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Racial profiling and mandatory data collection in Nevada: How will law enforcement respond?

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Racial Profiling and Mandatory Data Collection in Nevada: How Will Law Enforcement Respond?

by

Gregory M. Roehm

A professional paper submitted in partial fulfillment
of the requirements for the Master of Public Administration

Department of Public Administration

Greenspun College of Urban Affairs

University of Nevada, Las Vegas

January 2003

ABSTRACT

Racial Profiling and Mandatory Data Collection in Nevada: How Will Law Enforcement Respond?

by

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Selected Nevada law enforcement officers participated in the mandatory collection of traffic stop data in the calendar year 2002. The requirement was a temporary one-year study mandated by the 2001 Nevada Legislature. The primary objective of this paper is to provide insight into the behavioral response of law enforcement with respect to mandatory data collection. Data for this study was obtained from the use of a self-administered mail survey from law enforcement officers from five of the nine Nevada police agencies required to collect traffic stop data. Responses from 399 Nevada law enforcement officers surveyed (A response rate of 65 percent) serve as the basis for this study. The findings of this project confirmed a causal relationship between mandatory data collection and a reduced level of traffic enforcement. Findings also included the belief of Nevada law enforcement officers that mandatory data collection will not improve police-minority group relations. Another significant finding with respect to the extent of racial profiling in Nevada was that a number of respondents (29 percent) reported varying levels of profiling by other officers.

ACKNOWLEDGMENT

There are so many individuals that provided assistance in support of this project, it is difficult to acknowledge everyone. The cooperation of the following law enforcement officials was essential for the ultimate success of this research project: Richard Kirkland, David Hosmer, Jack Snyder, Dennis Osborn (Nevada Department of Public Safety); Joe Szalay (Mesquite Police Department); William Turk (Boulder City Police Department); Michael Zagorski, Brent Primas, Wayne Petersen, Kathryn Landreth, Don Green (Las Vegas Metropolitan Police Department); Doug Gist, Jim Forbus (Washoe County Sheriffs Office). Each of the five Nevada law enforcement agency chiefs participating in this research project deserve my gratitude for their support of this study.

I must also express my appreciation to the members of my examination committee, especially Dr. Lee Bernick and Dr. Richard McCorkle. The efforts of Dr. Soonhee Kim and Dr. Karen Layne were also very much appreciated. The guidance I received during the course of this academic project was invaluable.

Of course, I cannot thank my wife Kathy and father Ernie enough for their encouragement and support. At times, Kathy worked as tirelessly as I did during this project. Most importantly, I must also express my gratitude to my older brother, Michael. His inspirational spirit will be with me forever. Michael will not have the opportunity to read this paper as he lost a valiant fight for his life during this project. I pray his wife and son, Karen and Andrew, will receive comfort during the healing process. His loss was simply devastating.

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CHAPTER I – INTRODUCTION

Chapter 1 presents background information relative to Nevada Assembly Bill 500 (AB 500), racial profiling in general, and traffic stop data collection. Racial profiling will be defined in terms of the provisions of NRS 289.820, established by Nevada AB 500 (Appendix E) during the 2001 Legislature. A table will present the current status of state statutes prohibiting racial profiling, as well as the extent of current voluntary and mandatory data collection by law enforcement agencies across the country. The focus will then shift to the requirements of the one-year traffic stop study in Nevada.

BACKGROUND

The 2001 Nevada Legislature, like many other governmental bodies, engaged in the debate of the practice of racial profiling by law enforcement officers. Lawmakers considered anecdotal evidence of racial profiling in Nevada. The result of the racial profiling debate was Nevada Assembly Bill 500 (AB 500). Both houses of the Legislature approved AB 500 unanimously. Governor Kenny Guinn signed AB 500 into law on June 14, 2001.

There are several provisions of AB 500. First, NRS Chapter 289 was amended to provide a definition and prohibition of racial profiling in Nevada. Second, a one-year traffic stop data collection study was established for the 2002 calendar year, which expired December 31, 2002. AB 500 requires the Attorney General's Office present the study findings to the Nevada Legislature by February 1, 2003. AB 500 required the identification of individuals stopped and the officers who stopped them remain confidential. Consequently, evidence of racial profiling would be limited to individual police agencies rather than individual officers.

Some experts believe the practice of racial profiling to be an effective tool for combating specific crime problems (Cohen et al. 2000). Despite this argument, surveys of the public consistently reflect the use of racial profiling by police is unacceptable. Given the fact that racial profiling is prohibited by the equal protection clause of the United States Constitution, as well as some state statutes, few could effectively argue it is an appropriate method for fighting crime. Many argue the consideration of race by police in making traffic stop decisions is simply wrong and needs to be addressed. In fact, many of the articles regarding racial profiling address ways to eradicate its existence (Fridell et al. 2001, Cohen et al. 2000).

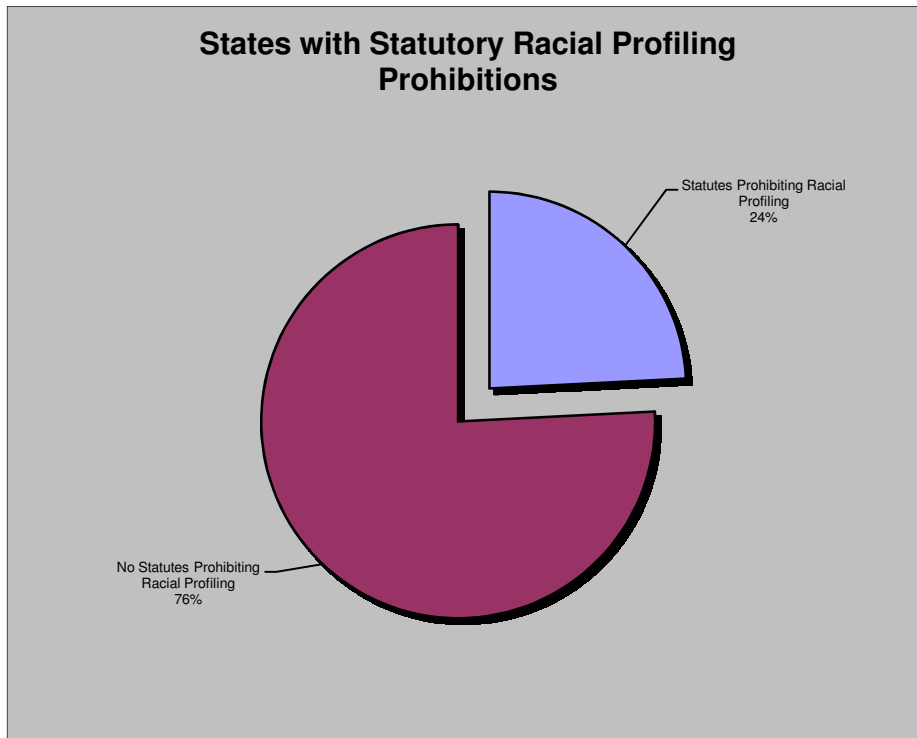
Definitions of racial profiling vary; however, the consideration of race or ethnic factors in the decision to stop or otherwise detain individuals by police is a key element. Nevada AB 500 defines racial profiling as reliance by a peace officer upon the race, ethnicity or national origin of a person as a factor in initiating action when the race, ethnicity or national origin of the person is not part of an identifying description of a specific suspect for a specific crime (NRS Chapter 284, 2001). Absent a specific suspect description, which includes race or ethnicity, Nevada law enforcement officers are prohibited by AB 500 of using racial or ethnic factors in making traffic stop decisions.

RACIAL PROFILING STATUTES AND DATA COLLECTION

All fifty states were surveyed by e-mail with respect to current state statutes which prohibit profiling by police. State police, offices of Attorney General, and local police agencies were contacted and asked about the existence of racial profiling statutes and mandatory or voluntary data collection. Information regarding data collection was

also obtained from the Northeastern University Data Collection Resource Center. As shown in Figure 1, most states have no statutory prohibitions of racial profiling.

Figure 1



n=50

Information regarding the current status of racial profiling statutes and data collection efforts nationally is shown in Table 1 (Appendix A). Only twelve of the fifty states have statutory prohibitions against racial profiling. While few states have statutory prohibitions of racial profiling, most states are involved in the mandatory or voluntary collection of traffic stop data. Fourteen state police agencies are mandated to collect data. Five states require all state and local agencies to collect data. Ten states are not involved in the mandatory or voluntary collection of traffic stop data. Some states have no statutory prohibition of racial profiling, however, mandate law enforcement agencies to

establish a policy prohibiting racial profiling. Other states mandate cultural diversity training. There are also many departments across the nation collecting data voluntarily. Tables 1a and 1b reflect the extent to which police agencies are collecting data at present. Some state and local agencies are collecting data pursuant to federal consent decrees or court settlements. Others collect data voluntarily. Many of the data collection programs are considered temporary studies similar to AB 500.

Table 1a-Mandatory Data Collection-Nationally

	Mandatory Data Collection
None	27
State Police Agencies Only	5
Local Police Agencies Only	9
State and Some Local Police Agencies	9
Total	50

Table 1b-Voluntary Data Collection-Nationally

	Voluntary Data Collection
None	14
State Police Agencies Only	5
Local Police Agencies Only	23
State and Some Local Police Agencies	8
Total	50

THE ONE-YEAR DATA COLLECTION STUDY

Nevada AB 500 mandated the Attorney General to conduct the one-year study of traffic stops in 2002. The study included all traffic stops made by the Nevada Highway Patrol. In addition, stops by local police and sheriffs departments in counties where the population is 100,000 or more were included. Only Clark and Washoe Counties met this criteria. The one-year study excluded pedestrian stops as well as non-discretionary police

roadblocks such as sobriety checkpoints. The following police agencies were required to collect traffic stop data in accordance with AB 500:

1. Nevada Highway Patrol
2. Las Vegas Metropolitan Police Department
3. Boulder City Police Department
4. Mesquite Police Department
5. Washoe County Sheriffs Office
6. Sparks Police Department
7. Reno Police Department
8. North Las Vegas Police Department
9. Henderson Police Department

AB 500 allowed other Nevada law enforcement agencies to collect data. Only the University of Nevada, Las Vegas police department (UNLV PD) chose to voluntarily collect data. UNLV PD briefly collected data during 2002, however, no analysis resulted from the data collection.

The following represents the information required to be included in the data collection study:

1. The traffic violation or infraction alleged to have been committed that caused the driver to be stopped.
2. The identifying characteristics of the driver who was stopped, including without limitation, the driver's race, ethnicity, gender, and approximate age.
3. A statement of whether the immigration status of the driver was questioned, including whether immigration documents were requested by the officer or

whether an inquiry was made to the Immigration and Naturalization Service (INS) with regard to the immigration status of any person in the motor vehicle.

4. The number of persons who were in the motor vehicle when it was stopped.
5. A statement of whether a search was instituted as a result of the stop, including, without limitation, a report of any contraband or money that was seized.
6. A report of any items seized during a search of the vehicle, including, without limitation, a report of any contraband or money that was seized.
7. A statement of whether any warning or citation was issued as a result of the stop.
8. A statement of whether an arrest was made as a result of either the stop itself or any search conducted during the stop, and the justification for any such arrest.

