



OLEPS

OFFICE OF LAW ENFORCEMENT PROFESSIONAL STANDARDS

Seventh Aggregate Report of the New Jersey State Police December 2013



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Table of Contents

Introduction	1
Data	2
Stop Level Data	2
Number of Stops.....	2
Reasons for Stops	2
Law Enforcement Procedures	3
Dispositions.....	5
Evidence Seizures	5
Individual Level Data	5
Arrests	6
Charges	6
Wanted Persons.....	7
Analysis	7
Stop Level Analysis	7
Number of Stops.....	7
Reasons for Stops	9
Law Enforcement Procedures	12
Dispositions.....	23
Evidence Seizures	25
Individual Level Analysis.....	28
Arrests	28
Charges	29
Wanted Persons.....	33
Summary	35
Appendix One Previously Published Aggregate Reports.....	36

SEVENTH AGGREGATE REPORT OF THE NEW JERSEY STATE POLICE OFFICE OF LAW ENFORCEMENT PROFESSIONAL STANDARDS JANUARY 1, 2012 TO JUNE 30, 2012

Introduction

Pursuant to the Law Enforcement Professional Standards Act of 2009 (N.J.S.A. 52:17B-222, *et seq.*) (the Act), the Office of Law Enforcement Professional Standards (OLEPS) is required to publish biannual reports containing aggregate statistics on the New Jersey State Police (State Police). For a more detailed history of the Act, see the OLEPS website www.nj.gov/oag/oleps.

As statutorily mandated, the Aggregate Report discusses motor vehicle stop activities conducted by the State Police. Specifically, the Aggregate Report includes information on the number of stops conducted, the number and type of post-stop activities, the number of arrests during stops, the number and type of charges filed from arrests during stops, details on evidence/contraband seized, and the number of wanted individuals apprehended during motor vehicle stops. The Aggregate Report includes this information for all stops made by the State Police during the current reporting period, January 1, 2012 to June 30, 2012, while the Supplement to the Aggregate Report details this information for two selected troops, Troop A and Troop B.

The reports include detailed discussion and analysis of the data to facilitate understanding of trends. Additionally, the report includes graphical depictions of data and trends.

This report discusses data in the aggregate. Rather than examining any stop individually, stops are only discussed as part of all activity by the State Police. This report analyzes the volume of and the racial/ethnic distributions of stops, dispositions, enforcement activities, and charges. This report does not determine whether the use of any disposition, enforcement, or charge is appropriate. Rather, the volume of these items across racial/ethnic groups is examined to determine whether there is any disproportionality to the use of these enforcements. Thus, this report will only note whether the number of activities involving drivers or individuals of a specific racial/ethnic group are in line with expectations of frequency, not whether troopers acted appropriately when conducting that activity.

The first section of this report, Data, discusses data sources and definitions used in this report. The Results section of the report provides a discussion of trends and patterns noted at the aggregate (Division-wide) level. Appendix One lists all previously published Aggregate Reports, their date of publication, and the reporting period covered.

For more information, this publication and all other reports can be found on the OLEPS website, <http://www.nj.gov/oag/oleps/reports.html>.

DATA

The data utilized in this report were obtained from the State Police. The State Police maintains several databases containing information on motor vehicle stops. These databases store information on drivers and passengers, and detail all actions or enforcements that occur during a stop. This report includes data on motor vehicle stops and individuals within these stops for all stops made by the State Police from January 1, 2012 to June 30, 2012. A separate publication, OLEPS' Supplement to the Seventh Report of Aggregate Data of Traffic Enforcement Activities contains data and analysis specifically for Troop A and Troop B.

Stop Level Data

This section utilizes the motor vehicle stop as the unit of analysis. All categorizations in this section refer to the motor vehicle stop rather than the individuals in the motor vehicle stop. Most enforcements or events can, theoretically, occur multiple times within a stop. The data here only indicate that the event happened at least once during a motor vehicle stop rather than the total number of occurrences.

Number of Stops

A motor vehicle stop is defined as an instance where a trooper directs a motorist to stop or remain in some location to facilitate interaction between the officer and motorists. Instances where a citizen requested aid from a trooper or was involved in an accident are not considered motor vehicle stops.¹

The number of motor vehicle stops in a reporting period is a function of a number of elements. While motor vehicle stops are a primary activity for troopers, other requirements may impact the ability of a trooper to stop vehicles. Troopers may dedicate their time to criminal investigations or public safety patrols, like those following a natural disaster. The ability to stop motor vehicles may also be impacted by staffing levels. During lean times, a given station, troop, and ultimately the entire Division, cannot make as many motor vehicle stops as during times of higher staff levels simply because there are fewer bodies. Additionally, trooper activities are also impacted by outside funding through grants that may target certain behaviors. While most of the grants implemented in the State Police have increased motor vehicle stop activities, it is possible that certain grants may target trooper activities away from the road to other areas of patrol.

Reason for Stops

During a motor vehicle stop, troopers are required to notify the communication center of the reason for the stop. Beginning in January of 2012, State Police policy required a specific statute to be called in where, previously, troopers only had to indicate whether the reason was for a moving, non-moving, or other violation. To maintain consistency with previous aggregate reports, all statute-specific reasons for a stop were coded as moving, non-moving, other, or no reason provided, by OLEPS.

¹ Such instances can “evolve” into motor vehicle stops depending on the circumstances and specifics of the interaction. Absent such evolution, such events are not included.

- **Moving:** Stops initiated for reasons pertaining to the movement of a vehicle. These reasons include rates of speed, failure to maintain lane, and unsafe lane change, etc.
- **Non-Moving:** Stops initiated for reasons not related to the movement of a vehicle. These reasons include those that pertain to vehicle maintenance, such as, seatbelt usage, usage of a handheld cell phone, or the maintenance of lamps, etc.
- **Other:** Stops initiated for another reason. This category includes directed stops and BOLOs.
- **No Reason Provided:** Stops not classified as moving, non-moving or other. This category includes stops that had no statute(s) listed.

Law Enforcement Procedures

The majority of motor vehicle stops end with the motorist receiving some sort of summons or warning without any other activities. However, some stops involve a law enforcement procedure or post-stop interaction such as an exit, frisk, search, etc. These procedures include any interaction between troopers and citizens that extend beyond conversation.

Troopers are required to document all enforcement activities that occur during a motor vehicle stop via motor vehicle stop reports. These reports are the source of information on the number and volume of law enforcement procedures during a given reporting period. The law enforcement procedures discussed in this report are:

- **Occupant Vehicle Exit:** The number of motor vehicle stops where an occupant was requested to exit the vehicle.
- **Occupant Frisk:** The number of motor vehicle stops where an occupant was subjected to a protective pat-down or frisk of their person for weapons.
- **Non-Consensual Search²:** The number of motor vehicle stops where an occupant was subjected to a search of their person or vehicle for evidence of a crime or incidental to their arrest.
- **Canine Deployments:** The number of motor vehicle stops where a canine was utilized to perform a sniff test.
- **Chemical Force:** The number of motor vehicle stops where an occupant was subjected to chemical force, such as pepper spray.
- **Deadly Force:** The number of motor vehicle stops where an occupant was subjected to deadly force.
- **Mechanical Force:** The number of motor vehicle stops where an occupant was subjected to mechanical force, such as a baton.

²This category includes both probable cause searches of a vehicle and probable cause searches of a person. Due to data limitations, OLEPS can no longer differentiate these categories and so they are represented as non-consensual searches.

- **Physical Force:** The number of motor vehicle stops where an occupant was subjected to physical force.

In some instances, troopers may use a combination of the above-mentioned types of force. These combinations will be noted when used.

The current discussion of consent searches provides more information on these searches than previous reports. Specifically, whether the searches were granted, denied, or whether consent was withdrawn will be discussed.

- **Consent to Search Requested:** The number of motor vehicle stops where consent to search was requested by the trooper.
 - **Consent to Search Denied:** The number of motor vehicle stops where consent to search was requested, and denied by an occupant.
 - **Consent to Search Granted³:** The number of motor vehicle stops where consent to search was requested and granted by an occupant
 - **Consent to Search Withdrawn:** The number of motor vehicle stops where consent to search was requested, granted, and then withdrawn by an occupant.

Beginning with the current reporting period, arrests are included as a law enforcement procedure rather than separately. The number of stops where an arrest was made will be detailed. For the purposes of this report, the following definition of arrest will be used:

- **Arrest:** The number of motor vehicle stops where any individual was taken into custody.

Data on law enforcement procedures represent the number of *stops* where a given procedure has occurred. There can be, and usually are, multiple law enforcement procedures per stop. Therefore, a given stop may be represented more than once. For example, a stop can have a vehicle exit, a frisk, and a canine deployment. This stop would be counted once in the total, but would be listed in each enforcement category.

Dispositions

Dispositions refer to the outcome of a motor vehicle stop, summons, warning, or other. Troopers record dispositions following the completion of a motor vehicle stop. Summonses or warnings are further classified based on the type of violation, either moving or non-moving. For this report, each stop is placed into only one category of disposition. For example, a stop may be classified as a moving summons or a moving warning. However, if the driver of the stop received both a moving summons and a moving warning, the stop would be classified as mixed enforcement. Additionally, the data do not represent the total number of summonses or warnings issued in a single stop, only that at least one was issued. The categorizations of dispositions are:

³ The category consent search vehicle conducted is now known as consent to search granted.

- **Moving summons:** The number of motor vehicle stops where a summons for a moving violation was issued.
- **Non-moving summons:** The number of motor vehicle stops where a summons for a non-moving violation was issued.
- **Moving warning:** The number of motor vehicle stops where a warning for a moving violation was issued.
- **Non-moving warning:** The number of motor vehicle stops where a warning for a non-moving violation was issued.
- **Mixed disposition:**⁴ The number of motor vehicle stops where some combination of warnings and/or summonses for moving and/or non-moving violations were issued.
- **Other:** The number of motor vehicle stops that did not result in a summons or a warning, otherwise known as no enforcement.

Evidence Seizures

Evidence seizures reflect the number of motor vehicle stops where evidence was seized during a motor vehicle stop. Previous reports identified this section as contraband seizures, however, due to changes in the data, it can no longer be determined whether the items seized are indeed contraband. Instead, OLEPS will comment on the number of motor vehicle stops where any evidence was seized. If available, the events surrounding the seizure will be identified. For example, whether the seizure occurred during a consent search, a frisk, a plain view seizure, etc.

Individual Level Data

This section details the volume of actions taken involving citizens: arrests, charges, and wanted persons. Because a vehicle can typically hold at least two individuals, these events may occur multiple times within a given motor vehicle stop. For example, one motor vehicle stop can have multiple arrests and each arrest can have multiple charges. For ease of interpretation this section will use the words "individual" and "motorist" to describe those involved in these events.

Arrests

A single stop can involve multiple arrests, depending on the number of individuals in the vehicle. The total number of motor vehicle stops where an arrest occurred are detailed in the law enforcement procedures section. This section will detail the total number of motorists who were arrested during a

⁴ For this report, mixed dispositions will incorporate the categories of: summons moving & warnings moving, summons non-moving & warnings non-moving, and summons and/or warnings/moving and/or non-moving.

motor vehicle stop. Thus, the number of arrests should be at minimum, the same as the number of stops with arrests, but will likely be higher.

Charges

This section details the charges filed against individuals who were arrested during motor vehicle stops in the current reporting period. Since each charge is specific to the circumstances of the crime, there are a large number of different statutes charged for this reporting period. To make the data more manageable, only the most common charges are discussed:

- **Obstruction:** Obstructing, impairing, or perverting the administration of law or preventing a public servant from performing an official function.
 - This category includes charges pertaining to contempt (outstanding warrants), failure to appear, hindering, and resisting arrest
- **Driving While Intoxicated:** Operating a motor vehicle while under the influence of alcohol or controlled dangerous substances with a blood alcohol concentration of .08% or higher.
- **Possession:** Possession, use, or being under the influence of any controlled dangerous substance including, but not limited to, marijuana, cocaine, heroin, or prescription drugs (without a prescription).
- **Paraphernalia:** Possessing any item that may be used to ingest, inhale, deliver, pack, repackage, or distribute a controlled dangerous substance.
 - Examples of paraphernalia include: pipes, hypodermic syringes, rolling papers, etc.
- **Weapons:** Possession of any prohibited weapons or devices.
 - Prohibited weapons or devices include handguns (without a permit to carry), sawed off shotguns, metal knuckles, silencers, or body armor penetrating bullets.
- **Other Charges:** The number of motor vehicle occupant(s) that had other criminal charges. These charges include charges pertaining to theft, property destruction, forgery, violence against others, licenses, traffic regulation, and motor vehicles.

Information on criminal charges is occupant specific rather than stop specific. This means that the data reported indicate the number of individuals who received each charge rather than the number of stops that resulted in criminal charges. Additionally, any individual may receive more than one criminal charge. Thus, the data on criminal charges are best understood as the total number of charges rather than individuals or stops with charges.

Wanted Persons

This section details the number of persons with outstanding warrants taken into custody during a motor vehicle stop in the current reporting period.

