

EXPERT REPORT ON THE ALAMANCE COUNTY SHERIFF'S OFFICE

November 15, 2013

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This report was prepared for the United States Department of Justice (“DOJ”) in the case *United States of America v. Terry Johnson*. I have been asked to examine certain data to determine whether it suggests discriminatory policing against Latinos by the Alamance County, NC Sheriff’s Office (“ACSO”).

Qualifications

I am an Associate Professor of Criminology and Sociology, Chair of the Department of Criminology, and Director of the Jerry Lee Center of Criminology at the University of Pennsylvania (“Penn”). Prior to my appointment at Penn, I was a Behavioral Scientist at the RAND Corporation and Professor of Public Policy in the RAND Pardee Graduate School of Public Policy. I have co-authored three edited books/volumes and published numerous social science research articles in professional peer-reviewed journals, law reviews, and other scholarly publications. A number of my publications examine racial and ethnic disparities in the criminal justice system. These have included studies on racial profiling among the police, citizens’ perceptions of racial bias by the police, and policies that impact use of force among police officers. Publications I have authored on these topics have appeared in the leading journals in the fields of criminology, statistics, public health, and urban studies including *Criminology*, *Journal of the American Statistical Association*, *American Journal of Public Health*, and *Urban Studies*. I have received honors and awards from academic and professional associations, including the David N. Kershaw Award from the Association for Public Policy Analysis and

Management. I have worked on research grants and contracts from foundations and government agencies. I have a Ph.D. and M.A. in Criminology from the University of Maryland. I have a B.A. in Political Science from Vassar College. My curriculum vitae are presented in the Appendix, which lists all publications I have authored in the previous ten years. I have not testified as an expert previously.

Compensation

My rate of compensation for this analysis is \$1200 per day.

Data and Methods

I was provided with four separate databases that the DOJ obtained from ACSO. These databases contained information on stops, citations, arrests, and criminal incidents reported by the ACSO. Each database consisted of events that occurred between June 2008 and October 2013. The stop database was constructed from traffic stop report forms and does not include actual names of individuals stopped. These data have information on the basic demographics of the driver as reported by the officer, including the driver's age, race, gender, and ethnicity (recorded as Non-Hispanic or Hispanic). The stop data also contains information on the reason for the stop (justification as noted by officer), enforcement actions taken (e.g., arrest, citation, etc.), and searches of vehicle and passengers. The citation database consists of all citations issued by the ACSO and includes the first and last names of individuals cited, the type of violation, and details on the time and location of the incident (latitude and longitude, or "x-y" coordinates) when it was recorded by an officer. The citation database also includes the first and last names and badge numbers of the officers making the citations. The arrest database contains the first and last names of individuals, the charges for which an individual was arrested, and the time and location (latitude and longitude, or "x-y" coordinates when it was recorded) of arrests. The arrest database also includes the names and badge number of officers making arrests. The crime incidents database contains information on reported offenses to the ACSO by date, type of crime, and location (latitude and longitude, or "x-y" coordinates).

In conducting my analyses, I relied upon the stop, citation, and arrest databases. Each database was analyzed separately, because there was not a unique record locator to provide an exact link across databases. I focused on the stop, citation, and arrest databases because they

provide a direct comparison of the actions of officers relative to suspected violations. I also relied on these databases to construct statistical benchmarks for the actions of individual officers in terms of their rates of stops, citations, and arrests of Latinos compared to those of their colleagues engaged in similar levels of stops of citizens and working in comparable locations. This approach was used to flag officers whose rates of citations and arrests of Latinos are significantly above those of their peers.

Using traffic stop, citation, and arrest databases covering the period of June 2008 through October 3, 2013, I compared the type of law enforcement vehicle stops and the outcomes from stops in terms of search, citation, and arrest patterns by the ACSO. In particular, I focused on comparing Latinos to non-Latinos in comparable stop contexts. For the statistical analysis of outcomes used in this report I relied primarily on evidence of disparate treatment of Latinos by comparing statistical differences in averages and by estimating a series of regression equations that take the form:

$$\text{Outcome} = \alpha + B * \text{Latino} + \sum_i B_i (\text{Context of Stop, Citation, or Arrest}) + \varepsilon$$

Where Outcome is the search, citation, or arrest event probability, and Latino is a measure indicating whether a civilian is Latino, Context is the set of measures capturing characteristics of the stops, citations, or arrests, and ε is the leftover variation in the outcome not accounted for by ethnicity or context. This approach is used to simply control for features of each stop, citation, or arrest so that Latinos are being compared to non-Latinos in similarly situated contexts.