The traffic stop data card (AB 500), provided by the Nevada Highway Patrol, is shown in appendix F. Nevada law enforcement officers were required to complete the data card after each traffic stop, regardless of disposition, for the 2002 calendar year.

STUDY PRESENTATION

In addition to the above introductory chapter, which outlined background information, this paper presents four additional chapters regarding racial profiling and data collection. Chapter 2 consists of a review of prior research studies including strategies to eliminate racial profiling, as well as traffic stop data collection issues. Chapter 3 includes the present study research design and methodology. Chapter 4 discusses findings and conclusions from the survey research used in this study. Chapter 5 will summarize the implications of the present study. Recommendations will be presented to Nevada lawmakers and law enforcement officials relative to an appropriate strategy for eradicating this unfortunate social problem.

CHAPTER II - LITERATURE REVIEW

Surveys conducted relative to the belief that police racially profile have proved disturbing. The latest survey regarding the perception of racial profiling found that 82 percent of blacks and 60 percent of whites saw racial profiling by police as widespread (Weitzer/Tuch 2002). The fact that the majority of whites viewed racial profiling as a widespread police practice demonstrates the perception cuts across racial lines. Public perception of racial profiling has fueled the fire of controversy surrounding this issue. Anecdotal accounts of profiling are at times sensationalized by the news media (Oliver 2002). This sensationalism further inflames the perception that police stop minorities because of the color of their skin. News stories about racial profiling are supported only by anecdotal evidence. However, the fact is anecdotal evidence is simply not empirical evidence. Reported incidents of racial profiling do little to tell us the true nature of the problem. This underscores the importance of empirical research into this issue. The better we understand the problem, the better we can ultimately resolve it.

Nationally, police agencies have increasingly focused on the improvement of community relations. Recent studies indicate that community oriented policing programs have greatly increased in popularity as a result of this increased emphasis (U.S. DOJ 2001). The utilization of the community oriented policing philosophy has benefited from tremendous citizen support (Spokane Police Department 1999). The perception of racial profiling, however, tends to erode the positive community relations police agencies incorporate into their strategic plans. This erosion of relations suggests a need for an aggressive response by police administrators.

STRATEGIES TO ELIMINATE UNLAWFUL PROFILING

Racial profiling has no single cure, however, a multifaceted approach to eliminate this problem is suggested (Fridell et al. 2001). The six strategies, recommended by the Police Executive Research Forum (PERF), for combating racially biased policing include: Accountability and supervision, policies prohibiting biased policing, recruitment and hiring, education and training, minority community outreach, and traffic stop data collection. Another strategy, not suggested above, includes the use of mounted video cameras in patrol vehicles (Kamb 2001). Police officials believe video cameras to be valuable in determining if a racial profiling pattern is present.

New Jersey officials have moved aggressively to address discriminatory practices by police. Pending legislation in New Jersey would make the act of racial profiling a felony crime punishable by a term of imprisonment for 3 to 5 years and/or by a fine of not more than \$15,000. Lawmakers in New Jersey have also sought to ban law enforcement from conducting consent searches of motor vehicles. Some would argue that such a response to racial profiling was necessary given the extent to which the unlawful practice was occurring in New Jersey. After all, officials found widespread profiling in a 1999 study by the Office of Attorney General (Verniero 1999). Others would say this is simply going too far. Philosophies aside, the act of attempting to criminalize racial profiling and prohibiting consent searches of vehicles represents the most aggressive strategy to date.

Some argue data collection is more than a strategy to address unlawful profiling. Davis maintains that data collection is symbolic (2001). It is a gesture of good will and an expression to the public that law enforcement has nothing to hide. This argument focuses

on the importance of favorable police-minority group relations. Regardless of the basis for data collection, it is apparent that the collection of data is playing a larger role in the response to racial profiling. More than 100 municipal law enforcement agencies currently collect traffic stop data (Ward 2002). While some municipalities are collecting data voluntarily, others do so by consent decree or other local mandate. Legislation is pending in twelve states with regard to data collection requirements. Despite the increased level of data collection by law enforcement nationally, many experts agree that it is not the ultimate solution given the inherent limitations (Davis 2001).

LIMITATIONS OF DATA COLLECTION

Researchers have examined the advantages and disadvantages of initiating traffic-stop data collection. But exactly what will data collection tell us? If one simply wants to know if racial profiling is occurring, data collection is probably not the answer. The success of data collection and analysis is limited. The most noteworthy case favorable to data collection is the New Jersey study. Analysis determined that state troopers were in fact engaging in racial profiling (Verniero 1999). Unfortunately, data collection efforts generally result in inconclusive findings. A 2000 report from the United States Government Accounting Office, despite the existence of disparities between whites and minority groups, was unable to conclude whether or to what extent racial profiling was occurring (US GAO 2000). The Department of Justice also found differences involving racial or ethnic factors, however, again no conclusion regarding the existence or extent of racial profiling could be established (US DOJ 2001). Still another study confirmed a higher level of traffic stops of minorities was not associated with officer race (Smith, Petrocelli 2001). This finding casts doubt on the suggestion that the data points to biased

policing. The difficulty associated with data interpretation is a legitimate concern to those who seek the truth to the extent of racial profiling (Ramirez 2000). Traffic stop data reflecting differences among races does not necessarily make a case for racial profiling. Racial disparity does not necessarily amount to racial discrimination (Zingraff et al. 2000). Disparities between race or ethnic factors suggest further inquiry rather than a hasty declaration of profiling.

Data interpretation also presents difficult challenges. Exactly how should we interpret the traffic stop data? What does it mean when disparities exist between the races. The establishment of a suitable baseline for data comparison has been a key limitation of traffic stop data analysis. Census data is clearly unsuitable for comparison as it assumes all drivers stopped are residents. States, including Nevada, experience a high level of tourists traveling by automobile, especially in the Las Vegas area. This suggests the use of tourist demographic information be considered. The AB 500 data card does have a provision, which includes whether a stopped motorist is a resident of Nevada. This would allow for the comparison of tourist demographic data if available. Unfortunately, AB 500 made no mention of the establishment of a statistical comparison, commonly referred to as a baseline or denominator. It has been suggested that the challenges associated with establishing comparison benchmarks cannot be overcome (Walker 2001). This argument is based on the assumption that a valid baseline must include demographic information of motorists at risk of being stopped. Given an assessment of whether or to what extent a police agency is engaged in disparate treatment of motorists is expected to result from data collection and analysis, this issue must receive careful consideration. The

unfortunate truth is data collection will not tell us if racial profiling is occurring and to what extent (Davis 2001).

Data collection implies the subsequent analysis of the gathered information. The data analysis is critical in drawing conclusions with respect to whether law enforcement is engaged in unlawful profiling. The implications of making such conclusions are compelling. At what point can one establish that police are engaged in racial profiling? This question remains largely unanswered. Meanwhile, the search continues for many agencies, which seek the ultimate yardstick for measuring data. Law enforcement officials often use census data as a benchmark for comparison despite the limitations. The ultimate findings from statistical comparison are critical, as the image and reputation of law enforcement will in part rest upon the conclusions of the data analysis.

Data collection in many cases involves officers completing data cards, which are later analyzed. Of course, this amounts to another document for the officers to complete. Law enforcement distaste toward paperwork is hardly a new concept. Despite technological advances, many officers collecting traffic stop data are doing so by hand. The addition of another document for officers to complete has implications as many officers believe law enforcement to be of a burdensome nature and may change their behavior to avoid having to complete another form.

The reliance on the self-reporting of officers is not considered the most effective way to determine if officers are engaged in unlawful profiling (Ward 2002). This argument assumes that officers will ultimately change their behavior due to concerns about being watched. Error rates and the failure of officers to comply with the completion of data cards are factors, which would impact traffic-stop data collection validity.

RESEARCH JUSTIFICATION

Researchers have largely ignored the impact of racial profiling issues including data collection implications on law enforcement. Beyond a reduced level of traffic enforcement, we simply do not know how police officers will respond to mandatory data collection. Will officers fear being labeled a profiler and avoid enforcement contact with minorities? Will law enforcement support data collection as necessary for maintaining favorable minority group relations and increased accountability? Will officers take offense to perceived mistrust by the community they serve? Will the burdensome nature of police work be adversely affected by another form? This study will examine these and other questions as well as provide an analysis of the behavioral response of Nevada law enforcement to mandatory data collection.

CHAPTER III – METHODOLOGY

SURVEY PROCEDURE

All nine Nevada law enforcement agency chiefs mandated to collect traffic stop data were asked to allow officers to participate in the present study. E-mails and/or certified letters were sent to each law enforcement agency chief requesting their participation (Appendix B). The University of Nevada, Las Vegas police department collected data voluntarily, however, was excluded from the survey as the present study focus was limited to mandatory data collection. Of the nine agencies contacted, the Reno police chief responded by e-mail declining to participate in the survey due to concerns regarding the “Sensitive” nature of the issue. North Las Vegas, Henderson, and Sparks police departments did not respond to e-mails and/or certified letters requesting their participation in the study. The remaining five Nevada law enforcement agencies required to collect data agreed to allow officers to be surveyed. In some cases, law enforcement agency attorneys reviewed and approved the survey prior to allowing officers to participate.

The five participating agencies forwarded a roster of officers whose duties included traffic enforcement. Officers assigned to internal affairs, dignitary protection, or other non-uniform assignments were excluded. Agency chiefs and officers who were temporarily serving in the military or who were on extended leave of absence were not surveyed. Officers assigned to traffic duties limited specifically to major accident investigation were also excluded. This included 13 officers of the Las Vegas Metropolitan Police Department who do not operate marked patrol vehicles and are not involved in traffic enforcement.

The survey packages included: A cover letter (Appendix C), the three page survey (Appendix D), and a postage paid envelope provided by the University of Nevada, Las Vegas. Surveys were either delivered in person to the law enforcement agencies, or mailed first class, return receipt requested. Each officer was sent a sealed survey package individually addressed. In the cover letter, the researcher identified himself as a fellow law enforcement officer and graduate student. The cover letter provided information regarding the nature of the research being conducted. Officers were asked to complete and promptly return the survey.

Surveys were numbered for the purpose of sending reminder letters to non-respondents. Follow up surveys were sent only to officers of the Las Vegas Metropolitan Police Department due to an initial response rate lower than other departments in the study. However, follow up surveys were not sent to non-respondents of the Washoe County Sheriffs Office. This represents a study limitation, but was unavoidable due to time restrictions. Moreover, four surveys were received after the compilation of statistical data and analysis and were not included in the present study.

SURVEY INSTRUMENT

The survey consisted of 15 questions. The brief nature of the survey was designed to maximize participation. Twelve of the 15 questions were close-ended. The remaining questions were open-ended. Examples of the responses to the open-ended questions are shown in Appendix G. The population of 352 Nevada troopers was included, the largest group in the study. The Las Vegas Metropolitan Police Department (LVMPD) employs approximately 2,000 officers, many of which have limited involvement with traffic enforcement. Consequently, the population of 117 traffic officers with LVMPD was

selected to be surveyed. The 111 Washoe County Sheriffs Office deputies whose duties included patrol or traffic were also included. The population of officers employed by the Mesquite (18) and Boulder City (19) police departments was also surveyed.

