

***SIXTH REPORT TO THE STATE OF MARYLAND UNDER TR 25-113***

Maryland Statistical Analysis Center,  
Governor's Office of Crime Control and Prevention

August 25, 2008

## **INTRODUCTION**

In 2001, the Maryland General Assembly passed TR 25-113. The statute, which requires data collection on every law eligible traffic stop in Maryland, aims to provide information about the pervasiveness of racial profiling.<sup>1</sup> Since 2002, Maryland law enforcement agencies have collected and reported traffic stop data according to the legislation.

Specifically, TR 25-113 required the Maryland Police Training Commission (PCTC), in consultation with the Maryland Justice Analysis Center (MJAC)<sup>2</sup>, to develop four guiding documents. The documents include: 1) a model recording and reporting format; 2) a model policy for law enforcement agencies to address ethnicity-based traffic stops; 3) guidelines for law enforcement agencies to manage, counsel, and train officers who collect traffic stop data; and 4) a model log to record traffic stop data. Appendix A contains the model recording and reporting format. In addition, Appendix B contains the PCTC-approved model policy. Appendix C contains the guidelines for management, counseling, and training. However, the guidelines acknowledge multiple methods of data collection and reporting; therefore, agencies adapted different versions of the guidelines. It should be noted, although TR 25-113 mandates State funding for data collection and analysis, neither law enforcement agencies nor MJAC received funding for traffic stop data reporting.

## **METHODOLOGY**

The 2008 report presents aggregate data on all law eligible stops in Maryland that law enforcement agencies reported to Maryland Statistical Analysis Center (MSAC) for the 2007 calendar year. Departments submitted their data for the reference period to the MSAC at the Governor's Office of Crime Control. The original data was submitted in Microsoft Excel or Microsoft Access and subsequently merged, standardized, and analyzed using SPSS version 16.0. For the current reporting period, 120

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<sup>1</sup> By definition, racial profiling refers to the practice of constructing a set of characteristics or behaviors based on race and using that set of characteristics to decide whether an individual might be guilty of some crime.

<sup>2</sup> MJAC refers to the Maryland Justice Analysis Center at University of Maryland, which hosted the Maryland Statistical Analysis Center through 2006.

agencies were eligible to report and 98 departments are included in the current analysis (n=432,333 traffic stops).

The units of analysis for this report are all law eligible traffic stops that occurred under Maryland jurisdiction for the calendar year of 2007. To that end, *law eligible traffic stops* are defined as all stops made by law enforcement agencies that are eligible to issue traffic violations. However, TR 25-113 excludes traffic stops that result from checkpoints or roadblocks, stops of multiple vehicles after an accident or emergency, and the use of radar, laser, or vascar technology. Such stops are excluded because officer discretion is unlikely to play a role and therefore any differences observed between Caucasians and non-Caucasians would not be the result of systematic differences in treatment due to ethnicity.

The relevant information from departments included demographic, residence/registration, initial reason for traffic stop, search, and the outcome of the traffic stop. The demographic information of the driver in the traffic stop included gender, age, and ethnicity and was determined using the officer's observations and in some cases supplemented with information from Maryland's Motor Vehicle Administration (MVA) at the time of the traffic stop. For the purposes of this report, ethnicity was coded into 5 categories including Caucasian, African American, Asian, Hispanic, and Other. *Caucasian* refers to individuals that were reported by officers and/or the MVA as White, Arab, Caucasian, and Asiatic Islander. The *Other* category is comprised of multiple ethnicities that cannot be disaggregated due to the categorical disparities between MVA ethnic data and law enforcement ethnic data under TR 25-113.<sup>3</sup> To this end, the results of this report refer to the statute's guidelines for reporting ethnicity and ethnicities reported for traffic stops that do not correspond to one of the five categories were coded as *Other*. Residence and registration information were measured as dichotomous variables reflecting whether the driver was a resident of Maryland and whether the vehicle was registered within the state. The initial reason for the traffic stop was provided and classified according to the Annotated Code of Maryland Transportation Article. Search information includes the reason for the search, the type of search, and the

