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Experiencing Racial Profiling: Process, Effects and Explanations

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EXPERIENCING RACIAL PROFILING: PROCESS, EFFECTS AND
EXPLANATIONS

A Thesis

Submitted to the Graduate Faculty of the
University of New Orleans
in partial fulfillment of the
requirements for the degree of

Master of Arts
in
The Department of Sociology

by

Foley Santamaria

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Abstract

What are the effects of profiling a minority group? I propose that being profiled lowers an individual's opinions of police as well as harms the police-community relationship. I analyze the results of a snowball sample consisting of qualitative interviews of six young African American males who think they have been racially profiled. The interviews were conducted in 2003 and 2004. A look at the process of racial profiling is included, and several explanations for law enforcement behavior emerged out of the interviews, including ideas of black criminality, acceptance, disrespect, and the presence of window tint. Furthermore, several significant effects emerged including a lowering of opinion on law enforcement, the detailing of a tension between citizens and police, and an analysis of respondent views on the quality of policing. The respondent beliefs about the importance of race and image symbols as well as neighborhood context as determinants of police attention also emerged. The results illustrate that there are several significant drawbacks to the practice of racially profiling young African American men.

Introduction

I don't know if its good that I'm already able to assume that, that's what they're doing, running my plates and not just driving behind me, but, lo and behold, I get pulled over and questioned about where I'm going. And who's car it is and they want to look in the trunk. I mean, you get frustrated, but at the same time you can't allow it to affect you, can't allow it to poison your mentality. It'll make you real negative real quick.

The above account by Jeff, an African-American resident of New Orleans, illustrates racial profiling. Racial profiling is a term that has been used to describe a variety of behaviors including police officers stopping or searching an individual on the basis of their race, not because of probable cause or reasonable suspicion that a crime has been committed. Racial profiling is one of the law enforcement tactics that results in the stopping of African American men.

Numerous studies have shown that African American motorists are stopped by police in greater numbers than any other group (Brazil and Berry 1992; Harris 1999a; 1999b; Lamberth 1996; 1999; Engel, Shepard, Calnon, and Bernard 2002). Scholars argue that this targeted stop behavior is possible because of the discretion the individual patrol officer enjoys. Police, with their limited resources and the nearly universal violation of traffic laws by motorists, exercise a great deal of choice about whom to stop, what course the interaction will take, and whether to ask the motorist for consent to search.

Racial profiling has become the center of an intense national debate. Many police departments have vigorously denied they practice profiling. For example, St. Paul Police Chief William Finney, in response to preliminary data showing that St. Paul officers may be engaging in racial profiling, stated he “Doesn’t believe his department is racist or engages in racial profiling” (Chanen 2001). Brad Jacobsen, president of St. Paul’s police union, went further by saying “the data implications are an insult to all officers” (Chanen 2001).

Studies have analyzed data in states from Florida to New Jersey to Minnesota. For example, one study of four Ohio cities found that African-Americans were twice as likely as whites to be ticketed (Harris 1999a). Another study analyzed a medium-sized suburban police department’s proactive police queries by neighborhood context. These queries were on mobile computers installed in squad cars and were officer initiated, rather than conducted during traffic stops. The study found that query rates for African-American motorists in the wealthiest white areas of the city were 325 percent and 383 percent greater than their number in the driver population. In comparison, whites have about the same chance of a query throughout the whole city. The race and place effect is also evident in the stop behavior of officers (Meehan and Ponder 2002).

Few studies find little evidence of racial profiling. Lamberth Consulting’s study of Santa Cruz County police officers, conducted over a series of eight days during the months of May and June 2002, found that,

While there are a few locations in the County where the level of stops of Hispanics should lead to a review by an agency, overall there is little evidence of targeting of Hispanic motorists (Rickabaugh 2003 p. 76).

Lamberth Consulting uses ratios of stoppage to measure profiling, and ratios up to 1.7 are considered to be benevolent, or within the margin of error. Ratios between 1.7 and 2.2 are considered to be possibly worthy of further review. Lamberth Consulting says 2.2 is the threshold number at which departments are urged to consider corrective action. Latino drivers were stopped at a rate 2.2 times that of non-Latinos (Refern 2003). Lamberth Consulting also reported, “Due to the small number of Black motorists in the stop data, no statistical analyses are reported” (Rickabaugh 2003 p.74). Lamberth Consulting concluded by recommending that data collection continue for at least two years so that statistical analysis of African American motorist stops can be done.

Most studies have focused on statistical analysis of traffic stop data rather than the accounts of its victims. While looking at racial profiling in strictly numerical terms is important for providing evidence of its existence, it is also about individual or group experiences with police. Many in minority communities are upset by the negative personal effects caused by the practice (Budwig 2001; Civilrights 2003). It is not merely an inconvenience, they say, it is a degrading practice that angers its many victims. Being profiled evokes emotions that do not simply go away. The practice can potentially shake the foundations of a crucial relationship: that between a minority community and its police (The National Commission on Causes and Prevention of Violence 1968).

Studies have not been done that categorize the accounts of those who feel they have been profiled, as well as the potential effects this practice has on community-police relations. Harris (1999a) did look at several narrative qualitative accounts; however, only a few accounts were given and limited analysis was conducted. Some organizations, such as the ACLU, have made efforts to document the stories of those who feel they are

victims, but these efforts have focused on a short telling of the events rather than a detailed look at the emotions and experiences involved.

This study will attempt to add to the scholarly knowledge on racial profiling and police-citizen interactions by focusing on the experiences and accounts of those profiled. Analysis of the accounts will provide preliminary examination of the short and long term effects of law enforcement profiling a particular population. The study will present the personal experiences of racial profiling victims in the New Orleans area and the consequences of this practice for individual relationships with police, as well as for community-police relations.

The importance of discretion in police work is presented first in the literature review. The breadth of traffic laws gives individual officers the ability to choose whom they wish to stop and this can have potentially negative effects. Detailing the police subculture helps understand why police target minority group members and provides background for why some neighborhoods receive harsh police treatment while others do not. That traffic stops are some of the most deadly encounters law enforcement have with citizens is also an important component, as officers often adopt harsh procedures in an effort to protect their safety. The exercise of a certain kind of discretion, that is targeting minorities, leads to racial profiling. The development of racial profiling is detailed and then statistical analyses of traffic stop data are presented. Arguments presented by defenders of some type of profiling are addressed next, followed by a look at the role of legislation and several important legal cases. A discussion on the theory and research on 'Quality of Life' policing, which often leads to increased police scrutiny of minority neighborhoods and has been implemented in many cities nationwide, is next. Drug

scares, defined as a panic created by law enforcement, politicians and the media, also play an integral role as they give law enforcement increased resources, often translating into greater levels of racial profiling and the adoption of harsher police tactics in certain neighborhoods. Weitzer's (2002) research on how citizen opinion of law enforcement differs with the race and class of a neighborhood is then examined. The effect of neighborhood context on pro-active police surveillance is then discussed.

The problems with the methods used in past statistical analyses are presented next, and the literature review is completed with a look at how Social Conflict theory examines structural issues that color interactions between minority and dominant groups. The methods section follows the literature review, detailing the qualitative research strategy, data collection limitations, and Wolcott's (1994) blueprint for working with qualitative data. The findings are then presented, divided into subheadings detailing the process of the incidents, respondent explanations of police behavior, effects (as reported by respondents), and a discussion on race, symbols and place. Next, the findings are summarized and conclusions presented. The references section completes the thesis.

Review of the Literature

Discretion

Discretion is an integral part of police work. Officers exercise discretion in a variety of situations, from deciding which speeding or suspicious vehicle to stop on the highway to deciding a course of action in a variety of encounters with citizens.

Discretion, officers maintain, is about a conflict between the necessary, simplistic rules that govern law enforcement behavior and the inherently complicated social situations officers work in (Cox 1996). Officers state that experience is paramount in the learning

process, citing training in police academies as being of negligible importance to “real” police work. This study is particularly focused on the decision to stop motorists. Officers have an enormous amount of discretion on whom they choose to stop, because as Lamberth (1996) has noted nearly every motorist breaks some law while driving. This is true even on short trips. Many of the large number of rules governing motorist behavior and vehicle condition are obscure, ambiguous and open to police interpretation. For example, many states “require that drivers signal for at least one hundred feet before turning right; anything less makes the driver an offender” (Harris 2002 p. 31).

Detailed vehicle requirements also exist. For example, the requirements for stickers alone include pollution-control stickers, safety inspection stickers, and yearly validation stickers (Harris 2002). The combination of detailed vehicle requirements and the breadth of traffic laws mean that if an officer desires to stop a motorist they simply have to follow them for a short time and wait for an infraction (Webb 1999). Thus the average patrol officer can stop almost anyone of their choosing. Any infraction can be used as a pretext to conduct investigative stops. Officers may then ask a number of specific questions on the nature of the motorist’s trip, where they have been, whom they have seen or plan to see, or anything else they desire. If there is no evidence of a crime the officer may still ask for consent to search the vehicle; if they do see evidence of a crime they need not ask (Harris 2002).

As well, research shows many police officers believe that minority group members are inferior to whites. This is especially prevalent in officers assigned to high-crime areas largely populated by a minority group who do not think highly of police (Baldwin 1993; Hacker 1992). Furthermore, officer prejudice is well-documented

(Schaefer 1993), and young minority males who use the slang and dress of particular subcultures are often seen by law enforcement as not respecting their authority (Cox and Fitzgerald 1991), which may lead to investigative stops. Thus, minorities may expect to be stopped in greater numbers than whites and minority communities may receive slower police responses than white communities. Complaints such as these may cause minority residents to cooperate less with officers, which results in less trust and greater hostility from law enforcement, causing a souring of police community relations (Feldberg 1989). Several surveys of public opinion on law enforcement show the results of this discretion. One poll found that 61 percent of African American respondents thought minorities are not treated equally in the justice system (Langer 1988). Furthermore, results from a 1992 opinion poll showed that only 29 percent of African American respondents rated the honesty and ethics of law enforcement as “high” or “very high.” 38 percent of African American respondents felt their local law enforcement treated people fairly, while 45 percent thought police brutality existed in their neighborhood (Maguire, Pastore, and Flanagan 1993).

Although policing could not work without discretion, Feldberg (1989) noted a significant problem of discretion is inconsistency. Inconsistency is seen in differential treatment of minorities by officers. Discrimination results, leading to a situation in which, American society proclaims its citizens equal before the law, but discretion may give rise to situations in which, it appears, some individuals have less to fear from the law than others (Feldberg 1989 p. 148).

The importance of how discretion is utilized is summed up by The National Commission on Causes and Prevention of Violence (1968),

How a police man handles day-to-day contacts with citizens will, to a large extent, shape the relationships between the police and the community. These contacts involve considerable discretion. Improper exercise of such discretion can needlessly create tension and contribute to community grievances (p. 312)

Police Occupational Subculture

Understanding the police occupational subculture is necessary in order to understand how officers exercise discretion on whom they choose to stop and investigate. Manning (1978) writes that people as actors use assumptions about others to develop strategies to handle situations. He detailed certain assumptions which make up the urban patrolman occupational subculture:

1. People are not to be trusted and are potentially dangerous
2. Personal experience is a better action guide than abstract rules
3. Officers must make the public respect them.
4. Everyone hates a cop.
5. The legal system is untrustworthy; police officers make the best decisions about innocence or guilt.
6. People must be controlled or they will break laws.
7. Police officers must appear respectable and be effective.
8. Police officers can most accurately identify crime and criminals.
9. The basic jobs of the police are to prevent crime and enforce laws.
10. More severe punishment will deter crime. (Manning 1978 p. 11-12)

Furthermore, police look down upon certain groups of people, including suspicious characters, outsiders, and “assholes.” These groups, which often include racial and ethnic minorities, may receive less services or worse treatment from police (Van Maanen 1978).

Herbert (1998), in a further examination of police subculture, found that six orders are crucial to policing: law, bureaucratic control, adventure/machismo, safety, competence, and morality. The social world of officers is described as “insular, suspicious, masculine, and focused on risk” (Herbert 1998 p. 344). Herbert argues that the distinction between officer conduct as set by law and their actual actions is not so pronounced and laws do “partially determine” police actions. The law both empowers and constrains officers, as it gives law enforcement the legal mandate to use force that normal citizens cannot and gives the necessary justification for actions officers desire to undertake. It is also limiting, however, in that it places restrictions on police tactics and their “legally defined reach” (Herbert 1998). Bureaucratic controls, defined as upper-level police management, make up “another more formalized set of guidelines for police behavior,” (Herbert 1998 p. 354) so that management can have some control over the actions of lower-level patrol officers.

