

# Driving While Black

A Report on Racial Profiling in  
Metro Nashville Police Department Traffic Stops

A Project by Gideon's Army

In Collaboration with Nashville  
Community Organizations & Leaders



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Nashville, Tennessee  
October 25, 2016

[www.drivingwhileblacknashville.org](http://www.drivingwhileblacknashville.org)

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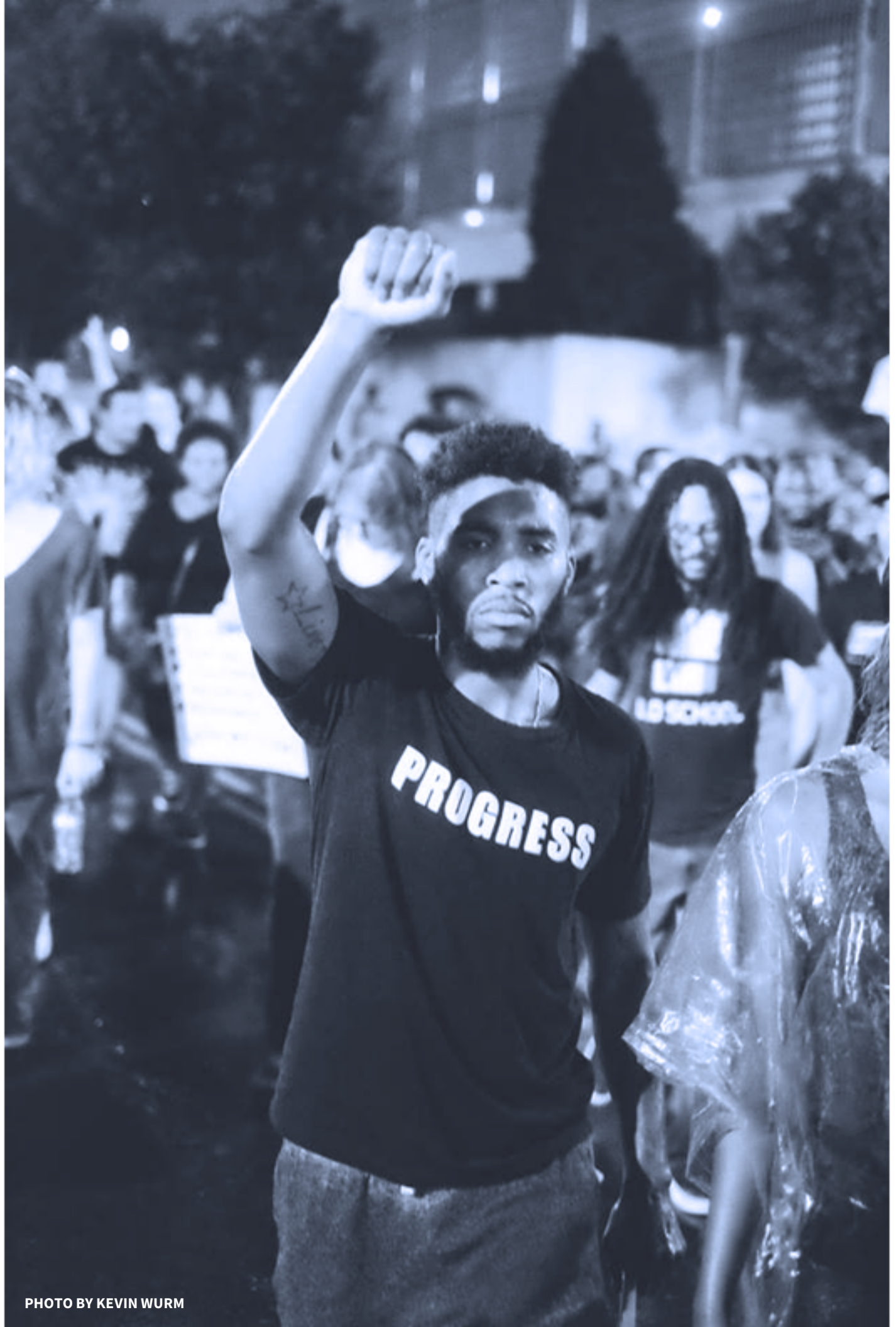


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## EXECUTIVE SUMMARY

Our report shows that “driving while black” constitutes a unique series of risks, vulnerabilities, and dangers at the hands of the Metro Nashville Police Department (MNPd) that white drivers do not experience in the same way.

Upon reviewing MNPd’s traffic stop database, our report finds that:

- Between 2011-2015, MNPd conducted 7.7 times more traffic stops annually than the U.S. national average
- Between 2011-2015, MNPd made more stops of black people than there were black people 16 years old and over living in Davidson County
- Between 2011-2015, MNPd consistently and unnecessarily stopped and searched black drivers in predominantly black, Hispanic, and low-income communities at rates substantially higher than they did white drivers in predominantly middle to upper income communities
- MNPd consent searches are invasive and fail to yield incriminating evidence 88.4% of the time.
- Evidence of unlawful activity is found during searches of white drivers more often than in searches of black and Hispanic drivers
- Nearly 80% of all MNPd traffic stops in 2015 result in a warning, and, in traffic stops including a search of the vehicle or driver, between one-third and half result in a warning, which means hundreds of thousands of drivers are being stopped and searched unnecessarily every year
- Since 2012, Operation Safer Streets (OSS) has resulted in more than 58,000 vehicle stops and 11,000 arrests, the vast majority of which were concentrated in communities of color. More than 90% of OSS arrests were for misdemeanors, often for possession of small amounts of marijuana or driving without a license, and more than 80% of stops yielded no evidence that warranted arrest.

Our interviews with black drivers in Nashville show that:

- Metro police officers regularly intimidate, harass, and unfairly exert their authority over black drivers
- Aggressive tactics by officers result in traumatizing experiences of fear for one’s safety and the safety of one’s family and friends
- Black drivers experience anger at being treated unjustly and disrespectfully, frustration derived from being profiled because of one’s race and its assumed correspondence to criminality, and the feeling that police do not “serve and protect” black people like they do white people

Through these findings, our report shows that MNPd’s traffic stop practices impose a severe disparate or discriminatory impact on the predominantly black and low-income communities that MNPd’s traffic stop and search regime disproportionately targets. MNPd’s internal reports justify these disparities based on an alleged correlation between where stops are made and the number of crime reports in the area. However, our findings show that traffic enforcement targets and impacts entire communities, not just people who commit crimes,

and that regardless of the area, black people are searched at much higher rates than white people. For these reasons, racial disparities in policing are unlikely to be caused by individual officers' behaviors alone, but by institutional norms and policies that justify targeting predominantly black and low-income communities.

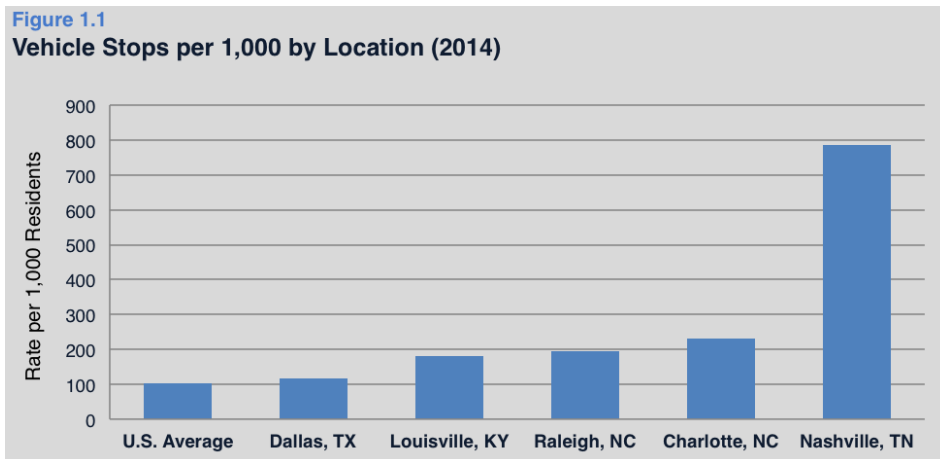
The MNPD traffic stop lesson plan used as part of officer training shows that the department is primarily focused on using traffic stops as a way to gain entry into vehicles and search them (See Section II). In practice, this means making pretextual traffic stops for technicalities, such as rolling through a stop sign or having a broken taillight, in order to get an opportunity to make contact with the occupants, use manipulative forms of engagement to gain consent to search, and search drivers and their vehicles. While the lesson plan does not explicitly prioritize stops and searches of black drivers, MNPD disproportionately deploys its patrol officers to predominantly black and low-income communities, and as our report shows, black drivers are more likely than white drivers to be stopped, stopped multiple times in a year, and searched during a traffic stop, even though searches of black drivers are less successful in yielding criminal evidence than are searches of white drivers.

MNPD's overwhelmingly unsuccessful and disparately impactful over-policing of predominantly black and low-income communities raises serious concerns about the effectiveness, legitimacy, and constitutionality of MNPD's traffic stop and search regime. Furthermore, the fact that Nashville's unnecessarily high rate of total traffic stops does not reduce traffic accidents and injuries (Finding 1) and does not appear to make any significant impact on crime rates compared to other cities making fewer stops (Demand 1) calls MNPD's policing strategies into question both legally and ethically.

The core findings of our report analyze traffic stops of black, white, and Hispanic drivers and are briefly summarized below.

**Finding #1: Between 2011-2015, MNPD stopped an average of 786 per 1,000 drivers annually, 7.7 times the national average of 102 per 1,000 drivers**

Between 2011 and 2015, MNPD conducted nearly 2 million traffic stops at an average of 393,941 per year, or 786 per every 1,000 drivers. MNPD makes enough traffic stops to potentially include three fourths of the driving age population of Nashville, a number 3.4 to 6.8 times greater than comparable cities, and 7.7 times the national average.





### **Finding #2: Between 2011-2015, MNPd stopped an average of 1,122 per 1,000 black drivers—more black drivers than were living in Davidson County**

Despite comprising 27.6% of Nashville’s driving age population, black drivers make up 39.3% of all traffic stops—11.7% more than the black driving age population. Meanwhile, white drivers, despite comprising 63.8% of the driving age population, account for only 55.5% of all traffic stops—8.3% less than Nashville’s white driving age population. In terms of raw numbers, MNPd stopped an average of 154,883 black drivers per year between 2011-2015, while the average black driving age population was only 138,588. In other words, between 2011-2015, MNPd made enough stops to have stopped 112% of the black population. In sum, black drivers in Davidson County (both resident and non-resident) are 1.6 times more likely than white drivers to be stopped by police. When stops of only Davidson County residents are analyzed, the black-white disparity in traffic stops rises from 20% to 32.2%, which means black Davidson County residents are more than twice as likely as white Davidson County residents to be stopped by the police.

### **Finding #3: Black drivers are up to 5 times more likely than white drivers to be stopped multiple times in a year, showing a disproportionate burden of policing on black communities**

Not only are black drivers more likely than white drivers to be stopped, they are also more likely to be stopped *multiple* times in a year. In 2015-2016, the rate for black drivers who were stopped 2-5 times in a year was 113% higher than the rate for white drivers. Black drivers are 374% more likely than white drivers to be stopped 6-10 times in a year, and 364% more likely than white drivers to be stopped more than 10 times in a year. Some of the black drivers we interviewed reported being stopped at least once a month, and multiple interviewees reported being stopped up to three times in one day in their North Nashville neighborhood.

### **Finding #4: MNPd conducts the majority of its traffic stops in predominantly low-income, black, and Hispanic neighborhoods, which contributes to overall racial disparities in traffic stops**

The majority of MNPd traffic stops center around high poverty and predominantly black and Hispanic neighborhoods. As a result, drivers in such neighborhoods have a greater chance of being stopped than

**“[I]n the white neighborhoods like Green Hills, any of the neighborhoods that are predominately white, they don’t patrol those neighborhoods. Because they know that if they patrol stuff like South Nashville, East Nashville...West Nashville...they finding easy victims for them to pull over.”**

**-Louie, 34**

**“Just because I can’t afford to live in a better neighborhood, you cannot treat me any kinda way. You know? Some people cannot afford to live in better neighborhoods. You have no other choice but to live here, which is pretty much a [police] harassment neighborhood.”**

**-Terrance Key, 47**

drivers in more affluent and white neighborhoods. While individual officers' implicit bias may certainly be a factor in racial profiling, the issue of racial profiling in traffic stops goes beyond individual officers' racial animus alone. MNPDP's institutional decision to distribute more officers in high poverty and predominantly black and Hispanic neighborhoods itself leads to significant discriminatory impact and contributes to racially disproportionate rates of traffic stops.

**Finding #5: Given the disproportionate rates of traffic stops of black drivers across all reasons given for initiating a stop, it seems that, for MNPDP, "driving while black" constitutes a *de facto* reason for initiating a stop**

Across all categories of stops, black drivers are stopped at rates disproportionately higher than other drivers. "Vehicle equipment violations" are stops where a car is not operating according to the legal requirements, for instance, a broken taillight. Black drivers are stopped for vehicle equipment violations 14.2% more than the black driving population of Nashville. "Safety and equipment" stops are made in response to damage to the vehicle, including broken windshields or missing bumpers. Black drivers make up 43.4% of all safety and equipment stops, 15.8% greater than their driving age population. "Investigative" stops are stops where the officer claims to have had at least "reasonable suspicion" to believe that the occupants of a car are engaging in criminal activity. Stops of black drivers make up 45.8% of investigatory stops, 18.2% more than the black driving age population, while white drivers are stopped for this reason 17.5% less than their population percentage. Traffic stops related to "parking" have the greatest disparity, with black drivers being 23.3% overrepresented, which seems to imply that, in the eyes of MNPDP officers, black drivers sitting in parked cars constitute a uniquely suspicious or potentially criminal scenario. Clearly, these disparities demonstrate that "driving while black" is a significant risk factor for being stopped by police in Nashville.

