



# Bureau of Justice Statistics Fact Sheet

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## Traffic Stop Data Collection Policies for State Police, 2001

As of March 2001, 16 of the Nation's 49 State law enforcement agencies whose primary duties include highway patrol required all their officers with traffic patrol duties to record the motorists' race and ethnicity for each traffic stop. The 16 State police agencies collecting these data represent an increase of 7 States since 1999.\*

An additional 23 State police agencies required their officers to collect race and ethnicity data under more limited circumstances, such as if an arrest occurred, or if force was used. Ten State police agencies did not require traffic patrol officers to collect race data for any stops.

A few States reported that only some of their specialized units were required to collect race data. For example, Oklahoma and Idaho required only their criminal interdiction teams to collect race data.

### State laws prohibit racial profiling

In addition to the increase in the number of States that required State law enforcement agencies to collect race and ethnicity statistics during traffic stops, States have recently enacted statutes that prohibit law enforcement officers from engaging in racial profiling (California, Connecticut, Kentucky, Oklahoma, and Rhode

**In March 2001, 16 State police agencies required all their officers to collect race and ethnicity data for all traffic stops, an increase from 9 State agencies in 1999**



Island). These statutes generally defined racial profiling as stopping a person based solely on race or ethnicity instead of an individualized suspicion arising from the person's behavior. (See *Selected State statutes* on page 3.)

Certain States have instituted new data collections as concerns over racial profiling have arisen in the media, the courts, and State legislatures. State police agencies (most frequently

designated as State police or State highway patrol) across the Nation have different procedures for collecting data on the race and ethnicity of drivers involved in a traffic stop.

To catalog State police data collection policies, BJS contacted each of the 49 State agencies. Hawaii and the District of Columbia do not have a formal State police agency.

\*BJS undertook a similar data collection project in 1999. See *Traffic Stop Data Collection Policies for State Police, 1999*, February 2000, NCJ 180776.

## State policies for collecting racial/ethnic data during traffic stops

As of March 2001, 16 of the 49 State police agencies with patrol duties required officers to collect the race or ethnicity of all drivers involved in a traffic stop (table 1). Thirty-seven State agencies collected the race or ethnicity of motorists when an arrest was made, and 22 agencies did so following a vehicle or occupant search. Ten State police agencies — Arizona, Arkansas, Idaho, Illinois, Minnesota, Montana, New Mexico, North Dakota, Oklahoma, and Utah — did not require their State troopers to collect race or ethnicity data.

Race or ethnicity data were required to be collected by all State police officers under the following traffic stop-related scenarios:

*Arrest from a traffic stop* — 37 agencies collected the arrestee's race/ethnicity.

*Traffic citation* — 34 States recorded the race/ethnicity of the driver during stops in which a traffic citation was issued.

*Use-of-force encounter during traffic stop* — 28 State agencies collected the motorist's race/ethnicity when force was used during the stop.

*Search of vehicle or occupant* — 22 State police agencies collected the driver's race/ethnicity if a search was conducted. (See table 3 for complete State-by-State listings.)

### Mandate for data collection

In some cases State law enforcement agencies have been mandated to implement their data collection practices by State law or Federal consent decree, while other data collection policies were enacted because of an internal State police policy.

Of the 16 State police agencies with procedures that require the collection of race data for each stop, 7 agencies

responded to a State law or executive order, 7 implemented an internal policy, 1 (Maryland) responded to both an internal policy and a court action, and 1 State police agency (New Jersey) was acting in accordance with both internal police agency policy and a Federal consent decree.

A number of States have indicated that the legislature was considering whether to require State law enforcement officers to collect data on the race of the motorist during traffic stops.

Among the 23 State police agencies that required the collection of race data on some, but not all, stops, most (20) did so as part of an internal police policy.

### Collection of additional data items

For those State police agencies which were required to collect race and ethnicity data at least under some circumstances, other data elements were also frequently collected (table 2).

In addition to race/ethnicity data, over half of the State police agencies required law enforcement officers to record one or more of the following: the identity of the officer; the gender and age of the motorist; the type of enforcement action taken; and the date, time, and location of the traffic stop.

### Data collection format

The most common format, used by 34 agencies, to collect race or ethnicity of motorists was the paper-based form filled out by the officer at the scene. Two agencies reported that they verbally relayed the information to a radio communication dispatch.

One agency reported using a paper-based system in conjunction with mounted video surveillance.

