

Racial gap in U.S. arrest rates: 'Staggering disparity'

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(Images and links removed.)

When it comes to racially lopsided arrests, the most remarkable thing about Ferguson, Mo., might be just how ordinary it is.

Police in Ferguson — which erupted into days of racially charged unrest after a white officer killed an unarmed black teen — arrest black people at a rate nearly three times higher than people of other races.

At least 1,581 other police departments across the USA arrest black people at rates even more skewed than in Ferguson, a USA TODAY analysis of arrest records shows. That includes departments in cities as large and diverse as Chicago and San Francisco and in the suburbs that encircle St. Louis, New York and Detroit.

Those disparities are easier to measure than they are to explain. They could be a reflection of biased policing; they could just as easily be a byproduct of the vast economic and educational gaps that persist across much of the USA — factors closely tied to crime rates. In other words, experts said, the fact that such disparities exist does little to explain their causes.

"That does not mean police are discriminating. But it does mean it's worth looking at. It means you might have a problem, and you need to pay attention," said University of Pittsburgh law professor David Harris, a leading expert on racial profiling.

Whatever the reasons, the results are the same: Blacks are far more likely to be arrested than any other racial group in the USA. In some places, dramatically so.

At least 70 departments scattered from Connecticut to California arrested black people at a rate 10 times higher than people who are not black, USA TODAY found.

"Something needs to be done about that," said Ezekiel Edwards, the head of the ACLU's Criminal Law Reform Project, which has raised concerns about such disparate arrest rates. "In 2014, we shouldn't continue to see this kind of staggering disparity wherever we look."

The unrest in Ferguson was stoked by mistrust among black residents who complained that the city's police department had singled them out for years. For example, every year, traffic stop data compiled by Missouri's attorney general showed Ferguson police stopped and searched black drivers at rates markedly higher than whites.

A grand jury is considering whether Officer Darren Wilson should face criminal charges for shooting a teen, Michael Brown. Missouri Gov. Jay Nixon declared a state of emergency Monday as authorities braced for more unrest after the grand jury's decision is announced.

Such tensions are not new. Nationwide, blacks are stopped, searched, arrested and imprisoned at rates higher than people of other races. USA TODAY's analysis, using arrests reported to the federal government in 2011 and 2012, found that those inequities are far wider in many cities across the country, from St. Louis to Atlanta to suburban Dearborn, Mich.

SUSPICION IN DEARBORN

A dozen people stood or slumped on benches before sunrise in Dearborn on a recent morning, waiting for officers to unlock the doors of the 19th District Court, where they had been summoned to answer traffic citations and petty criminal charges. Almost everyone who lives in Dearborn is white (including a large population of Arabs). Almost everyone waiting in the morning dim was black.

"You can see who's going in there. I guarantee they don't live here," Lawrence Wynn, who is black, said, looking at the line outside the courthouse door. Most days, Wynn said, he detours around Dearborn on his way home from his job at a suburban auto plant. It makes the journey half again as long, "but I'd rather do that than have to come through Dearborn at night."

He leaned in close. "I think they're targeting people."

Dearborn police officers and officials say that's not true. The city's police chief, Ronald Haddad, said the arrest rates are skewed because many of the people his officers arrest don't live in the city. They're picked up at the shopping mall, on their way to work or simply when they're driving through. Some are detained by private security officers before police ever arrive, meaning police would have no chance to single them out.

Haddad said it is unfair to measure his officers' work against the city's demographics. "We treat everyone the same," he said.

More than half of the people Dearborn police arrested in 2011 and 2012 were black, according to reports they submitted to the FBI. By comparison, about 4% of the city's residents are black, as are about a quarter of the people who live in Metropolitan Detroit. Over those two years, the department reported arresting 4,500 black people – 500 more than lived in the city. As a result, the arrest rate for blacks, compared with the city's population, was 26 times higher than for people of other races.

"There is a disparity. We feel like it's racial in a lot of cases," said Bryan Allen, who said he's planning to move his family out of neighboring Dearborn Heights as soon as his youngest daughter graduates from a Dearborn high school.

