

Traffic Stops in Nebraska



A Report to the Governor and the Legislature on Data Submitted by Law Enforcement

April 1, 2010

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This report was partially funded by a grant from the Bureau of Justice Statistics (#2009-BJ-CX-K023) for operation of the Statistical Analysis Center (SAC). The views expressed in this report are those of the authors and do not represent the Department of Justice.

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Executive Summary

Issues of fairness and trust are critical in the administration of justice. These issues are critical for the public as well as for law enforcement. Traffic stops are one of the most common types of contact for the public. Perceptions derived from these contacts and the need for openness on the reasons for stops fit with other concerns.

The Nebraska Legislature passed LB593 in 2001 to respond to possible issues relating to the way that traffic stops are made. The act specifically prohibited racial profiling and required law enforcement to implement policies prohibiting discriminatory practices as well as requiring the collection of prescribed data. This report includes traffic stop data from 2002 through 2009 as submitted to the Nebraska Crime Commission. Additionally, it required agencies to report to the Crime Commission all allegations of racial profiling received and the disposition of such allegations.

One component of addressing concerns has been the training of law enforcement. Issues regarding racial profiling have been incorporated into the basic training all law enforcement officers attend for certification. Since the law took effect in 2001, and even prior to this law, students in basic training are taught that all traffic stops must be based on a legal justification and cannot be based solely upon the person's (or driver's) race or ethnic makeup. Any stop based solely upon the person's race or ethnicity would be unconstitutional. Students fill out racial profiling report forms with each simulated traffic stop conducted while in the training academy.

Data by agency and county is available at the Crime Commission's website (www.ncc.ne.gov).

- There were 483,268 traffic stops reported to the Crime Commission for 2009.
- Of the total traffic stops reported, almost two thirds were by the Nebraska State Patrol or agencies in Douglas, Lancaster and Sarpy Counties. Over one third of the stops made statewide were by the Patrol.
- Data was submitted by 196 agencies in 2009. Not all agencies submitted data for all 4 quarters of the year. Agencies that have not reported are typically smaller departments.
- The breakdown of types of stops and related data by race has stayed relatively consistent throughout the reported years, with certain variations showing in searches and the dispositions of stops.
- The statewide breakdown of traffic stops by race closely parallels the census population breakdown. In and of itself this does not mean that there is no racial profiling. It can be said that, on the statewide aggregate, there are not apparent disproportionalities.
- However, this does not mean that there are not disparities. There are other variances that show up when looking at local populations or jurisdictions. Since minority populations vary greatly across Nebraska it significantly affects the contact law enforcement would have with them.
- NSP stops Black drivers statewide at two thirds of the census numbers. (3.6% of stops versus 5.5% of the population)
- Douglas County agencies stop Black drivers at a higher proportion than the local

- population (20.8% versus 11.7%).
 - Lancaster County agencies stop Black drivers at over twice their proportion of the local population (7.6% versus 3.2%).
 - About 35% of stops by Dawson County agencies are of Hispanic drivers. Hispanics are 31.2% of the local population.
 - Native Americans account for over half of the Thurston County population but only 29% of the stops. Stated in a different way, Whites account for 40% of the population but 57% of the stops.
- In looking at the other criminal justice populations (such as corrections admissions, warrants and protection orders) there are much higher occurrences of Black and Hispanic populations than in the census or traffic stop breakdowns. This may relate to the arrest statistics for stops.
- In 2009, although 1.1 of all stops involved a criminal code violation, 4.49% of all stops involving Native Americans were for criminal violations as were 2.4% of stops of Hispanics. The reason for the stop may affect subsequent decisions and actions in the processing of the traffic stop, including searches.
- In 2009, 3.5% of traffic stops resulted in custodial arrest. However, 13.1% of Blacks and 6.5% of Hispanics and 8.4% of Native Americans stopped were arrested.
- Asians and Whites were least likely to be arrested (2.3% and 2.5%) and most commonly received a written warning (42.3% and 46.3%).
 - A custodial arrest is not done for only a traffic violation. Therefore, the stop could involve things such as a DUI arrest, a lack of identification, an outstanding warrant (discovered in a general license check).
 - In looking at the other criminal justice subpopulations (such as corrections admissions, warrants and protection orders) there are much higher occurrences of Black and Hispanic populations than in the census or traffic stop breakdowns. This may relate to the arrest statistics for stops.
- In 2009, in 3.1% of traffic stops a search was performed. Hispanics were searched 6.8%, Blacks 5.0% and Native Americans 6.9% of traffic stops. There have been some changes in the frequencies of searches since reporting began in 2002 but, overall, Hispanics and Native Americans have been about twice as likely to be searched than the general population.
- For 2009 the Crime Commission received thirty-two reports from three agencies of the public making allegations of racial profiling. All the agencies involved conducted internal investigations and contacted the drivers involved. In 25 instances the officer was exonerated and in five instances it was reported there was insufficient evidence. The other two reports did not report an outcome yet.

It must be noted that any observed disparities are just that: disparities. The data cannot prove bias or instances of racial profiling but they can point to areas that agencies can look at more closely. Detailed review by agencies, including specifics such as officers, populations or other criteria are essential to understanding the local situation.

While this data provides a good snapshot of traffic stops it must be noted that there are inherent limitations. Since only summary data is required to be collected and reported there is no way to track individual instances or get to a granular level of analysis available in other data sets.

0. Preface

Legislation passed by the Legislature and signed by the Governor (LB 1162, Ninety-Eighth Session) that extended the required period of reporting of data also included other actions. Included in the legislation was the creation of a Racial Profiling Advisory Committee. The committee is chaired by the Executive Director and includes representatives of the Fraternal Order of Police, the Nebraska County Sheriffs Association, the Police Officers Association of Nebraska, the American Civil Liberties Union, the Nebraska State Patrol, the AFL-CIO and the Police Chiefs Association of Nebraska.

The purpose of the committee is to advise the Executive Director of the Crime Commission relative to the reporting legislation. The committee met several times since the passage of the legislation. Additionally, several members participated in a conference conducted by the Police Executive Research Forum in conjunction with the US Department of Justice. It was titled "By the Numbers: How to Analyze Race Data from Vehicle Stops." This conference brought together national researchers as well as state, local and federal practitioners and experts to discuss the collection and analysis of stop data.

The committee spent considerable time and effort discussing Nebraska's approach to this effort as well as the findings included in the conference and related publications. The committee was contacted in March, 2006 to review and offer suggestions to discussion points and earlier reports. The following bullet points were felt to be particularly relevant to Nebraska as we as a state and as local entities try and address this issue. Additional and related observations are also included within the report.

- Racial profiling is a serious allegation and issue that must be dealt with at an agency and individual level. Professional law enforcement is concerned about the issue and interaction with the public. Individuals may racially profile (as opposed to an agency) and they need to be dealt with in a professional matter that meets agency policy and responsibility as well as public expectations and rights.
- The collection of mandated summary data does not allow for the detailed analysis necessary to establish bias. The aggregate analysis and observations included in the report point to areas that would necessitate closer examination at the agency level. That detailed examination is outside the scope of the Commission's mandate and resources.
- For a complete analysis within Nebraska there would need to be a much more detailed mandated data collection as well as resources provided for analysis. Detailed stop level data, as opposed to summary data, is the baseline for examining traffic stops. This detailed data collection has a significant cost as well as operational impact on law enforcement. There would also be a substantial impact on the Commission to collect, store and analyze more detailed data.
- Detailed analysis at the agency level is best to determine bias. The onus and responsibility for this type of analysis should rest with law enforcement. An agency and community must cooperate in the examination of data and potential bias.
- An agency examination of disparity to determine potential bias or racial profiling should include factors such as local demographics, agency policy and individual officer behavior.

- There is no absolute guideline that defines profiling or bias and, in particular, it is not merely a statistical or numerical observation. There are many factors that must be included.

The committee met in early 2007 and reviewed reporting and the data that is collected. It reviewed the volume of reporting, analyses and potential for increasing the automated collection of this data. The following recommendations were made.

- The type and detail of reporting should stay consistent with what has been in place since the passage of the legislation. This will allow for a consistent data set over time and will be easier for agencies to maintain.
- There should be an effort to retrain agencies on the reporting requirement to attempt to increase reporting. This may be useful in agencies that have a significant turnover or have made changes in their procedures or automation.
- Incorporation of reporting requirements should be incorporated into Nebraska Law Enforcement Training Center (NLETC) curriculum, as appropriate for newly elected Sheriffs, Basic students and for those officers attending mandated supervisory and management courses.

Discussion in 2008 and 2009 for this report mirrored much of the earlier discussion as well as suggestions on the data and how it is presented.

- There are many populations that are or can be used in the discussion of enforcement and its proportionality. These include not just general census types of numbers but also things such as high risk populations (such as drivers involved in crashes or those with suspended licenses), licensed drivers and criminal justice populations (jail admissions, warrants, arrestees).
- Populations still need to be compared locally. Agency activity is best looked at in the context of the local or subpopulation demographics.
- Standard comparisons can assist agencies as well as the public and decision makers in looking at traffic stop data.
- Training and clarification of meaning for data collection should continue to be done with agencies to target the best data available.

In 2010 the committee continued discussions on the presentation of the data and how to assist agencies and the public to understand the context and data collected.

