

Traffic Stops in Hillsborough, North Carolina

2019

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Introduction

Traffic stops are the most common form of contact between the police and the public and are frequently used to measure how a law enforcement agency responds to constituents of different color, culture, and ethnicity. Traffic stop data are used as indicators of bias in how agencies approach policing and have been the subject of many studies into racial bias in policing.

Bias is defined both in general terms and in behavioral terms. Generally, bias is a term used to describe discrepancies in data and information that favor or emphasize one aspect over another in unexpected or unexplained ways. Behaviorally, all humans carry bias that could contribute to discrepancies in data. In addition, institutions and organizations may contribute bias through their actions, policies, and practices. Understanding the origins of behavioral bias and whether that bias is implicit (unconscious or unintentional) or explicit (conscious or intentional) is important for a public safety agency to be effective and maintain public confidence. Explicit bias on the part of any individual is alarming and necessitates an immediate departmental and community response.

In the case of implicit bias, individuals and agencies are not intentionally treating subjects with bias, but rather, factors in the system can lead to biased outcomes. In the case of traffic stop data, decisions on the part of individual officers and agencies may contribute to bias, but bias may also be driven or compounded by racial inequities in the criminal justice system. For instance, when a driver is charged with driving with license revoked, the reason a license is revoked may be for failure to pay a fine, or failure to appear in court, rather than driving behavior. In these cases, the charge is related to the ability to pay, more than driver-related issues, and is outside of the control of individual officers or agencies.

The goal of this report is to identify and examine how bias relates to Hillsborough Police Department (HPD) traffic stop data and to understand the role that behavioral biases may play. Understanding the landscape of bias will allow the department to recognize actions and practices that may contribute to bias and to develop strategies and practices to counteract that bias.

Traffic stops are highly variable, with unique conditions and situations. To produce something that is internally replicable on a regular basis, this report attempts to consider how readily available Hillsborough Police Department (HPD) data can be used to examine the relationship between race and traffic stops. Please note, the HPD race and ethnicity data is reported differently than the state data, resulting in some discrepancies in percentages. For details on how data was gathered see Appendix 1.

Demographics

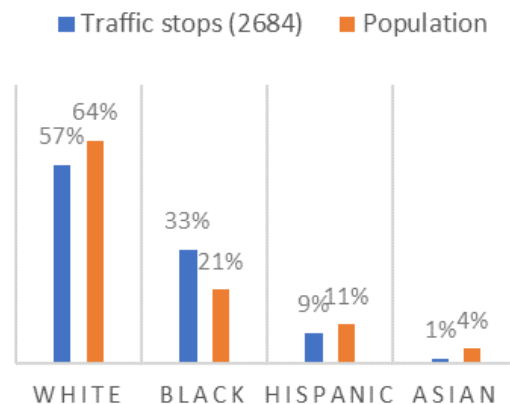
Using the overall demographics of the jurisdiction as a comparison point for traffic stop data is problematic because the town's demographics do not necessarily represent the driving population encountered. For example, one factor influencing the driving population in Hillsborough is the number of interstate and state highways bisecting the town. The I-40 and I-85 corridors both average between 55,000 and 85,000 cars per day, and the limited north/south routes through town average between 10,000 and 20,000 cars per day (NC Department of Transportation 2019). A brief analysis of 106 consecutive stops in October of 2019 examined the registered origin of the vehicle stopped and shows more than 50% were from outside of Orange County. See appendix 2 for a detailed map of the annual average daily traffic for the Town of Hillsborough.

Assessing the driving population requires surveying multiple locations on randomly selected days and times (Clayton 2017), which is not a study HPD has the resources to undertake. Since this report seeks to use data that is easily available, with the aim of finding measures that can be used on a regular basis by the agency to evaluate, understand, and counter balance implicit bias, this report will compare the traffic stops to the town demographics.

Traffic Stop Demographics

As a base line measure the racial demographics of traffic stops in Hillsborough are compared to the racial demographics of the Town of Hillsborough. Discrepancies can be seen when comparing the race of those stopped with the town's population. More African American's are stopped than represented in the population, and fewer Whites, Latinos and Asians are stopped in relation to the population. In Hillsborough, African Americans make up 21% of the population and 33% of the people stopped for traffic violations, or 12 points over their representative population.

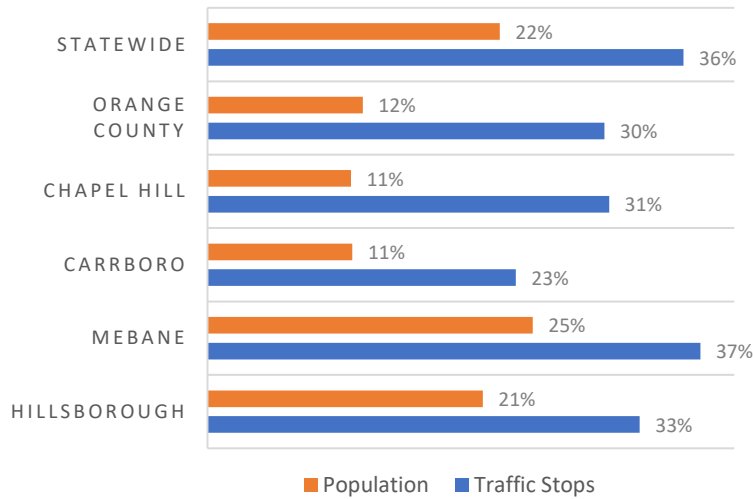
Chart 1. 2019 Hillsborough traffic stop arrests and overall population demographics



In addition to the overall population comparison, we also compared Hillsborough to nearby jurisdictions. The jurisdictions reviewed are based on geographic proximity - North Carolina, Orange County, and the other municipalities in Orange County: Chapel Hill, Carrboro, and Mebane. In 2019, Hillsborough is the municipality with the lowest number of stops overall, 2,684, and the highest number of traffic stops as a percentage of the overall population, at 37%. In addition to the highway corridors, the county government activity and community concern about traffic contribute to Hillsborough's higher traffic stops per capita.

Similarly, African Americans are stopped at a higher rate than their overall population in all the jurisdictions reviewed, as can be seen in Chart 2. See appendix 3 for detailed population demographics for all the jurisdictions. Note: Orange County data includes all jurisdictions in the County.