Allen and his wife, Shelly, said they have their own reasons to be mistrusting: Seven years ago, after Dearborn police shut down a party at a local banquet hall that got out of hand, officers

brought their daughter and three other black teens to the police station. A white friend came with them because she had planned to ride home with the girls.

What happened next became the subject of a federal lawsuit: The girls charged that officers took the white teen to the lobby to call her parents but brought three of the black teens to the back of the station, where they were locked up and searched. When one of the girls asked why they were being brought in the back doors, one of the officers replied, "trash in and trash out," according to court records. None of the girls was charged with a crime. The suit was settled out of court.

LARGE GAPS, NO EASY ANSWERS

To measure the breadth of arrest disparities, USA TODAY examined data that police departments report to the FBI each year. For each agency, USA TODAY compared the number of black people arrested during 2011 and 2012 with the number who lived in the area the department protects. (The FBI tracks arrests by race; it does not track arrests of Hispanics.)

The review did not include thousands of smaller departments or agencies that serve areas with only a small black population. It also did not include police agencies in most parts of Alabama, Florida and Illinois because those states had not reported complete arrest data to the FBI.

The review showed:

- Blacks are more likely than others to be arrested in almost every city for almost every type of crime. Nationwide, black people are arrested at higher rates for crimes as serious as murder and assault, and as minor as loitering and marijuana possession.
- Arrest rates are particularly lopsided in some pockets of the country, including St. Louis' Missouri suburbs near Ferguson. In St. Louis County alone, more than two dozen police departments had arrest rates more lopsided than Ferguson's. In nearby Clayton, Mo., for example, only about 8% of residents are black, compared with about 57% of people the police arrested, according to the city's FBI reports. Clayton's police chief, Kevin Murphy, said in a prepared statement that "Ferguson has laid bare the fact that everyone in law enforcement needs to take a hard look at how we can better serve our communities and address any disparities that have existed in our departments for too long."
- Deep disparities show up even in progressive university towns. USA TODAY found police in Berkeley, Calif., and Madison, Wis., arrested black people at a rate more than nine times higher than members of other racial groups. Madison Police Chief Michael Koval said most of the arrests happen in the poorest sections of the city, which are disproportionately black, and where some residents have pleaded for even more police presence. Still, he said, "I think it would be remiss to suggest the police get out of this whole thing with a free pass. We have to constantly be doing the introspective look at who we are hiring and how we are training."
- Arrest rates are lopsided almost everywhere. Only 173 of the 3,538 police departments USA TODAY examined arrested black people at a rate equal to or lower than other racial groups.

Phillip Goff, president of the University of California Los Angeles' Center for Policing Equity, said such comparisons are "seductively misleading" because they say more about how racial inequities play out than about what causes them. Those disparities are closely tied to other social and economic inequities, he said, and like most things that involve race, they defy simple explanations.

"There is no doubt a significant degree of law enforcement bias that is the engine for this. But there's also no controversy that educational quality and employment discrimination lead to this," he said. "It's not an indicator of how big a problem there is with a police department. It's an aggregator of what's going on in the community."

Still, he said, "there's some level of disparity that is a warning sign."

Whatever the causes, Harris said such pronounced disparities have consequences. "Believe me, the people who are subject to this are noticing it and they're noticing it not just individually but as a group. It gets talked about, handed down, and it sows distrust of the whole system," he said.

'THEY WERE BEATING HIM UP'

In Dearborn, distrust was sown years ago.

Dearborn is the birthplace of the modern auto industry, a mostly white and Arab suburb snuggled into the southwest corner of Detroit, the poorest and blackest of America's major cities. Its border was long a stark racial divide. Until 1978, the city was presided over by a mayor, Orville Hubbard, who said he favored segregation and boasted to newspapers that he would use the instruments of government to keep blacks from moving in. He had "Keep Dearborn Clean" emblazoned on the city's police cars.

"Our history is not always something we can be proud of. But we've learned from our mistakes," Haddad, Dearborn's police chief, said. "It's unfair that we have to keep fighting that ghost."

