

# 2016 Annual Report

*Missouri Vehicle Stops - Executive Summary*



Missouri Attorney General  
**JOSH HAWLEY**



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# Message from Attorney General Josh Hawley



In 1780, in the midst of the Revolutionary War, John Adams took up his pen to help draft a new constitution for his home state. He famously wrote in that document's opening lines that the aim of the American Revolution was to establish "a government of laws, not of men." That has been the American ideal ever since. The rule of law is impartial. It is no respecter of persons. It restrains the violent and protects the weak. It is blind to all but conduct and character.

With this ideal in view, the Missouri General Assembly created the Annual Vehicle Stop Report nearly two decades ago. This Report was meant to further our common commitment as Missourians to the rule of law, and our common efforts to achieve it. When a person is stopped or searched or arrested only because of his race, the rule of law suffers. Racial profiling threatens that fairness and impartiality the rule of law demands. And it

badly undermines the vital trust between everyday citizens and the law enforcement officers who risk their lives to protect them.

As it does each year, this year's Report contains statistics and information about certain vehicle stops conducted over the last calendar year. I hope this data will help us toward a constructive conversation about what we must do together to better achieve—and protect—the rule of law in our state.

A final word about the data itself. For years, commentators have noted that the Report only compares the number of individuals from a particular racial or ethnic group involved in traffic stops to the number of persons in that group who live in the jurisdiction and are eligible to drive. A better and more informative approach would compare the frequency of stops involving particular groups to the number of group members who actually do drive in the jurisdiction, which in some cases may differ substantially from the number who live in the jurisdiction and are of driving age.

Consequently, I am issuing new regulations that will direct law enforcement agencies to collect information about whether stopped individuals reside within the agency's jurisdiction. This change, fully supported by both law enforcement and the civil rights community, will enable the public to draw more relevant inferences from the traffic-stop data going forward.

A handwritten signature in black ink that reads "Joshua D. Hawley". The signature is written in a cursive, flowing style.

**Joshua D. Hawley**  
Attorney General

# Background

Concerns by the citizens of Missouri and the Missouri legislature regarding allegations of racial profiling by law enforcement prompted the passage in 2000 of § 590.650, RSMo. That statute requires that all peace officers report specific information—including a driver’s race—for each vehicle stop made in the State. Law-enforcement agencies must provide the data to the Attorney General by March 1, and the Attorney General is required to compile the data and report to the Governor no later than June 1 of each year. The Governor may withhold state funds for any agency that does not comply with these requirements.

The statewide vehicle-stop data contained in this Report have been analyzed by Dr. Scott H. Decker, professor and director of the School of Criminology and Criminal Justice at Arizona State University; Dr. Richard Rosenfeld, professor in the Department of Criminology and Criminal Justice at the University of Missouri-St. Louis; and Dr. Jeffrey Rojek, assistant professor in the Department of Criminology and Criminal Justice at the University of South Carolina.



# 2016 Statewide Summary of Results

Key indicators	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Population	4,730,501	3,914,998	515,828	139,109	80,677	19,168	60,721
Stops	1,555,468	1,212,726	279,657	34,472	14,395	1,800	12,418
Searches	95,944	67,546	24,533	2,924	375	105	461
Arrests	72,390	50,730	18,443	2,455	286	78	398
State population %	100.00%	82.76	10.90	2.94	1.71	0.41	1.28
Disparity Index	---	.94	1.65	.75	.54	.28	.62
Search rate	6.17	5.57	8.77	8.48	2.61	5.83	3.71
Contraband hit rate	32.32	33.89	29.02	25.31	25.60	26.67	30.59
Arrest rate	4.65	4.18	6.59	7.12	1.99	4.33	3.21

**Notes:** Population figures are 2010 Census data based on persons 16 and older who designated a single race. Hispanics may be of any race. "Other" includes persons of mixed race or unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation; values less than 1 indicate under-representation.

Search rate = (searches / stops) x 100.

Contraband hit rate = (searches with contraband found / total searches) x 100.

Arrest rate = (arrest / stops) x 100.

