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Racial profiling in Las Vegas: A reexamination of police stop data in Las Vegas

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RACIAL PROFILING IN LAS VEGAS: A REEXAMINATION
OF POLICE STOP DATA IN LAS VEGAS

by

Daniel Eric Doran

Bachelor of Arts
Bowling Green State University
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A thesis submitted in partial fulfillment
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ABSTRACT

Racial Profiling in Las Vegas

by

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Racial profiling remains the subject of controversy when discussing police and minority relationships. Recently, scholars have studied this controversial issue in an attempt to determine the characteristics and extent of the problem. Although researchers have suggested possible reasons for racial disparities in traffic stop data, more information is needed to develop a more in-depth understanding of these disparities. The study presented here analyzes traffic stop data from Las Vegas during the 2002 calendar year. The study analyzes key driver characteristics and whether these characteristics influence the officer's search or arrest of the driver. The study uses univariate, bivariate, and multivariate analyses. The study finds limited support for the differential enforcement theory, although variables not available to the analyses may mitigate this result. Policy implications of the research findings are discussed.

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CHAPTER 1

INTRODUCTION

Statement of the Problem

Racial profiling is an important issue that faces the criminal justice system in today's modern era. It is important because it involves the relationships between law enforcement agencies and the minority community, two groups that have a history of conflict. While racial profiling can be discussed at all levels of enforcement, the primary focus lies on state and municipal departments. State and local police officers have the most intimate relationship with citizens; therefore state and local police departments are the agencies that scholars have focused their efforts on while conducting research. Racial issues and the criminal justice system are not new, however "racial profiling" has emerged as a separate issue.

Many in the minority community feel that police officers are profiling them on the roadways and detaining them more frequently, leading to more searches than their white counterpart (Tomaskovic-Devey, Mason and Zingraff 2004; American Civil Liberties Union 1999). Many researchers and scholars have named this occurrence as "Driving While Black" (Tomaskovic-Devey, Mason and Zingraff 2004) or "Driving While Different" (Withrow 2004). By analyzing the prior research there appears to be several possible causes for race disparities when analyzing traffic stop data. One cause is

the presence of racial profiling by biased officers. As society progresses into a more tolerant society this appears to hinder this explanation for cause. The police have implied that different driving patterns between the races, increased knowledge of crime trends throughout the city, and most importantly different organizational tactics can be used to justify the racial disparity in traffic stops. Studies conducted in North Carolina and New Jersey through research and analysis has shown that this may be the best explanation for this phenomenon.

The study presented here will analyze previous data that was conducted in the 2002 calendar year. The previous study which the data draws upon analyzed major police departments' traffic stops throughout the entire state of Nevada. This study will solely focus on the traffic stops conducted by the Las Vegas Metropolitan Police Department (LVMPD)¹ through that calendar year. The goal is to examine the actions of the police after the traffic stop has occurred. This study will be used to analyze whether the drivers characteristics influence the LVMPD officers to conduct a search or an arrest. This draws upon the differential enforcement theory which is has been used to explain the difference in arrest rates among individuals of different races and officer's use of force (Flowers, 1988). It can also be used to explain racial profiling because the theory focuses on the different enforcement of the law among individuals. For this study hypotheses will be derived from the differential enforcement theory which will contend whether officers will enact different judgment and use different amounts of discretion in their enforcement of the law against minorities. The different amounts of police discretion is in close relation to racial profiling because the officers use their discretion to select which

¹ The Las Vegas Metropolitan Police Department (LVMPD) has jurisdiction throughout Clark County. However, the cities of North Las Vegas and Henderson have their own police departments therefore the LVMPD does not patrol these portions of Clark County.

individuals they are going to detain. This analysis of police traffic stops will analyze the officers' actions once the stop has occurred. It will not be able to account for the officer's initial decision to detain the vehicle. As a result of the analysis it is hypothesized that this study will show if there is a differential enforcement of law between the races, which may identify the existence of racial profiling as a possible issue the Las Vegas Metropolitan Police Department should take into consideration.

The social significance of this research study is that it may produce better evidence as to whether or not racial profiling is an issue in the city of Las Vegas, Nevada. The goal of the research is to determine if there are racial disparities, identify them, and suggest new implications that may reduce any racial bias that may be present.

CHAPTER 2

REVIEW OF LITERATURE

Previous Contributions to the Racial Profiling Debate

Racial profiling is not a new issue facing law enforcement officers and the criminal justice system. Racial problems between law enforcement agents and minorities have existed dating back to the abolishment of slavery in the 1860s. The hostility between African Americans and the police, who are sometimes perceived as representatives of the majority (Weitzer and Tuch 1999), has continued through the civil rights movement into today's modern era. Other minorities while trying to strive for equality in this country have also shared this hostility towards the police (Weitzer and Tuch 2002).

Recently, within the last ten years, the racial profiling topic has received a lot of attention from scholars and researchers as to its prevalence on America's roadways. The main cause for this increase in research has been findings that suggest a disproportionate number of minorities are being pulled over on the roadways by law enforcement officers (Smith and Petrocelli 2001). Two states in which police tactics were identified as racial profiling were New Jersey and Maryland (Maxfield, et al. 2005; Gaines 2006). In fact, it was stated by Maxfield, et al. (2005) that some New Jersey law enforcement officers admitted to incidents of racial profiling. Some research has suggested that racial

profiling was spawned from criminal profiling and that federal agencies may be responsible for these biased ideas (Harris, 2002). Statements by some of the officers of the various New Jersey police departments have called attention to this phenomenon, allowing other scholars to conduct their own research. The results of Maxfield et al. (2005) provide many different explanations as to why there are racial disparities when analyzing traffic stop data.

The research begins with the attitudes minority Americans have towards the police. They are attitudes that may be explained by the conflict theory which involves a feeling of repression by another group. Many characteristics are shown to play a role in the attitudes individuals display in reference to the police. One unique characteristic is the socioeconomic status of an individual, which may actually produce positive attitudes towards the police especially among minorities (Smith, Graham, and Adams 1991).

Minority Attitudes and the Police

The attitudes of minority Americans, particularly African Americans, are very important to acknowledge because it explains the debate from the citizen's standpoint. The negative attitudes placed on law enforcement officers are shared by many in the minority communities may cloud the judgment of these people when discussing the legitimacy of their traffic stop. The result is that the police by enacting police tactics look racist. The encounters between the police and the minority citizens on the roadways pose some problems that do not exist between whites. Due to the fact that most officers are white, (Maguire and Pastore 1997; Lundman and Kaufman 2003) African Americans and other minority groups may be reluctant to extend compliance with the officer because that officer's position resides in a system that favors whites (Sykes and Clark; 1975).

A similar idea can be expressed in a classical criminology theory called the conflict theory. The conflict theory contends that the police as well as other criminal justice agencies are entities controlled by the dominate group which protect that groups' interests (Weitzer and Tuch1999). This can also be used in order to explain why minorities may be reluctant to give compliance to the officer. The minorities view themselves as the subordinate group and view the police as controlling instruments of the dominant group. The minority's reluctance to comply leads the officers to act in an aggressive manner. Due to the heightened level of officer aggression, African Americans and other minorities express more unfavorable views about the police, and state that they have observed or received more wrongdoing than white individuals (Decker 1981, Flanagan and Vaughn 1996; Weitzer and Tuch 1999).