Adventure and machismo represent another order, one in which officers must show their courage by knowingly putting themselves in dangerous situations. Yet safety is also paramount, as officers encourage the utilization of tactics to preserve lives. Many officers also believe it is better to break the law than to lose your life (Herbert 1998). Safety strongly governs how officers both evaluate and decide the line of action in situations. For example, officers in the LAPD divide areas to “pro-police” and “anti-

police” neighborhoods. The former will help police and are safe; the latter resist police authority. Officers, when responding to calls in anti-police areas,

Release their seat belts to afford themselves maximum mobility; they roll down their windows to increase their ability to hear; they unlatch their shotguns; and they inform the dispatcher of their location to ensure that other officers can respond to the precise spot should the situation, in police terms, ‘go sideways.’

(Herbert 1998 p. 358)

Considerations of safety lead officers to define certain areas as fraught with danger and they respond accordingly. Furthermore, officers like to patrol with greater force and presence in areas where police authority is not respected. The Christopher Commission, formed in response to the Rodney King incident to study the LAPD’s use of force, found that officers who policed these areas were unnecessarily fearful and thus suspicious of individuals who comprise even remote threats (Independent Commission 1991). The resulting “brusque” style of policing alienated citizens and harmed police-community relations, particularly in minority communities. Citizens in these communities are likely to be labeled “anti-police” and receive an indiscriminate style of policing initiated by officers primarily concerned with their own safety.

Herbert (1998) notes that officers see themselves as agents in the greater struggle between good and evil. This morality order manifests itself in two ways, as the law enforcement desire to ensure peace and order is positive; however if a neighborhood or individual is labeled as immoral they are likely to be policed with an unnuanced hand. Furthermore, if viewed as such, suspects may be denied the “full respect” the law gives them. The combination of this type of morality and the law enforcement desire to make

their presence known in certain neighborhoods can further cause tension between citizens and law enforcement. Herbert (1998) argues reform requires a lessening of the orders of adventure/machismo and safety because these orders helped foster the aggressive tactics that harm police-community relations. The subculture influences how even normal traffic stops are conducted.

Procedure of an Investigative Stop

Police use minor infractions, such as speeding and weaving, to pull over motorists for vehicle offenses. Once stopped, officers ask for proof of registration and license and examine the vehicle and driver while waiting for and looking at these documents (Harris 2002). The officer engages the driver in conversation, asking questions like ‘Where are you going?’ ‘To see who?’ ‘What is their address and phone number?’ If the driver has difficulty answering these questions, the officer becomes suspicious. The officer then asks for consent to search, and often the motorist agrees. If no consent is given, there are plain view and/or smell exceptions to warrant requirements. Troopers can make motorists wait for drug-sniffing law enforcement dogs, a process that can take hours. A pat down might reveal drugs or guns (pat downs were allowed for protection of officers as given by *Terry v. Ohio*, an important case that dealt with pro-active police work); if the motorist is arrested for motor vehicle violations, 4th amendment principles laid down by Supreme Court decisions in the 1970’s and 1980’s allows the trooper to search the driver, passengers, and the entire interior of the vehicle, including the glove compartment and containers in car (the trunk is the lone restriction). Finally, the officer may separate the driver and passengers. This is used as a safety measure or a way to test the validity of driver and passenger responses (Heumann and Cassak 2003).

At the conclusion of a traffic stop, if police suspicions are not raised or no contraband is found, drivers are frequently let go without a ticket. Officers sometime wrote tickets so that it would appear he was looking for traffic infractions. Also, troopers were taught how to appropriately write tickets for minor traffic infractions, in case the traffic stop was challenged (Harris 2002).

Traffic stops are one of the most dangerous encounters officers have with citizens. Fifty six officers were feloniously killed in the line of duty in 2002, ten of which were during traffic stops or pursuits (Federal Bureau of Investigation 2003). Officers are meticulous about their safety and use a number of tactics to ensure it. Police use preemption and overreaction to deal with situations they consider dangerous. Officers are always aware of their surroundings, creating within themselves a feeling of “constant danger” (Manning 1978). Experience gives officers the ability to gauge when to relax and when not to. Officers use cruiser spotlights or flashlights to blind the eyes of drivers when conducting traffic stops at night, immediately handcuff motorists, and pull over motorists with guns drawn in an effort to ensure their safety (Bayley and Bitter 1984).

This tension is heightened by the practice of placing culturally dissimilar groups together (in the case of police and minority groups), as some minority group members view higher numbers of officers in their neighborhoods as unnecessary and discriminatory (Sykes 1978). Although an increased police presence can cause crime rates to rise (a greater number of officers discover more crime), there is typically a high number of victims and thus police must respond (Sykes 1978).

Citizens have cited the use of racial slurs, use of first names instead of Ms., Mr., or Mrs., and attempts to harass or embarrass minority group members. Other complaints

have noted slow response times and the widespread use of stop and question and stop and frisk tactics (Hacker 1992). These types of incidents are not readily forgotten by minority residents and contribute to a worsening of police-community relations.

The Development of Racial Profiling

Racial profiling is another explanation for why many African American are stopped by police. Scholars have argued racial profiling can be traced to three main events: a 1968 trial, *Terry v. Ohio*, the Nixon administration's creation of the war on drugs, and the development of the drug courier profile (originally developed and implemented in airports) (Harris 2002). The *Terry v. Ohio* case involved Martin McFadden, a plain clothes detective who saw two men, John Terry and Richard Chilton, acting suspiciously near several retail stores. McFadden stated the men "didn't look right to me at the time," and so he continued to watch them; their behavior led him to believe they were casing the store for a later robbery attempt. McFadden eventually approached the men, talked with them, patted them down, found firearms, and took them to jail on charges of carrying concealed weapons (Heumann and Cassak 2003).

Legal counsel for Terry and Chilton brought a motion to suppress the guns McFadden found during the search, saying the initial stop and frisk violated their 4th Amendment rights. The state trial court, the lower appellate and Supreme Court of Ohio all upheld the conviction; the U.S. Supreme Court voted 8-1 to uphold it despite a lack of probable cause for the search and seizure. The resulting legal effect was the creation of, a new category of constitutionally permissible seizures, a midway point between purely consensual police-citizen encounters and full arrests based on probable cause (Heumann and Cassak 2003 p. 21).

The legal environment was now set: if an officer can demonstrate reasonable suspicion, the search will survive legal challenge.

Terry v. Ohio provided the legal backdrop for the next step in the development of racial profiling: the Nixon administration's War on Drugs. By the end of the 1960's, there was still not a huge campaign against drugs; drugs were involved in less than 5% of all criminal charges brought by state prosecutors as late as 1971. The Nixon administration strongly pursued a war against drugs, and during this administration the Drug Enforcement Agency (DEA) was created and new police tactics were implemented, such as no-knock raids and preventive detention for suspects of crime. The DEA helped create the first drug courier profile, one which was developed for use in airports (Harris 2002).

DEA Special Agent Paul Markonni is "generally credited" with the creation of the drug courier profile, first for use in Detroit's airport. A description of the characteristics present in this profile, drawn from several DEA agents, including Markonni, came out of the *United States v. Elmore*. Primary characteristics of the profile included:

- 1) arrival or departure to an identified 'source city';
- 2) Little or no luggage; large numbers of empty suitcases;
- 3) Unusual itinerary, such as rapid turnaround time for lengthy flights;
- 4) Use of an alias;
- 5) Carrying unusually large amounts of currency, generally on the person, or in a brief case or bag;
- 6) Purchasing a ticket with a large amount of small denomination currency;
- 7) An unusual degree of nervousness or anxiety.

The secondary characteristics included: 1) Almost exclusive use of public transportation, particularly taxicabs, when departing from the airport; 2) Immediate telephone call upon deplaning; 3) Leaving a false or fictitious number

with the airline; 4) Excessively frequent travel to source or distribution cities (Becton 1987).

An important feature of the profile is its variable nature. This has earned it some strong criticism in the legal system. For example, Judge George Pratt of the U.S. Court of Appeals for Second Circuit wrote, in dissenting from a decision by the court to uphold “as constitutionally valid a stop and search made by police based on the use of a drug courier profile,”

To justify their seizure of Hooper’s bag the agents testified he had come from a ‘source city’ and fit the DEA’s ‘drug courier profile.’ Yet the government conceded at oral argument that a ‘source city’ for drug traffic was virtually any city with a major airport, a concession that met with deserved laughter in the courtroom (Becton 1987).

Judge Pratt then listed several of the ambiguous factors in the different profiles (shortened here):

Arrived late at night... arrived early in the morning... one of the first to deplane... one of the last to deplane... deplaned in the middle; used a one-way ticket... used a round-trip ticket (Becton 1987).

Yet the profile’s use was widespread, and the next step was the altering of the profile for use on the nation’s highways. In 1982, the Reagan administration led the creation of the South Florida Drug Task Force in response to large cocaine shipments moving in and out of Miami. One major tactic involved law enforcement stopping an unprecedented amount of motorists (Heumann and Cassak 2003). Around 1983 or 1984, the Florida Highway Patrol began stopping motorists at this high rate. State trooper

Robert L Vogel Jr. is widely credited with developing the highway drug courier profile.

Again, the profile is highly variable, but some of its characteristics include:

Exterior characteristics: Out of state license plates (specifically states like Florida, New York, Texas, Maryland, and New Jersey), rental car plates, tinted windows, several radio antennas, air shocks, and a police decal in the window.

Interior characteristics: cell phones, firearms, fireworks, tools, fast food wrappers, newspapers (as an indicator of where the person has traveled), large amounts of cash, motel receipts, address books, scanners, portable radios, very little or new luggage, duct tape, plastic garbage bags, and any drugs or drug paraphernalia.

Also taken into consideration were odors, either from air fresheners, aerosol cans or a smell of marijuana.

Driver or passenger characteristics: two or more cars driving together, the driver's nervousness, taking a long time to pull over, and trying to engage the officer in friendly conversation (Webb 1999; D'Ambrosio 1987).

Success and awards led to more and more states employing his system. Eventually, over three hundred state and local law enforcement agencies employed his program (Harris 2002).

Vogel changed his tactics after having several cases overturned by courts for violating constitutional rights. No longer would investigative stops similar to the one in *Terry v. Ohio* be used. He and his department would now use minor infractions, such as speeding and weaving, to pull over drivers for vehicle offenses (Heumann and Cassak 2003).

The highway profile has a number of ambiguous or contradictory factors: for example, it lists ACLU or drug stickers, but also stickers against the use of drugs; small cars, intermediate-sized cars, and large cars; erratic driving behavior as well as strict observance of traffic laws (Harris 2002). A high frequency of stops is paramount to these tactics; therefore, it is inevitable that many innocent people will be stopped.

Studies of Racial Profiling

Most studies of racial profiling have used statistical analysis of traffic stop data to compare the number of minority drivers stopped to the number of white drivers stopped. Lamberth's 1996 study was the first in depth study of racial profiling, collecting data about traffic stops on the New Jersey Turnpike from 1988 until 1991. Lamberth used a methodology which allowed him to learn the rate at which African-Americans were stopped compared to the percentage of drivers they composed. This involved research assistants counting the number of cars on the road and then determining whether the driver or another passenger of the vehicle was African-American (Lamberth 1996).

In an effort to increase the validity of his study, Lamberth designed a second procedure he titled "a turnpike violation census," which entailed observers driving in traffic on the highway and setting their cruise control at approximately five miles per hour higher than the speed limit. They then watched cars that they passed or that passed them and noted the driver's race and speed. The findings were significant: African-American and Caucasian drivers broke traffic laws at the same rate, but 73.2 percent of the drivers police stopped and arrested were in vehicles with African-American drivers or passengers. Making the findings even more staggering is that these vehicles make up only 13.5 percent of the vehicles on the interstate (Lamberth 1996).

Virtually every study on racial profiling has found that there are unequal rates of stoppage between whites and African Americans. Engel et al (2002) looked at 13 different studies, all of which found some evidence of racial profiling.

In addition, a study conducted by the *Orlando Sentinel* monitored a drug stoppage program in 1992 on a section of Interstate 95 in Florida. They reviewed videotapes from deputies' cars and found that approximately 70 percent of those stopped and 80 percent of those searched on a section of the highway were minorities. Furthermore, police encounters with minority drivers lasted an average of twelve minutes, compared to an average of five minutes with whites. Finally, less than 1 percent of all drivers stopped were given tickets; clearly highway safety was not the aim (Brazil and Berry 1992).

The California legislature prepared a report on a drug interdiction program titled Operation Pipeline based on data gathered from the California Highway Patrol. The results were significant: "between 80% and 90% of all motorists arrested by Pipeline units since 1991 have been members of minority groups. Only 10% have been white (California p. 3)."