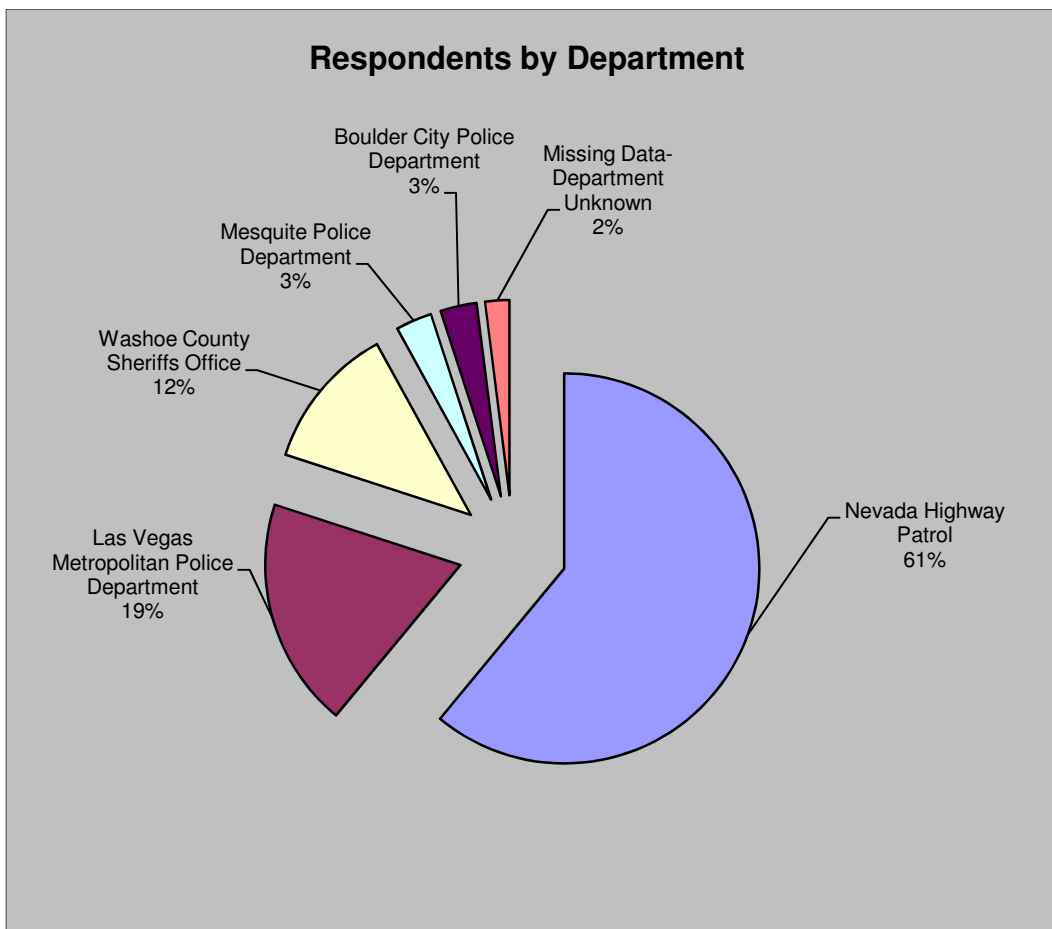
DATA PROCESSING

Answers from returned surveys were entered into a computer database. Responses to the three open-ended questions were also data coded into one of several response categories. All surveys were destroyed subsequent to the data coding process. Data analysis was accomplished with the use of the Statistical Package for the Social Sciences (SPSS) version 11.0. The resultant tables and figures were based on SPSS analysis.

RESPONSE RATE

Of the 617 surveys mailed, 399 were returned for an overall response rate of 65 percent. Table 2 reflects the response rate by department. The Nevada Highway Patrol had the highest response rate at 69 percent. The Washoe County Sheriffs Office had the lowest rate of return at 44 percent. Seven respondents returned surveys with the number removed. Consequently, they could not be identified by department and are considered missing data in table 2. Figure 2 represents survey respondents by department. The Nevada Highway Patrol employed 61 percent of respondents. Nineteen percent of respondents were officers of the Las Vegas Metropolitan Police Department. The Washoe County Sheriffs Office employed 12 percent of respondents. The Mesquite and Boulder City police departments employed the remainder of officers.

Figure 2



n=399

Table 2-Response Rates by Department

Agency	Surveys Mailed	Surveys Returned	Response Rate
Nevada Highway Patrol	352	242	69%
Las Vegas Metropolitan Police	117	76	65%
Washoe County Sheriffs Office	111	49	44%
Boulder City Police Department	19	13	68%
Mesquite Police Department	18	12	67%
Missing Data-Unknown		7	
Total	617	399	65%

STUDY LIMITATIONS

It is recognized that the survey responses of the Las Vegas Metropolitan Police Department represent only a small subset of all LVMPD officers. Discussions with LVMPD administrators led to the strategy of surveying only 117 of the approximately 2,000 officers of the department. The 117 officers surveyed were identified as a group whose function was primarily traffic enforcement.

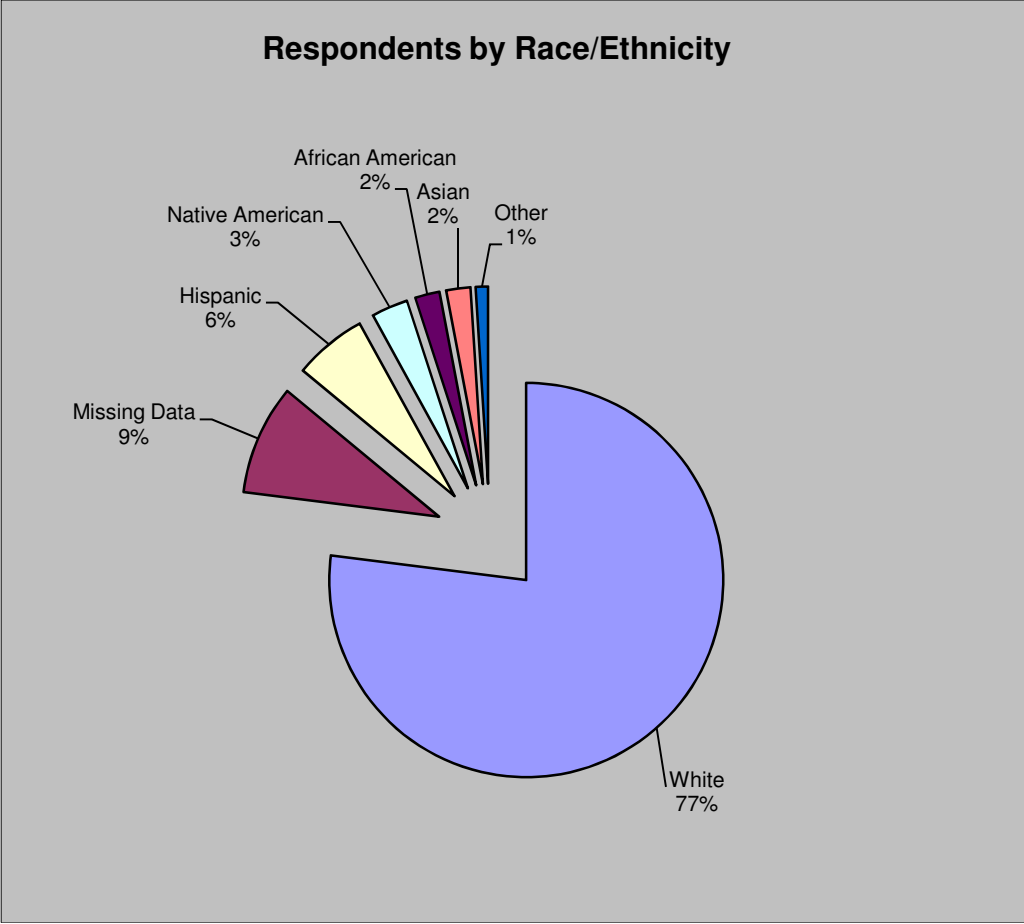
The number of surveys mailed to respondents of the Nevada Highway Patrol was three times that of the next largest agency in the study. This suggests an overrepresentation by state troopers. This represents a possible study limitation as no statistical weights were used in the data analysis.

Only five of the nine Nevada law enforcement agencies participated in the present study. The generalizability of the findings to all Nevada law enforcement assumes the views of officers from the other four nonparticipating law enforcement agencies are similar to those in the present study.

RESPONDENT DEMOGRAPHIC INFORMATION

The data in Figure 3 reflects the demographic makeup of respondents. Interestingly, 9 percent of respondents refused or otherwise failed to indicate racial or ethnic information. As expected, the vast majority of respondents were white (77 percent). Hispanics were the next largest group comprising 6 percent of respondents. Three percent were Native Americans, 2 percent Asian, and 2 percent African American. Law enforcement is well known for its dominance by male officers. The response rate reflects that dominance, as only 6 percent of respondents were female.

Figure 3



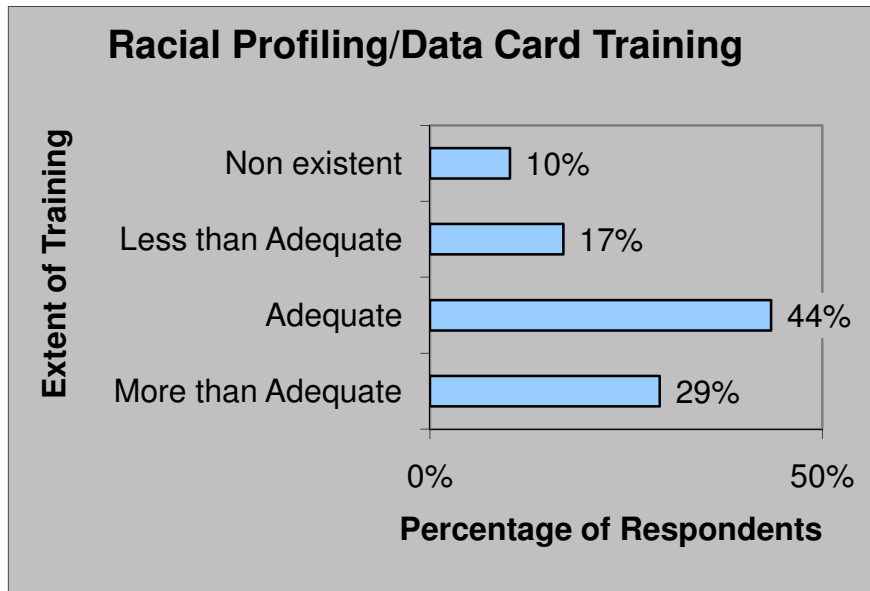
n=399

CHAPTER IV – FINDINGS AND CONCLUSIONS

TRAINING ISSUES

Training with regard to racial profiling has received minimal emphasis in favor of mandatory data collection. Unfortunately, the emphasis on data collection in favor of other strategies is not recommended by experts (Fridell et al. 2001). This was an important research issue as training, although often overlooked as a solution to biased policing, is seen as an effective strategy for the elimination of unlawful profiling. Respondents were asked to assess the level of training they received relative to racial profiling issues and the completion of the AB 500 card. Respondents made it clear that training was a significant concern. Figure 4 demonstrates the level of training respondents received relative to AB 500 completion and racial profiling issues. Interestingly, 27 percent of respondents felt that the level of training received was nonexistent or less than adequate. The remaining 73 percent felt the extent of training was adequate or more than adequate. It is unclear whether respondents felt training was insufficient regarding racial profiling in general, or data card completion due to the nature of the question. Regardless, it is apparent that for some officers training is an issue worthy of increased emphasis. A mandate for annual training with respect to racial profiling and cultural diversity could be effective in educating Nevada peace officers relative to the unacceptable practice of racial profiling. Supervisory training for law enforcement can also be effective in improving skills relative to the detection and response to biased policing by subordinate officers.