Socioeconomic status among the races may also be an issue that could affect the attitudes toward the officers and their perception of the traffic stop's legitimacy. The research suggests that white, upper to middle class Americans view the police in a more favorable manner and are more likely to view their stops as legitimate (Lundman and Kaufman 2003). Generally these individuals have fewer encounters with the police and are subjected to less harassment. Some studies have analyzed minority communities and their socioeconomic status. Smith, Graham, and Adams (1991) found that middle class African Americans view the police more positively than do lower class African Americans, which may reveal some insight as to how socioeconomic status may play a role in minority attitudes. It is possible that middle to upper class African Americans do not receive the same treatment as they would in lower economic neighborhoods. They live in more affluent neighborhoods that do not generate the equal amount of police

involvement thus providing fewer hostile encounters with the police. It is also possible that the middle to upper class minorities, with a higher educational level, show more respect to the officer thus avoiding a hostile situation.

Lundman and Kaufman (2003) also stated that gender and age can be combined with race when looking at minority attitudes toward the police and the traffic stops legitimacy. According to the study both men and young individuals perceived their stop as being less legitimate which may prone minorities to act disrespectful to the officer.. The combination of the characteristics youth, gender and race may then increase the likelihood of harsh police treatment, especially for young black males, because they are more likely to act aggressively and disrespect the police (Smith, Visher, and Davidson; 1984). Once the officer is shown disrespect, he or she may be less tolerant of the individual's behavior. The result of the encounter may be a possible search of the vehicle or the individuals occupying the vehicle. The driver may find the actions of the officer as less legitimate and feel that the police are racist or enacting racial profiling. Warren et al. (2006) found that the North Carolina Highway Patrol enacted their search procedures based on the driver's behavior. The NCHP also stated in reference to the initial stop, it would be too difficult to base their decision to detain on race because drivers were traveling too fast and their race could not be perceived by the officers. The issues of racial attitudes towards the police and perceived legitimacy are important because they help explain why some minorities feel that they are being racially profiled.

Pretextual Stops

A majority of the drivers on the nation's roadways commit infractions (Harris, 2002). A police officer can pull over an individual on the road for a number of

infractions that may occur while commuting on the roadways. Some of these infractions may include: driving too fast or too slow, improper tread on the tires, not signaling properly, expired license plates, and even window tint. A police officer's judgmental eye can find an infraction with almost any driver, especially if the officer suspects the vehicle of criminal suspicion. This is where pretextual stops enter the debate. A pretextual stop is a stop in which an officer pulls over a vehicle due to a traffic violation; however, their motive is to conduct an investigation of that vehicle or vehicle's occupants because the officer suspects criminal activity (Gaines, 2006). The United States Supreme Court has ruled on the use of pretextual stops in the case of *Whren v US* (Harris, 2002) and found that pretextual stops are legal if the officer can prove that his stop was grounded in some sort of traffic violation. Specifically, in the *Whren* case, an officer in an unmarked police vehicle pulled over an individual and found crack cocaine on the individual. The cause for the officer's rise in suspicion prior to the stop was that the vehicle was sitting at a stop sign for a long period of time and then suddenly sped off at an unreasonable speed. The officer defended his actions by citing a local law requiring drivers to devote full attention to the road while driving (*Whren v U.S.*, 517 U.S. 806 (1996)). The use of pretextual stops therefore is legal; however, some argue that this has led to discrimination and a racial disparity among drivers that are pulled over.

After the ruling of the *Whren* case other cases have aided or protected the use of pretextual stops. In the case of *United States v Armstrong*, 517. U.S. 1480 (1996), the court ruled that disparities in conviction rates were not unconstitutional. Therefore one would assume that the legal theory would also apply to traffic stops. In another case, *Chavez v Illinois State Prison* (2001) the court stated that in order for a plaintiff to be

defended in an equal protection suit, the plaintiff must prove that the officer's actions were discriminatory and the outcome was discriminatory (Gaines, 2006). These cases further supported the use of pretextual stops made by officers who were acting in a proactive manner while looking for criminal activities. Cases such as these make it more difficult for plaintiffs to claim that their rights are being violated. The stops are justified through cases such as *Whren*, yet the traffic stops do not appear to be equal. This leads to an assumption that minorities may practice more unsafe driving pattern when compared to white drivers, an issue that will be explored in further detail later in this study.

Another possible explanation could be police tactics or the officer's individual characteristics. First, however a brief history about racial profiling and how it was developed.

What is Racial Profiling and What are Its Origins

Racial Profiling is not a new concept to the criminal justice and social world. The specific term "racial profiling" may be new; however, the police actions are not. Racial profiling stems from a policing tactic called "criminal profiling" which both police officers and other law enforcement agencies have been using for decades. Criminal profiles are used to describe possible individuals that are most likely to be involved in criminal activity. The profiles are comprised of facts and information gathered from previous arrests and other agencies' acquired intelligence. The departments do this to prevent overzealous officers from relying on gut instinct or wishful thinking when looking for criminal activity (Harris, 2002). One officer that made criminal profiling very popular was a Florida state trooper. The Florida trooper, used criminal profiles to catch drug couriers during the 1980s. One key issue the officer consistently reiterated

was that race was never an issue. The officer felt that there was no reason to center the department's attention on African Americans or Latinos because a majority of the upper level drug dealers were white. This changed, however, when the DEA and other government agencies began using his tactics in Operation Pipeline.

Operation Pipeline was a nation wide crackdown of drug couriers on the country's highways. One of the first racial profiling cases occurred in 1985 during this operation (Harris 1999; Engel, Calnon, and Bernard 2002). The goal of this mission was to intercept a flow of drugs from Miami that was being transported to the Northeast section of the country on Interstate 95. Profiles were developed and officers were trained as to what to look for while patrolling the interstate. Although this is just one specific case many of these operations were conducted all across the country. The DEA aided the spread of the criminal profiling tactics as they instructed officers throughout the country to use these tactics in determining whether the vehicle's occupants fit the description of a drug courier. Harris (2002) stated that DEA officials rejected the notion that they instructed training officers to use race as a factor in a criminal profile. The DEA, however, contradicted itself when it supplied information to the officers certain ethnic or racial characteristics of the narcotics organizations and distributors. The mixed messages by the DEA and other federal agencies may have further contributed to the targeting of minorities during pretextual stops while on the roadways (Harris 2002). The result may have been the birth of a new problem in the interactions between the police and minority individuals.