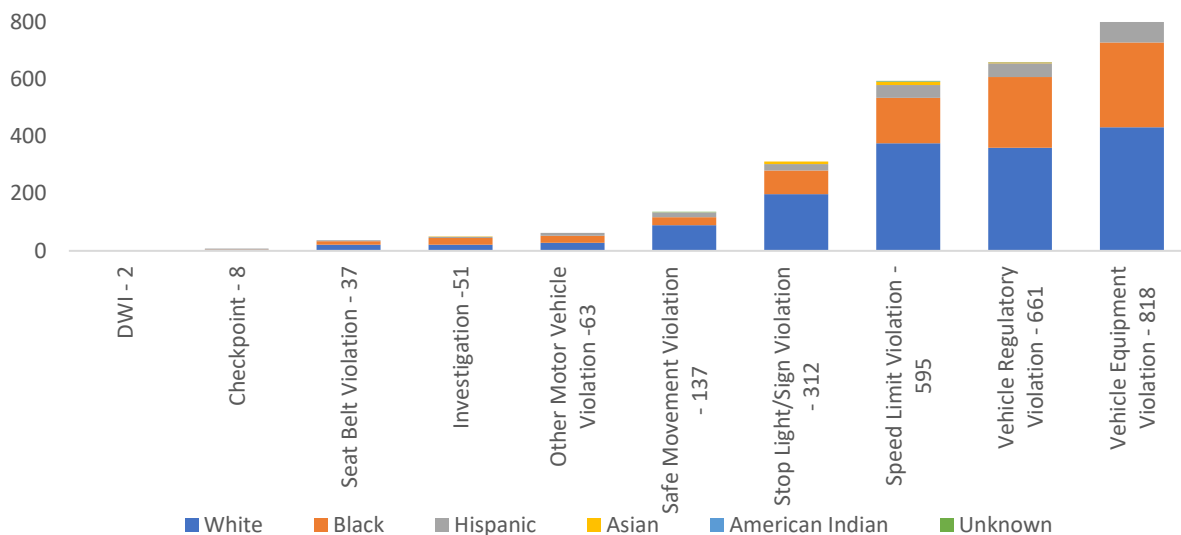
Chart 2. African American traffic stops compared to population



Initial Reason for Stop

Traffic stops are recorded by one of 10 initial reasons for the stop. Of the 2,684 traffic stops in Hillsborough in 2019, 86% were attributed to 5 initial violations: vehicle equipment violations (VEHQ) - 31%, vehicle regulatory violations (VEHR) - 25%, speeding (SPD) - 22%, stop light or stop sign violations (STPL) – 12%, and safe movement violations (SAFE) – 5%.

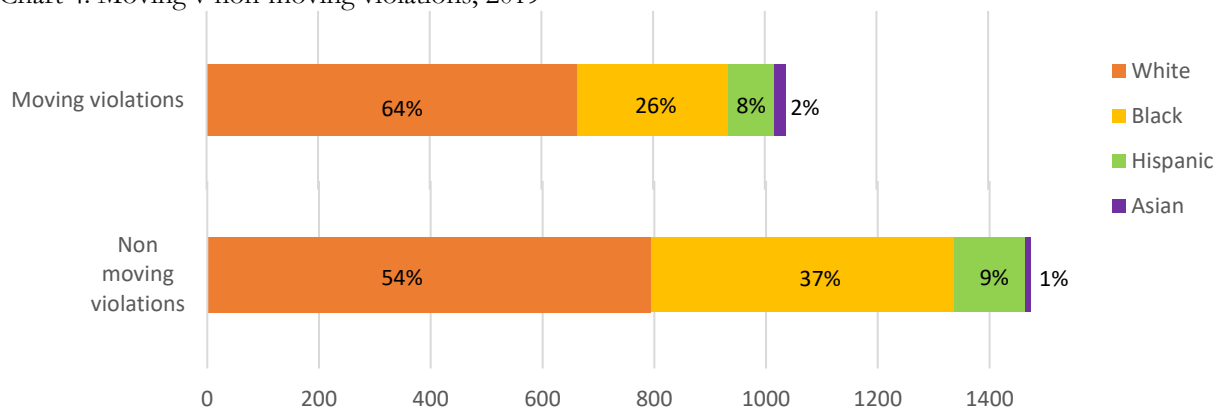
Chart 3. Hillsborough initial reason for traffic stops, 2019



For the purposes of comparison, we grouped the top 5 initial reasons into moving violations (speeding, stoplight/stop sign, and safe movement) and non-moving violations (vehicle equipment and vehicle regulatory) subgroups. Chart 4 shows the demographics of non-moving violations are more disproportional than the moving violations. Also, non-moving violations occur 42% more frequently than moving violations.

The remaining 161 (6%) stops are not included in this comparison for simplicity and because some of them, such as those labeled for “Investigation” (51), and “Other Motor Vehicle Violations” (63) require individual review to determine if they are moving or nonmoving violations.

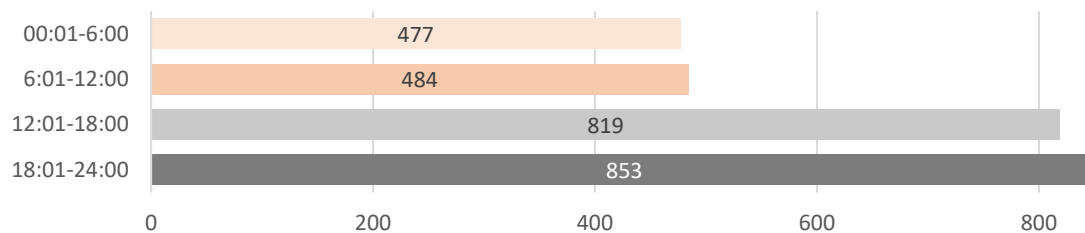
Chart 4. Moving v non-moving violations, 2019



