

'You're going to do what I tell you.' Stats don't lie, black Louisville drivers get searched more often

[Andrew Wolfson](#), Louisville Courier Journal Published 11:10 a.m. ET June 7, 2019 | Updated 11:33 a.m. ET June 12, 2019

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Jamaj Johnson was removed from his vehicle, handcuffed and patted down in the traffic stop by LMPD for failing to use his turn signal. Jamaj Johnson dashcam video; LMPD bodycam video, Louisville Courier Journal

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Stopped last June by Louisville Metro Police for failing to signal a turn, Jamaj Johnson — a Ford assembly line worker with no criminal record — was ordered out of his car, frisked and handcuffed while his car was searched by a drug-sniffing dog.

His passenger and her baby also had to get out during the search.

“All this for a turn signal?” Johnson asked one of the Ninth Mobile Division detectives who stopped him, according to a police body camera video. “You see a n----- and you automatically treat me like a criminal.”

No contraband was found and the traffic charge was later dismissed.

According to the Courier Journal’s analysis of 130,999 Louisville traffic stops from 2016 to 2018 in which citations were issued, African Americans were stopped more often and three times as likely to be searched as white drivers.

Though African Americans make up about 20% of Louisville’s driving-age population, they accounted for 33% of the stops and 57% of the 8,942 searches.

Black motorists were searched 12% of the time they were stopped, compared with 4% of the time for white drivers.

But the data shows that police found contraband in 72% of the searches of whites versus only 41% for African Americans.

Read more: [Proactive police activity plummeted after new traffic stop policy unveiled](#)

Charles Epp, a University of Kansas professor and co-author of “Pulled Over: How Police Stops Define Race and Citizenship,” said such disparities are widely regarded by scholars as statistical evidence of racial bias.

"The basis for a search of a white motorist is more likely to be objective evidence of a crime," he said. "The basis for a search of black drivers is more likely to be the driver's race."

Seth Stoughton, a former Florida police officer who teaches law at the University of South Carolina, said the disparity could arise because of "unconscious bias."

"It may simply be that officers unconsciously conclude that a young black man is more likely to have drugs in their car than others," he said.

Louisville Metro Councilwoman Barbara Sexton Smith, whose 4th District is predominantly African American, said the disparity in searches is "completely unacceptable for any reason."

LMPD spokeswoman Jessie Halladay said the department "does not target individuals based on race." And she said the department found no reason to believe its policy was violated in Johnson's stop in Newburg, a predominately black neighborhood.

"We place emphasis on people committing the most crimes, especially violent crimes," she said, and "we direct our resources where most crime is committed."

She noted that in the Second Division, where 81% of the driving-age population is black, a smaller portion, 77% of those stopped, were black.

Previously: [LMPD handcuffed a black teen for a wide turn, then told him to 'quit with the attitude'](#)

Nicholas Jilek, president of Fraternal Order of Police Lodge 614, had no immediate comment on the data.

Speaking Wednesday before the Metro Council Public Safety Committee, Police Chief Steve Conrad acknowledged that the department has disproportionately stopped black drivers.

But he said African Americans are disproportionately represented in all aspects of the criminal justice system, including in arrests and incarceration.

The department has focused on six high-crime neighborhoods where predominately "people of color live" and that to make those neighborhoods safer, "people who live there are going to be stopped."

He noted that similar disparities have been found in other cities — in Nashville, Tennessee, a study issued last year of 2.5 million stops showed black drivers were stopped at a 44% higher rate than whites.

Still, Conrad said that in retrospect, routinely stopping motorists "is something we should have done differently."

A separate analysis by the Courier Journal of 79,742 traffic stops from Jan. 1, 2018, through April 9, 2019, which also included stops in which no citations were issued, showed they only rarely turned up contraband.

Firearms were found in less than one in 100 stops, and drugs in about five in 100 stops.

Experts on policing say the figures show traffic stops are an inefficient way to try to make the community safe.

“If it is to fight crime, it is a dumb strategy, as the numbers show,” Stoughton, the law professor, said.

