



## Racial Profiling

Former President Clinton called for a national crackdown on racial profiling and ordered federal law-enforcement authorities to begin an investigation. While running for president Al Gore promised the NAACP that if elected, eliminating racial profiling by the nation's police departments would be a top priority. New Jersey Governor Christie Todd Whitman fired Police Superintendent Carl Williams after the 35-year veteran trooper said in an interview that minorities are more likely to be involved in drug trafficking.

In 1996 New Jersey Superior Court Judge Robert E. Francis suppressed evidence and dismissed criminal charges against 19 black defendants because he found a “de facto policy of targeting blacks for investigation and arrest . . . violating the equal protection and due process clauses.”

What is racial profiling? Does it serve any purpose? In the most general terms, racial profiling is a process whereby people employ a cheap-to-observe physical characteristic, such as race, as a proxy for a more costly-to-observe characteristic. It is prejudice, in the sense of the word's Latin root—the act of pre-judging, or the practice of making decisions on the basis of incomplete information.

Since the acquisition of information is not costless and requires the sacrifices of time and/or money, we all seek methods to economize on its acquisition. Prior to making a

decision, people never obtain all of the information available or possible to obtain. For example, people prefer low prices to higher prices for a given purchase, but they never canvass *all* prices. In choosing a mate, we never obtain all possible information about our prospective spouse. In these and other decisions, we decide that a certain amount of information is “enough” and we search no more.

Consider the following example of pre-judging. Suppose on entering a room a person is unexpectedly confronted with the sight of a fully grown tiger. A fairly reliable prediction is that one would endeavor to leave the area in great dispatch or otherwise seek safety. All by itself that prediction is uninteresting. More interesting is the explanation for the behavior. Would the person's decision to run be based on any detailed information held about that *particular* tiger? Or would the decision be based on the person's stock of information about tigers in general, what his parents have told him about tigers, and tiger folklore? Most likely the individual's decision would be based on the latter. He simply pre-judges, or stereotypes, the tiger. The fact that it is a tiger is deemed sufficient information for action.

If a person did not pre-judge, or employ tiger stereotypes, his behavior would be different. He would endeavor to acquire additional information about the tiger before taking any action. Only if the tiger became menacing or lunged at him would he seek safety.

Most people so confronted by a tiger would not seek additional information. They would

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quickly calculate that the expected cost of an additional unit of information about the tiger is greater than the expected benefit.

## Pre-Judging People

What is popularly termed racial profiling represents pre-judging, where policemen disproportionately stop black motorists or pedestrians for identification, questioning, and contraband searches. We might ask: can one's racial characteristics serve as a proxy for some other characteristic not as readily observed? The answer is unambiguously in the affirmative. Knowing a person's race allows one to make some fairly reliable generalizations because race is correlated with a number of social and physical characteristics. Knowing that a man is black, one can assign a higher likelihood of his having diseases such as prostate cancer, sickle cell anemia, and hypertension. Knowing a person's race allows one to assign a probability to a host of socio-economic characteristics such as scores on achievement tests, wealth status, criminal record, or basketball proficiency. Given this reality, we can no more reliably say that a policeman is a racist when he assigns a higher probability to a black's being a criminal, and stops him for questioning or search, than we can reliably say that a physician is a racist when he assigns a higher probability of prostate cancer to his black patients and screens them more carefully.

Jesse Jackson once commented, "There is nothing more painful for me at this stage in my life than to walk down the street and hear footsteps and start thinking about robbery—then look around and see somebody white and feel relieved." Jesse Jackson asserted a relationship between race and crime. Does that make him a racist?

There are certain high-crime areas of a city—maybe it is New York's Harlem or Washington, D.C.'s Anacostia—where taxicab drivers have been assaulted, robbed, and murdered. Out of safety concerns, white and black taxi drivers seek to identify and hence avoid passengers they suspect might ask to

be driven to those areas. This is racial profiling, but it does not necessarily indicate racial preferences.

I've experienced racial profiling. One instance was when I resided in Chevy Chase, Maryland, an exclusive Washington suburb. A Saturday chore, resulting from owning a corner house, was to pick up trash discarded by motorists. Once while doing this, a white gentleman offered me a job cleaning up his property. When I thanked him and told him that I would be busy the rest of the day working on my dissertation, he apologized profusely.

The reality is that race and other characteristics are correlated, including criminal behavior.\* That does not dispel the insult, embarrassment, anger, and hurt a law-abiding black person might feel when being stopped by police, watched in stores, being passed up by taxi drivers, standing at traffic lights and hearing car door locks activated, or being refused delivery by merchants who fear for their safety in his neighborhood. It is easy to direct one's anger at the taxi driver or the merchant. However, the behavior of taxi drivers and owners of pizza restaurants cannot be explained by a dislike of dollars from black hands. A better explanation is they might fear for their lives. The true villains are the tiny percentage of the black community who prey on both blacks and whites and have made black synonymous with crime.

One cannot unambiguously say that police racial profiling represents racist preferences. Racial profiling is practiced by both black and white policemen. Ending racial profiling by police would put more black people at risk. To the extent that black people commit more crimes than white people, to the extent that black people are the major victims of black criminals, to the extent that police stops catch criminals—to that extent, eliminating racial profiling would deprive law-abiding blacks protection from criminals. □

\*Percentage of black arrests for selected crimes, 1995: murder and non-negligent manslaughter, 54.4; forcible rape, 42.4; robbery, 59.5; aggravated assault, 38.4; burglary, 31; vehicle theft, 38.3; fraud, 34.7; receiving stolen property, 39.4; weapons violations, 38.8; drug violations, 36.9. Crime in the United States, 1995 Uniform Crime Reports: Uniform Crime Reports (Washington, D.C.: U.S. Government Printing Office, 1995), p. 226.