

FAIR ROADS STANDARD

RECOMMENDED ACLU/ NAACP/LULAC/TCJRC STANDARD FOR COMPARATIVE ANALYSIS OF RACIAL PROFILING DATA

The Fair Roads Standard uses Census data on vehicle availability to calculate a statistical baseline by which departments can estimate the prevalence of racial profiling as required in Texas state law.

Methodology for the Fair Roads Standard

The methodology for using the Census vehicle availability baseline is quite easy. It takes only 20 minutes and requires only simple arithmetic.*

1. Pull the vehicle availability data from the Census.
 - ◆ Go to <http://www.census.gov>
 - ◆ Click on “American Fact Finder,” then “Data Sets,” then “Census 2000 Summary File 3 (SF3) Sample Data.”
 - ◆ Choose “Detailed Tables,” then click “Show all geography types.” Add geography types as needed and then hit “Next.”
 - If you are a city police department – choose “place.”
 - If you are a sheriff’s department – choose “county.”
 - Choose the “primary metropolitan statistical area” to provide an additional baseline to accommodate traffic stops of out-of-jurisdiction drivers.
 - ◆ Choose “Show all tables.” Then add the following tables one at a time: HCT33B, HCT33D, HCT33H, HCT33I, and H44. Then hit “Show Table.”
2. Use table H44 to find the total number of households with vehicles available. Take the total and subtract the number of owners with no cars available and the number of renters with no cars available. The resulting number is the total number of households with cars available. For example, in Anytown, TX the total given in H44 is 20, which is represented by “U” and the number of owners with no car available is 5 or “V,” while the number of renters with no car available is 5 or “W.” The number of households with vehicles available is “X.”
 - ◆ In Anytown, TX: $U = 20, V = 5, W = 5, X = \text{the \# of households with vehicles}$
 - ◆ $U - (V + W) = X$ or $20 - (5 + 5) = 10$
3. For each race divide the number of households with “1 or more vehicles available” by the total of households with cars (“X”). For example use table HCT33B to get the number of African Americans with at least one car, or “Y.” Then divide “Y” by the total number of households with cars (from table H44), “X.” That will give you “Z” - your baseline for African American drivers. In Anytown, Texas only 2 African American households have vehicles available.
 - ◆ In Anytown, Texas: $Y = 2, X = 10, Z = \text{baseline for African American drivers}$
 - ◆ $Y / X = Z$ or $2 / 10 = 0.2$ or 20%
4. Repeat for each race. Your “Y” will change depending on which race you are calculating, but “X” is constant. When you are finished you will have your Fair Roads Standard baseline percentages.
5. Now, from the data collected in 2002 by your department, calculate the percentage of the total for each race (“A” in the equation below).
6. Once you have baselines for each race you are ready to calculate the relative difference of stops (“B”), which will quantify the deviation of traffic stop rates from the Fair Roads Standard baseline. Divide the percentage of in-jurisdiction traffic stops for a given race (“A”) by the percentage of vehicle availability (“Z”) for that race. In Anytown, Texas Latinos make up 5% of stops and their percentage of vehicle availability is 10%.
 - ◆ In Anytown, Texas: $A = 5, Z = 10, B = \text{the relative difference}$
 - ◆ $A/Z = B$ or $5 / 10 = 0.50$ or 50%

- If the resulting number is 1 then the rate of stops is equal to the rate of vehicle availability for that race.
 - If the resulting number is larger than 1, then that race is stopped at a higher frequency *compared to their level of vehicle availability*.
 - If the resulting number is less than 1, then that race is stopped at a rate less than their rate of vehicle availability.
 - Take the difference between the resulting number and 1, then multiply by 100 to get a percentage showing how much more or less frequently that race is stopped compared with how many people from that race are on the road..
- ◆ In Anytown, TX, Latinos are stopped at a rate 50% lower than their rate of access to vehicles.
7. Repeat for each race. The “A,” “Z” and “B” will change for each calculation.
 8. The second level of calculations requires the measurement of out-of-jurisdiction traffic stops to the vehicle availability rate of a larger geographical area – the “primary metropolitan statistical area.” Follow the above steps using the “primary metropolitan statistical area” as the geographic area and compare it with your data for out-of-jurisdiction traffic stops. This allows you to develop an additional baseline for out-of-jurisdiction stops.

Methodology for Evaluating Searches

The built-in baseline for evaluating searches is “A,” above, or the percentage of traffic stops by race. Divide the percentage of searches (“H”) by the percentage of stops for each race (“A”). This will provide the relative difference or the rate of deviation from the baseline. For this example we will look at the relative difference for Caucasians. Caucasians make up 75% of all searches and only 50% of all stops.

1. In Anytown, Texas: H = 75%, A = 50%, S = relative difference
2. $H / A = S$ or $75\% / 50\% = 1.5$
3. In Anytown, TX, whites are searched at a rate 1.5 times higher than the rate at which they are stopped.

Methodology for Evaluating Latinos with Licensed Population Data

In Texas, because of limitations on data, using licensed drivers as a racial profiling baseline is fundamentally flawed. Texas drivers license lumps together totals for Latinos with whites. However, some consultants still advocate its use, even though it does not allow separate data comparisons for whites or Latinos. Dozens of agencies have attended seminars by consultants advocating this methodology. ACLU, LULAC, and TCJRC believe that methodology should be rejected. But if law enforcement agencies choose to use drivers’ license data as a baseline, those calculations should be modified to estimate baseline data for Latinos and whites. This can be easily done using the vehicle availability statistics generated in step 2 above.

1. Take the vehicle availability number for Caucasians (from table HCT33I) with “1 or more vehicles available” (“P”). Add that number to the vehicle availability number for Latinos (from table HCT33H) with “1 or more vehicles available,” to get “Q”
2. Divide licensed driver total for Caucasians (“P”) by the total for Caucasians and Latinos (“Q”).
 - ◆ In Anytown, Texas: P = 7, Q = 10
 - ◆ P / Q or $7 / 10 = 0.7$
3. The resulting number is the multiplier, “R.” Multiply “R” by the licensed driver total for Caucasians and Latinos (“Q”). That will give an estimate for the total number of Caucasians with driver licenses.
 - ◆ In Anytown, Texas: R = 0.7, Q = 10
 - ◆ $R \times Q$ or $0.7 \times 10 = 7$
4. Take the combined licensed driver total for Caucasians and Latinos (“Q”) and subtract the new number of Caucasians with driver licenses (“C”). This will yield an estimated number for licensed Latinos or “T.”
 - ◆ In Anytown, Texas: Q = 10 and C = 7
 - ◆ $10 - 7 = 3$ or “T”

* Please contact TCJRC for an Excel spreadsheet with the formulas of the Fair Roads Standard already inputted. It is available free of charge. Send a request to Shamiso@ProTex.org