Figure 4



n=399

DATA CARD LEVEL OF UNDERSTANDING

Of interest to this study was the level of understanding officers had relative to the AB 500 card (Appendix F). Error rates are a concern as data will ultimately be lost if not properly captured. Two limitations regarding data collection involve the completion of data cards by officers. First, officers may fail to complete traffic stop data cards as required. Second, officers may make errors while completing the data cards. The resultant lost data could have implications on internal validity. Fortunately, respondents largely understood what the data card was asking. 91 percent of respondents had a high or moderate level of understanding of the AB 500 card and what was being asked. The remaining 9 percent had a low level or no understanding of the data card. Regardless of study limitations, the relatively high level of understanding of the data cards is encouraging and suggests the AB 500 error rates should be relatively minimal.

IMPACT ON MINORITY GROUP RELATIONS

The importance of community oriented policing and minority group relations to law enforcement is well known. Given the influence of perceived profiling by police on minority group relations, officers were asked whether they thought AB 500 would improve minority group relations. Regardless of how officers feel about data collection, one might conclude officers would see an improvement in police-minority group relations. This was not the case. Respondents generally did not believe that the mandatory data collection study would benefit police-minority group relations. In fact, 10 percent of respondents felt that the data collection study would adversely affect police-minority group relations. The majority of officers (81 percent) felt data collection efforts would have no impact on police-minority group relations. Only 9 percent of respondents felt data collection would have a slight or considerable improvement with respect to minority group relations. It is clear that respondents do not support the assumption that mandatory data collection will ultimately improve police-minority group relations.

Table 3-Impact of Data Collection on Minority Group Relations

	Percent
Slight/Considerable Improvement	9%
No Change	81
Slight/Considerable Decline	10
Total	100%

n=395

INFLUENCE ON LEVEL OF ENFORCEMENT

Prior research efforts have established the negative association of enforcement with data collection (Ward 2002). Respondents in the present study confirm this causal relationship. Table 4 reflects that 41 percent of officers indicated enforcement was reduced as a result of AB 500 requirements. In addition to asking whether enforcement changed as a result of the AB 500 study, respondents were asked what specifically resulted in the change in level of enforcement. The majority of respondents (70 percent) experiencing a decrease in level of enforcement indicated the additional time required to complete the data card was the primary concern. Sixteen percent of respondents simply did not want to complete the data card, which resulted in fewer enforcement contacts. Six percent of officers expressed concern with the possibility of being labeled a racial profiler. This was despite the fact that AB 500 mandated information relative to individual officers be confidential.

Table 4-Impact of data collection on Level of Enforcement

	Percent
Enforcement has Increased	2%
Enforcement has not changed	57
Enforcement has Decreased	41
Total	100%

n=398

IMPACT ON ENFORCEMENT RELATIVE TO MINORITES

Nevada law enforcement officers have not steered away from enforcement against minorities as a result of mandatory data collection. The data in Table 5 reflects that 98

percent of respondents experienced no changes in levels of enforcement against minorities in response to mandatory data collection. The remaining 2 percent of respondents indicated they stopped fewer or no minorities due to the mandatory data collection study. While mandatory data collection has caused officers to stop fewer motorists, officers have not allowed mandatory data collection to influence their decision making relative to law enforcement against minority groups. This finding was somewhat surprising as one might predict a significant decline in minority group enforcement due to concerns about individual departments being associated with a profiling label. For the most part, officers were relatively unconcerned about this issue.

Table 5-Traffic Stop Decision Making

	Percent
No Change	98.2%
I Stop a Few Less Minorities	0.8
I Stop Much Less or No Minorities	1.0
Total	100%

n=397

VERBAL WARNINGS AND COMPLIANCE WITH AB 500

Respondents were asked to estimate the percentage of verbal warnings given to violators. The intent was to compare with the percentage of verbal warnings indicated by AB 500 data. Should the AB 500 data reflect a higher percentage of citations issued, it would indicate officers at times failed to complete the AB 500 card when they did not issue a citation. This is significant as it represents permanently lost data. It would also represent a limitation to the AB 500 study, as profiling could be concealed by officers who simply refused or otherwise failed to complete an AB 500 card when a citation was not issued. Unfortunately, AB 500 data was unavailable at the time of this study.

Consequently, no assessment can be made relative to the level of compliance with respect to the completion of traffic stop data cards.

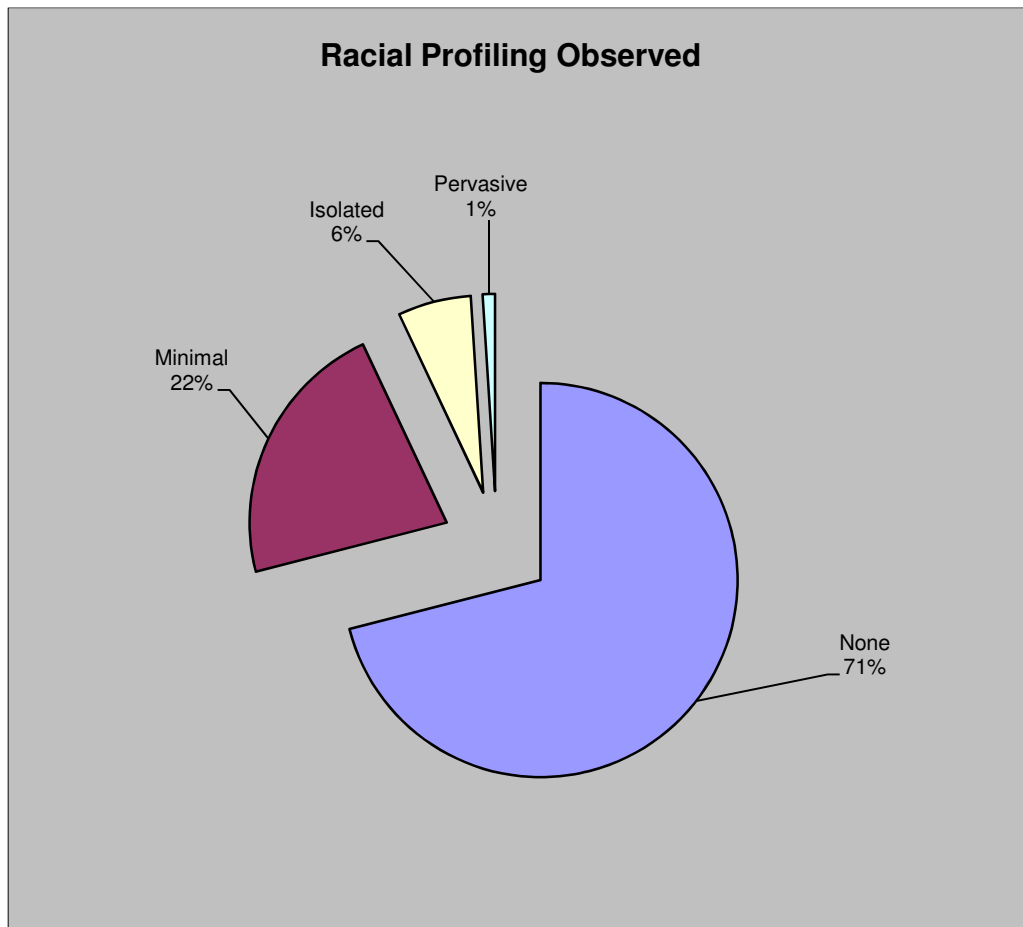
It can be assumed that a number of traffic stops did not result in the completion of AB 500 cards. We do not, however, know how much data was lost as a result. It could be argued that officers with a desire to conceal biased policing will simply fail to complete an AB 500 card. Missing data resulting from the failure of officers to complete data cards represents a study limitation. After all, AB 500 is predicated upon the self-reporting by officers. However, Ward (2002) argues that this may not be the best measure of whether and to what extent profiling is occurring. Ward maintains that officers required to collect data may alter their behavior as a result of a concern relative to being watched. This change of behavior is evident in the reduction of enforcement reported in the present study.

RACIAL PROFILING OBSERVED

Some may argue that asking officers to indicate the existence and extent of observed profiling is fruitless. Despite concerns regarding the reluctance of respondents to report profiling, it was felt that the question needed to be asked. Figure 5 presents the responses to the question: “Observing other officers, what is the extent of racial profiling by other law enforcement officers you have seen?” Respondents were given four ranked choices: Pervasive, isolated, minimal, none observed. Only three respondents characterized the extent of profiling as pervasive, which amounts to 1 percent. Six percent of respondents felt profiling was isolated, 22 percent indicated profiling was minimal. Of the respondents, 71 percent reported they had not observed racial profiling

by other officers. The results suggest racial profiling by Nevada law enforcement may exist, at least in the eyes of some officers.

Figure 5



n=392

An analysis relative to the relationship of race/ethnicity of officer and racial profiling observed resulted in no association. There was no relationship between the race/ethnicity of officers and extent of racial profiling observed.

TRAFFIC ENFORCEMENT EXPERIENCE

It was expected that the level of experience of respondents was important relative to the extent of racial profiling observed. It was felt that officers with limited experience would report limited profiling. More experienced officers, however, would have a greater chance of observing other officers engaged in racial profiling. It is assumed that this increased level of experience would result in a higher degree of reported profiling by other officers. Table 6 represents a cross tabulation of traffic enforcement experience with observed racial profiling. There is an association between the years of traffic enforcement experience and the level of racial profiling observed. As expected, officers with more experience reported a higher level of observed racial profiling.

The nature of the question relative to racial profiling observed (“Observing other officers, what is the extent of racial profiling by other law enforcement officers you have seen?”) represents a study limitation. We do not know when officers observed racial profiling, as no time element was included in the survey question. Some officers may have reported observing racial profiling that had been observed many years ago. We also do not know who was observed engaging in profiling. Some respondents reported observing racial profiling by officers of other law enforcement agencies but not by officers of their own department. We do, however, know that nearly three out of ten officers reported varying degrees of observed racial profiling. This finding suggests further strategic action is needed to eliminate biased policing in Nevada.

