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# Evidence of racial disparities in arrests, citations, and warnings

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## Abstract

In the United States, racial disparities in policing have for long been instrumental in keeping minorities in check. One of the ways it manifests is in terms of disproportionate minority contact in police-public encounters in the form of arrests, and traffic stops, searches, citations, warnings, and uses of force. Extant literature has demonstrated that a significant predictor of contact with the criminal justice system is skin color, reinforced by over-policing of black neighborhoods. Using 2017 Sherriff's office data from a large Southwestern city, on warnings, citations, and arrests, the study examines the racial variation in arrests. Findings suggest that race remains a determinant factor in policing with African Americans disproportionately overrepresented in warnings, citations, and arrests.

## Introduction

### Racial disparities in policing

Discriminatory policing has for long been at the heart of the American criminal justice system. Indeed, it goes back to the legacy of slavery and the Jim Crow era, creating structural inequalities that encourage state-sanctioned violence against Blacks (Owusu-Bempah, 2017). The civil rights protests of the 1960s ushered in token improvement in the lots of people of color as attempts were made to bridge the gap in the inequality of races and provide more access to economic opportunities for all. But the zero-sum game of racial domination was never far from the surface to protect white privilege through a racial caste system by fair or foul means (Alexander, 2012).

The formal social control mechanism of the criminal justice system such as the police, the court system and the correctional apparatus are therefore not neutral social agents, but social control mechanisms of government meant to ensure that every race knows its place in the social system (Austin & Allen, 2000). While they all function towards the same goal, the public nature of policing explains why it gets far more attention than other criminal justice agencies whose discriminatory practices based on race are no different.

Existing literature demonstrates how policing in the United States functions as an instrument of white superiority and the suppression of minorities throughout American history. The recent spate of the police shooting of unarmed black men is therefore not something out of the blues but a recurring phenomenon which has only been brought to the fore by the advent of the social media. The success of the Black Lives Matter as a contemporary protest movement, for instance, was bolstered by using the social media to draw attention to various acts of unjustified violence against blacks, an injustice which dates back to the era of black lynching (Hoffman et al., 2016; Carney, 2016).

Available data show a troubling but pervasive police targeting of minorities in many parts of the United States. Data from the New York Police Department's (NYPD) stop and frisk program report that 87 percent of the targets of NYPD's 97,296 street stops in 2011 were mainly blacks or Hispanics (New York Civil Liberties Union, 2012). Nine out of every ten people of color stopped were innocent. During this period, minority neighborhoods were disproportionately targeted as blacks and Hispanics comprised 50 percent of the stops in 70 of the 76 precincts where stop and frisk took place, while blacks and Hispanics constituted more than 90 percent of stops in 33 precincts. Also, blacks and Hispanics within the age range of 14 and 24 accounted for 41.6 percent of the stops although they constitute only 4.7 percent of the population of New York City.

Again, of the four million stop and frisk searches by the NYPD between 2004 and 2012, 52 percent of those affected were blacks, while Hispanics made up 31 percent which is disproportionately higher than their general population in New York at 23 percent and 29 percent respectively (Sommers & Marotta, 2014). Curiously the data showed that most whites stopped and frisked were more likely to be found with weapons than the minorities but were less likely to be arrested by the police.

Fagan and Davis (2000) argued that contrary to the argument proffered by the police leadership, policing in contemporary America has been less about the concept of concentrated disadvantage or policing of disorderly places but more about policing poor minorities in a way that white people are not. This view suggests that racial bias by police officers plays a significant role in determining who gets arrested, convicted and harshly punished by the criminal justice system. It explains why merely riding a bike as a black man is enough reason to get into trouble. In 2015 an article in Tampa Bay Times reported that by targeting poor, Black neighborhoods and using vague subsections of a Florida statute, 80 percent of the 2,504 bicycle citations given by the Tampa Police Department was for Blacks who barely make a quarter of Tampa population (Zayas & Stanley, 2015).