Zingraff, Mason, Smith, Tomaskovic-Devey, Warren, McMurray and Fenlon (2000) conducted a study of 1998 North Carolina Highway Patrol's stops, citations, written warnings, searches/seizures, detentions and arrests. They found that African Americans are more likely than whites to be issued a citation, given written warnings, and searched. Middle-aged African American males are 23 percent more likely to receive citations than middle-aged white males. Racial disparity in searches was more pronounced: African American males are 64 percent more likely to be searched than white males. African Americans are also detained longer for searches, although the

search of African-American vehicles is less likely to produce contraband (Zingraff et al 2000). The researchers do caution that they only had data for these procedures, and do not have information on the behavior of the citizens involved.

Public opinion polls have supported the findings of these studies: a 1999 Gallup poll found that 42% of African-Americans believe they have been stopped by police because of their race; 77% of African Americans believe racial profiling is widespread; and 87% do not approve of the practice (Institute on Race and Poverty 2001). When gender is taken into account the numbers become even more staggering: 72% of African American males felt they had been stopped for race-based reasons, many multiple times (Lester 1999).

Racial Profiling Defenders

The existence of racial profiling appears well-documented by these studies, but some do not agree the practice of racial profiling is widespread. A primary argument put forth by police has been an efficiency defense. Some police leaders and others have stated that since African-Americans are arrested at higher rates than whites for drug offenses it makes sense to stop and search them more (Mac Donald 2001). For example, Carl Williams, New Jersey's Chief of Troopers, stated that mainly minorities trafficked in marijuana and cocaine (he was quickly fired) (Harris 1999b). The problem with this line of reasoning is that police statistics are indicative of whom the police arrest, and do not offer a full picture of the rates at which racial groups commit crime. For example, if two groups are committing drug offenses at the same rate and Group A receives more police attention than Group B, Group A will have a higher arrest rate. This doesn't mean Group

A is committing crimes at a higher rate, although police statistics would present that idea (Engel et al 2002). Increased police attention is a likely explanation for higher rates of drug offenses among African Americans, as multiple studies have shown that African American and Caucasian drivers have similar hit rates. A hit rate is defined as the percentage of the total persons stopped that actually have narcotics, weapons or other criminal offenses (such as warrants or a suspended license). A study of stops by Maryland State Troopers found the hit rate for African Americans and Caucasians is the same: 28 percent (Lamberth 1999). Meehan and Ponder's 2002 MDT study produced similar results, as African Americans in white sectors had a lower hit rate (6.8 percent) than whites in the same sectors (8.9 percent). Yet, officers in these sectors queried African Americans at higher rates than in other sectors, leading to Meehan and Ponder concluding, "If the justification for racial profiling were African American criminality, then the lower hit rates for African Americans in non-border areas should discourage disproportionate surveillance" (Meehan and Ponder 2002 p. 420).

Therefore, racial disparities in arrest statistics, specifically that African-Americans are committing drug offenses at a higher rate than whites, aren't explained by African American criminality. Since hit rates for African-Americans are similar to or lower than those of whites, much of the disparity can be explained by the targeting they receive from police.

Legislation and the Courts

Several court cases have played an important part in the debate about racial profiling. *Whren vs. the United States*, one of the most important cases, affirmed that racially guided stops are unconstitutional. The legal ruling still allowed ample police

discretion, however, as it is legal to use a traffic violation to stop a vehicle and investigate possible criminal behavior, without the need to meet the standard of reasonable suspicion or probable cause for that specific offense (Meehan and Ponder 2002). The ACLU has used litigation and other measures (such as public education campaigns) to attack the practice of racial profiling on 4th amendment (protection against unreasonable search and seizure) and 14th amendment (equal protection clause) grounds. The ALCU states that *Whren vs. the United States* made it more difficult to use the 4th amendment, because lawyers must now prove that either a) no traffic violation occurred, or b) that police overstepped the law regarding consent and plain view (Cornwell 2003).

Anti-profiling laws have been passed in twenty-four states, and all of these include at least some data collection requirements. But minority communities and leaders across the nation are not satisfied and maintain that there is a long way to go before profiling is eliminated (Budwig 2001; Civilrights 2003). These leaders have characterized legislation as weak and representative that politicians are not interested in fully solving the problem of racial profiling.

The state of Louisiana is one such example; in 2001, Act No. 645 was passed, which stated that for,

motor vehicle traffic citations... law enforcement agencies record and retain certain information relative to traffic offenses, including age, sex, race, state of residence, the nature of the alleged traffic violation... whether a warrant or citation was issued, an arrest made, or a search conducted as a result of the stop... if a search was conducted, the type of search and the legal basis for that search,

and whether contraband was discovered and property was seized (Louisiana 2001).

The legislation, 398.10 (B), also states that “Any law enforcement officer who in good faith records traffic stop information pursuant to the requirements of this Section shall not be held civilly liable for the act of recording such information (Louisiana 2001).” The Louisiana legislature also included a very strong loophole: this act does not apply to any police department that has adopted a written policy against racial profiling (Louisiana 2001). Perhaps a department that has adopted such a policy does not engage in racial profiling; but given the widespread nature of the problem and the known difficulty police leaders face when implementing new rules governing conduct (primarily because of the ample autonomy and discretion of the typical beat officer) (Duke 1974), this seems an unacceptable addition to an otherwise worthy piece of legislation.

Civil legislation has also been used to end profiling. A significant problem with this approach is that individuals found with drugs do not make ideal plaintiffs, and those stopped who are ‘clean,’ may not be motivated for the long and expensive process of civil legislation when settlements are often minimal (Harris 2002). Other civil challenges have come from the Special Litigation section of the Department of Justice (DOJ) Division of Civil Rights. One of this section’s responsibilities is the behavior of law enforcement agencies, including racial profiling. The DOJ has been successful in getting several states to adopt consent decrees which require extensive data collection on stops and searches, as well as extended police training (Heuman and Cassak 2003).

Quality of Life Policing

Arguments for increasing law enforcement presence in minority neighborhoods are put forth by police departments, politicians, and communities in favor of ‘Zero-Tolerance’ or ‘Quality-of-Life’ policing methods. These methods are based on the ‘Broken Windows’ theory, developed by Wilson and Kelling, which states that if minor or ‘quality of life’ offenses (such as prostitutes on corners, aggressive panhandlers, and those high on alcohol or drugs) are aggressively attacked, and environmental factors (such as graffiti, trash, litter-filled lots, and unfixed broken windows) are addressed, residents will take pride in their neighborhood and the necessary social norms will be observed, therefore reducing crime (Wilson and Kelling 1982).

Adding support to the ‘Broken Windows’ theory, Skogan (1990) replicated earlier findings showing a relationship between disorder and fear, as well finding a causal relationship between disorder and serious crime. Skogan utilized two approaches: first, surveys of 13,000 individuals were conducted in forty urban residential neighborhoods in Atlanta, Chicago, Houston, Newark, Philadelphia, and San Francisco. Second, field researchers made observations in ten of the neighborhoods, documenting the prevalence of graffiti, gang-related congregations, prostitution, public drunkenness, and drug dealing. Skogan reached three important conclusions: First, independent of race, class, or other characteristics, residents within a community generally held similar beliefs on disorder and its level in their neighborhood; there were variations but neighborhoods across the country had similar ideas of what constituted ‘social disorder.’ Second, Skogan found a direct link between disorder and crime. Neighborhoods with higher crime rates

had a higher association of disorder and crime than with other variables, such as poverty, housing market issues, and the racial makeup of residents. Finally, Skogan found that disorder by itself, and as a precursor to crime, significantly affected neighborhood decline. Community morale is lowered and the neighborhood is given a bad name, and disorder on its own, as well as increasing crime, harms the housing market, causes residents to move out and lowers real estate values. Furthermore, local business has difficulty attracting customers, and investment in the community fell (Skogan 1990).

Although Skogan's research offered support for this theory, other cities, particularly San Diego, have seen drops in crime without the adoption of aggressive quality-of-life policing. Furthermore, a study of 66 Baltimore neighborhoods found that "neighborhood structural factors had a greater impact on future crime than did changes in the levels of incivilities" (Bass 2001). Furthermore, constitutional issues and a rise in complaints against law enforcement have been cited as drawbacks. For example, a method employed in Chicago in 1982 involved law enforcement riding through the streets and arresting youth 'hanging out' on streets. Other law enforcement agencies have adopted similar tactics (Kelling and Cole 1996).

Wilson and Kelling maintain that such 'street sweeping' tactics are the opposite of what they recommend, as they call for a close collaboration between law enforcement and citizens, including 'undesirables,' to develop a shared code of conduct (Kelling and Coles 1996).

Neighborhood rules were to be enforced for the most part through non-arrest approaches-education, persuasion, counseling, and ordering- so that arrest would only be resorted to when other approaches failed (Kelling and Coles 1996 p.23).

The law enforcement methods drawn from this theory have yielded some significant results: in New York City, one of the first major implementations of “Quality-of-Life” policing, the NYPD (under Mayor Rudy Giuliani and Police Commissioner William Bratton) began a significant restructuring of departmental tactics and used a computer-based, problem-oriented internal accountability system known as COMPSTAT. These models use crime-mapping to illustrate crimes by location, and then designate areas with high levels of crime for increased law enforcement presence. Thus, the NYPD began to crack down on petty drug dealers, prostitutes, squeegee men, and other ‘quality-of-life’ offenses (Bass 2001).

The effects of these policing methods were felt strongest by the city’s minority and immigrant populations. African-Americans, who make up 25.6 percent of NYC’s population, made up over 50 percent of all stops. Complaints against the police rose 41 percent, many of which came from minorities (Bass 2001). Bratton also led the creation of the Street Crime Units (SCU), units composed of plain clothed officers responsible for bringing in the most serious criminals. Almost two-thirds of people stopped by this unit were African-Americans.

A second example is the Minneapolis police department’s adoption of CODEFOR, another crime-mapping based strategy. There was strong resistance to its adoption from several communities of color and from the mayor, an African-American

woman. She was not successful in her attempt to convince the police chief to adopt a program that she felt would have less negative effects on residents. Critics also claimed it would increase racial disparity in arrests. Chief Robert K. Olson disagreed, stating that racial profiling does not exist in his department. Olson insisted he was installing what he called a scientific system (based on location), which efficiently utilizes law enforcement resources (Myers 2002).

The results from CODEFOR included a 53 percent reduction in gang-related homicides and an 11 percent overall reduction in part I crimes. Unlike in New York City, which had seen a marked increase in police complaints, in Minneapolis there was a 19 percent reduction in police complaints from 1997 to 1998 and also an 8 percent reduction from 1998 to 1999 (Myers 2002).

The selection of minority neighborhoods has been commonplace in cities that have adopted similar ‘Zero-Tolerance’ policing methods. This occurred in Minneapolis, as nearly all of the census tracts designated for high intensity law enforcement were majority African-American or another minority.

Drug Scares

Attacks on drugs are implicit in the quality of life policing, yet research shows that “drug scares” are influenced by a number of factors. Scholars argue the ‘war on drugs’ was developed by the media, politicians, and law enforcement, and all three groups benefit from its conception. The three groups have a complicated relationship. The relationship frequently begins with a media ‘drug scare,’ brought on by law

enforcement and politicians. Politicians voice their opinions on the horrors of drug use and enact strong legislation in an effort to appear tough on crime for voter approval. This translates into increased monies and power for law enforcement. These resource increases allow law enforcement to pursue the mass stopping of African American motorists, a cornerstone of racial profiling.

Goldstein, Brownstein, Ryan and Bellucci (1989) looked at the encoding of a drug war discourse in New York City during 1986 and 1988. Goldstein et al (1989) begin by noting that President Reagan's speeches on the need for a drug war had "captured the political discourse of the mid-1980s." Thus, Governor Mario Cuomo felt he needed to start a campaign against crack cocaine. The New York City media ran with this theme and began featuring stories about the horrors of crack use, stories that were supported by the opinions of politicians and law enforcement agents who had started the campaign. Reinerman and Levine (1989) reviewed national drug use data and found that cocaine use by young people reached its peak in 1982, four years before the beginning of the media portrayal of the crisis on crack. They can only reference cocaine because available drug use data does not differentiate between the two; however, the majority of those surveyed stated their method of using the drug was snorting, not smoking, making crack use even more rare.

Regardless, the media then reframed the official reports. Drug crimes had now become a threat to the middle class. The media stated that drug-related violence was increasing and innocent people were now at risk. New York City media used a local touch by emphasizing violence on the subway, a striking issue for middle-class New

Yorkers because it is such an important mode of transportation for that population. The increase in media attention did not reflect reality, however, as drug-related violence “continued to be directed at the same people it had always victimized: minorities, women, and most likely the poor and young as well” (Goldstein et al 1989).

