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**The Effects of Standard Safety Belt
Enforcement on Police Harassment:
Year 2 Annual Report**

Executive Summary

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16. Abstract <p>This report presents first-year results of a multi-year project designed to assess the effects of standard safety belt enforcement on police safety-belt-related harassment. Six sets of questions aimed at gaining an understanding of the effects of standard enforcement were investigated. Results of the study include: 1) the introduction of standard enforcement did not change the number of safety-belt-related harassment complaints from citizens; 2) the number of safety belt citations increased by about 9 percent after standard enforcement, while child restraint citations decreased slightly; 3) the citation conviction-rate increased after standard enforcement; 4) statewide over-representation of safety belt citations was clearly present for males and those under 30 years of age, but did not change after standard enforcement; 5) statewide citation over-representation by race was found prior to standard enforcement but not after; 6) little difference in the statewide citation over-representation patterns was found when only citations that resulted in convictions were considered; and 7) perceptions of harassment were not common among the population of people receiving safety belt citations, but Black/African Americans in this population were more likely to report safety-belt-related harassment by race even though close to one-half received citations from Black/African American officers. The general conclusion from the study is that the implementation of standard enforcement was not followed by police safety-belt-related harassment. As further data is collected over the next two years, more solid conclusions will be drawn.</p>					
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INTRODUCTION

The purpose of this research was to investigate, in a three-year study, the effects that standard enforcement of Michigan's safety belt law have on police harassment. For the purposes of this study, the Michigan Department of State (DOS) has defined safety-belt-related harassment as "a driver being singled out for a safety-belt-related traffic citation or treated differently during the stop on the basis of race, sex, age, or other factors unrelated to the actual violation." The objective of this research project was to provide answers to six sets of questions posed by the DOS:

- *Are more safety belt and child restraint citations issued by law enforcement officers under the new law as compared with the old law?*
- *How many incidents of harassment as a result of the enforcement of the law have been reported? How does this number compare with previous years? How does this number compare with other traffic violations?*
- *Is there a statistical over/under representation of safety belt stops in a group considering that group's size in the population and the rate of safety belt use of the particular group? How does this over/under representation compare with previous years?*
- *Is there a statistical over/under representation of safety belt citations in a group considering that group's size in the population and the rate of safety belt use of the particular group? How does this over/under representation compare with previous years?*
- *Is there a statistical over/under representation of safety-belt convictions in a group considering that group's size in the population and the rate of safety belt use of the particular group? How does this over/under representation compare with previous years?*
- *Do cited drivers perceive safety belt harassment?*

This report presents a summary of the methodology utilized and results of the first of three project years. The second and third year results are scheduled to be released in

June of 2003 and 2004, respectively. A final report on the entire project is scheduled for September, 2004.

DATA COLLECTION

The research involved the collection of data from six sources: Safety belt citation data from courts; driver history data (Master Driver Record) from the DOS; electronic driver license images from Polaroid/Digimarc (a DOS vendor); traffic-stop-related complaints from Michigan law enforcement agencies and Michigan civil rights groups; a direct observation survey of safety belt use in Michigan by age, sex, and race; and a telephone survey of Michigan residents who recently received a safety belt citation.

Safety Belt Citation Data

Safety belt and child restraint citation records were collected statewide. Data collection focused on safety belt and child restraint citations written by law enforcement agencies between March 10, 1999 and March 9, 2001, one full year before and one full year after standard enforcement was implemented. Law enforcement agencies are required to report all traffic citations, including safety belt and child restraint citations, to the District or Municipal Court that has jurisdiction over the area in which the violation occurred. Because of the relatively small number of courts compared to law enforcement agencies, it was deemed more efficient to obtain citation data from the courts rather than from the individual law enforcement agencies responsible for writing the citations. A total of 161 of the 163 District and Municipal Courts contacted agreed to participate in the study and provided us with citation data. The remaining two courts refused to participate due to time and staffing constraints for one court, and concerns about protecting the confidentiality of violators for the other court.

Master Driving Record

To ensure that our records contained accurate driver license numbers and demographic information, we requested data from the DOS's master driving record for individuals who received a safety belt or child restraint citation between March 10, 1999 and

March 9, 2001. The data received from the DOS's office were matched to our safety belt citation data. When data from the citation data file did not match the information contained in the master driving record, data from the master driving record were used. If the DOS's office was unable to find a match and therefore, did not send data for that record, we used the information contained in the safety belt citation database.