- Looking at local populations can help agencies understand the potential basis for drivers who may be stopped.
- Comparisons to other criminal justice related populations can provide context for those involved with law enforcement.
- Agencies and their administrators can often provide information on activities or factors which have affected enforcement, including traffic stops.

Introduction

The criminal justice system is predicated on the notion of equality. The issues of fairness and any perception of unequal treatment are often at the forefront of our society but particularly as they relate to justice. In the last few years greater attention was drawn to issues and reports of possible inequality in the criminal justice system. While these issues can be very difficult to identify as well as verify, since they typically relate to motivation, there are numerous efforts to explore them deeper.

One area gaining broad attention in most states and localities is potential profiling relating to traffic stops made by law enforcement. The Nebraska Legislature passed LB593 in 2001 to respond to possible issues relating to the way that traffic stops are made. The act specifically prohibited racial profiling and required law enforcement to implement policies prohibiting discriminatory practices as well as requiring the collection of prescribed data.

One component of addressing concerns has been the training of law enforcement. Issues regarding racial profiling have been incorporated into the basic training all law enforcement officers attend for certification. Since the law took effect in 2001, and even prior to this law, students in basic training are taught that all traffic stops must be based on a legal justification and cannot be based solely upon the person's (or driver's) race or ethnic makeup. Any stop based solely upon the person's race or ethnicity would be unconstitutional. Students fill out racial profiling report forms with each simulated traffic stop conducted while in the training academy.

This report presents a summary of data reported to the Nebraska Crime Commission.

1. History

The ninety-seventh Legislature incorporated several initiatives relative to traffic stops and issues of racial profiling, acknowledging the danger and impropriety of any practice that involves disparate treatment based on a person's skin color, apparent nationality or ethnicity. For the purposes of this report and subsequent discussions we will refer to the definition of racial profiling included in the act.

Racial profiling means detaining an individual or conducting a motor vehicle stop based upon disparate treatment of an individual.

LB593 required the collection of certain information relative to traffic stops. Agencies are required to collect and maintain information within their own agency but law enforcement is also required to report this data to the Crime Commission. The data reported does not necessarily provide data to determine motivation or cause for any apparent disproportionality. However, even though this level of data does not allow definite conclusions in those areas, it does serve as a basis for constructive discussions between police and citizens regarding ways to reduce racial bias and/or perceptions of racial bias.

Specifically, LB593 prescribed that all law enforcement agencies in Nebraska will collect, record and report aggregate data on the following:

- The number of motor vehicle stops.

- The race or ethnicity of the people stopped.
- If a stop is for a law violation, the nature of the alleged law violations that resulted in the motor vehicle stop.
- Whether warnings or citations were issued, arrests made, or searches conducted as a result of the stops.

Additionally the bill required all agencies to “provide to the commission (a) a copy of each allegation of racial profiling received and (b) written notification of the review and disposition of such allegation”. The bill prohibited revealing the identity of either the officer or the complainant. Any allegations of racial profiling are handled through standard policies with the law enforcement agency.

To collect the data required in LB593 in a consistent and cost effective manner the Crime Commission convened a workgroup involving the Nebraska State Patrol, the Nebraska Sheriffs Association, Police Officers Association of Nebraska, Police Chiefs Association of Nebraska and numerous local agencies including the Lincoln Police Department and the Omaha Police Department. This group reviewed possible data reporting formats to try to guarantee the most feasible, cost effective and achievable method of reporting while meeting the mandates of LB593.

Data collection of this magnitude can be problematic in many ways. Law enforcement agencies have taken various approaches to provide complete and useful data to the Crime Commission. Even for agencies that are automated the task of additional data collection by officers adds a level of complexity and additional workload that is significant. For agencies that are not automated it means an increase in the paperwork for officers. Some agencies have attempted to extract the data from their records systems but modifications were typically needed and often some manual work was still required. Since data had to be reported even if no action was taken this meant most automated systems could not report all of the required data. Although law enforcement agencies were required to report only limited summary information, doing so increased costs and work.

In 2004, LB1162 created an amendment that changed the definition of a motor vehicle stop to exclude the stop of a motor truck, tractor-trailers or semitrailer at the state weighing stations. Therefore the Nebraska State Patrol’s Carrier Enforcement Division reported traffic stops have been excluded from this report. LB1162 also extended the required reporting period through January 1, 2006.

In April 2006, LB 1113 made an amendment that required reporting to be extended until January 1st, 2010. Due to the timing of this amendment passed after the first quarter of 2006, it can be noted that several agencies did not collect the traffic stop data for first quarter or 2006. In addition, agencies may not have been collecting data for a period in April, or until the agencies resumed collecting the data. Therefore, data for the first and second quarters in 2006 may be under-reported as agencies did not collect this data.

2. Data Collection

Standardized forms are provided to all law enforcement agencies in Nebraska. Summary data is reported to the Crime Commission quarterly. Data is included which states the race of all drivers stopped, the reasons for the stops, the dispositions of the stops and whether searches were conducted. Data is to be collected and reported from January, 2002 through December, 2007. Data for a total of almost 4 million traffic stops has been provided by state, local and tribal agencies to the Crime Commission.

Since the agencies began submitting data, the Crime Commission's Statistical Analysis Center has been working with law enforcement to improve reporting and deal with data inconsistencies. A significant effort such as this typically requires review of processes and workflow once it starts. In general, law enforcement has made a concerted effort to fulfill the requirements set out by the Legislature. In addition to the reporting mandated by LB593 there are also some agencies that have undertaken similar studies of their own. These studies may be more comprehensive providing a more detailed look at racial profiling specific to an agency.

Race of the driver is reported as observed or determined by the officer. There is no verification or reliance on other systems. The FBI maintains data standards for most law enforcement data collection. To be consistent with this and other reporting programs the race categories for this project were based on the FBI categories: white, black, Asian / Pacific Islander, Native American / Alaskan and other. However, to address the ethnicity concerns expressed in LB593 a category for Hispanic was included. While Hispanic is not a race as described by the census, it is included this way for ease of reporting. There are many other categories that could potentially be of interest regarding ethnicity or national origin but the current system does not address those.

3. Data Reporting

The data included in this report reflects reports submitted for 2002 by 237 agencies, 226 in 2003, 216 in 2004, 204 agencies in 2005, 194 in 2006, 182 in 2007, 193 in 2008, and 196 in 2009. Data for 5,468,157 traffic stops were reported to the Crime Commission for this seven year period. Included in these were stops made at NSP weigh stations, which were excluded from required to be reported in 2005. Data tables describe the race of the driver, the reason for the stop, the primary disposition or outcome of the stop and whether or not searches were conducted.

While this data provides a good snapshot of traffic stops it must be noted that there are inherent limitations. Since only summary data is required to be collected and reported there is no way to track individual instances or get to a granular level of analysis available in other data sets. For instance, while we can say how many searches were conducted regarding Hispanic drivers we can not say how many of those stops started with a traffic violation as the reason for the stop or what the outcome of the stop actually was. However, the data does provide a valuable and interesting look at traffic stops and law enforcement activity that has not been available previously.

Analysis of traffic stop data is far from simple nor is it even standardized. Many state and national studies have been conducted that attempt to discern instances of racial profiling. This is problematic in two basic ways: the nature of data collection and the need to extrapolate

motivation, conscious or unconscious, on the part of law enforcement. The basic premise in any analysis is the attempt to discover instances that display disproportional activity across races. Analysis of traffic stop data can look at whether or not the drivers stopped reflect the general racial breakdown in society or the analysis can focus on how different races or groups were handled once the stop is made. Both are important to society and the management of a law enforcement agency.

Studies focusing on driver stop data often compare the data to the racial demographic of a particular community or state. This is problematic, in and of itself, since you could start with a variety of populations and demographics. Some studies compare stop data to the racial breakdown of the general population, of licensed drivers, of at risk drivers (say, those involved in accidents) or even to the racial breakdown of drivers actually observed on an area's roads by people stationed in the field. All of these have problems and strengths but there is no agreed upon methodology or at risk populations or comparison groups.

Some studies observe what appears to them to be obvious disproportionality to make conclusions not supported by the available data. It is clear the Legislature and most interested parties to this study want to know if the data can determine whether the driver's race and/or ethnicity had an impact on the decision by law enforcement to make the stop. Unfortunately, it is not an easy question to answer.

In order to assess whether race and/or ethnicity impacted the decision any study must exclude or control for factors other than race and/or ethnicity that might legitimately explain the stopping decision. For example, most jurisdictions disproportionately stop males. Does this indicate gender bias? Most would not jump to that conclusion because they can think of several factors other than bias that could explain the disproportionate stopping of male drivers. One possibility is that men drive more than women (a quantity factor). Another possibility is men violate traffic laws more often than women (a quality factor). A third possibility is that more males drive in areas where police stopping activity tends to occur (the location factor). We do not know if these possibilities are true, but we must consider these other alternative explanations as causal. Unfortunately, we do not have the detailed traffic stop data that would allow a comprehensive research design that would rule out such other possibilities and therefore prohibits us from drawing definitive conclusions. We cannot say definitively whether there is or is not racial bias in traffic stops, we can only point to seeming disproportionality. In other words, it is not difficult to measure whether there is disparity between racial/ethnic groups in stops made by police; the difficulty comes in identifying the *causes* for the disparity and whether or not it is racial biased.