ANALYSIS

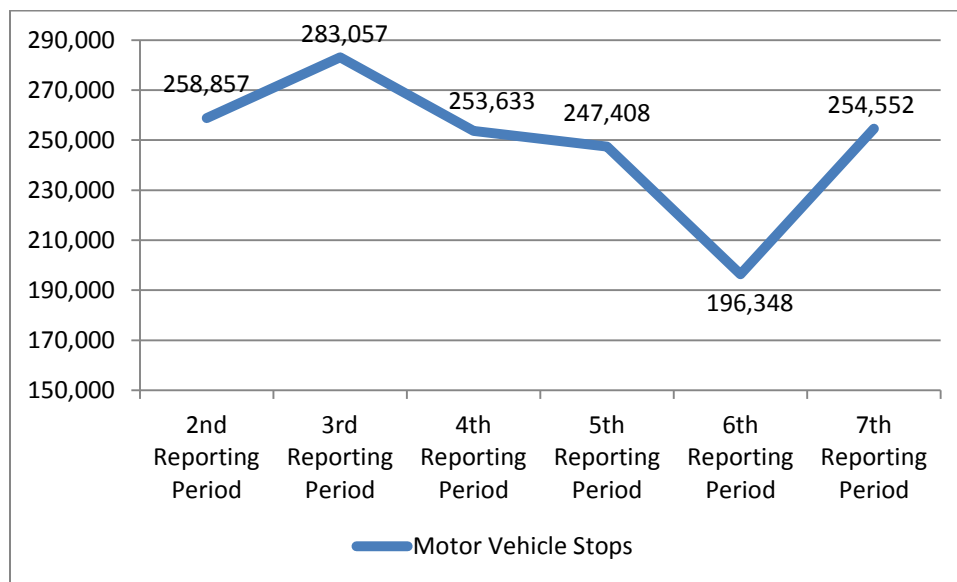
Analysis of State Police trends and activities are detailed here, separated by the unit of analysis- stops or individuals. Data on stops, law enforcement procedures, dispositions, criminal arrests, criminal charges, wanted persons, and evidence seized for the entire Division of State Police are discussed in the sections that follow.

Stop Level Analysis

Number of Stops

From January 1, 2012 to June 30, 2012, the State Police made 254,552 motor vehicle stops. Compared to the previous reporting period, this is a 30.0% increase in the total number of stops. In the sixth reporting period, which covered the second half of 2011, the State Police made 196,348 motor vehicle stops. Generally, there are more stops made in the first six months of a year and fewer made in the second six months.

Figure One: Trends of Motor Vehicle Stops
July 2009- June 2012



The State Police have been affected by attrition in 2010 and 2011. These years saw a higher number of retirements than incoming troopers. However, in January 2012, the State Police graduated the 151st Class at the Academy, which brought 85 new troopers to the road. While these troopers still had to undergo a probationary period, it is possible that the new class created a renewed vigor in the State Police, leading to more stops. The number of motor vehicle stops are expected to remain high in future reporting periods as there are currently two classes of new recruits, the 151st and the 152nd classes.

Figure Two depicts the racial/ethnic distribution of all motor vehicle stops conducted in the current reporting period. The figure indicates that the frequency of stops for White drivers is higher than the frequency for all other racial/ethnic groups. White drivers are involved in 63% of all stops made during the current reporting period. All other racial/ethnic groups are involved in less than one third of the number of stops made for White drivers. Black drivers are involved in about 18% of all motor vehicle stops. Hispanic drivers make up about 12% of all motor vehicle stops. Asian drivers are involved in 6% of all motor vehicle stops in this period, American Indian drivers are involved in 0%, and Other drivers are involved in 1% of stops. Because these racial/ethnic groups make up such a small proportion of all stops and thus, all activities, they will not be routinely discussed in this report unless their pattern differs dramatically from this distribution.

Figure Two: Racial/Ethnic Distribution of Motor Vehicle Stops
January 1, 2012 – June 30, 2012

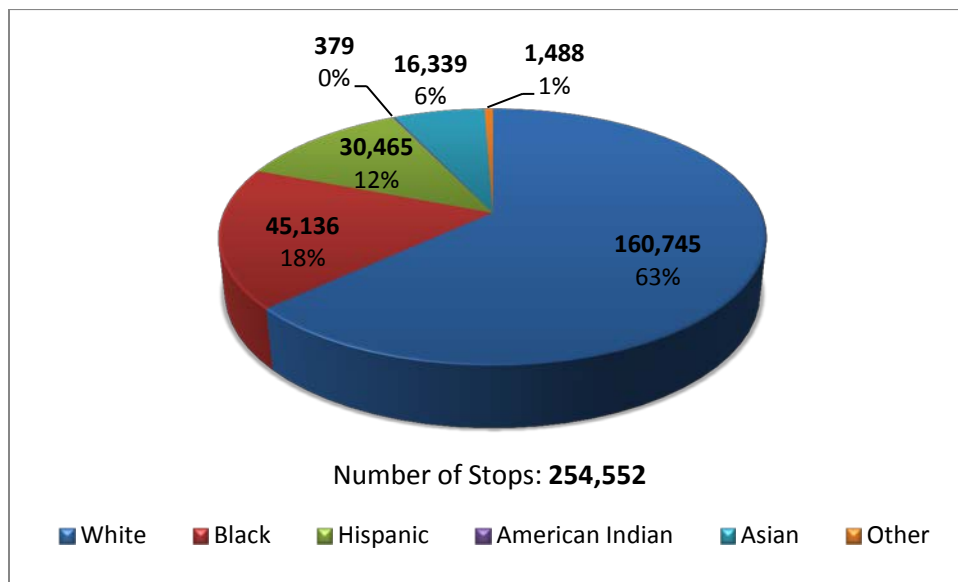
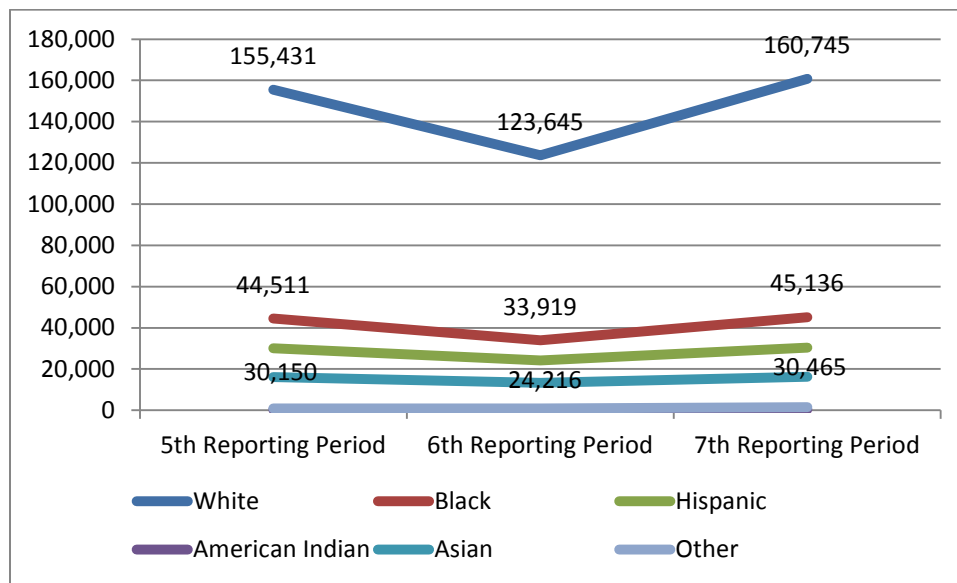


Figure Three graphs the number of stops made of drivers of each racial/ethnic group for the current and two previous reporting periods. Because the total number of stops made during the current reporting period increased, the number made for each racial/ethnic group also increased. White drivers were involved in about 37,000 more stops in the current reporting period compared to the previous. However, the proportion of White drivers remained the same, 63% of all stops involved White drivers. Similarly, there were increases in the number of stops made of Black and Hispanic drivers. Black drivers were involved in about 11,000 more stops in the current period than the sixth reporting period while Hispanic drivers were involved in about 6,000 more stops. Despite these increases, these groups still comprise the same general proportion of all stops, 18% and 12%, respectively. Thus, despite increases in the number of stops made of each racial/ethnic group, the proportion of total stops remained the same for each group and has so for several reporting periods.

Figure Three: Trends in Racial/Ethnic Distribution of Motor Vehicle Stops
July 2009 – June 2012



This consistency suggests that despite the lack of an officially calculated benchmark⁵, this distribution may be the closest to a benchmark of State Police activity currently available. The current racial/ethnic distribution of motor vehicle stops will be used as a temporary benchmark. The distribution of all activities will be compared to this to determine whether there is any evidence suggesting disparate treatment based on race or ethnicity.

Reason for Stops

As in all reporting periods thus far, the majority of stops conducted during this reporting period were based on moving violations. Though the actual numbers of these stops are higher than in the previous period, they actually represent a slight decrease in the percentage of all stops. As shown in Figure Four, for the current period, 208,613 stops, 82%, were based on moving violations compared to 168,259 stops, 86%, in the previous period. Thus, while the State Police stopped more drivers in this reporting period, they actually stopped a slightly lower proportion of drivers for moving violations than the previous period.

Over time, the proportion of stops for each reason has generally remained stable. Historically, moving violations are the most common reason for a motor vehicle stop, following the larger trend of the total volume of motor vehicle stops. Just as there was a marked decline in the number of stops made in the sixth reporting period, the number of stops made for a moving violation also declined. While Figure Four may appear to indicate more stability in non-moving and other violations, the number of stops with non-moving violations nearly doubled in the current reporting period. Non-moving violations accounted for 17% of stops, 42,995, compared to 12% of stops, 23,909, in the previous reporting period. This is an increase of 19,086 stops, 80%, from the previous reporting period. This is likely due to the increase in the overall number of stops in the current reporting period but may also result from targeted enforcements, such as seat belt or cell phone patrols.

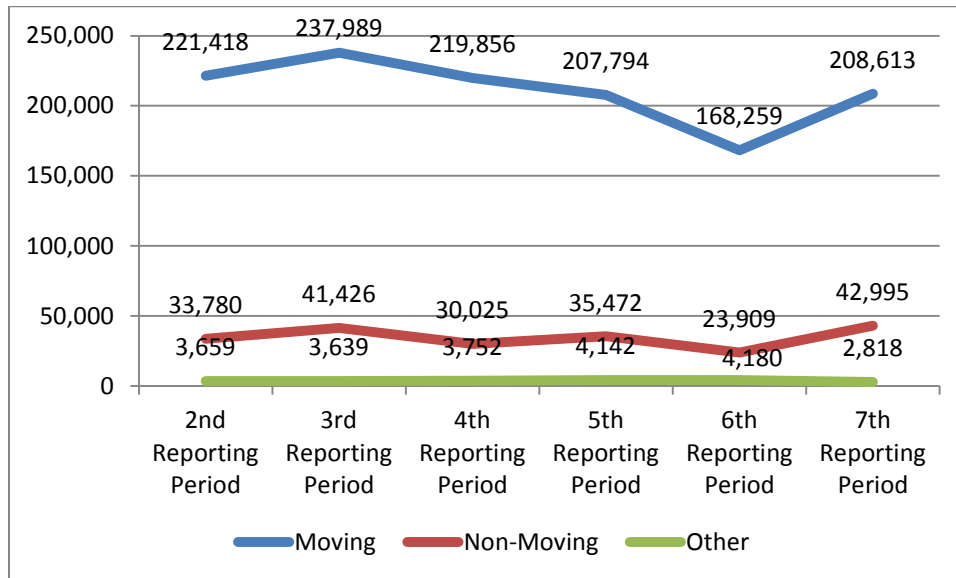
There were 2,818 or 1.0% of all stops made for other violations this reporting period. This was the only category to have a reduction in the number and proportion of stops. Compared to the sixth

⁵ A benchmark is a standard or point of reference to which all activities can be compared.

reporting period, this represents a 32.6% decrease in the total number of stops. This decline can be attributed to the change in State Police policy requiring a specific statute to be called in where, previously, troopers only had to indicate moving, non-moving, or other.

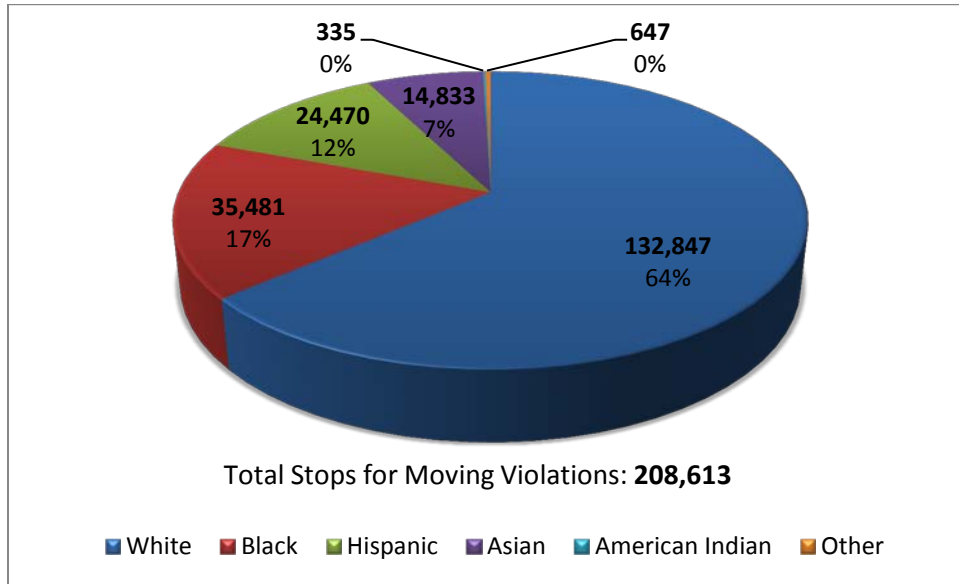
Figure Four: Trends in Reasons for Motor Vehicle Stops

July 2009- June 2012



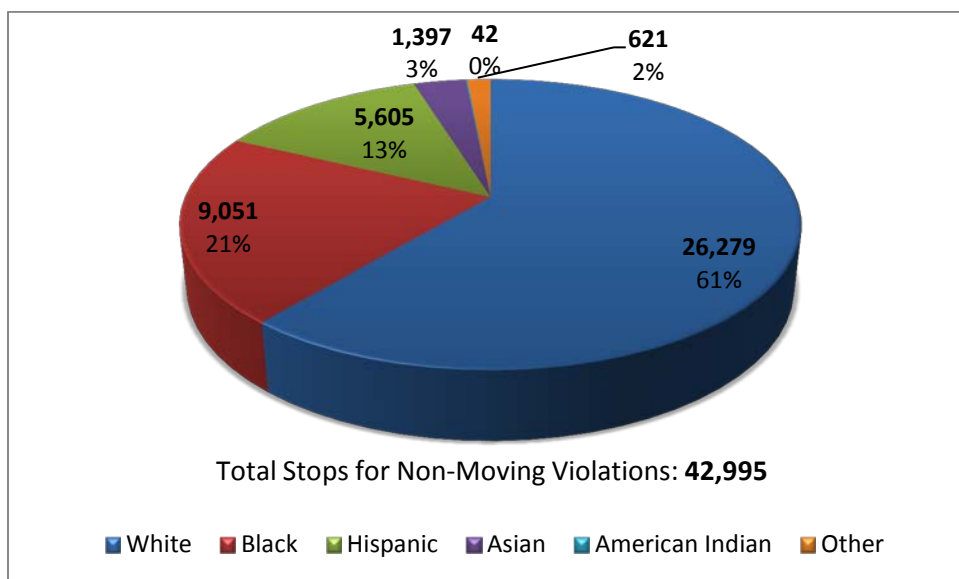
Because every stop receives a stop reason, the racial/ethnic distribution of all stops with a reason should be identical to that of all stops. Instead, it is more appropriate to assess the racial/ethnic distribution of each type of motor vehicle stop. The overwhelming majority of motor vehicle stops were based on moving violations, so the racial/ethnic distribution of stops with moving violations is nearly identical to that of all stops. As shown in Figure Five, 132,847 stops, 64%, with moving violations involved White drivers, 17% or 35,481 involved Black drivers and 12% or 24,470 involved Hispanic drivers.