For the internal benchmark method I compared officers that have made at least 50 stops to each other in an attempt to find statistical outliers whose stop, arrest, and citation patterns appear to be disparately impacting Latinos.

Although there is no single unifying approach that can be applied to these types of administrative data to definitely answer the question of whether police are engaging in racially biased policing,¹ the approach used in this report meets the basic standard for drawing inferences about unexplained disparities that suggest a disproportionate impact of law enforcement behavior on Latinos by the ACSO.

¹ See discussion in: Ridgeway, Greg and John M. MacDonald. (2009). Methods for assessing racially biased policing. In *Race, Ethnicity and Policing*. (Eds., Rice and White). NY: New York University Press.

Summary of Expert Opinions Related to the ACSO

The pattern of statistical evidence points to aggregate disparities in the outcomes from stops and searches made by the ACSO. The analysis of stop data suggests substantial disparities between Latinos and non-Latinos in their treatment after being stopped by ACSO officers. ACSO deputies are 2.46 times more likely to issue citations and 1.52 times more likely to make arrests of Latinos compared to non-Latinos than to take lesser action, even after accounting for the differences in the reasons for stops. These patterns also appear to hold even after one takes into account that the same officer is making multiple stops. Latinos are also 85% less likely than non-Latinos to have drugs found on them when subject to a search, after taking into account the differences in stop reasons. The significant differences between Latinos and non-Latinos in the contraband yields of searches suggest that officers are applying a lower threshold for searching Latinos.

In addition, an internal benchmarking method that compares officers suggests there are clear outliers in terms of a number of officers stopping, citing, and arresting Latinos at higher rates than one would predict from other officers engaging in similar law enforcement activity. The number of officers flagged as outliers by this analysis is significantly higher than the number of outliers reported in other studies of law enforcement agencies.

Together these results suggest a pattern of aggregate disparities in outcomes from stops and searches made by the ACSO toward Latinos, as well as a subgroup of officers stopping, citing, and arresting Latinos at rates that are significantly higher than other officers engaged in similar levels of police activity.

1. Analysis of Post-Stop Outcomes

I first analyzed outcomes of all stops conducted by ACSO officers since June 2008. A comparison of outcomes (such as searches, citations, no action taken, verbal or written warnings, and arrests) from stops indicates significant disparities between Latinos and non-Latinos. Latinos are searched at a 20% higher rate compared to non-Latinos, a difference that is statistically significant.² This difference would occur by chance less than 1 time in 1,000 ($t=4.52$; $p<.001$). It is conventional practice in the field of statistics to express a result as statistically significant if the difference would occur by chance less than 5 times in 100. The

² The search rate for Latinos was 16.12% compared to 12.95% for non-Latinos.

search outcome differences between Latinos and non-Latinos were also examined after taking into account statistically the reasons for stops. This approach removes any observable difference in search outcomes that may be driven by differences in the reasons for stopping drivers.³ Across all stop reasons Latinos were significantly more likely than non-Latinos to be subjected to a search.⁴ The differences observed would occur by chance less than 1 time in 1,000. The higher search rates for Latinos compared to non-Latinos across all stop reasons suggests a different pattern of law enforcement practices is being applied to them.

The pattern of citations and arrests in traffic stops also revealed statistically significant disparities between Latinos and non-Latinos. Approximately 56% of Latinos stopped were issued citations, compared to only 32% of non-Latinos. Latinos were significantly less likely than non-Latinos to have “no action taken” (4.81% Latinos v. 8.68% non-Latinos), be given a “verbal warning” (22.37% Latinos v. 43.52% non-Latinos), or receive a “written warning” (5.03% Latinos v. 9.52% non-Latinos). The post-stop enforcement actions taken by the ACSO consistently favor non-Latinos over Latinos in traffic stops. These differences would occur by chance less than 1 time in 1,000.⁵ Latinos were also significantly more likely to be given an “on-view arrest” or an arrest without a warrant (11.9% Latinos v. 6.23% non-Latinos).

