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Racial and Gender Disparities in Police Stops: What Does the 2021 Racial Identity and Profiling Act Data Tell Us?

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INTRODUCTION

This policy brief highlights patterns in racial/ethnic and gender disparities in police stop rates, actions taken during stops, and stop outcomes in California, as reported in the Racial Identity and Profiling Act (RIPA) data for calendar year 2021, which includes data on nearly 3.2 million stops. Many of the patterns reported here have been documented and explored in detail in prior annual reports published by the RIPA Board as well as in an independent analysis of the data from a prior year.[1]

KEY RESEARCH FINDINGS

- **Black people are stopped at a rate that is 2.5 times their representation among the resident population of the state. The similar figure for Hispanic people is 1.2 times.** Black people account for 15% of all stops even though they comprise only 6% of the population of California, while Hispanic people account for 42% of all stops and 36% of the state population.

- **Stops made by local police departments exhibit greater racial disparities relative to stops made by the California Highway Patrol (CHP).** Black drivers comprise almost twice as many stops by local police departments (20%) than they do for stops made by the CHP (11%).

- **Black men are the most likely to be searched, detained, ordered out of their car, and handcuffed during traffic stops.** This disparity is driven by stops made by local law enforcement agencies rather than the CHP and is largest for traffic violation stops.

- **Most stops (62%) of Black men by local police departments for traffic violations do not result in a ticket.** Stops of Black people by local law enforcement agencies are the most likely to result in no more than a warning and the least likely to result in a citation.

- **CHP stops result in higher citation rates for Asian and Hispanic people as compared to other racial groups, though the intergroup differences for CHP stops are small.** A small share of CHP stops result in no more than a warning, and the rates at which drivers received only a warning during a CHP stop were similar across racial and ethnic groups.

Policymakers at the state and local level are considering policies to limit police officers' ability to initiate traffic stops for minor infractions due to racially disparate patterns in implementation. This analysis can inform those policies by providing facts about how Californians across the state experience traffic stops and how those experiences vary by race and ethnicity. While we cannot observe pretextual stops (traffic stops for minor vehicular infractions that are used to conduct criminal investigations unrelated to the traffic violation) directly in the data, we can observe the reason for the traffic stop, actions taken during the stop, and stop outcomes.

RESULTS

Black people are stopped at a rate that is 2.5 times their representation among the resident population of the state. The similar figure for Hispanic people is 1.2 times.

Table 1 presents the distribution of stops by the race/ethnicity of the person stopped as perceived by the officer/deputy. Hispanic people account for the largest share of stops at 42.4%, followed by 30.7% for White people, 15.0% for Black people, a combined "other" group at 6.1%, and 5.8% for Asian people. Black people are the most over-represented among those stopped relative to their share of the population, as are to a lesser extent Hispanic people. White people, Asian people, and those in the "other" category are under-represented among those stopped.

The California Highway Patrol (CHP) accounts for roughly 55% of all stops recorded in the 2021 RIPA data.

Table 1 provides separate race/ethnicity distributions for stops made by the CHP and for stops made by all other local law enforcement agencies reporting data in 2021. The over-representation of Black people is more pronounced among stops made by local law enforcement agencies, constituting 19.6% of stops made by these agencies relative to 11.3% of stops made by the CHP. In addition, the under-representation of White and Asian people is greater among those stopped by local law enforcement agencies relative to those stopped by the CHP. The percent Hispanic is similar among stops by local law enforcement and CHP.

TABLE 1: Distribution of 2021 police stops by the race/ethnicity of the person stopped: All stops, stops made by local law enforcement agencies, and stops made by the California Highway Patrol

RACE/ ETHNICITY	% OF CALIFORNIA POPULATION (2020)	% OF ALL STOPS	% OF STOPS MADE BY LOCAL LAW ENFORCEMENT AGENCIES	% OF STOPS MADE BY CALIFORNIA HIGHWAY PATROL
White	35	30.7	27.7	33.1
Black	6	15.0	19.6	11.3
Hispanic	36	42.4	42.8	42.0
Asian	14	5.8	5.0	6.5
Other	9	6.1	4.8	7.1

Note: The "other" category includes a Middle Eastern/South Asian grouping (4.79 percent of all stops), Native Americans (0.30 percent of all stops), and a multiracial category (1% of all stops). Population figures are from the 2023 RIPA Report, based on 2020 ACS data. The remaining columns are author tabulations from the 2021 Racial Identity and Profiling Act data. Columns may not sum to 100 due to rounding.