The 2014 racial riots in Ferguson, Missouri and 2015 Baltimore, Maryland represent case studies of relentless discrimination against black people by mostly white police departments, a microcosm of what

goes on in the larger society. The Ferguson riot erupted in the aftermath of the killing of a black teenager, Michael Brown by a white officer. While the entire nation was caught by surprise by the extent of the carnage that followed, the killing was only a breaking point that elicited a desperate reaction by Ferguson blacks who were fed up with the age-long maltreatment at the hands of the police. The Department of Justice's report on the Ferguson riot showed that the Ferguson Police Department had unjustifiably engaged in a routine breach of the constitutional rights of the city's black population for years (Department of Justice, 2015; Andrews, Desantis & Keller, 2015). Blacks constituted 67 percent of the Ferguson population but accounted for 97 percent of total arrests between 2012 and 2014. During the same period, blacks accounted for 88 percent of the use of force by the mostly white Ferguson Police Department. Blacks also comprised 85 percent of the vehicles stopped by the police and 93 percent of total arrests, while in 2013, blacks made up 92 percent of cases with warrants.

Barely one year later, the death of Freddie Gray, a black man who suffered a fatal injury in police custody precipitated another race riot in Baltimore. Afterward, the Department of Justice's report (2016) which reviewed the activities of the Baltimore Police Department between 2010 and 2016 found that the city's police officers repeatedly violated the constitutional rights of Baltimore's black residents through disproportionate rates of arrests, stops, searches and excessive use of force. Blacks made up 82 percent of all vehicle stops even when they constituted 60 percent of the city's driving age population and 27 percent of the driving age of the outskirts of Baltimore. It did not matter to the Baltimore Police Department officers that they found during vehicle stops twice as much contraband on whites than blacks or that whites accounted for 50 percent more contraband than blacks during pedestrian stops. Over-policing of black neighborhoods and the targeting of minorities have therefore been identified as some of the factors responsible for higher arrest rates and the consequent disproportional incarceration of Blacks and their over-representation in the American offender population (Belenko et al., 1991; Liska & Yu, 1992; Eversman, 2013).

## Racialized drug war

The drug war which was ostensibly pursued to reduce crime rate eventually turned out to be a powerful weapon employed to clamp down on minorities. Based on the false myth that the drug epidemic was mainly a black problem, the consequence was the arrest, trial, and conviction of scores of black males with harsh sentences whereas empirical evidence demonstrated that whites were more likely to be involved in drug selling and use than other races. Blacks were routinely likely to get arrested for drug selling at 2.6 times more than whites, and for drug possession at more than 2.5 times more than whites, despite that whites were more often involved in drug possession than blacks (Rothwell, 2014). Whites preponderantly used controlled substances such as LSD, marijuana, and cocaine more than other racial groups, suggesting that race was a factor in the arrests of blacks for drug use and that people of individual races receive unjustifiable police attention (National Survey on Drug Use and Health, 2011; Chin, 2012; Nguyen & Reuter, 2012; Knafo, 2013).

If there is a need for further evidence that the drug war was a racial war, one need not go beyond the dichotomy in sentencing for crack cocaine and powder cocaine. Data showed that whites were more likely to use powder cocaine, while black cocaine users generally preferred crack. Rather than treat possession of the two different types of cocaine in the same way and with no scientific proof of a difference regarding its effect on users, possession of crack received harsher sentencing than powder cocaine. The 1994 Violent Crime Control and Law Enforcement Act under the 100 to 1 sentencing rule imposed a mandatory five-year sentence on a first offender with 28 grams of crack, but it will take an offender found with powder cocaine to have in his possession 500 grams of powder cocaine to get the same sentence. This Act established an unfair practice because the two controlled substances are pharmacologically the same (Mauer, 2009; Mallicoat & Gardiner 2014). The hypocrisy of the racialized drug war illustrates the thoughtful approach of the establishment to the unfolding opioid epidemic characterized by calls for treatment and not criminalization simply because the opioid crisis is primarily a white problem (Tiger, 2017) that deserves sympathy and rehabilitative method (Netherland & Hansen, 2017).