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<sup>3</sup> The statute requires the use of the following categories: Asian, Black, White, Hispanic and Other. However, the MVA utilizes the following categories: Black or African American, White, Asian, Native Hawaiian or Other Pacific Islander, American Indian, and Other.

disposition of the search if applicable. Reasons for the search include consensual, incident to arrest, exigent circumstances, probable cause, K-9 Alert, and other. The Other category reflects all searches conducted by law enforcement officers that were not classified into one of the other five categories. The types of search conducted include searches of the person, searches of the property, or both. Search disposition was collapsed into the following categories; property, contraband, both, or nothing. Finally, the outcome of the traffic stop was measured using four possible categories including warning (both verbal and written), citation, SERO, and arrest. The categories of this variable are mutually exclusive and were coded to reflect the most severe outcome of the traffic stop. Therefore, if the traffic stop resulted in both a citation and an arrest, only arrest was coded.

**RESULTS**

Maryland police departments and sheriffs’ offices reported 432,333 law eligible traffic stops for the calendar year 2007. Table 1 displays the overall breakdown of the ethnicity of drivers involved in traffic stops. Information on ethnicity was missing in 4,159 cases and ethnicity could not be correctly classified in 6,136 traffic stops. As shown, the majority of drivers were Caucasian (58.7%). The largest minority represented were African Americans who were the subjects of approximately 32 percent of all traffic stops (n = 139,752).

**Table 1. Ethnicity of Driver in Traffic Stops**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Asian	8902	2.1	2.1	2.1
Black	139752	32.3	32.3	34.4
Hispanic	19619	4.5	4.5	38.9
Other	6136	1.4	1.4	40.3
White	253765	58.7	58.7	99.0
Unknown/Missing	4159	1.0	1.0	100.0
Total	432333	100.0	100.0	

Tables 2 and 3 display the initial reason given by the officer for the traffic stop stratified by the driver’s ethnicity. Overall, the patterns are fairly similar across ethnicity and gender with regards to each traffic code. With the exception of Asians, males were stopped most frequently for a violation of Title 22. All males were least likely to be stopped for a violation of Title 21 Subtitle 13 which comprised less than .1% for each ethnicity. The pattern for females was less consistent with regards to the most frequent violation. Similar to the males, both Caucasian and African American females were stopped most frequently for a violation of Title 22 (20.6% and 18.2% respectively). However, Hispanic females were most frequently stopped due to a violation of Title 13 (n=486) and Asian females for a violation of Title 21 Subtitle 8 (n=507)

**Table 2. Primary Initial Reason for Stop by Driver’s Race/Ethnicity and Gender (Males)**

Primary Initial Reason for Stop (Title.Subtitle)		Race					
		Asian	Black	Hispanic	Other	White	U/M
13	Count	745	11957	2375	598	22719	35
	Pct	13.7%	17.2%	16.4%	13.8%	15.2%	7.9%
21.11	Count	38	598	154	27	2013	1
	Pct	.7%	.9%	1.1%	.6%	1.3%	.2%
21.13	Count	1	16	2	0	101	0
	Pct	.0%	.0%	.0%	.0%	.1%	.0%
21.14	Count	6	43	15	3	92	0
	Pct	.1%	.1%	.1%	.1%	.1%	.0%
21.2	Count	802	6610	1903	669	14222	67
	Pct	14.8%	9.5%	13.1%	15.4%	9.5%	15.1%
21.3	Count	335	4667	1021	288	9265	20
	Pct	6.2%	6.7%	7.0%	6.6%	6.2%	4.5%
21.4	Count	44	450	141	29	1127	3
	Pct	.8%	.6%	1.0%	.7%	.8%	.7%
21.6	Count	22	456	75	17	822	1
	Pct	.4%	.7%	.5%	.4%	.6%	.2%
21.7	Count	271	2177	449	145	6273	19
	Pct	5.0%	3.1%	3.1%	3.3%	4.2%	4.3%
21.8	Count	949	9122	1481	762	16697	48
	Pct	17.5%	13.1%	10.2%	17.6%	11.2%	10.8%
21.9	Count	84	1075	325	68	2932	4
	Pct	1.5%	1.5%	2.2%	1.6%	2.0%	.9%
22	Count	938	15744	2851	904	39732	104
	Pct	17.3%	22.7%	19.6%	20.9%	26.6%	23.5%
24	Count	3	62	14	2	136	0

