Cleveland Heights Police Department
2019 Traffic Ticketing Patterns

Introduction

In response to the police-involved killing of George Floyd on May 25, 2020, and the historic mass demonstrations and protests calling for racial justice and police reform in cities and towns, large and small, across the country and around the world that ensued in its wake, the City of Cleveland Heights engaged The Diversity Institute at Cleveland State University to collaborate in assessing and enhancing the community-oriented policing practices of the Cleveland Heights Police Department (CHPD). This report provides demographic data for the department's sworn personnel and an analysis of the 2019 traffic enforcement data of the CHPD. A database containing law enforcement records was provided to the CSU research team and analysis of the traffic citations, warnings, and related arrests administered by the CHPD was conducted. The traffic stop data was analyzed by race/ethnicity and gender to specifically address concerns relative to the unbiased, equitable enforcement of traffic laws.

City and Police Department Demographics

The City of Cleveland Heights is a diverse community. According to 2020 Census data, its population of 44,571 is 50% (22,277) White, 41% (18,292) Black, 5.3% (2,363) Asian, 2.8% (1,241) Latinx (which may be of any race), 0.13% (60) Native American/Alaskan Native, 2.8% (1,259) Two or more races, and 0.009% (4) Native Hawaiian/Pacific Islander. The Cleveland Heights Police Department is led by Chief Annette Mecklenburg, a White female, who has been with the department 30 years and assumed the leadership in February 2016. The department currently has 95 sworn officers, which are 11.5% female, 88.5% male, 78% (75) White, 21% (20) Black, and 1% (1) Asian. The table below contains the number of officers at each rank and the range of time in service for each rank.

Rank	No.	Race/Gender				Years of Service
Chief	1	1 WF				30
Commander	1	1 WM				13
Captain	4	4 WM				19 – 32
Lieutenant	4	1 BM		3 WM		14 – 25
Detective	15	1 BF	6 BM	8 WM		8 – 35
Investigator	9	1 BM		8 WM		8 – 35
Sergeant	8	8 WM				10 – 30
Police Officer	28	2 BF	3 WF	1 AM	22 WM	1 – 10
Basic Patrol Officer	26	1 BF	3 WF	8 BM	14 WM	0.5 – 23

The Data

The CHPD database provided contained 11,482 Computer Aided Dispatch (CAD) service call records with 29 distinct codes or categories of police functions and activities. The database included codes ranging from *gym detail, disorderly (conduct), welfare check, mental subject, suspicious person, suspicious vehicle,* to *warrant service,* and *follow up investigations*. It also contained 7 traffic specific codes. The dataset included 11,237 traffic enforcement records of which 216 were associated with an arrest. As noted, the traffic stop data as well as the arrest data were assessed by race/ethnicity and gender. A major limitation of the traffic enforcement data is that while traffic stops and those that resulted in a warning or a traffic citation were noted, the type of traffic offense or the Cleveland Heights or Ohio Revised Code ordinance violated was not identified.

Data from a 2010 study (Dunn) commissioned by the Cuyahoga County Prosecutor which used traffic ticketing patterns as a proxy for the use of police discretion in the city of Cleveland and three surrounding suburban police jurisdictions, provided a measure of the driving-age population for the majority of the municipalities in Cuyahoga County, including Cleveland Heights. This measure used a travel demand model imputed with 2010 Census race and age demographic data[1] to provide a relatively precise benchmark to compare traffic ticketing data against and identify any racial/ethnic disparities that might exist in the traffic stop/enforcement data.

Data Analysis by Race/Ethnicity

The City of Cleveland Heights' driving population is an estimated 290,569 motorists daily, of which 52% are White, 41% Black, and 9% of other racial/ethnic background. Of the 11,237 traffic stops noting race, Whites were 26%, Blacks were 66%, Asians were 2%, and persons of other races/ethnicities or for which race was unknown were 6% of motorists stopped and cited. Comparing the percentage of traffic stops for each racial group to their percentage of the driving population provides a ratio reflecting the proportional share of traffic stops for each group. With 1.00 equaling parity or the expected share for each racial group given its percentage of the driving population eligible to be stopped/ticketed, all else being equal.