Figure Five: Racial/Ethnic Distribution of Stops made for Moving Violations
 January 1, 2012- June 30, 2012



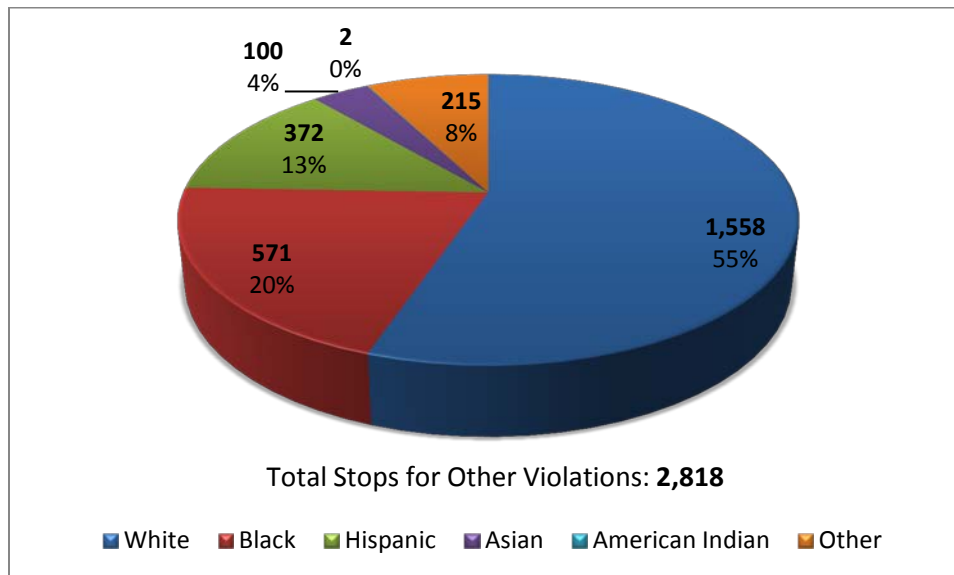
As depicted in Figure Six, White drivers were involved in 26,279 stops, 61%, made for non-moving violations, Black drivers were involved in 9,051 stops, 21%, and Hispanic drivers were involved in 13.0% or 5,605 stops. The racial/ethnic distribution of stops is similar to the overall pattern of the total number of stops for this period, but does show slight variation. The proportion of Black drivers involved in stops for non-moving violations was slightly higher, 21%, than their proportion of all motor vehicle stops, 18%.

Figure Six: Racial/Ethnic Distribution of Stops made for Non-Moving Violations
 January 1, 2012- June 30, 2012



As noted above, the majority of stops are made based on moving or non-moving violations, only a small fraction of stops are made for other reasons. Despite these small numbers, the racial/ethnic distribution of stops made for other reasons is similar to the overall pattern of the total number of motor vehicle stops for this period. White drivers were involved in 1,558 stops (55%), Black drivers were involved in 517 stops (20%), and Hispanic drivers were involved in 372 stops (13%) made for other reasons. Compared to the overall racial/ethnic distribution, White drivers are slightly under represented while Black and Hispanic drivers are overrepresented among stops made for other violations. White drivers made up 55.0% of stops made for other violations compared to 63.0% of all motor vehicle stops. Black drivers made up 20.0% of stops made for other violations compared to 18.0% of all motor vehicle stops, and Hispanic drivers made up 13.0% of stops made for other violations compared to 12.0% of all motor vehicle stops.

Figure Seven: Racial/Ethnic Distribution of Stops made for Other Violations
 January 1, 2012- June 30, 2012



Law Enforcement Procedures

While there were over 250,000 motor vehicle stops in the current reporting period, less than 5% involved post-stop activity or law enforcement procedures. There were only 11,601 stops that resulted in some sort of law enforcement procedure for this reporting period. Figure Eight depicts the trend of stops with law enforcement procedures for the current and previous two reporting periods. As the total number of stops increased in the current period, the number of stops with law enforcement procedures did too. However, the proportion of stops with law enforcement procedures remained fairly constant. While the number of stops with law enforcement procedures increased by about 3,400 stops, the proportion of stops changed only slightly from 4.1 to 4.6% of all stops.

Figure Eight: Motor Vehicle Stops with Law Enforcement Procedures
July 2009 - June 2012

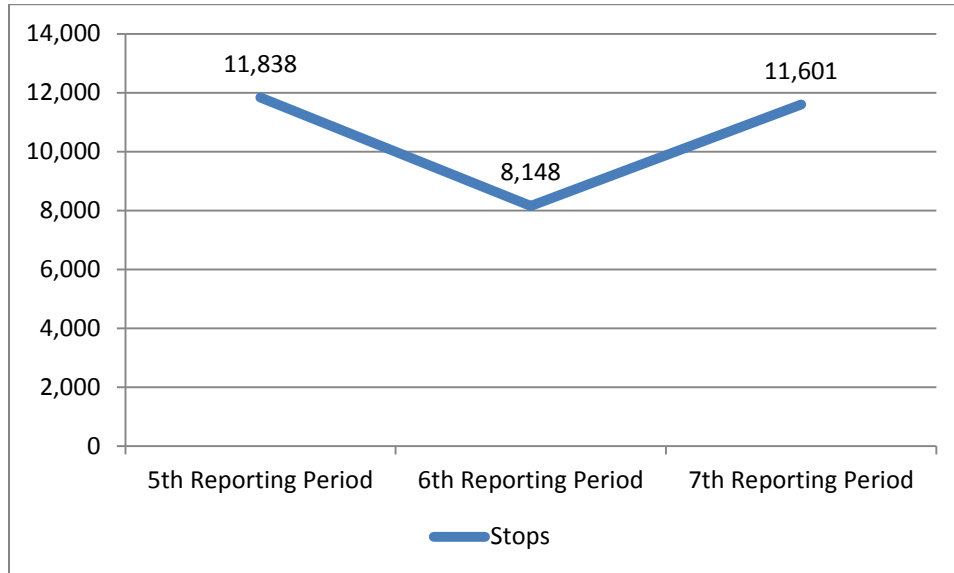
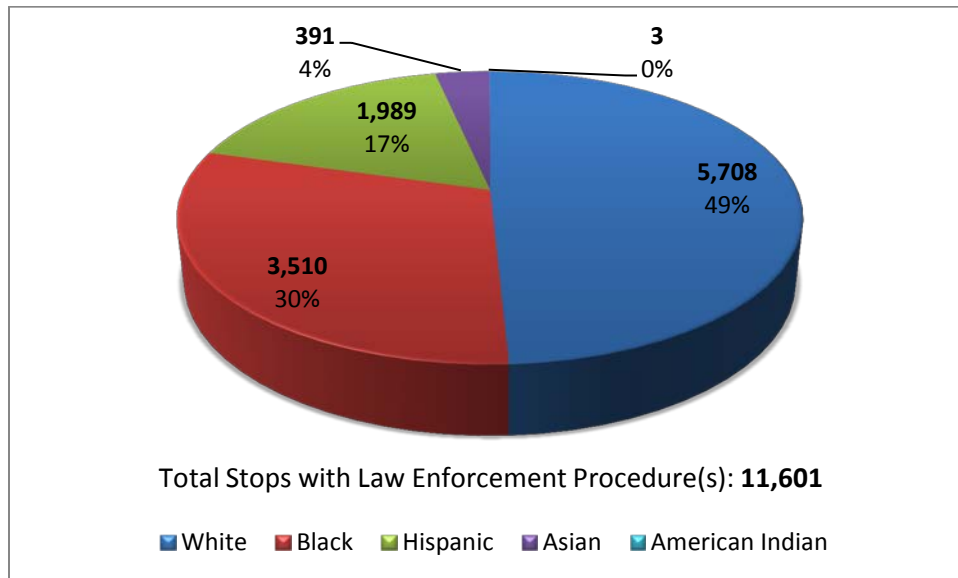


Figure Nine depicts the racial/ethnic distribution of stops where there was at least one law enforcement procedure. Because less than 5% of all motor vehicle stops involved law enforcement procedures, it is possible that the distribution is skewed or different from the overall distribution of stops. Indeed, only 49% of stops with law enforcement procedures involved White drivers, 30% involved Black drivers, 17% involved Hispanic drivers, and 4% involved Asian drivers. Unlike the distribution of all stops, where they make up roughly 60%, White drivers only make up about half of stops with law enforcement procedures. Additionally, Black drivers appear to be involved in a much higher proportion of stops with law enforcement procedures. About 30% of stops with law enforcement procedures involved Black drivers while they were only 18% of all stops. Similarly, Hispanic drivers are only 12% of all stops, yet 17% of those with law enforcement procedures. This disparity, that Black and Hispanic drivers are involved in a higher proportion of stops with law enforcement procedures will be explored in the remainder of this report.

Figure Nine: Racial/Ethnic Distribution of Stops with Law Enforcement Procedures
 January 1, 2012- June 30, 2012



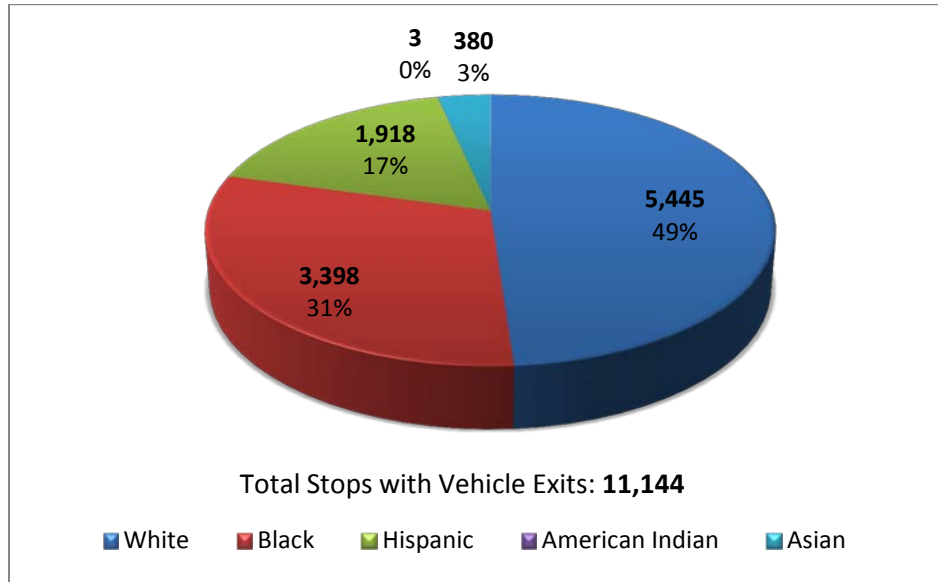
The 11,601 stops with law enforcement procedures in the current reporting period contained at least one type of enforcement or procedure. Most commonly, each stop involved more than one of the procedures detailed in the following sections.

Vehicle Exits

The most frequent post-stop interaction was a vehicle exit, as was the case in the fifth and sixth reporting periods. Of the 11,601 stops with post-stop interactions, 11,144 stops (96%) resulted in an occupant vehicle exit. Troopers are permitted to ask a driver to exit for any reason, thus, the high frequency of this activity.

Figure Ten depicts the racial/ethnic distribution of stops with vehicle exits. The frequency of vehicle exits for White drivers is higher than the frequency for all other racial/ethnic groups. White drivers were involved in 5,445 vehicle exits (49%), Black drivers were involved in 3,398 exits (31%), and Hispanic drivers were involved in 1,918 vehicle exits (17%). Compared to the overall racial/ethnic distribution of stops, White drivers make up a smaller proportion of stops with vehicle exits and Black and Hispanic drivers make up larger proportion of stops for vehicle exits. Black and Hispanic drivers are more likely, and White drivers are less likely, to be asked to exit a vehicle than their proportion of all stops.