Time of Day

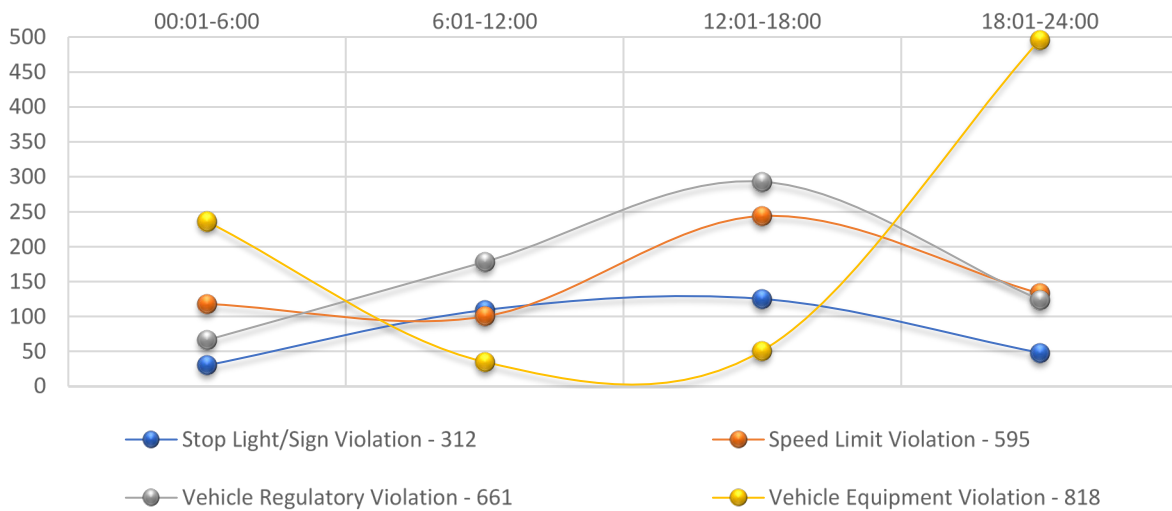
Traffic stops in Hillsborough in 2019 were more frequent in the afternoon and evening hours. Fewer vehicles on the road between midnight and 6:00 AM and officers having less discretionary time due to administrative tasks during the morning hours are likely contributors to this difference.

Chart 5. Traffic stops by time of day



An overview of the top 4 initial violations by time of day fits with some general assumptions about traffic stops. For instance, equipment violations are highest during the dark hours because they are often related to malfunctioning vehicle lights, and speeding violations are more common during the afternoon and evening hours.

Chart 6. Top 4 initial violations by time of day, 2019



Violations are often identified with some combination of quick reaction time, from a distance, from behind, and/or at night. These conditions suggest an officers' opportunity for advance demographic identification of a driver is limited. So, the demographics of initial violations, by time of day, might be an indicator of demographics in the driving population at different times of day, especially if similar trends can be seen over different initial violations. In the table below, the top 4 violations for all the cars stopped are separated into 4 rows, by time of day, with color coding for each time. Each type of stop shows a higher percentage of African Americans are stopped between midnight and 6 a.m. Since these stops are during the hours of darkness, this would contribute to a lower likelihood of visual identification of a driver prior to the stop. For ease of review the sparkline column on the right gives a quick comparison, with the actual number of stops available in the columns to the left. These data may indicate a higher percentage of African Americans on the road between midnight and 6 a.m.

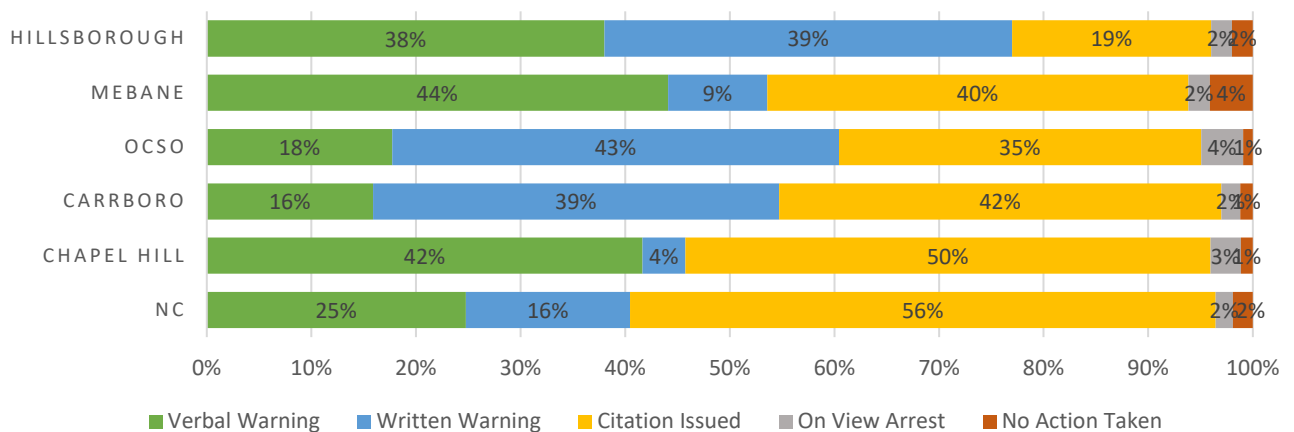
Table 1. Top 4 violations by race

		White	Black	Hispanic	W B H		
VEHR (661)	00:01-6:00	29	29	7	█	█	█
	6:01-12:00	104	64	8	█	█	█
	12:01-18:00	163	113	15	█	█	█
	18:01-24:00	65	41	18	█	█	█
VEHQ (820)	00:01-6:00	118	89	26	█	█	█
	6:01-12:00	21	11	3	█	█	█
	12:01-18:00	27	22	2	█	█	█
	18:01-24:00	266	175	49	█	█	█
SPD (595)	00:01-6:00	57	49	8	█	█	█
	6:01-12:00	69	21	8	█	█	█
	12:01-18:00	161	57	21	█	█	█
	18:01-24:00	89	31	8	█	█	█
STPL (312)	00:01-6:00	13	15	2	█	█	█
	6:01-12:00	81	16	8	█	█	█
	12:01-18:00	84	31	7	█	█	█
	18:01-24:00	20	21	5	█	█	█

Enforcement Action and Subsequent Searches

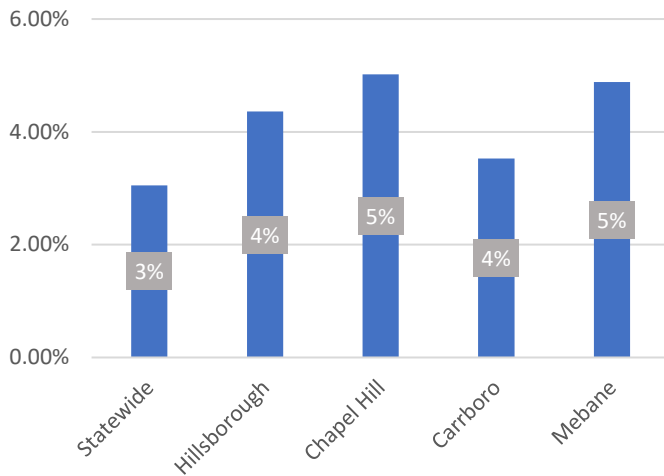
North Carolina traffic stops are reported using 5 resulting enforcement actions. When comparing the HPD enforcement actions with nearby jurisdictions, HPD has a higher percentage of warnings (verbal and written) and fewer citations than the other jurisdictions. This may be a reflection of HPD’s emphasis on correcting driving behaviors through education rather than enforcement.