Table 6-Cross Tabulation of Years of Experience with Racial Profiling Observed

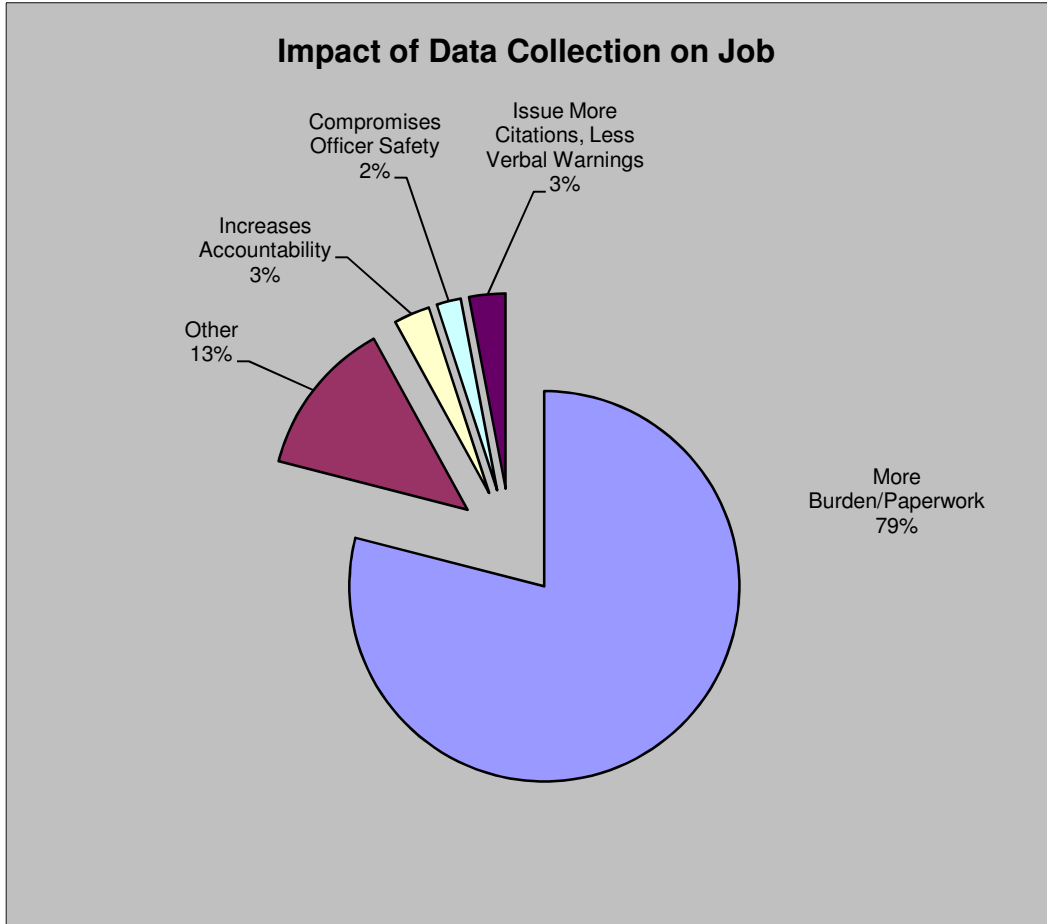
		Years of Experience				
		0 to 5 yrs.	6 to 10 yrs	11 to 15 yrs	16 to 20 yrs	21 or more yrs
Racial Profiling Observed	Pervasive	1%	0%	0%	3%	1%
	Isolated	1	3	4	12	6
	Minimal	20	25	23	15	22
	None Observed	78	72	73	70	71
	Total	100%	100%	100%	100%	100%
	Frequency n=389	112	96	78	40	63

***Chi Square= 30.72/p<.002**

IMPACT OF DATA COLLECTION ON LAW ENFORCEMENT

Officers were asked to indicate the impact of mandatory data collection on their jobs. Figure 6 presents the findings. Seventy nine percent of respondents expressed concerns about the increased paperwork or burdensome impact associated with the traffic stop study. Only 3 percent of officers expressed increased accountability as a factor. Two percent of respondents indicated the data collection study adversely affected officer safety. The implication is officers devote their attention to the data card completion in the field, which some argue is unsafe. In some cases (3 percent), officers indicated they no longer give verbal warnings to violators. One respondent indicated, “If I have to do paper, someone is getting paper.” This is anecdotal evidence of the influence of mandatory data collection on the decision making of officers.

Figure 6



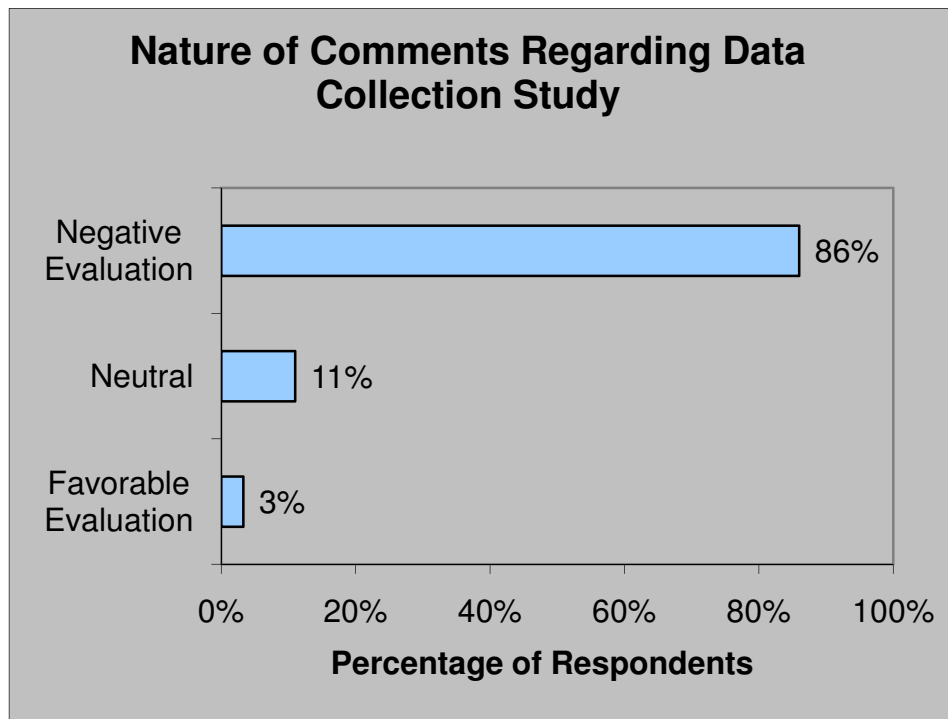
n=374

EVALUATION OF AB 500 STUDY

Respondents were asked to evaluate the AB 500 data collection study. This question was one of three open-ended questions. The responses were data coded into one of several categories. Figure 7 represents the views of officers regarding their assessment of the one-year traffic stop study. The vast majority of respondents (86 percent) provided negative comments regarding their study evaluation. Officers provided a variety of reasons for their views including: The study was a waste of time and resources (40 percent), flawed or inaccurate statistics would result (14 percent), the study was

unnecessary (10 percent), and data collection would not remedy the problem (4 percent). Only a few respondents (1 percent) felt that the study was necessary and should be continued with some revision.

Figure 7



n=359

DATA COLLECTION STUDY RECOMMENDATIONS

In a close-ended question, respondents were asked what recommendations they would have with respect to the 2003 Nevada Legislature debate regarding racial profiling. Of the five responses, four of them included the continuance of data collection. Not surprisingly, respondents overwhelmingly recommended data collection be discontinued (94.6 percent). Only 1 percent of respondents felt that data collection should be made permanent. The remaining 4 percent of respondents felt that data collection should be

continued. Table 7 presents the results of respondent's recommendations regarding mandatory data collection.

Table 7-Data Collection Study Recommendations

	Percent
Discontinue Data Collection Requirements	94.6%
Continue Data Collection, Establish Comparison Benchmarks	2.3
Continue the Study for an Additional Year	1.3
Revise the Requirement to Include Pedestrian/Other Contacts	0.8
Make Data Collection by All Law Enforcement Permanent	1.0
Total	100%

n=393

CHAPTER V – SUMMARY AND RECOMMENDATIONS

The present study has resulted in additional insight into the implications of mandatory traffic stop data collection on law enforcement. The level of traffic enforcement, as reported by officers has decreased. This development is a concern as it could have traffic safety consequences. The de-policing experienced by Nevada law enforcement was unrelated to racial or ethnic factors, as officers chose not to change their level of enforcement against minorities. Officers indicated distaste toward completing data cards and the additional time required as contributing factors to the decreased level of enforcement. This finding is consistent with previous research that concluded de-policing would be a product of traffic stop data collection.

While the present study did not clearly delineate the difference between AB 500 card and racial profiling training, this study has identified training as an issue for increased emphasis. Twenty seven percent of officers indicated the training received regarding racial profiling and data card completion was less than adequate. This suggests that law enforcement agency chiefs should establish a training curriculum that includes cultural diversity and racial profiling issues. Additional officer training can be an effective strategy for the elimination of discriminatory practices by law enforcement.

Nevada law enforcement officers clearly oppose mandatory data collection efforts. The opposition, however, stems from the burdensome nature of police work rather than racial issues. Officers are simply resistant to additional paperwork, especially when it is viewed as unnecessary. Of significance, the majority of survey respondents felt that the mandatory data collection study would not improve police-minority group

relations. Further empirical research into the views of minorities regarding traffic-stop data collection would yield additional insight into this issue.

During the 2003 legislative session, Nevada lawmakers must study the AB 500 statistical report and findings presented by the Attorney General. Analysis of AB 500 data may or may not conclude that data collection is worthwhile. Unfortunately, data collection has not achieved what many felt it would. Limitations to traffic stop data collection present challenges to subsequent analysis. As a result of these limitations, we may not be able to conclude to what extent racial profiling is occurring. Regardless of the conclusions, we know there are various approaches to addressing the practice of racial profiling by Nevada law enforcement. We also know that data collection alone is simply not the answer. Lawmakers and law enforcement officials are responsible for ultimately deciding how best to eradicate racial profiling in Nevada. Mandatory policies prohibiting all discriminatory practices by police agencies are a first step. Mandatory annual training with respect to cultural diversity issues and racially biased policing could reinforce on a yearly basis the importance of this social equality issue.

Police agency chiefs have the opportunity to improve community relations by an aggressive approach to eliminating unlawful profiling. Establishing and publicizing department policies against profiling, requiring cultural diversity awareness training annually, and reaching out to minority groups concerned about becoming victims of profiling should result in improved police-community relations. Law enforcement officials should also consider providing the traffic-stop data collection statistics on agency web sites. This could serve to improve the relationship between law enforcement

officers and minority groups adversely affected by the perception and in some cases existence of racial profiling.

The debate surrounding racial profiling issues will undoubtedly continue. The lack of empirical evidence substantiating widespread profiling by Nevada law enforcement is encouraging. At the time of this study, however, the jury is still out on the AB 500 study. Evidence of disparities among races with regard to traffic stops and searches should be carefully scrutinized prior to making judgments regarding the existence of racial profiling by Nevada law enforcement officers. Given the inherent limitations to data collection, perhaps policy and training requirements mandated by Nevada lawmakers will send an unmistakable message to law enforcement that racial profiling in Nevada is simply unacceptable and will not be tolerated.