Racial profiling as specifically defined by Ramirez, McDevitt, and Farrel (2000) occurs when police initiate actions that rely on race, ethnicity, or national origin rather

than information or actual criminal behavior. When evaluating this definition two factors need to be discussed. Due to the fact that the stops are based on race, ethnicity, or national origin the police encounters need to be proactive. This means that the officers need to initiate the stop. The officers need to be on the streets in search of criminal activity. Reactive police encounters means officers are reacting to calls or actions by drivers. Some examples of these would be a DUI, where the driver is clearly intoxicated, calls for service, or responding to an accident, they require minimum police discretion therefore racial profiling is not present. The second key factor is that the officer must use the citizen's race, not behavior, as an indicator of criminal suspicion (Novak 2004). The driver's behavior and response to the detaining officers' commands may give the police probable cause which then furthers the possible investigation. There are two types of racial profiling that have been defined by scholars. The two types of racial profiling arguments are out of place racial profiling and traditional racial profiling. Both are important to discuss because they affect all drivers, not just the minority community.

The first type of racial profiling affects both the minority and white communities. This type of racial profiling has been labeled out of place or race and place racial profiling (Fagan, Dumanovsky, and Gelman, 1999, Meehan and Ponder 2002, Warren et al. 2006). Some possible explanations for this type of profiling may be changes in technology and society. Society changed in the late 50s and early 60s with the migration of businesses and white citizens from urban to suburban areas (Meehan and Ponder 2002). The term "white flight" is often associated with this occurrence. The businesses that moved included everything from retail to industry. Highways were then constructed and people began relying on personal transportation rather than public transportation. These

events began to draw minority Americans out of their urban neighborhoods to white suburban neighborhoods because that is where employment opportunities and entertainment were available (Novak, 2004). Although Americans have the right to travel anywhere they desire it does raise suspicion among individuals when someone, who does not reflect the community's demographics, is passing through their town or neighborhood. Often this phenomenon is displayed in motion pictures when a traveler is detained by an officer because that person does not fit in. This occurrence can happen to both white and minority citizens. Withrow (2004a) found that police are just as likely to detain a white individual while traveling through a minority community. The finding here presents evidence that the out of place profiling is affecting both white and minority communities.

According to MacDonald (2001) when discussing traditional racial profiling there are two types of racial profiling that may occur on the roadways. The first type of racial profiling is "hard" racial profiling. Hard racial profiling occurs when an officer strictly uses race as a predictor of criminal suspicion. The second type of racial profiling is called "soft" racial profiling. Soft racial profiling is when an officer uses race as one of the predictors of criminal suspicion (MacDonald, 2001). There is no doubt that "hard" racial profiling is wrong and police agencies throughout the country should ban these practices. The second type of racial profiling, however, raises the question, "Is this still considered racial profiling or effective policing?" When an officer pulls over an individual there are a numerous amount of factors they must analyze. Race in close proximity with gender may be the easiest factor to internalize because they can be easily identified.

According to Harris (2002), officers have been instructed to look at numerous amounts of factors once a vehicle has been detained. Some of the factors officers may look for may be as general as the gender, age, and race of the individual or individuals in the vehicle. Other factors may get as specific as: the types of clothes they are wearing, a spare tire in the backseat indicating possible drugs hidden in the trunk compartment, garbage such as food wrappers on the floor of the car, which shows long driving hours, and whether the vehicle is registered to the driver. The behavior of the vehicle's occupants can also be assessed when detaining an individual. The avoidance of eye contact with the officer as well as the lack of familiarity of the driver with the other individuals in the car is an immediate red flag of criminal suspicion.

The preliminary list of variables shows that race may be an identifier when looking for criminal suspicion however there are a whole assortment of secondary factors an officer assesses when deciding to conduct a search. Initially the officers are justified in making the stop due to the driver's violation as minor as it may be. At this time race is not an issue, the officers are justified because the driver committed an infraction. The stop is also recorded by a mounted camera in the squad car which a majority of police vehicles in this country are equipped with provides video display of the violation and solidifies the officer's reason for the stop. Once they have reached the vehicle the preliminary factors (race, gender, age) are easily assessed based on the officer's perception; however, if the secondary factors (unique traits to the vehicle or situation) are also discovered can this be considered racial profiling? Some individuals may feel it is because race is being used as a factor; however if other factors such as the spare tire in the back seat or excessive garbage in the vehicle are discovered leads to an effective stop

that is effective policing. Some scholars have hypothesized as to the cause for disparities. These causes range from police organizational tactics and officer prejudice, to the drivers themselves (Maxfield et al. 2005, Warren et al. 2006). All of which provides some input as to why minorities might be detained at a disproportional level.

Explanations for the Racial Disparities

Scholars and researchers who have focused their attention on racial profiling have been able to come up with a wide range of explanations as to why there are racial disparities when analyzing traffic stops. Some of the explanations focus on the officers and organizations' tactics, such as police deployment, (Warren et al. 2006) while other researchers have looked at the driving practices of minorities (McDonald 2001, Maxfield et al 2005). There is no distinctive answer as to why there are racial disparities when looking at traffic stop data. However, each explanation deserves consideration when discussing this topic.

One of the first explanations for racial disparities in traffic stop data and the racial profiling is the actual racial profiling of motorists. This explanation faults the officers as being racially biased and pulling over individuals solely based on their race, ethnicity, or national origin. These officers are given the nickname "bad apples" (Tomaskovic-Devey, Mason, Zingraff 2004, Warren et al 2006). There is evidence in the New Jersey study conducted by Maxfield and et al. (2005) that these officers do exist. In their report Maxfield and associates (2005) stated that some officers admitted to racially profiling drivers on the New Jersey highways. In fact, New Jersey along with Maryland were two states that made racial profiling an issue for scientific study. Police departments have tried to prevent this occurrence through polices and strict pre employment screening.

Departments throughout this country try to predict whether officers are racist or prejudiced against a group of people through pre-employment testing. Many departments are enacting zero tolerance policies in which the officers are sanctioned if they are caught in a racist act against a citizen, in this case a motorist. Still, the fact that some officers may be bad apples is a reality police departments face with no definitive solution. There will always be officers who enact bad judgment as well as racially motivated behaviors.

One key component that may hinder this argument stated in both Schuman, Steeh, and Bobo (1997), as well as Warren et al. (2006) is the decline of the racial attitudes in this country. A General Social Survey conducted in 1996 reported that 10% of white respondents believed that there were differences in types of occupations because minorities had more difficult time learning (Schuman, Steeh and Bobo, 1997, Warren et al. 2006). This was compared to 26% of white individuals' feelings in 1972. The survey also reported that whites had a 33% disapproval rate in 1996, compared to a 73% disapproval rate in 1972, to interracial marriages. These are two examples of how the racial attitudes among individuals have progressed over the past few decades. As previously stated because societies ideas of race has changed so to have the police. The police officers were members of society before they became officers therefore their ideas should reflect the rest of society.