**Finding #6: MNPDP officers conduct probable cause and consent searches of black and Hispanic drivers at more than twice the rate of white drivers**

MNPDP's data shows that racial disparities in MNPDP's probable cause searches have grown under Chief Anderson's leadership. Every year, the total number of probable cause searches of black drivers exceeds the number of probable cause searches of white drivers, even though there are far more white drivers than black and Hispanic drivers. In 2011, the proportion of black drivers that were subjected to probable cause searches was 2.1 times as large as the proportion of white drivers, but by 2015, black drivers were searched at 3.4 times the rate of white drivers. In 2015, black

**"Honestly, it felt degrading. I'm a law-abiding citizen. There was no reason for them to pull me over. You could tell that it was some malicious intent behind it, like I was being targeted because of the color of my skin. When I was pulled over on the side being searched, citizens in the community looked at me like I did something wrong. I effect change [in the community]. Why am I being harassed?"**

**- Bernard Holmes, 28**

drivers were 237% more likely than white drivers to be searched based on an alleged claim of probable cause. Meanwhile, Hispanic drivers are subjected to probable cause searches at approximately one and a half times the rate of white drivers. Like probable cause searches, most consent searches are conducted on black drivers, even though whites constitute the majority of both total drivers and of drivers who are stopped by the police. Moreover, while MNPd claims that any racial disparities in its traffic stop regime are the “colorblind” byproduct of MNPd’s focus on tougher policing of “high crime” areas, a geographical analysis of search disparities by MNPd patrol zone shows that racial disparities in probable cause and consent searches are significant in virtually every patrol zone, regardless of whether the zone is a “high crime” or “low crime” area (See Appendix 2). In sum, black and Hispanic drivers are subjected to consent searches at more than twice the rate of white drivers.

### **Finding #7: Discretionary searches of white drivers result in the discovery of incriminating evidence more often than discretionary searches of black and Hispanic drivers**

MNPd’s probable cause and consent searches are more likely to yield incriminating evidence when the driver is white than when the driver is black or Hispanic, which indicates that officers are more inclined to conduct searches of black and Hispanic drivers. While probable cause searches of white drivers have become more accurate in yielding incriminating evidence over the past five years, the accuracy rate for searches of black drivers has remained largely static. As a result, the white-black disparity in probable cause search accuracy has grown over the past five years, from a 5% difference in 2011 to almost 15% in 2015. Consent search data also shows that the successful search rate for white drivers is substantially higher than the successful search rate for black and Hispanic drivers. These gaps are noteworthy, with success rates against white drivers at around 15%, black drivers 10%, and Hispanic drivers only 5%. Additionally, the success rate for consent searches is extremely low across the board, even against whites. Thus, the vast majority of consent searches are essentially “fishing expeditions,” resulting in the shakedown of innocent people. The likeliest outcome of any search is that it fails, which occurs in 80% of all searches, and in 88% of consent searches.

### **Finding #8: Nearly 80% of all MNPd traffic stops in 2015 resulted in a warning, and in traffic stops including a search of the vehicle or driver, between one-third and half resulted in a warning, which means hundreds of thousands of drivers—a disproportionate number of whom are black—are being stopped unnecessarily**

The most common outcome from a traffic stop in Nashville is a warning. In 2015, 79.1% of traffic stops ended with a warning while 14.9% ended with a traffic ticket, 5.7% ended with a state citation, and 1.6% ended with an arrest. Traffic tickets refer to citations given for traffic ordinance (i.e. speeding or running a red light) while a state citation is a criminal charge (i.e. drug possession or driving without a license). In terms of the racial distribution of stop outcomes, MNPd arrests and gives warnings and state citations to black drivers at rates disproportionately higher than white drivers. Despite representing 27.8% of the driving age population in 2015, black drivers represent 40-56% of warnings, state citations, and arrests. Additionally, Hispanic drivers are 8.4 times more likely, and black drivers are 3.1 times more likely, than white drivers to receive a state citation when stopped.

Between 2002 and 2015, as the total rate of traffic stops began rising, the proportion of stops leading to a warning increased as traffic stop practices shifted toward stopping individuals for more minor violations. While this reduction in citations may seem on one level like a diminishment in police interventions, this shift toward

increased warnings indicates an increase in pointless stops and searches of Nashville drivers. As discussed in Findings 10-12, many of our interviewees said that stops for minor, petty violations are experienced as forms of harassment, especially for black drivers who are stopped and searched at disproportionate rates compared to white drivers.

**Finding #9: MNPDP's Operation Safer Streets (OSS) program has resulted in more than 58,000 vehicle stops and 11,000 arrests, the vast majority of which are concentrated in communities of color, with more than 80% of those stops yielding no evidence that warranted arrest. More than 90% of OSS arrests were for misdemeanors, often for possession of small amounts of marijuana.**

Civil rights groups in Nashville have decried the Operation Safer Streets program as disproportionately targeting black, immigrant, and low-income neighborhoods. Between January 2012 and September 27, 2016, OSS activities resulted in 58,553 traffic stops and 11,253 arrests. While OSS stops represent a small fraction of total traffic stops in Nashville—around 3% of stops annually—the fact that OSS stops occur only on weekends and are concentrated in a small number of neighborhoods indicates that the effects of OSS are disproportionately distributed. While just 30% of Census Block Groups in Nashville are majority nonwhite, 60% of OSS activities occurred in majority nonwhite areas, and one-quarter occurred in areas that were more than 90% nonwhite. Overall, 80.8 percent of stops (or a total of 47,280) that occurred as part of OSS do not lead to arrest. Furthermore, arrests are overwhelmingly for misdemeanors: in 2015, felony charges accounted for less than 9% of arrests. Many arrests are for petty drug crimes, and weekly press releases often note seizing a total of only a few grams of marijuana. In sum, OSS represents the worst excesses of hyper-policing predominantly black, Hispanic, and low-income neighborhoods, targeting alleged offenses as part of a drug war that has been widely identified as a costly, community-decimating failure.

**Finding #10: MNPDP officers often use intimidation tactics to coerce black drivers into complying during traffic stops. Officer aggression often intensifies when drivers “know their rights” and refuse to comply with unconstitutional or otherwise illegal requests by officers.**

Our interviews with 22 black drivers suggest that Nashville police officers quickly resort to intimidation using a variety of verbal and non-verbal tactics in an effort to exert their authority and garner compliance. Intimidation tactics ranged from officers approaching the car window with their hands on their guns or handcuffs, to threatening to break a window or bring police dogs to the scene, to pointing a gun at the driver, even when the driver did not pose any immediate threat to the officer. In many cases, officer displays of aggression started or intensified when community members asserted their rights, which indicates officers' displeasure at having their authority questioned in any way. The community members we interviewed overwhelmingly perceived officers as bastions of potential or actual force. Interviewees reported that officers often hinted at their prowess and their willingness to produce undesirable outcomes, effect arrest, or wield force through intimidating verbal and non-verbal displays. Some of these intimidating displays were symbolic reminders of officer power. As 49-nine-year-old Nashville resident Michael Harris said, “If you could see some of the looks and expressions on their faces, they just kind of look like, ‘I can do this and there’s nothing you can do about it. I got the badge and you ain’t got one.’ I don’t know if it’s through their training or they feel they have to be aggressive, but they just come off in the wrong tone, wrong vibe.”

**Finding #11: Interactions with MNPD officers during traffic stops leave many black drivers feeling fearful, angry, anxious, dehumanized, and traumatized. As a result, black drivers often resort to strategies of safety and preparedness that might increase their chances of surviving an interaction with an officer.**

When asked how interactions with Metro officers made them feel, the black drivers we interviewed expressed feeling fearful, anxious, angry, victimized, violated, traumatized, disrespected, and dehumanized. These feelings, our interviewees said, derive both from past experiences with MNPD and from broader national social and political conditions, namely police killings of young black men. As 70-year-old KHAOS Thomas, a Vietnam veteran, said, “It’s dehumanizing. I never thought I’d say this, but I think one of my greatest fears nowadays is a traffic stop. Broken taillight can result in you losing your life.” In response to these feelings of fear and in an effort to remain safe and keep officer aggression from escalating during traffic stops, the black community members we interviewed developed “safety strategies” such as announcing their movements, maintaining a calm demeanor, and keeping a “safe” distance as much as possible during traffic stops to signal to the officer that they were willing to comply and that they did not pose a threat. In short, according to our interviewees, experiences with Metro police often result in traumatizing experiences of fear for one’s safety and the safety of one’s family and friends, which leads black drivers to go to extra lengths to ensure they survive a basic traffic stop.

**Finding #12: Given their combined experiences of MNPD’s hyper-vigilance against black drivers on the basis of petty offenses, on the one hand, and reported experiences of MNPD’s relative unresponsiveness to actual emergencies, on the other, black residents question the idea that police officers actually “serve and protect” them.**

The stories of our interviewees show that driving while black in Nashville often means fearing for one’s life at the hands of those whose stated mission is to “serve and protect.” For many black drivers, this means a double awareness of the fact that one is a “target” just by being a black person in America and that if one is in actual danger, police are often slow to respond. As 34-year-old Louie put it, “[W]hen I need you for a real emergency, it take you too long ‘cause I’m black. But if anything else jumps off, you right there.” In sum, given that black Nashville residents experience unwanted attention from MNPD officers through excessive traffic stops, and given the fact that those same residents experience MNPD as generally unresponsive to real moments of crisis, many of our interviewees suggested that Metro police do not actually serve and protect them in any meaningful way. In addition to this observation, interviewees argued that the best way to respond to community violence and unlawful activity is not with increased police presence. Rather, interviewees suggested that the key to creating safer, healthier communities is real economic investment in the communities that need funds the most.



# I. INTRODUCTION

The United States of America is in an era of upheaval. Or better, perhaps it has always been in such a state, but only now are increasing numbers of people becoming aware of it. Through education, organizing, and uprisings, scholars, activists, and peoples movements are helping more and more people understand that chattel slavery in this country did not end so much as it took on new shape, enabling racial and economic oppression to adapt to the pressures that have challenged it, from the abolition of slavery, to the black freedom movements of the 1950s, 60s, and 70s, to the critical mass emerging in opposition to mass incarceration and racialized state and police violence today. “Black Lives Matter,” in particular, is a phrase and a movement that articulates and embodies both the spirit and contestation of our time, challenging the U.S. to cast out its many white supremacist demons once and for all. What these movements, like those that preceded them, teach us is that racism is not merely a matter of individual, internalized bias, but is a matter of the very structure of the systems and institutions that surround us.

During the wave of police violence and popular protest and organizing in opposition to it of the last few years, Nashvillians have stood up to mourn, organize, and call for a world without the racist state violence that leaves black and brown people dead in the streets at the hands of those tasked with serving and protecting communities. In the wake of these local protests, Nashville’s Chief of Police Steve Anderson emerged as a kind of hero widely celebrated by many (though not all) for instructing his officers not to brutalize or arrest demonstrators. While it is true that Anderson has thus far not criminalized mass protest, members of local social justice organizations have continued to insist that the Metro Nashville Police Department (MNPD) is just as guilty as any other police force in the country of engaging in the kinds of policing practices that have elsewhere resulted in police killings, namely, the everyday criminalization of black, brown, and poor people that the Movement for Black Lives and other movements and scholars have spent the last few years critiquing.<sup>1</sup>

This report is an effort toward amplifying and deepening the claim black Nashvillians have been making for decades: MNPD engages in racial profiling every single day, and it has for years, even decades. Metro’s Chief of Police may not have instructed his officers to brutalize protesters during Black Lives Matter protests, but that doesn’t mean his police force doesn’t still engage in policing practices that disproportionately impact black, Hispanic, and low-income community members day in and day out. MNPD engages in exactly this kind of disparately impactful policing, and this report is the first of its kind in recent years to so thoroughly make this fact clear.

## Origins of the Report

So how did this report come about? First, as a precursor to this project, Gideon’s Army conducted community listening sessions called “Family Suppers”. These gatherings consisted of fellowshipping amongst members of predominantly black and low-income neighborhoods and participating in what is known as “healing circles”. In these circles, some of this city’s most marginalized residents shared narratives around community safety, youth violence and wellbeing, restorative justice, and the policing practices of the Metro Nashville Police Department (MNPD). These suppers gave insight into how the community interacts with and perceives MNPD, which gave rise to critical questions community members have about policing in their community, which, in turn, prompted the formation of a police and criminal justice accountability project tasked with multiple goals, including community education and training, exploring alternatives to policing, and building power to create new forms of restorative justice and police oversight in Nashville. This report is a preliminary expression of these endeavors.

In addition to Gideon's Army's work, during the same time that it held its family suppers, Nashville civil rights attorney Kyle Mothershead, an author of this report, was conducting independent research on MNPDP traffic stops. In April 2016, Kyle obtained MNPDP's 252 traffic stop database for years 2011-2015. In July 2016, Kyle connected with and joined the Gideon's Army report team that was then forming, bringing his initial findings with him. From that point, other members of the team obtained additional data and documents from MNPDP, conducted interviews, and engaged together in collaborative research until the project evolved to become the report you are now reading.

Conducted by a team of more than 60 community members, this report attempts to elaborate upon and deepen critical insight on MNPDP's role and function in the community. The primary sources of this report are 1) data on MNPDP traffic stops and 2) the self-narrated experiences of black drivers who have been subjected to those traffic stops. Combining a variety of methodological approaches, and allowing our quantitative and qualitative data to mutually inform, corroborate, and elucidate one another, this report is the product of collaboration between black community members, organizers, activists, lawyers, oral historians, and academic researchers. Our interviewees' narratives informed the direction of our Research Findings (Section III), and the hopes for change they articulated are reflected in our report's Demands (Section V). Likewise, our emerging quantitative findings from data and other documents obtained from MNPDP helped direct the topics and questions we raised in our conversations with our 22 interviewees. The purpose of this report is to communicate just some of the realities of "driving while black" in Nashville in hopes that deeper and wider understanding of these realities might encourage all of us, and particularly our elected officials, to go deeper than we have thus far in facing the real problems of policing in Nashville. It is our hope that facing these realities will, in turn, enable our city to make the concrete changes that need to be made to create a more just Nashville. We outline just some of these concrete changes in our Demands (Section V).