The following section of this report includes several basic comparisons of data that are commonly used or asked about. It also includes an overview of stop processing. It is recommended that agencies and other interested parties always look closely at the agency and local level for both disproportionality as well as specific reasons or populations.

The initial search data has never been seen, on the statewide aggregate, as having extreme disproportionality. There are variances in the proportionality of races once the stop has been made and action is taken. These are pointed out in the final section of the report which details the stop data with comparisons about the processing of the stops. This is done within the limitations of the data itself. Observations are included with the data tables pointing out instances where there appears to be some instance of disproportionality within a category. For instance, less than

4% of all stops resulted in searches but over 8% of stops involving Hispanics had searches. In this example, as well as other situations, the information can not explain why there is disproportionality nor have we attempted to speculate on cause. The reason for this difference probably has many causes but the available data cannot adequately identify or explain those causes.

Data by agency is available at the Crime Commission's website (<http://www.ncc.ne.gov>). It is recommended that agencies and others can examine a particular agency's or locale's data to assess or examine disparities such as those pointed out in this report. Again, it must be noted that any observed disparities are just that: disparities. In and of themselves they do not prove bias or instances of racial profiling. However, they can and should point to areas that agencies can look at more closely. This would and could also include a breakdown of the population base those stops encompass.

5. Population and Stop Overview

Comparisons of the traffic stop data to various populations always needs to consider other factors. People often want to look at the general population and its comparison to traffic stops and use that as a sole indicator of racial profiling. There are too many other factors to only consider that comparison. However, basic comparisons can also point to issues that or items that call for closer examination. Included below are some general population data from a variety of settings.

The following table is included in response to comments and questions regarding proportionality it must be remembered that these are statewide numbers and aggregates. There are also the aforementioned limitations with the data and with consistent definitions.

- Race categories and classifications are not consistent across data sets. Some combining of areas along compatible definitions was done to parallel traffic stop categories.
- These criminal justice datasets were used because they include HISPANIC.
- Percentages for DCS (Corrections-2008), Warrants and Protection Orders are for valid data values. Unknowns or Other were not included.
- Warrants and Protections Orders (restricted party) were taken from court data (2009).
- The population data is taken from the US Census for 2008. Percentages do not add up to 100 since the census includes things such as multi-race listings. These population estimates have their own limitations and are updated periodically.
(<http://quickfacts.census.gov/qfd/states/31000.html>)

Table A - Selected Population Comparisons

	Statewide Population	Traffic Stops		Corrections Admissions	Warrants	Protection Orders (restricted)
Asian / Pac Islander	1.8	1.0		0.8	0.5	0.7
Black	4.5	5.5		24.2	30.7	19.1
Hispanic	7.9	6.8		13.9	10.2	11.3
Native Am /AI	1.0	0.8		6.1	2.6	2.0
Other		0.8				
White	84.1	85.0		54.8	55.8	65.9

The statewide breakdown of traffic stops by race closely parallels the census population breakdown. However, this does not mean that there are not disparities. It can be said that, on the statewide aggregate, there are not glaring disproportionalities. In looking at the other criminal justice subpopulations there are much higher occurrences of Black and Hispanic populations than in the census or traffic stop breakdowns.

While these statewide looks provide an interesting view of activity within the criminal justice system the issue of profiling needs to include a number of factors. As stated before, the general or census population only provides one aspect of the potential group that would be stopped by law enforcement, particularly in areas with a lot of commuters or Interstate traffic. Nonetheless, the local population provides one view of the area and is often discussed. The local populations across the state vary greatly, as shown in the following table.

Table B – Selected Counties Population Comparisons

	<i>Statewide Traffic Stops</i>	Statewide Population	Douglas County Population	Lancaster County Population	Dawson County Population	Thurston County Population
Asian / Pac Islander	1.0	1.8	2.6	3.4	1.0	0.5
Black	5.5	4.5	11.7	3.4	1.5	2.4
Hispanic	6.8	7.9	9.8	4.9	31.2	6.5
Native Am /AI	0.8	1.0	0.8	0.8	1.1	52.5
Other	0.8					
White	85.0	84.1	74.3	86.6	65.8	39.9

There are great differences across the state in the minority populations by county. These differences would obviously affect the day to day occurrence of any racial group in any kind of activity, including traffic stops.

- The varying distribution of minority populations across Nebraska significantly affects the

contact law enforcement would have with them.

- For instance, Hispanics comprise almost one third of the population in Dawson County, almost four times the occurrence in the general population.
- Thurston County has a minority White population with Native Americans at 52.5%.
- Douglas County has a Black population of almost 12% compared to the statewide population of 4.5%.

The following table gives the traffic stop breakdown by race for these selected counties. The Nebraska State Patrol (NSP) data is for all of their stops statewide. The county level data reflects reported stops by all law enforcement agencies within the county.

Table C – Selected Counties Stop Comparisons - 2009

	Statewide Traffic Stops	NSP Stops	Douglas County Stops	Lancaster County Stops	Dawson County Stops	Thurston County Stops
Asian / Pac Islander	1.0	0.9	1.4	2.2	0.9	0.5
Black	5.5	3.6	20.8	7.6	9.0	2.2
Hispanic	6.8	6.2	7.6	4.3	34.9	0.4
Native Am /AI	0.8	1.1	0.2	0.4	0.4	29.1
Other	0.8	0.1	3.9	1.7	0.1	10.7
White	85.0	88.2	66.1	83.8	54.8	57.2

There are obvious differences in the stops made in different counties relative to race. This largely parallels the differences in the census population. However, there are considerations other than the resident population, particularly given travelers and Interstate traffic.

- NSP stops Black drivers statewide at a proportion two thirds of the census numbers.
- Douglas County agencies stop Black drivers at a higher proportion than the local population (20.8% versus 11.7%).
- Lancaster County agencies stop Black drivers at over twice their proportion of the local population (7.6% versus 3.2%).
- About 35% of stops by Dawson County agencies are of Hispanic drivers. Hispanics are 31.2% of the local population.
- Native Americans account for over half of the Thurston County population but only 29% of the stops. Stated in a different way, Whites account for 40% of the population but 57% of the stops.

Once the stop has been made there can be a variety of actions taken. Research often looks at the handling and the disposition of the stop for disparity. This can reflect differences in processing by race but it must be remembered that there are a variety of factors involved.

The following chart reflects the statewide figures for some basic actions relative to traffic stops: the race of the driver, the reason for the stop, the disposition of the stop and if a search was

conducted.

In the chart the percentages refer to proportions for an activity.

- For instance, 1.0% of stopped drivers were Asian.
- However, 96.8% of Asians stopped were for a traffic code violation. 82.5% of Native Americans were stopped for a traffic code violation. Overall, 94.5% of all stops were for a traffic code violation.
- Many of the minority populations are small so small numerical changes can result in bigger percentage changes.

Table D – Statewide Traffic Stop Processing – Selected Outcomes - 2009

	Stops	Reason for Stop		Disposition of Stop		Search Conducted
		Traffic Code Violation	Criminal Code Violation	Custodial Arrest	Ticket	
Asian / Pac Islander	1.0	96.8	0.7	2.3	35.9	1.8
Black	5.5	94.9	1.7	13.1	36.0	5.1
Hispanic	6.8	90.1	2.4	6.5	38.0	6.3
Native Am /AI	0.8	82.5	4.4	8.4	32.4	7.5
Other	0.8	94.8	1.2	12.1	36.9	2.6
White	85.0	94.9	1.0	2.5	31.0	2.7
OVERALL		94.5	1.1	3.5	31.8	3.1

Looking at the processing of stops can point to similarities and disparities.

- Native Americans were less likely to be stopped for a traffic code violation.
- While 1.1% of the overall stops were for a criminal code violation the proportion was much larger for Blacks (2.4%), Hispanics (2.4%) and Native Americans (4.4%).
- A custodial arrest resulted in 3.5% of all stops but the number was doubled for most minorities (Hispanics – 6.5%, Native Americans – 8.4%, Blacks – 13.1%).
- 3.1% of stops resulted in a search. This was higher for Blacks (5.1%), Hispanics (6.3%) and Native Americans (7.5%).

In looking at these numbers there are a number of questions that can be asked.

- Are these differences purely based upon race?
- Are these differences in searches, for example, reflective of the higher proportion of stops for criminal code violations?

The data available to us does not allow us to answer these. We also can not track the stops to see which stops resulted in a search. However, these questions and others are probably best addressed by those most familiar with the data as well as local circumstances: the local law enforcement agency. It is suggested that agencies look at this type of processing to address these types of questions.

Again, this chart is provided here as a reference to be used when looking at the activity within a

particular jurisdiction. Data by agency and county is available at the Crime Commission's website (<http://www.ncc.ne.gov>). It is recommended that agencies and others examine particular data to assess or examine disparities such as those pointed out in this report. It must be noted that any observed disparities are just that: disparities. In and of themselves they do not prove bias or instances of racial profiling. However, they can and should point to areas that agencies can look at more closely. This would and could also include a breakdown of the population base those stops encompass.

6. Allegations of Racial Profiling

An allegation of racial profiling can originate in various ways. Sometimes a driver will make an accusation at the scene of the stop. Other times the driver, or even a passenger or related party, might contact the agency some time after the stop to make a complaint. An allegation can also originate from a non-traffic stop.

These allegations are handled formally by the agency and standardized data is then submitted to the Crime Commission in compliance with LB593. One agency stated that they were unable to provide specific information concerning the disposition of allegations because of policy and the current Labor Agreement.