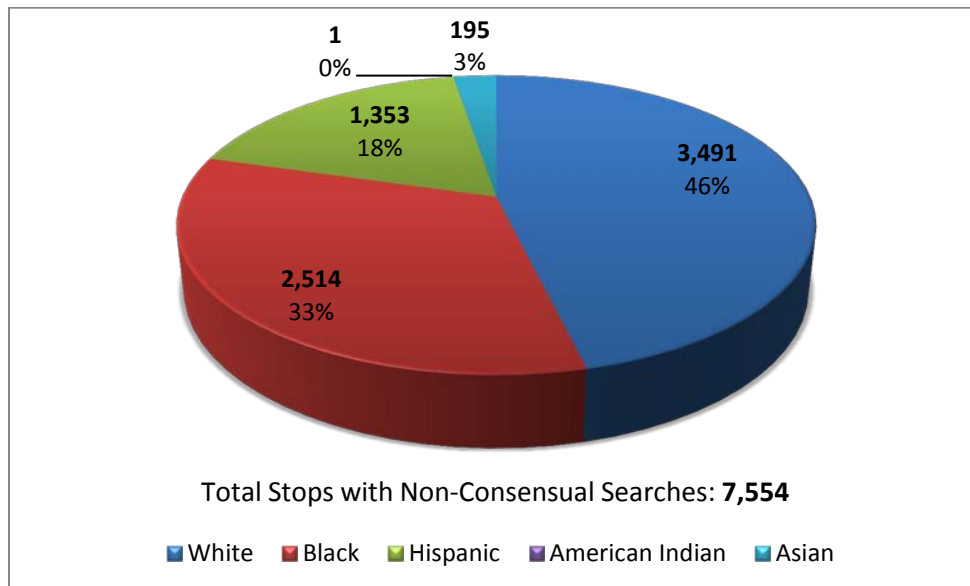
Figure Ten: Racial/Ethnic Distribution of Stops with Vehicle Exits
 January 1, 2012 – June 30, 2012



Non-Consensual Searches

Because this is the first reporting period that discusses the category of non-consensual search as a law enforcement procedure, no comparisons to previous reporting periods can be made. Non-consensual searches are the second most common law enforcement procedure. Of the 11,601 stops with post-stop interactions, 7,554 stops (65%) involved non-consensual searches.

Figure Eleven: Racial/Ethnic Distribution of Stops with Non-Consensual Searches
 January 1, 2012 – June 30, 2012



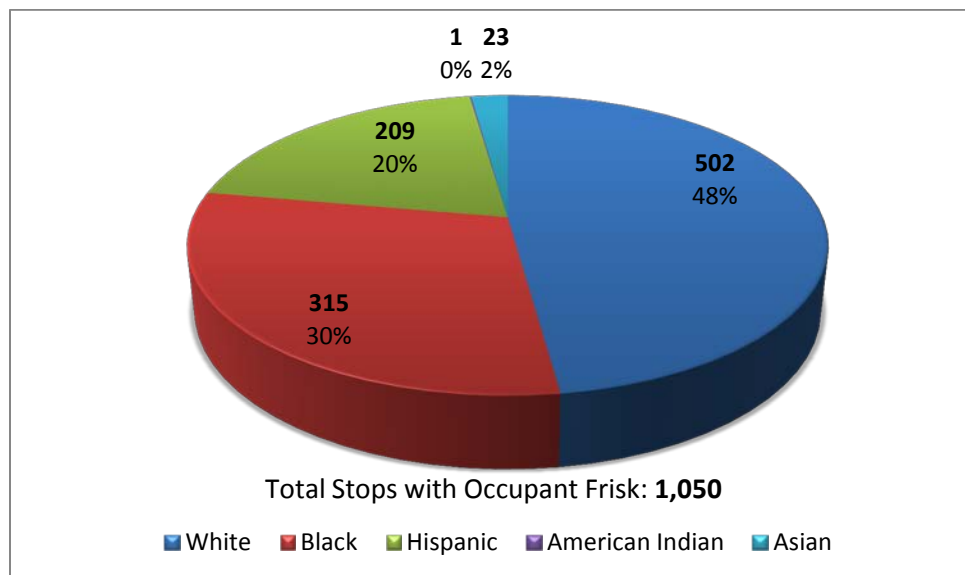
As shown in Figure Eleven, the number of stops with a non-consensual search involving White drivers was 3,491 (46%), Black drivers were involved in 2,514 stops (33%), and Hispanic drivers were involved in 1,353 stops (18%) with non-consensual searches. While White drivers were still involved in the highest proportion of stops with non-consensual searches, they were involved a much smaller proportion than their representation in all stops. In contrast, Black drivers are overrepresented in stops with non-consensual searches. While only comprising 18% of all stops, they are 33% of stops with non-consensual searches. Similarly, Hispanic drivers are only 12% of all stops, yet 18% of those with non-consensual searches. Thus, non-consensual searches are more likely to occur in stops with Black and Hispanic drivers, and less likely to occur in stops with White drivers, than their proportion of all stops.

Occupant Frisks

For this reporting period, there were 1,050 motor vehicle stops that involved occupant frisks, which are roughly 9% of all stops with post stop interactions. Again, the proportion of stops with occupant frisks of White drivers was higher than all other racial/ethnic groups. As shown in Figure Twelve, of the occupant frisks, 502 (48%) involved White drivers, 315 (30%) involved Black drivers, and 209 (20%) involved Hispanic drivers.

The racial/ethnic distribution of occupant frisks is not consistent with the distribution of the overall number of stops for this reporting period, but it is consistent with the distribution of stops with law enforcement procedures. White drivers make up a smaller proportion of stops with occupant frisks, 48.0% compared to 63.0% of all stops. Black and Hispanic drivers make up a higher proportion of stops with occupant frisks; 30.0% of frisks compared to 18.0% of overall stops and 20.0% of frisks compared to 12.0% of all stops. Therefore, Black and Hispanic drivers are more likely, and White drivers are less likely, to receive a frisk than their proportion of all stops.

Figure Twelve: Racial/Ethnic Distribution of Stops with Occupant Frisks
January 1, 2012 – June 30, 2012



Canine Deployments

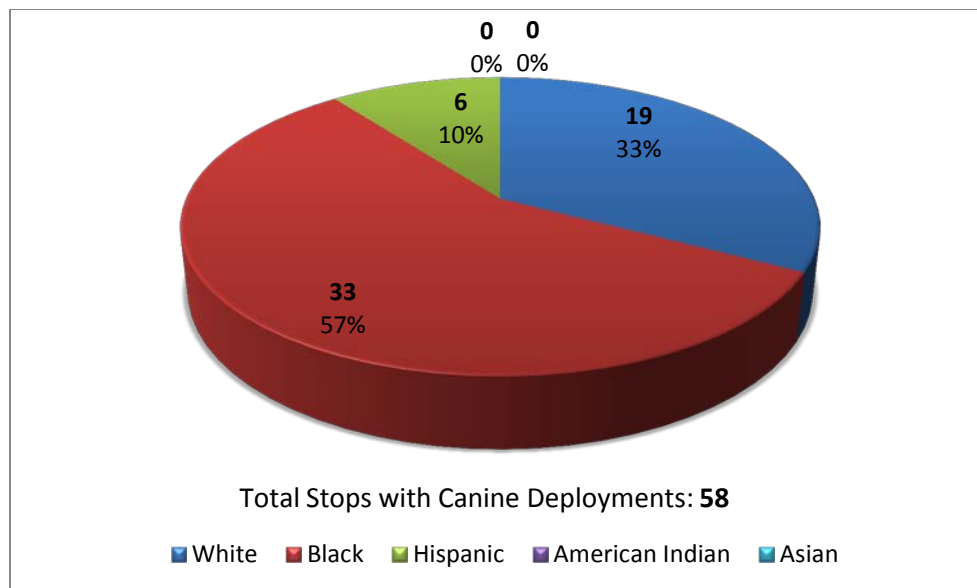
Canine deployments are a relatively infrequent law enforcement procedure. There were 58 canine deployments during this reporting period. This is a 20 stop increase in canine deployments from the previous reporting period where there were only 38 deployments. The number of available canine units has increased, and State Police policy has changed where these dogs are stationed, making them more available throughout the State. Therefore, it is possible to see a continued increase in the number of canine deployments.

Compared to the overall racial/ethnic distribution for all stops, White and Hispanic drivers make up a smaller proportion of stops with canine deployments than all motor vehicle stops. White drivers make up 33% of deployments compared to 63% of all stops, and Hispanic drivers make up 10% of deployments compared to 12% of all stops. Black drivers make up a higher proportion of canine deployments than all stops, 57% of canine deployments compared to 18% of all motor vehicle stops. Consequently, during motor vehicle stops, White and Hispanic drivers are less likely, and Black drivers are more likely, to have a stop with a canine deployment.

Black drivers are only 18% of all stops, 30% of stops with law enforcement procedures, yet well over half of all stops with canine deployments. This disparity may seem concerning. However, because there are so few deployments, the distribution is easily skewed. While this report does not examine each stop individually, OLEPS does review all stops with deployments, in detail, in the Oversight Report. For the current reporting period, OLEPS did not find any inappropriate deployments; all deployments were supported with adequate legal sufficiency. Thus, the disparity in deployments is not the result of improper use of canines. However, it is still possible that the disparity is the result of trooper discretion.

Figure Thirteen: Racial/Ethnic Distribution of Stops with Canine Deployments

January 1, 2012 – June 30, 2012



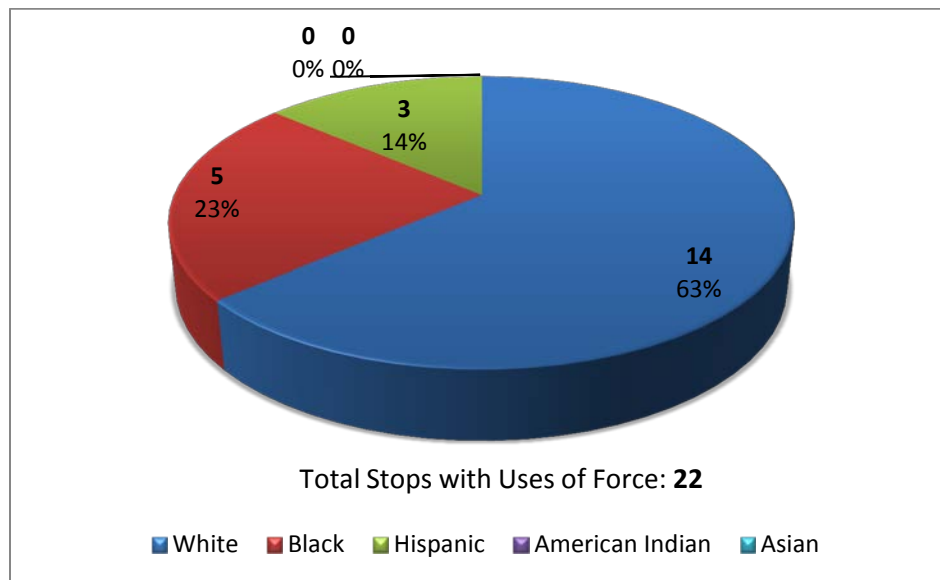
Uses of Force

In this reporting period, there were 22 stops where force was used. While this is an increase from the previous reporting period, where there were only 12 uses of force, force is still an infrequent event. Only 0.2% of all stops with a post stop interaction involved uses of force. Additionally, because the overall number of motor vehicle stops increased in the current period, the instances of force also likely increased.

Physical force was the most frequently utilized form of force. There were 13 stops with uses of force that were classified as physical force. All other methods of force were utilized in fewer than six motor vehicle stops. For this reporting period, there were only two occurrences of more than one type of force used within a stop; chemical and physical force were used in conjunction in both of these stops.

Figure Fourteen depicts the number of stops with uses of force by driver race or ethnicity. The majority of stops with force involved White drivers. There were 14 stops (63%) with force involving White drivers, 5 stops (23%) with force involving Black drivers, and 3 stops (14%) with force involving Hispanic drivers.

Figure Fourteen: Racial/Ethnic Distribution of Stops with Uses of Force
 January 1, 2012 – June 30, 2012



The racial/ethnic distribution of uses of force is mostly consistent with the overall racial/ethnic distribution of stops and of stops with law enforcement procedures. Even though White drivers have the highest proportion of use of force stops, 63% (the same percentage as all stops) Black and Hispanic drivers make up a slightly higher proportion of stops with uses of force. Black drivers make up a larger overall portion of use of force stops, 23% compared to 18% of all stops. Hispanic drivers also had a larger portion of stops involving the use of force, 14% compared to 12% of all stops. Thus, Black and Hispanic drivers are more likely to be involved in stops with uses of force than their proportion of all stops, but are actually less likely than their proportion of stops with law enforcement procedures.

As noted elsewhere, this report does not assess the appropriateness of the activities in each stop, in this case, the use of force. OLEPS' Oversight Reports do assess appropriate use of force. For the current reporting period, three uses of force were deemed inappropriate, one of which is not represented in this report because the State Police did not initially classify the incident as a use of force. These inappropriate uses of force were discussed with the State Police and internal investigations were opened in relation to those instances.

Consent to Search

For this period, there were 1,589 stops with consent to search requests. There may be multiple outcomes for a consent request: granted, denied, or withdrawn. Figure Fifteen presents the distribution of all consent to search request outcomes. The majority of consent to search requests were granted; 1,389 (88%) requests were granted, 195 (12%) were denied, and only five requests were granted by a vehicle occupant, and then withdrawn by an occupant during the stop.