## The legal system and racial bias

The U.S. legal system in its form and character is structured primarily to protect white privilege. The legal system pontificates on higher human ideals of freedom, liberty, and justice for all. However, the reality is different as those ideals appear designed exclusively for white people as the skin color often influences the court system in determining who gets charged to court and for what, whose case gets dismissed, who gets prison, probation and lengthy sentence. Prosecutors, mostly white, armed with enormous discretion routinely ask for harsh penalties against people of color and judges often seem willing to tag along. Several studies have reported how sentencing disparity is used against minorities who are less likely to be given the benefit of the doubt in the judicial system. Indeed, blacks are not only more likely to be sentenced to prison more than other races; they are also more likely to be given longer sentences than whites for similar offenses (Freiburger & Hilinski, 2013; Rehavi & Starr, 2014; Feldmeyer et al., 2015). Blacks and male defendants are more likely to be imprisoned rather than receiving probation compared to White and female defendants (Freiburger & Sheeran, 2017). A study using data from the office of the New York County District Attorney's Office involving 185,275 different criminal cases reported that blacks and Hispanic defendants were more likely to be arrested, detained, receive custodial plea offer and be incarcerated compared to White defendants (Kutateladze et al., 2014). The sentencing disparity had widened since 2005 when the Supreme Court in the U.S. vs. Booker struck down a 1984 legislation limiting the discretionary powers of judges and requiring federal district judges to follow sentencing guidelines in imposing sentences to reduce racial bias. Kutateladze et al., (2014) assert that blacks receive about 20 percent longer sentences than whites for the same offense.

Aside from racial bias emanating from the misuse of discretionary power by many white judges, another critical factor for racial disparity in sentencing is poverty-related. Many poor blacks cannot afford to hire attorneys or sustain court costs over a lengthy period. These individuals with lesser revenue resources are more likely than whites to seek plea bargaining and receive harsh sentences rather than go to court to plead their innocence because of financial difficulties (Savitsky, 2012).

Mass incarceration has been integral to the white majority's method of dealing with a perceived minority, and one of the results is the over-representation of blacks in U.S. prisons in comparison to their general population. For instance, black constitute 40 million, representing 12 percent of the U.S. population out of which black men make-up roughly 50 percent of the black community. Among female prisoners, black females had an incarceration rate of 1.6 to 4.1 times higher than white women of all age groups (Carson, 2014).

The result is the over-representation of Blacks in U.S. prisons with black-to-white incarceration disparity at 4.7 in 2011 (Beck & Blumstein, 2017). Moreover, some estimate suggests that in their early thirties 20 percent of Blacks 3 percent of White men, respectively, born between 1965 and 1969 received the prison sentence (Pettit & Western, 2004).

The policy of mass incarceration has also inflicted severe collateral consequences on the black community, destroying families, community solidarity and increasing the number of single-parent black households. Studies also show that 66 percent of black children compared to 42 percent and 25 percent of Hispanic and white kids, respectively, were born into single-parent families, a disparity that was consistent between 2010 and 2014 (Annie Casey Foundation, 2014). One of the deleterious consequences is that many black millennial children are growing up without father figures.

Equally significant is the diminished electoral value of the black community which is a collateral consequence of mass incarceration. Between 1976 and 2016, the number of Americans disenfranchised because of laws restricting the right to vote for those with felony convictions increased from 1.17 million to more than 6.1 million. But blacks are more affected because one in 13 blacks of voting age cannot vote compared to one in every 56 non-blacks. The rate of blacks restricted from voting is also four times more than for non-blacks and more than 7.4 percent adult African Americans are barred from voting in comparison to just 1.8 percent for the rest of the US population (Chin, 2002; Uggen, 2016).



## Theoretical framework

A few theoretical frameworks have been employed to explain racial disparities in policing in the United States. One of them is the racial threat theory which seeks to examine how population composition influences the nature and character of social controls and how it reflects discriminatory criminal justice outcomes (Dollar, 2014). The racial threat theory as a paradigm examines the process by which a dominant ethnic group which controls the political economy of a nation-state impose its values and will on the minorities through the mechanism of social control (Dollar, 2014).

Blalock's (1967) minority-majority relationship perspective of minority threat theory is particularly significant because it shows how racialized competition for resources is at the heart of the discriminatory practices which has been an integral part of the historical evolution of the United States as various races and ethnic groups engage in a continuous struggle for access to scarce resources. One way by which the white majority maintain its supremacy and keep minorities in check is through a vortex of negative stereotypes, structural barriers and a value-laden criminal justice system in the overall attempt to restrict the minority racial groups' access to valued resources. This in agreement with the research which shows that Americans of European descent tend to be more anxious about crime which reflects in negative stereotypes about people of color in areas which have large minority populations (Bobo & Hutchings, 1996; Chiricos, McEntire & Gertz, 2001; Pickett et al., 2012; Quillian & Pager, 2010).