Chart 7. Traffic stop enforcement as percentage of 2019 traffic stops



In addition to the enforcement action, a record is kept of searches of drivers and/or vehicles that result from traffic stops. In Hillsborough, 4.4% (117) of traffic stops led to a subsequent search in 2019. The HPD subsequent search rate is consistent with nearby jurisdictions, which on average is 4%.

Chart 8. Drivers searched because of traffic stops, 2019



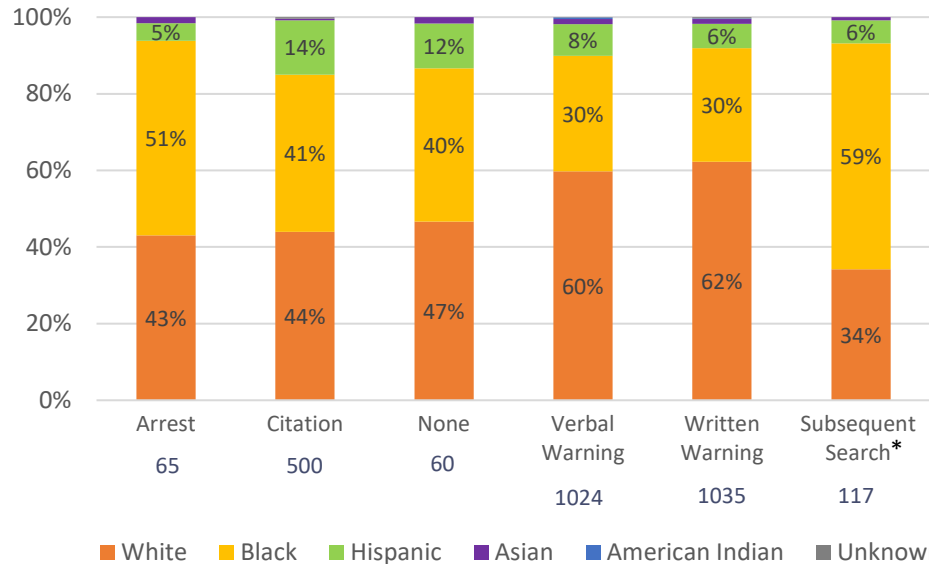
The racial demographics of traffic stop searches across all the studied jurisdictions show similar characteristics, with African American and Hispanic drivers disproportionately represented compared to that jurisdiction’s population (See appendix 3 for jurisdiction demographics).

Table 2. Racial demographics of traffic stop searches, 2019

	White	Black	Native American	Asian	Hispanic
Statewide	44%	53%	1%	1%	7%
OCSO	55%	43%	1%	0%	10%
Hillsborough	39%	60%	0%	1%	6%
Chapel Hill	41%	54%	1%	4%	6%
Carrboro	58%	38%	0%	4%	18%
Mebane	52%	47%	0%	0%	8%

The demographics of subsequent search and enforcement actions for Hillsborough are combined in Chart 9, below. Discrepancies between the overall population demographics and the enforcement and search demographics can be seen across all categories. The largest imbalance is seen in the subsequent searches, arrests, and citations. In addition, in Hillsborough, Hispanic people received citations at a higher rate than the corresponding population. The demographics for written warnings are closest to mirroring the demographics of the population.

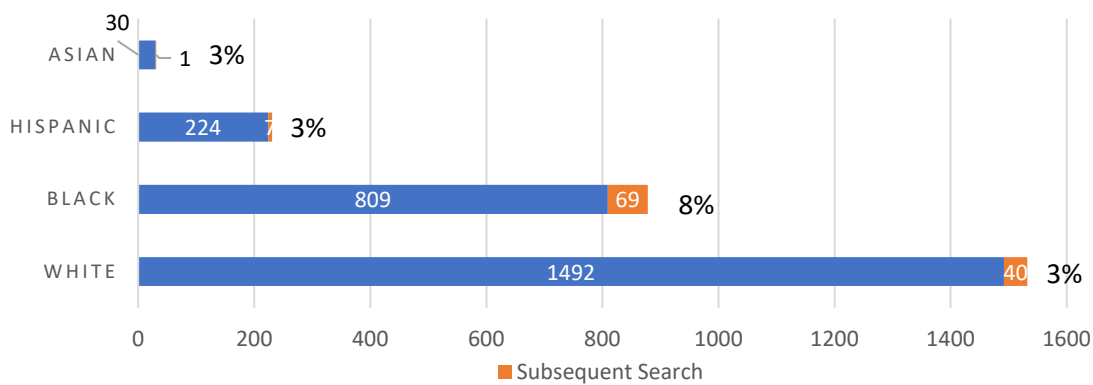
Chart 9. Racial/ethnic demographics in Hillsborough traffic stop enforcement and subsequent searches, 2019



*Note: HPD data adjusts to include Hispanic data alongside the other racial data, causing some discrepancy with the percentages reported in the state system data. See Appendix 1 for more detail.

In Hillsborough, the number of drivers searched as a percentage of the number of drivers stopped in the same demographic shows a higher rate of searches for African American drivers. This imbalance can also be seen when looking at arrests (Black – 3.8%, White – 1.8%) and citations (Black – 23.3%, White – 14.2%) as a percentage of total stops for each demographic.

Chart 10. Hillsborough subsequent searches as a percent of total traffic stops, by race, 2019



Further detail available in the subsequent search data shows the type of search and the basis for the search. The most common basis for searching was “observation of suspected contraband”, at 64%, and the next most common was “other official information”, at 26%.

Table 3. Hillsborough type of search and basis for search, by race, 2019

	Type of search						Basis for Search					
	Consent	Search Warrant	Probable Cause	Incident to Arrest	Protective Frisk	Total Type of Search	Erratic/Suspicious Behavior	Observation of Suspected Contraband	Other Official Information	Suspicious Movement	Informant's Tip	Total Basis for Search
White	12	0	22	6	0	40	0	22	19	0	1	42
Hispanic	0	0	7	0	0	7	0	7	0	0	0	7
Black	12	0	51	5	1	69	9	49	13	2	0	73
Asian	0	0	1	0	0	1	0	1	0	0	0	1
Total	24	0	81	11	1	117	9	79	32	2	1	123

Examples of “observation of suspected contraband” include seeing an open container of alcohol and smelling or seeing marijuana or other drugs – both of which have driver safety implications. Admission by the driver that they possess something illegal, even if not seen by the officer, is typically categorized as “observation” as well. “Other official information” can include history pulled from law enforcement databases, as well as information relayed from another officer or agency.