APPENDIX A – Table 1

Table 1- Statutory Profiling Prohibitions and Data Collection Nationally

STATE	STATUTE PROHIBITING RACIAL PROFILING	MANDATORY DATA COLLECTION	VOLUNTARY DATA COLLECTION
ALABAMA	NO	NONE	RACE DATA ONLY BY STATE POLICE
ALASKA	NO	NONE	NONE
ARIZONA	NO	NONE	ONE LOCAL AGENCY
ARKANSAS	NO	NONE	NONE
CALIFORNIA	YES	HIGHWAY PATROL 3YR STUDY (2000-2002) BY ORDER OF THE GOVERNOR. LAPD-FEDERAL CONSENT DECREE	SOME LOCAL AGENCIES
COLORADO	YES	STATE PATROL/DENVER AGENCIES UNTIL 12-31-04	SOME LOCAL AGENCIES
CONNECTICUT	YES	BY ALL STATE/LOCAL AGENCIES 1-1-00 TO 1-1-03	NONE
DELAWARE	NO	NONE	STATE POLICE ONLY
FLORIDA	NO	NONE	HIGHWAY PATROL ONLY
GEORGIA	NO	NONE, LEGISLATION PENDING	NONE
HAWAII	NO	NONE	NONE
IDAHO	NO	NONE	NONE
ILLINOIS	NO	URBANA PD-LOCAL ORDINANCE, HIGHLAND PARK PD-COURT SETTLEMENT	NONE
INDIANA	NO	CARMEL PD-COURT SETTLEMENT, LEGISLATION PENDING	NONE
IOWA	NO	NONE, LEGISLATION PENDING	SOME LOCAL AGENCIES
KANSAS	NO	NONE, PENDING LEGISLATIVE STUDY	10 LOCAL AGENCIES-LEGISLATIVE STUDY
KENTUCKY	YES	STATE POLICE AGENCIES PURSUANT TO EXECUTIVE ORDER	SOME LOCAL AGENCIES

STATE	STATUTE PROHIBITING RACIAL PROFILING	MANDATORY DATA COLLECTION	VOLUNTARY DATA COLLECTION
LOUISIANA	NO	REQUIRED BY AGENCIES W/O RACIAL PROFILING POLICY	SOME LOCAL AGENCIES
MAINE	NO	NONE	1 LOCAL AGENCY
MARYLAND	NO	STATE/LOCAL AGENCIES 2004-2007, MONTGOMERY COUNTY SHERIFFS OFFICE- FEDERAL CONSENT DECREE	NONE
MASSACHUSETTS	NO	ALL AGENCIES (CITATIONS ONLY) 4-1-01 TO 3-31-02	SOME LOCAL AGENCIES
MICHIGAN	NO	NONE	STATE POLICE AND SOME LOCAL AGENCIES
MINNESOTA	NO	NONE	SOME LOCAL AGENCIES- GRANT INCENTIVE TO PARTICIPATING AGENCIES
MISSISSIPPI	NO	NONE	NONE
MISSOURI	YES	ALL STATE/LOCAL AGENCIES	NONE
MONTANA	NO	BILLINGS PD-COURT SETTLEMENT 2002-2004	HIGHWAY PATROL- CITATIONS ONLY
NEBRASKA	YES	ALL STATE/LOCAL AGENCIES 2002-2004	NONE
NEVADA	YES	1 YEAR STUDY IN 2002 HIGHWAY PATROL AND LOCAL AGENCIES WITH POPULATION GREATER THAN 100,000	1 LOCAL AGENCY
NEW HAMPSHIRE	NO	NONE	NONE
NEW JERSEY	NO	STATE POLICE PURSUANT TO FEDERAL CONSENT DECREE 1999-2004, LEGISLATION PENDING	SOME LOCAL AGENCIES
NEW MEXICO	NO	HOBBS PD -PURSUANT TO COURT SETTLEMENT 2001-2004	NONE
NEW YORK	NO	NONE, LEGISLATION PENDING	SOME LOCAL AGENCIES
NORTH CAROLINA	YES	STATE POLICE ONLY, LEGISLATION PENDING	SOME LOCAL AGENCIES
NORTH DAKOTA	NO	NONE	NONE
OHIO	NO	STUEBENVILLE-FEDERAL CONSENT DECREE	HIGHWAY PATROL 2001, ONE LOCAL AGENCY
OKLAHOMA	YES	NONE, LEGISLATION PENDING	NONE

STATE	STATUTE PROHIBITING RACIAL PROFILING	MANDATORY DATA COLLECTION	VOLUNTARY DATA COLLECTION
OREGON	NO	NONE	SOME LOCAL AGENCIES
PENNSYLVANIA	NO	NONE, LEGISLATION PENDING, PITTSBURGH-CONSENT DECREE 4-96, PHILADELPHIA-COURT SETTLEMENT 3-98	1 LOCAL AGENCY
RHODE ISLAND	YES	ALL STATE/LOCAL AGENCIES, 2 YEAR STUDY 1-01 TO 12-02	NONE
SOUTH CAROLINA	NO	SPARTANBURG PD-LOCAL ORDINANCE, LEGISLATION PENDING	SOME LOCAL AGENCIES
SOUTH DAKOTA	NO	NONE, LEGISLATION PENDING	SOME LOCAL AGENCIES
TENNESSEE	NO	NONE	PILOT PROGRAM - 2001 INCLUDED 44 LOCAL AGENCIES
TEXAS	YES	ALL STATE/LOCAL AGENCIES	NONE
UTAH	NO	DRIVERS LICENSE DIVISION TO COLLECT DATA	SOME LOCAL AGENCIES
VERMONT	NO	NONE, LEGISLATION PENDING	NONE
VIRGINIA	NO	NONE, LEGISLATION PENDING	SOME LOCAL AGENCIES
WASHINGTON	NO	STATE POLICE ONLY	SOME LOCAL AGENCIES
WEST VIRGINIA	YES	NONE	STATE POLICE
WISCONSIN	NO	NONE	SOME LOCAL AGENCIES
WYOMING	NO	NONE	NONE

APPENDIX B – POLICE ADMINISTRATOR LETTER

Agency Chief
Address
City, State Zip Code

Dear Agency Chief:

I am a fellow law enforcement officer in southern Nevada. I am also a graduate student in the Public Administration Department at the University of Nevada, Las Vegas. My purpose for writing is to request your assistance with regard to a professional paper I am writing on racial profiling and data collection. As you know, officers must complete an AB 500 card upon making a traffic stop. I intend to survey officers in your Department, who are required to participate in the AB 500 data collection study.

The research project would maintain strict confidentiality of the officers who choose to participate. The intent of the research is to provide the law enforcement perspective on the AB 500 mandate as well as racial profiling in general. My observations of prior research reflect a lack of law enforcement perspective regarding this sensitive issue.

I ask you to support this academic project. I would need only the names of officers in your Department whose responsibilities include making traffic stops. I would mail the surveys to their attention at the above address. Respondents would be provided a postage paid envelope to return the completed survey.

I wish to thank you in advance for considering my request to include the Officers in your Department into my research into racial profiling. Please contact me at the above phone number if you wish to discuss this request further.

Sincerely,

Gregory M. Roehm

APPENDIX C – SURVEY COVER LETTER



Nevada AB 500 Law Enforcement Survey

Dear Fellow Nevada Law Enforcement Officer:

As you know, the 2001 Nevada Legislature established a one-year traffic stop data collection study by law enforcement. The purpose of this research project is to better understand the implications of AB 500 on Nevada law enforcement. Your participation in the survey will provide additional insight into the law enforcement perspective on the data collection requirements. You have been selected to receive a questionnaire. This survey is an opportunity for you to represent the views of more than 2,000 Nevada law enforcement Officers required to complete AB 500 cards.

Your responses to the survey will be held in strict confidence. Once the information from the survey is entered, all questionnaires will be destroyed. The surveys are numbered only for purposes of improving the response rate. No identifying information regarding individual respondents will be maintained. Absolute confidentiality will be observed. Your participation in the survey is voluntary. By completing the attached questionnaire, you are consenting to participate.

Please answer all questions candidly and promptly return the survey in the attached return envelope. It will take only a few minutes to complete the survey. Should you feel uncomfortable with a specific question, feel free to go to the next question.

It is important that I receive your comments in order to permit me to make an accurate and fair representation of the view of Nevada law enforcement Officers. Your participation in the survey is appreciated. If you have any questions regarding this research project, please contact Professor Lee Bernick at (702) 895-1068 or the UNLV Office for the Protection of Research Subjects at (702) 895-2794.

Sincerely,

Greg Roehm
Graduate Student
Department of Public Administration
University of Nevada, Las Vegas

APPENDIX D – SURVEY

**Survey of Nevada Law Enforcement-Nevada AB 500
Data Collection Requirement**

Survey Number: _____

1. How well do you understand the AB 500 card and exactly what is being asked?
 - A. High level of understanding
 - B. Moderate level of understanding
 - C. Low level of understanding
 - D. Little or no understanding

2. The level of training you have received relative to racial profiling issues and the completion of the AB 500 card was:
 - A. More than adequate
 - B. Adequate
 - C. Less than adequate
 - D. Non-existent

3. What impact has the AB 500 data collection study had on your level of traffic enforcement (Number of traffic stops)?
 - A. Enforcement has increased considerably.
 - B. Enforcement has increased slightly.
 - C. Enforcement has not changed.
 - D. Enforcement has decreased slightly.
 - E. Enforcement has decreased considerably.

4. If there has been a change in your level of enforcement, what factors influenced the decrease or increase in enforcement?

5. What influence has AB 500 had on your traffic stop decision-making?
 - A. I stop many more minorities
 - B. I stop a few more minorities
 - C. No change
 - D. I stop a few less minorities
 - E. I stop much less or no minorities

6. What impact do you think AB 500 will have on police-minority group relations?

- A. Considerable improvement
- B. Slight improvement
- C. No change
- D. Slight decline
- E. Considerable decline

7. Describe your overall evaluation of the AB 500 data collection study:

8. When the 2003 Nevada legislature debates whether to continue requiring law enforcement to complete traffic stop data cards, should they?

- A. Make data collection by all Nevada law enforcement permanent.
- B. Revise the requirement to include pedestrian/other contacts.
- C. Continue data collection, but establish benchmarks for comparison purposes.
- D. Discontinue the data collection requirements.
- E. Continue the study for an additional year.