### **Mass Incarceration in Tennessee and Beyond: Background**

The last five to ten years have brought increased attention to the crises of systemic racism and discrimination in criminal legal and law enforcement institutions. Thanks to scholars like Angela Davis, Michelle Alexander, and many others, along with the social movements that corroborate and give rise to their work, our era has come to be known as the age of mass incarceration. With 5% of the world's population, but more than 20% of the world's prisoners, the United States is the global leader in incarceration.<sup>2</sup> In fact, the prison population in the United States alone is greater than the combined prison population of all of Europe.<sup>3</sup> In the last 40 years, the prison population in the United States has increased 500%, from roughly 200,000 to more than 2.2 million.<sup>4</sup>

This growth in the use of incarceration as a tactic to allegedly combat crime<sup>5</sup> has many sources, but can be traced in the modern era primarily to the racially and economically discriminatory "War on Drugs" and "War on Crime" and the increased sentencing measures that accompanied and followed from them.<sup>6</sup> Despite the fact that the War on Drugs has widely been understood as a failed endeavor, Nashville's racially discriminatory Operation Safer Streets program is a local expression of the ongoing war on drugs (See Finding #9) that disparately impacts predominantly low-income communities of color.

While Tennessee is often left out of national discourse on mass incarceration, it represents a significant portion of state-level incarceration, being one of fourteen states to hit record heights of incarceration in and since 2013.<sup>7</sup> The southern region of the United States leads the country in incarceration rates, and Tennessee has above average incarceration rates compared to other states. Nashville, the capital of Tennessee, is home to the notorious private prison company Corrections Corporation of America (CCA), whose facilities house a quarter of Tennessee's prison population.

The prison population in the United States is disproportionately comprised of people of color. People of color are 49% of federal prisoners (with black people constituting 38.7% of that number).<sup>8</sup> In 2014, black Americans were



incarcerated in state prisons at a rate of 5.1 times the rate of white Americans.<sup>9</sup> Of the 1.6 million people serving prison sentences of longer than a year, 60 percent are black or Latino. In fact, black people comprise 13% of the U.S. population, but 37% of the prison population. According to recent estimates, one in three black men will serve time in prison.<sup>10</sup> In Tennessee, black residents are incarcerated at 3.7 times the rate of white Tennesseans.<sup>11</sup>

As with racial profiling in policing, the disproportionate number of people of color affected by mass incarceration has significant repercussions. Being taken out of society means being taken away from one's community, family, and job. People with felonies are discriminated against in a number of ways: they can be denied housing, federal assistance, jobs, and lose their voting rights. In Tennessee, people with felonies are automatically denied their right to vote until and unless they complete a confusing process to restore their rights (except for those convicted of certain crimes, such as murder)—a process so confusing it has been the subject of several court cases.<sup>12</sup>

Race, poverty, policing, and mass incarceration are inextricably linked in the United States, as well as in our city of Nashville. Through disparately impactful policing practices, communities of color—especially low-income black communities in Nashville—are targets of undesired police attention in the form of disproportionate stops, searches, harassment, citations, and arrests. In turn, the over-policing of communities of color contributes to the disproportionate incarceration of people of color. By focusing on the numbers and the stories of racial profiling in MNPDP traffic stops, we can begin to unravel these issues at their source. Nashville deserves—and can do—better.

### **Policing in Nashville: Past and Present**

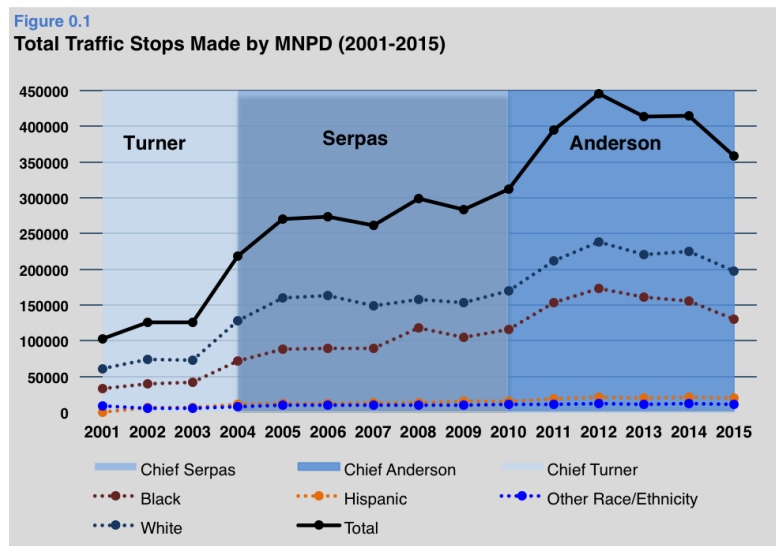
In the wake of the tragic and unwarranted deaths of black men including Michael Brown, Eric Garner, Freddie Gray, Philando Castile, and literally hundreds of other black people at the hands of police officers in the U.S., the issue of discriminatory policing has come into sharp focus in recent years. However, the effect of racial discrimination in policing is not always so stark and high profile as deaths at the hands of police officers. Racial profiling in policing continues to be an issue on a more mundane level as police utilize broken windows style policing tactics to intervene in the lives of black, Hispanic, and poor people at rates disproportionately higher than white and affluent people.<sup>13</sup> Indeed, as many scholars have argued, U.S. policing's roots in relation to chattel slavery in the south and urban worker uprisings in the north are histories worth keeping mind as we consider the evolutions that brought us to where we are today.<sup>14</sup> Additionally, in terms of the findings in this report that detail the disproportionate deployment of officers to predominantly low-income and black communities, it is also worth remembering the history of the forced geographical distribution of black communities before, during, and following the Civil War, reconstruction, and Jim Crow segregation in Nashville, including in North and South Nashville neighborhoods.<sup>15</sup>

In terms of the sheer numbers of MNPDP's traffic stop and search regime, it is important to observe that the rate of traffic stops in Nashville has risen steadily over the course of the last 15 years. Figure 0.1 shows the total traffic stops conducted by MNPDP from 2011-2015 by race and ethnicity. As the graph shows, stop totals under Chief Anderson have risen substantially above the rates of stops conducted by former chief Ronal Serpas, who was known for his intensive traffic stop regime.<sup>16</sup> As our Research Findings show, Nashville pulls over more drivers than comparable cities, and pulls over drivers at 7.7 times the national average (Finding #1). At an October 2014 meeting of homeless service providers in Nashville, a former MNPDP precinct commander said that the department's officials instruct officers to pull over as many drivers as possible: "We preach every day: 'Go stop people. I want all the cars stopped. I just want 'em stopped,' because it will hopefully educate and prevent any property or personal damage or injury to people."<sup>17</sup> But as our Findings (#1) and Demands (#1) show, Nashville's high rate of traffic stops does not appear to increase safety or deter crime. On the contrary, while MNPDP's internal reports justify racial disparities in policing based on an alleged correlation between where stops are made and the number of crime reports in the area, our findings show that traffic enforcement targets and impacts entire communities, not just people who commit crimes, and that regardless of the area, black people are searched at much higher rates than

white people. In sum, Nashville’s policing practices disproportionately impact communities of color in ways that raise serious questions about the legitimacy and legality of MNPD’s entire traffic stop and search regime.

Nashville’s Chief Anderson and others have often boasted that Nashville’s policing practices are unique, and thus that Nashville is not like Ferguson or Baltimore. But as our report shows, the same kinds of policing practices—disproportionately stopping and searching drivers in predominantly black, Hispanic, and low-income communities—that led to police killings in other cities also take place here.

In short, this report shows that Nashville is not so unlike other cities after all. Indeed, in many ways, it is worse. As our interviewee, community organizer Jackie Sims, put it, “I think it’s foolish for us to think that we cannot become a Ferguson or a Baltimore. Yes we can. Yes we can. The right match has not been struck, that’s all.”



<sup>1</sup> See the Movement for Black Lives Platform, “A Vision for Black Lives: Policy Demands for Black Power, Freedom, & Justice.” <<https://policy.m4bl.org/platform/>>.

<sup>2</sup> The U.S. population is approximately 324 million, roughly 4.5% of the global population of approximately 7.3 billion. The U.S. Census Bureau, *U.S. and World Population Clock*, available at: <<http://www.census.gov/popclock/>>. The U.S. prison population is approximately 2.2 million, roughly 21.5% of the global prison population of approximately 10.36 million. The above numbers reflect only the numbers of those incarcerated and do not take into account the vast numbers on probation or parole. Roy Walmsley, *World Prison Population List*, The Institute for Criminal Policy Research’s World Prison Brief (2015), available at: <[http://www.prisonstudies.org/sites/default/files/resources/downloads/world\\_prison\\_population\\_list\\_11th\\_edition.pdf](http://www.prisonstudies.org/sites/default/files/resources/downloads/world_prison_population_list_11th_edition.pdf)>.

<sup>3</sup> The U.S. prison population exceeds 2.2 million, while the prison population of all of Europe is under 1.6 million. <[http://www.prisonstudies.org/sites/default/files/resources/downloads/world\\_prison\\_population\\_list\\_11th\\_edition.pdf](http://www.prisonstudies.org/sites/default/files/resources/downloads/world_prison_population_list_11th_edition.pdf)>.

<sup>4</sup> <<http://www.sentencingproject.org/the-facts/#map>>.

<sup>5</sup> Oliver Roeder, Lauren-Brooke Eisen, and Julia Bowling, “What Caused the Crime Decline?” (Brennan Center for Justice). <<https://www.brennancenter.org/publication/what-caused-crime-decline>>.

<sup>6</sup> See: Marie Gottschalk, “Are We There Yet? The Promise, Perils and Politics of Penal Reform,” *Prison Legal News*, January 2016. Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2012). Elizabeth Hinton, *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America* (Cambridge, MA: Harvard University Press), 2016. Loïc Wacquant, *Punishing the Poor: The Neoliberal Government of Social Insecurity* (Durham, NC: Duke University Press), 2009.

<sup>7</sup> <<http://www.nashvillescene.com/news/article/13055503/tennessee-prison-population-hits-new-record-high>>.

<sup>8</sup> <[https://www.bop.gov/about/statistics/statistics\\_inmate\\_race.jsp](https://www.bop.gov/about/statistics/statistics_inmate_race.jsp)>.

<sup>9</sup> <<http://www.sentencingproject.org/news/black-americans-incarcerated-five-times-white-people/>>.

<sup>10</sup> <<https://mic.com/articles/86519/19-actual-statistics-about-america-s-prison-system#xRl1bTGKE>>.

<sup>11</sup> <<http://www.sentencingproject.org/the-facts/#map>>.

<sup>12</sup> <<https://www.brennancenter.org/analysis/voting-rights-restoration-efforts-tennessee>>.

<sup>13</sup> For more on broken windows policing, see our Demands (Section V) and Loïc Wacquant, *Punishing the Poor: The Neoliberal Government of Social Insecurity* (Durham, NC: Duke University Press), 2009.

<sup>14</sup> See Eric H. Monkkonen, *Police in Urban America: 1860-1920* (Cambridge: Cambridge University Press, 1981). Jordan T. Camp and Christina Heatherton, eds, *Policing the Planet: Why the Policing Crisis Led to Black Lives Matter* (Brooklyn, NY: Verso Books), 2016. Sally E. Hadden, *Slave Patrols: Law and Violence in Virginia and the Carolinas* (Cambridge, MA: Harvard University Press), 2001. Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America* (Cambridge, MA: Harvard University Press, 2010).

<sup>15</sup> See Bobby L. Lovett, *The African-American History of Nashville, Tennessee, 1780-1930* (Fayetteville, AR: The University of Arkansas Press, 1999).

<sup>16</sup> As Findings 6 and 7 also show, racial disparities in discretionary searches have also grown under Anderson’s leadership.

<sup>17</sup> Author’s personal attendance and audio recording.



## II. MNPD MANUAL & TRAFFIC STOP TRAINING SUMMARIES

In this section we summarize two MNPD documents: the MNPD Manual and the MNPD Traffic Stop Lesson Plan used as part of officer training. The purpose of these summaries is to understand the department's standards on issues related to racial bias and discrimination, conducting traffic stops, and consent, probable cause, and pat down searches. Understanding the department's policies and procedures on these matters allows us to gauge the extent to which the department and its officers live up to their own legal and ethical standards, and to determine whether the department engages in training methods that lend themselves to discriminatory practices. As each section of our report and the summaries below show, we find substantial reason to believe that MNPD not only does not consistently satisfy its own legal and ethical standards detailed in its manual, but also trains its officers in ways that give rise to the kinds of problematic and discriminatory stop and search practices that we interrogate throughout the report.

### A. MNPD Manual Summary

The Metro Nashville Police Department (MNPD) keeps a departmental policies and procedures manual that details matters including departmental organization, employee welfare and conduct, criminal process, police equipment and facilities, vehicle operations, investigations, juvenile procedures, and field operations. The latest edition of the manual, which is more than 1,000 pages in length, was published August 19, 2014.

MNPD's values and mission statement is:

*[T]o provide community-based police products to the public so they can experience a safe and peaceful Nashville. In carrying out our mission, members of the department will continue to value: organizational excellence & professionalism, the impartial enforcement of the law, the people we serve and each other, problem-solving partnerships, open communication, ethics and integrity.<sup>1</sup>*

The department's code of ethics requires that officers "serve the community" and "protect the innocent against deception, the weak against oppression." Officers must "develop self-restraint" and should never employ "unnecessary force or violence."<sup>2</sup> See Finding 12 in Section III of this report, which reports that black drivers often feel as though police officers do not "serve and protect" them in the same way they do white community members.

#### **Biased-Based Policing, Reasonable Suspicion, and Searches**

Police officers are forbidden from engaging in "biased-based policing," and must rely on reasonable suspicion to engage in stopping someone. MNPD defines biased-based policing as:

*[T]he selection of individuals for enforcement intervention based solely on a common trait of a group, such as race, ethnic origin, gender, socioeconomic status, sexual orientation, or age.*

This however does not preclude consideration of race or ethnicity when it is part of a suspect's description or is otherwise validly related to an officer's investigation of criminal activity.