## Methodology

The study examined the dataset on warnings, citations, and arrests from the Harris County Sheriff's Office for 2017 using fundamental statistical analysis of frequencies, proportions, and rates to observe the influence of the demographic factors on warnings, citations, and arrests. The objective was to find variations in police-public contacts critically and to examine a pattern of the racial, ethnic and gender

demographic characteristics involved. The number of arrests, citations and warnings were weighted against the relative size of each racial/ethnic group in the Harris County population.

## Results

To determine the impact on race and gender on warnings, citations and arrests in Harris County, Texas, cross descriptive statistical analysis was employed using rates and ratio to examine the differentials between the different racial categories. This was to demonstrate how racial bias may account for the racial disparities in the rate of warnings, citations, and arrests regarding policing outcomes.

The first part of the results represents racial disparity, and the second addresses gender disparities in arrests, citations, and warnings. Table 1 shows the Harris County population by race in 2017, while Table 2.

Demonstrates the number of warnings, citations, and arrests by race given by the Harris County Sheriffs' Office in the same year. In other tables below, the rates and ratios of warnings, citations, and arrests were also examined since race and gender.

### **RACE**

The estimated population of Harris County, Texas in 2017 was 4,092,459 out of which Whites made up 2,318,256 or 56 percent of the total population, while Hispanics constituted 1,671,540 or 40 percent, Blacks 775,492 or 18 percent, Asians 253,032 or 6 percent, while other races accounted for 583,566 or 14 percent of total Harris County population. In the same vein, males made up 2,037,405 of the people, while females accounted for 2,055,054. The Harris County Sheriff's Office 2017 dataset, however, combined the White and Hispanic arrests, citations and warning together making it difficult to distinguish arrests, citations and warnings data for Whites from those for Hispanics. Combined, Whites and Hispanics together accounted for 3,989,540, representing 88.5 percent of total Harris County population. There might be some overlapping in this number between the two groups (See Table 1 below).

Table 1: Harris County Population by Race in 2017

|           | N         | %    |
|-----------|-----------|------|
| Whites    | 2,318,256 | 56.6 |
| Hispanics | 1,671,540 | 40.8 |
| Blacks    | 775,492   | 18.9 |
| Asians    | 253,032   | 6    |
| Others    | 169,330   | 21   |
| Total     | 4,092,459 | 100* |

(\*) With no clear distinction between Whites and Hispanics, some of the number in the two groups may be overlapping.

Out of the 23,949 arrests, Whites (Hispanics included) accounted for 13,048 arrests or 54.5 percent of total arrests, Blacks 10,192 or 42.6 percent, while Asians had 402 arrests or 1.7 percent (See Table 2 below).

Table 2: Arrests, Citations, and Warnings by Race

| Race   | Arrests |      | Citations |        |      | Warnings |        |      |
|--------|---------|------|-----------|--------|------|----------|--------|------|
|        | N       | %    | N         | %      | N    | %        |        |      |
| Whites | 13,048  | 54.5 | Whites    | 55,816 | 61.7 | Whites   | 21,938 | 61.4 |
| Blacks | 10,192  | 42.6 | Blacks    | 22,949 | 25.4 | Blacks   | 8,889  | 24.9 |
| Asians | 402     | 1.7  | Asians    | 5,414  | 6    | Asians   | 2,591  | 7.3  |
| Others | 307     | 1.2  | Others    | 6,332  | 6.9  | Others   | 6,332  | 6.9  |
| Total  | 23,949  | 100  | Total     | 90,511 | 100  | Total    | 35,705 | 100  |

Below, to examine the relative weight of race on arrests, citations, and warnings, different rates and ratios were calculated as presented.