Most stops are for traffic violations. Black people, however, are more likely relative to other groups to be stopped for reasonable suspicion. Table 2 presents the reason given for the stop within each racial/ethnic group. The majority of stops for all groups are for traffic violations, with the percentage ranging from 80.6% of stops involving Black people to 93.6% of stops for people in the "other" category. Nearly all stops for all groups made by the CHP are for traffic violations (with the figure for all groups near or above 99%). In contrast, a sizable minority of stops (ranging from 14 to 27%) made by local law enforcement agencies are due to an officer's reasonable suspicion the person was engaged in criminal activity.[2]

Black people are the most likely to be stopped by local law enforcement agencies with reasonable suspicion given as the reason (27.2% of stops). The relatively high rate at which local law enforcement officers stop Black people (as documented in Table 1) coupled with the high percent of stops where reasonable suspicion is offered as the reason for the stop generates a higher percent of all stops of Black people due to reasonable suspicion than for other groups. For example, in panel A, we see that reasonable suspicion accounts for 16.2% of all stops for Black people in contrast to 10.7% of all stops for White people.

TABLE 2: Distribution of 2021 police stops by the reason for the stop within racial/ethnic groups: All stops, stops made by local law enforcement agencies, and stops made by the California Highway Patrol

PANEL A: ALL STOPS

	WHITE	BLACK	HISPANIC	ASIAN	OTHER
Traffic violations	86.5	80.6	87.3	93.3	93.6
Reasonable suspicion	10.7	16.2	9.8	5.5	5.2
Other	2.8	3.2	2.9	1.2	1.2

PANEL B: STOPS MADE BY LOCAL LAW ENFORCEMENT AGENCIES

	WHITE	BLACK	HISPANIC	ASIAN	OTHER
Traffic violations	68.3	67.6	73.4	83.5	83.1
Reasonable suspicion	25.3	27.2	20.8	13.7	14.0
Other	6.5	5.2	5.8	2.8	2.9

PANEL C: STOPS MADE BY THE CALIFORNIA HIGHWAY PATROL

	WHITE	BLACK	HISPANIC	ASIAN	OTHER
Traffic violations	98.9	99.0	99.0	99.5	99.5
Reasonable suspicion	0.7	0.6	0.6	0.3	0.3
Other	0.3	0.4	0.4	0.2	0.2

Note: Author tabulations from the 2021 Racial Identity and Profiling Act data. Columns may not sum to 100 due to rounding.

Black men are the most likely to be searched, temporarily detained (curbside or in the back of a vehicle), ordered to exit their vehicle, and be handcuffed during the stop.

These disparities are driven by stops made by local law enforcement agencies and are largest for stops for traffic violations. Figures 1 through 3 show the percent of stops where the individual stopped is searched during the stop, is required to sit on the curb or in the back of a patrol vehicle, ordered to exit the vehicle, or handcuffed during the stop.

Figure 1 presents the likelihood of these law enforcement actions by race and ethnicity for all stops made by local law enforcement (with percentages shown by the blue dots) and all stops made by the CHP (with the percentages shown by

the orange dots). These actions are considerably more likely to occur during stops made by local law enforcement relative to stops made by the CHP. For local law enforcement stops, Black people are the mostly likely to be searched, detained, asked to exit the vehicle and handcuffed, followed by Hispanic people, White people, people in the "other" grouping, and Asian people. The disparities are large. For example, roughly 32% of Black people stopped by local law enforcement are searched compared to 23.5% of Hispanic people, and 18.9% of White people. While there are also inter-group disparities in the actions taken during stops made by the CHP, they are much smaller (as are the overall rates for these actions for all racial groups).