MNPD defines "reasonable suspicion" as:

Suspicion that is more than a mere hunch. It is a conclusion based on a set of articulable facts and circumstances that would warrant a person of reasonable caution to believe that an infraction of the law has been committed, is about to be committed, or is in the process of being committed, by the person or persons under suspicion. This can be based on the observations of a police officer combined with his or her training and experience, and/or reliable information received from credible sources.<sup>3</sup>

According to the manual, individuals should only be stopped if there is probable cause of a traffic offense or reasonable suspicion of a criminal offense. No vehicle should be searched without probable cause or consent. If there isn't a physical description of a suspect given, then no single identity factor (such as race, gender, age, etc.) should be used as the sole basis for making a stop. Supervisors should oversee officers to make sure patterns of discrimination aren't occurring.<sup>4</sup>

MNPD defines discrimination as: "Any action that unlawfully or unjustly results in unequal treatment of persons based on race, color, gender, religion, age, disability, sexual orientation, or national origin." Because this definition does not explicitly refer to discriminatory intent but only "action that...results in unequal treatment," it may be concluded that MNPD's definition of discrimination is based more in impact than intent.<sup>5</sup> Despite the fact that MNPD prohibits discrimination that results in disparate impacts upon communities, in light of both data collected from MNPD and our interviews with black drivers, we argue throughout this report that MNPD's traffic stop and search practices do in fact result in a discriminatory or disparate impact upon predominantly black communities.

For all officer vehicle stops, the officer must use the MNPD Form 252 to record the reason for making the stop, and the legal basis for a search if one took place.<sup>6</sup> In terms of consent searches, the manual states that "consent must be voluntarily given, and that voluntary consent must be shown to be unequivocal, specific, intelligently given, uncontaminated by duress or coercion."<sup>7</sup> While MNPD does not require its officers to obtain written consent before conducting consent searches, they "strongly recommend" it.<sup>8</sup> Furthermore, the manual specifies that "consent need not be in writing and a refusal to give written consent may still permit a valid oral consent."<sup>9</sup> See Findings 6 and 7 (Section III) for an analysis of MNPD search practices, our Field Interviews (Section IV) for firsthand stories of the various means by which officers use manipulative tactics to obtain consent, and our Demands (Section V) for our call to an end to the use consent and pat down searches during random traffic stops.

The manual instructs that if an officer has reasonable suspicion to believe that a person has a weapon that could put officers in danger, they are allowed to "stop and frisk" the individual, but only for the purpose of finding a weapon. The manual also states that frisking should not be used for the purpose of finding evidence of a crime. Seizure of evidence must come from a search based on probable cause, not simply a stop and frisk.<sup>10</sup>

An officer must have probable cause or consent to search a vehicle. A search can be conducted without a warrant but must meet probable cause standards consistent with receiving a warrant. A person can be searched completely when they are under arrest. The issuing of a citation does not count as an arrest in this case, and a person who has been issued a citation is not automatically subject to a search. Any locked

containers, including a locked trunk, cannot be searched.<sup>11</sup> Officers can conduct an emergency warrantless search when they believe a life is being threatened.<sup>12</sup> Strip searches are not routine parts of traffic stops unless there is reasonable suspicion of a concealed weapon or contraband. Unless there is an immediate threat, all strip searches should first receive permission from a supervising officer.<sup>13</sup> It is unclear from the manual what constitutes an immediate threat. These policies appear to be written in such a way as to maintain the free exercise of officer discretion.

### **Uniform Activity Reporting**

Officers are strongly encouraged to generate “work” statistics in order to show that they are “motivated, confident, and able.”<sup>14</sup> MNPD also considers the “work” output of patrol officers to be a reflection on their sergeants and other command staff, and presumably rewards or punishes such supervisory staff for their subordinates’ “output” accordingly. MNPD incentivizes and gives work credit for activities like making stops, conducting searches, writing reports, writing citations, discovering contraband, serving warrants, and making arrests.” Notably, officers do not get credit for activities like posting on a highway in order to deter speeders, or patrolling high crime areas without conducting random stops in order to deter serious criminal activity by demonstrating officer presence. Instead, activities only count as “work” if they involve stops, searches, arrests, and other direct contacts with the public. As such, this system tends to encourage officers to target “low hanging fruit,” as it is much simpler to stop and arrest people for petty offenses such as driving without a license than to gain the necessary strategic insights to put oneself in a position to deter and prevent serious crime.

### **Officer Conduct and Complaints**

The manual states that no employee may belittle or make offensive comments to any person under any circumstances.<sup>15</sup> The manual also states that officers are trained to respect the rights of all people not to be unduly impacted by police.<sup>16</sup> See our Field Interviews section of the report (IV) for interviews with Michael Harris, KHAOS Thomas, LaStaijah Golden, and many others who experienced being belittled and unduly impacted by police officers. Any person can file a complaint if they feel they were stopped based on biased-based policing. Every year Metro develops an annual report of these complaints compiled, including if they were ruled sustained or not.<sup>17</sup> As we write in our Demands (Section V, Demand 4), according to records obtained from MNPD, between 2005 and 2015, citizens filed 6,846 formal officer complaints. However, officers were only suspended in 308 cases (4.5%) and terminated in only four (.1%).

### **Vehicle Mounted Audio/Video Recording Equipment**

Vehicle mounted audio and video equipment is to be used “for the purpose of collecting evidence that will be used in the prosecution of those who violate the law.” All audio and video recordings are to be catalogued and secured for at least 15 months. Camera systems should be activated when the vehicle’s emergency warning equipment is activated. While the recording can be manually deactivated, officers are to properly document any time the recording is deactivated.<sup>18</sup> Ultimately, very few MNPD vehicles are equipped with these devices. See our Demands section of the report (Section V) for more on audio-video recording equipment on patrol cars.

### **Traffic Enforcement**

MNPD identifies traffic enforcement as a “high priority in the department’s efforts to reduce motor vehicle crashes, property damage, personal injury, and traffic related fatalities.”<sup>19</sup> As a general guideline, the manual states that, “all vehicle stops shall be based upon at least reasonable suspicion, probable cause, or other

authorized procedures.”<sup>20</sup> The manual directs officers making “enforcement contacts” to be professional and to “exhibit emotional self-control.”<sup>21</sup> In terms of the demands of both courtesy and concern for criminal activity, the manual states: “The public expects and deserves to be treated with courtesy and respect. Department personnel must balance these concerns with the need for caution and the detection of criminal activity.”<sup>22</sup> All officers are directed to remain knowledgeable of all newly enacted traffic-related ordinances,<sup>23</sup> and officers are required to undergo 40 hours of in-service training per year, which may include training on traffic stops and updated policies and laws.<sup>24</sup>

Officers are directed to “check-out” by radio or Mobile Data Computer “all traffic stops of an enforcement or investigative nature,” including information about location, vehicle description, number of occupants and “any other information deemed relevant by the officer.”<sup>25</sup> Officers are authorized to use marked police vehicles lights, horns, public address system, and sirens in making a stop if necessary. Spotlights/hazardous warning lights are not to be used because of risk to drivers. If an officer is using an unmarked car, however, the officer “will not force a stop.” If a driver does not appear to be prepared to stop in response to an unmarked vehicle, the officer must call up a marked unit to make the stop. Officers may not make traffic stops in their personal vehicles.<sup>26</sup>

### **Conducting Traffic Stops**

Officers are instructed in the manual about how to strategically approach a stopped car. The manual states that “under ideal conditions, the violator should be told to remain seated in the vehicle,” though the manual states that violators can be ordered out of a vehicle while conducting a traffic stop “consistent with current legal and training standards.” The officers are supposed to identify themselves and the reason for stopping the vehicle, and to ask for the violator’s driver’s license. The officer is instructed to “[b]e observant for any indications or evidence of criminal activity, signs of physical impairment, or alcohol or drug usage.”<sup>27</sup> Even when officers are assisting a stranded motorist, they are to be alert for evidence of criminal activity.<sup>28</sup> Officers are directed “to actively and aggressively seek out and arrest DUI offenders,” and to use every traffic stop as an opportunity to investigate possible DUIs. A DUI investigation may begin when an officer begins observing a vehicle for any reason, including moving violations but also “unusual driving actions,” such as driving slowly.<sup>29</sup>

As stated above, for all officer vehicle stops, the officer must fill out an MNPD Form 252 to record all information pertaining to the stop, including information about the driver and the basis for the stop.<sup>30</sup> The manual states that, when conducting a traffic stop, an officer is to initiate a check to ensure that the violator is in legitimate possession of the vehicle and that the violator is not “wanted.” If there is probable cause to believe a motorist has a large quantity of concealed drugs, an officer may call out a canine handler to assist in a search.<sup>31</sup> All conversations that officers have with people during stops, including during a traffic stop, are considered to be “Field Interviews,” which are considered “both a crime deterrent and an intelligence source for the department.”<sup>32</sup> Field interviews are to be documented in MNPD Form 114, Field Interview Report. Details leading to reasonable suspicion must be included in the field interview report for a stop made on reasonable suspicion.<sup>33</sup>

Once an officer has identified some violation, the officer must determine the appropriate enforcement action to take, and has “discretion to issue warnings or to arrest/cite the violator.” However, “Officers shall base warnings or enforcement actions on the circumstances of the violation and not on the physical or personal attributes of the violator.” The officer must complete any required forms and explain the violation and any actions required of the violator.<sup>34</sup> The officer must fill out a Vehicle Stops Data MNPD Form 252 after any officer-initiated vehicle stop. After a vehicle stop, the officer should advise the Emergency Communication Center by

Radio or Mobile Data Computer “that the contact with the traffic violator has terminated.”<sup>35</sup> See Findings 10-12 in Section II and our Field Interviews section of the report (Section IV) for black drivers’ firsthand accounts of being pulled over in ways that made them feel fearful, dehumanized, and unjustly treated.

Officers are directed to give a citation, rather than effect a custodial arrest, in cases where the violation is a traffic or related crime. However, the officers are directed to arrest a violator under certain circumstances, including if the person refuses to give a written promise to appear in court or if the violator cannot be identified with certainty. Part O includes a list of permissible forms of identification, though a valid driver license is the preferred type of identification.<sup>36</sup> Special rules exist for juveniles, including that a juvenile must be taken into custody and taken to juvenile court instead of given a citation to appear in adult traffic court for various offenses, including not having a drivers license on their person.<sup>37</sup>

### **Use of Force**

The MNPD has limits on use of force, and a policy that employees may only use force that is reasonably necessary for their lawful objectives:

Authorized employees are permitted to use only that force which is reasonable and necessary under the particular circumstances to protect themselves or others from bodily injury, and only after other reasonable alternatives have been exhausted or it is determined that such alternative action(s) would be ineffective under the circumstances.<sup>38</sup>

Flight alone does not justify the use of any level of force.<sup>39</sup> MNPD also has procedures for use of chemical spray, and a “Conducted Energy Device,” namely a Taser.<sup>40</sup>

“Authorized” non-deadly force techniques and equipment can be used: (1) to protect officers or others from bodily injury, (2) to restrain or subdue a person if there is probable cause for an arrest or reasonable suspicion to stop the person, (3) to prevent damage to property, or (4) to bring an unlawful situation safely and effectively under control.<sup>41</sup> Deadly force is authorized only if (1) there is an imminent threat of death or serious bodily injury, (2) to make an arrest only if it is for a felony concerning the infliction or threat of serious bodily injury and the person poses and threat, and only after providing a warning.<sup>42</sup>

After force is used, officers should ask about injuries or pre-existing medical conditions and provide treatment or first-aid as needed.<sup>43</sup> Use of equipment other than an approved baton as an impact device is prohibited unless there are exigent circumstances.<sup>44</sup> Officers are to be trained at least annually by being instructed in policies and procedures concerning use of force.<sup>45</sup> Personnel must report any use of force incident (including any firearm discharge and any use of physical force “other than soft empty-hand control”) to a supervisor immediately and fill out MNPD Form 108.<sup>46</sup> There is a force review board, which reviews all deadly and selected non-deadly use of force incidents, and the Chief of Police reviews all use of force incidents as well.<sup>47</sup>

## **B. MNPD Traffic Stop Training Summary**

The training objectives listed for MNPD’s “2016 Traffic Stops” course are for students to learn how to:

- Make a traffic stop
- Approach a vehicle



- Create a dialogue and recognize deception from offenders
- Gain entry into a vehicle
- Develop a pattern for an effective and complete search of a vehicle
- Document the stop for court trials

These objectives make apparent that MNPD's approach to traffic stops revolves around circumventing motorists' civil rights and gaining entry into vehicles. The lesson plan asserts that officers will "learn a safe approach to the vehicle and conduct a professional dialogue with the occupants of a vehicle, recognizing deception. They will learn proper search techniques of a vehicle and court preparation." The premise that officers can be trained to tell when occupants of a stopped vehicle are being deceitful, aside from being unrealistic,<sup>48</sup> is significant because it indicates that MNPD seeks to instill in officers the confidence to declare motorists' statements false in order to justify "gaining entry" into motorists' cars. In other words, if a motorist can be suspected of lying, then a motorist can be deemed suspicious. This suspiciousness, in turn, provides a basis to search motorists' cars.

The lesson affirms another common law enforcement myth: the claim that traffic stops are "dangerous encounters for police" which may well result in a "shootout." The lesson discusses the fact that an officer never knows if he is stopping "grandma" or "a felon," and plays on fears by telling the story of Mark Chesnut, an MNPD sergeant who was shot during a traffic stop in 2009. However, the lesson fails to discuss any statistical data that would present a realistic picture of the actual risk that an officer will end up in a shootout, namely, that, before Officer Chesnut, no MNPD officer has been killed by gunfire during a traffic stop since 1991.<sup>49</sup> Moreover, the lesson fails to mention that, since Mr. Chesnut was shot, MNPD officers have conducted roughly 2 million traffic stops without any officers being shot. In these ways, it is apparent that MNPD wishes to instill in officers a fearful mindset in which each motorist stopped is treated as a potentially violent criminal threat. Given the fact that many of the recent officer shootings of unarmed civilians in the United States took place because officers interpreted a lack of immediate verbal compliance by the civilian as a mortal threat of danger, while MNPD officers have thus far avoided any high profile killings of innocent people during traffic stops, this fear-based approach to traffic stop training nevertheless creates the conditions for such injustices to occur.

After positing the allegedly inherent danger of traffic stops, the lesson plan discusses the importance of controlling the location and timing of the stop, and the pros and cons of approaching on the driver or passenger side of the vehicle. The lesson instructs officers to tell civilians that they are being recorded, even though MNPD patrol officers and cars are generally not equipped with recording devices, and to explain the reason for the stop.<sup>50</sup> Officers are subsequently instructed to ask for both the driver's license and registration and the passengers' identifications, in order to run record checks on everyone. As many of the interviews in this report (Section IV) show, at least anecdotally speaking, the practice of collecting passenger identifications is inconsistent at best, and tends to be disproportionately applied to passengers of color.