Related: [You're more likely to be busted for weed in Louisville if you're black](#)

Conrad told Metro Council members that traffic stops were only one tactic for violence reduction, though he added, “In terms of them being effective for reducing violent crime, I would agree that, statistically, they are not.”

He said that is one of the reasons [he announced a new approach last month](#) in which he said stops will no longer be “a matter of routine.”

In what he described as a “sea change” in policy, officers are expected to pull over motorists only for traffic violations that threaten safety — such as running a red light — or if there is a reasonable suspicion they have committed a crime or are about to.

Under new rules, which go into effect Aug. 1, officers must be able to justify why they remove drivers from vehicles or frisk, handcuff or make them sit on the ground.

If those procedures were in effect last year, it could have made things different for Johnson, who was pulled over June 24 when he turned from Rangeland Road onto Poplar Level Road in his 2007 Chevy Tahoe.

After Johnson ignored an instruction to lower his rear window — and repeatedly said he didn’t consent to a search — Detective A. Hamilton ordered him out of the vehicle and lowered the window himself.

“Why are you touching my vehicle?” Johnson asked.

“Step back,” Hamilton said. “You are not running this search. I am. And you’re going to do what I tell you.”

Johnson said he couldn’t understand why he was being detained and searched.

“You have my license,” he said. “I would like a citation so I can continue on my way.”

"It don't work out like that," the officer responded.

From May: [LMPD changes traffic stop rules to restrict handcuffing and searches](#)



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Jamaj Johnson, 28, was pulled over in June of 2018 by Louisville Metro's Ninth Division for failing to use a turn signal when turning onto a street. Soon he was asked to exit the vehicle, searched, and handcuffed while a friend with a baby looked on. "I'm hoping to see some type of justice. Some type of disciplinary actions. They didn't need to do that." June 7, 2019 (Photo: Alton Strupp/Courier Journal)

After Maverick, a police K-9, "alerted" to drugs inside the car by barking at the right passenger door, Hamilton frisked and cuffed Johnson, saying the stop was now "a narcotics investigation."

"This is bull----," Johnson said. "I ain't done nothing in my life."

In a interview with the Courier Journal last month, Johnson, 28, a graduate of Jeffersontown High School who lives in Highview, said he was furious because he knew there was nothing illegal inside his truck. "I never even smoked a cigarette."

But one of the officers conducting the search said: "I would bet money he has something on him, just by his demeanor. Just by the way he's acting. He's mighty scared."

Nothing was found, and after 20 minutes, the search was over.

Johnson has retained counsel, Louisville attorney Shaun Wimberly, who said the stop was unconstitutional, in part because of a delay in beginning the canine search.

Sgt. Robert King told Johnson at the scene that "everything we've done is legal, we have been very respectful" and that "your rights haven't been violated."

Johnson said in the interview that the stop and search were particularly offensive and intrusive because his friend and her baby had to stand outside in a light rain.

"I felt totally embarrassed," he said. "I felt like less of a man to have them do what they did to me."

“Did they pull me over because I have an SUV and am black?” he asked. “I can’t think of any other reason.”

Earlier: [LMPD's new traffic stop rules will endanger lives, FOP leader says](#)

STOPS BY THE NUMBERS

Stops in which citations were issued, 2016-18

- Total stops: 130,999
- Whites: 78,686 (60%)
- Blacks: 42,876 (33%)
- Others: 9,509 (7%)

Searches

- Total: 8,942
- Whites: 3,480 (39%)
- Blacks: 5,150 (58%)
- Others: 312 (4%)

Percentage of those stopped who were searched:

- Whites: 4%
- Blacks: 12%
- Others: 3%

Positive searches (contraband found)

- Whites: 2,507 (72%)
- Blacks: 2,107 (41%)
- Others: 182 (58%)

SEIZURES BY THE NUMBERS

From stops in which citations were or weren't issued, Jan. 1, 2018-April 9, 2019:

- Total stops: 79,742
- Firearms seized in 720 stops, or 1% of stops
- Drugs seized in 4,128 stops, or 5% of all stops

Note: LMPD says about 7% of all stops result in searches

Source: LMPD data

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