Figure Fifteen: Outcome of Consent to Search Requests
January 1, 2012 – June 30, 2012

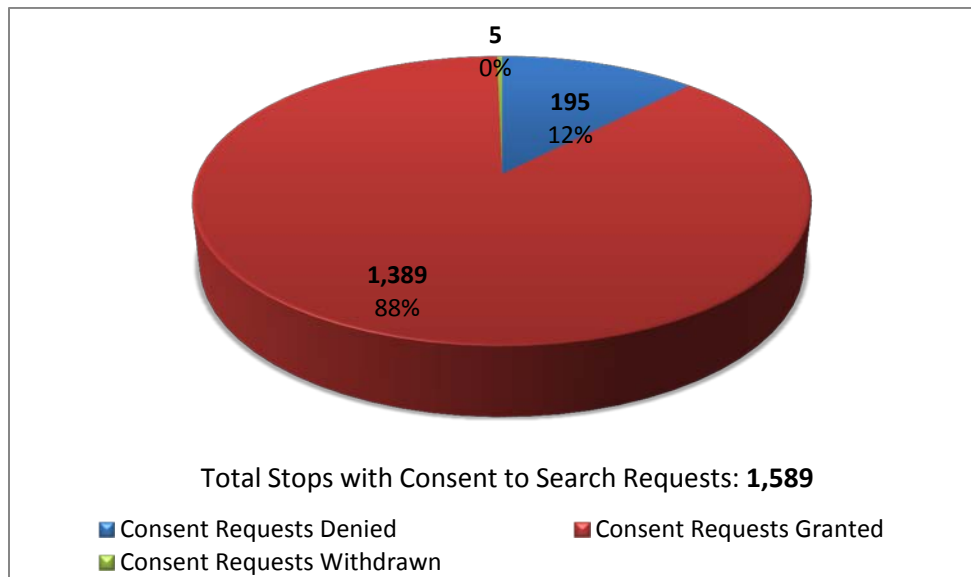
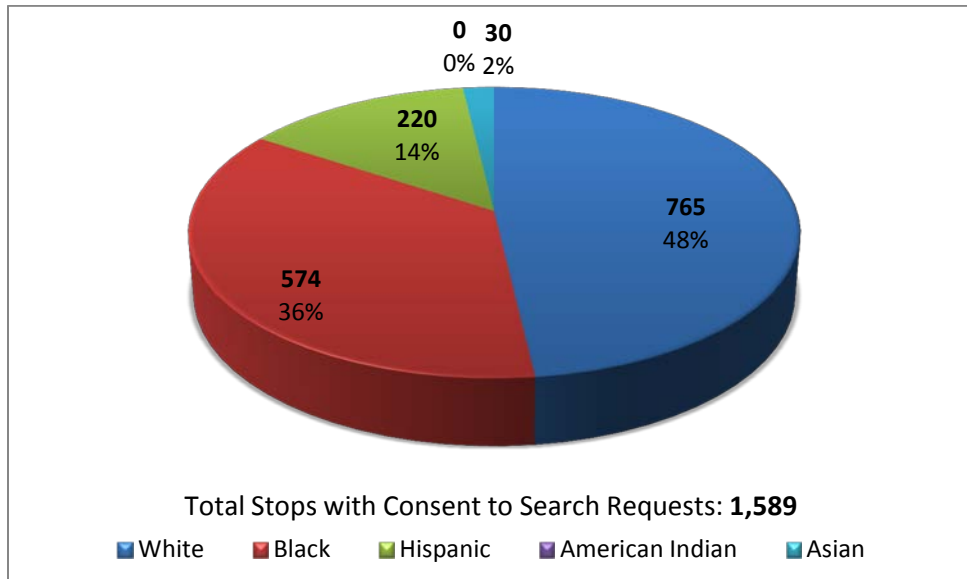


Figure Sixteen presents the racial/ethnic distribution for consent to search requests made during motor vehicle stops. White drivers made up the largest proportion of stops with consent to search requests. Nearly half, 48%, of all stops with consent to search requests involved White drivers. Black drivers were involved in 574 stops (36%) with consent to search requests, and Hispanic drivers were involved in 220 stops (14%) with consent to search requests. The racial/ethnic distribution of consent to search requests is different from the distribution of the total number of stops. White drivers were involved in 63% of all motor vehicle stops and only 48% of all stops with consent to search requests. In contrast, Black drivers made up a higher proportion of stops with consent searches compared to their overall proportion of all stops. Black drivers were involved in 36% of all stops with consent requests and only 18% of overall stops. Thus, it appears that Black drivers are more likely, and White drivers are less likely, to be involved in stops with consent to search requests than their proportion of

all stops. However, the distribution of stops with consent to search requests is much closer to the distribution of stops with law enforcement procedures (Figure Ten).

Figure Sixteen: Racial/Ethnic Distribution of Stops with Consent to Search Requests
 January 1, 2012 – June 30, 2012



Among the possible outcomes of these requests, this pattern remains the same; White drivers had the highest proportion of both granted and denied consent to search requests. However, for denied consent to search requests, Black drivers were a slightly higher proportion compared to their proportion of total consent to search requests. Here, Black drivers were 40% of all denied consent requests but only 36% of all consent to search requests. Thus, it appears that while White drivers are most likely to be asked for consent to search and to grant that search, Black drivers have a slightly higher likelihood of denying the search.

Figure Seventeen: Racial/Ethnic Distribution of Stops with Granted Consent Searches
 January 1, 2012 - June 30, 2012

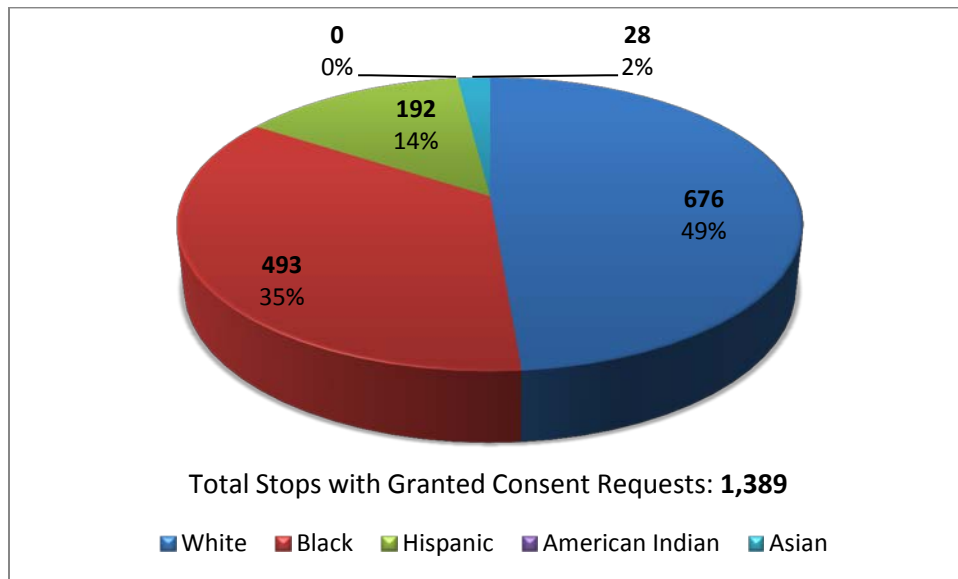
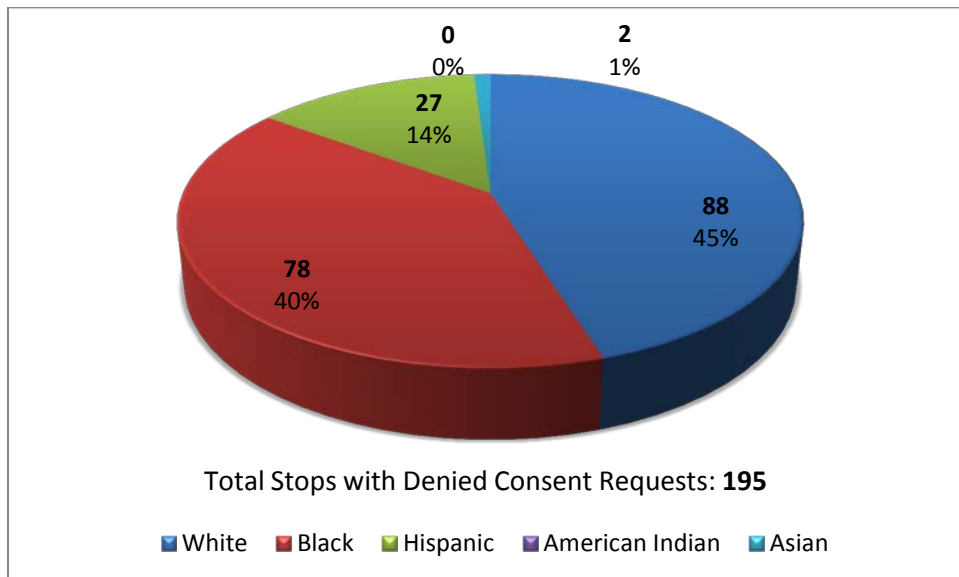


Figure Eighteen: Racial/Ethnic Distribution of Stops with Denied Consent Requests
 January 1, 2012 - June 30, 2012



Arrests

In the current reporting period, there were 8,233 motor vehicle stops where at least one arrest was made. Due to changes in data categorization by State Police and OLEPS, comparisons to the number of motor vehicle stops with arrests in previous reporting periods will not be made.

Figure Nineteen: Racial/Ethnic Distribution of Stops with Arrests
 January 1, 2012 - June 30, 2012

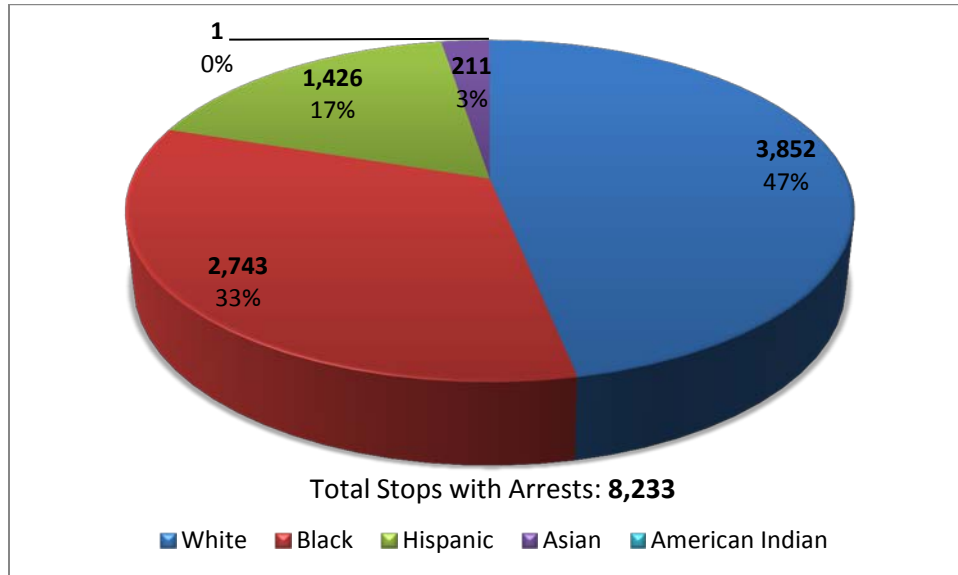


Figure Nineteen depicts the racial/ethnic distribution of all motor vehicle stops where an arrest was made. Overall, White drivers were involved in the highest proportion of stops where an arrest was made. Roughly 47% of all stops where an arrest was made involved White drivers. Black drivers were involved in 33% of all stops where an arrest was made while Hispanic drivers were involved in 17% of stops where an arrest was made. Asian drivers were only involved in 3% of all stops with arrests and American Indian drivers were involved in 0%.

Compared to the overall racial/ethnic distribution of stops, it appears that White and Asian drivers are underrepresented while Black and Hispanic drivers are overrepresented. White drivers were 63% of all stops yet only 47% of stops with arrests while Asian drivers were 6% of all stops and only 3% of stops with arrests. Conversely, Black drivers were only 18% of all stops but 33% of all stops with arrests. The overrepresentation for Hispanic drivers is not nearly as dramatic, Hispanic drivers were 12% of all stops and 17% of all stops with arrests. The disproportionately high number of stops with arrests for Black drivers is interesting, and warrants additional analysis. In the individual analysis section, the actual number of and charges for arrests will be discussed, explaining this disproportionality.

Overall, White drivers are more likely to be involved in any post-stop interaction than other drivers. However, compared to their proportion of all stops, they are slightly under represented and Black drivers are slightly overrepresented. While Black drivers were about 18% of all motor vehicle stops, they are roughly 30% of all law enforcement procedures utilized in the current reporting period. This does suggested some sort of disproportionality, however, the reason for this disproportionality is not necessarily known. As noted earlier, the appropriateness of enforcement activities is not assessed in this report, but is in OLEPS' Monitoring Reports. Further analysis is necessary to uncover the reason(s) for the disproportionality in law enforcement procedures. However, because the majority of stops with law enforcement procedures have at least one arrest made, it is possible that the disproportionality for all law enforcement procedures stems from this.

Dispositions

For each stop made by the State Police, a disposition is issued. As depicted in Figure Twenty, 98,313 stops (39%) resulted in some kind of summons, 85,107 stops (33%) resulted in a warning, 23,820 stops (9%) resulted in some combination of warnings and/or summons, and 47,302 stops (19%) resulted in another, unspecified disposition. The most common dispositions in this reporting period were summonses and warnings issued for moving violations. Each of these categories makes up about 27% of all dispositions issued during this reporting period. Dispositions based on non-moving violations were less common; there were 30,135 summonses for non-moving violations and 16,137 warnings for non-moving violations issued during motor vehicle stops made during this reporting period. Other dispositions were cited in 47,302 stops (19%).