The lesson goes on to instruct officers that if they believe that there are drugs, weapons, or money over \$10,000 in the car, they should separate the driver from the passenger and get the driver to talk so that they can "admit guilt." If a basis to search does not arise from this initial contact, the lesson instructs that the officer should make the cite-or-release decision and inform the driver that they are free to go. However, immediately after making this announcement, the officer is encouraged to ask the driver if he can ask him a question and "get a yes response," which MNPD implies will allegedly verify that the search that is about to follow is "consensual."

The lesson plan instructs that officers should subsequently ask if the driver is carrying drugs, weapons, or over \$10,000 in cash, and should ask passengers the same question. The officer should subsequently ask for

permission to search the vehicle and, as the lesson plan puts it, “GET A YES ANSWER.” The officer should then ask the passengers the same questions, presumably in order to obtain consent to search them as well.

In terms of conducting searches, the lesson plan teaches that a search must be based on either probable cause or consent. As to probable cause, the lesson instructs, “See, smell, arrest, and tow.” As to consent, the lesson asks, “DO YOU HAVE IT? Consent form.” In addressing the scope of a search, rather than recognizing the nuances articulated in U.S. Supreme Court case law, such as a subject’s right to limit the scope of consent, the lesson instructs officers to simply “search until satisfied.” Indeed, officers are instructed to search all four “quadrants” of the vehicle—to search “front, back, top, and bottom,” then repeat.

The lesson concludes by addressing court preparation, and the importance of knowing the case and the law, admonishing officers to “NEVER LIE – Know the Case and the Law.” It is of course a good thing to admonish officers not to lie. However, given the fact that earlier parts of the lesson already instruct officers to engage in deceptive and dishonest behavior—for instance, by falsely telling motorists that they are being recorded, or by tricking motorists into agreeing to “answer a question” in order to obtain consent after they have ostensibly been released—the value of this admonition against lying is limited. Furthermore, aside from the potential unconstitutionality of these manipulative methods, as Findings #6 and #7 in this report show (Section III), these tactics are disproportionately used against black drivers, who officers seem to be more likely to perceive as criminal.

In sum, by teaching manipulative means of obtaining consent to search a vehicle, MNPD’s traffic stop training is a recipe for rampant violations of civil liberties in that it portrays the Fourth Amendment as a mere obstacle to be overcome and explicitly endorses deceptive tactics in order to circumvent it. Further, by encouraging officers to approach vehicles under the premise of the high likelihood of danger at the hands of presumed violent criminals, the lesson plan creates the conditions for the kinds of escalation that have, in other cities across the U.S., led to officers’ lethal force against drivers, and against black drivers in particular.

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<sup>1</sup> MNPD Manual, § 1.20.

<sup>2</sup> *Ibid.*, §1.30.030.

<sup>3</sup> *Ibid.*, § 4.40.

<sup>4</sup> *Ibid.*, § 4.40.020.

<sup>5</sup> *Ibid.*, § 4.50.030.

<sup>6</sup> *Ibid.*, § 4.40.060.

<sup>7</sup> *Ibid.*, § 5.20.020.

<sup>8</sup> *Ibid.*, § 4.40.020.

<sup>9</sup> *Ibid.*, § 5.20.020.

<sup>10</sup> *Ibid.*, § 5.20.030.

<sup>11</sup> *Ibid.*, § 5.20.040.

<sup>12</sup> *Ibid.*, § 5.20.050.

<sup>13</sup> *Ibid.*, § 5.20.080.

<sup>14</sup> *Ibid.*, § 12.50.

<sup>15</sup> *Ibid.*, § 4.50.040.

<sup>16</sup> *Ibid.*, § 4.40.030.

<sup>17</sup> *Ibid.*, § 4.40.050, § 4.50.050.

<sup>18</sup> *Ibid.*, § 13.50.

<sup>19</sup> *Ibid.*, § 18.10.010.

<sup>20</sup> *Ibid.*, § 18.10.030.

<sup>21</sup> *Ibid.*, § 18.10.020.

<sup>22</sup> *Ibid.*, § 18.10.030.

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<sup>23</sup> Ibid., § 18.10.080.

<sup>24</sup> Ibid., § 17.10.020.

<sup>25</sup> Ibid., § 18.10.030.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid., § 18.160.

<sup>29</sup> Ibid., § 18.160.010.

<sup>30</sup> Ibid., § 4.40.060.

<sup>31</sup> Ibid., § 15.10.050.N.4.

<sup>32</sup> Ibid., § 18.80.010.

<sup>33</sup> Ibid., § 18.80.020.

<sup>34</sup> Ibid., § 18.10.030.l.

<sup>35</sup> Ibid., § 18.10.030.

<sup>36</sup> Ibid., § 18.10.030.O.

<sup>37</sup> Ibid., § 18.10.050.

<sup>38</sup> Ibid., § 11.10.030.

<sup>39</sup> Ibid.

<sup>40</sup> Ibid., § 11.10.050.

<sup>41</sup> Ibid., § 11.10.030.

<sup>42</sup> Ibid., § 11.10.120, § 11.10.130.

<sup>43</sup> Ibid., § 11.10.140.

<sup>44</sup> Ibid., § 11.10.150.

<sup>45</sup> Ibid., § 11.10.160.

<sup>46</sup> Ibid., § 11.10.170.

<sup>47</sup> Ibid., § 11.10.180.

<sup>48</sup> <<https://www.psychologytoday.com/blog/spycatcher/201203/the-truth-about-lie-detection>>.

<sup>49</sup> <<https://www.odmp.org/agency/2680-metro-nashville-police-department-tennessee>>. While acts of violence against police officers are extremely rare, we do note that there have been more recent instances of officers being accidentally killed while conducting traffic stops because they were accidentally hit by passing motorists. We recognize and respect that these kinds of accidents represent a real potential danger that officers must face as part of their work.

<sup>50</sup> The majority of MNPd patrol officers are not equipped with audio-visual recording equipment.



## III. RESEARCH FINDINGS

### Introduction

Our quantitative (statistical) and qualitative (interview-based) research on traffic stops conducted by Metro Nashville Police Department (MNP) yields 12 core findings, which we elaborate in full below. The general summary of our findings is:

From 2011-2015, MNP conducted 7.7 times more traffic stops than the U.S. national average. MNP consistently and unnecessarily stopped and searched black drivers in predominantly black, Hispanic, and low-income communities at rates substantially higher than they did white drivers in predominantly middle to upper income communities. Searches are invasive and overwhelmingly unsuccessful in yielding incriminating evidence. Evidence of unlawful activity is found during searches of white drivers more often than in searches of black and Hispanic drivers. Nearly 80% of all MNP traffic stops in 2015 resulted in a warning, and, in traffic stops including a search of the vehicle or driver, between one-third and half resulted in a warning, which means hundreds of thousands of drivers are being stopped and searched unnecessarily every year. Our interviews show that Metro police officers regularly intimidate, harass, and unfairly exert their authority over black drivers. These aggressive tactics result in traumatizing experiences of fear for one's safety and the safety of one's family and friends. Black community members report anger at being treated unjustly and disrespectfully, frustration derived from being profiled because of one's race and its assumed correspondence to criminality, and the feeling that police do not "serve and protect" black people like they do white people. In short, our analyses show that "driving while black" constitutes a unique series of risks, vulnerabilities, and dangers at the hands of MNP that white drivers do not experience in the same way.

Through these findings, our report shows that MNP's traffic stop and search practices impose a severe disparate or discriminatory impact on the predominantly black and low-income communities that MNP's traffic stop and search regime disproportionately targets. As we demonstrate in detail, MNP policing practices show widespread racial disparities: black drivers are more likely to be stopped, stopped multiple times in a year, and searched during a traffic stop, even though searches of black drivers are significantly less successful in yielding criminal evidence than are searches of white drivers. MNP's internal reports justify these disparities based on an alleged correlation between where stops are made and the number of crime reports in the area. However, our findings show that traffic enforcement targets and impacts entire communities, not just people who commit crimes, and that regardless of the area, black people are searched at much higher rates than white people.<sup>1</sup> For these reasons, racial disparities in policing are unlikely to be caused by individual officers' behaviors alone, but by institutional norms and policies that justify targeting

predominantly black and low-income communities.

For this report, we examine traffic stops conducted on black (non-Hispanic), white (non-Hispanic), and Hispanic drivers in Davidson County. Racial and ethnic classifications are complex, and we recognize that simple categorization does not capture the meanings and histories of each identity. However, these are the categories MNPd utilizes in keeping their own data. We follow suit in order to assess the department's practices on the department's own terms.

Since 2001, when conducting a traffic stop, all MNPd officers are required to fill out what the department calls a 252 vehicle stop data form. The form includes information such as employee ID number, location, date, gender, race, ethnicity, age, and reason for initiating the stop. Under the Tennessee Open Records Act, members of our team requested and received from MNPd their full 252 vehicle stop database from years 2001-2016. This report is the first comprehensive study of policing in Nashville that makes use of MNPd's 252 vehicle stop database. Though some of our findings consider numbers in this full 2001-2016 date range, the majority of our findings focus on years 2011-2015, under the leadership of current Chief Steve Anderson.<sup>2</sup>

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<sup>1</sup> See Appendix 2: Patrol Zone Racial Search Disparities.

<sup>2</sup> MNPd's current chief, Steve Anderson, a 41-year veteran of the department, began his tenure as the department's interim chief of police after the departure of former chief Ronald Serpas in May 2010. Former Mayor Karl Dean formally appointed Anderson as chief in late 2010.

## Finding #1: Between 2011-2015, MNPD stopped an average of 786 per 1,000 drivers, 7.7 times the national average of 102 per 1,000 drivers

MNPD's traffic stop practices show that the department conducts stops at a far higher rate than comparable cities. To determine the proportion of the population that is stopped each year, estimates of the population size are needed. We utilize the American Community Survey (ACS) to estimate the population of Davidson County that is over 16-years-old for 2011 through 2014 (2015 data was not available at time of publication and is estimated based on previous population growth).<sup>1</sup> Additionally, we use the driving-age population of Davidson County for black (non-Hispanic) residents, white (non-Hispanic) residents, and Hispanic residents while excluding others.<sup>2</sup> Estimates of total driving-age population and each racial/ethnic driving-age population are shown in Table 1.1.<sup>3</sup>

	Total Population Estimate	Black (non-Hispanic) (27.4%)	White (non-Hispanic) (63.9%)	Hispanic (8.7%)	Margin of Error
2011	487,437	133,696	311,409	42,332	±2,207.9
2012	492,721	135,492	314,462	42,777	±2,534.5
2013	500,803	137,564	320,411	42,828	±3,492.5
2014	511,626	141,753	326,040	43,833	±2,199.9
2015	513,630	141,447	327,772	44,381	±2,260.8
5-year average	501,243.4	138,588.7	320,647.8	43,220.7	NA

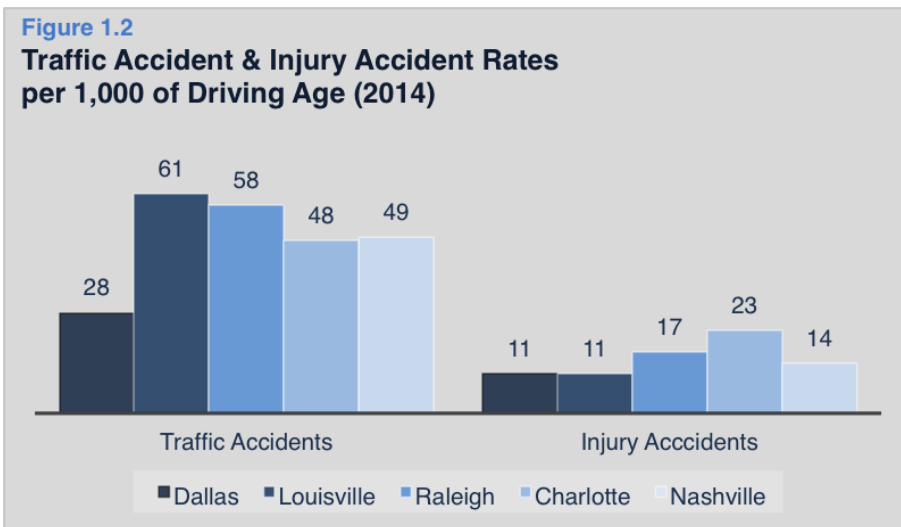
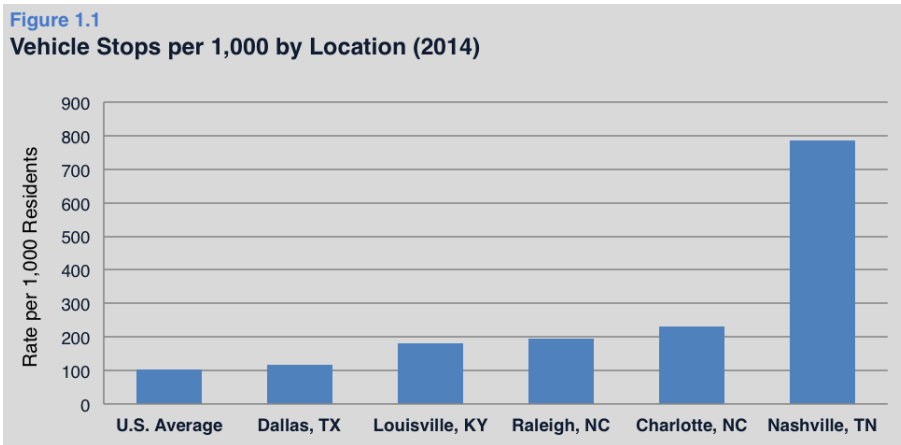
Total stops and number of stops by race/ethnicity are shown in Table 1.2.<sup>4</sup> Between 2011 and 2015, MNPD made the most stops (433,359) during 2012 and the fewest stops (347,774) in 2015. Using the ACS population estimates, in 2012 MNPD stopped 880 per 1,000 drivers and in 2015 MNPD stopped 677 per 1,000 drivers. When the five years of traffic stop data and population estimates are averaged, MNPD stopped 786 per 1,000 drivers on average per year. According to the Bureau of Justice Statistics, 10.2% of the population is stopped by the police in a given year—a population proportion of 102 per 1,000 drivers—making Nashville's traffic stop rate 7.7 times the national average.<sup>5</sup>

	Full Population		Black (non-Hispanic)		White (non-Hispanic)		Hispanic	
	Total Stops	Rate/1,000	Total Stops	Rate/1,000	Total Stops	Rate/1,000	Total Stops	Rate/1,000
2011	384,212	788	153,628	1,149	211,459	679	19,125	452
2012	433,359	880	173,699	1,282	238,219	758	21,442	501
2013	401,976	803	161,095	1,171	220,662	689	20,219	472
2014	402,385	786	155,916	1,099	225,470	692	20,999	479
2015	347,774	677	130,076	920	197,492	603	20,206	455
Avg.	393,941	786	154,883	1,122	218,660	683	20,398	472

MNPD stops a greater number of drivers compared to other cities in the region. During 2011-2015, MNPD averaged enough traffic stops each year to include over three fourths of Nashville’s population. Figure 1.1 shows the rate of traffic stops for comparable cities in 2014. Charlotte, NC, and Dallas, TX, both of which have significantly larger populations than Nashville, each stop less than half the rate of drivers as Nashville stops. Charlotte-Mecklenburg Police department averaged 231 stops per 1,000 drivers,<sup>6</sup> and Dallas Police Department stopped 116 per 1,000 drivers in 2014.<sup>7</sup> Police in Louisville, KY stopped about 181 per 1,000 drivers from April 2013 to March 2014.<sup>8</sup> Finally, in Raleigh, NC, police stopped 196 per 1000 drivers.<sup>9</sup> In sum, MNPD makes enough traffic stops to potentially include three fourths of the driving population of Nashville, a number 3.4 to 6.8 times greater than comparable cities, and 7.7 times the national average.