There have also been studies of minority officers and their relationships with minority citizens. A study by Sun and Payne (2004) suggests that black officers are consistent with white officers in their enforcement. In fact, they also state that if anything minority officers treat minority suspects more aggressively. Sun and Payne (2004) state that minority officers are first socialized into the police culture which causes

them to look at themselves as an officer first and not a minority. Therefore, the police actions tend to be consistent among white and minority officers. Sun and Payne (2004) also state there are other factors that contribute to this cause of action. The first reason is because minority officers are not always accepted by minority citizens in the community. Another explanation Sun and Payne (2004) provide is that the economic and status improvements of the officer detaches them from the minority community. The officer may also act aggressively because they want to ensure that they are not “one of them.” (Sun and Payne 2004). Regardless of this finding the progressive growth of society and its views on race make the argument of “bad apples” existence relatively small.

The second possible explanation discussed by Warren et al. (2006), for the racial disparities in traffic stop data and searches stems from cognitive bias, which officers may enact when detaining minority drivers. The difference between this and the “bad apples” argument is that these biases are not blatant racist actions. Social cognition theorists state that in order to manage a large amount of data people generally place individuals into some sort of category (Warren et al. 2006). The officers patrolling the local roads or highways must process information at incredible rates of speed in various amounts of different settings. The officer may be given a few specific traits such as hair color, or visible scars or tattoos; however, these traits are not traits an officer can assess in a quick amount of time. Traits like race, gender, and age are identifiers that are immediately assessed once an officer detains an individual or passes their view while on the roadway. It is possible for stereotypes to become active without the officer even realizing it (Warren et al 2006). The stereotypes they employ may be linked to criminal suspicion or previous experiences. They may also be derived from the department’s tactics. It was

previously stated that it was possible government agencies, during the Operation Pipeline drug interception mission, may have influenced the use of race as a predictor of crime (Harris 2002). The result of these actions may have implanted stereotypes in the officers' subconscious, which may persuade officers to be more judgmental of minority drivers. Meehan and Ponder (2002) analyzed this issue in their study as to the frequency drivers are queried while driving through different sections of the city. They found that African Americans were twice as likely to be queried when compared to white drivers, especially when they were in a sector of the city that was not representative of their racial characteristics. This suggest that not only does out-of-place driving arouses more suspicion in the officer but cognitively the officers are enacting biases because the minority does not fit into the areas demographics, hence more queries. The finding presented here references the out of place argument presented earlier in this report.

The third explanation for the racial disparity in traffic stop data is officer deployment. Officer deployment provides one of the more reasonable explanations as to why a disproportionate number of minorities are pulled over on America's roadways. It would be unreasonable to think that officer deployment was equal throughout a city. Sherman and Weiburd (1995) stated that police were aware that there are certain areas of the city where crimes are more likely to take place. These places or areas are given the label of "hot spots" (Sherman and Weiburd, 1995). This results in a higher concentrated effort of law enforcement in these neighborhoods. The neighborhoods that produce these high crime rates are usually urban, economically deprived, minority communities. Thus, the police are more likely to be found in these communities due to the need for

enforcement. They are more likely to have contact with the neighborhoods residents who are minorities and this produces more minority traffic stops.

The officers that patrol these communities often enact a proactive style of policing, due to the fear many citizens may have when talking to the police. Proactive policing as previously defined, is when officers take initiative to seek out criminal behavior. Many times their tactics may be aggressive and harsh when dealing with the minority community (Anderson 1999). These aggressive and harsh actions toward minorities are unfavorable, which may cause minorities to believe that they are trying to be controlled by the police. The Government's War on Drugs has also aided this perspective in that a majority of the drug enforcement efforts are concentrated at street-level dealers and users (MacDonald, 2001). These individuals are easier to catch and are more prevalent on the streets than the white drug kingpins (Harris, 2002). By committing drug crackdowns, the officer's criminal suspicion of minorities increases.

When discussing the racial profiling issue and profiling on highways, officer deployment may also be a huge factor in the disproportionate numbers of minority stops. The New Jersey study conducted by Maxfield et al. (2005) stated that there was a greater need for enforcement in the southern portions of the state due to the heavy traffic volumes. The study also stated that minorities were more likely to use these roadways, thus increasing the chances for their detainment. The deployment argument was also examined in the North Carolina study conducted by Smith et al. (2003). The officers were sent to high incident areas on the roadways to control traffic and prevent law breaking activities. Many of these high incident areas are used by minority drivers; therefore, they too had a greater chance of being pulled over. The deployment of the

officers in response to the need for assistance and enforcement shows that the high crime areas which minorities inhabit may be the cause for the disproportionate traffic stop statistics and race does not even play a large role. It is merely a coincidence.

Driving tendencies among the different races also seems to provide some insight into the racial profiling debate. In the state of Florida, African Americans accounted for 11.7% of the driving population; however, accounted for 15.1% of traffic violations (American Civil Liberties Union, 1999). The National Highway and Traffic Safety Administration stated that African Americans nationally accounted for 10% of the driving population, yet they accounted for 13% of drivers in fatal accidents and 16% of the drivers in injury accidents (MacDonald, 2001). Random national surveys of drivers conducted in the state of Illinois in 1973, 1986, and 1996 found that black motorists were twice as likely to resist breathalyzer tests compared to whites and have a higher motorist fatality rate when compared to whites (MacDonald, 2001). The result of this data shows that it is possible that minority drivers, especially African American drivers, engage in more dangerous and illegal driving practices.

In the New Jersey study conducted by Maxfield and his associates (2005), analyzed the rate of speed minorities were traveling at when detained on the highway. The information compiled from the Moorestown patrol charts showed that black drivers have a higher rate of being stopped for speeds exceeding 90mph compared to those who speed somewhere between 80 and 89 mph (Maxfield et al., 2005). This finding correlates with a finding by Warren and associates (2006) which states that African Americans were more likely to drive 10 mph over the speed limit. Generally most people speed especially on the highway. The officers generally give some leeway to the drivers and how fast

they travel on the roadways; however, is it possible that African Americans drive too fast, which perpetuates the officer to make a traffic stop. The previous research provides evidence for this occurrence. Another example of unsafe driving practices occurred when Maxfield and his associates (2005) analyzed the Youth Risk Behavior Surveillance System (YRBSS) that was conducted by the Center for Disease Control (CDC). The U.S. Department of Health and Human Services administered a questionnaire to a group of high school students, from grade 9-12. The questions asked the high school students certain topics that pertain to driving or being in a car with another driver. One question that was closely studied was the use of safety belts. The CDC YRBSS stated that blacks and Hispanic students had a higher rate of not wearing a safety belt or being in a car when someone was not wearing a safety belt than white respondents (Maxfield et al., 2005). This shows that it may be possible that minorities may have a greater likelihood of disobeying basic traffic rules.