FIGURE 1: Percent of all stops made by local law enforcement agencies and the California Highway Patrol where the person is searched, ordered to exit the vehicle, detained (curbside or in the back of patrol vehicle), or handcuffed during the stop
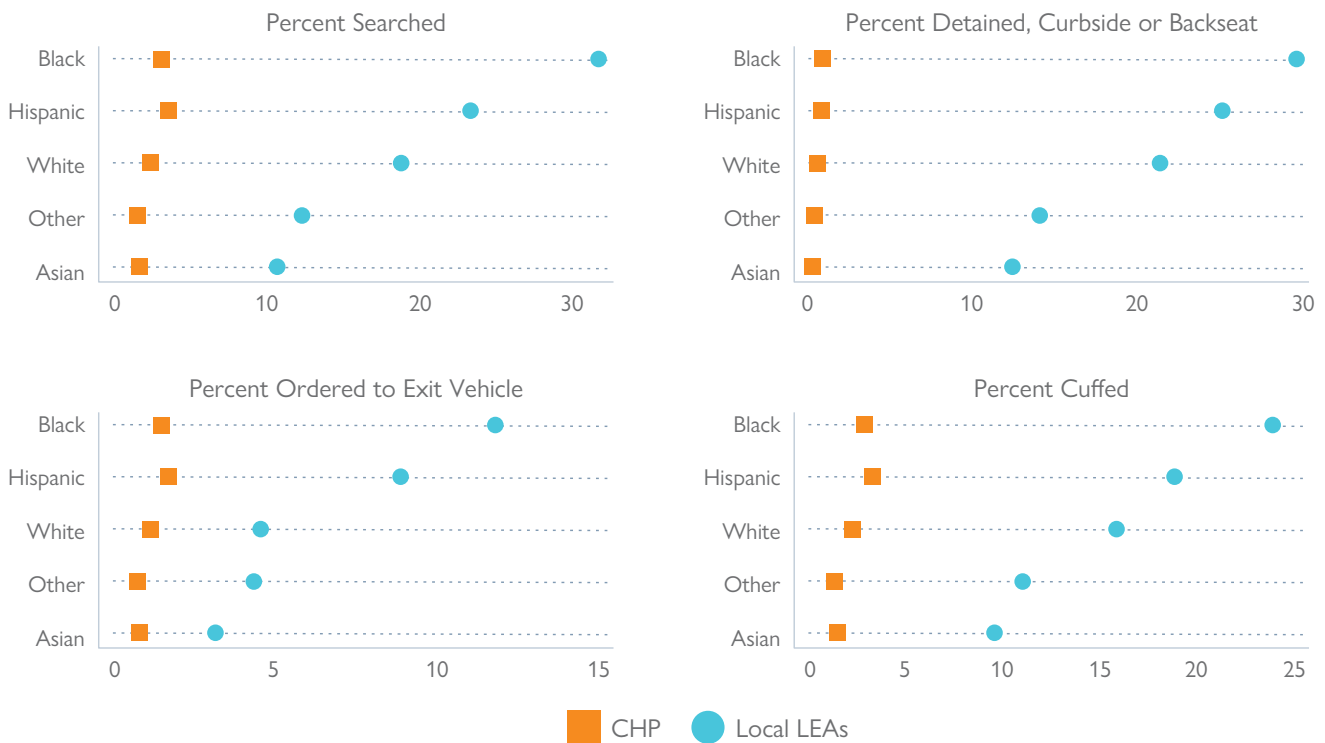
Note: Author tabulations from the 2021 Racial Identity and Profiling Act data.

Figure 2 focuses specifically on stops made by local law enforcement and presents separate tabulations by gender (see Appendix for tabulations for transgender/gender non-conforming people).[3] Racial disparities are the largest for men, again with the highest incidence of these actions being taken in stops of Black men, followed by Hispanic, White, other, and Asian men. We see similar relative ordering for stops of women, though the inter-group disparities are muted by comparison to those observed for men.

FIGURE 2: Percent of all stops made by local law enforcement agencies where the person is searched, ordered to exit the vehicle, detained (curbside or in the back of patrol vehicle), or handcuffed during the stop by race/ethnicity and gender

Note: Author tabulations from the 2021 Racial Identity and Profiling Act data.

Figure 3 examines the stops made by local law enforcement by race/ethnicity and by the actions taken for stops made for different reasons (traffic violations or reasonable suspicion). Rates of search, curbside or backseat detentions, being ordered to exit the vehicle, and being handcuffed during the search are considerably higher for reasonable suspicion stops relative to stops for traffic violations. While there are some racial disparities in the relative incidence of these actions for reasonable suspicion stops, they are small compared to traffic stops.