	Pct	.1%	.1%	.1%	.0%	.1%	.0%
Other	Count	1192	15974	3566	818	32889	140
	Pct	21.9%	23.0%	24.6%	18.9%	22.0%	31.6%
Missing	Count	3	474	149	2	188	1
	Pct	.1%	.7%	1.0%	.0%	.1%	.2%
Total	Count	5433	69425	14521	4332	149208	443
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

**Table 3. Primary Initial Reason for Stop by Driver's Race/Ethnicity and Gender (Females)**

Primary Initial Reason for Stop (Title.Subtitle)		Race					
		Asian	Black	Hispanic	Other	White	U/M
13	Count	347	6322	486	175	11824	29
	Pct	13.5%	18.6%	17.4%	15.4%	16.2%	14.4%
21.11	Count	11	181	17	8	564	0
	Pct	.4%	.5%	.6%	.7%	.8%	.0%
21.13	Count	0	0	1	0	3	0
	Pct	.0%	.0%	.0%	.0%	.0%	.0%
21.14	Count	1	18	1	1	39	0
	Pct	.0%	.1%	.0%	.1%	.1%	.0%
21.2	Count	475	3535	480	180	7817	32
	Pct	18.4%	10.4%	17.2%	15.8%	10.7%	15.8%
21.3	Count	158	2209	176	79	4542	7
	Pct	6.1%	6.5%	6.3%	7.0%	6.2%	3.5%
21.4	Count	39	238	24	7	619	1
	Pct	1.5%	.7%	.9%	.6%	.8%	.5%
21.6	Count	13	166	12	4	374	0
	Pct	.5%	.5%	.4%	.4%	.5%	.0%
21.7	Count	165	1303	150	56	4544	9
	Pct	6.4%	3.8%	5.4%	4.9%	6.2%	4.5%
21.8	Count	507	4981	304	213	8899	16
	Pct	19.7%	14.7%	10.9%	18.8%	12.2%	7.9%
21.9	Count	24	321	22	20	1037	2
	Pct	.9%	.9%	.8%	1.8%	1.4%	1.0%
22	Count	303	6175	459	183	15051	33
	Pct	11.8%	18.2%	16.4%	16.1%	20.6%	16.3%
24	Count	1	15	1	1	30	0
	Pct	.0%	.0%	.0%	.1%	.0%	.0%
Other	Count	532	8308	640	208	17575	71
	Pct	20.6%	24.4%	22.9%	18.3%	24.1%	35.1%
Missing	Count	1	213	22	1	64	2
	Pct	.0%	.6%	.8%	.1%	.1%	1.0%
Total	Count	2577	33985	2795	1136	72982	202
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

The residence and registration of the driver (in-state or out-of-state) by the ethnicity of the driver is displayed in Tables 4 and 5. With the exception of cases where the ethnicity of the driver was coded as Other or Unknown, the majority of both male and female drivers of all ethnicities had an in-state registration and a residence in Maryland. Likewise, the least frequent combination reported was an out-of-state residence and an in state vehicle registration.

**Table 4. Driver’s Residence and Vehicle Registration by Driver’s Ethnicity (Males)**

Driver Residence	Vehicle Registration		Race					
			Asian	Black	Hispanic	Other	White	U/M
In State	In State	Count	4389	56555	10022	3326	122750	365
		Pct	80.8%	81.7%	70.4%	76.8%	82.3%	82.8%
	Out of State	Count	235	2786	1214	104	4101	13
		Pct	4.3%	4.0%	8.5%	2.4%	2.8%	2.9%
Out Of State	In State	Count	156	2711	1067	160	3957	16
		Pct	2.9%	3.9%	7.5%	3.7%	2.6%	3.6%
	Out of State	Count	650	7196	1925	738	18312	47
		Pct	12.0%	10.4%	13.5%	17.1%	12.3%	10.7%
Total		Count	5430	69248	14228	4328	149120	441
		Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