In Wilson and Kelling's (1982) "Broken Windows" theory they stated that a possible solution to serious crime was to start small with minor offenses like turnstile jumping. The result of this action plan was less graffiti and loitering in the New York subways. The same principles can be applied to traffic laws. If drivers do not follow basic safety laws, they may also be involved in more serious infractions which are more likely to come to the attention of the police. If minorities are more likely to commit these infractions, this would then cause officers to detain minority individuals more frequently. The Wichita study found that across all races a majority of the stops (53.3%) was for traffic violations (Withrow, 2004b). These finding suggests that officers are enforcing the rules of the road. The second cause for officer citizen interactions was for accidents

that have occurred on the road which is consistent with prior research. It was stated however that vehicle equipment malfunctions were the third cause for driver detainment. There has not been much research conducted on vehicle malfunctions in reference to police stops; however it raises an important issue. Could socioeconomic status play a role in police stop data? Minority citizens are disproportionately represented in the lower portion of the socioeconomic category. Minorities, therefore, are more likely to drive older cars that may contain rust, cracked windshields, and broken tail or headlights. It is possible that the older more dilapidated vehicles attract more attention and give officers a reason to stop the vehicle. According to Warren and associates (2006), they found this to be true. In their study they found that the drivers who drove older cars were more likely to be pulled over. In fact their chance of being pulled over increased with every year the car aged. The finding by Warren and associates (2006) shows that race may not even be an issue when officers are stopping vehicles. The condition of the car may be the first factor that causes suspicion in the officer because it is in plain view. By combining this finding with the finding that most drug couriers are found traveling in older more dilapidated vehicles, it is understandable that older vehicles set off red flags to officers. It is possible that officers see these vehicles and base their suspicion of criminal intent solely on the vehicles appearance.

Limitations of Previous Racial Profiling Studies

One key issue that is continuously discussed when conducting racial profiling studies are the limitations these studies possess. The limitations that racial profiling studies possess may provide the best information as to why there are racial disparities when analyzing traffic stop data. In fact, the previous studies in New Jersey, North

Carolina, and Wichita, Kansas all stated that the limitations may be the best indicator for racial disparities on the roadways. These limitations vary from the methods in which the data are recorded to the benchmarks the data are compared to when it is analyzed. The following portion of this report will discuss these limitations and how they may affect the results of racial profiling studies. This section will also provide some new methods that may aid in the exploration of this topic.

One of the first limitations to previous racial profiling studies is the use of police reports as a source of data. The study conducted by Gaines (2006) in Riverside California used police data as its source of information when examining racial profiling. The benefit of police stop data is that it provides information of the interactions between the officers and the drivers. The limitation to police stop data use is that it may be underreported and/or incorrectly recorded. Police officers are not social scientists, and therefore the information they record may not be done using systematic procedures. In fact, if officers are engaging in racial profiling tactics it is very unlikely they would report these encounters due to the ramifications of their actions by the department. The second limitation which Gaines (2006) points out is that officer data is dependant upon the officer's interpretation. When an officer detains an individual on the roadway they ask the driver for license and registration. The gender and age characteristics can be determined through the officer's perception and is supported by the driver's license or identification. Race, however, is subjected to the officer's perception. There are no labels placed on a driver's license or any identification for that matter that displays the driver's racial class. Therefore, the driver's race can be misinterpreted thus providing invalid data and findings.

Another issue when analyzing police stop data is that it does not provide information as to the majority of drivers that are not stopped by the officers. Many times the stops that are committed on the roadways are dependent on the officer's discretion, meaning they decide who they are going to stop. The video cameras on the dashboards of the police vehicles provide justification to the stops however; the cameras do not explain the officer's internal decision to detain (Maxfield et al., 2005). Due to the fact that a majority of the drivers commit driving infractions (Harris, 2002) the officers initial decision to detain can not be explained. The result of this may be inconclusive findings that really do not answer the question as to racial profiling's existence involving the initial stop.

The second method of data collection used by scientists when conducting racial profiling studies are self report surveys. Warren et al. (2006) enacted this method when attempting to analyze racial profiling's existence in North Carolina. Their study of the North Carolina State Highway Patrol, as well as other local police departments, relied on the North Carolina Highway Traffic Study's driver survey. The survey was conducted via telephone of drivers who just recently applied or renewed their driver's license. The authors identified two problems with this survey technique. The first limitation to the driver survey was that people may underreport their interactions. Warren et al. (2006) stated that they were concerned with reporting errors because people may underreport their violations due to embarrassment of their violations. The second limitation found in this study pertains to the group of drivers used in the study. The drivers that were contacted had recently renewed or applied for their license. The renewed drivers provide relatively no issues. However, the drivers who just recently applied for their license are

problematic because these drivers may be young and inexperienced. These drivers pose a threat to the findings because their responses are not representative of the general population. They do not have a lot of driving experience; therefore, they can not provide detailed responses to some of the questions because they are a novice driver.

The most reoccurring limitation while discussing racial profiling is the issue of proper benchmark or baseline. The question many scholars and social scientists have debated is that once the traffic stop data is obtained what should it be compared to? Many of the previous studies have compared it to Census data, whether it is national or state figures. The researchers have used this data because census data provides population statistics for a specific area. Gaines (2006) used the California Census statistics in his study when looking for racial profiling in the city of Riverside, California. Withrow (2004a) used the US Census Bureau Statistics when conducting his research on Wichita drivers. The argument against the use of census data is that the traffic stops do not represent the areas population. This is especially evident with traffic stops that occur on highways.

Many of the racial profiling studies have been conducted on highways. Highways were constructed as roads of travel from one destination to another at relatively fast speeds. The highways and especially toll roads (i.e. turnpikes) do not demographically represent the area they are constructed upon. In fact, they represent an exterior section of the city or district because they generally contain people who are traveling a great distance. It would be unreasonable to think that a person would drive on these roadways to go to a grocery store or retail store. The issue of toll roads or turnpikes where Maxfield and associates (2005) conducted their research supports this limitation. They

state that it is unreasonable to think that the drivers on these toll roads represent the individuals that live in that area because those people would have relatively no use for that specific road. Therefore, the residents should not be used as a baseline. One alternative baseline or figure researchers may want to use is a baseline of traffic violators. This baseline still poses a problem because officers could still be profiling drivers. The benefit of this baseline is that it narrows the population down and eliminates the demographic figures of an area. Researchers could compare the traffic stops on a year to year basis and look to see if the racial patterns are consistent. It is unlikely that the states demographics would change dramatically in one year therefore the states racial demographics would not be a major limitation. If minorities are stopped equally when comparing the two years selected years and a traffic violation had occurred it would show that officers are basing their decision to stop on the violation.

The racial profiling studies that have been conducted have all provided some input as to what is exactly occurring on the roadways of America. The studies provide a large amount of explanations as well as limitations that need to be considered in order to decipher what is true and what is not. Still, extensive research needs to be conducted in order to obtain a better explanation. The analysis that will be conducted in this report will attempt to explain this phenomenon in the city of Las Vegas, Nevada.

CHAPTER 3

METHODS AND DATA

Racial Profiling Data in Las Vegas, Nevada

This study will examine the existence of racial profiling in Las Vegas by drawing upon data obtained by a traffic stop study conducted in 2002. This study, which was eventually submitted to the Nevada Attorney General, analyzed police stop data throughout the entire state of Nevada (McCorkle 2002)². The study was conducted in response to Assembly Bill 500, a bill that prohibited officers within the state from racially profiling drivers. The data elements were collected between January 1, 2002 and December 31, 2002. The police officers throughout the state were required to fill out an information form regarding demographic characteristics of the drivers and passengers as perceived by the officer as well as other key components of the traffic stop. Some of the components recorded were the duration of the stop, whether a search was conducted, whether contraband was found, and the types of contraband found. The officers then submitted the forms to the researcher and the data was entered into a database to be analyzed.