For 2009 the Crime Commission received 32 reports from three agencies from individuals making allegations of racial profiling. Of the 104 total allegations during 2002-2009, seventeen involved reported searches.

The agencies all conducted internal investigations and contacted the drivers and persons involved when possible. During 2002-2009, no agency reported the allegation to be valid; agencies stated officers followed policy or that there were circumstances which made the stops appropriate.

There were 32 cases reported in which the agency stated that they were unable to disseminate specific information concerning the disposition of allegations because of policy and the current Labor Agreement. It must be noted that this does not imply any particular outcome nor should any inference be made regarding the officer and the driver; it simply means that no information can be made available.

Table 1 - Allegations Reported

	2002	2003	2004	2005	2006	2007	2008	2009	2002-2009	
Number of Allegations	17*	9	6	4	3	11	22*	32*	104	*Some reports dealt with citizen contact or detention other than traffic stops.
Race of the Complainant										
Asian/Pacific Islander	2	0	0	0	0	0	0	0	2	
Black	9	5	5	1	3	5	9	30	67	
Hispanic	5	2	0	0	0	1	4	1	13	
Native American / Alaskan	0	0	1	0	0	2	1	1	5	
White	0	1	0	0	0	2	4	0	7	
Unknown/Other	1	1*	0	3	0	1	4	0	10	*Complaint submitted by email alleging general profiling practiced against Native Americans in an area
Disposition										
Officer Exonerated	7	3	3	1	3	11	19	25	72	
Insufficient Evidence	1	0	0	0	0	0	0	5	6	
Complaint not Pursued	0	2	0	0	0	0	0	0	2	
Unknown / NA	9	4	3	3	0	0	3	2	24	
Searches										
Conducted	4	3	2	0	0	0	2	6	17	
Not Conducted	0	0	0	0	0	11	20	25	56	
Unknown	13	6	4	4	3	0	0	1	31	

7. Traffic Stop Data

The traffic stop data is required to be submitted from the Nebraska State Patrol, the county sheriffs, all city and village police departments, and other law enforcement agencies. From 2002-2009, there were a total of 3,923,843 traffic stops reported to the Crime Commission, focusing on the 483,268 for 2009.

Please note the following concerning the traffic stop data tables:

- The tables are broken down by the race of the driver, as observed and reported by the officer.
- In 2004, the legislation requiring reporting was amended to exclude traffic stops made at the state weigh stations. The earliest versions of this report included traffic stop activity reported by the Nebraska State Patrol's Carrier Enforcement Division. The Nebraska State Patrol Carrier Enforcement Division involves stops at Weigh Stations, commercial stops (for documentation or weighing) and similar activity.
- All the tables in this report exclude the data reported from the Nebraska State Patrol's Carrier Enforcement Division.
- Percentages describe the portion of the race that was reported in a particular category.
- The occurrences of OTHER in tables will be from unusual circumstances or, more often, unreported data.
- Bullet points in subsequent tables point to some differences where a racial or ethnic category appears to be in marked contrast to activity for all drivers. These points are simply observations from the data evident in the tables. The disparities can point to the need for closer examination.
- Compared to the other categories there are relatively small numbers of Asians and Native Americans traffic stops. This can make some variances in the percentage appear more dramatic due to a small number of traffic stops when compared to other categories.
- Data by agency is available at the Crime Commission's website. (<http://www.ncc.ne.gov>)

There were 483,268 traffic stops reported to the Crime Commission for 2009. Of the total traffic stops reported, over two thirds were by the Nebraska State Patrol or agencies in Douglas, Lancaster and Sarpy Counties. The State Patrol made the largest portion of all stops.

	Number of Stops	Percent of Total Stops
Nebraska State Patrol	217,129	44.9
Douglas County Agencies	47,475	9.4
Lancaster County Agencies	52,591	10.9
Sarpy County Agencies	31,247	6.5
TOTAL	348,442	72.1

Table 2 - All Reported Stops

	Traffic Stops Reported – Table 2								
	2002	2003	2004	2005	2006	2007	2008	2009	2002-2009
	# (%)	# (%)	# (%)	# (%)	# (%)	# (%)	# (%)	# (%)	# (%)
Asian /Pacific Islander	4,891 (0.8%)	4,485 (0.9%)	4,846 (1.0%)	5,082 (1.0%)	4,801 (0.9%)	3,570 (0.9%)	4,509 (0.9%)	4,815 (1.0%)	37,102 (0.9%)
Black	27,395 (4.7%)	23,332 (4.7%)	23,143 (4.7%)	24,572 (5.0%)	23,671 (5.1%)	21,100 (5.2%)	25,762 (5.1%)	26,724 (5.5%)	198,131 (5.0%)
Hispanic	38,055 (6.5%)	34,305 (6.9%)	33,301 (6.8%)	33,371 (6.8%)	32,253 (7.0%)	26,484 (6.5%)	34,806 (6.9%)	32,942 (6.9%)	266,427 (6.8%)
Native American /Alaskan	4,405 (0.8%)	3,651 (0.7%)	3,911 (0.8%)	3,859 (0.8%)	3,918 (0.8%)	2,609 (0.6%)	3,634 (0.7%)	3,930 (0.8%)	30,14 (0.8%)
Other	2,951 (0.5%)	2,956 (0.6%)	3,110 (0.6%)	3,688 (0.8%)	4,273 (0.9%)	3,860 (0.9%)	3,099 (0.6%)	4,096 (0.8%)	28,379 (0.7%)
White	506,898 (86.7%)	426,749 (86.1%)	420,414 (86.0%)	417,678 (85.5%)	394,215 (85.1%)	394,215 (85.1%)	430,317 (85.7%)	410,761 (85.0%)	3,363,790 (85.7%)
Total	584,595 (100%)	495,487 (100%)	488,725 (100%)	488,250 (100%)	463,131 (100%)	407,432 (100%)	502,127 (100.0%)	483,268 (100.0%)	3,923,843 (100.0%)

NOTE:

- The percentage of traffic stops for a particular race category have remained relatively consistent. However, the proportion of stops involving Black drivers has risen from 4.7% to 5.5%.

Table 3 - Reason for the Stop

- The percentages in the tables describe the portion of the race that was reported in a particular category. For example: 95.2% of all stops involving Asian/Pacific Islander drivers in 2002 were for traffic code violations, and 93.5% of all stops were for traffic code violations.

Reason for the Stop – 2002 – Table 3a								
	Traffic Code Violation		Criminal Code Violation		Other		Unknown	
	#	%	#	%	#	%	#	%
Asian / Pacific Islander	4,658	95.2	77	1.6	126	2.6	1	0.0
Black	25,636	93.6	693	2.5	1,059	3.9	3	0.0
Hispanic	33,668	88.5	816	2.1	1,245	3.3	24	0.1
Native American/ Alaskan	3,549	80.6	174	4.0	597	13.6	16	0.4
Other	2,711	91.9	63	2.1	163	5.5	0	0.0
White	476,221	93.9	6,350	1.3	19,027	3.8	1,478	0.3
Total	546,443	93.5	8173	1.4	22,217	3.8	1,522	0.3

Reason for the Stop – 2003 – Table 3b								
	Traffic Code Violation		Criminal Code Violation		Other		Unknown	
	#	%	#	%	#	%	#	%
Asian / Pacific Islander	4297	95.8	61	1.4	99	2.2	26	0.6
Black	22,007	94.3	451	1.9	874	3.7	0	0.0
Hispanic	32,275	94.1	627	1.8	1369	4.0	33	0.1
Native American/ Alaskan	3,251	89.0	99	2.7	299	8.2	2	0.1
Other	2,740	92.7	51	1.7	163	5.5	0	0.0
White	407,737	95.5	5,062	1.2	12,703	3.0	301	0.1
Total	472,307	95.3	6,351	1.3	15,507	3.1	362	0.1

Reason for the Stop – 2004 – Table 3c								
	Traffic Code Violation		Criminal Code Violation		Other		Unknown	
	#	%	#	%	#	%	#	%
Asian / Pacific Islander	4,007	97.0	59	1.2	86	1.8	1	0.0
Black	21,900	94.6	461	2.0	770	3.3	12	0.1
Hispanic	31,388	94.3	491	1.5	1,394	4.2	29	0.1
Native American/ Alaskan	3,441	88.0	165	4.0	251	6.4	63	1.6
Other	2,902	93.3	43	1.4	165	5.3	0	0.0
White	401,181	95.4	4,836	1.2	13,740	3.3	657	0.2
Total	465,512	95.3	6,046	1.2	16406	3.4	762	0.2

Table 3 - Continued

Reason for the Stop – 2005 – Table 3d								
	Traffic Code Violation		Criminal Code Violation		Other		Unknown	
	#	%	#	%	#	%	#	%
Asian / Pacific Islander	4,983	98.1	38	0.7	58	1.1	3	0.1
Black	23,396	95.2	470	1.9	698	2.8	8	0.0
Hispanic	31,972	95.8	483	1.4	879	2.6	37	0.1
Native American/ Alaskan	3,523	91.3	100	2.6	228	5.9	8	0.2
Other	3,380	91.6	59	1.6	248	6.7	1	0.0
White	401,934	96.2	4,769	1.1	9,769	2.3	1,206	0.3
Total	469,188	96.1	5,919	1.2	11,880	2.4	1,263	0.3