### The rate of Arrests by Race

The rate of Arrests for Blacks per 10,000 inhabitants in Harris County, TX

The frequency of Black Arrests in Harris County, TX 10,192

----- X 10,000 = 131.42 per 10,000

The population of Blacks in Harris County, TX 775,492

The rate of Arrests for Whites per 10,000 inhabitants in Harris County, TX

$$\frac{\text{The frequency of White Arrests in Harris County, TX } 13,048}{\text{The population of Whites in Harris County, TX (Whites + Hispanics) } 3,989,796} \times 10,000 = 32.70 \text{ per } 10,000$$

The rate of Arrests of Asians in Harris County

$$\frac{\text{The frequency of Asian Arrests in Harris County, TX } 402}{\text{The population of Asians in Harris County, TX } 253,032} \times 10,000 = 15.88 \text{ per } 10,000$$

The ratio of Arrests by Race

The ratio of Black Arrests to White Arrests in Harris County, TX –  $131.42 / 32.70 = 4.00$ .

The ratio of Black Arrests to Asian Arrests in Harris County, TX –  $131.42 / 15.88 = 8.27$ .

The ratio of White Arrests to Asian Arrests in Harris County, TX -  $32.70/15.88 = 2.06$

Blacks are 4 times more likely to be arrested than white, and eight times more likely to be arrested than Asians. On the other hand, Whites are more likely to be arrested than Asians. Hence, Blacks get arrested than any other racial group.

The rate of Citations by Race

The rate of Citations for Blacks per 10,000 inhabitants in Harris County, TX

The frequency of Black citations in Harris County, TX 22,949

----- X 10,000 = 295.92 per 10,000  
 The population of Blacks in Harris County, TX 775,492

The rate of Citations for Whites per 10,000 inhabitants in Harris County, TX

The frequency of White citations in Harris County, TX 55,816  
 ----- X 10,00 = 139.89 per 10,000  
 The population of Whites in Harris County, TX (Whites + Hispanics) 3,989,796

The rate of Citations for Asians in Harris County

The frequency of Asian citations in Harris County, TX 5,414  
 ----- X 10,000 = 213.96 per 10,000  
 The population of Asians in Harris County, TX 253,032

The ratio of Citations by Race

- The ratio of Black citations to White citation in Harris County, TX –  $295.92/139.89 = 2.11$ .
- The ratio of Black citations to Asian citation in Harris County, TX –  $295.92/213.96=1.38$
- The ratio of White citation to Asian citation in Harris County, TX -  $139.89/213.96 = 0.65$

Blacks are over two times more likely to receive citations than white, and 1.4 times more likely to receive citations than Asians. On the other hand, Whites are about 2/3 more likely to receive citations than Asians. Hence, while Blacks receive relatively more citations than any other racial group, Asians receive relatively more citations than Whites.

The rate of Warnings by Race

The rate of Warnings for Blacks per 10,000 inhabitants in Harris County

The frequency of Warnings for Blacks in Harris County, TX 8,889

----- X 10,000 = 114.62 per 10,000  
The population of Blacks in Harris County, TX 775,492

The rate of Warnings for Whites per 10,000 inhabitants in Harris County, TX

The frequency of Warnings for Whites in Harris County, TX 21,938  
----- X 10,000 = 54.98 per 10,000  
The population of Whites in Harris County, TX – 3,989,796

The rate of warnings for Asians per 10,000 inhabitants in Harris County, TX

The frequency of Warnings for Asians in Harris County, TX 2,591  
----- X 10,000 = 102.39 per 10,000  
The population of Asians in Harris County, TX 253,032

The ratio of Warnings received by Race

The ratio of Black warnings to White warnings in Harris County, TX:  $114.62/54.98 = 2.08$

The ratio of Black warnings to Asian warnings in Harris County, TX:  $114.62/102.39 = 1.12$

The ratio of White warnings to Asian warnings in Harris County, TX:  $54.98/102.39 = 0.54$

Blacks are over two times more likely to receive warnings than white, and 1.12 times more likely to receive warnings than Asians. On the other hand, Whites are about half of the times more likely to receive warnings than Asians. Hence, while Blacks receive relatively more warnings than any other racial group, Asians receive relatively more warnings than Whites.