There are large inter-group disparities in the prevalence of these actions taken for traffic stops made by local law enforcement agencies. For example, 21.4% of stops of Black people, 12.9% of stops involving Hispanic people, and 6.5% of stops involving White people involve a search of either the person, the vehicle, or both. In contrast, the rates for a curbside or backseat detention are 19.9% for Black drivers, 15.5% for Hispanic drivers, and 8.9% for White drivers.

FIGURE 3: Percent of stops made by local law enforcement agencies where the person is searched, ordered to exit the vehicle, detained (curbside or in the back of patrol vehicle), or handcuffed during the stop by race/ethnicity and reason for the stop
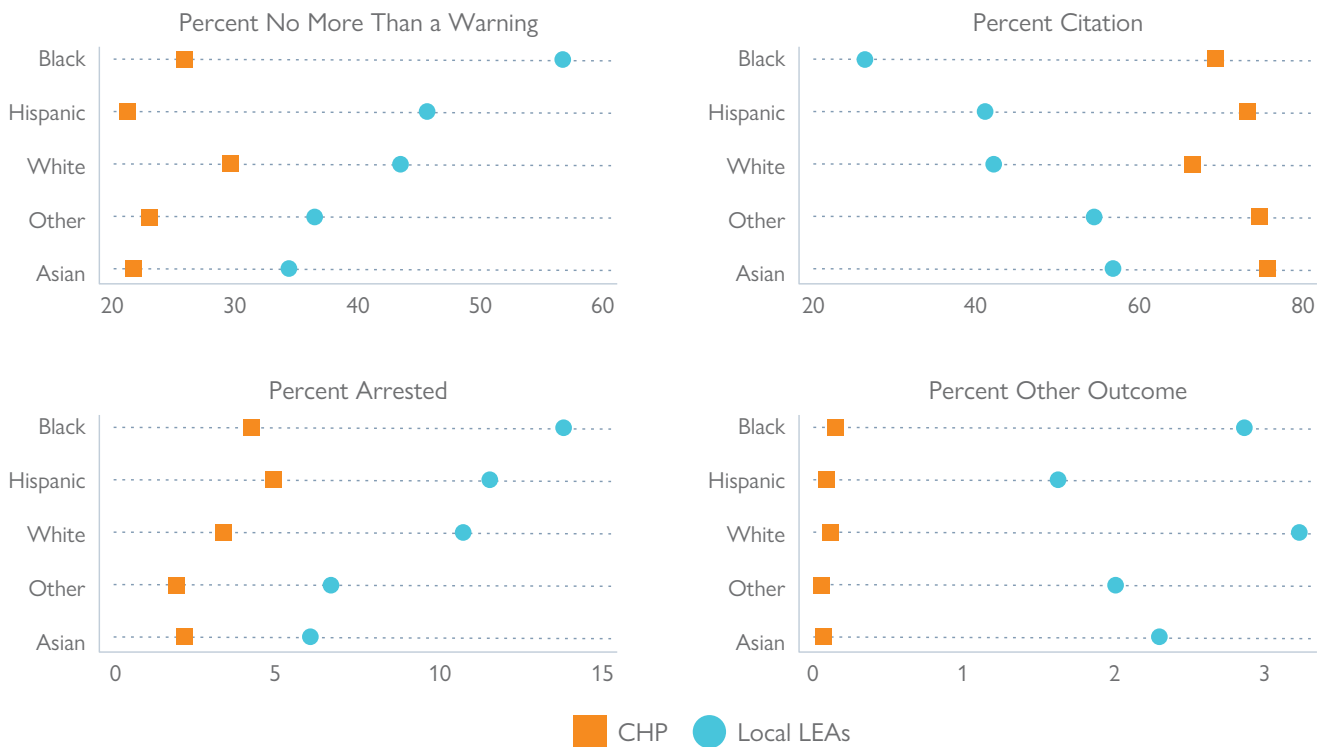

Note: Author tabulations from the 2021 Racial Identity and Profiling Act data.