Most agencies (25) relied on their officers' observation of the driver's race or ethnicity as the method of determining the race or ethnicity of the motorist.

## Accessibility of the data on race/ethnicity

Among the 39 State police agencies that collected race information on at least some kinds of traffic-related stops, more than half (25 States) stored these data electronically.

A dozen agencies which collected race data linked their traffic stop data to other law enforcement information systems such as dispatch information, citations, officer logs, or bureau of motor vehicle records.

**Table 1. State police agencies, by driver data collection protocols, 2000**

Circumstances under which race of the driver is collected —	States collecting data	
	Number of agencies	Percent of all agencies
All agencies	49	100%
All stops*	16	33%
Citations for traffic violations	34	69%
Use of force	28	57%
Arrests arising from traffic stops	37	78%
Vehicle/occupant searches	22	45%
No collection system in place	10	20%

\*The State police of Idaho and Oklahoma required only those officers in the criminal interdiction unit to collect the driver's race/ethnicity for all traffic stops.

**Table 2. State police agencies that required the collection of information in addition to the driver's race and ethnicity, 2001**

Data item	Number of States collecting data
Type of enforcement action taken	32
Date, time, and location of stop	30
Gender and age of motorist	29
Identity of officers involved in stop	26
Search conducted	24
License number of vehicle stopped	23
Initial reason for the stop	23
Use of force	20
Description of vehicle stopped	19

Sixteen of the 39 State police agencies that collected race data under at least some traffic stop circumstances, made their data available to the public — including 11 of the agencies which required their State troopers to collect data on all stops.

Eighteen agencies reported the use of a standardized collection form for data on race of motorists stopped.

**Selected State statutes for collection of data on race/ethnicity**

Connecticut: Conn. Gen. Stat. § 54-1m (2001).  
 Massachusetts: 2000 Mass. Legis. Serv. Ch. 228 (West).  
 Missouri: Mo. Ann. Stat. §§ 304.670, 590.650 (2001).  
 North Carolina: N.C. Gen. Stat. § 114-10 (2001).  
 Rhode Island: R.I. Gen. Laws § 31-21.1-4 (2001).  
 Texas: 2001 Tex. Sess. Law Serv. Ch. 947 (Vernon).

**Selected State laws that prohibit racial profiling**

California: Cal. Penal Code § 13519.4 (2001).  
 Connecticut: Conn. Gen. Stat. § 54-11 (2001).  
 Kentucky: Ky. Rev. Stat. Ann. § 15A.195 (2001).  
 Oklahoma: Okla. Stat. Ann. Title 22, § 34.3 (2001).  
 Rhode Island: R.I. Gen. Laws § 31-21.1-2 (2001).

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**Table 3. Circumstances during traffic stops in which State police agencies required troopers to collect race data about motorists, by State, 2001**

	All stops	Citations	Arrests	Searches	Use of force	No stops
Alabama		■	■	■	■	
Alaska		■	■			
Arizona						■
Arkansas						■
California	■	■	■	■	■	
Colorado		■	■			
Connecticut	■	■	■	■	■	
Delaware		■	■		■	
Florida	■	■	■	■	■	
Georgia					■	
Idaho						■
Illinois						■
Indiana		■	■		■	
Iowa	■	■	■	■	■	
Kansas		■	■		■	
Kentucky		■	■	■	■	
Louisiana		■	■		■	
Maine		■	■			
Maryland		■	■	■	■	
Massachusetts	■	■	■	■	■	
Michigan	■	■	■	■	■	
Minnesota						■
Mississippi		■	■		■	
Missouri	■	■	■	■		
Montana						■
Nebraska		■	■	■	■	
Nevada		■	■		■	
New Hampshire		■	■			
New Jersey	■	■	■	■	■	
New Mexico			■	■		■
New York			■	■		
North Carolina	■	■	■	■	■	
North Dakota						■
Ohio	■	■	■	■	■	
Oklahoma						■
Oregon	■	■	■	■	■	
Pennsylvania				■	■	
Rhode Island	■	■	■	■	■	
South Carolina	■	■	■		■	
South Dakota			■			
Tennessee		■	■		■	
Texas	■	■	■	■		
Utah						■
Vermont			■			
Virginia	■	■	■	■		
Washington	■	■	■	■	■	
West Virginia		■	■		■	
Wisconsin		■	■	■	■	
Wyoming		■	■			

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