The first research question this study intends to address is “Do the drivers characteristics such as race, gender, and age influence an officer to proceed with a search

² McCorkle's study analyzed every police department in the state of Nevada where the population exceeded 100,000 people. McCorkle conducted a bivariate analysis using various independent and dependent variables. The current study focuses on the traffic stops conducted by the Las Vegas Metropolitan Police Department (LVMPD) and use both bivariate and multivariate analyses.

once the vehicle has been detained?” The second research question is “Do the same drivers’ characteristics play a role as to whether or not an arrest will be made?” Due to the fact that this research will be tested against the differential enforcement theory two hypotheses have been formed. The first hypothesis is that minority drivers will be subjected to more searches than their white counterpart. The second hypothesis is that traffic stops involving minority drivers will more likely result in arrest than their white counterpart.

The five independent variables that will be used for the first research question will be the nominal variables race, gender, age, time of day and the number of individuals present in the vehicle during the detainment. The variables used in this study were chosen because they represent not only the characteristics of the driver but also external characteristics of the traffic stop that may also have influenced the outcome of the stop. The variables presented in the table below displays how the independent and dependent variables were coded for analysis.

Table 1: Dependent and Independent Variables

Dependent Variables		Codes and Values
Search (Hypothesis 1)	0= No 1= Yes	
Arrest (Hypothesis 2)	0= No 1= Yes	
Independent Variables		
Male	0= No 1=Yes	
Youth	0= Over 30 1= Under 30	
Race	0= White 1= Nonwhite	
Time Of Day	0= 6am-6pm 1= 6 pm-6am	
Number of People in Vehicle	0= 1 person in vehicle 1= 2 or more people in vehicle	

For analysis purposes, dummy variables were created for the independent and dependent variables. The units of analysis are the traffic stops conducted by the officers of the Las Vegas Metropolitan Police Department. The human subjects' identities are protected due to the fact that this is a secondary data analysis and there are no unique identifiers accounted for in this data analysis. The subjects therefore are anonymous.³

Univariate, bivariate, and multivariate analyses will be used in this research. First, frequencies will be ran on the variables of interest: race, gender, age, time of day, the number of individuals in the vehicle during the detainment, the decision to search the vehicle, and the final disposition of the stop. Second, cross-tabulations will be used to begin examining the relationship between the independent variables and each dependent variable. Chi square will be used to determine if the independent and dependent relationships are significant. The final statistical test will consist of a multivariate analysis in the form of logistic regression. Logistic regression will be used to determine which independent variables are the better predictors of each dependent variable. The calculation of the odds ratio will produce likelihood of occurrence based on the independent and dependent variables interaction. Therefore, logistic regression will provide statistics that will show whether race impacts the chance of a search or an arrest by officers.

³ IRB approval October 26, 2006

CHAPTER 4

DATA ANALYSIS

Univariate Analysis

As stated previously in the report a secondary data analysis will be used in order to confirm whether officers are racially profiling drivers on the Las Vegas roadways. First, frequency distributions on searches and arrests, (the two dependent variables) revealed that of the 167,432 vehicle stops 9,600(5.7%) resulted in a search, while 3,408 (2.0%) resulted in an arrest. The table below displays the frequencies for the independent variables of interest.

Table 2: Descriptive Statistics for the Dependent and Independent Variables based on 167,432 vehicle stops in Las Vegas, 2002

Dependent Variable	Frequency and Percent
Search	9,600 (5.7%)
Arrest	3,408 (2.0%)
Independent Variable	
Time (6pm-6am)	73,789 (44.1%)
Gender (Men)	113,377 (67.7%)
Age (30 and under)	72,112 (43.1%)
Number of People in the Vehicle (2 or more)	65,501 (39.1%)
Race (Non-white)	76,920 (45.9%)

Bivariate Analysis

Next, the bivariate analyses used cross-tabulations in order to examine the two dependent variables of a search and arrest in relation to the independent variables. The independent variables: gender, age, race, number of persons in the vehicle, and time of day were examined using the Chi-Square statistical test in order to determine whether the relationship between the independent and dependent variables was significant.

Time of Day

The first independent variable that was analyzed in reference to officer search and arrest was the variable time of day. The variable time of day can be viewed below in Table 3. The variable time of day is broken down into two categories. The first category encompasses all of the stops that occur from 6am to 6pm. The second category encompasses all the traffic stops that occurred between 6pm to 6am, the night hours. According to Table 3, an individual was more likely to be searched during the night hours (6pm-6am), than they were during the day time hours (6am-6pm). The driver is also more likely to be arrested during the night hours. Both relationships between the night hours and presence of a search or arrest were significant at the .001 level.

Table 3: Percent of Search and Arrest according to Time of Day

Dependent Variable		6am-6pm	6pm-6am
Search	No	84,391 (95.7%)	66,994 (92.2%)
	Yes	3,767 (4.3%)	5,705 (7.8%)*
Arrest	No	89,049 (98.5%)	71,785 (97.3%)
	Yes	1,368 (1.5%)	2,004 (2.7%)*

*Statistically significant at the $p < .001$

Chi-Square for search = 918.577

Chi-Square for arrest = 292.279

Gender of the Driver

The next variable that was analyzed in reference to search and arrest was the variable gender. As expected, men were more likely to be searched than women. Table 4 below shows that the men were not only searched at a higher level, but they were also more likely to be arrested when compared to women. The two relationships between men and the existence of an officer search and arrest were significant at a .001 level.

Table 4: Percent of Search and Arrest according to Gender of the drivers.

Dependent Variable		Women	Men
Search	No	46,933 (97.4%)	103,108 (92.7%)
	Yes	1,262 (2.6%)	8,117 (7.3%)*
Arrest			
	No	48,744 (98.9%)	110,582 (97.5%)
	Yes	530 (1.1%)	2,795 (2.5%) *

*Statistically significant at the $p < .001$

Chi-Square for search = 1329.661

Chi-Square for arrest = 331.212

Age of the Driver

The variable age was analyzed to determine whether a significant relationship was present between the age of the driver and whether a search and arrest was conducted.

According to Table 5, drivers under the age of 30 were more likely to be searched and arrested than drivers over the age of 30. The relationship between the younger drivers and the likelihood of them being searched and arrested was significant at the .001 level.