**Table 5. Driver’s Residence and Vehicle Registration by Driver’s Ethnicity (Females)**

Driver Residence	Vehicle Registration		Race					
			Asian	Black	Hispanic	Other	White	U/M
In State	In State	Count	2213	29105	2162	964	63593	181
		Pct	85.9%	85.7%	77.9%	84.9%	87.2%	89.6%
	Out of State	Count	127	1094	233	35	1684	4
		Pct	4.9%	3.2%	8.4%	3.1%	2.3%	2.0%
Out Of State	In State	Count	59	998	135	35	1360	5
		Pct	2.3%	2.9%	4.9%	3.1%	1.9%	2.5%
	Out of State	Count	177	2745	244	101	6322	12
		Pct	6.9%	8.1%	8.8%	8.9%	8.7%	5.9%
Total		Count	2576	33942	2774	1135	72959	202
		Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Table 6 through Table 10 concern the searches of both persons and property that occurred during the traffic stop. Tables 6 and 7 display the type of search conducted (person or property) with regards to the ethnicity of the driver and disaggregated by gender. There were a large number of cases in which the type of search was unknown (n= 338,876). Of those with a reported valid search type, the majority of searches for both males and females of all ethnicities were the combination of both personal and property. However, the percentage of personal/property searches was twice as large for Hispanics compared to Caucasian males (8.2% compared to 4.0%). In addition, the percentage of personal/property searches for African Americans was 1.5% higher than Caucasians. No differences are observed for females where the cases of personal/property searches are approximately 2 percent for each ethnicity.

**Table 6. Search Conducted and Type of Search by Driver’s Race/Ethnicity and Gender (Males)**

Search Type		Race					
		Asian	Black	Hispanic	Other	White	U/M
Person	Count	23	489	147	16	1050	2
	Pct	.4%	.7%	1.0%	.4%	.7%	.5%
Property	Count	18	585	211	26	797	1
	Pct	.3%	.8%	1.5%	.6%	.5%	.2%
Both	Count	163	3852	1196	176	5998	13
	Pct	3.0%	5.5%	8.2%	4.1%	4.0%	2.9%
Unknown/Missing	Count	5229	64499	12967	4114	141363	427
	Pct	96.2%	92.9%	89.3%	95.0%	94.7%	96.4%
Total	Count	5433	69425	14521	4332	149208	443
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

**Table 7. Search Conducted and Type of Search by Driver’s Race/Ethnicity and Gender (Females)**

Search Type		Race					
		Asian	Black	Hispanic	Other	White	U/M
Person	Count	0	104	8	5	259	3
	Pct	.0%	.3%	.3%	.4%	.4%	1.5%
Property	Count	4	143	22	5	294	0
	Pct	.2%	.4%	.8%	.4%	.4%	.0%
Both	Count	32	699	59	23	1734	6

	Pct	1.2%	2.1%	2.1%	2.0%	2.4%	3.0%
Unknown/Missing	Count	2541	33039	2706	1103	70695	193
	Pct	98.6%	97.2%	96.8%	97.1%	96.9%	95.5%
Total	Count	2577	33985	2795	1136	72982	202
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Tables 8 and 9 display the reason provided by the officer for the search of the driver’s person or property. As shown, the majority of the searches were classified as incident to arrest for both genders and all ethnicities. Exigent circumstances was reported least often at under 1% for each demographic. The proportions are fairly consistent for each ethnicity. The greatest differences occur within the consensual category of search reason. For males, there is a 4.9 percent difference between Caucasians and Hispanics with consensual searches representing a greater percentage of searches for Caucasians (15.2% compared to 10.3% respectively). This difference is exacerbated for females where a 12.2% difference is observed between Caucasians and Hispanic females for consensual searches. However, it is important to note that the number of females searched is quite small and therefore the differences in percentages observed will be exaggerated due to the small cell sizes. For example, there was only 1 reported consensual search for Hispanic females.

