 National Survey*, available at <http://www.ojp.usdoj.gov/bjs/pub/pdf/cpp02.pdf>.

³ ACLU of Arizona, *Driving While Black or Brown: An Analysis of Racial Profiling in Arizona* (April 2008) available at <http://www.acluaz.org/DrivingWhileBlackorBrown.pdf>.

⁴ The Center for Constitutional Rights, *Racial Disparity in NYPD Stops-and-Frisks: The Center for Constitutional Rights Preliminary Report on UF-250 Data from 2008 through June 2008* (January 15, 2009) available at http://www.ccr-ny.org/uf250/uf250_011509.pdf.

⁵ <http://www.yale.edu/yalepress/pressbooks/2014/04/04-15-14-los-angeles/>