Because differences in the reasons for stops between Latinos and non-Latinos could impact disparities in enforcement actions (citations and arrest), these outcomes were compared between Latinos and non-Latinos after accounting for the reasons for the initial stop. The results confirm the simple comparisons of differences in rates and indicate that the odds were 63% lower for “no action” for a Latino compared to a non-Latino, even after taking into account differences in stop reasons.⁶ These differences would occur by chance less than 1 time in 1,000. Latinos were also 55% and 44% less likely to be given a “verbal” and “written” warning, respectively, compared to non-Latinos, even after taking into account the reasons for stops. The odds of an “on-view” arrest were 52% higher for a Latino compared to a non-Latino, even after

³ It is important to control for differences in reasons for stops, as subgroup differences in stop reasons between ethnic groups could drive average differences in search outcomes. See Ayres, Ian (2002). “Outcome Tests of Racial Disparities in Police Practices,” *Justice Research and Policy*, 4, pp. 131–142.

⁴ Results from estimates of searches using both a logistic regression model and linear probability model indicated that Latinos were significantly more likely to be subject to a search.

⁵ The specific statistical test on an F-distribution comparing the likelihood of having different outcomes between Latinos and non-Latinos was $F(4, 20054) = 219.79$ ($p < .0001$).

⁶ The odds ratio was .376 (standard error = .0378; $p < .001$).

taking into account differences in stop reasons.⁷ These differences would occur by chance less than 1 time in 1,000. The results were substantively the same after adjusting the estimates for the fact that the same officers stop multiple individuals.⁸

2. Searches by ACSO Officers

I next analyzed all searches recorded by ACSO officers since June 2008. A common method in the research on bias in police behavior is to compare outcomes from searches to evaluate how often they result in a finding of contraband (e.g., drugs, illegal money, alcohol, weapons).⁹ The idea that the comparison of outcomes from searches can be used as a test of police bias is based on a series of economics papers that rely on the application of the “Nash” equilibrium to police searches. These papers suggest that contraband yields provide a race-neutral test of bias in police decision-making because police decisions about which suspects to stop and search take into account the benefits of searching different suspects, and suspects take “into account the risk of getting searched.”¹⁰ However, this model assumes that racial differences in the types of crimes being committed will not lead to different rates in the finding of contraband, which runs counter to the data that shows there are differences in offender profiles by race. Therefore, I make sure to compare contraband rates between Latinos and non-Latinos that were stopped for the same reasons. The most prevalent outcome is a finding of drugs, occurring in 25.5% of all 2,684 searches. A simple comparison of means indicates that 6.8% of Latinos are found with drugs when searched, compared to 29.2% of non-Latinos. This difference is statistically significant and would occur by chance less than 1 time in 1,000.¹¹ While research indicates that race and ethnic differences in interactions or other situational contexts (e.g., a suspect identified as being on parole) may drive a difference in the propensity to

⁷ The odds ratio was 1.52 (standard error=.108; p<.001).

⁸ Specifically, each model was re-estimated adjusting standard errors for 154 different possible officers that made the stop.

⁹ See Ridgeway, Greg (2006). Assessing the effect of race bias in post-traffic stop outcomes using propensity scores. *Journal of Quantitative Criminology* 22:1-29.

¹⁰ See Knowles, John, Nicola Persico, and Petra Todd (2001). Racial bias in motor vehicle searches: Theory and evidence. *Journal of Political Economy* 109: 203-229.; Persico, Nicola and Petra Todd. (2006). Generalizing the hit rates test for racial bias in law enforcement, with an application to vehicle searches in Wichita. *The Economic Journal*, 116, F351–F367.; Persico, Nicola and Todd, Petra E. (2008). The hit rates test for racial bias in motor-vehicle searches. *Justice Quarterly* 25: 37-53.

¹¹ (t= 9.85; p<.001).

search someone,¹² the ACSO data suggest a sufficiently large difference in a lower probability of findings of drugs to indicate a different standard being applied to searches of Latinos.

These large differences may be driven by the fact that Latinos are more likely to be subject to stops for certain types of violations. Indeed, an analysis of the variance between stop reasons indicates significant differences between Latino and non-Latino drivers in the reasons for stops that would occur by chance less than 1 time in 1,000.¹³ Therefore, I analyzed contraband yield rates for drugs controlling for the type of stop. The results of this analysis indicate that Latinos are 85% less likely to have drugs found on them when subject to a search compared to non-Latinos, even after taking into account the differences in stop reasons.¹⁴ These findings suggest that the disparities between Latinos and non-Latinos in contraband yields for drugs are not driven by differences in stop reasons.