# Statewide Findings

This report summarizes the data from 601 law enforcement agencies in Missouri for calendar year 2016. An additional 60 agencies indicated they made no traffic stops during the year. This represents 96.9% of the 682 law enforcement agencies in the State. The agencies filing reports recorded a total of 1,555,468 traffic stops, resulting in 95,944 searches and 72,390 arrests. Table 1 breaks out the stops, searches, and arrests by race and ethnic group.<sup>1</sup> Table 1 includes four summary indicators that may be useful in initiating further assessments of racial profiling in traffic stops.

## 1. Disparity Index

The “disparity index” compares the percentage of traffic stops involving members of a certain group to the percentage of driving-age individuals who are members of that group, as measured by the 2010 Census. A disparity-index value of 1 indicates that a group’s proportion of traffic stops equals its population proportion. For example, if a group accounts for 80% of the driving-age population, and 80% of traffic stops involve members of that group, then the disparity index for that group would be 1. A disparity-index value of 1 indicates that members of a group are stopped at precisely the rate one would expect if all members of the driving-age public were equally likely to be involved in a traffic stop.

A disparity-index value above 1 indicates that a group accounts for a higher proportion of traffic stops than its

percentage of the population alone would predict. And a disparity-index value below 1 indicates that a group accounts for a lower proportion of traffic stops than its percentage of the population alone would predict. For example, the 1,212,726 Whites who were stopped accounted for 78.0% of all traffic stops in 2016. Whites comprise an estimated 82.8% of Missouri’s driving age population. The disparity-index value for Whites is, therefore, .94 (i.e.,  $.780/.828$ ). Whites were stopped, in other words, at slightly below the rate expected based on their fraction of the driving-age population from the 2010 Census.

The same is not the case for several of the other groups. African-Americans represent 10.9% of the driving-age population but 18.0% of all traffic stops, for a disparity-index value of 1.65. African-Americans were stopped at a rate 65% greater than expected based solely on their proportion of the driving-age population. Hispanics, Asians, American Indians, and persons of mixed or unknown race were stopped at rates well below their proportion of the driving-age population. The values on the disparity index for the different groups can be compared directly to one another. For example, the rate at which African-American motorists were stopped is 1.75 times that of the rate at which White motorists were stopped (i.e.,  $1.65/.94$ ). In other words, accounting for their respective proportions of Missouri’s driving-age population, African-Americans were stopped at a rate 75% higher than Whites.

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<sup>1</sup> Hispanics may be of any race. About 1 percent of the population designated two or more races. These persons are included in the “Other” category along with persons of unknown race.

Importantly, the disparity index relies on a group's proportion of the State's driving-age population, as determined by the 2010 Census, not the proportion of the actual drivers who are on the State's roads. A group's share of the residential population age 16 and over may or may not equal its proportion of drivers. In many instances, particularly at the statewide level, the two proportions should be close. But that is not always the case. The extremely low disparity-index value for American Indians, for example, could indicate that they are under-represented among the State's motorists. In addition, some jurisdictions contain attractions—such as malls, universities, and airports—that may draw visitors from outside that jurisdiction. The demographics of these out-of-jurisdiction visitors may differ from the Census demographics of the jurisdiction. The disparity index does not account for these and other deficiencies in the data. Where these deficiencies are especially pronounced, especially at the level of individual jurisdictions, the disparity index may not accurately portray the relevant rates at which drivers of different races are stopped.

## 2. Search Rate

The “search rate” reflects the percentage of stopped drivers whose person or vehicles were searched as part of the stop. Searches include searches of drivers or property in the vehicle. The reasons for conducting a search and the outcome of the search (i.e., discovery of contraband) should be considered when making comparisons across groups. Some searches are conducted with the

consent of the driver, while others occur because the officer observed suspected contraband in plain view or had reasonable suspicion that an individual may possess a weapon (a “Terry search”). These searches may or may not result in an arrest. Other searches are conducted incident to arrest—that is, there is no other reason given for the search other than arrest. Searches are almost always performed when there is an outstanding arrest warrant, whether or not contraband may be present.