## GENDER

The HCSO's 2017 data also showed that in the gender category, males constituted 18,367 or 76.7 percent of total arrests and female arrest was a total of 5,350 or 22.3 percent (see Table 3 below)

Table 3: Harris County Population by Gender in 2017

|         | N         | %     |
|---------|-----------|-------|
| Males   | 2,037,405 | 49.79 |
| Females | 2,055,054 | 50.21 |
| Total   | 4,092,459 | 100   |

Concerning arrests, citations, and warnings, it appears that males received 76.6 % of the arrests as compared to females (22.3%). They also received 60.8 of the citations as opposed 37.2 for women, and 55% of the warnings as opposed to 41.5% for females (See Table 4 below).

Table 4: Arrests, Citations, and Warnings by Gender

| Gender  | Arrests |      | Citations |      | Warnings |      |
|---------|---------|------|-----------|------|----------|------|
|         | N       | %    | N         | %    | N        | %    |
| Males   | 18,367  | 76.7 | 55,034    | 60.8 | 19,777   | 55.4 |
| Females | 5,350   | 22.3 | 33,667    | 37.2 | 14,834   | 41.5 |
| Null    | 232     | 1    | 1,810     | 2    | 1,094    | 3.1  |
| Total   | 23,949  | 100  | 90,511    | 100  | 35,705   | 100  |

In order to examine the relative weight of race on arrests, citations, and warnings, different rates and ratios were calculated as presented below.

**The rate of Arrests by Gender**

The rate of Arrests for Males per 10,000 inhabitants in Harris County, TX

$$\frac{\text{The frequency of Male Arrests in Harris County, TX (18,367)}}{\text{The population of Males in Harris County, TX (2,037,405)}} \times 10,000 = 90.1 \text{ per } 10,000$$

The rate of Arrests for Females per 10,000 inhabitants in Harris County, TX

$$\frac{\text{The frequency of Female Arrests in Harris County, TX (5,350)}}{\text{The population of Females in Harris County, TX (2,055,054)}} \times 10,000 = 26 \text{ per } 10,000$$

**The ratio of Arrests by Gender**

The ratio of Male Arrests to Female Arrests in Harris County TX –  $90.1 / 26 = 3.46$

Males are three times more likely to be arrested than females.

**The rate of Citations by Gender**

The rate of Citations for Males per 10,000 inhabitants in Harris County, TX

The frequency of Male Citations in Harris County, TX (55,034)  
----- X 10,000 = 270 per 10,000  
The population of Males in Harris County, TX (2,037,405)

The rate of Citations for Females per 10,000 inhabitants in Harris County, TX

The frequency of Female Citations in Harris County, TX (33,667)  
----- X 10,000 = 163.8 per 10,000  
The population of Females in Harris County, TX (2,055,054)

**The ratio of Citations by Gender**

The ratio of Male Citations to Female Citations in Harris County TX –  $270 / 163.8 = 1.6$

Males are over one time and a half more likely to receive citations than females.

**The rate of Warnings by Gender**

The rate of Warnings for Males per 10,000 inhabitants in Harris County, TX

The frequency of Male Warnings in Harris County, TX (19,777)  
----- X 10,000 = 97 per 10,000  
The population of Males in Harris County, TX (2,037,405)

The rate of Warnings for Females per 10,000 inhabitants in Harris County, TX

The frequency of Female Warnings in Harris County, TX (14,834)  
----- X 10,000 = 72 per 10,000  
The population of Females in Harris County, TX (2,055,054)

**The ratio of Warnings by Gender**

The ratio of Male Citations to Female Citations in Harris County TX –  $97 / 72 = 1.3$

Males are over one time and third more likely to receive warnings than females.



## Discussion

The 2017 data from the Harris County Sheriff's Office (HCSO) on the number of warnings, citations, and arrests made are revealing in many respects, particularly regarding police-public interactions in Harris County, the largest county in Texas. The data suggest that demographic factors are determinants of the likelihood of warnings, citations, and arrests in Harris County, Texas and that like many parts of United States racial disparities in policing remain a significant societal challenge.

Based on the racial population distribution of the county, the data demonstrate that race is a determining factor in the likelihood of adverse policing outcomes in the county. The percentage of arrests for Blacks at 42.6 percent exceeds their percentage or proportion in the Harris County population at 18 percent. Moreover, the rate of arrest of Blacks was 131.42 per 10,000 compared to the rate of arrest of 32.70 per 10,000 for Whites and 15.88 per 10,000 for Asians. More importantly, the ratio of Black arrest to White arrest is 4-1, suggesting that Blacks are likely to be arrested four times more than Whites, while Blacks are eight times more likely to be arrested than Asians by the Sheriffs' office.