Reason for the Stop – 2006 – Table 3e								
	Traffic Code Violation		Criminal Code Violation		Other		Unknown	
	#	%	#	%	#	%	#	%
Asian / Pacific Islander	4,662	97.1	55	1.1	79	1.6	5	0.1
Black	22,296	94.2	608	2.6	761	3.2	6	0.0
Hispanic	29,610	91.8	1,144	3.5	1,443	4.5	56	0.2
Native American/ Alaskan	3,290	84.0	154	3.9	470	12.0	4	0.1
Other	3,862	90.4	61	1.4	174	6.4	76	1.8
White	375,945	95.4	5,141	1.3	11,566	2.9	1,563	0.4
Total	439,665	94.9	7,163	1.5	14,593	3.2	1,710	0.4

Reason for the Stop – 2007 – Table 3f								
	Traffic Code Violation		Criminal Code Violation		Other		Unknown	
	#	%	#	%	#	%	#	%
Asian / Pacific Islander	3,470	97.2	49	1.4	49	1.4	2	0.1
Black	19,982	64.7	474	3.0	641	3.0	3	0.0
Hispanic	24,633	93.0	834	6.7	972	3.7	45	0.2
Native American/ Alaskan	2,229	85.4	116	9.9	257	9.9	7	0.3
Other	3,674	95.2	40	3.5	134	3.5	12	0.3
White	330,402	94.5	5,127	3.8	13,381	3.8	899	0.3
Total	384,390	94.3	6,640	3.8	15,434	3.8	968	0.2

Table 3 - Continued

Reason for the Stop – 2008 – Table 3g								
	Traffic Code Violation		Criminal Code Violation		Other		Unknown	
	#	%	#	%	#	%	#	%
Asian / Pacific Islander	4,396	97.5	44	1.0	66	1.5	3	0.1
Black	24,416	94.8	463	1.8	744	3.0	109	0.4
Hispanic	32,142	92.3	916	2.6	1,658	4.8	90	0.3
Native American/ Alaskan	3,199	88.0	165	4.5	260	7.2	10	0.3
Other	2,965	95.7	28	0.9	105	3.5	1	0.0
White	408,318	94.9	4,325	1.0	15,898	3.7	1,776	0.4
Total	475,436	94.7	5,941	1.2	18,761	3.7	1,989	0.4

Reason for the Stop – 2009 – Table 3g								
	Traffic Code Violation		Criminal Code Violation		Other		Unknown	
	#	%	#	%	#	%	#	%
Asian / Pacific Islander	4,663	96.8	33	0.7	119	2.5	0	0.0
Black	25,371	94.9	443	1.7	907	3.4	3	0.0
Hispanic	29,677	90.1	782	2.4	2,474	7.5	9	0.0
Native American/ Alaskan	3,243	82.5	174	4.4	508	12.9	5	0.1
Other	3,882	94.8	48	1.2	162	4.0	4	0.1
White	389,782	94.9	4,042	1.0	16,292	4.0	645	0.2
Total	456,618	94.4	5,522	1.1	20,462	4.2	666	0.1

Reason for the Stop – 2002-2009 – Table 3h								
	Traffic Code Violation		Criminal Code Violation		Other		Unknown	
	#	%	#	%	#	%	#	%
Asian / Pacific Islander	35,955	96.9	421	1.1	685	1.8	41	0.1
Black	187,305	94.5	4,102	2.1	6,580	3.3	144	0.1
Hispanic	248,375	93.2	6,125	2.3	11,605	4.4	323	0.1
Native American/ Alaskan	25,875	86.2	1,149	3.8	2,875	9.6	115	0.4
Other	26,455	93.2	396	1.4	1,434	5.1	94	0.3
White	3,202,624	95.2	39,871	1.2	112,768	3.4	8,527	0.3
Total	3,726,589	95.0	52,064	1.3	135,947	3.5	9,244	0.2

NOTE:

- Reason for the Stop indicates the primary reason that the traffic stop was initiated by the officer. A traffic stop may include more than one reason.
- Traffic Code Violations are the typically thought of traffic violations such as speeding.
- From 2002-2009, 1.3% of all stops involved a criminal code violation while 3.8% of stops involving Native Americans were for criminal violations.

Table 4 - Disposition of the Stop

Disposition of the Stop (Outcome) – 2002 – Table 4a														
	Custodial Arrest		Ticket		Verbal Warning		Written Warning		Defect Card		No Action		Unknown	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Asian /Pacific Islander	95	1.9	2,058	42.1	483	9.9	1,615	33.0	264	5.4	149	3.0	0	0.0
Black	4,194	15.3	10,463	38.2	3,029	11.1	4,973	18.2	822	3.0	1,354	4.9	6	0.0
Hispanic	2,044	5.4	13,265	34.9	3,098	8.1	8,783	23.1	2,895	7.6	1,128	3.0	9	0.0
Native American / Alaskan	300	6.8	1,585	36.0	326	7.4	1,264	28.7	464	10.5	259	5.9	3	0.1
Other	222	7.5	1,192	40.4	504	17.1	666	22.6	29	1.0	235	8.0	0	0.0
White	10,451	2.1	169,039	33.3	28,697	5.7	195,476	38.6	42,653	8.4	15,773	3.1	177	0.0
Total	17,306	3.0	197,602	33.8	36,137	6.2	212,777	36.4	47,127	8.1	18,898	3.2	195	0.0

Disposition of the Stop (Outcome) – 2003 – Table 4b														
	Custodial Arrest		Ticket		Verbal Warning		Written Warning		Defect Card		No Action		Unknown	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Asian /Pacific Islander	101	2.3	1,964	43.8	387	8.6	1,511	33.7	321	7.2	132	2.9	8	0.2
Black	4,210	18.0	9,118	39.1	2,877	12.3	4,453	19.1	1,030	4.4	1,081	4.6	224	1.0
Hispanic	2,527	7.4	14,066	41.0	2,878	8.4	9,217	26.9	3,307	9.6	1,210	3.5	128	0.4
Native American / Alaskan	270	7.4	1,417	38.8	289	7.9	1,081	19.6	494	13.5	89	2.4	10	0.3
Other	240	8.1	1,191	40.3	471	15.9	754	25.5	95	3.2	164	5.5	12	0.4
White	11,950	2.8	154,869	36.3	26,147	6.1	171,431	40.2	39,402	9.2	15,230	3.6	1,123	0.3
Total	19,298	3.9	182,625	36.9	33,049	6.7	188,447	38.0	44,649	9.0	17,906	3.6	1,505	0.3

Disposition of the Stop (Outcome) – 2004 – Table 4c														
	Custodial Arrest		Ticket		Verbal Warning		Written Warning		Defect Card		No Action		Unknown	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Asian /Pacific Islander	206	4.3	1,921	39.6	414	8.5	1,793	37.0	376	7.8	106	2.2	30	0.6
Black	5,016	21.7	8,106	35.0	2,623	11.3	4,976	21.5	1,273	5.5	938	4.1	211	0.9
Hispanic	3,111	9.3	13,271	39.9	3,194	9.6	9,079	27.3	2,998	9.0	1,331	4.0	317	1.0
Native American / Alaskan	396	10.1	1,513	38.7	345	8.8	1,039	26.6	435	11.1	163	4.2	20	0.5
Other	409	13.2	1,176	37.8	511	16.4	764	24.6	50	16	183	5.9	17	0.5
White	13,515	3.2	148,004	35.2	28,707	6.8	174,300	41.5	39,920	9.5	14,825	3.5	1,143	0.3
Total	22,653	4.6	173,991	35.6	35,794	7.3	191,951	39.3	45,052	9.2	17,546	3.6	1,738	0.4

Disposition of the Stop (Outcome) – 2005 – Table 4d														
	Custodial Arrest		Ticket		Verbal Warning		Written Warning		Defect Card		No Action		Unknown	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Asian /Pacific Islander	121	2.4	1,855	36.5	499	9.8	2,007	39.5	361	7.1	199	3.9	40	0.8
Black	4,868	19.8	8,405	34.2	3,034	12.3	5,757	23.4	1,308	5.3	926	3.8	274	1.1
Hispanic	2,881	8.6	12,969	38.9	3,251	9.7	9,795	29.4	2,869	8.6	1,081	3.2	525	1.6
Native American / Alaskan	398	10.3	1,401	36.3	301	7.8	1,094	28.3	438	11.4	160	4.1	67	1.7
Other	529	14.3	1,237	33.5	695	18.8	879	23.8	64	1.7	277	7.5	8	0.2
White	13,803	3.3	134,730	32.3	31,347	7.5	178,827	42.8	39,261	9.4	14,707	3.5	5,003	1.2
Total	22,599	4.6	160,597	39.2	39,127	8.0	198,359	40.6	44,301	9.1	17,650	3.6	5,917	1.2