The search rate for all motorists who were stopped in 2016 was 6.17%. Asians were searched at a rate well below the statewide average; African-Americans and Hispanics were searched at rates above the average for all motorists who were stopped. The search rate for the different groups also can be compared directly with one another. African-Americans were 1.57 times more likely to be searched than whites (8.77/5.57). Hispanics were 1.52 times more likely than whites to be searched (8.48/5.57).

## 3. Contraband Hit Rate

The “contraband hit rate” reflects the percentage of searches in which contraband is found. Contraband was found in 32.3% of all searches that were conducted in 2016. There is some variation, however, in the contraband hit rate across race and ethnic groups. The contraband hit rate for whites was 33.9%, compared with 29.0% for Blacks and 25.3% for Hispanics. This means that on average searches of African-Americans and Hispanics are less likely than searches of Whites to result in the

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2 Caution should be used when comparing 2000 to subsequent years, especially for smaller agencies, because the 2000 figures are based on only four months of traffic data, while those for subsequent years are based on the full calendar year.

discovery of contraband. This difference may result in part from the higher arrest rates for African-Americans and Hispanics, circumstances that compel a search.

#### 4. Arrest Rate

The “arrest rate” reflects the percentage of stopped drivers who are arrested during the stop. Approximately 4.65% of all traffic stops resulted in an arrest. The arrest rate varies across the race and ethnic groups. Approximately 6.6% of the stops of African-Americans and 7.1% of the stops of Hispanics resulted in arrest, compared with 4.2% of the stops of whites. African-Americans and Hispanics are searched more often than whites, but they are arrested more often as well.

This report includes two Appendices. Appendix A presents the traffic-stop

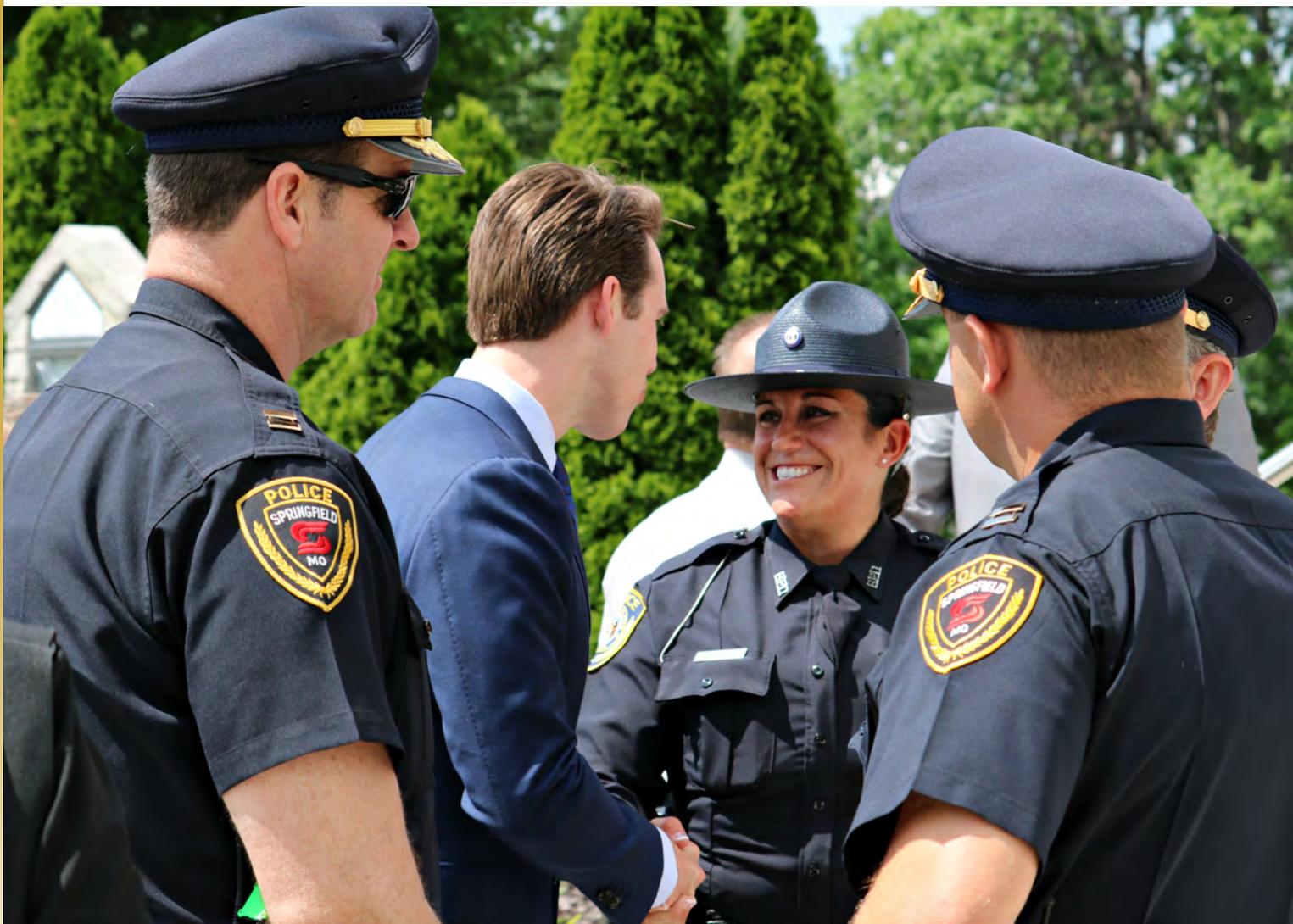
analysis using the statewide proportions of race and ethnicity, rather than those for each jurisdiction. Appendix B compares each agency’s 2016 disparity index to the disparity index for 2000 through 2015.<sup>2</sup> These comparisons are presented in Appendix B. For each agency, the disparity index for each race-ethnic group is presented for the years 2000-2016. For the State as a whole, the key indicators generally show small changes between 2015 and 2016.

