

**The Profiling Conundrum**  
by  
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On June 28, 2001, a front-page article in *The Washington Post* described new police policies aimed at discouraging racial profiling. The article noted that in Washington State the highway patrol planned to use data on racial disparities in traffic stops to question and discipline individual troopers. The article cited the U.S. Customs service as the first agency to significantly reduce the number of minorities searched for contraband. The agency had enacted far-reaching reforms and that included the requiring of supervisory approval for every intrusive search. The article noted: "Customs is providing strong evidence, analysts say, that good police work can spare minority travelers the indignity of criminal suspicion."

The article provided a table showing that prior to the reforms minorities were indeed being searched at far higher rates than whites. In 1998, when Customs conducted 43,606 searches, 6,141 blacks were searched compared with 11,765 whites. Assuming that, say, whites comprised 80 percent of travelers passing through customs while blacks comprised 10 percent, those figures would mean that blacks were about 4.2 times as likely to be searched as whites.

In 2000, after the total number of searches had been reduced to 9,020, only 2,441 blacks were searched compared with 2,835 whites. Assuming that the racial makeup of travelers was the same as in 1998, this would mean that in 2000 blacks were 7.1 times as likely to be searched as whites. That's right, though unremarked

upon in the *Post* article, the measures being credited with addressing the problem of racial profiling had dramatically increased the disparity between the rates at which blacks and whites were searched.

There is one remarkable thing about this pattern. It is that practically no one understands that this is precisely the result to be expected from reforms such as those implemented by the Customs Service. The reason why the result is to be expected is quite simple. When one group is more susceptible to some adverse outcome than another, the disparity in being extremely susceptible to the outcome is almost invariably greater than the disparity in being somewhat susceptible to the outcome. Thus, as the outcome is restricted to the very most susceptible segments of the population, the disparity in experiencing the outcome increases.

The pattern is evident in income data. The disparity between the rates at which blacks and whites, or female-headed and married-couple families, fall below 50 percent of the poverty line is much greater than the disparity between the rates in falling below 100 percent of the poverty line. Thus, when poverty declines, thereby leaving only the extremely disadvantaged in poverty, demographic disparities in poverty rates increase. Correspondingly, a decline in poverty causes more susceptible groups to comprise a larger proportion of the population that remains poor.

The misunderstanding of the tendency, however, is widespread and undermines the interpretation of data on demographic differences in a host of

contexts. Despite the utility of income data in illustrating the tendency, for decades analysts have appraised changes in relative poverty rates (or changes in the proportion a particular group comprises of the poor) without regard to either the role of declining poverty in increasing poverty rate disparities or the role of increasing poverty in reducing poverty rate disparities. Indeed, probably every university in this country has one or more courses where the so-called “feminization of poverty” is studied without appreciation that declining poverty will almost invariably cause female-headed families to make up a larger proportion of the poor.

Few health issues in the United States and Europe have received as much recent attention as the trend whereby during decades of declining mortality racial and socioeconomic disparities in mortality have increased. In the United States, concern over these patterns has led first to the Department of Health and Human Services’ Race and Health Initiative in 1998 and more recently to the creation of the National Center on Minority Health and Health Disparities. To date, however, none of the research into health disparities, either in the United States or abroad, has been undertaken with an appreciation that, as medical progress increasingly restricts avoidable mortality solely to the most susceptible segments of the population, demographic disparities in mortality will tend to increase.

To be sure, it would be error to regard all changes in demographic disparities as functions of this statistical tendency. There occur as well other changes in susceptibilities that may tend either to counteract or exacerbate the tendency. In the case of searches by the Customs Service, greater supervisory scrutiny and concerns about perceptions of racial profiling will tend to diminish racially motivated decisions

and perhaps even lead to the failure to search some black travelers in circumstances where a similarly-situated white traveler would be searched. Such conduct will tend to counteract to some unknown degree the tendency for racial disparities to increase as the number of searches is reduced.

It also warrants note that, according to the table in the *Washington Post* article, the Hispanic-white disparity in searches by the Customs Service actually declined between 1998 and 2000. And data for the early part of 2001 indicated that the black-white disparity has increased further during that period even though the overall rates of searches appear to be up from 2000. In sum, all sorts of things are going on that can increase or decrease racial disparities.

But an important part of what is going on is the tendency for disparities in experiencing an adverse outcome to increase in consequence of measures that increasingly restrict that outcome to the most susceptible segments of the population. It is essential to understand that tendency in order to interpret the efficacy or measures to correct what may be a real problem of racial profiling. If Washington State want to discipline its troopers who are most likely to have engaged in racial profiling, it needs to recognize that, other things being equal, the more circumspect and less aggressive officers may show greater disparities than their counterparts. Thus, officers with the largest racial disparities are not necessarily the officers most likely to have engaged in racial profiling.

Closer to home, on July 28, 2001, the *Post* reported that in Montgomery County, where 12 percent of the population is black, racial data on traffic stops being collected under a consent decree with the Department of Justice show that blacks comprised 25 percent of drivers stopped in six-month period ending in March 2001. This figure is up from the 21 percent figure found by the

Justice Department when it studied the issue four years ago. But an increasing disparity at a time when the Montgomery County police are presumably acting with increasing caution is hardly surprising.

There is a deeper issue here as well. Solely because of socioeconomic differences between whites and blacks, most people find little suspicious in the fact that blacks might be somewhat more likely than whites to be stopped for traffic violations. The same

holds in a variety of other areas, such as school discipline rates. It is only when the disparities seem to be huge—two- or three-fold and, in the school discipline context, sometimes ten- or twenty-fold—that we grow certain that invidious discrimination is at work. Interpretation of data becomes very difficult when the measures implemented to address the most striking disparities tend to increase those disparities. But that is how numbers operate.