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Traffic stop concerns raised The state reports that minority drivers are pulled over in disproportionate numbers in Nebraska, except by the State Patrol.

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The Nebraska State Patrol might have some lessons for law enforcement agencies that stop a disproportionately high number of minority drivers. Minority drivers were stopped on Nebraska highways last year at rates lower than their proportion of the population. That made the State Patrol unique among those agencies responsible for most traffic stops.

The Nebraska Crime Commission's latest report on traffic stops didn't surprise Col. Bryan Tuma, superintendent of the State Patrol. His agency keeps close tabs on traffic stops, to the point that supervisors regularly review reports and videotapes of stops to guard against racial profiling.

"I'm encouraged by the fact that the numbers would indicate we don't have disparity," Tuma said.

The crime commission has tracked traffic stops by race for the past five years. Since 2002, traffic stops in Douglas, Sarpy and Lancaster Counties have involved a disproportionate number of Latinos and blacks.

In Douglas County, where the traffic-stop numbers are dominated by the Omaha Police Department, blacks make up nearly 12 percent of the population and 24.3 percent of the stops. In Lancaster County, blacks are stopped at a rate about twice their proportion of the population. In Sarpy County, blacks are stopped at a rate more than twice their proportion of the population.

Those disparities don't mean that agencies use racial profiling in

deciding whom to stop, experts said. A number of factors contribute to particular groups being pulled over with greater frequency.

"It could be racial bias," said Lorie Fridell, associate professor of criminology at the University of South Florida. But other factors that lead to disparities in traffic stops could also be involved.

In Omaha, for example, crime is higher in the northeastern and southeastern parts of the city. More officers patrol those areas: both of which have large minority populations; and that leads to more traffic stops, said Thomas Warren, who served as Omaha's police chief until early this year, when he took over as president and chief executive of the Urban League of Nebraska.

Some other factors that can lead to groups being overrepresented in traffic stop data: tendencies such as men being more likely to commit traffic offenses than women; frequency of driving, with more time on the road leading to more stops; and socioeconomic factors, such as impoverished drivers being more likely to have expired tags.

Race is never a reason for Omaha police to pull over a driver, said Lt. Darci Tierney, a spokeswoman for the department.

"There's a lot of factors that officers take into consideration," she said. "They have to have probable cause, and race is not probable cause. We do not tolerate racial profiling."

Warren, who oversaw Omaha police during the 2007 reporting period, said his administration went beyond the general numbers collected by the crime commission to ensure racial profiling didn't happen. His administration routinely analyzed arrests to look for patterns and trends in the behaviors of individual officers, he said. Videotape from cruiser cameras also was reviewed.

Warren's administration occasionally received complaints of racial profiling. But, he said, "to my knowledge," no allegation was ever substantiated.

"You have to be careful not to overgeneralize" based on broad data, he said. "You have to rely on evidence," case by case.

Omaha City Councilman Frank Brown said the disparities found in traffic stops can't be ignored.

If it's not racial profiling, Brown asked, why are the numbers of African-Americans stopped so disparate? "You can call it by any other name," but whites are not being stopped at the same rate, he said.

Brown did not sound hopeful that the numbers would shift in the future.

"We had an African-American police chief," Brown said of Warren, "and the numbers didn't go down. So if he can't do it, who is going to do it?"

Sam Walker, professor emeritus of criminology at the University of Nebraska at Omaha, said he isn't convinced that Omaha police do as much to prevent racial profiling as some administrators maintain.

The crime commission report, while not evidence of racial profiling, seems to support accusations made by the City of Omaha's former police auditor, he said. **Tristan Bonn** had raised concerns about police unfairly targeting minority drivers. Those complaints merit further review when coupled with disparities in traffic stops, Walker said.

In comparison, he said, the State Patrol appears to be taking the right steps to prevent racial profiling. Based on what he knows about the State Patrol's training and oversight, Walker said, the State Patrol is "very serious" about preventing and stamping out any appearance of profiling.

Fridell said the departments that do the best job of preventing racial profiling recognize that

even well-meaning people can be influenced by prejudice and bias. Departments train officers to check their biases, then provide the kind of oversight needed to intervene as needed, she said.

They also hire a force that is representative of their communities, in part because studies show that the resulting interactions reduce bias.

Fridell said reports such as the crime commission's shouldn't drive anti-bias policies. Instead, she said, departments need to recognize that police officers are human: and subject to the same prejudices and biases as everyone else.

Bar Graph/1

Traffic stops by race, 2007

As compared with racial makeup of population

Douglas County

White

% of population by race: 74.8

% of traffic stops by race: 61.8

Black

% of population by race: 11.9

% of traffic stops by race: 24.3

Hispanic

% of population by race: 9.3

% of traffic stops by race: 8.7

Asian

% of population by race: 2.5

% of traffic stops by race: 1.3

Statewide

White

% of population by race: 84.9

% of traffic stops by race: 85.1

Black

% of population by race: 4.4

% of traffic stops by race: 5.1

Hispanic

% of population by race: 7.4

% of traffic stops by race: 7.0

Asian

% of population by race: 1.8

% of traffic stops by race: 1.0

Nebraska State Patrol stops*

White

% of population by race: 84.9

% of traffic stops by race: 91.0

Black

% of population by race: 4.4

% of traffic stops by race: 3.1

Hispanic

% of population by race: 7.4

% of traffic stops by race: 4.4

Asian

% of population by race: 1.8

% of traffic stops by race: 0.6

SOURCE: Nebraska Crime Commission

*Statewide and State Patrol traffic stops are compared with the same percentages of state population.

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