The data shows that searches (11) based on “erratic or suspicious behavior” and “suspicious movement” were all African American drivers. Since this was a clear anomaly and given the small number of these stops in Hillsborough, each case was reviewed for more detail. In these cases, the officer’s descriptions of these incidents do not seem to match the basis of the search they indicated. Further review and subsequent conversations illustrate an issue with the reporting system in that the terms used for the basis of search are not clearly defined and training on how to categorize them is inconsistent. What qualifies as “Erratic/Suspicious Behavior” rather than “Suspicious Movement” is not clear. Ideally, since these categories are required reporting, clarification at the state level would benefit agencies across North Carolina.

Resulting charges

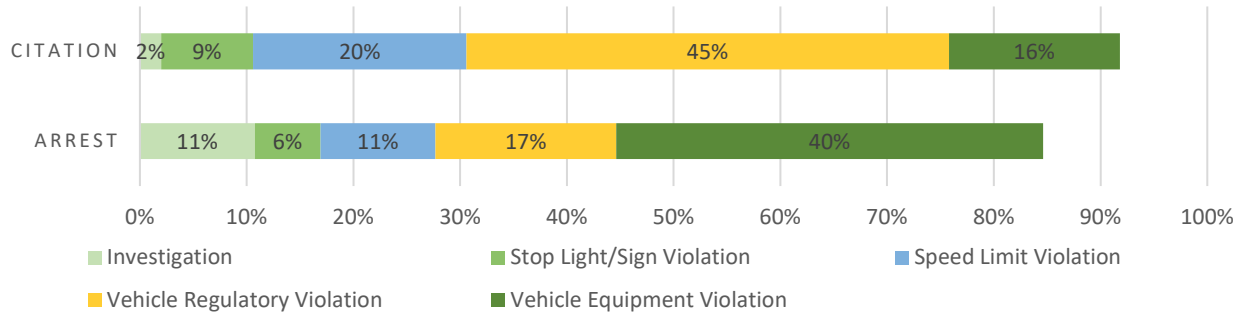
North Carolina traffic stop data includes the initial reason for the stop and the enforcement action for each stop. However, it does not include what type of charge was issued. The available data tells us that 65 people were arrested because of traffic stops in Hillsborough in 2019, but not how they were charged. Was it a felony or a misdemeanor? Does the resulting charge bear any relation to the initial reason that person was pulled over? To answer these questions, data was pulled from the HPD 2019 citation and arrest records.

Of the five enforcement actions used to qualify traffic stops (Chart 9), citations and arrests are the 2 enforcement actions that will affect a driver’s record. In 2019, 21% of traffic stops resulted in arrests (65) or citations (500). The remaining 79% of traffic stops do not impact drivers in the long term (written warnings, verbal warnings, and no enforcement). So, the analysis of traffic stops with resulting charges

relies on 21% of all stops. The citation and arrest records include information about the resulting charge, the location of the traffic stop, and details about the specifics of the stop according to the officer’s narrative report.

Four initial reasons for traffic stops are the most evident in the traffic stop citation and arrest data: vehicle equipment (VEHQ), vehicle regulatory (VEHR), speeding (SPD), and stop sign/stop light (STPL) violations. Stops from investigations are also a factor in traffic stop arrests. The remaining 5 reasons have a total of 10 arrests and 41 citations associated with them.

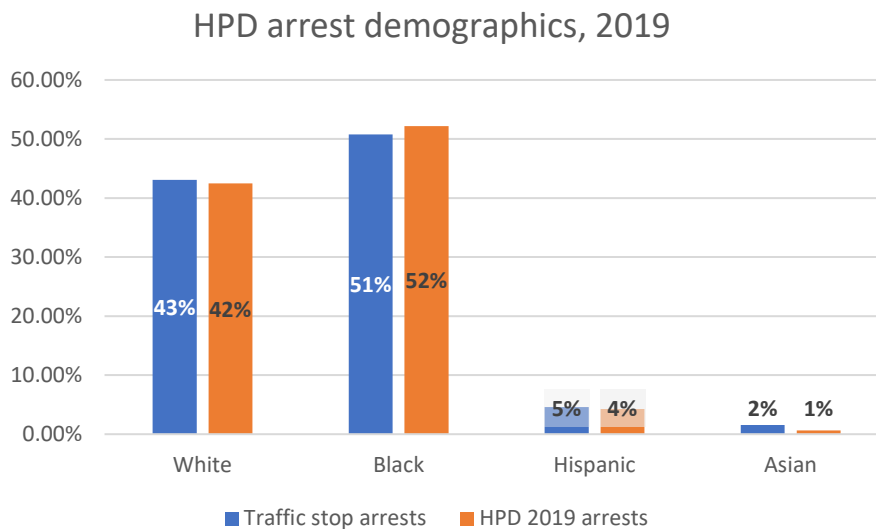
Chart 11. Hillsborough most common reasons for traffic stops resulting in citations & arrests, 2019



Arrests

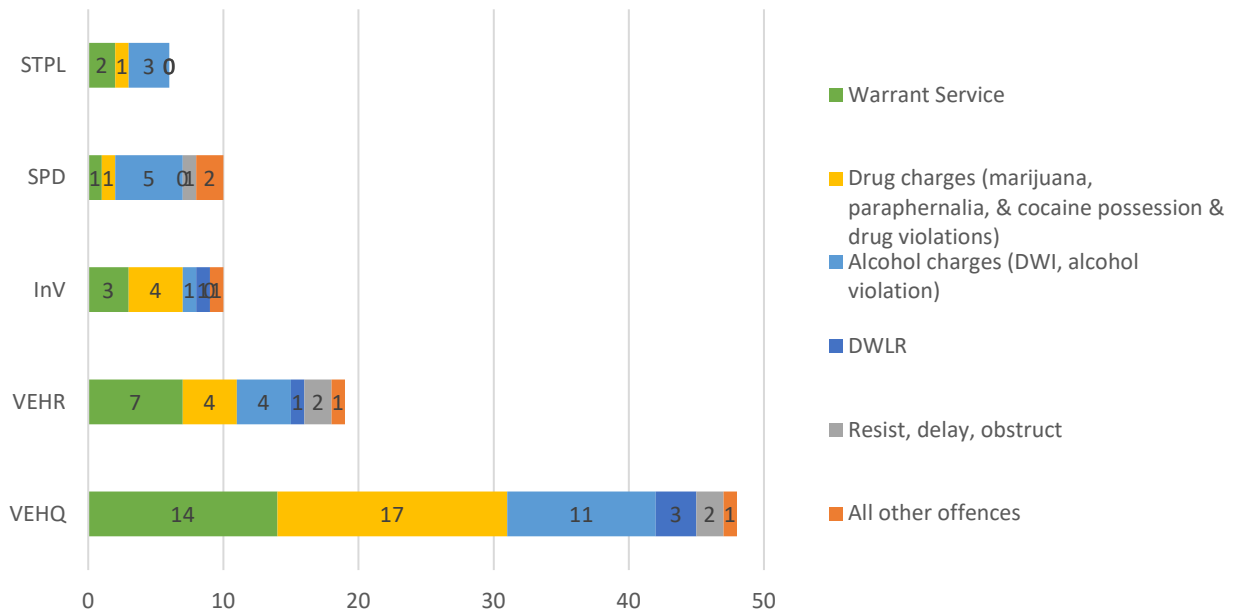
In 2019, the HPD made a total of 657 arrests and 10% of those arrests resulted from traffic stops. The demographics of all HPD arrests and the demographics of HPD traffic stop arrests are similar, with both showing a higher incidence of African American arrests than the population demographics.