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[1] Driving population estimates were obtained from the Northeast Ohio Areawide Coordinating Agency (NOACA) 2010 Compress Trip Distribution (gravity model). This estimate is of the total number of round trips, 4 trips per person and roughly 10 trips per household based on the 1994 NOACA Travel Survey. This data was imputed with racial/ethnic and age demographic Census data for those of legal driving age (15 in Ohio with a drivers permit) and the age (85-year) at which a significant decrease in those driving is noted in the research literature. The NOACA gravity model covers the 13-county region and areas of the contiguous United States from which Northeast Ohio's driving population is drawn from. The trips in the gravity model reflect motor vehicle trips made to, from, and within the city of Cleveland Heights within a 24-hour period. This data is the most recent available until the release of the 2020 Census data and updated NOACA travel demand models.

Traffic Stops

Blacks, representing 41% of the driving population were 66% of the traffic stops. This is 1.60 or 60% above their proportional share of traffic stops. Whites, who are 52% of the driving population were 26% of the traffic stops, reflecting half or 50% below their proportional share. Asians were 5% of the driving population and 2% of the traffic stops, representing 48% which is 52% below their proportional share. Motorists of other or unknown races/ethnicities who were also 5% of the driving population and 6% of the traffic stops were 1.18 or 18% above their proportional share of traffic stops.

Traffic Stops by Race

Race	Traffic Stops		DP	Traffic Stops/DP
Black	7385	66%	41%	1.60
White	2942	26	52	0.50
Asian	269	2	5	0.48
Other/Unknown	641	6	5	1.18

Calculating the likelihood of each racial group being stopped by police using Whites as the reference group, Blacks were 3.2 times as likely to stopped by police as Whites. Asians were 0.96 times as likely to be stopped by police as Whites, while motorists of other races or of unknown race/ethnicity were 2.36 times as likely to be stopped by police in relation to Whites. Comparing the likelihood of Whites being stopped by police using Blacks as the reference group, Whites were .31 times as likely to be stopped by police as Blacks. Asians were .30 times as likely to be stopped by police as Blacks and other minorities or those whose race was unknown were .73 times as likely to be stopped by police.

Traffic Stop Related Arrests

Examining arrests in relation to a traffic stop by race/ethnicity, Blacks were 92% (198) of those arrested, Whites were 6% (13), persons whose race was unknown were 1.8% (4), and one Asian (0.4%) was arrested. Black males were 62% (135) of all traffic related arrests, Black females were 29% (63) of arrestees, White males were 5% (11), motorists of unknown race were 1.85% (4), White females were 0.9% (2) and the one Asian (0.46%) arrested during a traffic stop was a male.

Arrests by Race

Race	Arrests		Arrests/DP
Black	198	92%	2.24
White	13	6%	0.11
Asian	1	0.4	0.08
Other/Unknown	4	1.8	0.36

Calculating the likelihood of arrests stemming from a traffic stop for each racial group, using Whites as the reference group, Blacks were 20.36 times as likely to be arrested as White motorists. Asians were 0.72 times as likely to be arrested as Whites, and other motorists and those whose race was unknown were 3.27 times as likely to be arrested by police as Whites.

The database also contained a variable for the final disposition of the service calls. There were 7,762 records that contained information for this variable and 3,475 which were blank. There were 4,287 cases (55% of those with information) where the final disposition was recorded as "cite issued," assumed to mean a citation was issued. Blacks were the majority (66.5%) of the cases noting a citation issued. Whites were 27% of cases indicating a citation was issued, persons for whom race was unknown were 4% and Asians were 2.5% of those for which a citation was issued.