A reasoned determination of the existence of racial profiling in a community requires a comprehensive evaluation of the full range of information compiled in the agency reports. This brief summary of selected indicators for the State as a whole is intended to stimulate those local evaluations and dialogue.



**Table 2. Agencies that did not submit reports by March 1, 2017 as required by state law**

Appleton City Police Department	Camden Point Police Department	Cleveland Police Department	Crystal Lakes Police Department
Edina Police Department	Freeman Police Department	Gordonville Police Department	Kinloch Police Department
Lake Lafayette Police Department	Lilbourn Police Department	Lockwood Police Department	Lowry City Police Department
Marquand Police Department	Marston Police Department	Morley Police Department	Odessa Police Department
Parma Police Department	St. Robert Police Department	Stewartsville Police Department	Town of West Sullivan Police Department
Vanduser Police Department			



**Table 3. Agencies that reported no stops (many contract out vehicle stops to other agencies)**

Altenburg Police Department	Armstrong Police Department	Atlanta Police Department	Beverly Police Department
Bland Police Department	Bunceton Police Department	Bunker Police Department	Callao Police Department
Canalou Police Department	Charlack Police Department	Clarksburg Police Department	Clarkson Valley Police Department
Cool Valley Police Department	Cooter Police Department	Creighton Police Department	Dellwood Police Department
Dudley Police Department	Eminence Police Department	Emma Police Department	Eolia Police Department
Fairfax Police Department	Fisk Police Department	Florissant Valley Police Department	Gilman City Police Department
Grandin Police Department	Hale Police Department	Harrison County Sheriff's Department	Hayti Heights Police Department
Holt Police Department	Hurley Police Department	Jackson County Drug Task Force	Jennings Police Department
Meramec College Police Department	Mineral Area College DPS	Miramiguoia Police Department	Missouri Department of Revenue
Mokane Police Department	Norborne Police Department	Norfolk Southern Railway Police Dept.	Norwood Police Department
Pasadena Park Police Department	Pine Lawn Police Department	Randolph Police Department	Sheldon Police Department
St. George Police Department	St. Louis City Park Rangers	St. Louis Community College at Forest Park	St. Peters Ranger Enforcement Division
Tallapoosa Police Department	Terminal Railroad Association	Three Rivers Community College	Walker Police Department
Wellston Police Department	Westwood Police Department	Wildwood Police Department	Williamsville Police Department
Windsor Police Department	Wyatt Police Department		



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