Table 5: Percent of Search and Arrest according to the Age of the driver

Dependent Variable	Over 30 yrs	Under 30 yrs
Search		
No	88,600 (95.4%)	65,395 (92.4%)
Yes	4,241 (4.6%)	5,359 (7.6%)*
Arrest		
No	93,572 (98.2%)	70,452 (97.7%)
Yes	1,748 (1.8%)	1,660 (2.3%)*

*Statistically significant at the $p < .001$

Chi-Square for search = 656.888

Chi-Square for arrest = 45.123

Number of People in the Vehicle

The next independent variable that was analyzed pertains to the vehicles occupants. This variable was labeled number of people in the vehicle. When analyzing the variables Table 6 shows that vehicles containing two or more individuals had a greater risk of being searched and arrested than if the driver was alone. There is also a significant relationship at the .001 level between vehicles containing two or more drivers and the existence of a search or arrest.

Table 6: Percent of Search and Arrest according to the Number of Occupants in the vehicle.

Dependent Variable	1 person in the vehicle	2 or more people in the vehicle
Search		
No	95,332 (95.3%)	58,663 (92.2%)
Yes	4,665 (4.7%)	4,935 (7.8%)*
Arrest		
No	100,155 (98.3%)	63,869 (97.5%)
Yes	1,776 (1.7%)	1,632 (2.5%)*

* Statistically significant at the $p < .001$

Chi-Square for search = 673.929

Chi-Square for arrest = 112.252

Race of the Driver

The variable race has been recoded into the two values of white, referring to white drivers, and non-white referring to all other races of drivers. According to Table 7, when a vehicle was detained non-white drivers were not only more likely to be searched they are also more likely to be arrested than their white counterpart. There is a significant relationship at the .001 level between non-white drivers and the existence of a search or arrest.

Table 7: Percent of Search and Arrest according to the Race of the Driver

Dependent Variable		White	Non-White
Search	No	84,223 (95.4%)	69,772 (92.6%)
	Yes	4,053 (4.6%)	5,547 (7.4%)*
Arrest			
	No	89,012 (98.3%)	75,012 (97.5%)
	Yes	1,500 (1.7%)	76,920 (2.5%)*

*Statistically Significant at the $p < .001$

Chi-Square for search = 565.930

Chi-Square for arrest = 141.336

Multivariate Analysis

The second section of the data analysis used a multivariate analysis. A multivariate analysis examines variables simultaneously and therefore allows for a more accurate interpretation of the data. This multivariate analysis will examine the associations between the independent variables and the dependent variables. The logistic regression will provide statistical information as to how the independent variables may predict the presence of the dependent variables.

Logistic Regression of the Officer's Decision to Search

The findings in Table 8 refer to the logistic regression analysis in reference to the officer's decision to search.⁴ According to Table 8 the time of day, number of people in the vehicle, gender, age, and race of the driver all significantly influenced whether a search was conducted when an individual is detained on the Las Vegas roadway. An individual has 1.63 greater chance of being searched when they are detained during the night hours, which were defined as 6pm to 6am. Men are more likely to be searched than women.. They possess a 2.68 greater chance of being searched during a traffic stop. A driver who is under the age of thirty possesses a 1.48 greater chance of being searched by the LVMPD. If a driver is detained by LVMPD and has two or more individuals in the vehicle they possess a 1.52 greater chance of being searched. Finally, minorities' possess a 1.39 greater chance of being searched when compared to their white counterpart.

Table 8: Logistic Regression Analysis Predicting Search

	Coeff.	Odd Ratio
Intercept	-4.354	.013
Time	.490*	1.63
Gender	.988*	2.68
Age	.395*	1.48
Number of People in the Vehicle	.422*	1.52
Nonwhite	.331*	1.39

*Statistically Significant at the $p < .001$

⁴ For this analysis the entire sample was used. It is possible that significance may be due to this large sample size. For analysis purposes the researcher randomly selected five percent of the case in order to find if the significance levels would be altered with a smaller case size. According to the analysis, all of the independent variables remain significant.

Logistic Regression of the Officer's Decision to Arrest

A second logistic regression was conducted in order to analyze how the independent variables may predict the presence of the arrest⁵. According to Table 9, all of the independent variables: time of day, gender, age, number of people in vehicle, and race significantly influenced whether an arrest was made when an individual is detained on the Las Vegas roadways. In fact, a driver has a 1.62 greater chance of being arrested during the nighttime hours, 6pm-6am, than they would if detained during the daylight hours. Men had a 2.14 greater chance of being arrested than women. Younger drivers possess a 1.10 greater chance of being arrested than individuals who over the age of thirty. The vehicles containing two or more individuals possess a 1.32 greater chance that an arrest would be made when an officer made a stop. Finally, minorities possess a 1.33 greater chance of being arrested during a detainment when compared to their white counterpart.⁶

Table 9: Logistic Regression Analysis Predicting Arrest

	Coeff.	Odd Ratio
Intercept	-5.02*	.007
Time	.488*	1.62
Gender	.763*	2.14
Age	.104*	1.10
Number of People in the Vehicle	.281*	1.32
Nonwhite	.290*	1.33

*Statistically Significant at the $p < .001$

⁵ For analysis the entire sample size was used. The researcher also ran the same statistical test on a random sample amount of cases, ten percent, to search for any discrepancies in the findings. According to the data, the significance and odds ratio remained consistent with the entire model. There was a slight change in significant levels but not an enough to alter the findings.

⁶ A set-wise logistic regression was also used to determine the relative impact of the race variable once other variables were added. This process involved systematically adding variables of gender and age into the logistic model. The analysis indicated that although the strength of the race variable decreased with the addition of the other predictors, the differences were not dramatic.

Limitations

After conducting the analysis, the findings reveal that the characteristics of the driver as well as some other characteristics, such as time of day and number of persons in the vehicle, do influence whether a search or an arrest will be made. There are some limitations to this study which are important to address because it is important when interoperating the analysis. Due to the fact that this study is a secondary data analysis there are some general limitations that need to be discussed. One of the main issues when conducting a secondary data analysis is the issue of validity. It is possible that the previous researcher collected data for a particular purpose; there is no assurance that the data will be appropriate for the current researchers' interests (Maxfield and Babbie, 2005). Due to the fact that the previous researcher's study was centered on racial profiling tactics in Nevada this does not appear to be a major limitation but it still needs to be considered. The second limitation of the study, which is specific to the data, is the reliability of the recorded data. It was stated before that police officers throughout Nevada recorded certain characteristics of the traffic stops. When the officer detained the vehicle many of the drivers' characteristics were recorded. Some of these characteristics were age, gender, whether contraband was found, if a search was conducted, and the end result of the encounter. The issue of the driver's and passenger's race poses a problem because it is based on the detaining officer's perception; therefore, it may be inaccurate. Another limitation to this study is that although this study's purpose is to test the differential enforcement theory in reference to racial profiling, the data solely focuses on what happens after the stop has occurred. The research project, therefore, cannot account for any initial decisions to detain made by the officer.

The third limitation of the study is the absence of evidence present during the stop because it may influence why an individual was arrested when the search was conducted. Also the presence of evidence in plain view, such as contraband found on the seat, may also force the officer to initiate a search regardless of the drivers' characteristics. As a result, the absence of evidence in this research is important to address because it may be a large factor when determining whether or not a search and/or arrest is made during an encounter. The final limitation of the study is the absence of a variable describing the cause for stop. The research does not provide an explanation as to why the stop initially occurred. A "reason for stop" variable would provide some insight as to the main cause of the traffic stop and also provide insight as to whether the stops were a result of proactive or reactive policing.