**Table 8. Reason for Search by Driver’s Ethnicity (Males)**

Reason for Search		Race					
		Asian	Black	Hispanic	Other	White	U/M
Consensual	Count	27	649	186	26	1375	3
	Pct	12.0%	11.2%	10.3%	10.2%	15.2%	12.0%
Incident to Arrest	Count	173	3549	1307	196	5956	18
	Pct	76.9%	61.3%	72.5%	77.2%	65.7%	72.0%
Exigent Circumstances	Count	1	28	10	1	41	0
	Pct	.4%	.5%	.6%	.4%	.5%	.0%
Probable Cause	Count	9	665	92	10	751	0
	Pct	4.0%	11.5%	5.1%	3.9%	8.3%	.0%
K-9 Alert	Count	8	477	63	15	431	0
	Pct	3.6%	8.2%	3.5%	5.9%	4.8%	.0%
Other	Count	7	421	145	6	518	4
	Pct	3.1%	7.3%	8.0%	2.4%	5.7%	16.0%
Total	Count	225	5789	1803	254	9072	25
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

**Table 9. Reason for Search by Driver’s Ethnicity (Females)**

Reason for Search		Race					
		Asian	Black	Hispanic	Other	White	U/M
Consensual	Count	3	72	1	3	361	3
	Pct	6.8%	6.6%	1.0%	8.1%	13.3%	30.0%
Incident to Arrest	Count	37	742	77	31	1823	4
	Pct	84.1%	67.6%	75.5%	83.8%	67.0%	40.0%
Exigent Circumstances	Count	0	5	0	0	11	0
	Pct	.0%	.5%	.0%	.0%	.4%	.0%
Probable Cause	Count	2	96	8	1	171	1
	Pct	4.5%	8.7%	7.8%	2.7%	6.3%	10.0%
K-9 Alert	Count	0	61	3	0	147	0
	Pct	.0%	5.6%	2.9%	.0%	5.4%	.0%
Other	Count	2	122	13	2	207	2
	Pct	4.5%	11.1%	12.7%	5.4%	7.6%	20.0%
Total	Count	44	1098	102	37	2720	10
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Table 10 displays the search disposition stratified by ethnicity and collapsed across gender. The majority of all searches did not result in either property or contraband. The driver was Caucasian or African American in the majority of the cases in which property, contraband, or both was found and the percentages are fairly consistent across search disposition. For example, 4.7 percent of searches in which the driver was African American were property searches that resulted in the discovery of contraband. Likewise, this same search and disposition for Caucasians represents 6.3 percent of the total cases for Caucasians. Comparatively, Hispanic and Asian males comprise of less than 1 percent each of this search and discovery combination.

**Table 10. Type of Search by Search Disposition and Driver's Ethnicity**

Search Type	Search Disposition		Race					
			Asian	Black	Hispanic	Other	White	U/M
Person	Contraband & Property	Count Pct	0 .0%	1 .01%	1 .04%	0 .0%	3 .02%	0 .0%
	Nothing	Count Pct	20 6.8%	605 8.3%	157 7.7%	24 7.7%	1282 9.2%	18 9.8%
	Contraband	Count Pct	0 .0%	14 .2%	2 .1%	0 .0%	15 .1%	0 .0%
	Property	Count Pct	0 .0%	13 .2%	2 .1%	0 .0%	7 .1%	0 .0%
Property	Contraband & Property	Count Pct	0 .0%	2 .03%	0 .0%	0 .0%	5 .03%	0 .0%
	Nothing	Count Pct	22 7.5%	791 10.9%	233 11.4%	37 11.8%	1219 8.8%	8 4.4%
	Contraband	Count Pct	1 .3%	34 4.7%	11 .5%	0 .0%	87 6.3%	0 .0%
	Property	Count Pct	0 .0%	19 2.6%	6 .3%	0 .0%	16 .1%	0 .0%
Both	Contraband & Property	Count Pct	5 1.7%	108 1.5%	9 .4%	1 .3%	171 1.2%	2 1.1%
	Nothing	Count Pct	175 59.5%	4409 60.6%	1243 61.1%	193 61.7%	7933 57.1%	29 15.8%
	Contraband	Count Pct	3 1.0%	222 3.1%	20 1.0%	5 1.6%	520 3.7%	1 .1%
	Property	Count Pct	13 4.4%	130 1.8%	33 1.6%	4 1.3%	198 1.4%	1 .1%
Unknown/ Missing	Contraband & Property	Count Pct	0 .0%	0 .0%	0 .0%	0 .0%	1 .01%	0 .0%
	Nothing	Count Pct	55 18.7%	1525 20.1%	317 15.6%	49 15.7%	2432 17.5%	124 67.8%
	Contraband	Count Pct	0 .0%	2 .03%	0 .0%	0 .0%	4 .02%	0 .0%
	Property	Count Pct	0 .0%	1 .01%	1 .04%	0 .0%	0 .0%	0 .0%
Total		Count Pct	294 100.0%	7271 100.0%	2035 100.0%	313 100.0%	13893 100.0%	183 100.0%