9. How often (approximate) do you choose to give a traffic violator a verbal warning?

- A. Never
- B. 10% to 25% of the time
- C. 25% to 50% of the time
- D. 50% to 75% of the time
- E. More than 75% of the time

10. Based on your experience, what has been the impact of AB 500 on your job? (i.e.: Creates more paperwork, one more burden on police, results in an opportunity to improve police-minority group relations, increases accountability)

11. Observing other officers, what is the extent of racial profiling by other law enforcement officers you have seen?

- A. Pervasive
- B. Isolated
- C. Minimal
- D. None observed

12. How long (years/months) has your job duties included traffic enforcement?

13. What approximate percentage of your work time involves making traffic stops?

- A. 0%-25%
- B. 25%-50%
- C. 50%-75%
- D. 75%-100%

14. Are you?

- A. Male
- B. Female

15. What is your race/ethnicity?

- A. White
- B. African-American
- C. Asian
- D. Hispanic
- E. Native-American
- F. Other (Indicate): _____

Thank you for your participation in the survey. Please use the provided postage paid envelope to return the questionnaire. **All responses will be kept confidential.**

APPENDIX E – NEVADA ASSEMBLY BILL 500

AN ACT relating to law enforcement; directing the Attorney General to conduct a statistical study regarding traffic stops by the Nevada Highway Patrol and by law enforcement officers in certain counties; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 289 of NRS is hereby amended by adding a new section thereto to read as follows:

1. A peace officer shall not engage in racial profiling.
2. No retaliatory or punitive action may be taken against a peace officer who discloses information concerning racial profiling.
3. For purposes of this section, “racial profiling” means reliance by a peace officer upon the race, ethnicity or national origin of a person as a factor in initiating action when the race, ethnicity or national origin of

the person is not part of an identifying description of a specific suspect for a specific crime.

Sec. 2. 1. The Attorney General shall conduct a study of traffic stops by the Nevada Highway Patrol and in counties whose population is 100,000 or more by metropolitan police departments, sheriffs and their deputies, and city police chiefs and their officers. Each such law enforcement agency shall cooperate fully in the study.

2. To carry out this study, the Attorney General shall, based upon the recommendations of the Director of the Department of Motor Vehicles and Public Safety and the heads of the affected local law enforcement agencies, prescribe the form and manner of collecting and transmitting information regarding each traffic stop. The information required to be collected and transmitted to the Attorney General must include, without limitation:

- (a) The traffic violation or infraction alleged to have been committed that caused the driver to be stopped.
- (b) The identifying characteristics of the driver who was stopped, including, without limitation, the driver’s race, ethnicity, and gender and approximate age.
- (c) A statement of whether the immigration status of the driver was questioned, including whether immigration documents were requested by the officer or whether an inquiry was made to the Immigration and Naturalization Service of the United States Department of Justice with regard to the immigration status of any person in the motor vehicle.
- (d) The number of persons who were in the motor vehicle when it was

stopped.

(e) A statement of whether a search was instituted as a result of the stop, including, without limitation, whether consent was requested for the search or whether a particular alleged criminal behavior by the driver justified the search.

(f) A report of any items seized during a search of the vehicle, including, without limitation, a report of any contraband or money that was seized.

– 2 –

(g) A statement of whether any warning or citation was issued as a result of the stop.

(h) A statement of whether an arrest was made as a result of either the stop itself or any search conducted during the stop, and the justification for any such arrest.

3. The Attorney General may collect reports from individual law enforcement officers regarding traffic stops made by other law enforcement officers and from drivers who were the subject of a traffic stop. Any such report may be submitted anonymously, and must be kept confidential.

4. On or before February 1, 2003, the Attorney General shall compile the results of the information collected pursuant to subsections 2 and 3 and report it in statistical form. All identifying information regarding the particular law enforcement officers who made the stops and the drivers who were stopped must remain confidential.

5. The Attorney General shall submit a copy of the report to the Director of the Legislative Counsel Bureau for transmittal to the 72nd session of the Nevada Legislature.

6. As used in this section, “traffic stop” means any occasion when the driver of a motor vehicle is halted by a law enforcement officer for an alleged traffic violation or infraction, or any other purpose.

Sec. 3. 1. This section and section 2 of this act become effective upon passage and approval for the purposes of the creation of the form required pursuant to section 2 of this act, and on July 1, 2001, for all other purposes.

2. Section 1 of this act becomes effective on July 1, 2001.

20 ~~~~~ 01

APPENDIX F – AB 500 DATA CARD

NHP Traffic Stop Data

Agency Identifier				Unit Identifier							
● 2 3 4 5 6 7 8 9 0				1 2 3 4 5 6 7 8 9 0							
Sector							<input type="checkbox"/> Other				
A B C D E F G H I J K L M N O P Q R S T U V W X Y Z											
Beat				Time							
0 1 2 3 4 5 6 7 8 9 0 1 2 3 4 5 6 7 8 9				<input type="checkbox"/> 6am-6pm <input type="checkbox"/> 6pm-6am							
# of Persons (Darken One # Only)				Gender							
1 2 3 4 5 6 7 8 9 10 11 12				<input type="checkbox"/> M <input type="checkbox"/> F							
Race		<input type="checkbox"/> Asian <input type="checkbox"/> Whi. <input type="checkbox"/> Amer. Ind. <input type="checkbox"/> Blk		<input type="checkbox"/> Hisp <input type="checkbox"/> Mid E/E. Ind		Age					
						<input type="checkbox"/> <18 <input type="checkbox"/> 40-49 <input type="checkbox"/> 18-29 <input type="checkbox"/> 50+ <input type="checkbox"/> 30-39					
Race Perceivable at Initiation of Stop							<input type="checkbox"/> Yes <input type="checkbox"/> No				
Resident of Jurisdiction				Sector							
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unk				<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unk							
Reason for Stop		<input type="checkbox"/> Reactive <input type="checkbox"/> Pro-Active		<input type="checkbox"/> Criminal		<input type="checkbox"/> Moving <input type="checkbox"/> DPA <input type="checkbox"/> Non-Moving					
Disposition <input type="checkbox"/> N/A <input type="checkbox"/> Arrest <input type="checkbox"/> Citation <input type="checkbox"/> Warning											
Duration				Handcuffed							
<input type="checkbox"/> 0-15 <input type="checkbox"/> 16-30 <input type="checkbox"/> 31-60 <input type="checkbox"/> 61+				<input type="checkbox"/> Yes <input type="checkbox"/> No							
Immigrant Status Asked		<input type="checkbox"/> Yes <input type="checkbox"/> No		If YES		<input type="checkbox"/> Docs Requested <input type="checkbox"/> INS Status Check					
Arrest		<input type="checkbox"/> Yes <input type="checkbox"/> No		If YES Initial Basis was (One Only)		<input type="checkbox"/> Warrant <input type="checkbox"/> Search <input type="checkbox"/> Result of Stop <input type="checkbox"/> Other					
Search		<input type="checkbox"/> Yes <input type="checkbox"/> No		If YES (All that Apply)		<input type="checkbox"/> Driver <input type="checkbox"/> Vehicle					
Authority (All that Apply)				Traffic Violation							
Consent <input type="checkbox"/>		P&P Viol. <input type="checkbox"/>		Moving		Non-Moving					
Terry Pat Down <input type="checkbox"/>		Plain View <input type="checkbox"/>		<input type="checkbox"/> Traffic Control Device		<input type="checkbox"/> Equipment					
Incid. to Arrest <input type="checkbox"/>		PC Crim. <input type="checkbox"/>		<input type="checkbox"/> Speeding		<input type="checkbox"/> Registration					
Veh. Imp. <input type="checkbox"/>		Warrant <input type="checkbox"/>		MPH over		<input type="checkbox"/> Commercial					
				<input type="checkbox"/> 1-5 <input type="checkbox"/> 11-15		<input type="checkbox"/> Other					
				<input type="checkbox"/> 6-10 <input type="checkbox"/> 16+							
Seizure		Money/Check/CC <input type="checkbox"/>		<input type="checkbox"/> Lane violation							
<input type="checkbox"/> Yes		Drug/Para <input type="checkbox"/>		<input type="checkbox"/> Following too close							
<input type="checkbox"/> No		Firearm/Weapon <input type="checkbox"/>		<input type="checkbox"/> Failure to signal							
If YES (All that Apply)		Stolen Prop. <input type="checkbox"/>		<input type="checkbox"/> Other							
		Alcohol/Other <input type="checkbox"/>									
Driver's License		Nevada Driver's License No.				Month		Day			
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APPENDIX G-EXAMPLES OF RESPONSES TO OPEN-ENDED QUESTIONS

Question 4-Factors involved in change in level of enforcement:

Decreased enforcement to cut down on paperwork

The completing of each card took several minutes, then multiply that by number of stops, a lot of wasted down time.

Time to fill out cards, less warnings. If I have to do paper, someone is getting paper.

Filling out AB 500 cards has decreased by law enforcement activity. Then my supervisor talks to me, and wonders why my number of citations has gone down.

Enforcement has decreased due to extra time spent on completing extra paperwork generated by the AB 500, in addition to completing the AB 500 cards.

Added paperwork.

Every contact requires me to complete an AB 500 card. So I make significantly fewer stops for minor violations (verbal warnings), so as to avoid having to complete an AB 500 card.

Being accused of racial profiling.

Unfamiliarity with form at initial inception. Activity resumed normal levels once form was understood.

Taking time to fill out cards.

The time it takes after each stop to fill out the AB 500 cards.

Needing to complete an AB 500 card for each stop.

This AB 500.

AB cards are time consuming.

AB 500 takes too much time (wasted time) on data that we as law enforcement already collect on tickets and arrest reports.

The time it takes for the unnecessary parts of the requirements federally mandated-sector, beats, etc.

Decreased due to time filling out the form.

Extra time it takes to fill out the form.

Time needed to fill out the form.

The time it takes to complete AB 500. Normally, would give some warnings, but not if I had to spend extra time with AB 500.

Administration takes the violators side on all complaints. Looks to discipline officers rather than know the truth about stops.

Time it takes to fill out AB card.

Time to complete the card took away from enforcement time.

Time consuming to complete the cards.

The time it took to fill out an AB 500, I could have written another ticket for a moving violation, so it cut my stops about in half.

The time required to fill out the AB 500.

Each AB 500 requires additional traffic stop time. This time used to be used to set back up for the next stop.

Now everyone gets cited, no breaks.

Tired of being told about racial profiling.

Question 7-Evaluation of AB 500 study:

It is a big waste of time, the data collection is not accurate.

Worthless.

No great benefit, those who think themselves unjustly treated will continue thinking just that. A waste of money because anyone can manipulate the data and make an argument either way.

Creates more paperwork, time consuming.

I don't quite understand how they intend to get accurate information. They are trusting officers to fill the cards out truthfully, if they trust the officers to will complete the cards right, don't they trust that they don't profile? If an officer is bad, then the cards are a useless waste of time and paper.

Waste of time, will not change the way we do enforcement. Just another way for Hispanics to try and control us or try to scare us. You can't stop us, we will complain racism.

The AB 500 data cards do not hold the officer credible. No Id #. I work graveyard, so profiling I cannot do, its dark inside vehicle. I personally feel the cards are worthless

A good study, however, those officers who are involved in active profiling will most likely lie and falsely complete the AB 500 card. Those officers who are not profiling will complete the AB 500 card as honestly, completely, and accurately as possible. Profiling is best detected by professional supervision at the field level. If you will actively participate in profiling in this profession, then you'll actively lie and disrespect yourself and the public.

A complete joke. I can't believe a university was part of this study. Waste of time. If a study like this is ever conducted again, put officers that are actually working on the street at this present time in charge of the questions asked on the card. I.E., was the violator verbally abusive towards the officer, cooperative, what was the violator or persons perspective of the officer, especially after receiving a citation.

It was a great study but it still does not cover all areas of law enforcement.

I think that the study will be very incomplete due to other agencies not completing the requirements.

It is ok, but why just NV drivers license info. I say all or nothing.