Images

Because race information for citations is not recorded by the police, courts, or DOS, the race of those receiving safety belt citations was determined visually from the electronic driver license image. The DOS Central Records Administration was contacted to obtain the images of motorists that had received a violation for safety belt or child restraint device nonuse, from the master driving record. The race for each record with an image in the database was visually judged separately by two different people. A total of five temporary employees were hired to complete the task of identifying race. Each person received a short training session to learn how to properly identify race and how the database program worked, and to review administrative policies and procedures. During the data entry period, temporary employees were monitored by project supervisors to ensure quality data entry, and answer any study-related questions.

Complaints

Complaint information consisted of citizen complaints resulting from any type of traffic stop that occurred between March 10, 1999 and March 9, 2001, one year prior and one year following implementation of standard enforcement of the safety belt law. Law enforcement agencies are required to maintain records on all reported incidents of harassment. A total of 551 of 593 police departments contacted participated in the study, representing a 93 percent response rate. For various reasons, 15 agencies refused to participate and 27 agencies did not respond. Departments with formal complaints on file provided us with copies for review. Once each complaint was thoroughly reviewed, the copies were destroyed. We also made formal requests for similar complaint information from the American Civil Liberties Union (ACLU), the Michigan chapter of The National

Association for the Advancement of Colored People (NAACP), and the Michigan Department of Civil Rights (MDCR). Only the MDCR provided the complaint data, even after six formal requests for information. In order to prevent double-counting, each complaint received from the MDCR was compared to all police agency complaints with the same incident date. Complaints to both agencies on the same incident were combined.

Direct Observation Survey

In order to determine whether or not certain groups of people were over or under-represented for receiving safety belt citations, it was necessary to know the violation rate of these groups. Fortunately, violations of Michigan's mandatory safety belt law can be determined visually on the roadways. Therefore, a direct-observation survey of safety belt nonuse in Michigan was designed and conducted so that we could estimate nonuse by sex, age, and race. The survey also allowed us to determine the presence of these groups on the roadways. Data collection involved direct observation of shoulder belt use, sex, race, estimated age, vehicle type, and vehicle purpose (commercial or noncommercial). Trained field staff observed shoulder belt use of drivers and front-right passengers traveling in passenger cars, sport-utility vehicles, vans/minivans, and pickup trucks during daylight hours from April 8, 2001 through May 1, 2001.

Questionnaire

A telephone questionnaire of people who had received a safety belt citation during the year following standard enforcement was conducted during October and early November, 2001. The survey consisted of questions on several topics that were relevant to safety belt use and safety-belt-related harassment. The interviews were carried out by MORPACE, International, a professional survey research company. The average interview time was approximately 10 minutes. Eight-hundred and three interviews were completed. Data were weighted to be representative of the population in Michigan receiving safety belt citations in the year following standard enforcement.

RESULTS AND CONCLUSIONS

This report presents the first-year results of a study designed to assess the effects of standard safety belt enforcement on police safety-belt-related harassment. For the purposes of this study, safety-belt-related harassment has been defined as "a driver being singled out for a safety-belt-related traffic citation or treated differently during the stop on the basis of race, sex, age, or other factors unrelated to the actual violation." We investigated six sets of questions geared toward gaining an understanding of the effects of standard enforcement on harassment. Note that these results encompass the year prior to standard enforcement (Pre-Year) and the year following standard enforcement (Post-Year). The project is scheduled to analyze two more years of data after standard enforcement. As such, conclusions drawn in this report may be strengthened or weakened as additional data are analyzed in the study.

The study analyzed all written complaints arising from a traffic stop to determine if the number of written safety-belt-related-harassment complaints changed with the introduction of standard enforcement. Our analyses showed that safety-belt-related-harassment complaints were very uncommon both before and after standard enforcement, with about 1 per year resulting from every 10,000 citations written or 3 per year for every 1 million licensed drivers. In addition, when safety-belt-related complaints were compared to other-traffic-violation-related-harassment complaints each year, there appeared to be no difference in safety-belt-related-harassment complaints after standard enforcement. Thus, the introduction of standard enforcement did not change the number of safety-belt-related-harassment complaints from citizens.