There were 2,320 cases recorded as "advised," suggesting the individual was not cited but given a warning. Another 206 cases were recorded as either "warning," "warning school zone," or "verbal warning." Therefore, there were a total of 2,526 traffic stops (32% of those with information recorded) where a warning was given rather than resulting in a citation. Blacks were also the majority of those given a warning at 65% with females and males representing 32% and 33% of those receiving a warning. Whites were 27% of those warned during a traffic stop with females being 13% and males 14% of the recipients. Motorists whose race was unknown were 6.2% of those given a warning with females representing 1.1%, males were 1.4**%,** and persons whose gender were recorded as unknown were 3.7%. Asians were 1.7% of the recipients of a warning in lieu of a citation during a traffic stop with females being 0.7% and males being 1%.

Findings, Discussion

As the demographic Census data above indicates, the city of Cleveland Heights is a diverse community, which in fact is noted nationally for its efforts to maintain a racially and ethnically heterogeneous population. And while its police department does have diversity as illustrated in its female Chief of Police and 11.5% female officers, the department's diversity does not reflect that of the community, which is approximately 50% White and 50% people of color. This is in comparison to the department which is 78% White, 21% Black, and 1% Asian. The Cleveland Heights Police Department is confronted with the same challenges as law enforcement agencies across the country relative to diversifying their ranks, particularly in recruiting and hiring African American, Latinx, and other community members of color. This challenge is further exacerbated by such high profile, critical police-involved incidents as the killing of George Floyd.

In that the most frequent involuntary contact the average citizen has with police comes in the form of a traffic stop, this analysis examined the traffic stop patterns of the CHPD to determine the racial demographics of those being stopped, and to the extent possible, the reason for the traffic stop and its outcome. Based on the data provided and the research methods used to measure the city's driving population, African Americans are disproportionately the subject of traffic stops in Cleveland Heights. As noted, Blacks were 41% of the driving population and 66% of traffic stops in the city during the observation period. All else being equal, this is 160% or 60% above their proportional or expected share.

Conversely, Whites, who were 52% of the driving population were 26% of traffic stops, which is 50% of their proportional or expected share. Asians, representing 5% of the driving

population and 2% of traffic stops, were stopped at 48%, also less than their proportional share. Motorists of other or unknown racial backgrounds, which were 5% of the driving population, were 6% of traffic stops, and they too like Blacks, were disproportionately stopped above their expected share, at 18%.

Similarly, Blacks and motorists of other or unknown races were 3.2 and 2.36 times as likely to be stopped by police in Cleveland Heights as were Whites. Stated in the inverse with Blacks as the reference group, Whites were 31% as likely to be stopped by police, while Asians were 30% and motorists of other or unknown racial heritage had a 73% likelihood of being stopped as Blacks.

Not all traffic stops resulted in a traffic ticket being issued. A traffic citation was administered in 55% of the stops for which the final disposition of the stop was recorded. Blacks were 66.5% of motorists issued a citation, Whites were 27%, motorists for whom race was unknown were 4%, and Asians were 2.5%. And in accordance with constituting the majority of traffic stops, Blacks likewise were the majority of those given a warning in lieu of a traffic citation. They were 65% of those granted a warning while Whites were again 27% of those receiving a warning and other motorists of color constituted the remaining 8%.   There was no significant observable gender difference in motorists receiving a warning rather than a citation across the racial groups.

Also consistent with the pattern of traffic stops, Blacks were the majority of motorists arrested as a result of a traffic stop at 92%. In relation to their percentage of the driving population, they were arrested at more than twice their proportional share. No other racial group's arrests exceeded their proportional share of the driving population.

Conclusions & Recommendations

The racial disparities traffic stops and ticketing patterns observed in this analysis are, unfortunately, not surprising but are consistent with those found in similar studies conducted in other jurisdictions in Cuyahoga County (Armstrong, D., 2020), in other states, and at the national level (Walker & Archbold, 2020, pp. 108 - 110) . And while these findings are not an anomaly, they do illuminate areas for concern relative to the equitable, unbiased administration and enforcement of law. In particular, they raise questions relative to the "unreasonable search and seizure" clause of the 4th Amendment the 14th Amendment provision of "equal protection under the law." A traffic stop constitutes a "seizure" in that a person is detained, presumably against their will, and not free to leave. And given the patterns of disproportionate stops, citations, and arrests of Blacks and motorists of other or undetermined racial backgrounds, it raises concerns regarding the selective and potentially racially-biased enforcement of traffic laws.