Tables 11 and 12 pertain to the outcome of the traffic stop. The most frequent outcome of traffic stops for males of all ethnicities was a citation. In addition, these percentages are quite consistent with

citations comprising of approximately 40% (with a range of 40.8 to 48 percent for all reported specific ethnicities). With regards to females, the pattern is less consistent. Similar to males, African American and Hispanic females received a citation most often compared to the other outcomes (39.9% and 36.9%). However, the percentage of warnings compared to citations was higher for Asian and Caucasian women. The difference for Asian women is fairly negligible at 3.3%, however; Caucasians received warnings 45.6% in all cases and received citations in 34.9% which is a difference of 10.7 percent.

**Table 11. Traffic Stop Outcome by Driver’s Ethnicity (Males)**

Traffic Stop Outcome		Race					
		Asian	Black	Hispanic	Other	White	U/M
Warning	Count	1980	24463	3357	1547	59892	141
	Pct	36.4%	35.2%	23.1%	35.7%	40.1%	31.8%
Citation	Count	2217	29579	6033	2079	61796	96
	Pct	40.8%	42.6%	41.5%	48.0%	41.4%	21.7%
SERO	Count	559	6807	1546	400	16466	35
	Pct	10.3%	9.8%	10.6%	9.2%	11.0%	7.9%
Arrest	Count	183	4239	1610	193	6836	30
	Pct	3.4%	6.1%	11.1%	4.5%	4.6%	6.8%
Unknown/Missing	Count	494	4337	1975	113	4218	141
	Pct	9.1%	6.2%	13.6%	2.6%	2.8%	31.8%
Total	Count	5433	69425	14521	4332	149208	443
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

**Table 12. Traffic Stop Outcome by Driver’s Ethnicity (Females)**

Traffic Stop Outcome		Race					
		Asian	Black	Hispanic	Other	White	U/M
Warning	Count	1027	13131	807	440	33300	61
	Pct	39.9%	38.6%	28.9%	38.7%	45.6%	30.2%
Citation	Count	944	13553	1030	501	25450	43
	Pct	36.6%	39.9%	36.9%	44.1%	34.9%	21.3%
SERO	Count	252	4104	325	108	9802	22
	Pct	9.8%	12.1%	11.6%	9.5%	13.4%	10.9%
Arrest	Count	42	1018	108	42	2171	18
	Pct	1.6%	3.0%	3.9%	3.7%	3.0%	8.9%
Unknown/Missing	Count	312	2179	525	45	2259	58
	Pct	12.1%	6.4%	18.8%	4.0%	3.1%	28.7%
Total	Count	2577	33985	2795	1136	72982	202
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Restricting the analysis to only cases in which the traffic stop resulted in arrest, Tables 13 and 14 display the reason given by the officer for the arrest by the driver’s ethnicity. The majority of the arrests for all demographics were based on the stop, ranging from 69% for Asian females to 79.3% for Hispanic males. Although there is a difference of 10.3 percent between these two demographics, it is important to note that females have a higher proportion of missing data or unknown reason for arrest compared to males overall and this may explain some of the observed differences.