Regardless of the limitations, the study does reveal some interesting findings. The study's results do find limited support for the differential enforcement theory. The drivers' characteristics are shown to have some influence as to whether a search or an arrest has been conducted. According to the findings young, minority, males run the greatest risk of being searched and arrested when stopped on the Las Vegas roadways. These findings do show race as a factor, however gender appears to be the strongest predictor.

CHAPTER 5

DISCUSSION

Overview of Results

This study has provided some interesting findings in regards to racial profiling and its prevalence in Las Vegas, Nevada. The findings in the previous chapter reveal some interesting occurrences that are consistent with findings from different reports conducted by other researchers. As a result, this report provides some insight as to how officers in Las Vegas are consistent with other departments throughout the U.S with their vehicle stops. The report's goal was to test the differential enforcement theory in reference to the traffic stops conducted by the Las Vegas Metropolitan Police Department. As previously stated, the encounters that were analyzed did not account for the officer's initial decision to detain the vehicle. The only decisions that were analyzed were decisions made by the officers after the vehicle was already detained. The following portion of this report will discuss how the analysis found limited support of the hypotheses in regards to the differential enforcement theory. It will also discuss how findings are consistent with the previous racial profiling studies conducted throughout the United States. Some policy implications will also be suggested that may help police departments address issues pertaining to racial profiling.

The initial goal of this research report was to analyze police traffic stops conducted by officers who were members of the Las Vegas Metropolitan Police Department. By doing this, the report intended to provide a response as to whether the differential enforcement theory was a valid theory when involving police and citizen encounters. The differential enforcement theory, as previously stated, contends that police officers will enact different judgment and use different amounts of discretion in their enforcement of laws against minorities (Flowers, 1988). According to the analysis, the data has limited support for both hypotheses in the study, which were derived from the differential enforcement theory. The data shows that minorities were subjected to more searches than their white counterparts and they were also more likely to be arrested when a search was conducted. It should also be noted that other factors such as age, gender, time of day, and individuals present in the vehicle were also significant. There are some limitations to this study as discussed in Chapter 4 that may account for the causes of this disparity, such as lack of evidence variable, reason for stop variable, and initial cause for the stop that were not included in the analysis. Regardless of these limitations, this study does provide some insight as to how minorities are treated once detained on the Las Vegas roadways.

One key variable that provides some interesting findings was the variable gender. This variable appears to be one of the strongest predictors of differential treatment. As a result there may be a biased enactment of the law based on gender or age which shows that race is less of an issue. This finding would be consistent with the idea that men more specifically young men, drive more erratically and dangerously causing more officer-citizen involvement, than women and older drivers. This is an idea that is often shared by

many auto-insurance companies when providing insurance rates to its customers. The analysis of these data also displays some consistency with prior research.

The closest study that resembles this report is the research conducted by Withrow (2004) of traffic stops conducted in the city of Wichita, Kansas. Withrow's (2004) study on racial profiling showed that minorities, particularly blacks and Hispanics, appeared to be disproportionately searched and arrested more when stopped by officers on the roadways. The analyses conducted in this report share these findings. Although there is no distinction between the minority races in this report it was discovered that minorities have a greater chance of being searched and arrested when being stopped on the Las Vegas roadways.

Withrow (2004) also used two of the same variables that were used in this research report. He analyzed the variables age of the citizen and time of day. Of course the variable time of day does not pertain to the driver's characteristics; however, it is shows importance because it addresses other factors that need to be taken into account when a stop is conducted. The two variables did remain consistent with the findings of this report in that at nighttime drivers are more likely to be searched and arrested than daytime. One possible explanation especially for Las Vegas, for this occurrence may be the presence of alcohol. Generally people go out to bar, clubs, etc. at night and alcohol is consumed thus increasing a person's chance of getting a DUI. Another possible explanation may be due to the nature of the city, especially by the Las Vegas Strip, police officers may be more suspicious of drivers at night. Withrow (2004) also found that younger drivers were also more likely to be searched and arrested when compared to older drivers, a finding that was only partly consistent with this report. The study

conducted by Warren et. al. (2006) was different when compared to this study because it analyzed the officer's initial decision to detain the driver. The study did reveal one finding that was constant with this report, which was that men were significantly pulled over more while on the roadways when compared to women.

Policy Implications

There are several policy implications that can be suggested in order to address some of the problems that lead to racial disparities in traffic stop data. In reference to the literature review, a continued effort by police departments throughout the country to hire the best and most qualified individuals is a start. As previously stated, the profiling of drivers based on race is a reality that has occurred in the past. The officers who committed these acts were referred to as "bad apples" (Tomaskovic-Devey, Mason, and Zingraff, 2004). If the departments throughout the nation continue to look for innovative methods, such as personality tests and psychological examinations to eliminate individuals who have racial biases, a fairer and just form of policing will result. For the officers already in departments, classes on race sensitivity may also be an outlet to correct officers' behaviors in reference to minority citizens. This will not only help correct the problem but it will also continue to add professionalism to the departments and the officers. A careful look at the organizational tactics conducted by the departments may also aid in the correction of this problem. This is in reference to the criminal profiles officers use when looking for a possible suspect. A continuous for more detailed descriptions of suspects may be more helpful when catching criminals may help thus putting less emphasis on racial characteristics.

In regards to this study, there are a few policy implications that may aid in the growing research of this topic. First, a comprehensive look at the LVMPD hiring practices and educational training at the academy is important. By doing so, it can be determined whether racial issues are being addressed. For analysis purposes, a more comprehensive and thorough data collection methods may provide better information. For example, knowledge about evidence present during the stop and geographical patrol patterns, adds information that may be vital to the interpretation of the stop. Another valuable variable that should be added should be the model year of the vehicle. As stated by Warren et. al (2006), the model year of the vehicle may revealed that the older the vehicle the greater likelihood they would be detained. This would then reference the socioeconomic argument presented the literature review that states that the poor may be the ones that are being stopped and minorities are victims of circumstance.

The findings in this study produced commonalities within the racial profiling debate. The findings in this research show that young males, and especially minorities have a greater chance of being arrested and searched with driving on the Las Vegas streets. The findings in this reports show that the policing practices in Las Vegas generally fit in with other departments throughout the United States. This also shows that collectively all police departments throughout this country need to carefully consider their tactics not just the Las Vegas Metropolitan Police Department.

In conclusion, the issue of racial profiling in this country remains to be an issue of great debate. It is an issue that sparks controversy because it has social implications between the police and minority citizens in this country. The research conducted here may provide some insights as to which individuals may be more likely to be detained on

the roadways in the city of Las Vegas. The research does not provide the officer's initial reason for the stop and only the decisions made by the officer after the stop has occurred. Still, the research does show that minorities as well as young men are being searched and arrested more when stopped on the Las Vegas roadways.

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