Remarkable racial variation was also evident in the citations given by officers of the HCSO. Out of the 90,511 citations issued during the period under review, Whites received 55,816 or 61.7 percent of total citations, Blacks 22,949 or 25.4 percent of the total, Asians 5,414 or 6 percent, while others constituted 4.6 percent or 4,170 citations. 296 Blacks received citations per every 10,000 Blacks, 140 Whites received citations per 10,000, and Asian rate for citations was 213.96 per 10,000. The ratio of Blacks to Whites that received citations was 2-1, indicating that Blacks are twice at risk of receiving citations than Whites, while the ratio of Black citations to Asian citations was 1.38 suggesting that there was no noticeable significant difference between citations for Blacks and Asians.

The lopsidedness in arrests and citations was equally noticeable in the pattern of warnings issued. HCSO officers issued a total of 35,705 notices in 2017, of which 21,938 warnings were given to Whites or 61.4

percent of total warnings; Blacks received 8,889 warnings or 24.9 percent, Asians got 2,591 or 7.3 percent, while Others accounted for 1,073 warnings or 3 percent of complete warnings given. The data showed that Blacks received 114.62 per 10,000 compared to 54.98 per 10,000 for Whites. The data also indicate that Blacks received twice as many warnings as Whites or that Blacks are twice as likely to receive warnings than Whites in Harris County, Texas, while the ratio of Black warnings compared to Asian warnings was 1.12, again suggesting no noticeable significant difference between the ratio of warnings for Blacks and Asians. The above results indicate that Blacks are at higher risk of arrest, citation, and warning than any other racial group.

These findings confirm previous research regarding the historical injustices practiced against Blacks by the police and differential treatment in law enforcement against ethnic minorities. The HCSO's 2017 data also showed that **females were 5,350 or 22.3 percent of total arrests**. However, the rate of males arrests (90.1 per 10,000) compared to the rate of female arrests (26 per 10,000), suggests that men were 3.1 times more likely to be arrested than women, confirming existing research showing that women commit less crime than men. The disproportion between males and females for citations and warnings does not appear to be as noticeable as for arrests: males are over one time and a half more likely to receive citations than females while are over one time and third more likely to receive warnings than females. Alternatively, while males and females receive relatively the same number of citations and warnings, males get more arrested than females.

Regarding ethnicity, Non-Hispanics accounted for 16,410 or 68.5 percent of total arrest, 7,276 or 30.4 percent Hispanics were arrested in the year under study and unknown accounted for 263 arrests or 1.1 percent. On the other hand, Non-Hispanic received 54,636 or 60.4 percent of the total citations, Hispanics 32,252 or 35.6 percent and Unknown received 3,623 or 4 percent. Similarly, Non-Hispanic received 23,354 or 65.4 percent of total warnings, Hispanic 10,441 or 29.2 percent, while Unknown accounted for 770 warnings or 2.2 percent of total warnings given. We find in this study that the distinction between

Hispanics and non-Hispanics is blurring; therefore, we did not examine further the rates and ratios of the two categories.

### Conclusion

This study has attempted to examine racial disparities in arrests, citations, and warnings in one of the largest counties in the state of Texas. The findings suggest some serious racial disparities in arrests, citations, and warnings. It will also appear that the police force function not as a neutral agent of social control but as one that also incorporates into its features an extra-legal purpose to perpetuate existing prejudice against Blacks in keeping them in social exclusion through markers of criminal records which restrict their access to socio-economic opportunities.

The structure and pattern of white majority domination are central to understanding the political economy of the United States. This underpinning ideology of a superior race permeates virtually all sectors of the society, and there is implicit consensus to keep minorities in their place. Eight years of the Obama administration heightened the national competition. The voting pattern that assisted the ascendancy of Donald Trump in the 2016 presidential election, the campaign issues that dominated the contest and the several policies of the Trump administration offer clear evidence of a white majority occupied with the task maintaining its privileged position in the society (Major, Blodorn & Blascovich, 2016). The rhetorics of the post-2016 presidential election, with the rising influence of white nationalist groups, suggest that the notion of a sustained national competition in the fabric of the American society is real and very much alive.