Goldstein et al. conclude that drug scares are a unique phenomenon, and are not necessarily related to actual patterns of drug use or trafficking. Because journalists rely on police for raw materials, the media consistently gives an image of crime that is almost identical to the police department’s notions of crime. Yet it is also a cyclical process: the police base what they report from past media coverage, so they continue to provide the media with similar types of incidents. Therefore, news on crime is shaped by journalists, “whose image of crime is shaped by police concerns, and by police, whose concerns with crime are influenced by media practices” (Cooper 2002). Yet drug scares mean real power increases for police: in New York City, the discourse on crack resulted in major increases in drug arrests and convictions; the prison population of New York almost doubled from 1983 to 1988, with a majority of the new prisoners coming from drug convictions (Goldstein et al 1989). Federal spending is likewise staggering: from 1991 to 1999, the federal government spent \$143.5 billion dollars on the drug war. During this time period, there was a 49 percent annual increase in federal spending on drug interdiction efforts (from \$12 billion to \$18 billion) (Cooper 2002). Increased media attention framed crack as a major problem and politicians worked toward increasing the power and resources of law enforcement, enabling both the highway form of racial profiling and the adoption of harsher tactics in high crime neighborhoods.

Opinion of Police Practices by Neighborhood Context

The effect of these police practices can be found in resident opinions of police. Weitzer (2002) compared opinions of police in a higher-crime neighborhood (described as lower-class African American) with a middle-class African American neighborhood and a middle-class white one. One hundred sixty-nine residents of Washington, D.C. were interviewed during 1996-1997. Residents in both the lower-class African-American neighborhood and middle-class African-American neighborhood cited simple racism, such as stereotypes, prejudice, and skin color, as a primary explanation of the unequal treatment lower-class African-American neighborhoods receive. Furthermore, lower-class residents were more likely than residents in the middle-class black and middle-class white neighborhoods to cite police stopping blacks for no reason, police verbally abusing neighborhood residents, and police using excessive force against those in the neighborhood (Weitzer 2002).

A second argument for differential treatment by police officers is black criminality. The black criminality argument states that because African-Americans are arrested and incarcerated at much higher rates than other racial groups, the police should give them greater attention (and thus do). Weitzer's study found support for this argument divided along racial lines, with one-seventh of blacks agreeing with this concept compared to eighty percent of whites.

A third argument places a neighborhood's class as the most important factor. Therefore, middle class black neighborhoods should more closely resemble middle class white neighborhoods more than lower class black ones. Weitzer's research offered the

most support for this idea, as the residents of the middle class black neighborhood had much more in common with residents of the middle class white neighborhood than with the lower class black neighborhood.

A fourth argument for differential treatment is the stereotypes and racialized expectations that police officers and residents bring to encounters. Weitzer (2002) found that,

1) police approach black citizens with undue suspicions; 2) blacks often anticipate unfair treatment from officers and thus withhold respect and deference, which is conducive to harsh police reactions; and 3) the very exercise of police authority (often brusque and authoritarian) may be mistakenly construed by citizens as symptomatic of racial discrimination, again leading to conflicts that result in punitive treatment of black citizens (Weitzer 2002 p. 138).

Neighborhood Context

Furthering the importance of neighborhood context, past research has indicated that racial composition of a neighborhood influences whom police target and stop. Housing discrimination is illegal by way of the Fair Housing Act of 1968, yet racial segregation persists (Massey and Denton 1993) and many Caucasians expect police officers, as the primary agent of social control, to uphold these boundaries (Meehan and Ponder 2002).

Residential segregation is widespread, as data from the 2000 Census show that African Americans are the most segregated minority group (Iceland, Weinberg, and Steinmetz 2002). Scholars say this is a continuation of past housing patterns. Although

whites have been moving to suburbs for the last century, the suburbanization of the U.S. did not fully occur until the years after World War II. Federal Housing Act loans and Veterans Act loans offered excellent interest rates and many new neighborhoods and cities sprung up across the country. Often, these neighborhoods had covenant restrictions, some of which included clauses that forbid owners to sell to minorities. There were also widespread individual and institutional acts such as the threat of violence, discriminatory lending, redlining, and blockbusting (Massey and Denton 1993). Furthermore, many housing projects were constructed during this time period. The combined effect of these trends was profound: residential segregation is strong and neighborhood barriers are well-defined (and are expected to be respected by African Americans). Thus African Americans who travel in white neighborhoods can expect increased law enforcement attention.

Meehan and Ponder (2002) examined this concept by looking at pro-active police surveillance. Since many traffic stops and field interrogations are not recorded, they used MDT (Mobile Data Terminals) data to investigate if officer pro-active queries varied by race and neighborhood context. MDTs are computers installed in squad cars to give officers information on whether a car is stolen, what a citizen's legal history is, and if they have outstanding warrants. Before the installation of these computers, police officers had to conduct dispatchers. MDTs eliminate this requirement, making surveillance activity virtually unrecorded and invisible to coworkers, dispatchers, and supervisors. Meehan and Ponder (2002) looked at every proactive query in a seven day period (5,604 queries total). They chose proactive queries because they are ones in which officers have

more discretion and removed recorded police stops to get closer to pure surveillance activities.

Data was collected from a medium-sized suburban police department with over 100 officers, few women and no minorities. The city is predominantly white (98%) and shares a border with a city that is predominantly African American (75%). Thus the communities are racially segregated, similar to patterns found throughout the United States.

Law enforcement in the study used 8 patrol assignments, labeled A-H by the researchers: The border sections are A-D, two middle sections (E-F), and farthest sectors (G-H). The MDT does not give race, so the researchers used the residential address of the suspect to determine their race; this approach has some error, but in the direction of undercounting African Americans (Meehan and Ponder 2002).

The research found that 13 percent of the drivers are African American and 27 percent of proactive queries were about these drivers. Although African American drivers were twice as likely as white drivers to be queried, the effect is not constant; it changes as African Americans move from one sector of the city to another. African Americans are not considered out of place in sectors A-D, as they are border zones, and they only receive slightly more queries there than whites. African Americans who travel in sectors F and H, the wealthiest white neighborhoods, have query rates that are 325 percent and 383 percent greater than their number in the driver population. To get such numbers, police *must* be clearly noticing or searching for African American drivers in these sections. In comparison, whites have about the same chance of a query throughout the

city. The race and place effect is also evident in the stop behavior of officers (Meehan and Ponder 2002). Profiling significantly increased as African Americans traveled farther from “black” communities and into whiter neighborhoods. MDT technology may facilitate profiling, as police often conduct stops but do not record them; about 25% of stops were not recorded in the data presented. Harassment can continue but no record of it will exist (Meehan and Ponder 2002).

The researchers found that the frequency of MDT use was a significant predictor of an officer being more likely to racially profile. As MDT use increased, the proportion of African American queries increased significantly. The African American query rate of the 12 highest MDT users was 1.6 times greater than the African American query rate of the 75 low-MDT users and 1.4 times greater than the 23 medium MDT users. These high-MDT users consistently and disproportionately practiced surveillance on African Americans in both the border and non-border sectors; this small group had the highest levels of profiling, regardless of location. Also, rates of recorded stops of African Americans by high MDT users were significantly higher than those of the low - and medium-MDT users (Meehan and Ponder 2002). Such results give some weight to arguments that a majority of racial profiling is committed by a few ‘rogue officers.’

Problems with the Current Literature

Engel et al. review thirteen studies that all find varying degrees of racial disparity in stops, arrests, and searches. The problem with these studies is that they all have an incorrect base assumption: that the disparities in arrest rates among African Americans and Caucasians are explained by individual officers’ racial prejudice. This assumption is

implicit in the findings of these studies (Engel et al 2002). The authors write that theory should be utilized to explain why and how officers make their decisions. They recommend three types of dependent variables:

1) the behavior of individual criminal justice agents (e.g., police officers, judges, correctional officers); 2) the behavior of criminal justice agencies (e.g. police departments, courthouse work groups, correctional institutions); 3) the aggregate-level characteristics of the entire criminal justice system or its component parts (e.g., policing, sentencing, imprisonment rates and policy changes) (Engel et al 2002 p. 260-261).

Furthermore, Engel et al. (2002) note the “base rate problem” is an obstacle researchers face, as they are saddled with the task of creating ratios or comparisons of one population to another. Most of the studies they review compare the base populations of white to nonwhite citizens. The problem with this procedure is that not all populations engage in criminal or traffic offenses at the same rates. Also, blacks are more than twice as likely as whites to use public transportation, as well as being more likely to live in a household without any private transportation. Therefore, using base rates may *underestimate* the higher rate at which blacks are stopped, and not show the full extent of racial profiling. Finally, the authors suggest that certain populations (specifically young black males) may be more likely to drive aggressively and are more likely to violate traffic laws and or commit more serious crimes (no evidence is given in the article to support this).

Theory

One of the ways to examine racial profiling is through Social Conflict theory. Social conflict theory, as it relates to crime, places an emphasis on the process of interaction, looking at power differentials based on race and class. Research by Kaduce, Lanza, and Greenleaf (1994) found that police officers frequently show less deference to citizens in field encounters than citizens to police. They also describe American culture as having a normative pattern of deference in which blacks defer to whites. Therefore, the process of interaction between law enforcement and African-Americans is one in which African-Americans are expected to “know their place” and defer to police.

Conflict theorists also emphasize the importance of societal reactions to a deviant or criminal act (Quinney 1970). Thus, conflict theory focuses on the political and economic nature of crime, with capitalistic systems being labeled as a major source of conflict and crime. Stratification is considered a criminogenic factor (Quinney 1970). Conflict theorists argue that society is based on coercion and exploitation and that crime and deviance are defined by those with economic and political power and are imposed on the poor and powerless. “Criminal behavior, then, is not a result of the free will of individuals but rather is determined by society” (Moyer 2001 p. 206).

Turk argues that ‘culturally dissimilar’ groups are seen by authorities as being a threat to the social political order and law enforcement is a tool for controlling them (Turk 1969). Liska and Chamlin (1984) looked at this threat hypothesis at the macro level. Their research examines the effects of three factors (percentage nonwhite, segregation, and economic inequality) of racial economic composition on the work of law enforcement (as measured by arrests). Secondly, the researchers looked at three social

processes (threat, power, and benign neglect), which the conflict perspective states are crucial elements in the relationship between racial economic composition and law enforcement.

While smaller minority groups may not draw much attention, larger groups, in the nature of 20-30% of the population, may be seen as a threat and a problem of social control. Also, nonwhites are viewed as criminal threats (Swigert and Farel 1976; Lizotte and Bordua 1980). Furthermore, when crime rates are controlled for, the percentage of nonwhite in a city substantially increases the fear of crime (Liska et al 1981). Therefore, it is logical to expect a strong correlation between the percentage of nonwhites and the level of law enforcement. Jackson and Carrol (1981) and Loftin et al (1981) show that, when crime rates are controlled, the “percentage of nonwhite in cities and SMSAs relates substantially to police size.”

Liska and Chatlim’s (1984) research found support for the conflict explanation of crime control, showing that the economic/racial composition of cities significantly affects arrest rates. Furthermore, support was found for the thesis that the greater the income inequality and conflict, the more likely the dominant group is to use its resources to continue a social order favorable to their interests. This structural approach fits with both racial profiling and an increased law enforcement presence in minority neighborhoods as both are police tactics that result in increased scrutiny of minorities.

Research Question

The literature has mostly been descriptive accounts of aggregate data showing rates of prevalence of racial profiling. Looking at the shortcomings of these methods and from the theoretical background of the Social Conflict perspective it is important to

document the accounts of individuals who think they have been racially profiled. In this study the research question revolves around an examination of the accounts of young African American males who think they have been profiled.

Methodology

This study employs a qualitative research strategy. It is a descriptive study, consisting of data gathered through open-ended interviews conducted during a two month time period. I interviewed associates who identify as being profiled, and used snowball sampling to get in contact with more respondents. I conducted six interviews of young African-American males in the New Orleans metropolitan area who feel they have been victims of racial profiling. The questions were open-ended and are intended to bring out the accounts. The interview schedule is in the appendix. I am also interested in how this changed the way they feel about law enforcement. I went into interviews with a set of prepared questions, but altered them as the interview demanded, bringing in new questions as necessary. My methodology is designed to let the respondent tell his story as he sees it.

The interviews were tape-recorded and transcribed. The interviews involved building rapport with respondents by talking about general police citizen relations in their neighborhoods. This allowed me to ease into more difficult questions about the potentially painful experience of being profiled. I used probes to follow key questions, and included space for comments and reflective notes.

One of the advantages of this type of interview is that this format can be used when participants cannot be observed directly. There are instances of law enforcement behavior and procedures that have been videotaped, but directly observing racial profiling

is problematic, as ascertaining the circumstances of a traffic stop without being in listening range is difficult. Placing oneself in such situations would also be difficult. Interviewing people who self-identify as being profiled provides access to their accounts. Also helpful is that these types of interviews allow participants to provide historical information; this is important because some of the participants will provide accounts from the past. The final advantage is that it allows the researcher to somewhat direct the line of questioning.