I also tested differences in outcomes from searches arising from vehicle checkpoint stops. Starting in 2010 the category of “Checkpoint” was added to the list of options for the initial purpose of a traffic stop recorded by ACSO. Latinos comprised 36% of all checkpoint stops since ACSO began recording these data.¹⁵ Approximately 28.8% of all stops of Latinos between 2010 and 2013 were initiated because of a checkpoint, compared to only 8.3% of non-Latinos. A separate analysis of drugs found during the 429 searches at vehicle checkpoint stops reveals stark disparities. A simple comparison of means shows that 9.89% of searches of Latinos at checkpoints resulted in a finding of drugs, compared to 48.22% of searches of non-Latinos. Alcohol was also found in fewer searches of Latinos (2.2%) compared to non-Latinos (10.95%) searched at vehicle checkpoint stops. The overall rate of contraband findings from the 429 searches at vehicle checkpoint stops was 10.99% for Latinos compared to 56.8% of non-Latinos. These results are displayed in Table 1 below.

¹² Research indicates that situational factors during a police-citizen encounter can increase the probability of a search. See discussion of research in Engel, Robin S. (2008). A critique of the “Outcome Test” in racial profiling research. *Justice Quarterly* 25:1-36.

¹³ The F-statistic calculated on the variation in ten different types of stops for Latinos v. non-Latinos was 129.71 (p<.000).

¹⁴ The odds ratio from this estimate is .157 (z=-9.32; p<.000). The findings are substantively the same after re-estimating the logistic regression model and adjusting standard errors for 111 different officers that made the searches.

¹⁵ 676 out of 1,882 checkpoint stops were Latino drivers.

Table 1. Differences in Drugs Found by Searches at Checkpoint Stops

	Non-Latino	Latino
Searched	331	91
% Drugs Found	48.22	9.89
% Alcohol Found	10.95	2.20
% Any Contraband Found ¹⁶	56.80	10.99

When expressed as a difference in the odds of a finding of drugs this translates into Latinos being 88% less likely to be found with drugs, a difference of 5.82 standard deviations that would occur by chance only 1 time in 1,000.¹⁷ Latinos were 91% less likely to be found with any contraband as a result of a vehicle checkpoint stop. Again, this difference would occur by chance less than 1 time in 1,000.¹⁸

The subgroup analyses confirms that the threshold for searches appears to be significantly lower for Latinos compared to non-Latinos, even when stopped for the same apparent reasons. These findings suggest a lower standard of suspicion is being applied to searches of Latinos compared to non-Latinos.

3. Internal Benchmark Analysis of ACSO Officers

I utilized an internal benchmark procedure to compare the rate of Latino stops, citations, and arrests for each officer in the ACSO with at least 50 stops from June 2008 to October 2013. The internal benchmark is a statistical framework that compares officers' stop decisions with decisions made by other officers working in similar situational contexts.¹⁹ This provides a fair comparison of officers to their peers. The internal benchmark method was used on each stop, citation, and arrest database as an independent test. The advantage of this approach is that it

¹⁶ All contraband includes any finding of drugs, money, alcohol, weapons, or "others" as noted on traffic stop forms.

¹⁷ The findings are substantively the same after re-estimating the logistic regression model and adjusting standard errors for 51 different officers that made the checkpoint searches.

¹⁸ The test statistic (z score) on this difference was 6.71 standard deviations.

¹⁹ See Walker, S. (2001). Searching for the denominator: Problems with police traffic stop data and an early warning system solution. *Justice Research and Policy* 3 (2), 63–95.; <http://samuelwalker.net/wp-content/uploads/2010/06/InternalBenchmarking.pdf>.

allows one to point out separate tests of officers in different databases. This approach is used to flag potential “problem officers” as statistical outliers.²⁰ The internal benchmark method used in this assessment is similar to the one applied in studies trying to detect racial bias in police actions in Cincinnati, Ohio, and New York City.²¹