It is not difficult to see that white majority domination of the U.S. minorities is backed by the full force of the country's critical institutions at a time of changing demographics brought on by immigration and higher birth rates among minorities (Craig & Richeson, 2014; Frey, 2018). The racial question has aroused anxiety within the white community based on the prediction that the white majority may become

a minority race within the next two decades, a fear that was at play during and after the 2016 US presidential election (Huber, 2016).

The racial disparity in the HCSO's 2017 data is not an isolated or random event. This study confirms countrywide racial differences in policing which has been well-documented in previous research just as it demonstrates the structural, ethnic and neighborhood contexts that underlie racial disparities in policing outcomes across the United States in terms of stops, frisking, arrests, citations and warnings, a pattern of racial discrimination in policing that has continued unabated (Reck, 2015; Briggs & Keimig, 2017).

While the Ferguson situation represents an extreme but widespread example of racial profiling, the 2017 dataset from the Harris County Sheriff's Office indicates that the rates of arrests, citations, and warnings to blacks far outweighs their proportion of the Harris County population, which is not the case with the other racial categories. For instance, the 2017 arrest rates in Harris County based on racial distribution is not significantly different from the national rates of arrest as the data from the Federal Bureau of Investigation (2016) demonstrates. The FBI report titled: 2016 Crime in the United States reports that a total of 8.4 million arrests were made nationwide in 2016 out of which 5.8 million Whites were arrested, Blacks, 2.2 million, Hispanics, 1.2 million, and Asians recorded 103,244. The FBI report indicates a marginal decrease from total national arrest rates for 2015 during which 8.2 million arrests were made with Whites accounting for 5.7 million arrests, Blacks, 2.1 million, Hispanics, 1.2 million, and Asians 101,064. Consequently, racial profiling and black-white disparity in policing outcomes continue to be a significant criminal justice challenge.

#### Limitation of study

This study utilized secondary data from a police agency. As such, these data are associated with all the shortcomings generally attributed to agency data. For example, one of the significant limitations of the study is that the data set analyzed did not comprise other variables other than race, ethnicity, and gender that may contribute to the variability in the number of arrests, citations, and warning. These additional

variables include the level of income, the number of prior offenses, the frequency of the offense, the level of education, the occupation of the offender, etc. The inclusion of such variables in the study could allow researchers to measure the relative importance of the race, and gender on arrests, citations, and warnings while controlling for these other variables. Another major challenge of this study was the lumping of Whites and Hispanics arrests, citations and warnings together under the same racial category resulting in the inability to separate the number of arrests, citations and warnings of Whites from those of Hispanics because HCSO combined the data for the two races. Putting whites and Hispanics under one racial category poses a significant challenge for criminal justice researchers in accounting for each race's share of the crime rates. It has been noted that grouping arrest data for whites and Hispanics distorts racial disparities in crime trends and makes it difficult to know which race commits which crime. But when the crime data for Hispanics are separated from the ones for Whites, what comes out is accurate data showing the actual crime statistics for each racial category and presenting a different but correct picture of the crime situation. Steffensmeier et al. (2011) coined the term "Hispanic effect" for data such as the HCSO's data on arrests, citations and warnings (that is, lumping together the data on Whites and Hispanic's arrests, citations, and warnings) rather than providing a clean data which will have crime data for each racial category in a separate column. He concluded that such practice might account for the distorted crime figure ascribed to Whites when they are grouped with Hispanics as members of the same race in criminal records and ignoring the rise in the expansion of the Hispanic population in the United States and its offender population in the United States.

We suggest that future research will be the inclusion of more variables other than race, gender and ethnicity to evaluate their simultaneous effect on arrests, citations, and arrests. Besides, recommendations for future research will include examining the attitude of police leadership to racial bias. If police authorities continue to minimize or fail to acknowledge the extent of the problem associated with race and warning, citation and arrest, the rank and file of the police force is unlikely to change its attitude to the

policing of different races. The police leadership's knowledge and understanding of racial disparities in the enforcement of the law become the first concrete step towards amelioration of an age-long problem.

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