**Table 13. Reason for Arrest by Driver’s Ethnicity and Gender (Males)**

Reason for Arrest		Race					
		Asian	Black	Hispanic	Other	White	U/M
Based on Search	Count	12	383	46	12	614	1
	Pct	6.6%	9.2%	2.9%	6.2%	9.2%	3.3%
Based on Stop	Count	141	2936	1268	142	4992	12
	Pct	77.0%	70.6%	79.3%	73.6%	74.6%	40.0%
Other	Count	25	571	190	35	784	2
	Pct	13.7%	13.7%	11.9%	18.1%	11.7%	6.7%
Unknown/Missing	Count	5	267	95	4	301	15
	Pct	2.7%	6.4%	5.9%	2.1%	4.5%	50.0%
Total	Count	183	4157	1599	193	6691	30
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

**Table 14. Reason for Arrest by Driver’s Ethnicity and Gender (Females)**

Reason for Arrest		Race					
		Asian	Black	Hispanic	Other	White	U/M
Based on Search	Count	1	63	0	0	121	0
	Pct	2.4%	6.3%	.0%	.0%	5.7%	.0%
Based on Stop	Count	29	698	79	30	1642	5
	Pct	69.0%	69.5%	74.5%	75.0%	77.7%	27.8%
Other	Count	9	150	15	5	238	2
	Pct	21.4%	14.9%	14.2%	12.5%	11.3%	11.1%
Unknown/Missing	Count	3	94	12	5	111	11
	Pct	7.1%	9.4%	11.3%	12.5%	5.3%	61.1%
Total	Count	42	1005	106	40	2112	18
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

## **DISCUSSION AND RECOMMENDATIONS**

The descriptive statistics suggest that traffic stops and the characteristics of traffic stops are fairly consistent with regards to ethnicity. However, conclusions regarding the relationship between ethnicity and traffic stops, based on the data contained in this report, should be cautiously interpreted and carefully utilized. First, with regards to the ethnicities reported, the lack of correspondence between the ethnicities required by the statute and those ethnicities reported by the MVA results in some ethnicities being collapsed and therefore not represented in this analysis.<sup>4</sup> Furthermore, licensed driver data excludes out-of-state drivers from the analysis because out-of-state driver population distributions are unavailable. Therefore the data given for out-of-state drivers is likely to be less accurate. To rectify this limitation, adoption of MVA categories would allow for the full analysis of ethnicities reported and the elimination of out-of-state drivers from the analysis would eliminate the possibility of bias as a result of the differences in data sources.

The major limitation of the current study pertains to the possibility of omitted variables that may account for any differences observed between ethnicities. The purpose of this report is to discover whether drivers who exhibit similar behaviors, but are of different ethnicities, are stopped at different rates and whether the traffic stops result in different treatment and outcomes. However, the current method allows the possibility of error by neglecting confounding variables, such as driving behavior and law enforcement deployment. If temporal and spatial traveling patterns differ by ethnicity, any differences observed may be the result of these driving patterns and not systematic differences between ethnicities. Considering that it is unknown whether traveling behaviors and patterns differ by ethnicity, no statistical conclusions can be drawn regarding whether there is differential treatment.

This report has provided descriptive statistics regarding the demographic information associated with traffic stops in Maryland for the calendar year of 2007. No definitive conclusions can be drawn from this report regarding the effect of ethnicity on the frequency or characteristics associated with traffic stops

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<sup>4</sup> The statute requires the use of the following categories: Asian, Black, White, Hispanic and Other. The MVA uses Black or African American, White, Asian, Native Hawaiian or Other Pacific Islander, American Indian, and Other.

due to data limitations beyond the scope of what reporting agencies could provide. However, the Governor's Office of Crime Control and Prevention is committed to strengthening communication with law enforcement agencies to ease the collection of available data and reporting.<sup>5</sup>

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<sup>5</sup> GOCCP incorporated MSAC in 2007, according to Executive Order 01.01.2007.05.