Stops of Black people by local law enforcement agencies are the most likely to result in no more than a warning and the least likely to result in a citation. In contrast, stops made by the CHP resulted in the highest citation rates for Asian and Hispanic people though inter-group differences in citation rates are comparatively small. Figures 4 through 6 document the outcome of stops by race/ethnicity. Specifically, each figure presents the percent of stops that result in no more than a warning, where the person is cited, where the person is arrested, and whether some other action is taken (such as non-criminal transport, contacting a legal guardian, a psychiatric hold, a referral to the U.S. Department of Homeland Security, a referral to a school administrator, or a referral to a school counselor). Figure 4 presents separate results by race/ethnicity for stops made by local law enforcement and stops made by the CHP. Figure 5 presents

results for local law enforcement agencies by perceived gender of the driver,[4] while Figure 6 presents the results for local law enforcement agencies by stop reason.

Over half (57%) of stops of Black people by local law enforcement agencies result in no more than a warning (Figure 4). In comparison, 43.7% of stops for White people result in no more than a warning, as do 45.9% of stops of Hispanic people, 34.7% of stops of Asian people, and 36.7% of stops of people in the "other" grouping. Conversely, the percent of these stops resulting in a citation is lowest for Black people (26.7% of stops) and highest for Asian people (57.1%). Stops resulting in an arrest are highest for Black people (13.8%) but not much higher than the comparable percentages for White people (10.8%) and Hispanic people (11.5%).

FIGURE 4: Percent of all stops made by local law enforcement agencies and the California Highway Patrol, resulting in no more than a warning, a citation, an arrest, or some other outcome by race/ethnicity


Note: Author tabulations from the 2021 Racial Identity and Profiling Act data. Totals across outcomes may sum to more than 100 percent within group since multiple outcomes are possible.

CHP stops are more likely to result in a citation for all groups, ranging from roughly 67% for White people to 76% for Asian people. CHP stops are also less likely to result in no more than a warning, with the highest percentage for White people (29.7% of CHP stops) and the lowest for Asian people (21.9%). CHP stops are also less likely to result in an arrest or other outcome across groups.

Figure 5 further explores the outcomes of stops made by local law enforcement agencies, presenting results by race/ethnicity and gender. Stops of males are more likely to result in a warning relative to stops of women, and less likely to result in a citation.[5] Inter-racial disparities similar to those observed in Figure 3 are observed for all gender groups, though are largest for men and muted for women.

FIGURE 5: Percent of all stops made by local law enforcement agencies resulting in no more than a warning, a citation, an arrest, or some other outcome by race/ethnicity and gender
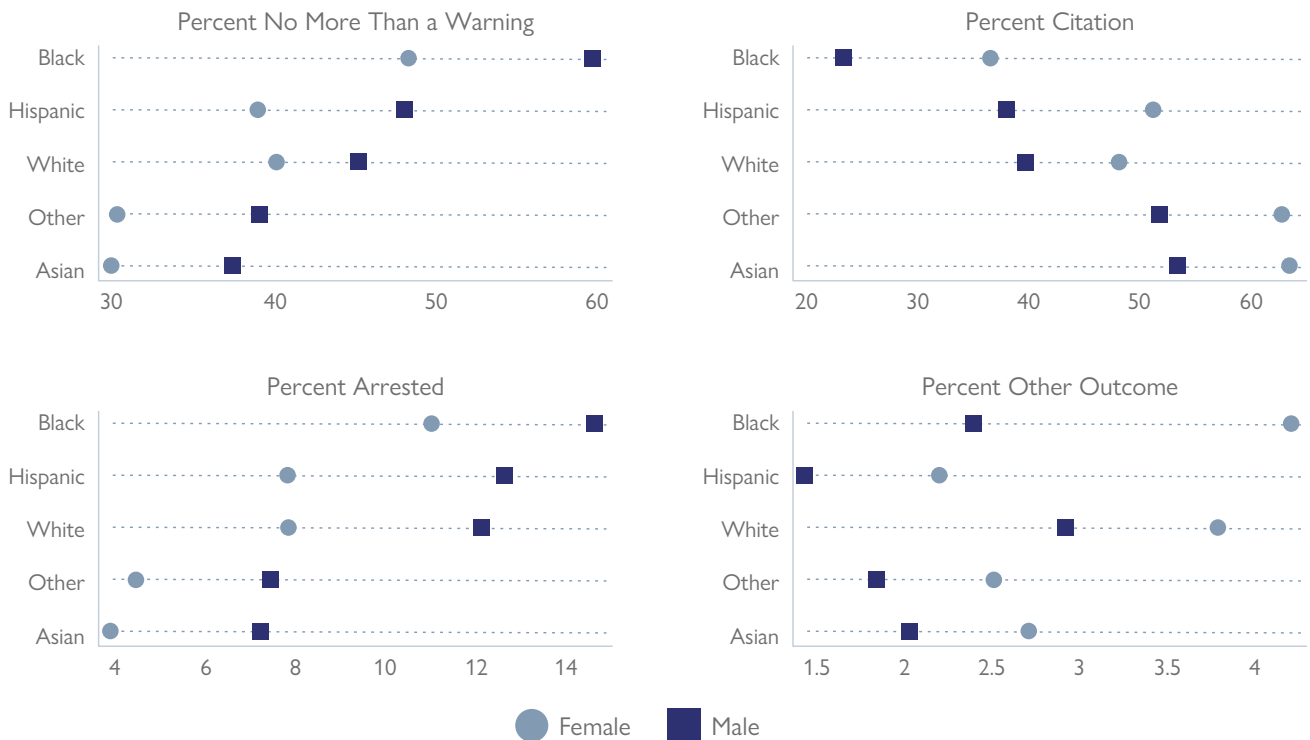
Note: Totals may sum to more than 100 percent within group since multiple outcomes are possible.