The potential to reduce traffic accidents and crime is reported as being one of the main reasons why former Chief Serpas first increased traffic stops in Nashville, which contributed to the increases in traffic stops detailed above:

“I don’t need you fishing where the fishing is good. I don’t need you doing the speed traps. I need you to be doing it where accidents are happening and where people are being hurt...”<sup>10</sup>





Reducing the number of motor vehicle accidents is a common reason given for traffic stops.<sup>11</sup> If traffic stops reduced traffic accidents, then the number of traffic accidents in Nashville should be lower than other cities making fewer stops. However, Dallas has markedly lower accident rates, while Charlotte is about the same as Nashville despite making fewer traffic stops.<sup>12</sup> In 2014, Louisville and Dallas had lower rates of injury accidents than Nashville, while Raleigh and Charlotte had slightly more injury accidents. Figure 1.2 visualizes rates of traffic accidents across these cities.

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<sup>1</sup> The ACS is a yearly survey conducted by the United States Census Bureau and is considered one of the most reliable sources of population statistics.

<sup>2</sup> Categorization of racial and ethnic category is a political process that is contested. We utilize common conventions in demographic research and MNP reporting while also acknowledging the complexity of racial and ethnic identity. For a more complete discussion of racial and ethnic categorization in research see the following sources: David I. Kertzer and Dominique Arel, *Census and Identity: The Politics of Race, Ethnicity, and Language in National Censuses*, Vol. 1 (Cambridge: Cambridge University Press, 2002). Tukufu Zuberi and Eduardo Bonilla-Silva, eds., *White Logic, White Methods: Racism and Methodology* (Plymouth: Rowman & Littlefield, 2008).

<sup>3</sup> Our population figures for total population and the white population differ from MNP's yearly reports because MNP counts Hispanics twice, as a separate category and as part of the white category. Their total population estimate double-counts Hispanics leading to an overestimate of population and underestimates of disparities. Population estimates in Table 1.1 come from the American Community Survey (ACS) 1-year Public Use Microdata Sample (PUMS) for years 2011-2015. Total population includes black, white, and Hispanic individuals over the age of 16 in Davidson County. A margin of error is an interval that the true population total is likely to fall within. We estimate a 95% confidence interval, which is the range that the observed population estimate would fall from 95 out of 100 random samples of the population. The confidence interval is calculated by multiplying the standard error of the sampling distribution by 1.96, the boundary that would include 95% of possible sample means according to the Central Limit Theorem. Standard errors are computed using replicate weights as recommended by the US Census Bureau. SAS code available upon request.

<sup>4</sup> Rates in Table 1.2 are calculated based on the total number of stops per year compared to the population of Nashville/Davidson County over age 16 according to the American Community Survey (ACS).

<sup>5</sup> Lynn Langston and Matthew Durose, "Police Behavior During Traffic and Street Stops, 2011," U.S. Department of Justice, Bureau of Justice Statistics, 2013. <<http://www.bjs.gov/index.cfm?ty=pbdetail&iid=4779>>.

<sup>6</sup> In 2014 there were 146,202 stops in a population of 633,400 drivers 16 and older. Open Data Policing, report for Charlotte-Mecklenburg Police Department, data drawn from table for 2014. Population estimates from U.S. Census data adjusted for percent 16 and older. <<https://opendatapolicingnc.com/agency/51/>>.

<sup>7</sup> Dallas, TX police stopped 113,280 in a driving age population of 974,865 for a rate of 116 per thousand. Dallas Police Department, "2014 Annual Traffic Contact Data Report," March 23, 2015. <<https://dpdbeat.com/2015/03/23/2014-annual-traffic-contact-data-report/>>.

<sup>8</sup> Louisville Police Department, "2013-2014 Vehicle Stops Data Analysis Annual Report" (April 2013 through March 2014). Police stopped 87,775 in 2013-14 out of a driving population of 484,705. <[https://louisvilleky.gov/sites/default/files/human\\_relations/reports\\_publications/lmpd\\_annual\\_vehicle\\_stops\\_report\\_2013-14.pdf](https://louisvilleky.gov/sites/default/files/human_relations/reports_publications/lmpd_annual_vehicle_stops_report_2013-14.pdf)>.

<sup>9</sup> Open Data Policing, report for Raleigh Police Department, data drawn from table for 2014. There were 67,091 stops in a 2014 driving age population of approximately 342,670. Population estimates from U.S. Census data adjusted for percent 16 and older. <<https://opendatapolicingnc.com/agency/224/>>.

<sup>10</sup> Quoted in "Chief Ronal Serpas' Plan for a Safer Nashville Is to Pull You Over Early and Often," P.J. Tobia, *Nashville Scene*, Nov. 27, 2008. <<http://www.nashvillescene.com/news/article/13017170/chief-ronal-serpas146-plan-for-a-safer-nashville-is-to-pull-you-over-early-and-often>>.

<sup>11</sup> Chief Serpas seems to have been especially influenced by his work with the Washington State Patrol before coming to Nashville and instituting the massive stop program here. See Ronal Serpas, "Beyond CompStat: Accountability-Driven Leadership," *The Police Chief*, January 2004.

<sup>12</sup> Nashville, TN traffic accident reports, 2014: <<https://www.tn.gov/assets/entities/safety/attachments/CountyRankings.pdf>> and <<https://www.tn.gov/assets/entities/safety/attachments/TennesseeTrafficCrashFactsVol1.pdf>>. Raleigh, NC: <<https://connect.ncdot.gov/business/DMV/DMV%20Documents/2014%20Crash%20Facts.pdf>>. Charlotte-Mecklenburg, NC: <<https://connect.ncdot.gov/business/DMV/DMV%20Documents/2014%20Crash%20Facts.pdf>>. Louisville, KY: <[http://transportation.ky.gov/Highway-Safety/Documents/2014\\_KY\\_Traffic\\_Collision\\_Facts.pdf](http://transportation.ky.gov/Highway-Safety/Documents/2014_KY_Traffic_Collision_Facts.pdf)>. Dallas, TX: <<http://www.txdot.gov/government/enforcement/annual-summary/2014.html>>.

## Finding #2: Between 2011-2015, MNPД stopped an average of 1,122 per 1,000 black drivers—more black drivers than were living in Davidson County

MNPД records race and ethnicity based on “physical appearance or from the driver’s license, other documents provided by the vehicle operator, voluntary statements from the person stopped, or observations made by the officer.”<sup>1</sup> While black/white categorization is more likely to be accurate, many Hispanic drivers are likely misclassified as white and non-Hispanic or black and non-Hispanic based on officers’ observations. For this reason, the statistics of Hispanic drivers are most likely underestimates of the true rate of stops since population estimates represent self-identification.

Figure 2.1 shows the racial/ethnic composition of the driving age population of Nashville, while Figure 2.2 shows the racial/ethnic distribution of total stops made by MNPД between 2011 and 2015.<sup>2</sup> Comparing these figures, we see that, despite comprising 27.6% of the driving age population, black drivers make up 39.3% of all traffic stops—11.7% more than the black driving age population. Meanwhile, white drivers, despite comprising 63.8% of the driving age population, account for only 55.5% of all traffic stops—8.3% less than the white driving age population.

**Although black drivers make up 27.6% of the total driving age population, they make up 39.3% of all stops. White drivers were stopped, on average, 683 per 1,000 white drivers. Black drivers are stopped 1.6 times the rate of white drivers.**

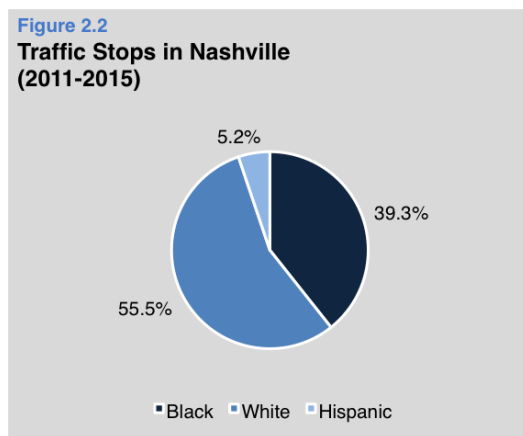
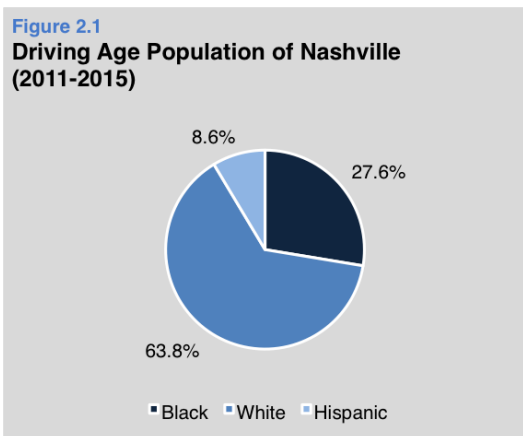


Figure 2.3 depicts the rate of traffic stops by race/ethnicity from 2011 to 2015.<sup>3</sup> Population rates above 1,000 indicate that the number of traffic stops exceeds the number of residents in Nashville. Between 2011 and 2015, MNPD stopped more black drivers on average than there were black people living in Davidson County. The stop rate peaked in 2012 with 1,282 stops per 1,000 black drivers. In 2015, the rate fell below the full number of black residents but remained high at 922 stops per 1,000 residents. The rate of white drivers being stopped also peaked in 2012 with 758 stops per 1,000 drivers and fell to 603 per 1,000 drivers in 2015. Hispanic drivers were stopped the least relative to the population, peaking in 2012 with 501 stops per 1,000 drivers and a slight decline to 455 per 1,000 in 2015. On average, MNPD made enough stops to have stopped 112% of the black population.

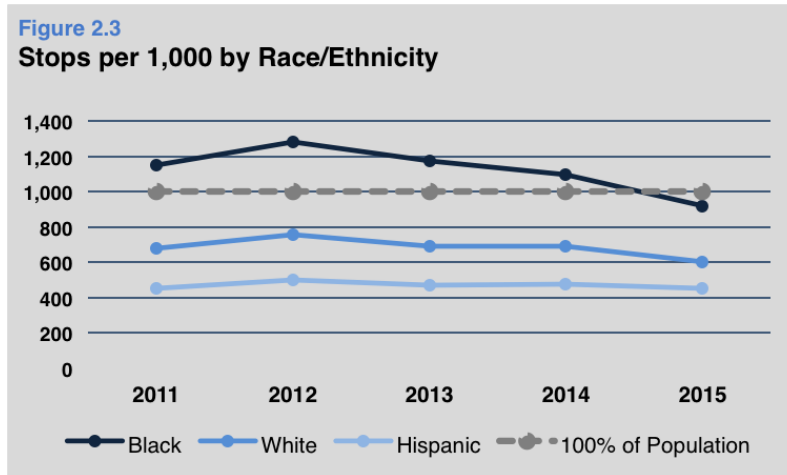
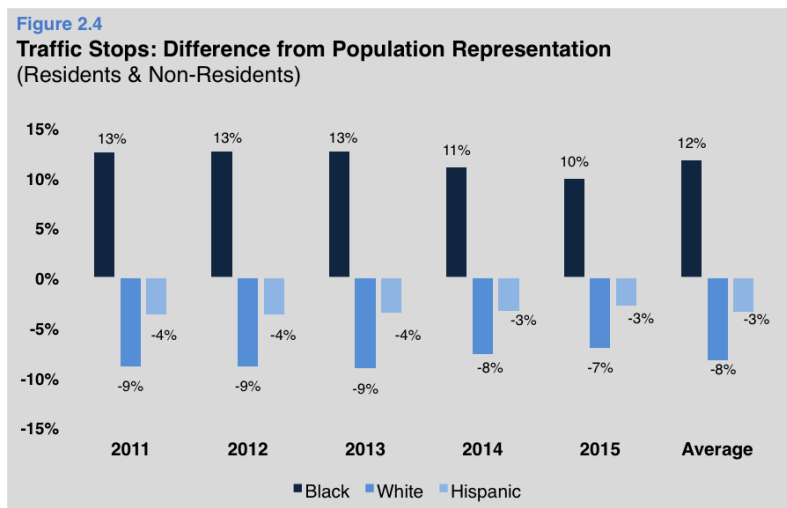
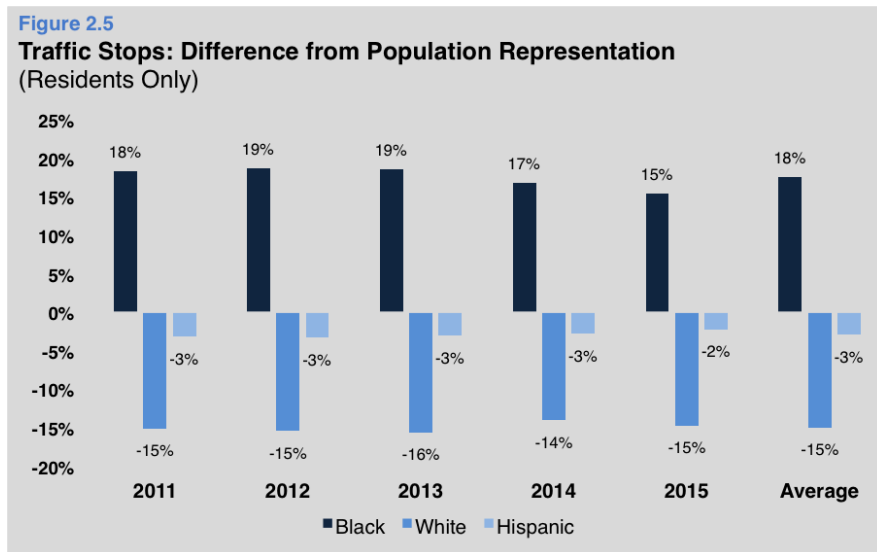


Figure 2.4 shows the rate of traffic stops in relation to the proportion of the total driving age population each racial/ethnic group represents.<sup>4</sup> Positive numbers (above the zero line) indicate that a group is stopped greater than their population proportion while negative numbers (below the zero line) indicate being stopped less than their representation in the population. Since 27.6% of the total driving age population of Nashville is black (2011-2015 average), if race was not a factor in traffic stops, about 27.6% of stops would be of black drivers. However, despite representing 27.6% of the driving age population in Nashville, according to MNPD data, stops of black drivers comprised 39.3% of all stops between 2011-2015, meaning black drivers are 1.6 times more likely than white drivers to be stopped by police.