Disposition of the Stop (Outcome) – 2006 – Table 4e														
	Custodial Arrest		Ticket		Verbal Warning		Written Warning		Defect Card		No Action		Unknown	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Asian /Pacific Islander	99	2.1	1,795	37.4	574	12.0	1,914	39.9	324	6.7	89	1.9	6	0.1
Black	4,739	20.0	8,202	34.6	3,074	13.0	5,446	23.0	1,206	5.1	907	3.8	97	0.4
Hispanic	2,864	8.9	12,692	39.4	3,386	10.5	9,048	28.1	2,912	9.0	1,240	3.8	111	0.3
Native American / Alaskan	392	10.0	1,408	35.9	318	8.1	1,090	27.8	388	9.9	314	8.0	8	0.2
Other	658	15.4	1,293	30.3	766	17.9	1,013	23.7	189	4.4	377	7.9	17	0.4
White	12,169	3.1	138,970	35.3	29,222	7.4	159,557	40.5	37,802	9.6	15,426	3.9	1,069	0.3
Total	20,921	4.5	164,360	35.5	37,340	8.1	178,068	38.4	42,821	9.2	18,313	4.0	1,308	0.3

Disposition of the Stop (Outcome) – 2007 – Table 4f														
	Custodial Arrest		Ticket		Verbal Warning		Written Warning		Defect Card		No Action		Unknown	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Asian /Pacific Islander	92	2.6	1,322	37.0	359	10.1	1,414	39.6	246	6.9	120	3.4	17	0.5
Black	3,785	17.9	7,258	34.4	2,589	12.3	4,967	23.5	1,421	6.7	1,023	4.8	57	0.3
Hispanic	2,390	9.0	10,872	41.1	2,795	10.6	7,227	27.3	2,053	7.8	1,062	4.0	85	0.3
Native American / Alaskan	318	12.2	979	37.5	271	10.4	651	25.0	252	9.7	129	4.9	9	0.3
Other	393	10.2	1,136	29.4	699	18.1	1,249	32.4	122	3.2	238	6.2	23	0.6
White	10,724	3.1	114,096	32.6	25,438	7.3	148,433	42.4	35,181	10.1	15,371	4.4	566	0.2
Total	17,702	4.3	135,663	33.3	32,151	7.9	163,941	40.2	39,275	9.6	17,943	4.4	757	0.2

Disposition of the Stop (Outcome) – 2008 – Table 4g														
	Custodial Arrest		Ticket		Verbal Warning		Written Warning		Defect Card		No Action		Unknown	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Asian /Pacific Islander	125	2.8	1,675	37.1	305	6.8	1,831	40.6	355	7.9	187	4.1	31	0.7
Black	3,485	13.5	9,196	35.7	2,016	7.8	6,727	26.1	2,521	9.8	1,571	6.1	246	1.0
Hispanic	2,593	7.4	13,780	39.6	2,397	6.9	10,853	31.2	3,843	10.5	1,317	3.8	223	0.6
Native American / Alaskan	249	6.9	1,317	36.2	183	5.0	1,168	32.1	550	15.1	147	4.0	20	0.6
Other	317	10.2	1,160	37.4	378	12.2	875	28.2	109	3.5	201	6.5	59	1.9
White	11,224	2.6	132,917	30.9	22,830	5.3	190,250	44.2	51,140	11.9	20,439	4.7	1,517	0.4
Total	17,993	3.6	160,045	31.9	28,109	5.6	211,704	42.2	58,318	11.6	23,862	4.8	2,096	0.4

Disposition of the Stop (Outcome) – 2009 – Table 4h														
	Custodial Arrest		Ticket		Verbal Warning		Written Warning		Defect Card		No Action		Unknown	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Asian /Pacific Islander	109	2.3	1,727	35.9	322	6.7	2,058	42.3	407	8.5	179	3.7	13	0.3
Black	3,493	13.1	9,627	36.0	2,177	8.1	7,005	26.2	2,457	9.2	1,869	7.0	96	0.4
Hispanic	2,156	6.5	12,518	38.0	2,288	6.9	11,387	34.6	3,294	10.0	1,176	3.6	123	0.4
Native American / Alaskan	332	8.4	1,274	32.4	235	6.0	1,269	32.3	636	16.2	176	4.5	8	0.2
Other	494	12.1	1,510	36.9	478	11.7	1,060	25.9	122	3.0	419	10.2	13	0.3
White	10,361	2.5	127,168	31.0	20,998	5.1	190,129	46.3	46,368	11.3	14,637	3.6	1,100	0.3
Total	16,945	3.5	153,824	31.8	26,498	5.5	212,908	44.1	53,284	11.0	18,456	3.8	1,353	0.3

Disposition of the Stop (Outcome) – 2002 - 2009 – Table 4i														
	Custodial Arrest		Ticket		Verbal Warning		Written Warning		Defect Card		No Action		Unknown	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Asian /Pacific Islander	974	2.6	14,492	39.1	3,369	9.1	14,247	38.4	2,687	7.2	1,174	3.2	159	0.4
Black	34,777	17.6	72,354	36.5	21,957	11.1	45,380	22.9	12,413	6.3	9,889	5.0	1,361	0.7
Hispanic	21,345	8.0	106,880	40.1	24,500	9.2	77,496	29.1	24,761	9.3	9,750	3.7	1687	0.6
Native American / Alaskan	2,708	9.0	10,991	36.6	2,315	7.7	8,718	29.0	3,676	12.2	1,449	4.8	157	0.5
Other	3,362	11.8	10,059	35.4	4,595	16.2	7,319	25.8	795	2.8	2,078	7.3	171	0.6
White	97,235	2.9	1,141,840	33.9	221,214	6.6	1,424,714	42.4	336,497	10.0	128,468	3.8	13,789	0.4
Total	160,401	4.1	1,356,616	34.6	277,950	7.1	1,577,874	40.2	380,833	9.7	152,832	3.9	17,337	0.4

NOTE:

- The Disposition of the Traffic Stop reports the primary outcome of the stop. A traffic stop may result in a variety of outcomes.
- From 2002-2009, about 4.1% of stops resulted in custodial arrest however there were large variations by race.
- In 2009, 13.1% of Blacks stopped were taken into custodial arrest, compared to 3.5% of the general population.
- In 2009, Hispanic (6.5%) and Native Americans (8.4%) were arrested much more frequently than the general population (3.5%).
- In 2009, Whites were arrested 2.5% of the time and Asians 2.3%, which is less often than the general population at 3.5%.
- Asians and Whites were least likely to be arrested (2.3% and 3.5%) and most commonly received a written warning (42.3% and 40.5%).
- A custodial arrest is not done when only a traffic violation is involved. Therefore, the stop could involve things such as a DUI arrest, a lack of identification, an outstanding warrant (discovered in a general license check) or some other criminal activity in the car or even by the occupants. However, the data is not detailed enough for us to know what specific violation caused a custodial arrest.

Table 5 – Searches

	Searches conducted as part of a Traffic Stop – Table 5								
	2002	2003	2004	2005	2006	2007	2008	2009	2002-2009
	# (%)	# (%)	# (%)	# (%)	# (%)	# (%)	# (%)	# (%)	# (%)
Asian / Pacific Islander	143 (2.9)	96 (2.1)	105 (2.2)	87 (1.2)	106 (2.2)	81 (2.2)	137 (3.0)	85 (1.8)	844 (2.3)
Black	1,520 (5.6)	1,079 (4.6)	1066 (4.6)	999 (4.1)	1,211 (5.1)	1,049 (5.0)	1,598 (6.2)	1,374 (5.1)	9,986 (5.0)
Hispanic	2503 (6.6)	2351 (6.9)	2027 (6.1)	1,876 (5.6)	2,515 (6.7)	2,142 (8.1)	3,106 (8.9)	2,073 (6.3)	18,248 (6.8)
Native American / Alaskan	194 (4.4)	208 (5.7)	297 (7.6)	314 (8.1)	297 (7.6)	215 (8.2)	241 (6.6)	295 (7.5)	2,075 (6.9)
Other	169 (5.7)	61 (2.1)	69 (2.2)	96 (2.6)	133 (2.6)	102 (2.6)	123 (4.0)	108 (2.6)	843 (3.0)
White	15,358 (3.0)	13,691 (3.2)	12,981 (3.1)	12,888 (3.09)	12,074 (3.1)	10,955 (3.1)	17,600 (4.0)	11,217 (2.7)	106,504 (3.2)
Total	19,887 (3.4)	17,486 (3.5)	16,545 (3.4)	16260 (3.3)	15,952 (3.4)	14,544 (3.6)	22,805 (4.5)	15,152 (3.1)	138,500 (3.5)

NOTE:

- Percentages are a percent of race of total stops made. For example in 2009, 2.7% of all traffic stops involving white drivers included searches conducted.
- Search counts do not include inventory arrests or those done incident to arrest. Instead they reflect searches done as part of the officer's processing of the traffic stop.
- Stops of Asian / Pacific Islanders involved searches less often (2.3%) than the overall population at 3.5% from 2002-2009.
- Stops involving Black, Hispanic or Native American / Alaskan Natives more often resulted in searches being conducted compared to searches among all drivers.
- Stops involving Hispanics (6.8%) and Native American / Alaskan Natives (6.9%) were almost two times as likely to result in a search than for the overall population (3.5%).
- Blacks were searched 5.1% of the time and the overall population was searched 3.1% of the time in 2007.

Reporting Agencies

Traffic stop data is reported on a quarterly basis. Table 6 shows the number of collected quarterly reports from 2002-2009 for each agency. Data is updated in our database when received, sometimes resulting in data being more current than was previously published.

