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Black drivers face more arrests A traffic stop study finds minorities more likely to be taken into custody

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Blacks in Nebraska were more than four times as likely to be arrested during traffic stops last year than the general population, a new report says, while Hispanics and American Indians were twice as likely to be taken into police custody. The report, released Friday by the Nebraska Crime Commission, notes that the data can't show whether drivers' race or ethnicity were factors in officers' decisions to stop the vehicles. But according to a member of the state's Minority and Justice Task Force, there's a perception among minorities of a "hypervigilance" among law enforcement officials and a distrust of minorities that leads officers to pull them over disproportionately more often than whites.

"Is there any way to prove that it was because of their race? Quite often not," said Jose J. Soto of Lincoln.

The report focuses on what happened after the stops. Blacks were arrested in 20 percent of traffic stops in the state in 2006, the commission found. That percentage is higher than in 2002, when collection of the data began, but it is nearly the same as 2005 and slightly less than data reported from 2004.

The commission found that 4.5 percent of all traffic stops in Nebraska in 2006 resulted in a person being taken into police custody for an arrest.

Minorities also were subjected to police searches of their vehicles more often than whites and Asians or Pacific Islanders, the report said.

For blacks across Nebraska, vehicle searches were conducted in 5

percent of traffic stops. The percentage for blacks was slightly smaller in Omaha: 4.2 percent.

In general, Omaha police searched vehicles in 1 percent fewer cases than law enforcement agencies statewide.

Omaha Police Chief Thomas Warren attributes the statistic to the Omaha police policy on traffic stops, which prohibits officers from searching vehicles only because of a traffic infraction. Omaha police officers need a driver's permission to search vehicles on a random basis.

Former Public Safety Auditor **Tristan Bonn** tackled Omaha police traffic stops in the last report she issued before her firing in October.

In her report, **Bonn** said minority residents of northeast and southeast Omaha were pulled over for minor traffic violations more often than people in other parts of town.

Warren responded at the time that **Bonn's** findings were not true.

The chief said the data released by the crime commission refutes **Bonn's** claims.

Tommie Wilson, president of the Omaha chapter of the NAACP, said the disparities among racial categories noted in the report lead her to do more than merely wonder whether blacks may be unfairly targeted by police.

"We know it," Wilson said.

The report is the fifth from the commission, which began studying traffic-stop data for racial profiling in 2002 at the request of the Nebraska Legislature.

Since the studies began, not much has changed: The statewide arrest rate of blacks, Hispanics and American Indians during traffic stops in 2006 was fairly consistent with the commission's findings for past years.

In 2001, the Nebraska Legislature prohibited racial profiling, the practice of police officers pulling over a vehicle based on the driver's skin color.

The law prohibiting racial profiling also required law enforcement agencies throughout the state to submit traffic-stop data to the Nebraska Crime Commission for study.

The numbers of reported stops and the number of agencies reporting

have dwindled since the commission began collecting data in 2002: the year that 237 agencies reported data from 528,295 traffic stops.

In 2006, 194 agencies submitted data on a total of 461,854 traffic stops: the lowest number of reported stops since the commission began collecting data.

Several agencies did not collect traffic-stop data in the first part of 2006 after a requirement to do so expired. In April of last year, the Legislature reinstated the reporting requirement to Jan. 1, 2010.

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