Figure Twenty: Dispositions of All Stops
January 1, 2012 – June 30, 2012

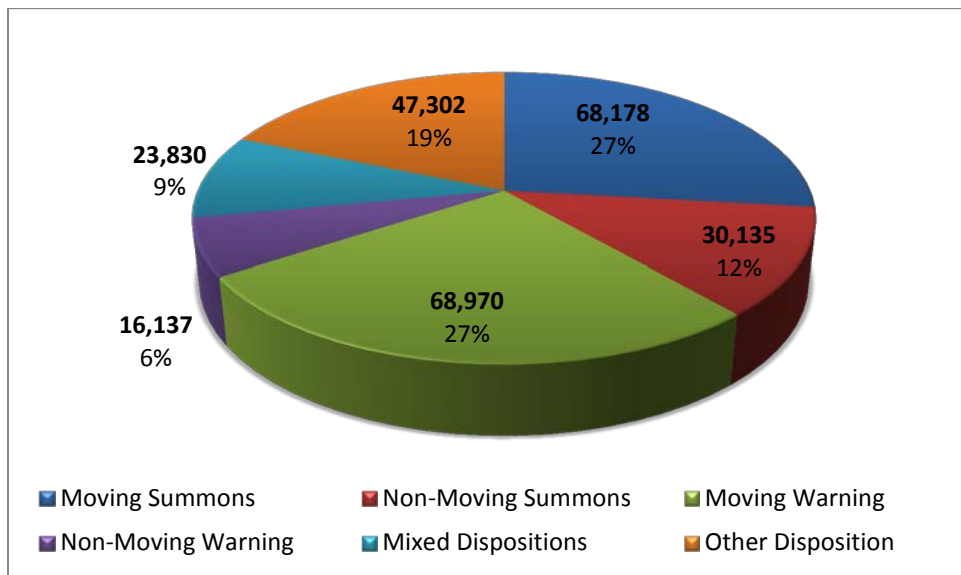


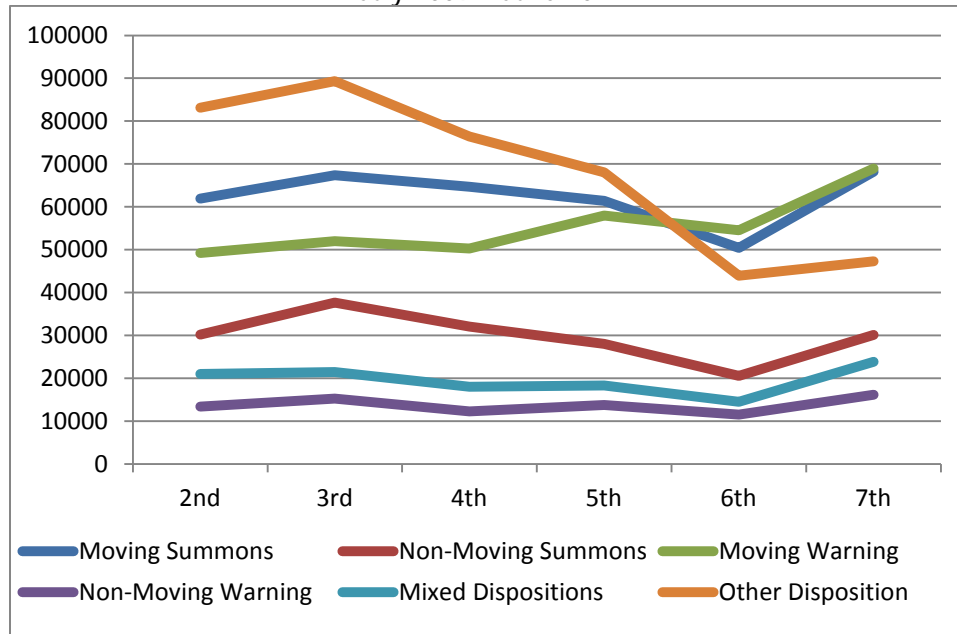
Figure Twenty-One graphs the number of stops resulting in each disposition for the current and past five reporting periods. Historically, other dispositions were the most frequent outcome of motor vehicle stops. However, the State Police has been making concerted efforts to reduce the number of motor vehicle stops where no enforcements or official dispositions are made, classified here as other. These efforts are noticeable in the large declines from the third through sixth reporting periods. While the remaining dispositions do fluctuate during these same periods, they do not change nearly as much as other dispositions. No enforcement stops are those where a motorist is pulled over and released without any documentation of an infraction. In the current period, there were 47,302 stops (19%) with a disposition of other. Compared to the previous reporting period, where there were 43,947 stops (22.5%) with dispositions classified as other, this is an increase. While the State Police is attempting to reduce the number of stops with other dispositions, these dispositions did increase in the current period. However, the proportion of stops with other dispositions decreased by three percentage points.

Since the State Police began its attempts to reduce the number of stops with no enforcements, the number of stops resulting in warnings and summonses for moving violations have increased,

surpassing other violations in the sixth reporting period. While these two disposition categories have historically been frequent, they are now the most frequent outcomes for motor vehicle stops.

As noted earlier, moving violations are the most common reason for a stop. While the dispositions and reasons are not required to be identical, in many instances they are. In this reporting period, 208,613 motor vehicle stops (82%) were based on moving violations. As such, moving summons and moving warnings are expected to be the most frequent dispositions.

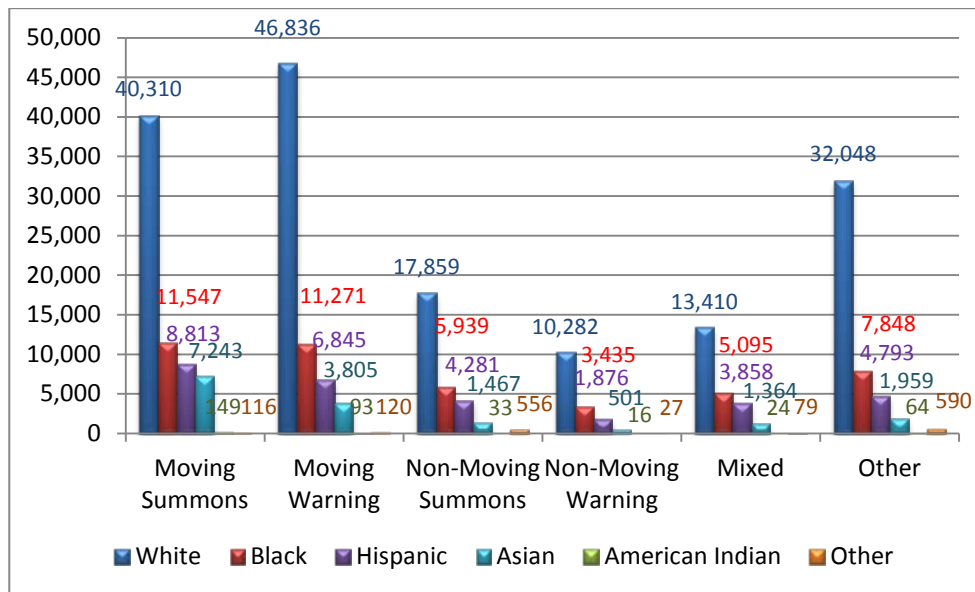
Figure Twenty-One: Trends of Dispositions
July 2009 – June 2012



For most racial/ethnic groups, moving summonses were the most frequently received disposition with the exception of White and other drivers. Moving warnings were the most frequent disposition for White drivers and other dispositions were most common for other drivers. Compared to the previous reporting period, the racial/ethnic distribution of stops with dispositions indicates no drastic changes in the proportion of each disposition type. The overall pattern remains that between 56 and 68 percent of all disposition types involved White drivers and between 16 and 21 percent of all disposition types involved Black drivers. Because State Police is required to record a disposition for all motor vehicle stops, the racial/ethnic distribution of dispositions should be nearly identical to the racial/ethnic distribution of all stops.

The most common outcome for stops were moving warnings. There were 68,970 stops (27%) that received a moving warning. Of these stops, there were 46,836 stops (68%) that involved White drivers, 11,271 stops (16%) that involved Black drivers, and 6,845 (10%) that involved Hispanic motorists. This is very similar to the overall pattern of the racial/ethnic distribution of all stops, where the majority of stops involve White drivers. However, White drivers are slightly overrepresented and Black and Hispanic drivers, slightly underrepresented among moving warnings.

Figure Twenty-Two: Racial/Ethnic Distribution of Disposition Types
 January 1, 2012-June 30, 2012



The second most common outcome for stops were moving summonses, which were cited in 68,179 stops (27%). There were 40,310 stops (59%) with moving summonses that involved White motorists, 11,547 stops (17%) with moving summonses that involved Black motorists, and 8,813 stops (13%) with moving summons that involved Hispanic motorists. This is also very similar to the overall racial/ethnic distribution of all stops, albeit underrepresented for White drivers and Black drivers and slightly overrepresented for Hispanic drivers.

Unlike the distribution for law enforcement procedures, the racial/ethnic distribution for each disposition category is consistent with the overall racial/ethnic distribution of motor vehicle stops. White drivers receive roughly 60% of all categories of dispositions, while Black drivers are closer to 17%, and Hispanic motorists were about 13%. Thus, the distribution of disposition types roughly matches that of all stops.

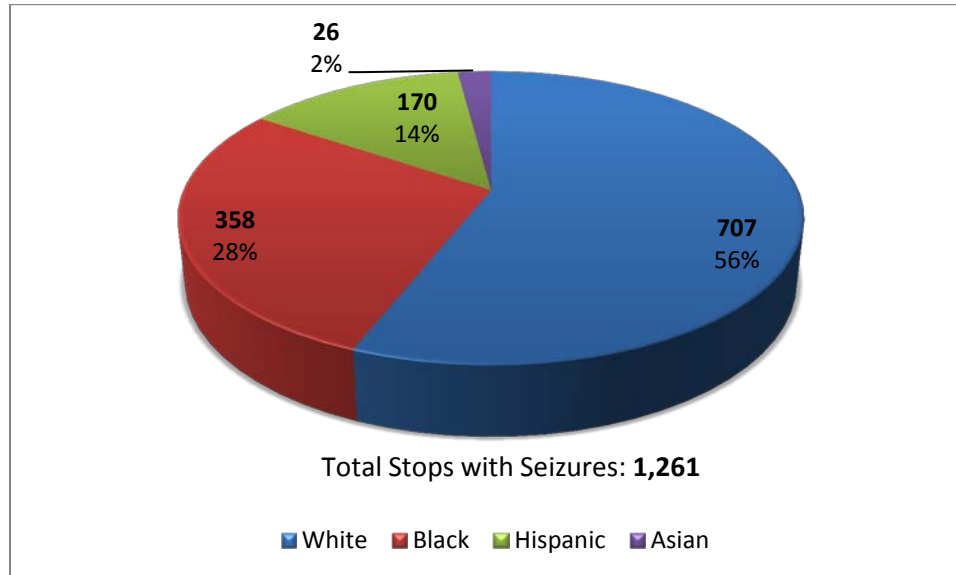
Evidence Seizures

Seizure of evidence during a motor vehicle stop is a relatively rare occurrence, occurring in less than 1% of all motor vehicle stops. In the current reporting period, some sort of evidence was seized in 1,261 motor vehicle stops. Evidence may have been seized in conjunction with a variety of activities including: frisks, non-consensual searches, consent requests, execution of a search warrant, plain view seizures, or even a request for the retrieval of property.

Figure Twenty-Three depicts the racial/ethnic distribution of these motor vehicle stops. The majority of stops in which evidence was seized involved White drivers. The drivers of 56% of all stops with evidence seized were White, 28% were Black, and 14% were Hispanic. Compared to the overall distribution of motor vehicle stops, Black drivers are over represented. While only 18% of all stops, Black drivers are involved in 28% of stops with evidence seized.

Figure Twenty-Three: Racial/Ethnic Distribution of Evidence Seizures

January 1, 2012- June 30, 2012



Each motor vehicle stop can involve one or more seizures of evidence. In the current reporting period, 519 of the 1,261 stops with seizures had evidence seized as the result of more than one type of activity. For example, a trooper may observe contraband in plain view and also conduct a consent search that produces evidence. Thus, there are actually, 1,835 searches/seizures that led to an evidence seizure. At most, a single stop included four different types of searches/seizures that resulted in evidence. However, the majority of stops only involved one type of search/seizure.

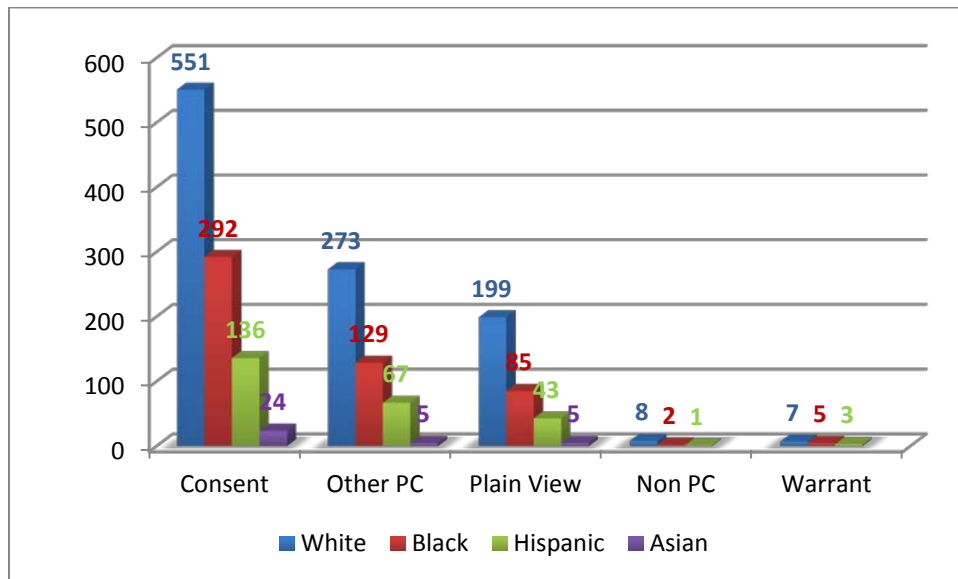
While the exact evidence seized is unknown, it is known how the evidence was obtained. Figure Twenty-Four depicts the type of search/seizures that resulted in evidence for each racial/ethnic group. The majority of the 1,835 evidence seizures resulted from consent searches. In total, there were 1,003 evidence seizures as the result of a consent search. Of these consent search seizures, 55% involved White drivers, 29% involved Black drivers, 14% involved Hispanic drivers, and 2.3% involved Asian drivers.