Submitted Quarterly Reports by Agency - Table 6									
<i>Campus Police/Security Departments</i>	2002	2003	2004	2005	2006	2007	2008	2009	2002-2009
Univ. Of Nebraska-Lincoln P.D.	4	4	4	4	4	4	4	4	32
UNK Public Safety Kearney State College Campus P.D.	4	4	4	4	4	4	4	4	32
<i>County Sheriffs</i>	2002	2003	2004	2005	2006	2007	2008	2009	2002-2009
Adams CO. S.O. Hastings	4	4	4	4	4	4	4	4	32
Antelope CO. S.O. Neligh	4	4	4	4	4	4	4	4	32
Arthur CO. S.O. Arthur	4	4	4	4	4	4	4	4	32
Banner CO. S.O. Harrisburg	4	4	4	4	4	0	1	0	21
Blaine CO. S.O. Brewster	4	4	4	0	4	0	0	0	16
Boone CO. S.O. Albion	4	3	4	2	4	4	4	4	29
Box Butte CO. S.O. Alliance	4	4	4	4	4	4	4	4	32
Boyd CO. S.O. Butte	4	4	4	4	4	4	4	4	32
Brown CO. S.O. Ainsworth	4	4	4	4	4	4	4	4	32
Buffalo CO. S.O. Kearney	4	4	4	4	4	4	4	4	32
Burt CO. S.O. Tekamah	4	4	4	4	4	4	4	4	32
Butler Co So David City	4	4	4	4	4	4	4	4	32
Cass Co So Plattsmouth	4	4	4	4	4	4	4	1	28
Cedar Co So Hartington	4	4	4	4	0	0	0	4	20
Chase CO. S.O. Imperial	4	4	4	4	4	4	4	4	32
Cherry CO. S.O. Valentine	4	4	4	4	3	3	4	4	30
Cheyenne CO. S.O. Sidney	4	0	0	0	0	0	3	4	11

Clay CO. S.O. Clay Center	2	4	4	4	4	4	4	4	30
Colfax CO. S.O. Schuyler	4	4	4	4	4	4	4	4	32
Cuming CO. S.O. West Point	4	4	4	4	4	4	4	4	32
Custer CO. S.O. Broken Bow	4	4	4	4	4	4	4	4	32
Dakota CO. S.O. Dakota City	4	4	4	4	2	4	4	4	30
Dawes CO. S.O. Chadron	4	4	4	4	4	4	1	4	29
Dawson CO. S.O. Lexington	4	4	4	4	4	4	4	4	32
Deuel CO. S.O. Chappell	4	4	4	4	4	4	4	4	32
Dixon CO. S.O. Ponca	4	4	4	4	4	4	4	4	32
Dodge CO. S.O. Fremont	4	4	4	4	4	4	4	4	32
Douglas CO. S.O. Omaha	4	4	4	4	4	4	4	4	32
Dundy CO. S.O. Benkelman	4	4	4	4	4	4	4	4	32
Fillmore CO. S.O. Geneva	4	4	4	4	4	4	4	4	32
Franklin CO. S.O. Franklin	4	4	4	4	4	4	4	4	32
Frontier CO. S.O. Stockville	4	4	4	4	4	4	4	4	32
Furnas CO. S.O. Beaver City	4	4	4	4	4	4	4	1	29
Gage CO. S.O. Beatrice	4	4	4	4	3	4	4	4	31
Garden CO. S.O. Oshkosh	4	4	4	4	4	4	4	4	32
Gosper CO. S.O. Elwood	4	3	4	4	4	4	4	4	31
Grant CO. S.O. Hyannis	4	2	4	4	4	4	0	0	22
Greeley CO. S.O. Greeley	4	4	4	4	4	0	4	3	27
Hall CO. S.O. Grand Island	4	4	4	4	4	4	4	4	32
Hamilton CO. S.O. Aurora	4	4	4	4	4	4	4	4	32
Harlan CO. S.O. Alma	4	4	4	4	1	4	4	4	29
Hayes CO. S.O. Hayes Center	4	4	4	3	4	0	0	4	23
Hitchcock CO. S.O. Trenton	4	3	4	4	4	4	4	3	30
Holt CO. S.O. O'Neill	4	4	4	0	0	0	0	0	12
Hooker CO. S.O. Mullen	4	4	4	4	4	4	4	4	32
Howard CO. S.O. St Paul	4	4	4	4	4	4	4	4	32

Jefferson CO. S.O. Fairbury	4	4	4	4	4	4	4	4	32
Johnson CO. S.O. Tecumseh	4	4	4	4	4	0	0	0	20
Kearney CO. S.O. Minden	4	4	4	4	4	4	4	4	32
Keith CO. S.O. Ogallala	4	4	4	4	4	4	4	4	32
Keya Paha CO. S.O. Springview	3	3	0	0	4	4	4	4	22
Kimball CO. S.O. Kimball	4	4	4	4	4	4	2	4	30
Knox CO. S.O. Center	4	4	4	4	4	1	1	4	26
Lancaster CO. S.O. Lincoln	4	4	4	4	4	4	4	4	32
Lincoln CO. S.O. North Platte	4	4	4	4	4	4	4	4	32
Logan CO. S.O. Stapleton	4	4	4	4	1	4	4	0	25
Loup CO. S.O. Taylor	4	4	3	0	0	2	4	4	21
Madison CO. S.O. Madison	4	4	4	4	4	4	4	4	32
Mc Pherson CO. S.O. Tryon	4	4	4	3	4	0	0	0	19
Merrick CO. S.O. Central City	4	4	4	4	4	4	4	4	32
Morrill CO. S.O. Bridgeport	4	4	4	4	4	4	4	4	32
Nance CO. S.O. Fullerton	4	4	4	4	4	4	4	4	32
Nemaha CO. S.O. Auburn	4	4	3	4	3	4	4	4	30
Nuckolls CO. S.O. Nelson	4	4	4	4	4	0	4	4	28
Otoe CO. S.O. Nebraska City	4	4	4	4	4	4	0	0	28
Pawnee CO. S.O. Pawnee City	4	4	4	4	4	4	4	4	32
Perkins CO. S.O. Grant	4	4	4	4	4	4	4	4	32
Phelps CO. S.O. Holdrege	4	4	4	4	4	4	3	3	30
Pierce CO. S.O. Pierce	4	4	4	4	3	4	4	4	31
Platte CO. S.O. Columbus	4	4	4	4	4	4	4	4	32
Polk CO. S.O. Osceola	4	4	4	4	2	4	4	4	30
Red Willow CO. S.O. McCook	4	4	4	4	4	4	4	4	32
Richardson CO. S.O. Falls City	4	4	4	4	0	0	4	2	22
Rock CO. S.O. Bassett	4	4	4	4	4	2	4	4	30
Saline CO. S.O. Wilber	4	4	4	4	4	4	4	2	31

Sarpy CO. S.O. Papillion	4	4	3	4	4	4	4	4	31
Saunders CO. S.O. Wahoo	4	4	4	4	4	3	4	4	31
Scotts Bluff CO. S.O. Gering	4	4	4	4	4	4	4	4	32
Seward CO. S.O. Seward	4	4	4	4	4	4	4	3	31
Sheridan CO. S.O. Rushville	4	4	4	4	4	4	4	4	32
Sherman CO. S.O. Loup City	4	4	4	4	4	4	4	4	32
Sioux CO. S.O. Harrison	4	4	4	4	4	0	2	4	26
Stanton CO. S.O. Stanton	4	4	4	4	4	4	4	4	32
Thayer CO. S.O. Hebron	4	4	4	4	4	4	4	0	28
Thomas CO S.O. Thedford	4	4	4	0	0	4	4	4	24
Thurston CO S.O. Pender	4	4	4	4	4	4	0	4	28
Valley CO. S.O. Ord	4	0	0	1	4	4	3	4	20
Washington CO. S.O. Blair	4	4	4	4	4	4	4	4	32
Wayne CO. S.O. Wayne	4	4	4	4	4	0	4	4	28
Webster CO. S.O. Red Cloud	4	4	4	4	4	4	4	4	32
Wheeler CO. S.O. Bartlett	4	4	4	4	4	4	4	4	32
York CO. S.O. York	4	4	4	4	1	4	4	4	29

<i>Nebraska State Agencies</i>	2002	2003	2004	2005	2006	2007	2008	2009	2002-2009
Nebraska State Patrol, Traffic Division	4	4	4	4	4	4	4	4	32
Nebraska State Patrol, Carrier Enforcement Division	4	4	4	4	4	4	4	4	32
Nebraska Brand Committee	4	4	4	4	4	4	4	4	32
Nebraska Dept. Of Agriculture	4	4	4	4	4	4	4	4	32
Nebraska Game And Parks	4	4	4	4	4	4	4	4	32
Scotts Bluff Agate Fossil Beds National Monument - Gering, NE	0	0	1	0	0	0	0	0	1
<i>Police Departments</i>	2002	2003	2004	2005	2006	2007	2008	2009	2002-2009
Albion P.D.	4	4	4	2	1	0	3	0	18
Alliance P.D.	4	4	4	4	4	4	3	4	31