Dearborn today is different, he said. The police force has worked to build ties with the city's large community of Arab immigrants. Its officers have cameras in their cars and microphones on their uniforms. Soon, some will start wearing body cameras, too. Their use of force has plummeted in recent years, and so have civilian complaints.

Haddad said most of his department's arrests come after traffic stops on the city's busy arteries, or at the mall, one of the large shopping centers closest to Detroit. Many of the people his officers arrest live in Detroit – a city beset by poverty, violent crime and a faltering school system – and are passing through to work or shop.

Still, allegations of discrimination have persisted there for decades. The local NAACP branch accused Dearborn police of singling out blacks for traffic stops in 1997. Civil rights lawsuits – alleging excessive force and officers using racial epithets – have piled up, too, though the number of such complaints has fallen sharply in recent years.

"There's a lot of storied history, but I think a lot of that is either false or times have changed," said Gregg Algier, who retired from Dearborn's police department this summer after 22 years. "There's no one really getting targeted for their race."

But in suburban Detroit, there is also little doubt that blacks are far more likely to face arrest than people of other races. For example, police in Livonia, another Detroit suburb, arrested blacks at a rate 16 times higher than others. In neighboring Allen Park, it's 20 times higher.

"Our numbers are what our numbers are. Our officers aren't being told to look for any particular demographic. We come across what we come across," Allen Park Police Chief James Wilkewitz said. Allen Park has two interstate highways and a large retail complex not far from the edge of Detroit, and many of the people the city's police arrest live somewhere else.

In some ways, Dearborn has become an odd place to hear such complaints. Its police department won a civil rights award this year. Haddad is the state's first Arab-American police chief. And among the most significant lawsuits over policing there is a complaint that county sheriff's deputies didn't do enough to protect a group of white Christians who were protesting at an Arab festival in Dearborn.

Still, Haddad acknowledges the accumulated mistrust. "There are people who feel that way, and they have cause to feel that way," he said. "We shouldn't be defined by one bad episode."

Dearborn has a history of those, too.

On Father's Day in 2008, for example, two Dearborn officers arrested a diabetic man who had been pulled over by the side of a freeway. The man, Ernest Griglen, 59, was on disability from Detroit's school system after he hurt his ankle helping a special education student off the bus.

An Allen Park police officer stopped Griglen, who was black, after seeing him climb out of his car in the middle of the road. She wrote in a report that she thought he was upset; doctors later concluded he was having a diabetic episode, a sudden drop in blood sugar that relatives said could make him seem dazed or drunk.

Two Dearborn officers arrived moments later. One, Richard Michalski, wrote that officers were afraid Griglen might have a gun in his waistband, so they "guided him to the ground," and wrestled him into handcuffs. The gun turned out to be an insulin pump.

Witnesses remembered it differently. One, Yolanda Lipsey, testified in a deposition that the Dearborn officers threw Griglen to the ground and "just started hitting him, hitting him and kicking him. ... They were beating him up."

When she saw her husband, Pam Griglen thought he had been in a car accident. "His clothes were all torn and dirty and looked scuffed. He had a large knot on his forehead, it was like the size of a golf ball, and he had what looked like boot prints on his face," she said. "I just couldn't believe it. And he said 'They beat me, Pam.'"

Griglen complained that his head hurt. Then he said he could not see. "That was the last time my husband spoke to me," Pam Griglen said. He spent the next 11 months in a coma and finally died in 2009. The medical examiner listed his cause of death as bleeding in his brain, caused by "blunt force head trauma."

Dearborn settled a lawsuit brought by Griglen's family. The department reprimanded both officers for turning in their use of force reports late. (Michalski later resigned after he was charged with assault and brandishing a firearm during an off-duty traffic incident. He declined to comment.)

"The Dearborn policemen seem like they're kind of a little rougher with the black community," Pam Griglen said. "My husband was a good man, a hard worker. He took care of his family. He had a diabetic episode and they thought the worst. Thought he was drunk. Thought he had a gun. Black man in a Cadillac. They thought the worst."