The study found that 202,859 safety belt citations were written in the Pre-Year and 220,703 were written in the Post-Year. This difference represented about a 9 percent increase in citations issued after standard enforcement. One would expect citations to increase with standard enforcement since this change in the law allows officers to more easily cite vehicle occupants in violation of the law. The greatest increases in citations after standard enforcement were for out-of-state vehicle occupants, pickup truck occupants,

occupants who were neither White nor Black/African American, and occupants 65 years of age or older. After standard enforcement, large increases were found for citations in which the person was found responsible, and large decreases were found in dismissed citations. It appears that one effect of standard enforcement was to increase the "conviction rate" for safety belt citations. The study also examined the number of child restraint citations for the Pre and Post years. We found that about 2 percent fewer child restraint citations were written in the year following standard enforcement. Child restraint violations in Michigan have been a standard enforcement offense since the early 1980s. Thus, one would not expect the number of child restraint citations to have increased.

While analysis of the numbers of safety belt citations issued is useful for determining how the number of citations issued changes with standard enforcement, these data alone cannot tell us if a group is receiving more citations than would be expected (citation over-representation). In order to draw conclusions about citation over-representation within a group, one needs to know that group's violation rates (derived from safety belt nonuse rates), their presence on the roadways, and the citations received by that group. We assessed citation over-representation by comparing the proportions of people in various groups of nonusers of safety belts to the proportions of these same groups in the safety-belt-citation population both before and after standard enforcement. If the citation-proportion for a group was significantly *greater* than the violation-proportion, then we concluded that members of that group were experiencing citation over-representation. According to the study's definition of safety-belt-related harassment, an over-representation of safety belt citations for a group relative to their violation rate constituted "differential treatment" regarding the issuance of safety belt citations during traffic stops for this group. Note that this definition of harassment differs from the general use of the word in that it: 1) is specific to the enforcement of the mandatory safety belt use law only; 2) does not imply any mechanism by which safety-belt-citation over-representation might occur; and 3) does not imply any intent, malicious or otherwise, on the part of the officers issuing the citations.

Study results showed that males received more citations than would be expected based on their violation rates, both before and after standard enforcement. Thus, according to the study's definition, males were experiencing safety-belt-related harassment and the implementation of standard enforcement did not alter this result. Statewide analysis by race showed that Black/African Americans were receiving more citations than expected based on their violation rate prior to standard enforcement, but not after standard enforcement. These results showed that while safety-belt-related harassment of Black/African Americans was present, this outcome was lessened after the implementation of standard enforcement. Citation over-representation was found for those of Other-races after standard enforcement only. While this outcome suggests that standard enforcement may have resulted in safety-belt-related harassment, we are not confident that the violation rates for those of Other-races are reflective of this since we found so few members of this group in our field data collection. Therefore, we cannot draw definitive conclusions based upon the results for Other-races.

Analysis by age showed that vehicle occupants under 30 years of age received more citations than expected both before and after implementation of standard enforcement. Thus, vehicle occupants under 30 years of age were experiencing safety-belt-related harassment and the implementation of standard enforcement did not alter this experience. From these data collectively, we conclude that the implementation of standard enforcement did not lead to a change in citation over-representation and, therefore, safety-belt-related harassment. Indeed, for Black/African Americans the incidence of safety-belt-related harassment may have been reduced after standard enforcement. It is important to keep in mind, however, that these conclusions may change as the next two years of data are collected and analyzed.

We also conducted the same analyses utilizing only those citations that resulted in a conviction. Since a large percentage of citations written have this disposition, we found few differences between these analyses and the ones that involved analyses of all citations

written. We therefore conclude that the introduction of standard enforcement did not differentially affect how safety belt citations are disposed.

The study included a telephone questionnaire of people who had received a safety belt citation during the year following standard enforcement. These data were weighted to be representative of all people in Michigan who received a safety belt citation. In addition to asking about perceived harassment, we were also interested in finding out more about the population of people who received safety belt citations. We found that this population reported using safety belts at least most of the time and believed that safety belts were at least somewhat effective in preventing serious injury. Only about one-half were in favor of a mandatory safety belt law and a large majority opposed the standard enforcement provision of the law.