Chart 12. Hillsborough arrest demographics, 2019



The 65 traffic stop arrests resulted in 130 total charges. Half of the arrests resulted in only one charge, while the remaining half had 2 or more resulting charges. Subsequent searches occurred during 77% (50) of the traffic stops that resulted in arrests in 2019. The arrests referenced here are generally custodial arrests, however some of these arrests are situations where a criminal citation was issued (such as for misdemeanor possession of marijuana), but no custodial arrest was made. The ten most frequent charges result from 88% of all traffic stop arrests. Serving an existing warrant for arrest was the most frequent charge with 29 of the 65 arrests (32%) involving one or more warrant services.

Chart 13. Hillsborough traffic stop arrest charges (top 10) by initial reason for stop (top 5), 2019

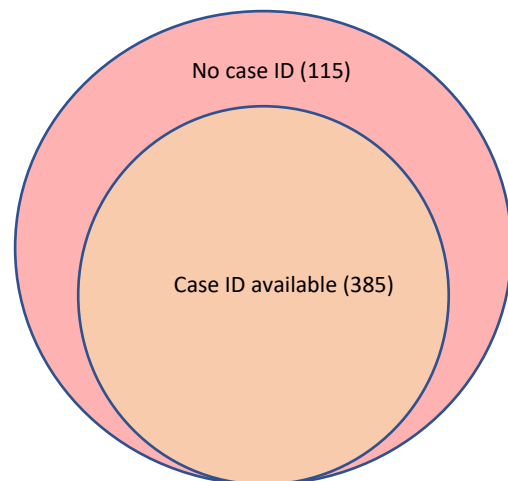


Citations

A total of 500 traffic stops were reported as resulting in citations. Of these 500 traffic stops, 385 (77%) had case id numbers included in the traffic stop report, so the analysis of resulting charges focuses on those 385 records. Citations associated with the other 115 traffic stops did not include a case id and could not be identified. For the traffic stop arrests, 64 of 65 were matched with arrest records.

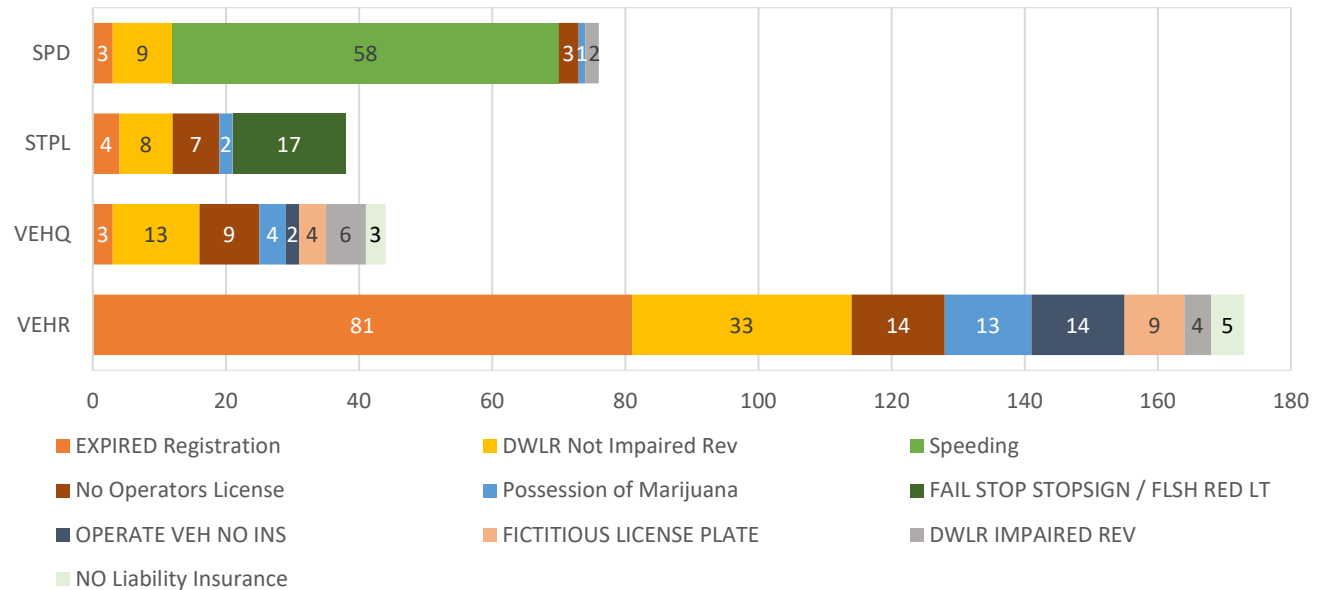
The sample for Chart 14, below, uses the 385 matched citation records, which returned a total of 460 charges. Since many of the resulting charges only occurred once or twice during the year, the data was limited to the top 4 initial stop reasons and the ten most frequent charges, leaving a sample of 331 charges.

Diagram 1. All traffic stop citations (500), 2019



Most of the expired registration charges resulted from vehicle registration stops, and all the speeding and stop light/stop sign violations were the result of speeding and stop light stops. Together, these stops represent 47% of this sample and are directly related to the initial reason for the stop. Of greater interest are the charges that are less directly related to the initial reason for the stop because officer discretion is more likely to be a factor and may be influenced by policy and training adjustments.