Finally, Figure 6 separates stops made by local law enforcement agencies into traffic-violation stops and reasonable suspicion stops. There are noticeable differences in outcomes between these two categories. Reasonable suspicion stops are considerably more likely to result in an arrest, often result in just a warning, have low citation rates, and have relatively high rates for an outcome in the other category. While there are some inter-racial disparities, they are generally small among these stops.

By contrast, we see pronounced racial disparities in the outcomes of stops for traffic violations by local law enforcement. For example, 61.5% of such stops of Black people result in just a warning, compared to 45.8% of stops of Hispanic people 41.8% of stops of White people and less than 40% of stops of Asian people and people in the "other" category.

We observe the inverse pattern for citations, with citation rates for traffic violations by local law enforcement of 34.4% for Black people, followed by 50.5% for Hispanic people, 55.5% for White people, and over 60% for Asian people and people in the "other" category. While arrest rates among these stops are highest for Black people (4.2% of stops), relatively small percentages of stops by local law enforcement for traffic violations result in an arrest.

FIGURE 6: Percent of all stops made by local law enforcement agencies resulting in no more than a warning, a citation, an arrest, or some other outcome by race/ethnicity and reason for the stop

Note: Totals may sum to more than 100 percent within group since multiple outcomes are possible.

ABOUT THIS RESEARCH

This research stems from a partnership between the California Policy Lab at the University of California and the Committee on Revision of the Penal Code, a state agency that studies and makes recommendations to improve California's criminal legal system.

ACKNOWLEDGMENTS

Endnotes

1 All five prior RIPA Board annual reports can be found at https://oag.ca.gov/ab953/board/reports. For a detailed and thorough multivariate analysis of racial disparities in stops, actions taken, and outcomes using data from a prior year, see Lofstrom, Magnus; Hayes, Joseph; Martin, Brandon and Deepak Premkumar (2022), *Racial Disparities in Traffic Stops*, Public Policy Institute of California, San Francisco, CA.

2 A police officer has "reasonable suspicion" if there are specific articulable facts that the person is engaged in, or is likely to be engaged in, criminal activity. It is a lower standard than "probable cause," which is required before an officer can make an arrest. 2022 RIPA Report at 34.

3 In Appendix Table A1, we report separate tabulations for a combined transgender/gender non-conforming grouping that includes upper and lower bound estimates (i.e., confidence intervals) given the relatively small number of stops involving people with these gender identities. Males constitute roughly 72 percent of stops for both CHP stops as well as stops made by local law enforcement agencies. Females constitute approximately 27.5 percent of stops. Stops of people that officers perceive to be transgender/gender non-conforming account for less than one percent of stops. The lower and upper-bound estimates in the table reflect the 95 percent confidence interval for our estimates of the percentage of stops where these actions occur. Given the much larger numbers of stops for males and females, the confidence intervals are tightly distributed around the percentages shown in Figure 2.