For the internal benchmark comparison, a total of 66 different officers who made at least 50 stops since June 2008 were compared in terms of the percentage of Latino stops, citations, and arrests. For calculating Latino stops I relied on the ACSO reports of a driver’s ethnicity that is recorded in their traffic stop reports. The traffic stop reports specifically ask officers to check a box for “Driver’s Ethnicity” as Non-Hispanic or Hispanic. Collectively, these 66 officers made 85.77% of all stops. For each officer, a statistical model was estimated that contrasts the officer with a statistical benchmark of other officers conducting stops in similar contexts. The features used to make comparisons are explained in the following section. In addition to construction of a weighted comparison group, each officer is also compared based on their estimated stops, citations, and arrests. The approach used is referred to as a “doubly robust” method because it includes both the estimated outcomes for officers as well as those from their weighted comparison group.²² The routine employed relied on the “doubly robust” methods of augmented inverse-probability weights.²³ This approach can reduce the risk of bias in one’s estimates. For each analysis a cutoff score of 1.96 standard deviations (z scores) was chosen to flag an officer as an outlier. This value would occur by chance 5 times in 100 and is the conventional level of determining statistical significance. Given the relatively small number of officers being compared and the use of a doubly robust model, this approach is a conservative method for flagging officers as statistical outliers.

²⁰ See Ridgeway, Greg, and John M. MacDonald. (2009). Doubly robust internal benchmarking and false discovery rates for detecting racial bias in police stops. *Journal of the American Statistical Association* 104: 661-667.

²¹ See Ridgeway, G., T. L. Schell, K. J. Riley, S. Turner, and T. L. Dixon (2006). Police-community relations in Cincinnati: Year two evaluation report. Technical Report TR-445-CC, RAND Corporation, Santa Monica, CA. http://www.rand.org/pubs/technical_reports/TR445/;

Ridgeway, G. (2007). *Analysis of racial disparities in the New York Police Department’s stop, question, and frisk practices*. Technical Report TR-534-NYCPF, RAND Corporation.

²² See Bang, H., and Robins, J. (2005), “Doubly Robust Estimation in Missing Data and Causal Inference Models.” *Biometrics* 61, 962–972. Corrected in 2008, *Biometrics*, 64, 650. Imbens, G. W., and J. M. Wooldridge. 2009. Recent developments in the econometrics of program evaluation. *Journal of Economic Literature* 47: 5–86.

²³ StataCorp. 2013. Stata: Release 13. Statistical Software. College Station, TX: StataCorp LP.

Stops

For the final analytic sample of stops, 53 individual officer estimates of bias in stops of Latinos were estimated.²⁴ For the internal benchmark of Latino stops, each officer's probability of stopping a Latino driver was compared to other officers who also made 50 stops along with an indicator variable scored 1 for the most common type of stop for Latinos.²⁵ This method ensures that officers are being compared to their peers who are making a comparable number and type of stops. A total of 12 officers were flagged as statistical outliers for stopping a significantly higher percentage of Latinos than their peer officers.²⁶ The pattern of stops of these officers is worth further scrutiny.

The number of officers flagged as outliers by this analysis is significantly higher than the number of outliers reported in other law enforcement agencies. A comparable approach to internal benchmarking of officers in Cincinnati, Ohio found that 10 out of 315 officers with more than 50 stops were statistical outliers (3.2 percent). Similarly, an internal benchmark comparison of nearly 3,000 New York City Police Department officers involved in pedestrian stops flagged 15 for stopping a greater proportion of minorities than their statistical benchmarks would predict (0.5 percent).²⁷ The number of ACSO officers exceeding their statistical benchmark for stopping Latinos is 18% (12 out of 66). The rate at which ACSO officers exceed their benchmark for stopping Latinos warrants further scrutiny.

Citations and Arrests

For the internal benchmark comparison of Latinos in citation and arrest databases, one could not readily tell the ethnicity of subjects, because the ethnicity field was rarely recorded. Out of 10,409 citations with the "Race" field coded, only 13 were reported as "H" for "Hispanic." Out of 15,762 arrests with the "Race" field coded, only 1 Latino was reported under

²⁴ Thirteen of the 66 officers did not have sufficient variation in the types of stops to estimate individual benchmarks for each of these officers. These thirteen officers remained in the analysis as part of the weighted comparison group.

²⁵ I include an indicator for a checkpoint stop vs. other types as this was the most common reason for stopping Latinos by the ACSO. Almost one quarter (24.83%) of all stops of Latinos were initiated by a checkpoint compared to only approximately 7 percent (6.96%) of non-Latinos.

²⁶ These 12 officers all had percentage of Latino stops that were equal to or greater than 1.96 standard deviations (z scores) from their peers (z scores = 2.17, 2.21, 2.31, 2.39, 2.39, 2.52, 2.72, 2.97, 2.00, 2.04, 2.79, 5.57).