This method of data collection also has significant limitations; the first is that it provides ‘indirect’ information filtered through the views of interviewees. This ambiguity is problematic because determining an objective definition of what constitutes racial profiling is difficult and it is likely that the officers in the accounts would offer a different version of events and motives. A second limitation is that it provides information in a designated ‘place’ rather than the natural field setting; in my work this means my kitchen table, in a detached location, instead of on the streets, with the incident and emotions fresh in the participant’s mind. The third limitation is that in this snowball sample, the population is African-American males living in the New Orleans metropolitan area. This initial sample is designed to reflect young men of color, as that group is most heavily profiled. The fourth limitation is that in this qualitative study, the findings could be subject to other interpretations. Finally, being that I am a Caucasian male interviewing African-American males, there may be some cultural barriers to complete openness of interviews. Subjects may hold back.

Wolcott provides a blueprint for working with qualitative data. His D-A-I approach stresses the interrelationship between description, analysis, and interpretation.

Although using exact numbers is not realistic, this approach involves using a formula to place the level of emphasis on description, analysis, and interpretation (Wolcott 1994). The plan for my study primarily involves presenting data (through description of events) and analysis. Wolcott's approach to analysis involves developing key factors of a phenomenon and the relationships among these key factors. This analysis, coupled with interpretation, attempts to make sense of what is going on. Interpretation can be done in the beginning and the end of the study (Wolcott 1994).

Wolcott further notes that a study is often a matter of what the researcher emphasizes in their efforts to catalog and present data. Wolcott recommends adding focus to certain details that fit the purpose of the study. This process of "zooming in" ensures that relevant issues will be discussed and the focus of the study will not be lost in an ill-fated attempt to include everything, especially items of negligible importance (Wolcott 1994). I intend to use this method of "zooming in" for relevant points.

Qualitative data are also concerned with meanings and symbols (Wolcott 1994). The process of developing themes is concerned with meanings and symbols, as they are guides to how we navigate our social lives. My primary focus is the themes that emerged out of analysis of the interviews. I continually worked with and altered these themes.

Scope

The unit of analysis is individual or group encounters with police, incidents in which the respondents think they have been victims of racial profiling. The study will be limited to the New Orleans metropolitan area. There are no claims for generalizability beyond these limits.

Research and Sub questions

1) What about the experience of racial profiling makes young African-American males believe they've been discriminated against?

A) How do young African-American male victims of racial profiling describe their experience(s)?

B) What were the emotions African-American males experienced as a victim of racial profiling?

2) What are the consequences of racial profiling for young African-American males?

A) How does being racially profiled change the way young African-American males think and react to the police?

B) How does racial profiling affect community-police relations?

C) How does being racially profiled change the likelihood that African-American males would report crimes, criminals, or otherwise assist the police in matters involving their neighborhood?

Description of Respondents

Charlie is a mid-twenties lifelong New Orleans resident. He lives uptown, in the lower Claiborne area. He is a University of New Orleans (UNO) graduate, and a talented artist. He and two associates recently opened a gallery to showcase their work. He has no police record.

Peter is a twenty year old lifelong New Orleans resident who has lived "Cross the Canal," in the Gentilly area, and in New Orleans East. He currently attends UNO and works for the university. He has no police record.

Jeff is a mid-twenties life long New Orleans resident (excluding one year at an out-of-state university). He holds a degree from UNO and works for a printing and design company. He also works for a clothing store on the weekends. A DUI conviction is the only charge on his record.

Trevor is a twenty year old lifelong resident of New Orleans. He was raised downtown, in the Fauborg Marigny area and now lives in Kenner. He is an employee of an electronics store and is enrolled in UNO. He has no police record.

Wes is a mid-twenties lifelong New Orleans resident. He has lived near Broad Street his whole life. He holds a degree from UNO in accounting. He says, “Need to be afraid of me stealing your job as opposed to stealing your purse.” He has no police record.

Matt is a mid-twenties lifelong New Orleans resident. He lives in New Orleans East and works for a hotel in the Warehouse District. He has no police record.

Validation of Findings

I employed the following strategies for validating findings: first, I used member-checking to determine the accuracy of findings, by taking the themes back to the participants and determining whether participants feel the themes are accurate. Second, I presented information that is not in line with the themes I have developed. Third, I spent a prolonged amount of time interviewing subjects so that I could develop an in-depth understanding of racial profiling. In telling the Qualitative Narrative, I will use wording from the participants with interpretations and specific examples.

Researcher Observations

Race played a part in this study. First, I'm white interviewing black males about delicate situations in which race often plays a distinct part. And it seems like everybody I've interviewed has said "I'm not racist..." often in response to saying that blacks are targeted more, not even in front of racist statements. Undoubtedly some details are changed or not emphasized, but I am confident I'm getting the story as my respondents see it.

Matt touches on an irony in this study when describing the room where he was interrogated at Jefferson Parish Prison, "Brought me into a room like this." Matt was harassed by predominantly white cops yet he's still talking to me. Furthermore, I wonder if there would be such a focus on saying not all officers are bad. I really think they all would say it, they are positive and open-minded people. Also, it feels strange to be sitting here, typing and analyzing my friends' thoughts. Quite strange. A little wrong too, although I don't think anything is wrong with it.

I seem to be getting some older stuff too: like people just saying "Oh, I just remembered this from when I was young, or this minor thing..."

Findings

Patterns that emerged from the data

Four categories of themes emerged from the research: a look at the process of racial profiling, respondent explanations for law enforcement behavior, the effects of this treatment, and a discussion on race, symbols, and place. The process section offers a significant amount of description and presents narratives of racial profiling. It shows how the process occurs. The accounts are divided into subheadings consisting of being pulled

over for minor infractions, more serious incidents, other incidents not involving traffic stops and finally, examining the issue of apologies or regret by law enforcement.

The respondents interviewed (a sample of young African-American males) had a range of incidents with law enforcement. One set of incidents were initiated by a police practice of using minor infractions to pull respondents over and then asking to search their vehicle.

Process

Pulled over for minor infractions

Jeff was followed for “at least five minutes” and then was pulled over by NOPD officers during the spring of 2002. Jeff mentions it was ten in the morning and he was stopped on Hayne, a boulevard that runs parallel to the levy in New Orleans East (a predominantly African-American suburb). He was on his way to the University of New Orleans, and without an explanation, Jeff says he was asked about “where I’m going. And... who owns the car.” After Jeff answers the questions, the officer states he was pulled over for an expired brake tag. Jeff confirms his brake tag was expired at the time. The officer then asks for consent to search the trunk. Jeff decides to give consent because he doesn’t want to be late for class. The officer did not find anything nor was Jeff given a ticket for the expired brake tag. He concludes the narrative by saying,

The officers let me go even though they say they stopped me for a brake tag. I was thinking they’re going to write me a ticket and since they didn’t, it makes you wonder if the brake tag was their whole purpose for stopping me.

Another example occurred during the summer of 2002. Respondent Matt and some friends were driving on St. Charles to a restaurant when law enforcement came up

behind their vehicle. Matt states the officers pulled them over and told everybody to get out of the car. The officers told Matt they “had a stolen vehicle that fit the description of [my] car.” He says he was patted down and then the police checked each passenger’s driver’s license. Next, the officers separated the individuals and asked each man several questions. Matt says the questions were primarily about why the men, all of whom live in New Orleans East, were Uptown. The officers also searched his car (but not his trunk). The officers did not find anything, and Matt describes the incident being completed by the officers telling them to go home to the East. Matt summarizes his feelings on the incident when he says, “I mean it wasn’t too bad, because, you know, I’ve had worse.”

Peter had an incident in 2003 in which he was followed by NOPD officers. They subsequently pulled him over and Peter describes the conversation,

Yeah, so once they asked for license and registration, I asked ‘Why did you pull me over?’ He responded, ‘Well we ran the license plate and it came up as having a warrant attachment out for it.’ So I asked, ‘Ok, for what?’ All he said was ‘I don’t know. Let me go run and check on it.’ So once they checked it and didn’t find anything, the officer came back and said ‘We must’ve just had the wrong letter so, drive carefully, don’t break the law.’ All I could think was, ‘Ok, I was driving careful before, *what the hell* are you telling me this for now?’

The first two incidents in this section are consistent with law enforcement procedures as detailed in Heumann and Cassak (2003) and Harris (2002). Particularly, the line of questioning about where the respondents were going and the reason for their trip are standard questions during investigative stops. Jeff was asked these questions and something in his answers perhaps made the officer suspicious, as he asked to search

Jeff's vehicle. Matt's incident also involved the standard questions and the documented law enforcement practice of separating individuals from the same vehicle to see if their answers corroborate. Furthermore, Matt being patted down and their searching of his vehicle are also frequently used law enforcement procedures.

Respondents pulled over for minor reasons, but officers' reactions intensified

A second category of incidents emerged which were similar to the first in that respondents had to prove they were legally driving their vehicle, and the incidents did not result in tickets, but the hostility of law enforcement was intensified.

Trevor has been pulled over a number of times for minor infractions. One particular incident, which took place in 2003, involved law enforcement in downtown New Orleans. Trevor was driving in the right lane on Rampart Street and when he came to the Esplanade intersection he switched into the left lane because the car in front of him was making a right turn. He subsequently switched back into the right lane, and street-clothed officers quickly pulled him over. He describes the whirlwind nature of what happened next,

They didn't ask me anything. They didn't ask me to do anything. All they said was, 'Get out of the car.' He actually pulled me out the car. Pulled me out the car. Frisked me and took my wallet.

According to him, the officers pulled him over almost at gunpoint, ready to draw their weapons. He was told to put his hands on the car. The officer said he was trying to "evade" them. The officers began searching his car without asking for consent. Trevor describes them searching his backpack and in the process of searching his car, throwing around many of his possessions. Trevor says that by the time the officers finished, his

books and floor mats were everywhere. The search produced no contraband or weapons. Trevor describes the officers as appearing even angrier after it was finished. After checking his license, insurance and registration (all of which were in order), the officers let him go.

At the end of the incident, Trevor is unable to find his wallet and so he asks the officers where they put it. They tell him they gave it back to him and he knows this is untrue. He eventually finds it in the backseat.

Trevor had other incidents with police. An incident in 2002 began with him visiting a woman friend in New Orleans East. He parked across the neutral ground from her home because it eliminated the need for a u-turn. He walked to her house and as he left he noticed two NOPD officers behind his car. As he crossed the neutral ground they approached him. The officers talked to him about what he is doing in the neighborhood and asked if he had any weapons. Trevor stated that the officers explained their presence by saying, “the neighbors called and said somebody dressed in all black crept across the street.” He had a black jacket and black jeans on. Trevor was then told to stay near his vehicle with an officer while another officer went to his friend’s house and verified his story. After she confirmed it, the officers told him to park in front of her house next time (although he was parked in a legal spot). He mentions simply not wanting to have to make the u-turn, but all he can do is sigh and say, “but, the neighborhood and the police didn’t feel like that.”

Matt, whose 2002 Uptown incident was discussed earlier, talks about having been stopped four or five times in Metairie, a suburb of New Orleans. Matt has been pulled

over for minor infractions (primarily because of the tint of his car) but one of the incidents quickly became serious. He describes this 2001 incident,

I made a pass in front of the club and then I went to park my car. Undercover police came up behind me, flashed their lights, and said ‘Get out of the car and get on the ground.’ First they told me to get on the hood, so I’m on the hood of my car, and then I put my arms behind my back. They started patting me down and then they threw me on the ground. I had a new watch on too, which made me mad because it got scratched pretty badly. They had me on the ground talking about how I stole this car and I’m going to jail.

Matt was then taken to Jefferson Parish Prison and had to prove his car was not stolen. After he produced his title, Matt describes what occurred next:

They asked me how many cars have I stolen. I said none. I looked at him just like that, ‘None.’ And he’s like ‘Tell us the truth.’

After the police are unsuccessful at connecting him to any criminal activities, an officer drops him off at his car. The entire process - from being pulled over to being dropped off - took two and a half hours. Matt describes the incident as “uncalled for,” and unjust so he has filed a lawsuit. Harris (1999a) detailed several accounts of profiling in which officer reaction was strong. In one account, the officers exchanged high-fives after arresting an African American woman for having outstanding warrants. The tickets had been paid, but due to a clerical error the tickets were not removed from the system.

Non-Traffic Related Incidents

Incidents with law enforcement in which respondents thought race played a significant part were not limited to traffic stops. Jeff and a friend were driving downtown during the 2003 Mardi Gras weekend when a woman in front of them asked an officer

working traffic duty for the best route around the mass of cars. When Jeff and his friend reached the officer and asked for directions, the officer responded by saying only “Keep moving.” After being told “Keep moving,” several times, Jeff describes his friend telling the officer,

We’re looking for directions just like she’s looking for directions. You’re an officer of the law, but you’re about the same age as us so we would appreciate some respect. He kind of came off his high horse a bit, but overall that’s what you encounter.