Chart 14. Hillsborough traffic stop citations (top 10) by initial reason for stop (top 4), 2019

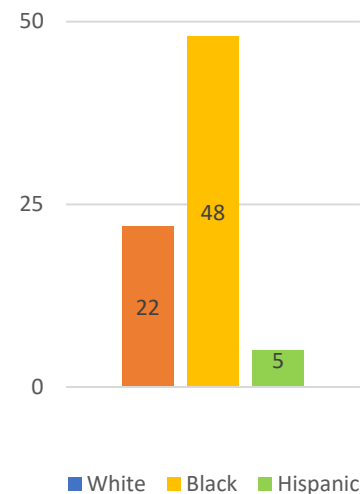


All initial stop reasons combined resulted in 75 charges of driving while license revoked (DWLR) not impaired. Demographically, these charges were more than twice as likely to be African Americans than whites. Under NC law a license can be revoked because of failure to appear in court or failure to pay a fine, which is not a reflection on individual driving skills. Inability to pay the fine, extends the length of time the license will be revoked and impacts an individual's ability to get back and forth to work. This systemic inequity prompts the following questions from the law enforcement perspective:

- Is this demographic skew to DWLR charges evident statewide?
- How many licenses that are eligible for reinstatement are waiting for fee payment?
- What percentage of licenses are eligible for reinstatement as part of total revoked?

Further exploration of the statewide license revoked charges would be useful, to see how Hillsborough compares to the larger trends.

Chart 15. DWLR Not Impaired Rev charges resulting from traffic stops



Another citation resulting from all the initial reasons for stop is no operator's license and 61% of those charged are Hispanic. This prompts the assumption that many of them are also undocumented immigrants. Is this accurate and what, if anything, can be done because of this information?

Chart 16. No operator's license charges resulting from traffic stops

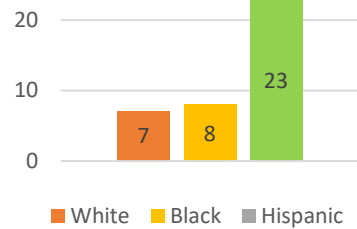
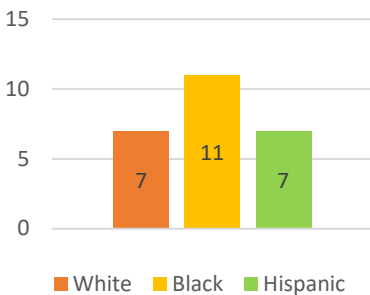


Chart 17. Possession of marijuana



In addition, possession of marijuana charges result from traffic stops with a variety of initial reasons for the stop. Often a probable cause search is associated with the possession of marijuana charge. When marijuana charges are associated with traffic stops consideration must be given to the driver being potentially impaired from the use of marijuana. Possession of marijuana and possession of drug paraphernalia charges often go together and depending on the quantity are most commonly a misdemeanor citation rather than a custodial arrest.

Connecting the initial reason for the stop to the resulting charge is not available in the NC State Bureau of Investigation (NCSBI) traffic stop reports. The traffic stop data is reported to the NCSBI by all North Carolina law enforcement agencies. The HPD maintains the NCSBI data in our record management system (RMS). The RMS system is also used to track citations and arrests. Traffic stop records can be matched to citation or arrest records, revealing the resulting charges. This process of connecting the data does not fit with the goal of using readily available data to create easily replicable reports. HPD's ability to manage it on an ongoing basis relies on staffing. Agencies with more robust data systems might be able to review charges resulting from traffic stops more easily.

Going Forward

1. HPD will track the following on a quarterly basis for internal review: demographics of traffic stops by enforcement, subsequent searches (% by race), traffic stop arrests, DWLR not impaired, no operator's license, and possession of marijuana/drug paraphernalia.
2. HPD will examine our policing practices to identify unintended consequences that can be improved, such as our response to higher-crime areas, our use of discretion with minor violations, and our focus on moving violations compared to non-moving violations.
3. HPD will work to improve quality control related to traffic stop record keeping and to better define areas of traffic stop data that is not being reported consistently. Significant weakness in the data have been identified across multiple systems due to lack of definition of terms, training issues, and human error.
4. HPD will continue training officers on implicit bias and include HPD traffic stop data with the goal of reducing the stigma of the implicit bias that is evident in policing data. If the officers better understand bias and how it manifests, they will have a better chance at improving outcomes.

5. HPD will consider questions such as: How can this type of traffic study be reproduced? What is manageable for lower capacity agencies? What are the first steps towards being able to analyze the data? What resources are needed to improve law enforcement as a result of collecting traffic stop data?

Conclusion

The Hillsborough Police Department has a good reputation and takes pride in using relationships with the community to improve safety in Hillsborough. A high value is placed on community engagement and officers routinely work with community organizations to build the relationships that improve community safety. The Fairview Community Watch worked together with the department over several years to improve safety in this historically African American neighborhood. A police substation has been located there for many years. The department also supports el Centro Hispano Faith Identification events. Crime is low in Hillsborough and the department can focus on the priorities of the citizens, including traffic congestion and reimagining public safety. Hillsborough is in Orange County, which has a reputation of working to address economic and racial disparity. These efforts, and more, are evidence of a community and a police department that wants to be part of a system where all individuals are treated fairly. Even so, disparity for African Americans is evident in law enforcement data in Hillsborough, in the county, and in nearby municipalities and warrants continued attention.

Many barriers exist for smaller law enforcement agencies to understand and make good use of the traffic stop data that all NC agencies are required to collect and report. It is unlikely for small agencies such as the HPD to have the capacity for ongoing review and analysis of traffic stop data. In fact, the HPD is subject to staffing fluctuations and may not be capable of sustaining an analysis such as the report provides. In addition, finding ways to use the data to improve ongoing operations with respect to implicit racial bias is yet another challenge.

Appendix 1. Data note

Three data sources are used in this report.

1. HPD traffic stop data reported by HPD officers and accessed through the Record Management System (RMS) the department contracts with for managing all the agencies' incident data. The traffic stop data is used to report to the NC State Bureau of Investigations. Other Hillsborough policing data, such as citation and arrest records, were also accessed through the HPD RMS.
2. NC State Bureau of Investigations (SBI) Traffic Stop Statistics, collected annually by the SBI from all law enforcement agencies in the state (NC Traffic Stop Statistics NC State Bureau of Investigation n.d.). When HPD data is compared to neighboring jurisdictions in this report, the SBI data is also used for the HPD.
3. US Census Bureau (Bureau 2019) population data is used for all jurisdictions in this report, including Hillsborough.