Although there might be legally justifiable reasons that could help explain the racial disparities observed in the observed traffic stop patterns, given the limitations posed by the absences of data on the specific type of traffic offense, e.g. *speeding, driving under suspension, no operator's license, seatbelt violation*, etc., it is not possible to further probe and interrogate

the data which could offer plausible explanations for the observed disparities. For example, in recent analysis of traffic ticketing patterns for various local police jurisdictions including the Cleveland State University Police Department, while patterns of racial disparities comparable to those observed in this study, of specific note were the disparities related to the traffic offense of "*driving under suspension,* which provides valuable insight into the factors related to this particular offense. Driving under suspension (DUS), along with *expired*, or *no operators licenses*, are offenses which are not readily observable or detected by police and require a records' check in order to determine the status of one's licenses. This typically is done by either requesting a "rolling check" through the radio dispatch or running a query using the Mobile Data Terminal (MDT), i.e., the on-board computer in the police cruiser. These checks may be conducted before or after a traffic stop has been made or without making a stop if the record check comes back clean.

In the Cleveland State PD study, Blacks were 76% of recipients of the DUS offense and 40% of the driving population, which means Blacks were cited for DUS at a rate almost twice (1.9 times) their proportional or expected share. It is statistically improbable that this high rate of ticketing Blacks for DUS is the result of random probability and, given the manner in which this particular offense is detected, raised concerns of Black motorists being subjected to a heightened level of scrutiny through electronic surveillance. A similar pattern was found in Cleveland and Shaker Heights in 2010 where Blacks who were 38% and 35% of these cities driving populations and accounted for 79% and 92% of those cited for driving under suspension, respectively (Dunn).

In order to address the concerns of racial profiling raised by this particular finding, police agencies should periodically, but regularly analyze LEADS (Law Enforcement Automated Data System) data in order to assess potential patterns of unethical, biased MDT queries. In response to their finding of disproportionate ticketing of Blacks for DUS, the CSU PD limited the use of MDT's in police cruisers to run queries on license plate checks to certain vehicles and require calls to dispatch to run such queries which will then be recorded and examined on a reoccurring basis.

While the traffic enforcement and policing responsibilities on a university campus is different from that of a municipal police department, this example illustrates the potential insight and benefit that can be gained by collecting and recording more comprehensive, detailed, and uniformly categorized and logged data on all police-initiated traffic stops. More precise data will enable police management, city leaders, and the public to gain better insight into the reasons for, and the type of encounters officers are having with the public, with which members of the public, and the frequency, necessity, and character of those interactions. The use of data in this manner is the hallmark of a "learning organization," which is in essence, an introspective, self-reflective and correcting entity.

Specifically, the Cleveland Heights Police Department should modify the data it collects on traffic stops, presumably using the Uniform Traffic Ticket, to include the type of traffic offense in accordance with the Ohio Revised Code and city ordinances. This data should be uniformly categorized, coded, and entered into a computerized data management system that

would enable the data to be readily sorted, queried, analyzed and reported. This data should be independently analyzed and published in a report, and made available to the public at least annually.

Moreover, the City of Cleveland Heights should enact legislation that specifically prohibits the use of race, ethnic, gender, sexual orientation/identity, religious background, ability, veteran status, or any other sociodemographic characteristic as the primary or sole basis for a traffic stop/citation. While race, ethnicity, age, gender and other personal characteristics on an individual may be taken into account in establishing reasonable suspicion or probable cause, it may only be used when the characteristic is part of a specific suspect description based on trustworthy, and relevant information that links a person to a particular unlawful incident.

These measures are foundational to transforming the relationship between law enforcement and the public they serve. They ensure the community that their police are committed to constitutional policing that is just, equitable and fair, which will help enhance accountability and transparency that in turn will help build greater trust and mutual respect with the Cleveland Heights community and the broader public.

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