I've been in law enforcement for 19 years. I have always treated people with respect and fairness no matter what color or race. I feel this program was a waste of time and money.

I believe this survey is a waste of valuable enforcement time. I treat all people fairly and with respect. Generally, when I see a violation committed, I don't even know what the drivers race is until I make a stop on the vehicle. Once stopped, I have already decided what I will be citing for without knowing the sex or race of the individual I have stopped. The AB 500 cards have had no effect on my decisions.

I was never trained on the AB 500 system. I do understand the need for us to identify and track our stops plus I like the idea. I would like to see an in depth program presented to our employees as to the need or necessity of this program.

I feel that filling out AB 500 cards is a total waste of time, a total waste of police resources, and totally unwarranted and unnecessary. It makes me feel that because I am a police officer, I am targeted as being a racist and I am not. The color of a man's skin is irrelevant in what I do, the corruption of a man's heart dictates my actions.

An absolute waste of time. Why, because no matter what the outcome, the police are always going to appear and be labeled as racial profilers. For example, whenever I speak with a complainant that is a minority, the conversation usually leans toward and become accusatory of a race issue. No matter what the outcome, it will appear tainted or adjusted by law enforcement.

I think it is a joke. I feel the only reason we are doing this is because some civil rights group or individuals want to feel that they are somehow championing a noble cause, when in fact they are simply creating more work for everyone, especially officers who now have one more thing to worry about. This doesn't help or change anything. It simply gives more attention to whoever is in charge of the study.

9 times of out 10 I don't see the violator until the traffic stop is started (approach). I believe they are a waste of time, all information on the cards are duplicated on citations or arrest reports.

Good idea but not enough control on how the officer completes the AB 500 form.

I think it will show that most officers do not profile.

The study was flawed due to the fact that racial profiling is not done by the NHP at large, but any data to this effect will be disputed by radical race based organizations.

Waste of time. No way to control validity of report on cards. If an officer is profiling I can't see him or her reporting themselves.

I don't think that they will ever get a truly accurate study. If people are racially profiling, and they know they are, there is nothing forcing them to fill out the cards accurately.

I personally think that whoever is collecting the data is going to be disappointed. Since I have been filling out the cards, I have noticed that the majority of people stopped are white men and women, not Hispanics or African Americans like they want to see.

A complete waste of taxpayer money.

Waste of time. They will continue and change until they get the info they want even though it doesn't exist, it will be manipulated to suit their purposes.

I think the AB 500 card is a joke and a waste of time. I think they will continue the study until they get the result there looking for. That is not a study!

Does not affect us.

It's a burden on the officers. They need to establish realistic goals and objectives that are reasonable and truthful. You can make your stats say anything.

Studies conducted in other states (Florida) showed no profiling implications involving minorities or sexual bias or age bias. I anticipate the results of this data collection to reflect data comparable to studies conducted in other states.

Waste of time. There is no profiling, just special interest groups making noise so they don't have to obey the law like everyone.

I feel the AB 500 program serves no purpose. It is a feel good program that has led too many officers deciding to do no police work. They feel it is better to do nothing than to be proactive. Proactive officers are all but gone and this was caused by politically correct agencies and AB 500 type programs. We need to act like officers, not politicians.

All info asked for is already on citation. It is a duplication of information and takes up man hours.

Doesn't improve police-minority relations. Overall, most officers do not racially profile.

A basic waste of revenue and man hours. The governor of Nevada may want to be cognizant of the fact that the average motor officer is unable to profile an individual who is traveling in a vehicle at him well above the speed limit. Said motor officer is going to have his taxes raised due to a state revenue shortage.

Waste of money, manpower, and time.

It is worthless. Only meant to please attorneys and people that think police are all racist.

I think that it is going to be biased as some patrol officers do stops then don't cite. When a cite is not issued, they don't do the card. Also, when traffic units did dui saturation and

called a car stop, AB 500 cards were not done as it was considered a directed patrol activity.

Waste of time.

If you want a study for racial profiling subjects, it should be on person stops Officers know the race of the person they stop prior to the stop. Vehicle stops 80-90% of the time, you don't know the race prior to the stop.

It is a waste of time. The only purpose for it is to justify some politicians existence.

The only thing that be found out is that Mexicans/Latinos are the biggest violators of traffic laws and the stupid liberals will take that as the police being biased when it has nothing to do with it.

It sucked. It gave people another reason to try and get out of a ticket. The only reason you stopped me for is because I am black, Mexican, or gay.

Don't think it is necessary.

Waste of time.

Waste of time for my position (Traffic) due to 99.9% of citations issued are on violation observed and not driver recognition.

Senseless waste of time and money. In the great majority of traffic stops (particularly by motor traffic officers), the race/ethnicity is unknown due to distance, tinted windows and the officers focusing initially on the actual violation.

As the old saying goes "Figures lie and liars figure." I sincerely believe these figures will be compiled, calculated, and figured in a way that will further the agenda of whatever group compiles it. Also, it was initiated for political reasons by special interest groups, of which nothing good can come.

It's a waste of time and manpower.

Not effective in any type of study. Not looking at the real problems.

Totally useless.

Waste of resources, unchanged on my enforcement practices.

Waste of time. All the info needed is on the citations that are issued and paperwork completed on arrests.

Waste of time/money/effort.

Waste of time.

It doesn't matter what the outcome of the AB 500 study. Minorities will always claim race was the governing factor for the stop. Depending on the location of your assigned area, the number of minority stops will go up or down. Racial and profiling are two separate words. Profiling is a technique used by law enforcement officers to profile criminals, not the negative term now commonly associated with racial.

The study was a waste of man hours and funds. The money could have been used for other things. I could have written more tickets.

Waste of time. Some people will feel good about it

Primarily, a waste of time, effort, and paperwork. Most traffic stops (which is the only thing measured by AB 500) are not done according to any factor other than traffic violations. Most race info is not available at the initiation of the stop.

Don't think much of it. Knee jerk reaction.

The basic questions that were to be asked stemmed from the original study were fine. It was the additional questions put on the card by our own department that made filling out the card distasteful.

It duplicates a traffic ticket.

Waste of resources.

Stinks-there must be some other way to collect this data. There are 3 years of citations stored here, why not look at that and compare?

Question 10-Impact on job

Creates more paperwork/one more burden on police.

It has been a total waste of time and the public had become the big loser due to less time enforcing traffic law, looking for drunks and overall police work. Our pay has remained the same, so I do what I am told, but for such a small minority of unhappy people (who seem to never be satisfied) we have sure wasted time, money, manpower and cheated the entire community.

Extended the time I was at risk. A number of times I could not do one because a hot call came out and/or an officer needed help. Most people did not know what was being done or care.

One more burden, time consuming.

More paperwork, the feeling of distrust, another way for officers to get into trouble.

More unnecessary paperwork. We do our job well, we don't profile in my opinion. White, black, brown, it's all the same.

I feel that if I have to fill out a card, it just as well be a citation.

Do law enforcement officers have to go through the stress of what minority group they stop? Yes, more paperwork, more burden, more duplication of work. All of the information could have been taken off of the citation including race. Something like this will never improve police/minority relations, it will always be there (conflict or no conflict).

It creates more paperwork but it is necessary to please the public.
A little more paperwork.

More paperwork and could not the same info be collected from citations issued or somehow included for verbal warnings.

No impact.

Less time for on view patrol/traffic stops due to the time spent on the AB 500 cards/other paperwork generated because of the AB 500 cards.

More paperwork.

Arguments and confusion as to why and when the cards need to be filled out. I have personally watched an employee begin to fill out a stack of cards because their boss told them they were short cards. This type of mentality makes a program useless because the

concern for a number of cards clouds the accuracy of the reporting. Although I counseled the employee, I would not be surprised if this was another inaccurate reporting system because employees are merely filling out cards to match stats.

Creates more paperwork, burdening me even more. Makes me less effective enforcing minor violations of the law. Takes me off the road at least one hour every day to fill out AB 500 cards, instead of being on the road (patrol) preventing accidents (injury and death) and preventing crime.

As a supervisor, I already have a difficult time getting out to supervise, train, lead, and be a risk manager.

Lowered my morale even further/has given me still more to worry about. I don't feel this helps my relations with minorities. In fact, I feel the opposite is true.

More useless paperwork. Fear of conducting needed investigation i.e. search if subject is minority due to fear of i.a. complaint.

Creates more paperwork and decreases on view patrol. Negativity towards survey.

Paperwork burden-longer detention of public, especially on warnings, there is no change in police/minority group relations.

More paperwork to fill out and maintain. Takes time away from actual job. Good officers wont and don't need to profile.

More of a burden especially when I don't see them as having any positive results.

Just another form that I need to remember to fill out.

Creates more paperwork for a useless study. Most tickets have the race box on them. Use the tickets to collect the data.

Creates excessive useless paperwork. One more issue to burden the troops with.

Creates paperwork and a burden.

More paperwork.

More fruitless work, without any tangible goals.

This has been a poor use of public funds and specifically statistically invalid measure in addition lacks reliability.

One more burden/data bases can be manipulated to look like whatever someone wants.

More paperwork, again-waste of man hours due to info already being on citation.

Creates more paperwork, another burden on police, duplicate info already on citation, waste of man hours.

It has reduced my productivity due to the time required to properly fill the card out.

Loss of time and enforcement.

It creates more paperwork. It will not increase accountability or improve minority relations. It does absolutely no positive. I can go to an assigned area to work where there is a high minority population and it looks racist per the AB 500. it seems it's a form for people to be able to point fingers

Creates more paperwork and can decrease productivity because of the time to fill it out.

I believe some officers wont make stops due to the extra paperwork. I don't see how AB 500 will improve police-minority group relations. I believe our department is not racial as a whole, the theory of all officers being mandated to fill out AB 500 is not right, they can find officers who are prejudice by IAB and their files.

More paperwork and it forces me to write everybody tickets.

It is another move by the liberals to get the police to do less work and to bind our hands from doing what should be done. De-policing stupid democrats thought this up to get the minority votes.

How did the AB 500 ever improve relations? Oh look, because you have to fill out the AB 500, I like you better.

Made for unsafe practices. Time spent with head down filling out paper.

No change.

A sense of mistrust and frustration that some officers have developed.

Does not increase accountability because the forms are anonymous. If anything, it stresses police-minority group relations.

Creates more paperwork and burden on police.

More burden of important time.

More paperwork. Takes longer on stops which means less stops.

Caused me to write more citations.

No impact on relations. More time and work placed on the officers.

More paperwork.

More paperwork, more burden.

Decrease in police production/handling calls for service and a waste of money that could be used to hire more officers for departments that are critically short of officers.

The city and county have received less revenue due to the fact that I write less moving violations based on the time it takes to fill out a ticket and AB 500. it cost more money for employees to do the extra work to handle all the paperwork.

Creates more paperwork, one more burden on police.

Slows down the enforcement of traffic laws by limiting the amount of stops, due to increased time spent per stop.

More paperwork, more of a burden.

Creates more paperwork and is a cause for officer safety issue if the officer fills the form out at the site of the stop.

A waste of my time.

Waste of resources.

Very dangerous to complete in darkness.

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