The above data consider both residents and non-residents as part of the total number of traffic stops. However, because Nashville is a major thoroughfare for several Interstate Highways and many people from surrounding counties commute to Nashville, MNPDP stops a number of drivers every year who are not Davidson County residents. Between 2011 and 2016, 11.7% of black drivers, 15.4% of Hispanic drivers, and 31.8% of white drivers stopped by MNPDP were not residents of Davidson County. Because so many white non-Davidson County drivers comprise the total number of traffic stops, an analysis that excludes non-residents shows an even greater disparity in the racial distribution of traffic stops of people who live in Davidson County.

Figure 2.5 shows the rate of stops for each racial/ethnic group in relation to the population percentage of each racial/ethnic group for Davidson County residents only. Instead of the 11.7% overrepresentation of black drivers between 2011-2015 when considering both residents and non-residents, when we focus on traffic stops of only Davidson County residents, black drivers are overrepresented by 17.5% compared to the population, on average. In terms of absolute disparity—the total overrepresentation of black drivers plus the underrepresentation of white drivers—when non-Davidson County residents are excluded the gap increases from 20% for all stops to 32.2% for residents. In other words, while black drivers driving in Davidson County (resident or non-resident) are stopped at 1.6 times the rate of white drivers (resident or non-resident) driving in the county, black driving age residents of Davidson County are stopped at 2.1 times the rate of white driving age residents of Davidson County.



“Because of the simple fact that, you know, it’s profiling. I’m a black male with dreads, gold teeth, so automatically they’re gonna think I have some drugs in the car or, you know what I’m saying, that the car is stolen, you know, or something crazy. Any way it goes, it’s something crazy.”

- Louie, 34

**“I was taught by [the cadets] that some of the cops that are already out here is telling them, ‘This is what you do: you go for all the black folks, you go for the homeless, you don’t have no pity on them,’ and all that. And you get some that say, ‘I just come to serve. I really wanna help y’all and wanna serve.’ But you got all these people already out here ahead that are veterans that are destroyed mentally and heartless telling them who to profile. So now you got the juniors, they’re coming out of school, and they wanna be out there and be noticed and they wanna be proud. They are waiting to get out there and the first thing they fixin’ to hit is what they’ve been told. The first thing is to pull over a black man because he’s a gang member, he’s a drug addict, or he got drugs, he got guns. Now let me tell you who else got guns and drugs: Brentwood white boy got guns and drugs in the briefcase.... But y’all covering that up because you got the power, the parents, and the accolades. [...] You already know that you are profiling when you come at us.”**

**- Clemmie Greenlee, 56**

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<sup>1</sup> MNPD Manual, § 4.40.020-E.

<sup>2</sup> As with the rest of our study, these percentages exclude individuals who are not identified as black, white, or Hispanic in the American Community Survey.

<sup>3</sup> Car ownership is not accounted for in the statistics presented. The American Community Survey (ACS) household survey measures the number of cars in a household. In 2014, 13.90% of black Nashville residents did not have access to a vehicle. White and Hispanic residents had greater access to vehicles with only 3.38% of white residents and 4.60% of Hispanic residents not having a vehicle. Due to differential access to transportation, the stop burden on black Nashvillians who drive is greater than reported.

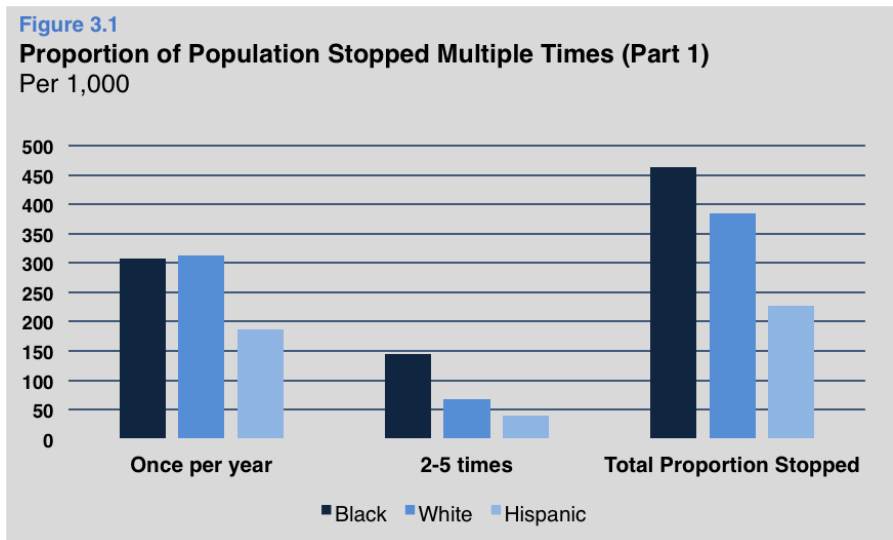
<sup>4</sup> Percentage of stops minus percentage of population.

### Finding #3: Black drivers are up to 5 times more likely than white drivers to be stopped *multiple* times in a year, showing a disproportionate burden of policing on black communities

The figures presented in Finding 2 (above) assume that each stop represents a single individual and does not account for the fact that individuals may be stopped multiple times in a year. To account for an individual being stopped multiple times, a unique driver identifier is needed. Driver’s license number is listed as a field on MNP’s 252 traffic stop form, but recording driver’s license numbers was optional for officers until July, 6, 2015. Our most recent data end on September 2, 2016, so we utilize a one-year range of data from September 1, 2015 through August 31, 2016 to examine how many times individuals are stopped and the total portion of the population stopped on a yearly basis. The rate of traffic stops declines when accounting for multiple stops. Therefore, many drivers are being stopped multiple times in a year.

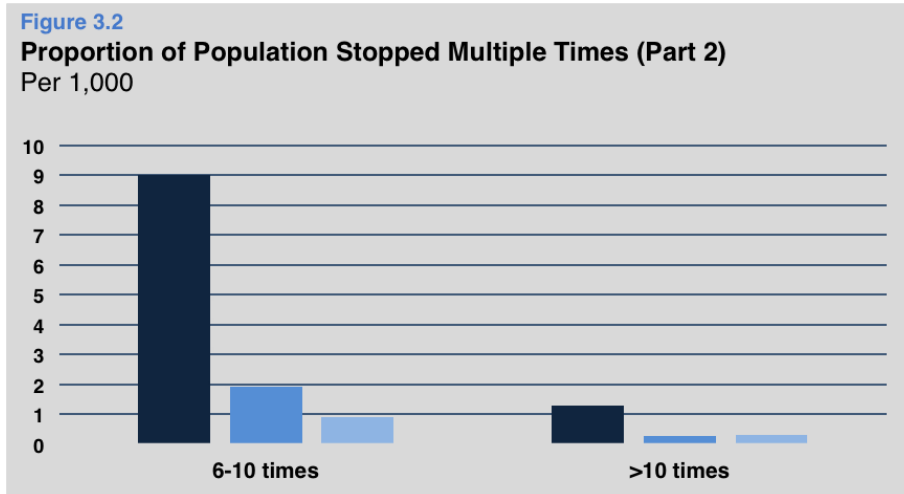
**Being black behind the wheel of a car not only puts one at greater risk of being pulled over, but puts one at far greater risk of being pulled over multiple times in a single year.**

Figure 3.1 shows the estimated rate of traffic stops by race/ethnicity (per 1,000) for Nashville residents age 16 or over that were stopped once, stopped 2-5 times, and the total proportion of traffic stops per 1,000 during 2015-2016. For drivers stopped once per year, the black-white racial disparity for traffic stops is small. The



racial gap widens when examining individuals stopped 2-5 times in one year. In 2015-2016, the rate for black drivers being stopped 2-5 times was 113% higher than the rate for white drivers.

Figure 3.2 presents the portion of the population in Nashville that was stopped 6-10 times in a year and more than 10 times in a year during 2015-2016. The number of people in these categories is relatively small, but the disparities between black and white drivers are greatest here. Black drivers are 374% more likely than white drivers to be stopped 6-10 times in a year, and 364% more likely than white drivers to be stopped more than 10 times in a year. These data show that there is a significantly heavier policing burden on black drivers in Nashville.



*How many times have you been pulled over by MNP, and how often?*

“They pulled me over for tinted windows three times [in one day]. Like I get pulled over at 11:15 a.m., I get pulled over at 1:15 p.m., I get pulled over at 4:15 p.m.”  
 - Clemmie Greenlee, 56

“Hundreds. But right now it boils down to I’d say an average of at least once a month.”  
 - KHAOS Thomas, 70

“I’d say every other month around here. In the inner city.”  
 - Terrance Key, 47

## **Finding #4: MNPD conducts the majority of its traffic stops in predominantly low-income, black, and Hispanic neighborhoods, which contributes to overall racial disparities in traffic stops**

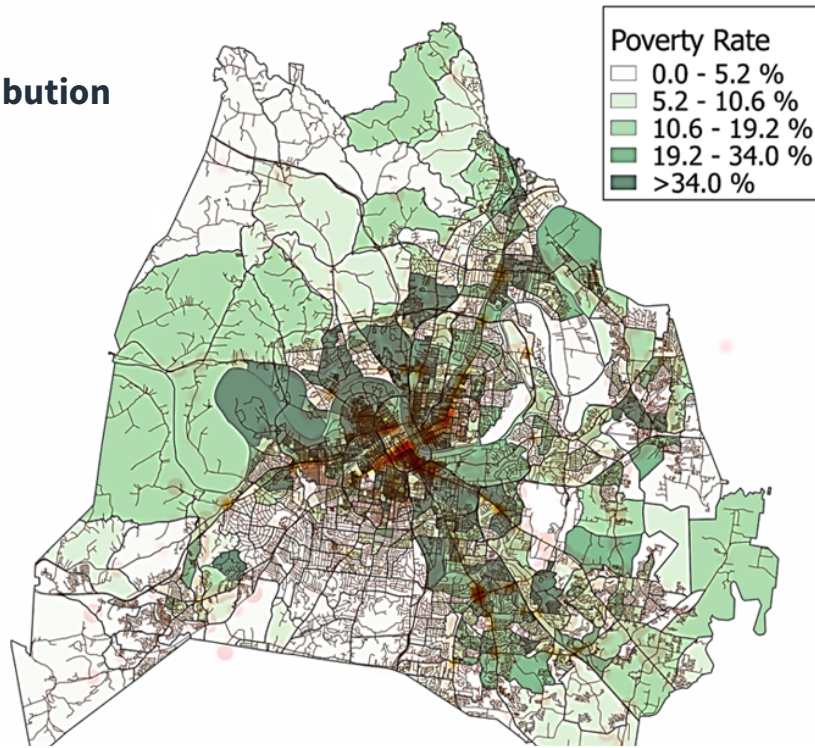
We map the geographic distribution of traffic stops from 2011-2015 on the following pages. The maps show traffic stop intensity using red shading to designate distribution of traffic stops, with darker red concentrations indicating the greatest concentration of traffic stops. These red traffic stop markings signify geographic stop intensity from 2011-2015 and are identical across all four maps. Each map lays these traffic stops over four different maps depicting poverty rate (Figure 4.1) and racial/ethnic population distributions (Figures 4.2, 4.3, and 4.4).

The map with green shading (Figure 4.1) plots the geographic distribution of poverty. Dark green regions depict areas in which greater than 34% of the population lives in poverty, and lighter green to white regions depict areas with lower poverty rates. The map with purple coloring (Figure 4.2) shows the percent of the population that is white according to census block groups. Darker purple indicates a greater concentration of white residents. Maps for black and Hispanic populations are in blue (Figure 4.3) and neon green (Figure 4.4), respectively. Darker blue or neon green areas indicate a greater concentration of black and Hispanic residents. Those areas with high concentrations of people experiencing poverty have fewer white residents, and areas with lower poverty rates are more likely to be predominantly white. Subsequently, areas of Nashville with greater numbers of black and Hispanic residents are more likely to experience high rates of poverty.