Respondents reported a moderate perceived presence of police on freeways and nonfreeway roads and generally thought that it was unlikely that someone violating the safety belt law would be pulled over. However, once a person was pulled over for this violation, respondents thought they were very likely to be given a safety belt citation, regardless of the roadway type.

A surprising 40 percent of respondents had received more than one safety belt citation in Michigan, showing that simply being cited once for a lack of safety belt use is not enough to change the behaviors of many of Michigan's nonusers of safety belts.

As a criterion for inclusion in the survey, all respondents had received at least one safety belt citation during the year following implementation of standard enforcement. We asked people about the most recent time they were cited for violating the safety belt law. Nearly all respondents had been drivers and about one-quarter of respondents denied the violation. About 40 percent were traveling in a vehicle with one or more other occupants, about one-half of which were reported to be unbelted. Seventy-five percent of stops occurred in the morning or afternoon. Nearly 90 percent of stops occurred on roads other

than freeways and about one-half occurred in the respondent's own neighborhood. About 75 percent of respondents owned the vehicle that was stopped and this same proportion reported that the vehicle in which they were riding was in "good" or "very good" condition.

Nearly all stops were by a solo police officer and in two-thirds of the stops, the officer was from a local police department. Almost 90 percent of the time, the officer was male, between the ages of 23 and 64. About 80 percent of the officers were judged to be White and about 15 percent of the officers were Black/African American. Interestingly, Black/African Americans judged the officer to also be Black/African American in more than 40 percent of stops. Thus, enforcement of the safety belt law for Black/African Americans is nearly equally split between White and Black/African American officers.

In general, respondents thought that officers acted professionally, with about 80 percent reporting the officer's behavior as somewhat or very professional. However, about 9 percent overall thought the officer's behavior was very unprofessional and about 15 percent of Black/African American respondents thought that the officer's behavior was very unprofessional.

The traffic stops were judged to be quite short in duration, with 45 percent of respondents reporting that the stop was 10 minutes or less. Another 30 percent reported stops ranging in duration from 11-15 minutes. About 60 percent of respondents reported that they were stopped for violating the safety belt law. Three percent of respondents, however, reported that they were given no reason for the stop. About 25 percent of respondents reported that they received a ticket for some other violation in addition to the safety belt citation; 27 percent reported that another occupant received a safety belt citation; and about 17 percent reported receiving a warning for another violation. Other police actions during the stop, such as searches and sobriety tests, were not frequently reported.

In order to assess perceived safety-belt-related harassment, we asked respondents whether they felt they were singled out for the traffic stop because of their age, sex, race, or several other factors. About 16 percent of respondents indicated that they thought they

were singled out because of their age. Those under 23 years of age quite frequently felt that they were singled out because of their age. About 9 percent of respondents thought they were singled out because of their sex, however, men and women did not differ in this perception. About 9 percent thought they were singled out because of their race. About 30 percent of Black/African Americans reported this perception, whereas only about 3 percent of Whites felt that way. These results show that among the population of people receiving safety belt citations in Michigan, there is a somewhat common perception of harassment among Black/African Americans. The study also showed that about 9 percent of respondents thought they were singled out for the traffic stop because of the appearance of their vehicle (condition, make, etc). Thus, perceived harassment on the basis of the vehicle appearance was mentioned as frequently as race or sex by respondents. Several other reasons were mentioned by a few respondents.

In closing, the study did reveal that certain groups were receiving more citations than expected based on their rates of violating the safety belt law (over-representation). The study has defined this as safety-belt-related harassment. While the study documents the occurrence of safety-belt-related harassment in some cases, it does not allow us to determine the mechanism by which certain groups are being given more citations than would be expected. Further analyses of these data are planned to help us understand why certain groups are receiving more citations than would be expected based upon their safety-belt-law-violation rates. The main question to be answered in this study is whether the implementation of standard enforcement resulted in police safety-belt-related harassment. The rate of safety-belt-related harassment complaints did not seem to change after standard enforcement, nor did the over-representation of safety belt citations or the over-representation of safety belt citations that resulted in convictions. Therefore, we conclude that the implementation of standard enforcement was not followed by police safety-belt-related harassment during the year after standard enforcement in Michigan. Again, as further data are collected over the next two years, more solid conclusions will be drawn.