Arcadia P.D.	4	4	4	4	1	0	3	0	20
Arnold P.D.	4	4	4	0	0	0	0	0	12
Ashland P.D.	4	4	4	4	4	4	4	4	32
Atkinson P.D.	4	4	4	4	4	4	3	4	31
Auburn P.D.	4	4	4	4	4	4	4	4	32
Aurora P.D.	4	4	4	4	4	4	4	4	32
Bancroft P.D.	2	4	4	4	0	4	4	4	26
Battle Creek P.D.	4	4	4	4	4	4	4	4	32
Bayard P.D.	4	4	4	4	2	3	4	4	29
Beatrice P.D.	4	4	4	4	2	4	4	4	30
Beemer P.D.	4	4	4	4	4	4	4	4	32
Bellevue P.D.	4	4	4	4	3	4	4	4	31
Bennington P.D.	4	3	4	4	4	4	4	4	31
Bertrand P.D.	2	0	0	0	0	0	0	0	2
Blair P.D.	4	4	4	4	4	4	4	2	30
Bloomfield P.D.	4	4	4	4	4	4	0	4	28
Boys Town P.D.	4	4	4	4	4	4	4	4	32
Bridgeport P.D.	4	4	4	4	4	4	0	4	28
Broken Bow P.D.	4	4	4	4	4	4	4	4	32
Burwell P.D.	4	4	4	3	3	4	0	0	22
Cedar Bluffs P.D.	4	2	4	3	4	4	4	4	29
Central City P.D.	4	4	4	4	4	4	4	4	32
Chadron P.D.	4	4	4	4	4	4	4	4	32
Clarkson P.D.	2	0	0	0	0	0	0	0	2
Coleridge P.D.	4	4	4	4	4	4	4	4	32
Columbus P.D.	4	4	4	4	4	4	4	4	32
Cozad P.D.	4	4	4	4	4	3	4	4	31
Crawford P.D.	4	4	4	4	4	3	1	4	28
Creighton P.D.	4	4	4	4	4	4	2	3	29

Crete P.D.	4	4	4	4	4	4	4	4	32
Crofton P.D.	4	4	4	0	4	0	0	0	16
Culbertson P.D.	4	4	2	2	3	1	0	0	16
Dakota City P.D	0	0	0	0	0	0	3	0	3
David City P.D.	4	4	4	4	4	4	4	4	32
Decatar P.D.	4	4	4	0	4	0	4	0	20
Dodge P.D. / Snyder P.D.	4	4	4	4	0	0	0	0	16
Elgin P.D.	4	4	4	4	0	0	0	0	16
Elkhorn P.D.	4	4	4	4	3	0	0	0	19
Emerson P.D.	4	4	4	4	4	4	4	4	32
Ewing P.D.	1	0	0	0	0	0	0	1	1
Exeter P.D.	4	4	4	0	0	2	1	4	19
Fairbury P.D.	4	4	4	0	0	0	0	4	16
Fairfield P.D.	4	0	0	0	0	0	0	0	4
Fairmont Pd	4	4	4	0	0	0	0	1	13
Falls City P.D.	4	4	4	4	3	4	4	4	31
Fremont P.D.	4	4	4	4	4	4	4	4	32
Friend P.D.	1	0	0	0	4	4	4	1	14
Geneva P.D.	4	4	1	0	0	0	0	0	9
Gering P.D.	4	4	4	4	3	4	4	4	31
Glenvil P.D.	4	0	0	0	0	0	0	0	4
Gordon P.D.	4	4	4	3	0	0	4	4	23
Gothenburg P.D.	4	4	4	4	4	4	4	4	32
Grand Island P.D.	4	4	4	4	4	3	4	4	31
Hartington P.D.	4	4	4	4	4	4	0	4	28
Harvard P.D.	4	4	4	4	0	4	4	4	28
Hastings P.D.	4	4	4	2	4	4	4	3	29
Hay Springs P.D.	4	4	4	4	0	0	0	0	16
Hemingford P.D.	4	4	4	3	0	4	0	4	23

Henderson P.D.	4	4	4	4	4	4	4	4	32
Holdrege P.D.	4	4	4	4	4	4	3	4	31
Hooper P.D.	4	3	0	1	0	0	1	0	9
Humphrey P.D.	4	4	0	0	0	0	0	0	8
Imperial P.D.	4	4	4	4	4	4	4	4	32
Kearney P.D.	4	4	4	4	3	3	4	4	30
Kimball P.D.	0	3	4	4	3	3	2	2	21
La Vista P.D.	4	4	4	4	3	4	4	4	31
Laurel P.D.	4	4	4	4	4	4	4	4	32
Leigh P.D.	4	4	4	0	0	1	4	4	21
Lexington P.D.	4	4	4	4	4	4	4	4	32
Lincoln P.D.	4	4	4	4	4	4	4	4	32
Loomis P.D.	4	4	4	4	0	4	4	4	28
Lyman P.D.	4	4	4	4	0	0	4	1	21
Lyons P.D.	4	4	4	4	4	4	4	4	32
Madison P.D.	4	4	4	4	3	4	3	3	29
Mccook P.D.	4	4	4	4	4	4	4	4	32
Mead P.D.	4	4	4	4	4	1	0	0	21
Milford P.D.	4	4	4	4	4	4	4	4	32
Minatare P.D.	4	4	4	0	0	0	0	0	12
Minden P.D.	4	4	4	4	4	4	4	4	32
Mitchell P.D.	4	4	4	4	3	4	4	4	31
Morrill P.D.	4	4	4	1	4	4	4	4	29
Nebraska City P.D.	4	4	4	4	3	4	4	4	31
Neligh P.D.	4	4	4	4	0	0	0	0	16
Newcastle P.D.	4	4	4	4	4	4	4	4	32
Newman Grove P.D.	4	4	4	4	0	4	4	4	28
Norfolk P.D.	4	4	4	4	4	4	4	4	32
North Platte P.D.	4	4	4	4	3	4	4	4	31

Oakland P.D.	4	4	4	4	2	4	4	4	30
Odell P.D.	4	0	0	4	4	0	0	0	12
Ogallala P.D.	4	4	4	4	4	3	4	4	31
Omaha P.D.	4	4	4	4	4	4	3	4	31
Oneill P.D.	4	4	4	4	4	4	4	4	32
Ord P.D.	4	4	4	4	4	4	4	4	32
Osceola P.D.	1	0	0	0	0	0	0	0	1
Papillion P.D.	4	4	4	4	4	4	4	4	32
Pawnee City P.D.	0	2	0	0	0	0	1	0	3
Pender P.D.	4	4	4	0	0	0	0	0	12
Pierce P.D.	3	3	0	0	0	0	0	0	6
Plattsmouth P.D.	4	4	4	4	4	4	3	4	31
Ponca P.D.	4	4	4	4	4	4	4	4	32
Ralston P.D.	4	4	4	4	4	4	4	4	32
Randolph P.D.	4	4	4	4	4	4	4	4	32
Ravenna P.D.	4	4	4	4	4	4	3	4	31
Rushville P.D.	4	4	0	0	0	0	0	0	8
Sargent P.D.	4	3	0	1	0	0	0	4	12
Schuyler P.D.	4	4	4	4	4	4	4	4	31
Scottsbluff P.D.	4	4	4	4	4	1	4	4	28
Scribner P.D.	4	4	4	4	4	0	4	4	28
Seward P.D.	4	4	4	4	4	4	4	4	32
Shelton P.D.	4	4	0	0	4	4	4	4	24
Sidney P.D.	4	4	4	4	4	4	4	4	32
Silver Creek P.D.	4	4	4	3	4	4	4	4	31
South Sioux City P.D.	4	4	4	4	1	4	4	4	29
Spalding P.D.	4	4	4	4	4	4	4	4	32
St. Edward P.D.	2	4	0	0	0	0	0	0	6
St. Paul P.D.	4	4	4	4	2	4	4	4	30

Stuart P.D.	2	0	0	0	0	0	0	0	2
Superior P.D.	4	4	4	4	4	4	4	4	32
Sutton P.D.	4	4	4	4	4	4	4	4	32
Syracuse P.D.	4	4	4	4	4	3	0	0	23
Tecumseh P.D.	4	4	4	4	4	4	4	4	32
Tekamah P.D.	3	4	4	4	4	4	0	4	27
Tilden P.D.	4	2	0	0	4	4	4	4	22
Valentine P.D.	0	0	4	4	4	4	4	4	24
Valley P.D.	4	4	4	4	4	3	2	4	29
Verdigre P.D.	4	4	0	0	0	0	0	0	8
Wahoo P.D.	4	4	4	4	4	1	4	4	29
Walthill P.D.	4	0	0	0	0	0	0	0	4
Waterloo P.D.	4	4	4	4	4	3	0	4	27
Wauneta P.D.	4	1	3	3	0	0	0	0	11
Wausa P.D.	2	0	0	0	0	1	4	4	11
Wayne P.D.	4	4	4	4	3	3	4	4	30
West Point P.D.	4	4	4	4	4	4	4	4	32
Wilber P.D.	4	4	4	4	0	4	4	4	28
Wisner P.D.	4	4	4	4	4	4	4	4	32
Wymore P.D.	4	4	4	4	4	4	4	4	32
York P.D.	4	4	4	4	4	4	4	4	32
Yutan P.D.	4	4	4	3	4	4	4	4	31
<i>Tribal Law Enforcement Agencies</i>	2002	2003	2004	2005	2006	2007	2008	2009	2002-2009
Iowa Tribal P.D.	4	4	4	3	3	4	4	4	30
Omaha Nation (Macy) P.D.	0	0	0	0	0	0	0	0	0
Winnebago P.D.	0	0	0	0	0	0	0	0	0
Total	918	880	852	790	731	720	728	755	6,374