²⁷ See Ridgeway, Greg. Cincinnati Police Department Traffic Stops: Applying RAND's Framework to Analyze Racial Disparities. Santa Monica, CA: RAND Corporation, 2009. <http://www.rand.org/pubs/monographs/MG914>. Also available in print form. pp. 28-29; Ridgeway, Greg, and John M. MacDonald. (2009). Doubly robust internal benchmarking and false discovery rates for detecting racial bias in police stops. *Journal of the American Statistical Association* 104: 661-667.

the text “H”. Therefore, a surname database developed from 2000 United States Census data was used to construct a probability of being Latino.²⁸ This approach involves matching names in the census data where the surname has been assigned a probability of being Latino to last names listed in the citations and arrests databases. Research shows that when one compares the use of Spanish surnames to the “gold standard” of self-identified Latinos, the two closely match.²⁹ For this analysis, a person was assigned a probability of being Latino based on the chance that someone with that last name would self-identify in the census as being Latino.

The internal benchmark analytic comparison for citations consisted of 30 unique officers out of the 66 that had sufficient information on the geo-location of their citations,³⁰ information on whether the citation occurred when it was dark, was for an inspection violation, non-operator violation, speeding, or other violation. Collectively these 30 individual officers contributed to 64% of all citations. Based on this internal benchmark model, each of these 30 officers was compared on the percentage of Latino citations they wrote compared to a statistical benchmark of their peers who issued citations in similar locations, in similar light or darkness, and for similar types of violations. The internal benchmark method flagged five officers as outliers.³¹ Three of these five officers were also flagged as outliers in the internal benchmark stop analysis.

For the internal benchmark comparison of arrests, a total of 21 of the 66 officers were compared to a statistical comparison of officer peers. These 21 officers were matched to peers based on the location of arrests and the most common arresting offenses. Specifically, officers were matched based on the location where an arrest occurred,³² along with separate measures capturing arrests for aggravated and simple assaults, failures to appear, and resisting arrest. The internal benchmark method flagged three officers as outliers. These officers were Amanda McGill ($z=4.18$), Brandon Wilkerson ($z=3.30$), and Troy Anthony ($z=3.11$). This means that these officers are arresting Latinos at rates that are more than 3 standard deviations higher than

²⁸ <http://www.census.gov/genealogy/www/data/2000surnames/>. A surname like Garcia, for example, has a 90.81% chance of being Latino. This is generated from comparing surnames in the census to ethnicities chosen by respondents.

²⁹ See Wei II, Virnig BA, John DA, Morgan RO. (2006). Using a Spanish surname match to improve identification of Hispanic women in Medicare administrative data. *Health Services Research* 41:1469–1481.

³⁰ Cases were coded based on the reported X or Y coordinate or scored zero if missing. This way officers who issued citations in similar geo-locations could be compared.

³¹ These five officers had percentage of Latino citations that occurred at a rate that was greater than 1.96 standard deviations (z scores) above their peers (z scores = 2.13, 2.26, 2.33, 3.05, 3.42).

³² Cases were coded based on the reported X or Y coordinate or scored zero if missing on an arrest. This way, officers making arrests with similar geo-locations could be compared.

their statistical benchmark. Officers McGill and Anthony were also flagged as outliers in the internal benchmark of stops.

Conclusion

I find that statistical disparities in the conduct of stops, the outcomes of stops, and the outcomes of searches suggest disparate treatment by the ACSO toward Latinos compared to non-Latinos. These disparities exist even after comparing individuals stopped for the same recorded reasons. In short, ACSO's enforcement actions appear to favor non-Latinos. Latinos appear to be significantly more likely than non-Latinos to be arrested, even when stopped for the same reasons. Latinos also are subject to searches more frequently compared to non-Latinos. And when searches are conducted, it appears that ACSO officers are significantly less likely to find drugs or other contraband on Latino suspects compared to non-Latino suspects, suggesting that a lower threshold of suspicion is being applied to Latinos. Finally, an internal benchmark analysis finds a large number of outlier officers exist within the ACSO who are stopping, citing, and arresting Latinos at a higher rate than one would expect based on comparisons with their peer law enforcement officers. The percentage of outlier ACSO officers who disproportionately stop Latinos is higher than the percentage of outlier officers in published research using internal benchmarking methods on other law enforcement agencies.

A handwritten signature in blue ink that reads "John MacDonald". The signature is written in a cursive style and is positioned above a horizontal line.

John MacDonald, Ph.D

November 15, 2013