Two respondents describe being harassed as adolescents. Wes gives an account of walking to the bus stop and walking in front of a police car. The respondent describes the officer as jumping out of his car, walking over, and digging in his pockets. Wes describes the incident being so unexpected and occurring so fast he was left wondering what happened.

Charlie also had an incident in his teen years. He describes being stopped and asked numerous questions by NOPD while walking home from football practice. Charlie mentions “I had my football tubs on and like my helmet in my hand. It ain’t no question where I just came from,” yet the officers talked to him in what he describes as an “accusatory and intimidating manner.” Charlie continues by noting “they pulled me over questioning me like I just broke into somebody’s house.” He mentions the officers’ demeanor was “smug [...] sort of like I did something.” One of the officers “had a flashlight, pointed on my face. All type of shit like that.” The officers asked him to raise his jersey up, and further “asked me to pull my top part of my tubs down, to see what I had.” The tactics had the desired effect, as Charlie says “I felt pretty scared, pretty

intimidated.” Thinking about the incident now, he mentions feeling, “sort of felt the same way, kind of pissed. Like, they pulled me over for no reason.”

Finally, Wes feels he was treated different because of his race at the Treasure Chest, a local casino. According to Wes, the officers working security allowed his lighter skinned friend in, whom Wes describes as “looking white and having good hair,” yet held Wes outside for 10-15 minutes while checking his ID.

Apologies

The respondents consistently thought they were wronged by the above incidents, yet only one apology was given. Matt, after being handcuffed, dragged on the ground, taken to jail, questioned, and finally dropped back off at his car, two and a half hours later was the only respondent who received one. He describes the situation,

It wasn't even one of the cops that stopped me, just one who brought me back, and he was like 'I'm sorry for the inconvenience. Anything we can do, just let us know.' I went and filed a lawsuit.

Not only were apologies typically not offered, in one incident Trevor describes the officers as being angrier after they had finished a fruitless search of his car. Sykes and Clark (1975) found that law enforcement typically show less respect to citizens than citizens to police in field encounters. Furthermore, Weitzer's (2002) interviews found that respondents felt the exercise of police authority is brusque and authoritarian.

These subheadings deal with the process of racial profiling. The respondents had several primary explanations for police behavior.

Explanations of Police Behavior

The explanations section analyzes the reasons given by respondents for racial profiling. The concept of black criminality, the concept of acceptance, a discussion of the disrespect implicit in their encounters with law enforcement, and the presence of window tint on a vehicle all reflect respondent attempts to understand why this happens to them. Furthermore, the explanations represent how the respondents distance themselves as individuals from what they consider discriminatory police behavior.

African-American Criminality

The African-American criminality justification, presented earlier in the literature review, states that since crime statistics portray African-American males as disproportionately involved in the drug trade, it often seems logical to stop and search their vehicles in greater numbers. Such a justification emerged from several of the interviews. Jeff describes,

Its kind of rough because if you look at the statistics, most of the criminals are black, and most of the people committing crimes are black. But then again, this is a predominantly black city. I don't think they take that into account, and it's not necessarily that every black man is a criminal, but it's that race becomes the deciding factor in if they think somebody is good or bad. And that becomes the deciding factor in how far they'll trust the person they encounter.

Charlie espouses a similar explanation for his incident as a teenager, "Maybe the police were looking for somebody in the area. Because I'm not gonna lie, the team I played on had some hooligans on it." He continues,

Maybe I fit the profile of somebody. Because you do have a past history of like muthafuckas breaking into people's houses. Only a small percentage of people do that though. A small few that messes it up for everybody, that's how I feel.

Trevor offers a similar explanation when he states that murders are predominantly committed by young black males, so if an individual fits the age and race qualifications, the police are likely to run his name and search him.

Although Trevor gave this explanation, his commentary on his 2003 incident, which occurred downtown, illustrates the issues involved with this practice. He illustrates how his ascriptive characteristics are received by some officers,

I had to prove myself, I had to prove my worth, that I wasn't a criminal, that I'm not doing drugs, actually answering questions 'you don't have any drugs in the car?', 'you don't have any guns in the car or anything like that?' I had to prove myself, because, that's not me. Some people they may pull over and find things but they shouldn't stereotype everybody like that. 'You don't have any guns in the car?' What would make him ask me that? He didn't smell any marijuana on me, didn't smell any alcohol on me, no way he can think I had a gun in the car. You know what made them just ask me?

As discussed earlier, crime statistics are indicative of whom the police arrest and do not offer a complete description of who is committing crime. Yet it's surprising that several respondents who consider themselves victims of racial profiling are putting forth explanations similar to those espoused by supporters of profiling.

Acceptance

Another explanation given by respondents, acceptance, is akin to the African-American criminality explanation. Ultimately some of the respondents describe shrugging off police treatment, not allowing it to get them angry or upset. Jeff states that he and his peers have come to expect being treated disrespectfully because it happens so often. He explains his line of thought, “Yeah this is a bad situation... I just have to deal with it, otherwise it could get a lot worse.” He continues, “It really won’t do any good to be offended by it.” He sums up his view by saying,

I see that at worst it’s a nuisance, its an inconvenience. Just something that happens and you have to deal with it... like running out of gas or having a flat tire. It’s going to happen. It’s wrong and you’re gonna be pissed off for a while, *but* it happens. Can’t allow it to poison your own mentality. It’ll make you negative real quick.

Charlie attributes a reasonable justification to law enforcement motives, saying (when offering explanations for his incident as a teenager) "I mean I was walking home, by myself. That was probably the reason... I was by myself, like normally I walk home with some other guys on the team." Matt, when discussing reasoning for his 2002 incident on St. Charles, also gives law enforcement the benefit of the doubt. He says “It wasn’t that bad in that instance, I feel they were just doing their job, if they say they have a car that fits the description they have to stop it to make sure.”

Wes similarly describes not being surprised or shocked by his incidents. The respondents stated their peers reaffirm their place in the eyes of law enforcement by having similar incidents with police. Trevor says only, “That’s life, that’s life in New

Orleans, Louisiana I guess.” The concept of acceptance requires dealing with the next explanation that emerged, the disrespect that often heavily colored their interactions with law enforcement.

Disrespect

There is a belief in our culture that law enforcement should treat citizens fairly and with respect. Each account by the respondents goes against what is considered the norm. Accounts of the interaction between police and these particular citizens varied. Respondents describe some officers as simply disrespectful, while other officers were described as being polite, but still asking questions 'designed to trick you up.'

An example of the former is an incident that took place in the Fauborg Marigny. He describes several of his neighbors sitting in a car parked on the street when three NOPD squad cars arrived. Some of the residents went to their porches or lawns to watch and the officers respond by telling the residents “Get back in your house, this doesn’t concern you.” Trevor’s brother in law disagreed, and as Trevor describes,

I was standing outside my house, monitoring what’s going on, and my brother in-law was out there and he was actually fussing with one of the police, saying, ‘How you gonna tell us to go inside and like we kids’ and he almost got arrested for it. It upset the cops and the cop, the actual words out of his mouth were ‘That’s ya’ll problem now.’ Who is that directed to? Does that include citizens, everybody in general? Directed to young men? I think he meant, young black men in the hood, that’s ya’ll problem now, ya’ll too hard-headed. The cop felt as though my brother was disrespecting him, but my brother in law was just saying,

this is my house, this is where I live, how are you gonna tell me to go inside? I'm not outside on the street, I'm not obstructing justice.

Jeff's incident described earlier, in the spring of 2002, is an example of an officer being respectful, although he still wanted to search the vehicle. Jeff was on his way to UNO and the police followed him for at least five minutes on Hayne Boulevard. He mentions the officer's polite nature putting him at ease a little. Although the officer was polite, Jeff felt he was still trying to test the validity of his answers.

Trevor had a similar experience in his 2003 incident downtown (described earlier),

One cop was searching my car, and the other one, is talking to me about what school I go to. He saw my UNO decal, so I'm like I go to UNO, and he asks 'What's your major?' 'Computer Science' and then he says 'You don't have no guns in there huh?' And I'm like what the hell type of question is that? So he's just going on with the conversation, like, 'Where do you work at?' I say 'I work at Radio Shack.' Because I told him, I just got off work, I'm kind of tired. He's like 'which one do you work at?' I said Magazine and Washington, Uptown in the Garden District. So he's like, 'Oh alright, you like it up there?' So he's just, leading me on in the conversation and he's like 'You don't have any drugs huh?' I just couldn't believe what I was hearing, I just had to look at him and I couldn't answer it because I was like I don't believe you asking me these questions, that's not me, I'm not a drug dealer, I don't carry any weapons.

Matt believes the actions taken by police in the 2001 Metairie incident, putting him on the ground, messing up his clothes, the accusatory tone they used, and the

assumptions of his criminality, were intentionally disrespectful. Matt summarizes his view of police behavior when he says,

Basically they don't have anything else to do but harass me. That's how I feel.

Like they just ride around looking for people to harass, because they don't have anything else to do. Oh its not just me, I have friends too, who got stopped, for no reason.

Matt also discussed an incident during the summer of 2003 which began when he stepped out of his car. Police officers quickly approached him and he was immediately handcuffed. When he asked why, he was told, "Shutup son put your hands behind your back." The officers ran his identification and title. After everything checked out, the officers told him, "Ok, go ahead. Be careful." Matt describes feeling "kind of pissed off... but, I've dealt with worse. It was routine."

The first three sets of explanations all focus on the personal response of the respondents. The final explanation, tint, is an exterior characteristic on a vehicle the respondents believe draws police attention.

Tint

Vehicle window tint emerged as a significant factor in several of the incidents. Of particular importance was the heavy dark tint that makes it difficult to see inside a vehicle. This tint never comes standard; the individual makes a choice to get it (and it is often illegal). Matt has been stopped in two cars, a Neon and a Camry, and he mentions the importance of tint, as both vehicles were tinted. Matt says that if three people are driving at four in the morning in a car with tinted windows law enforcement will stop you. Tint repeatedly came up in Matt's interview as an explanation. He says,

I hang with about six people on the regular, and none of them like police. (pauses)
None of them. Everyone of them has tint on their car and I guess that's why they
get stopped for no reason.

Trevor had an incident in 2001 which explicitly involved tint. He had just dropped
off a friend (who lives in Mid-City) and was driving on Banks Street in the direction of
Carrollton Avenue when an officer pulled him over. The officer stated that his tint was
too dark, and Trevor had to justify it was his car and answer questions about when he
purchased it. Trevor maintained at that time he had legal tint. When describing his
feelings of the incident, he mentions thinking it all seemed pointless, "Like why is this
taking place?"

The respondents' understanding of how tint can get them pulled over is a
reflection of the law enforcement literature on drug courier profiling. Tint is one of the
exterior characteristics listed on several highway drug courier profiles (Webb 1999;
D'Ambrosio 1987). Other exterior characteristics on the profile include out of state
license plates (specifically states like Florida, New York, Texas, Maryland, and New
Jersey), rental car plates, having several radio antennas, air shocks, and a police decal in
the window.

Effects

The effects section of the findings looks at how the respondents have come to
view law enforcement. This section has the subheadings of 'police attitude', 'police
tactics', 'law enforcement generational differences', the 'ratio of good to bad cops' (as
the respondents referred to it), a comparison of white and black officers, a look at the
'tension between civilians and law enforcement,' and a discussion on the 'quality of

policing.’ Furthermore, each respondent gave accounts stating they don’t believe all officers are ‘bad’ or engage in profiling.

Views of Law Enforcement

Several themes emerged from analysis of respondent views of law enforcement. Perhaps the most general effect is that of the incidents altered their views of law enforcement and ultimately their belief in the legitimacy of the system. First, it changes how they view law enforcement. Several interviewees mentioned the profiling experience changing an earlier (and more positive) idea of law enforcement. Matt stated that he wanted to be an officer as a young boy. Now, he says he does not even want to be associated with anyone who is an officer. He feels that because they often disregard rules governing police conduct, they are trying to hurt the community. “I have no respect for anybody that’s a police officer... to tell you the truth.”

Wes’ opinion has also changed since he was younger. He says, “It seemed there were more cops trying to impress you, trying to put forth a good image. But as time goes on you repeatedly see incidents that you don’t agree with, and your opinion changes.” Charlie says his incident as a teenager changed the way he thought of law enforcement. “Man at the time I always thought they were in the right. Now I have a really different perspective on cops.” He mentions several people he went to high school with became officers and says,

A lot of them were wimps in high school. They got beat up. Now they get a badge and wanna act up. Start getting authoritative. I attribute it to pent up frustration from when they were a kid.