The second most frequent searches/seizures were those classified as "Other PC". These activities include all PC based searches/seizures other than plain view seizures. Thus, vehicle frisks, proof of ownership, secure vehicle, retrieval of property, or public exigency searches fall under this category. There were 474 searches/seizures classified as Other PC. Again, the majority, 58%, involved White drivers, while 27% involved Black drivers, 14% involved Hispanic drivers, and 1% involved Asian drivers.

Contraband seizures in plain view were the third most frequent searches/seizures. In 332 seizures, the reason provided indicated that a controlled dangerous substances (CDS), controlled dangerous weapons (CDW), or open containers were in plain view and subsequently seized. Of these seizures, 60% involved White drivers, 26% involved Black drivers, 13% involved Hispanic drivers, and 2% involved Asian drivers.

Searches/seizures classified as Non-PC or as the result of a search warrant were rare. These two categories accounted for less than 30 seizures in the current reporting period.

Figure Twenty-Four: Racial/Ethnic Distribution of Types of Evidence Seizures
 January 1, 2012 – June 30, 2012



As noted, contraband seizures during motor vehicle stops are relatively rare. Despite their relative infrequency, Black drivers do appear disproportionately involved in such stops as compared to their overall proportion of motor vehicle stops. Similar to the pattern observed for law enforcement procedures, Black drivers are about 30% of all evidence seizures yet only 18% of all stops. Again, this report does not assess the appropriateness of searches/seizures leading to evidence seizure. However, the disproportionality of stops with evidence seizures does merit further analysis by the State Police.

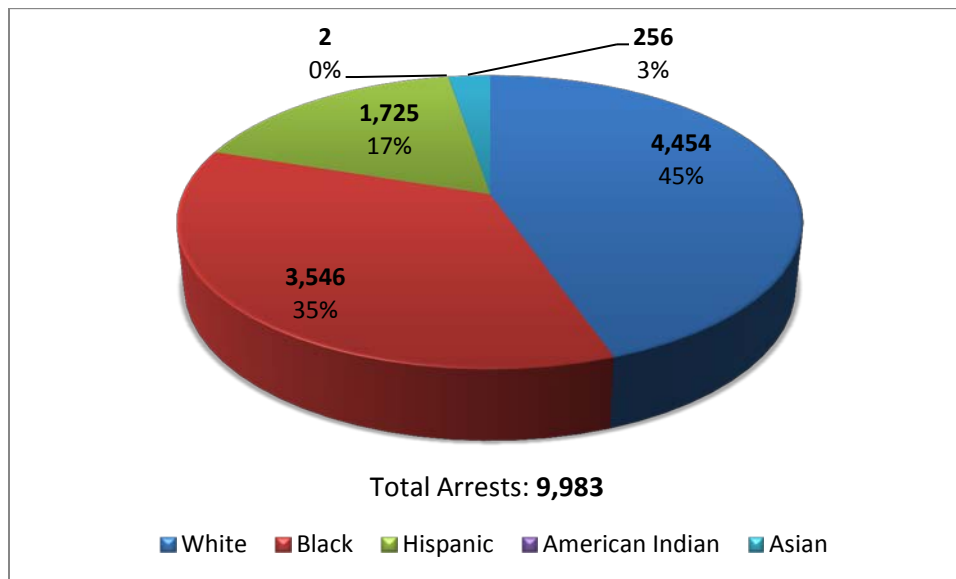
Individual Level Analysis

Arrests

While there were 8,233 motor vehicle stops where an arrest was made, there were 9,983 actual arrests. That is, there were 9,983 individuals arrested during motor vehicle stops in the current reporting period. On average, there were 1.21 arrests per motor vehicle stop but, a few stops did have as many as six arrests and one stop had eight arrests.

Because each stop averaged just a little more than one arrest, the racial/ethnic distribution of the individuals who were arrested should be similar to the racial/ethnic distribution of stops with arrests. Figure Twenty-Five depicts this distribution, and it is nearly identical to the distribution of stops with arrests. As found for stops with arrests, White individuals made up the largest proportion of all arrests. In 45% of all arrests made during the reporting period, the individual was White. In 35% of all arrests, the individual arrested was Black while in 17% of all arrests, the individual arrested was Hispanic. Finally, Asian individuals were involved in 3% of all arrests while American Indians were involved in 0%. Of the 9,983 arrests made in the current reporting period, 7,338 arrests were of the driver of a vehicle. The remaining 2,645 arrests were of passengers. Thus, the distribution of stops with arrests, which is based on the driver’s race/ethnicity, is nearly identical to the distribution of all arrests because drivers made up the largest proportion of those who were arrested.

Figure Twenty-Five: Racial/Ethnic Distribution of All Arrests
January 1, 2012 - June 30, 2012



While only 18% and 12% of drivers encountered were Black or Hispanic, respectively, individuals of these racial/ethnic groups make up a larger proportion of all individuals arrested. Whether troopers had appropriate probable cause to arrest is not explored in this report. However, the charges following arrests may help elucidate possible reasons for this disproportionality.

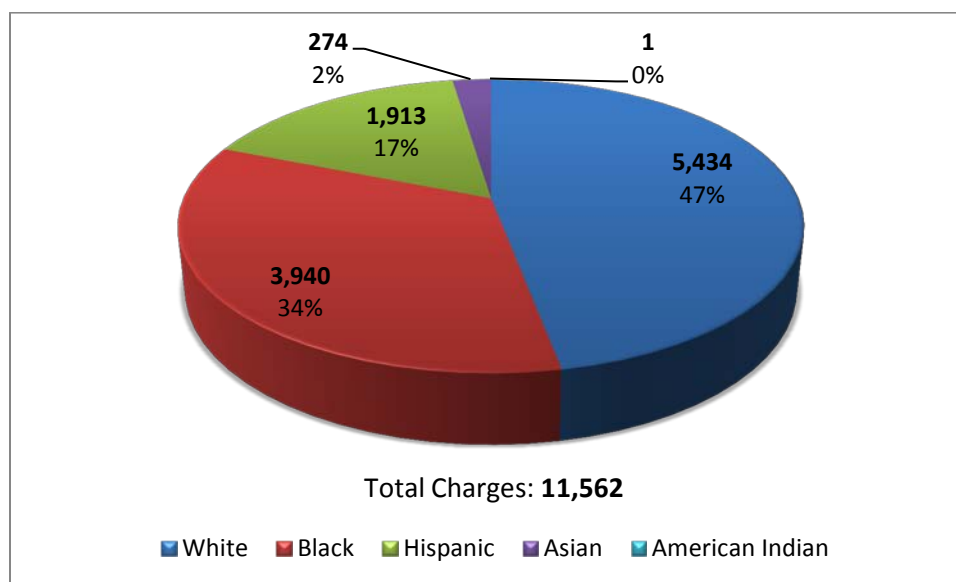
Charges

For each arrest, an individual can be charged with one or multiple charges. For the current period, while there were 9,983 arrests, there were actually 11,562 charges filed. On average, each arrest resulted in 1.16 charges. However, several arrests had as many as seven charges.

The racial/ethnic distribution of those arrested and that had charges filed is presented in Figure Twenty-Six. The distribution is similar to that of all arrests. White individuals make up the largest proportion; 47% of all charges filed were against White motorists. Black motorists were involved in 34% of all charges, Hispanic individuals were involved in 17% of all charges filed, Asian individuals were involved in 2%, and American Indian motorists were cited in 0% of all charges filed. Compared to the distribution for all arrests, the proportions are nearly identical.

Figure Twenty-Six: Racial/Ethnic Distribution of Charges

January 1, 2012 - June 30, 2012



In some cases, an individual may be arrested and not charged. While this is possibly a data entry error, it is more likely a reflection of policies and procedures following *State v. Peña-Flores*, 198 N.J. 6 (2009).⁶ Following this ruling, State Police policy requires immediate arrest when a trooper has probable cause in the form of the odor of marijuana. In these instances, an individual is placed under arrest immediately when the odor of either raw or burnt marijuana is detected. The trooper may then request for consent to search the vehicle, request a canine, or request a search warrant. If none of these searches provide evidence to confirm the odor and the odor dissipates, the trooper must release the individual. Thus, an arrest was made, but the individual was never charged because the odor of marijuana, or probable cause, dissipated.

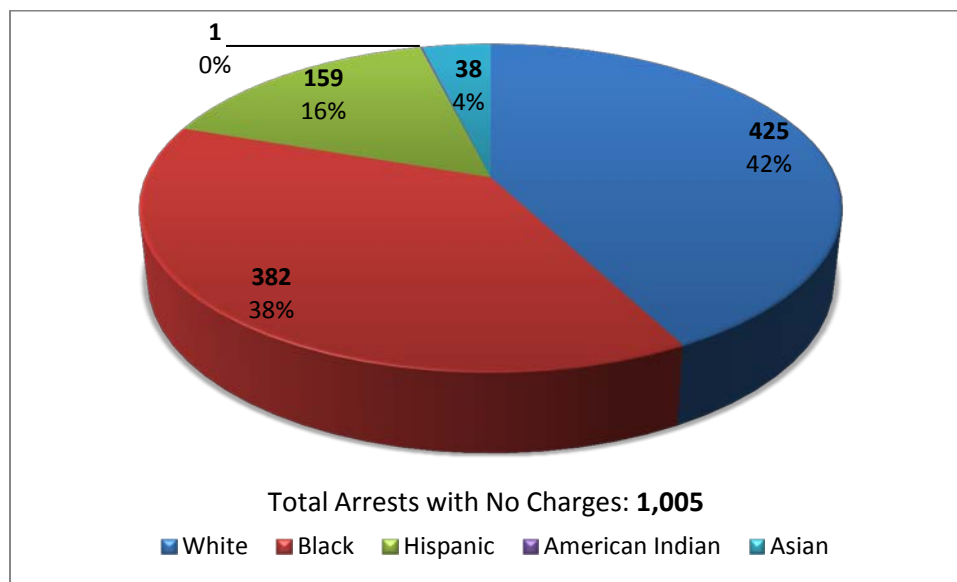
⁶ *State v. Peña-Flores*, 198 N.J. 6 (2009), hereafter referred to as *Peña-Flores*, served to further define the exigent circumstances under which a search of a vehicle could be conducted without securing a search warrant under the automobile exception when there was probable cause to believe that a crime had been (or will be) committed.

In the current reporting period there were 1,005 arrests where an individual was not ultimately charged with any specific statute. The racial/ethnic distribution of those not charged should, ideally, be identical to the racial/ethnic distribution of those charged. If the distributions differ, further analysis is required to determine what specifically causes these differences.

Figure Twenty-Seven depicts the racial/ethnic distribution of those arrested but not charged. The distribution is similar to that of those arrested and charged, but not identical. White and Hispanic individuals make up a slightly smaller proportion and Black and Asian individuals make up a slightly larger proportion of those not charged. White motorists do make up the largest proportion of those not charged, but here they are only 42% of the distribution while Hispanic individuals are only 16% of those not charged. Black motorists, on the other hand, make up 38% of those not charged while Asian individuals make up 4%. While these differences are not large, they do suggest that there is a slight difference between those charged and not charged. Future aggregate reports will continue to discuss these distributions and will potentially include further analysis on arrests with no charges filed to determine the cause of these differences.

Figure Twenty-Seven: Racial/Ethnic Distribution of Arrests with No Charges

January 1, 2012 - June 30, 2012

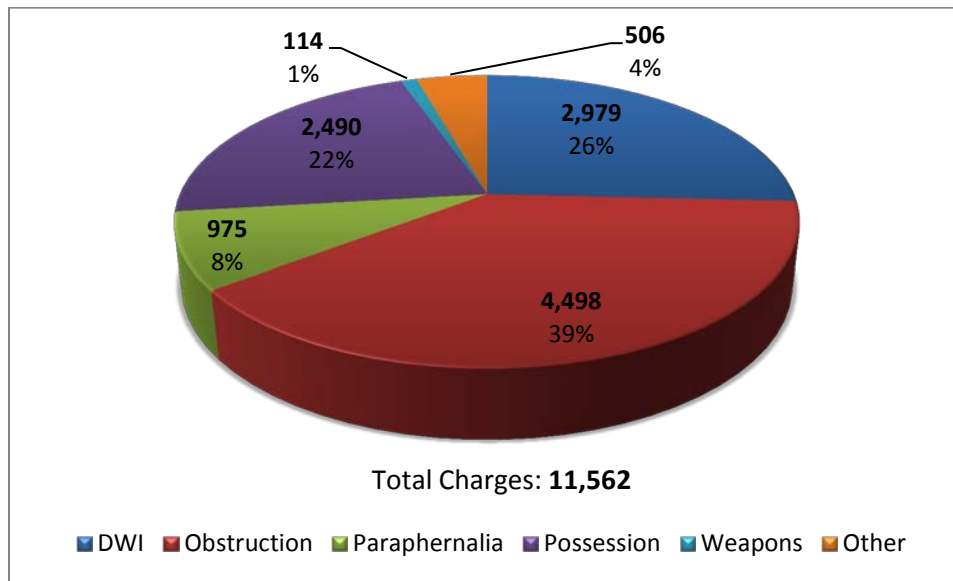


Types of Charges

The charges filed following an arrest can be numerous. As noted above, an individual may be charged with multiple charges. While there are a number of charges that can be chosen for any violation, there are commonly occurring charges. The charges were coded into categories that reflect the overall type of charge. Figure Twenty-Eight depicts the types of charges filed for arrests made during motor vehicle stops in the current reporting period.

Figure Twenty-Eight: Types of Charges Filed

January 1, 2012 - June 30, 2012



The most commonly cited charges pertained to obstruction; 39% of all charges filed were categorized as obstruction. This category does include such charges as resisting arrest, hindering apprehension, and contempt. Contempt is the charge listed when an individual is arrested based on a warrant and for the current period, is actually the most frequently cited obstruction charge. Contempt was the specific charge cited in over 86% of all obstruction charges in the current reporting period. From this information, it can be inferred that a large proportion of arrests are based on outstanding warrants.