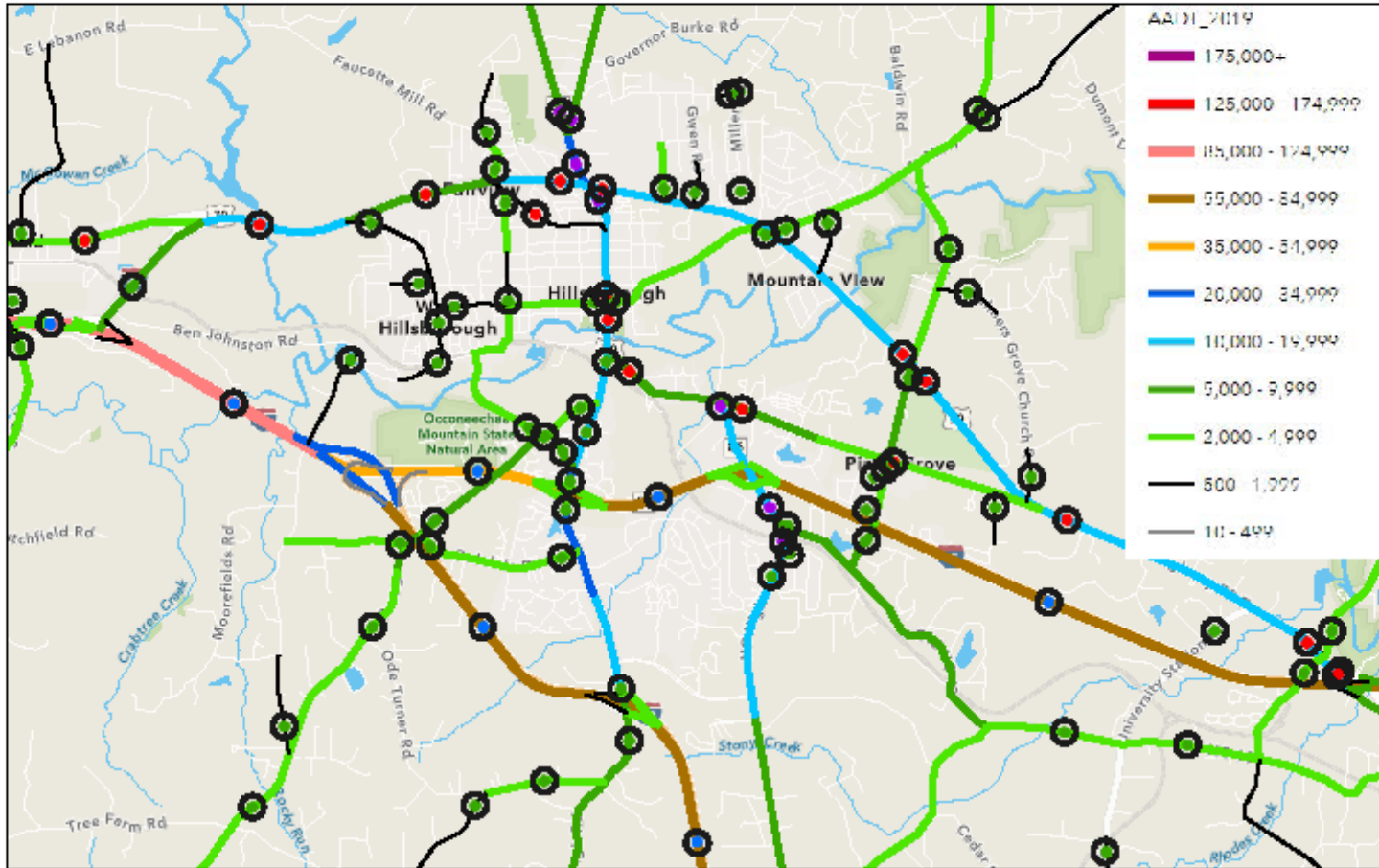
An overlap exists between demographics based on race and those based on ethnicity because African American, White, and Asian data is based on race and Hispanic data is based on ethnicity. Data in this report that comes from the HPD RMS system is adjusted for this overlap and the Hispanic data is reported alongside the African American, White, and Asian racial demographics.

The data available to the department has challenges:

- Within the same system, data must be downloaded and matched across reports to better understand how individuals are being charged.
- Departmental quality control for data input is variable because of fluctuation in employee skill sets and field conditions.
- Traffic data cannot be pinpointed according to the location of the traffic stop.

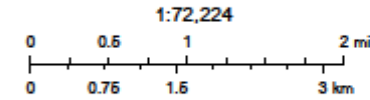
Appendix 2. Hillsborough, NC Annual average daily traffic, 2019

NCDOT AADT Station Map



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- Traffic Factors
- NCDOT_AADT_Stations
 - Interstate
 - US Route
 - NC Route



State of North Carolina DOT, Earl, HERE, Garmin, SafeGraph, METINABA,

NCDOT Traffic Survey Group

NCDOT Traffic Survey Group staff collected, analyzed, processed and reported this data for calendar year 2019. | Prepared by the Traffic Survey Group, Transportation Planning Division, NCDOT | State of North Carolina DOT, Earl, HERE, Garmin, SafeGraph,

<https://connect.ncdot.gov/resources/State-Mapping/Pages/Traffic-Volume-Maps.aspx>

Appendix 3. Population demographics of Hillsborough, NC and comparison jurisdictions – Mebane, Carrboro, Chapel Hill, Orange County, and the state of North Carolina

	North Carolina	Hillsborough town, North Carolina	Mebane city, North Carolina	Carrboro town, North Carolina	Chapel Hill town, North Carolina	Orange County, North Carolina
Population estimates, July 1, 2019	10,488,084	7,161	16,262	21,190	64,051	148,476
White alone, percent	70.6%	64.1%	66.7%	73.7%	71.7%	76.9%
Black or African American alone, percent	22.2%	20.9%	24.7%	11.0%	10.9%	11.8%
Hispanic or Latino, percent	9.8%	11.0%	6.9%	7.1%	6.3%	8.6%
Asian alone, percent	3.2%	3.6%	2.3%	9.4%	13.0%	8.1%
American Indian and Alaska Native alone, percent	1.6%	2.2%	0.2%	0.3%	0.3%	0.6%
Native Hawaiian and Other Pacific Islander alone, percent	0.1%	0.0%	0.0%	0.0%	0.0%	0.1%
Two or More Races, percent	2.3%	2.0%	3.1%	4.2%	2.9%	2.6%
White alone, not Hispanic or Latino, percent	62.6%	60.4%	63.0%	68.2%	66.9%	69.5%

(Bureau 2019)

Sources

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