Trevor agrees, saying he wants to hold a good opinion of police but he is unable to because of the nature of his incidents. He describes his 2003 incident, which took place at Rampart Street and Esplanade Avenue, as having changed the way he feels about police. He is certain that some officers are actually “crooked” and have “hate for certain groups of people.”

‘Police Attitude’

Research has shown a general view of policing, but the respondents hold specific attitudes and beliefs about police strategies. Their understanding of police behavior adds another dimension to racial profiling. This discussion covers both talk about specific incidents and the typical demeanor police adopt in interactions with young black males. As an example of the former, Charlie describes the officers who questioned him in his adolescent years as speaking to him “like I just broke into somebody’s house.” He feels they were “trying to intimidate me.” Charlie mentions these tactics as having the desired affect, and says he felt “pretty scared.”

Wes describes law enforcement as “finding a way to handle things in a shitty manner. When it doesn’t have to be like that.” Trevor speaks about the general police demeanor,

“They have something against young blacks, they pull them over or they jump out on them and run their ID. I think it’s just a general mentality, you’re supposed to treat this person like a criminal until you find out otherwise.”

Matt agrees and describes ‘the police attitude’ as disrespectful, macho, and believes that it leads to “discriminatory” treatment. He says,

They don't have to be the way they are. I guess they want to have that macho police attitude, watch him you know. But it's uncalled for really, I mean they could just come at you like a normal person, and be like, 'Well, we need to do this.' Just to let you know, they don't have to be 'Oh, put your hands behind your back.' I mean I understand they have to protect themselves too, to a certain extent. Its just kind of unjust in a way.

Further, all respondents used the term 'cocky' in reference to law enforcement attitudes. Jeff describes it as "an arrogance and condescending nature that comes with the badge. A sense of superiority."

These characterizations of law enforcement demeanor mirror Manning's (1978) finding that police subculture is based on ten assumptions. These assumptions have an underlying belief of cynicism about citizens and their relationship with the police and also focus on what demeanor officers should adopt. The respondents' view of law enforcement demeanor as harsh and cocky seems drawn out of the "people are not to be trusted and are potentially dangerous" and "officers must make the public respect them" assumptions, respectively (Manning 1978).

A major outgrowth of the 'police attitude' is the tactics used by law enforcement.

Police Tactics

These young men have a unique perspective on what they have come to know as police tactics. For example, Matt states if a car fits a description the police have to stop it, but both he and Trevor said they should see whether it's stolen and go on about their business. Jeff responds to the common police tactic of shining a light in your back window and/or face during interactions; yet he says he's "come to expect it." Bayley and

Bittner (1983) note that the tactic of using cruiser spotlights or flashlights to blind the eyes of the driver is a safety measure when conducting traffic stops at night.

Matt thinks that the police have nothing better to do then harass him and the police ride around looking for people to harass. He describes,

Yeah, that's uncalled for cause I mean ... you stopping me, for no reason. Don't even- I ask you why, 'Just shutup', you know? When they have other things you could be doing.

Trevor also wonders why the police are harassing him when there are burglaries and murders going on. Charlie mentions that it's not an everyday thing, but he's seen law enforcement "pulling somebody over, just beatin the shit outta them. Like a bunch of cops beating someone."

Matt's recommendation is to go by the book and treat people better. He believes a stronger observance of the rules governing police conduct and a friendlier demeanor would be better for both law enforcement and citizens.

Law Enforcement Generational Differences

The 'police attitude' also played a part in another theme that emerged, a comparison of the younger and older generations of law enforcement. Charlie thinks that the mentality of the newer officers is different than that of older officers. He says that the older ones are "more racist," more concerned with harassing black people and that the newer ones are "somewhat" better. Charlie cites many of the newer officers seeing it only as a job. Jeff concedes that newer officers see it only as a job; but his analysis of their behavior is different and negative. Jeff speaks from the point of view of having older officers in his family,

I had two uncles that were cops. And an aunt and a cousin who were cops, and they were all around the same age, so, they were all in the department during the eighties. And all of them left the department except for one person. And he passed about ten years ago... but the other three that left, they left because they couldn't stand what was going on inside the department, they didn't wanna be any part of it. And my other uncle that stayed, he used to tell me about it all the time, and like his friends, the ones that were good cops, and actually did do their job and cared about making a difference, they would always talk about their own coworkers, like disgusted at some of their practices.

'Ratio of Good to Bad Officers'

Another belief that emerged from the interviews was a discussion from several respondents about 'the ratio of bad to good officers.' Matt states that the ratio is sixty to forty, bad to good, while Trevor puts it at seventy to thirty bad to good. Charlie says the ratio is sixty-five to thirty-five, bad to good. Wes puts it at three to two, bad to good, although he says "you could have someone come right behind me and give a completely different ratio. Maybe somebody who's had more positive experiences than I have." Jeff says since a teenager it's changed, there used to be one bad cop for ten or twenty good ones, but now its about fifty- fifty. He cites the academy "taking whomever they can get and rushing recruits" because their numbers are low, leading to officers not taking their job seriously anymore, and treating it simply as a paycheck.

Comparison of white and black officers

Jeff says he got more negative behavior from black officers and describes it as "that's one thing that really frustrates me." He mentions them growing up in the same

neighborhoods and thus having the expectation they would “be a bit more understanding,” but instead he’s seen officers adopt a “beat up this person here mentality.” His experience is that black officers are more likely to be “jerks.” Jeff goes on to say white officers are more concerned with diffusing situations and getting the job done. Charlie offers the exact opposite view, speaking highly of black officers, whom he describes as being able to “relate better. They are more involved in the community.”

Matt mentions all the officers he’s been harassed by (except the black officer in the Uptown incident) have been white. Jeff has been stopped by a white officer and a black one. Charlie’s incident as a teenage also involved a white and a black officer. Trevor says both were white in downtown incident, also white in mid-city incident.

A counter finding is the idea that even police know there are bad officers out there. The opinions of the officers in Jeff’s family have been discussed, and how people in his family quit the NOPD in the 1980s because of corruption. Trevor describes talking about his downtown incident with an officer who visits his workplace, and the officer became angry, mentioning that was a drawback of being an officer: there are some crooked ones out there.

Tension between citizens and law enforcement

Respondents described expecting the worst in an encounter with police and being fearful about future encounters. Wes worries about having contraband planted on him. Jeff explains, “When I get stopped by police, the first thing that goes into my head is OK, what are my chances of going to jail?” Wes echoes his sentiments, “is this guy going to pull me over, yank me out, maybe plant something in my car? As messed up as it sounds, that’s the expectation a lot of people have.”

Charlie speaks on this tension,

I mean if you know that you are not in the wrong, doing anything, its like when you in high school, its like a lot of times like you see the principal coming, a lotta times kids run. For no reason, the principal coming, just run (laughs). And if you are not doing anything, you won't look suspicious. Just like that just that feeling, maybe that parts of the problem... the tension between civilians and police officers, because a notion about how police officers are. They have a tension between them. I think history is the cause of that tension and the interaction of police officers and black people. People in general, you know. Preconceived notion like when you see police officers nine times out of ten, something bad happened. It could just be somebody cruising on patrol.

Jeff says "bad cops" have a strong negative effect on the relationship between citizens and law enforcement. He says both officers and citizens become less trusting. Officers become more,

Irritable and less tolerant. Hostility and tension build up and events erupt bigger than they really should. And both police and civilians are to blame. A lot of it comes from some guy remembering the last time he was asked to open his car by a cop. And it just escalates. The police have it hard enough as it is.

Quality of Policing

Many of the respondents also cited issues with the quality of policing in their neighborhood. Wes describes the police as apathetic, and says they are not doing enough. Jeff describes this as "They just go around, looking for arrests. Its all about statistics, not even about solving anything or making anything right, it's just all about stacking

numbers.” Wes offers a similarly “disappointing” description of law enforcement practices.

Trevor says officers in the downtown area are looking for trouble. If you are standing in front of your house, on your porch or standing on a corner, you might be questioned, told to put your hands on a police car, and searched. He says, “The jump out boys are riding around with their door open, ready to jump out and run you down.”

Trevor mentions it being a good practice when the police actually nab drug dealers, a bad one when it is just harassing people who are just standing on the corner or on their porch in groups.

Matt gives a description of seeing a uniformed officer have a beer at the Daiquiri Shop on Elysian Fields,

One cop was having a beer. He wasn't the one driving but he was definitely drinking. He had his uniform on, you not supposed to have the uniform on anyway. I left out the Daiquiri shop, got in my car, next thing you know they behind me. ‘Get out the car, you’ve been drinkin.’ (pauses) Nah, you saw me drink one drink. That’s not the legal limit, that’s below the legal limit. I guess they just wanna harass you, you know how that goes. They let me go though, after all that. I argued with them, I was like you saw me sitting there having one drink. ‘Oh we don’t know what you had before we got there.’ I walked in the same time you did, don’t tell me you don’t know what I drank. And he’s like, ‘Well alright we gonna let you go for next time, just watch yourself.’ (pauses) Uh.

Wes expressed a similar disappointment in police behavior. He believes the NOPD is not busting dealers in his neighborhood. He says they focus on busting users,

not dealers. Wes says the police shake dealers down and “you know” the dealers are doing wrong, but NOPD puts them back on the street. Respondents stated that a significant change of focus is necessary for the police to change their ways and treat citizens and neighborhoods appropriately.

While most challenge the attitude of police behavior, Wes calls for more officers to combat crime and for law enforcement to be more aggressive. This is an unexpected request, as current police practices involve stopping large numbers of young African-American men and seeing what they have, and thus it is likely it will lead to more instances of racial profiling.

‘Not All Cops Bad’

Although the respondents gave accounts with scathing reviews of police behavior, they all avoided a complete condemnation. Every respondent stated they believe there are ‘some good cops out there’ and they would do whatever necessary to help them. Wes describes some people in his neighborhood who have faith in the police. But the overall impression of police is not a positive one. He describes law enforcement as a mix of “people who are sincere about doing their job and those in it for personal gain.” Charlie mentions taking officers on a “person by person basis. I don’t think all officers are pure shit. Not even close.” Jeff emphasizes that not all officers are bad, but the number of bad ones has increased significantly. Jeff also says that the bad officers work against those trying to do their jobs. Ultimately residents don’t give as much information, officers are less tolerant, more irritable, hostility and tension build up, and bad incidents can result. His conclusion: “at the same time it makes you less tolerant of the ones that are bad, because as bad as things are they’re just making it worse.” Jeff shows a contradictory

opinion of law enforcement behavior. “There are some officers I’d trust with my life. And then there’s some I wouldn’t trust with fifty cents.”

Race, Symbols and Place

The section on race, symbols and place first looks at how the respondents believe race and image symbols (such as manner of dress) affect law enforcement behavior. Second, respondent beliefs about the importance of neighborhood context are discussed.

Views of Self/Race

The respondents thought the police have a certain set of characteristics that they use to focus on individuals, and that race, manner of dress, age and the vehicle one drives are all important factors. Several respondent accounts report that race is paramount; Trevor, when describing the incident on Esplanade and Rampart, says,

I’m not racist, but I think if it had been a white person, it wouldn’t have happened like that. I don’t think they would have acted like that, drawing down their weapons.

Trevor says he might be “asking to be stopped” by having dark tint and loud music. Matt puts race first, especially in Metairie. He says Harry Lee (the Chief of Police in Metairie) is to blame, as Matt believes Lee sets a tone for the department and the officers follow. Peter also places race first,

I think that’s the first thing because it’s the most obvious. Most people would say ‘hey, he’s black.’ But they wouldn’t say, ‘look at what he’s wearing’, or look how intelligent, the first thing for all people, it’s the color, that we use to describe people first.

Jeff echoes these sentiments when he says, “I mean its almost common knowledge that a black man stopped by a police officer is gonna have a harder time than a white man.”

Although Jeff considers race important, he puts youth first. Trevor says young black men receive the most attention and “police don’t really mess with women.” He believes being a young black male is more important than the way one is dressed. But he also considers image important.

The accounts show a pattern of criminalizing subcultural value symbols. Offering further support of this notion is the belief that the type of car a person drives can be a determinant of police attention. Peter says, “They love checking people with Cutlasses, because they have some kind of mental picture that drug dealers, gangsta, drive Cutlasses. Especially the older models...” He continues, “they pull over people with the loud music, tinted windows, what they consider the wrong people.” Other cars that seemed to draw attention (when young African-American men are driving them) include luxury cars such as a Lexus.

The participants thought that such a manner of dress is a symbol of criminality for police. Charlie offers an interesting explanation for this saying that in a mixed-race upscale neighborhood, a “white guy wearing a jersey, bandana, and with slugs (gold teeth) in his mouth” would be looked at with suspicion. Jeff states that a young white man and a young black man standing side to side, both dressed in baggy jeans, and having tattoos, the young black man will get stopped by the police. Matt says it is misleading, an individual can dress like a thug and be from a nice home, it is just a way

of expressing yourself. Peter says, “Once they see you are a thug mentality, headbands, pant sagging, too big, jerseys [...] they have certain things... that they pinpoint.”