In the current period, there were a number of charges filed pertaining to drugs and alcohol. These categories of charges make up over half of all charges filed. Charges for possession of a controlled dangerous substance, or being under the influence of such a substance were 22% of all charges filed while charges for possession of drug paraphernalia were 8% of all charges filed. Marijuana was the most frequently cited drug in possession charges, cited in over 59% of all possession charges. Charges for driving while intoxicated (DWI) were 26% of all charges filed.

Charges for the possession of prohibited weapons and devices were relatively rare in the current reporting period. These charges amounted to about 1% of all charges filed.

Other charges included a variety of both criminal and traffic violations that were cited in the current reporting period. These charges only amounted to 4% of all charges filed. The most commonly cited other charge was theft of some kind.

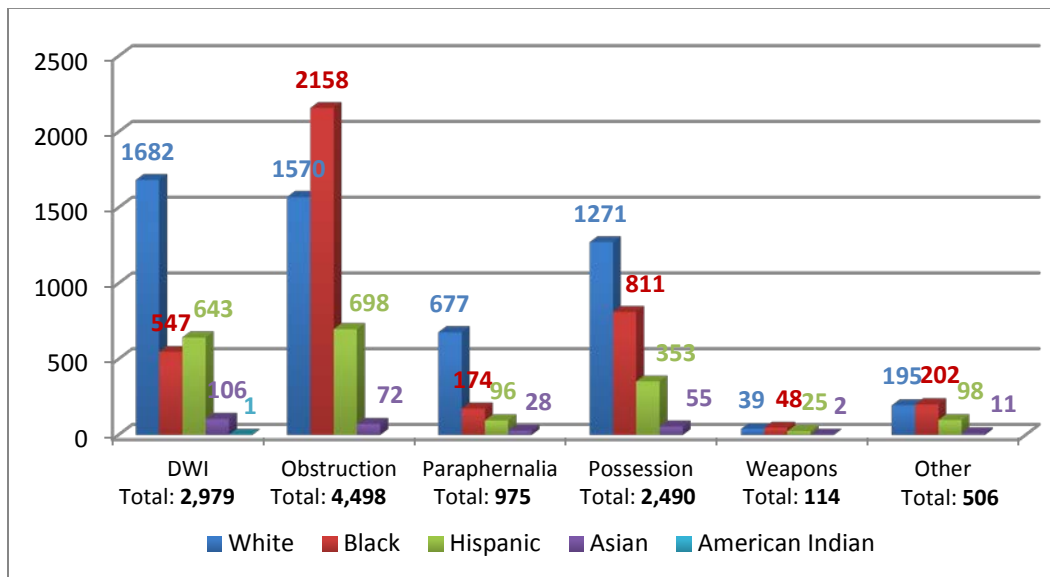
Figure Twenty-Nine depicts the racial/ethnic distribution of each charge category in the current reporting period. The distribution of all charges in Figure Twenty Seven indicated that White motorists make up the largest proportion of all charges, followed by Black, Hispanic, Asian, and then American Indian individuals. This same distribution is expected for each category of charges.

Among those charged with DWI, White individuals were most likely to be charged with DWI. In 1,682 (56%) DWI charges the individual charged was White, in 547 (18%) instances the individual charged was Black, in 643 (21%) the individual charged was Hispanic, in 106 (3%) the individual charged was Asian, and in one instance the individual charged was American Indian. Thus, there were more White

individuals charged with DWI than other racial/ethnic groups. Coincidentally, DWI was the most frequently cited charge for all White individuals and also, Asian individuals.

Obstruction charges, the most frequent category of charges, do not follow the expected pattern. Rather than White individuals making up the largest proportion, Black individuals are those who most frequently received obstruction charges. In the current period, 2,158 (48%) obstruction charges were cited for Black individuals while only 1,570 (35%) cited White individuals. Hispanic individuals made up 15% and Asian motorists made up 2% of all obstruction charges. Not only did Black individuals make up the largest proportion of all obstruction charges, obstruction was also the most frequently cited charge for Black drivers. Obstruction was also the most frequent charge type for Hispanic individuals.

Figure Twenty-Nine: Racial/Ethnic Distribution for Types of Charges Filed
January 1, 2012 - June 30, 2012



White individuals were the largest proportion of those charged with paraphernalia or possession of controlled dangerous substances. White individuals were cited in 677 (69%) paraphernalia charges while Black motorists were charged in 174 (18%), Hispanic individuals were charged in 96 (10%), and Asian individuals were charged in 28 (3%) paraphernalia charges. White motorists were charged in 1,271 (51%) charges of possession, Black motorists were charged in 811 (32%), Hispanic motorists were charged in 353 (14%), and Asian individuals were charged in 55 (2%) of all possession charges.

Weapons and Other charges were more common for Black than White individuals. Black individuals were involved in 48 (42%), White individuals were involved in 39 (34%), Hispanic individuals in 25 (21%), and Asian individuals in 2 (2%) of instances where weapons charges were filed. The difference between White and Black individuals for other charges is smaller than the difference for weapons charges. Black individuals were involved in 202 (40%) instances of other charges while White motorists were cited in 195 (39%) instances. Hispanic motorists were involved in 98 (19%) and Asian drivers 11 (2%) of all instances with other charges.

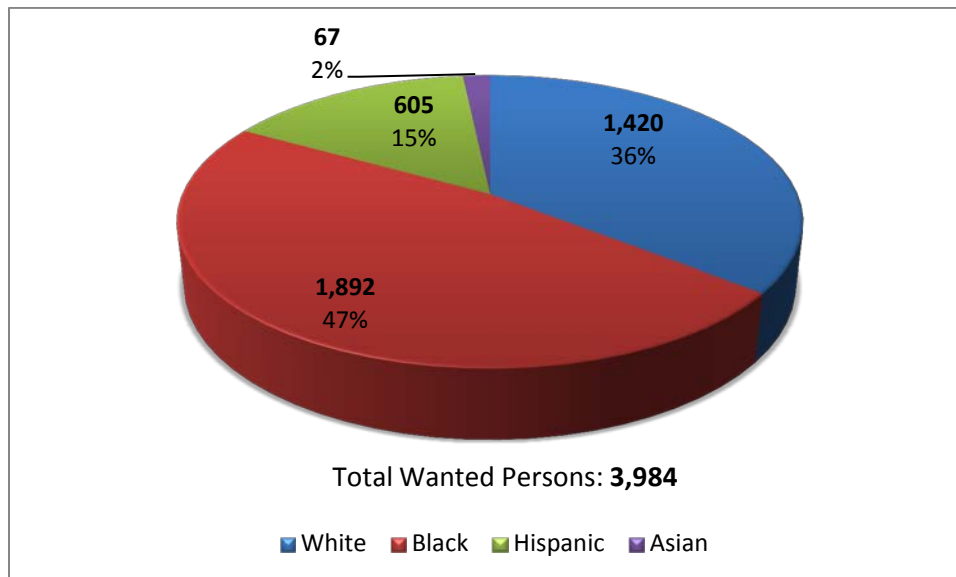
As mentioned briefly, Black individuals appeared to be more likely to be arrested than their likelihood of being involved in a stop overall. However, through examination of the charges filed for all arrests in this period, an explanation is possible. Roughly 40% of all charges pertained to the obstruction of justice, the vast majority of which were identified as contempt. Contempt, as noted, is the charge listed when an individual has an outstanding warrant. Additionally, Black drivers made up the largest proportion of charges for obstruction and contempt. Thus, the disproportionality of arrests and charges is unlikely the result of trooper discretion. In fact, the opposite could be said. The disproportionality results from a lack of trooper discretion as arrest is required when an outstanding warrant is noted.

Wanted Persons

When State Police interact with individuals during a motor vehicle stop, they run database checks to determine if the individual has any outstanding warrants. If the individual does, they can be arrested. In the current reporting period, 3,984 of all arrests were of wanted persons, those with outstanding warrants.

Figure Thirty: Racial/Ethnic Distribution of Wanted Persons

January 1, 2012 - June 30, 2012



As noted previously, individuals with outstanding warrants make up a large proportion of all arrests and charges filed and are categorized as obstruction. In actuality, 3,984 individuals arrested during the current reporting period were wanted persons. Additionally, Black individuals were noted as the largest proportion of those charged with obstruction. Thus, it would be expected that Black individuals would also be a large proportion of all wanted persons. Indeed, Black individuals made up 47% of all wanted persons while White individuals were only 36%, Hispanic individuals were 15%, and Asian individuals were 2% of those identified as wanted persons. Because contempt, the charge cited for

outstanding warrants, is the most frequent charge in the obstruction category, that racial/ethnic distribution is nearly identical to that of wanted persons.

Summary

This report details the volume of trooper stop related activity for the January 1, 2012 to June 30, 2012 reporting period. These data indicate an increase in the number of stops reported and that White drivers continue to be involved in the majority of interactions between motorists and the State Police. The percentage of White drivers who were stopped, who were the recipients of law enforcement procedures, who received some sort of disposition, who were arrested, who had charges filed against them, and who had evidence seized is higher than the corresponding percentages of Black drivers, Hispanic drivers, and all other racial/ethnic categories.

While White drivers make up the largest proportion of most categories, Black drivers are involved in a higher proportion of specific enforcement activities than their proportion of motor vehicle stops. Specifically, Black drivers were more than half of all stops with canine deployments, yet they are less than a quarter of all motor vehicle stops. A similar, albeit smaller, pattern was consistent across all enforcement activities (exits, frisks, searches, consent requests, uses of force, and arrests); while Black drivers make up only 18% of all stops, they were consistently around 30% of all enforcement activities. This disproportionality does not necessarily indicate disparate treatment on the part of troopers. Rather, it suggests that such stops should be further analyzed. OLEPS does analyze individual stops in other reports such as the Oversight Report. For the same time period as this report, all stops with RAS consent requests, canine deployments, and uses of force were reviewed in addition to a large sample of stops with arrests. In these stops, OLEPS did not find any evidence of disparate treatment or inappropriate use of such enforcement activities based on race.

The finding that Black drivers were more likely to have outstanding warrants may explain this finding. Because these drivers do have outstanding warrants, there may be reasonable articulable suspicion to conduct post-stop interactions based on their criminal history. While Black drivers were a higher proportion of law enforcement procedures such as, searches, frisks, etc., than their proportion of all stops, they were also a higher proportion of evidence seizures. Thus, while they may be overrepresented in enforcement procedures, evidence was found in a similar proportion of stops with Black drivers, validating such enforcements. This disproportionality of Black drivers in enforcement activities will continue to be examined closely, both in OLEPS' Aggregate and Oversight reports.

Due to inconsistencies and inaccuracies in data, changes were made to the data requests for this reporting period. Specifically, the source of certain data changed from that used in previous reporting periods. Because of this change, some comparisons across time were not made in this report. Future aggregate reports will include more discussions of trends.

The State adheres to the principles underlying the Consent Decree and commits substantial resources and effort by members of the Department of Law and Public Safety and the New Jersey State Police. The State remains committed to continuing the progress in producing these data in the spirit of the Act.

APPENDIX ONE
Previously Published Aggregate Reports

Report	Publication Date	Reporting Period
First Semiannual Public Report of Aggregate Data	June 27, 2000	January 1, 2000- April 30, 2000
Second Semiannual Public Report of Aggregate Data	January 10, 2001	May 1, 2000- October 31, 2000
Third Semiannual Public Report of Aggregate Data	July 17, 2001	November 1, 2000- April 30, 2001
Fourth Semiannual Public Report of Aggregate Data	January 28, 2002	May 1, 2001- October 31, 2001
Fifth Semiannual Public Report of Aggregate Data	June 27, 2002	November 1, 2002- April 30, 2002
Sixth Semiannual Public Report of Aggregate Data	December 27, 2002	May 1, 2002- October 31, 2002
Seventh Semiannual Public Report of Aggregate Data	June 27, 2003	November 1, 2002- April 30, 2003
Eighth Semiannual Public Report of Aggregate Data	December 24, 2003	May 1, 2003- October 31, 2003
Ninth Semiannual Public Report of Aggregate Data	June 25, 2004	November 1, 2003- April 30, 2004
Tenth Semiannual Public Report of Aggregate Data	December 28, 2004	May 1, 2004- October 31, 2004
Eleventh Semiannual Public Report of Aggregate Data	June 28, 2005	November 1, 2004- April 30, 2005
Twelfth Semiannual Public Report of Aggregate Data	December 28, 2005	May 1, 2005- October 31, 2005
Thirteenth Semiannual Public Report of Aggregate Data	June 28, 2006	November 1, 2005- April 30, 2006
Fourteenth Semiannual Public Report of Aggregate Data	December 28, 2006	May 1, 2006- October 31, 2006
Fifteenth Semiannual Public Report of Aggregate Data	June 28, 2007	November 1, 2006- April 30, 2007
Sixteenth Semiannual Public Report of Aggregate Data	January 14, 2008	May 1, 2007- October 31, 2007
Seventeenth Semiannual Public Report of Aggregate Data	July 25, 2008	November 1, 2007- April 30, 2008
Eighteenth Semiannual Public Report of Aggregate Data	January 23, 2009	May 1, 2008- October 31, 2008
Nineteenth Semiannual Public Report of Aggregate Data	August 12, 2009	November 1, 2008- April 30, 2009
First Public Report of Aggregate Data ⁷	April 2010	May 1, 2009- June 30, 2009
Second Public Report of Aggregate Data	December 2010	July 1, 2009-December 31, 2009
Third Public Report of Aggregate Data	July 2011	January 1, 2010-June 30, 2010
Fourth Public Report of Aggregate Data	August 2011	July 1, 2010-December 31, 2010
Fifth Public Report of Aggregate Data	January 2012	January 1, 2011-June 30, 2011
Sixth Public Report of Aggregate Data	March 2012	July 1, 2011-December 31, 2011

⁷ All aggregate reports published after the first report in April 2010 were published by OLEPS.