**Racial Profiling in North Carolina Fact Sheet**

**Racial profiling is at odds with our shared American values of fairness and justice.**

* Racial profiling occurs when police target people for humiliating and often frightening detentions, interrogations, and searches without evidence of criminal activity and based on individuals’ real or perceived race, ethnicity, nationality, or religion.
* Racial profiling violates the U.S. Constitution by betraying the fundamental American promise of equal protection under the law and infringing on the Fourth Amendment guarantee that all people be free from unreasonable searches and seizures.

**Racial profiling is an ineffective law enforcement tool that wastes police officers’ time and taxpayer dollars and is detrimental to public safety.**

* Racial profiling diverts police attention away from more effective law enforcement techniques, thereby wasting police resources.
* Racial profiling causes resentment in targeted communities and makes people in those communities less likely to cooperate in investigations.
* When individuals and communities fear the police, they are less likely to call law enforcement when they are the victims of crime or in emergencies. Creating a climate of fear compromises public safety. The distrust of law enforcement fostered by repeated stops is likely to reduce crime reporting in over policed areas, thereby jeopardizing public safety.

**Racial profiling is a longstanding and troubling nationwide problem, including here in North Carolina, despite claims that we have entered a “post-racial” era.**

* Studies of arrests, traffic stops, and SWAT raids in North Carolina have shown that agencies throughout the state disproportionately stop and arrest people of color for various offenses.
* Traffic stops: In North Carolina, African American motorists are 77 times more likely to be searched after a traffic stop than white drivers, according to an analysis of more than 13.2 million traffic stops from more than 10 years. The disparities were greatest where the level of officer discretion was highest. [[1]](#footnote-1)
* Marijuana arrests: African Americans were arrested for marijuana possession at 3.4 times the rate of whites in 2010, despite comparable marijuana usage rates, according to a 2013 report from the American Civil Liberties Union. Fifty percent of the people arrested for marijuana possession in North Carolina were African American, even though statewide African Americans comprise only 22 percent of the population – a 28 point difference.[[2]](#footnote-2)
* SWAT raids: A comprehensive study of the use of military style weapons and tactics by local law enforcement in North Carolina and 19 other states found that SWAT raids disproportionately targeted people of color, often for low-level offenses. Many of the jurisdictions examined for the report that had the highest disparate racial impacts were in North Carolina.[[3]](#footnote-3)
* Alamance County: The U.S. Department of Justice filed a civil rights lawsuit against Alamance County Sheriff Terry Johnson in 2012 charging that under his direction, the Alamance County Sheriff’s Office systematically and unlawfully targeted Latino residents for investigation, traffic stops, arrests, seizures, and other enforcement actions since at least 2007. A 2012 statistical analysis commissioned by DOJ found that along three major Alamance County highways, ACSO deputies were approximately 4, 9, and 10 times more likely, respectively, to stop Latino drivers than similarly situated non-Latino drivers.[[4]](#footnote-4)
* Durham: In 2013, 82 percent of vehicle searches made by the Durham Police Department during traffic stops involved black motorists, even though African Americans compose only 40% of the city’s population, according to a report from the Southern Coalition for Social Justice.[[5]](#footnote-5) Durham has since implemented several reforms designed to safeguard against racial bias in traffic stops.[[6]](#footnote-6)
* Fayetteville: From March 2011 to March 2012, more than 70 percent of Fayetteville police searches conducted during traffic stops involved an African American driver. Fayetteville’s population is about 42 percent black, yet 57 of all vehicles stopped by police had a black driver. After the city began using written consent for searches, traffic stops dropped by 50% and searches by 60%.[[7]](#footnote-7)
* Winston-Salem: A review by the ACLU found that of 244 checkpoints set up by WSPD from June 2010 through May 2011, 85 percent were placed in minority neighborhoods. The Winston-Salem Police department has since made changes to its checkpoint policy. [[8]](#footnote-8)

**The North Carolina General Assembly should take action to combat racial profiling.**

* At least half of all U.S. states have enacted legislation addressing racial profiling.[[9]](#footnote-9)
* While several agencies mentioned above have made internal reforms aimed at addressing racial profiling, comprehensive statewide standards are necessary in order to ensure that all jurisdictions are operating under a standard legal framework intended to treat all communities equally.

1. *North Carolina Traffic Stops Statistical Analysis,* February 2012. Frank Baumgartner and Derek Epp, University of North Carolina at Chapel Hill. Read the report at http://bit.ly/1fIdvvZ [↑](#footnote-ref-1)
2. *The War on Marijuana in Black and White*, June 2013. https://www.aclu.org/billions-dollars-wasted-racially-biased-arrests [↑](#footnote-ref-2)
3. *War Comes Home: The Excessive Militarization of American Policing*, June 2014. www.aclu.org/militarization [↑](#footnote-ref-3)
4. *United States v. Alamance County and Terry S. Johnson*, 2011. No: 11-cv-507 [↑](#footnote-ref-4)
5. *Evidence of Racial Profiling in Durham Prompts Public Debate*. Public News Service, Oct. 1 2013. http://www.publicnewsservice.org/2013-10-01/civil-rights/evidence-of-racial-profiling-in-durham-prompts-public-debate/a34754-2 [↑](#footnote-ref-5)
6. Ryan Gronberg, *City Adopts Written Consent Policy for Searches*, Durham Herald-Sun, Sept. 16, 2014. http://www.heraldsun.com/news/localnews/x1412772354/City-adopts-written-consent-policy-for-searches [↑](#footnote-ref-6)
7. Andrew Barksdale, *Fayetteville Police Making Fewer Traffic Stops*, Fayetteville Observer, August 17, 2014. http://www.fayobserver.com/news/local/fayetteville-police-making-fewer-traffic-stops/article\_a811e907-396a-5a5c-abec-e8967d9b4223.html [↑](#footnote-ref-7)
8. Laura Graff, *Police Department Makes Changes to Policy on Checkpoints*, Winston-Salem Journal, February 13, 2012. http://www.journalnow.com/news/local/police-department-makes-changes-to-policy-on-checkpoints/article\_b6940027-520d-5003-854c-ad0c5aafb323.html [↑](#footnote-ref-8)
9. States with racial profiling-related legislation include Arkansas, California, Colorado, Connecticut,

   Florida, Illinois, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Missouri, Montana,

   Nebraska, Nevada, New Jersey, New Mexico, Oklahoma, Rhode Island, Tennessee, Texas, Utah,

   Washington and West Virginia. [↑](#footnote-ref-9)