Residential Restriction/ Sense of Place

Respondent emphasis on the importance of space in policing (spatial dimensions) was one of the patterns that emerged from the data. Charlie mentioned several times the amount of attention and the treatment he receives by police officers varies with neighborhood context. He says

If I’m walking in the Garden District the police look at me kinda different. Like sometimes coming back from playing ball on Napoleon (at the Laurence Square) I might be riding my bike and they give you a different look. ‘Like what are you doing round here?’

Charlie also talked about how the time of day plays a part. He mentions “in the daytime I’ve never had a problem walking in the Garden District. But at night they try and put shit together, like me being there to do something.” Peter mentions how he is afraid to go to Metairie, and how his friends will intentionally avoid driving in Jefferson Parish to minimize incidents with law enforcement.

Matt’s conversation with the officers who pulled him over Uptown clearly has a spatial element, as he describes the officers asking him,

‘Why were you in this area of the town?’ And I’m like, ‘well we’re going to get something to eat, we just left the club.’ And they say ‘well it shows you live in the East, why didn’t you go into the East to get something to eat?’

He told me that... and I was like (pauses) I do believe I got a car to drive

anywhere I want, but I didn't wanna tell him that, set him off. But... you know they ask you all kind of things 'Where you going?' 'Why you out here?'

Although the afore-mentioned incident took place Uptown, Matt describes racial profiling as being synonymous with Metairie. He has been stopped four or five times in that suburb and talks about this at length; he feels they cross the line into harassment. Matt also states that his friends have been harassed in Metairie in incidents similar to his. Yet Matt, like Charlie, distinguishes between times of day, as he only worries about visiting Metairie at night. All the incidents have had the effect of him significantly limiting his travels. Wes states that the Jefferson Parish police department, the Parish which includes the suburbs Kenner and Metairie, is known for practicing racial profiling. He says it's an "unspoken rule." He describes the Jefferson Parish law enforcement attitude as "niggas stay away," and their behavior makes it clear they want "blacks to stay in New Orleans."

These findings echo those of Meehan and Ponder's 2002 study. That study found a race and place effect in both pro-active queries and the stop behavior of officers. The research showed that African Americans who travel in the wealthiest white neighborhoods have query rates so high that officers must be noticing or searching for African American drivers.

Trevor also had an incident in Kenner in which he describes being treated like a criminal. On Joe Young Boulevard, a major thoroughfare in Kenner, he was singled out among a group of five cars. At the time, he was driving his Aunt's car and had to prove it was not stolen. He also describes having to prove he didn't have any warrants out for his

arrest. He has been profiled in the city and the suburbs, in both white and black neighborhoods, and all he can say is, “Wherever you are ... attention is attention.”

Yet, in predominantly black neighborhoods, young men have been stopped. Trevor had an incident which occurred in New Orleans East, a predominantly African-American neighborhood. Clearly the neighbors thought Trevor looked like somebody likely to break into a home.

A second counter finding is Charlie talking about law enforcement giving different amounts of attention based on neighborhood context and giving the explanation of police having “reasonable suspicion-because certain elements, when they are not in their environment, it does look suspicious.” Charlie recognizes that he is out of his element. He has accepted and internalized the notion that he is out of place in ‘white’ neighborhoods.

Summary of Findings

Respondents thought they had been stopped on multiple occasions because of their race. Trevor cites incidents spanning the metro area, including downtown New Orleans, Kenner, Mid-City, and New Orleans East. Matt has been stopped five or six times that he concludes were profiling, with one incident occurring Uptown and the others in Metairie. Jeff describes racial profiling happening so often that it is expected, and his peers have experienced it as well. This echoes the findings of the 1999 Gallup Poll, in which many of the 72% of African-American males who felt they had been stopped for race based reasons reported multiple incidents (Lester 1999).

Of particular interest is the use of the highway drug courier profile and its tactics, e.g., the repeated and detailed lines of questioning, the using of minor infractions for

investigative stops and the desire to search respondent vehicles, on residents in the inner-city.

That the respondents recognized and thus felt that law enforcement behavior varied by neighborhood context is another significant finding. It is unlikely that race relations will improve as long as American society is residentially segregated and it is also unlikely much change will occur if African Americans in white neighborhoods can expect to be treated harshly.

Bayley (1986) noted that a third of the stops initiated by officers were an attempt at crime control by finding criminal activity, involving either arresting a person with warrants or displaying a prominent police presence. As for the former, none of the respondents had warrants out for their arrest; as for the latter, targeting motorist with tint is a possible explanation. The respondents who experienced the most serious incidents, Matt and Trevor, have illegal tint. This may be a function of the dangerous nature of traffic stops and the inability of officers to see if motorists are brandishing weapons when motorists have heavy tint. Yet these stops were, with the line of questioning adopted and the desire to search, investigative. Furthermore, no ticket or written warning was ever given for tint. Ticketing would seem a likely closing action if officer safety was a concern, as it would motivate motorists to remove tint from their vehicle.

Bayley (1986) noted the most common ending action was a traffic citation (43.3 percent); no tickets were issued in the incidents presented by respondents. It is likely the stops were discretionary and investigative, with releasing as the most frequent closing action in the respondent incidents. Peter was released and told “drive carefully.” Matt, in one incident, was simply told “go home guy.” Given the pro-active and often forceful

nature of the stops, it is likely arrests would have taken place if contraband or outstanding warrants were discovered. Furthermore, Bayley (1986) found the demeanor of citizens had an important effect in predicting tactical actions, but this was not seen in the incidents described by respondents, as they described trying to be respectful but were often treated with what they considered disrespect.

The Christopher Commission noted when officers label a community “anti-police,” they adopt a “brusque” style of policing and are primarily concerned with their own safety. This results in an indiscriminate method of policing. Although respondent incidents did not necessarily occur in these types of neighborhoods, they clearly were policed in this manner. Several respondents mentioned they thought they had done little to attract police attention, describing an indiscriminate method of policing. Furthermore, Peter and Trevor described the NOPD tactic of the ‘jump out boys.’ This tactic involves officers riding around with their door open, ready to jump out and run after people (usually groups of young African-American men congregating). Furthermore, the idea of officer tactics being shaped by concerns for their safety surfaced, as in the contact stage of several incidents Matt was immediately handcuffed. Likewise, Trevor was pulled over by officers ready to draw their weapons at the contact stage.

Officers maintain that presence is an important factor in policy and they must have a pacifying demeanor, one which placates, mollifies, and does not heighten tension (Cox 1996). Yet this is the opposite of the demeanor often adopted by the officers in the incidents. Several officers were “unnecessarily” hostile and confrontational according to the respondents. This is in line with Manning’s (1978) assumptions implicit in the police occupational subculture, including particularly the ideas that people are not to be trusted

and officers must make the public respect them. This did not change with the individual officer's race. The respondents are a college-educated group, yet they were continually and consistently treated with what they feel was unprovoked disrespect. Furthermore, the combination of a lack of apologies or regret from the officers and what the respondents termed 'discriminatory behavior' is strong, leading to respondents having a less than favorable opinion of law enforcement. The respondents detailed a tension between citizens and law enforcement and gave their evaluations of quality of local police. The respondents, echoing poll data (Langer 1988; Maguire et al 1993; Lester 1999) consistently gave law enforcement a poor rating. Clearly police have a long way to go in the view of minorities. Yet, each respondent avoided a complete condemnation of law enforcement. It is likely that some of the basis for the officers' harsh demeanor comes from the difficulty involved in trying to police a city with one of the highest murder rates in the country.

Conclusion

This study is ultimately about police-citizen interactions. While there is no way to verify that these stops are based on racial profiling, these men perceive and define the incidents as such. Although they offer several significant other explanations, including that many criminals are African American, ultimately the respondents believe that race is the most important determinant of police attention.

There are results from this belief, detailed in the effects and explanations section. The explanations section details how these men remove themselves as individuals from indiscriminate police tactics. The tactics are indiscriminate in that they target a specific group, young black males, without differentiation.

Responding to community calls for police accountability necessitates an analysis of the effects of individual officer behavior and tactics. While standard audits of departmental efficiency have looked at allocations of money and personnel as well as gross offenses by individual officers, they have not included analysis of the effectiveness of individual officers (Bayley and Bittner 1983). Sufficient descriptions of what officers do in how they exercise discretion, particularly relating to whom they stop and their actions in the resulting encounter are essential to making judgments about their effectiveness in order to hold them accountable. Most officer work involves interactions with citizens and “any explanation of their behavior must take mutual relations into account” (Sykes and Clark 1975 p. 585). Law enforcement behavior should be explained in “terms of the rules which order their relations with civilians and which are usually mutually acknowledged by both officers and civilians.” Sykes and Clark (1975) also stress the asymmetrical status positions occupied by officers and the citizens they interact with and further hypothesize that African Americans often mistake class-based discrimination as race-based discrimination.

Kleinig (1990) notes that ethics is not given enough attention in many police training programs. Training must emphasize the avoidance of unethical behaviors, such as brutal violation of human and civil rights, planting evidence, theft, lying in court or on official reports and forcing citizens to sign disclaimers (Myron 1992). Additional training in this area will help officers avoid actions that harm the police-citizen relationship.

The literature says race plays a part in both whom the police stop and how they are treated. The idea of efficiency is a self fulfilling prophecy. That is, officers think that blacks are committing drug offenses at higher rates and so thus they stop and search their

vehicles in greater numbers. This specialized targeting will, in the presence of an equal likelihood to carry drugs or have outstanding warrants, produce higher rates and thus fulfill the stereotype that motivated the officer in the first place. Furthermore, African Americans who are doing nothing wrong get upset about being stopped and occasionally receiving harsh treatment. The accounts strongly suggest a predominant police ethic in which everybody is a criminal until proven otherwise.

This group of respondents is heavily involved in traditional means for success and have too much invested in it to reject these means; however, one can only wonder if a “fence-sitter” is driven to reject the traditional means of success every time they are treated like a criminal, every time they are handcuffed and frisked without reason and explanation, every time an officer questions them harshly and reinforces their low status. We as a society need to be concerned about the possible effects such police actions have.

As Lamberth (1996) and others have noted, nearly every motorist breaks some traffic law while driving, even on short trips. Furthermore, numerous narrative accounts exist in which drivers describe driving carefully and they were still harassed; in fact the highway drug courier profile lists ‘strict observance of traffic laws’ as a characteristic of those likely to carry drugs. Such contradictions seem to be a catch-22. There is little advice that can be offered in such situations. It seems clear from the literature that if an officer wants to stop a citizen there is little one can do to prevent it. Furthermore, lengthy and painful incidents are also difficult to avoid if the officer chooses to make it such, due to the wealth of resources at his disposal- lengthy and repeating lines of questioning, asking for consent to search, forcing motorists to wait for drug sniffing dogs (a process which can easily exceed an hour) if no consent is given.

Future research should examine the idea of acceptance, an important concept that could further illuminate the consequences of these law enforcement tactics. The respondents distanced themselves as individuals from being treated like criminals, instead recognizing that many criminals are African American and that officers are simply disrespectful to everyone. Also, the adoption of a larger scope would be useful. It is my opinion that this methodology is a useful and important way to study racial profiling, and a larger study could study the issue in much greater depth.

Future research could also attempt to explain and understand how peer knowledge shapes future interactions with law enforcement. As Jeff describes,

If you haven't been stopped by the police before, you at least know of a lot of people that have been stopped by the police, and people that have been searched and people that have been questioned...

This study is about people who are not criminally orientated but fit the profile of those who are, and the negative effects that result. Ultimately if there are more non-criminal young African Americans than not, the use of these tactics does not make sense. It inflates the crime rate for black males and harms individual and community relations with police. Race complicates the problem of social control. Even if police activities are efficient, if most people aren't guilty and even if you are finding more criminals, you are potentially alienating more people. As public opinion polls by Langer (1988) and Meguire et al (1993) have shown, African Americans have a low opinion of law enforcement and their practices. Clearly this needs to be taken into account when looking at the efficiency of law enforcement tactics. The tactics call for a high rate of stops so the stopping of innocent citizens is inevitable. Even in the poorest neighborhoods the

majority of citizens aren't criminals, so officers need to be careful in their dealings with people. Clearly these harsh tactics are an outgrowth of the police belief they have to "take control" of situations and make sure their authority is recognized. The data suggests racial profiling is not that productive because of the way people experience it. Yet whether one looks at the lack of efficiency or the negative race-based effects of this practice, the costs are not worth it. Aside from being morally wrong and illegal, it's also not that effective.

This research contributes some data on process, experience and consequences. The approach and sample allow for a better look at police citizen interaction than quantitative methods. This study is explanatory and suggestive about future research.

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