4 Results for people perceived to be transgender/gender non-conforming are presented in Appendix Table A2 with upper and lower bounds.

5 Stops of transgender/gender non-confirming individuals are more likely to result in a warning relative to stops of females and are the most likely to result in an arrest, followed by stops of males, and then females (Appendix Table A2).

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APPENDIX

DATA SOURCE

California's Racial Identity and Profiling Act (RIPA) mandates that California law enforcement agencies collect standardized information on citizen demographics, actions taken by officers during stops, and stop outcomes for all police stops made within the state. The data collection mandate began in 2018 starting with the largest law enforcement agencies, and has been expanded to include smaller agencies over the past five years. The latest publicly available data includes information on stops made by 58 agencies, including the police departments of the state's largest cities, 14 County Sheriff's Departments, stops made by the California Highway Patrol (CHP), and stops made by smaller agencies that began reporting RIPA data ahead of their date of required participation on January 1, 2022. The 2021 data includes information on nearly 3.2 million stops.

TABLE A1: Percent of stops made by local law enforcement agencies with specific actions taken for transgender/gender non-conforming people

PANEL A: PERCENT SEARCHED	PERCENT	LOWER BOUND	UPPER BOUND
White	30.3	27.8	32.8
Black	38.6	35.9	41.3
Hispanic	33.6	31.5	35.8
Asian	24.5	18.5	30.5
Other	19.4	16.9	21.9

PANEL B: PERCENT DETAINED CURBSIDE OR BACKSEAT	PERCENT	LOWER BOUND	UPPER BOUND
White	31.7	29.2	34.3
Black	36.3	33.7	39.0
Hispanic	33.4	31.2	35.6
Asian	23.0	17.1	28.9
Other	16.8	14.4	19.1

PANEL C: PERCENT ORDERED TO EXIT THE VEHICLE	PERCENT	LOWER BOUND	UPPER BOUND
White	6.1	4.8	7.4
Black	9.1	7.5	10.7
Hispanic	8.9	7.6	10.2
Asian	5.5	2.3	8.7
Other	11.3	9.3	13.3

PANEL D: PERCENT OTHER OUTCOME	PERCENT	LOWER BOUND	UPPER BOUND
White	31.0	28.5	33.6
Black	40.4	37.7	43.1
Hispanic	33.7	31.5	35.8
Asian	21.0	15.3	26.7
Other	12.1	10.1	14.2

Note: Table shows upper and lower bound estimates (i.e., confidence intervals) given the relatively small number of stops involving people with these gender identities.

TABLE A2: Outcome of stops made by local law enforcement agencies for transgender/ gender non-conforming people

PANEL A: NO MORE THAN A WARNING	PERCENT	LOWER BOUND	UPPER BOUND
White	24.4	22.0	26.7
Black	18.4	16.3	20.5
Hispanic	29.8	27.7	31.9
Asian	38.5	31.7	45.3
Other	62.2	59.1	65.2

PANEL B: PERCENT CITATION	PERCENT	LOWER BOUND	UPPER BOUND
White	16.8	14.7	18.8
Black	25.3	22.9	27.7
Hispanic	21.7	19.8	23.6
Asian	16.0	10.9	21.1
Other	9.3	7.5	11.2

PANEL C: PERCENT ARRESTED	PERCENT	LOWER BOUND	UPPER BOUND
White	44.8	42.1	47.5
Black	50.0	47.2	52.7
Hispanic	44.7	42.4	47.0
Asian	38.0	31.2	44.8
Other	26.4	23.6	29.2

PANEL D: PERCENT OTHER OUTCOME	PERCENT	LOWER BOUND	UPPER BOUND
White	14.4	12.5	16.3
Black	6.9	5.5	8.3
Hispanic	4.1	3.2	5.1
Asian	8.0	4.2	11.8
Other	2.4	1.4	3.3

Note: Table shows upper and lower bound estimates (i.e., confidence intervals) given the relatively small number of stops involving people with these gender identities.