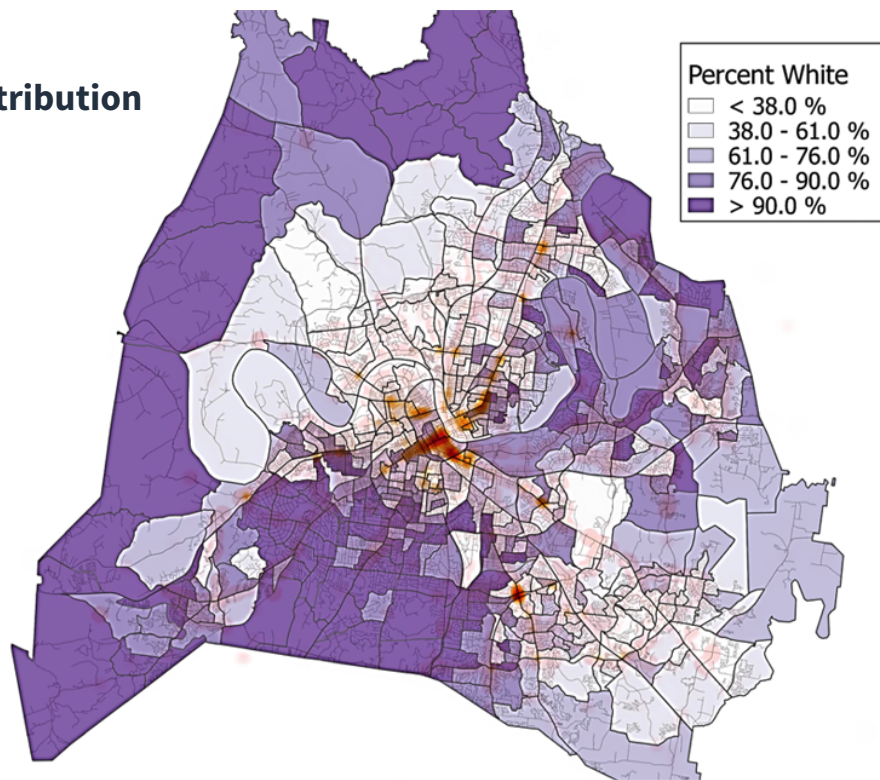
**Drivers in low-income and predominantly black or Hispanic neighborhoods are far more likely to be stopped than drivers in more affluent and white neighborhoods.**



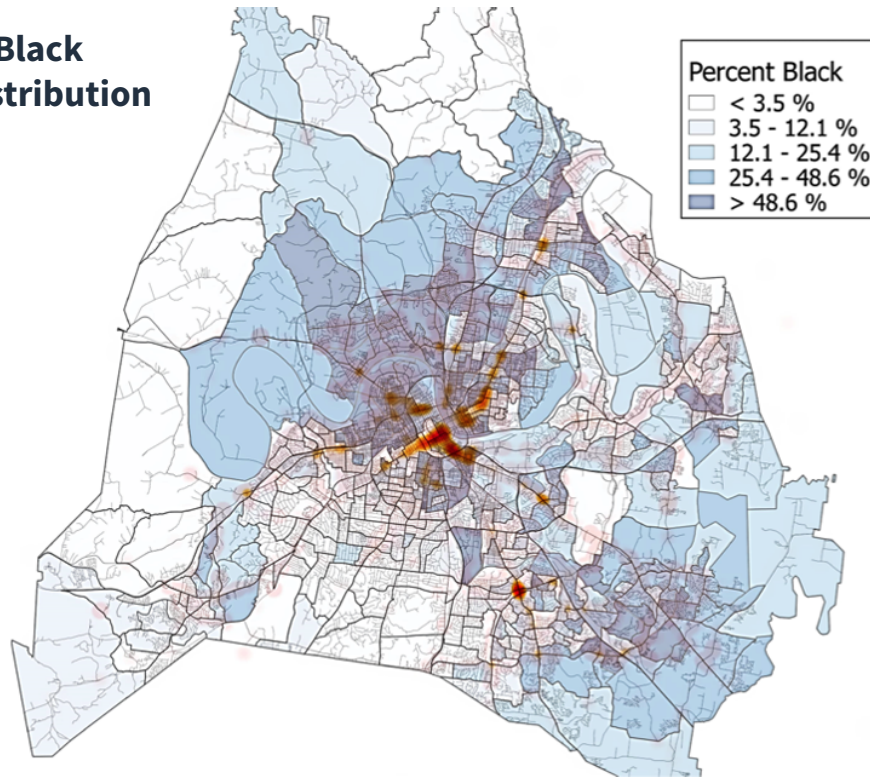
**Figure 4.1**  
**Traffic Stop &**  
**Poverty Distribution**



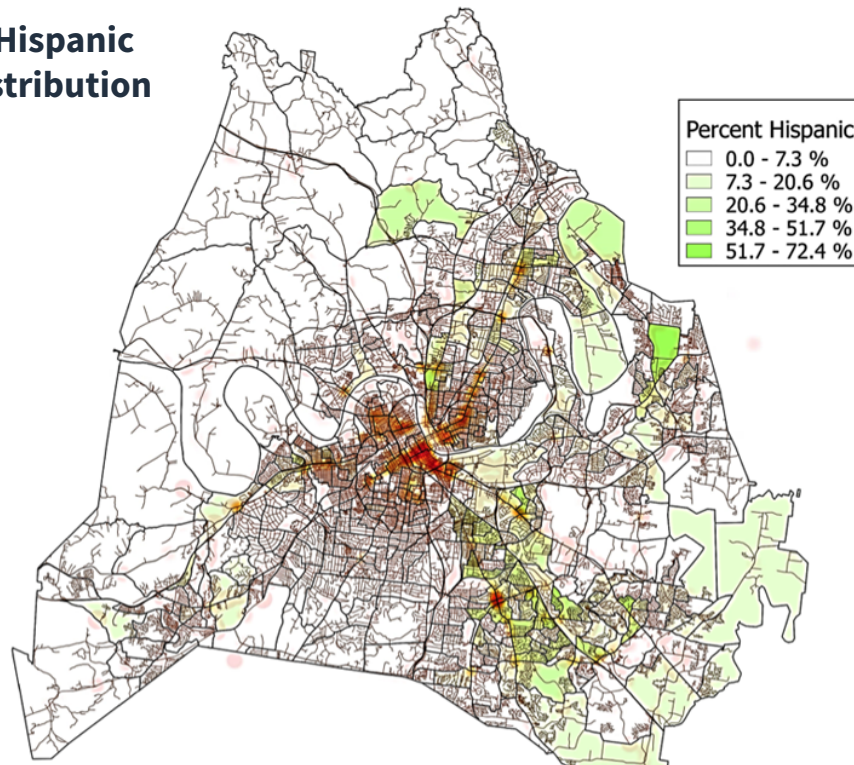
**Figure 4.2**  
**Traffic Stops &**  
**White Population Distribution**



**Figure 4.3**  
**Traffic Stop & Black**  
**Population Distribution**



**Figure 4.4**  
**Traffic Stop & Hispanic**  
**Population Distribution**



These maps reveal a pattern of traffic stops clustered in several areas, including Downtown, North Nashville, Charlotte Pike, Gallatin Pike, Nolensville Pike, and Murfreesboro Pike.

Areas with high stop intensity tend to be close to areas with high concentrations of poverty and predominantly black and Hispanic communities. Few predominantly white or affluent areas are close to high traffic stop areas. Southwest Nashville is predominantly white and affluent. While traffic stops occur in this area, they are not concentrated to the extent that they are in other neighborhoods. Residents of Southwest Nashville are likely underrepresented in the number of traffic stops while residents of other neighborhoods with higher traffic stop concentrations are overrepresented.

Together, these maps show that the distribution of MNPDP traffic stops center around high poverty and predominantly black and Hispanic neighborhoods. These high-stop areas likely contribute to the racial disparities in stops discussed in Findings #2 and #3. When MNPDP concentrates stops in specific areas, the people living in those areas are the most likely to be affected.

For that reason, drivers in high poverty or high racial/ethnic minority neighborhoods have a greater chance of being stopped than drivers in more affluent and white neighborhoods. As such, while individual officers' implicit bias is certainly a factor in racial profiling, the issue of racial profiling in traffic stops goes beyond individual officers' racial animus alone. MNPDP's institutional decision to distribute more officers in high poverty and predominantly black and Hispanic neighborhoods itself leads to significant discriminatory impact and contributes to the racially disproportionate rates of traffic stops and searches considered in this report.

*So if [crime is] happening outside of the projects, why are they so focused on places like the projects?*

**“It’s like a concentration camp. They know people are in there trying to survive. Some people don’t have jobs. They know some people are trying to get jobs and can’t get jobs because a lot of other people have those jobs and they aren’t trying to give them to us. There’s been a lot of situations that happened over in the projects because people are trying to survive.”**

**- Keno Hill, 45**

**“I have a [white] friend [who] was trying to get stopped. She was intentionally breaking traffic laws hoping someone would stop her. No one ever stopped her, ‘cause she was a white woman driving around in the Belle Meade community. And she couldn’t get stopped. She tried to get stopped and she couldn’t get stopped.”**

**- Jackie Sims, 62**

“Just because I can’t afford to live in a better neighborhood, you cannot treat me any kinda way. You know? Some people cannot afford to live in better neighborhoods. You have no other choice but to live here. Which is pretty much a harassment neighborhood. [...] And then in these neighborhoods, these all black neighborhoods, there’s only white cops. Out here, I have not seen one black cop out here. And I been out here 10 years. I probably seen one. All white cops patrolling all black neighborhood. Right then and there you gonna have tension.”

- Terrance Key, 47

“[A]ll the neighborhoods that [police] be in, like, everybody doesn’t do dirt. Everybody doesn’t do wrong. But it’s like, they’ll see you, and just single you out. ‘Oh, you’re the profile.’ Or, ‘We’re looking for this suspect.’ [People in Green Hills] smoke. They get stoned more than we do. I feel like in the white neighborhoods like Green Hills, any of the neighborhoods that are predominately white, they don’t patrol those neighborhoods. Because they know that if they patrol stuff like South Nashville, East Nashville, when they patrollin’ on West Nashville...they finding easy victims for them to pull over. You don’t even have to be making any scenes or anything. Police making their money off of quotas. If your chief keep coming down your back, ‘Oh you ain’t doin’ this, you ain’t doin’ that’—of course. That’s what’s going to happen. But at the end of the day, why is it not happening in these neighborhoods? You trying to tell me that I’m the one that’s doin’ it. At the end of the day, you know there users in Green Hills and all of that but guess what, you don’t patrol Green Hills. You don’t patrol none of these. Brentwood, Green Hills, all of those neighborhoods. Nobody patrols those neighborhoods. And if they sit in those neighborhoods, they just there. [...] So the profiling is real.”

- Louie, 34

## **Finding #5: Given the disproportionate rates of traffic stops of black drivers across all reasons for initiating a stop, it seems that, for MNP, “driving while black” constitutes a *de facto* reason for initiating a stop**

When police officers make a traffic stop, they are required to record the legal reason the stop was made. The MNP manual states that, “All vehicle stops shall be based upon at least reasonable suspicion, probable cause, or other authorized procedures.”<sup>1</sup> Officers can choose from a list including: child restraint, investigative, moving traffic violation, parking, regulatory, seat belt, safety & equipment, vehicle equipment violation, or other. Due to small numbers of stops categorized as “child restraint” or “other,” these stops are excluded from our study. If all traffic stops were conducted randomly and evenly across all regions of Metro Nashville, then we would expect the percentage of stops by race/ethnicity to match the proportion of the population constituted by that group. Since Nashville’s driving age population is 27.6% black, if race was not a factor in traffic stops, about 27.6% of stops would be of black drivers. According to MNP data, however, black drivers constituted 39.3% of all stops between 2011-2015, 11.7% greater than Nashville’s black driving age population.<sup>2</sup>

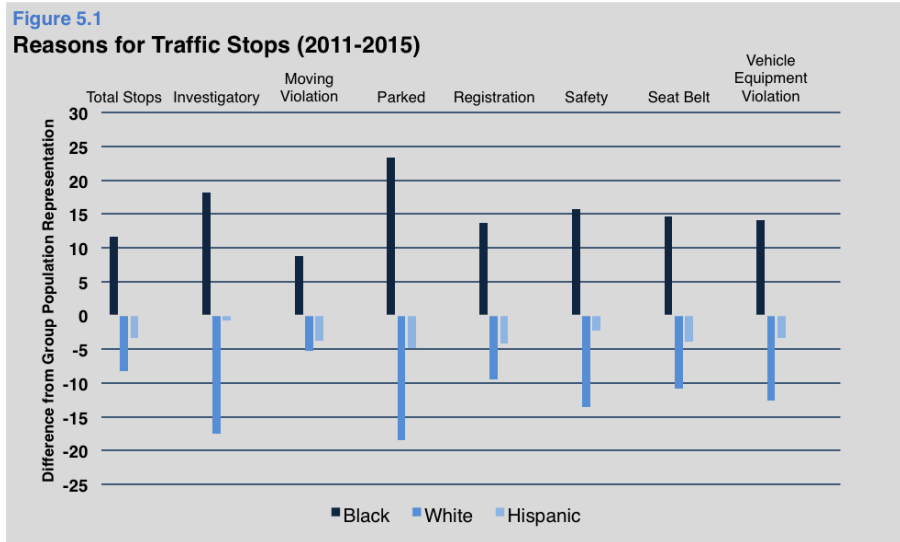
**Across all reasons given for traffic stops, black drivers are stopped at rates disproportionate to the total black driving population. Investigatory stops, which are more likely to include officer discretion, also show the greatest racial disparities.**

Figure 5.1 shows percentage differences from population representation for each type of traffic stop. Bars at the horizontal “zero” line would indicate that drivers are stopped proportional to their population. Positive numbers (above the zero line) indicate that a group is stopped more than the proportion of their population while negative numbers (below the zero line) indicate being stopped less than their representation in the population.

Across all categories of stops, black drivers are stopped at rates disproportionately higher than other drivers. However, some types of stops have wider disparities than others. Moving traffic violations are the most common type of stop. They account for 49.5% of all traffic stops made between 2011 and 2015. Moving violations also have the lowest racial disparity of all types of stops with black drivers being stopped 8.8% greater than their population, Hispanic drivers stopped 3.7% less than their population, and white drivers stopped 5.2% less than their population. The second most common stop is vehicle equipment violations, which account for 33.1% of stops. Vehicle equipment violations are stops where a car is not operating according to the legal requirements, for instance, a broken taillight. Black drivers are stopped 14.2% more than the black driving age population of Nashville. Hispanic and white drivers are both stopped at rates lower than their population percentage, 3.3% and 12.6% respectively.

Seat belt, regulatory, and ‘safety and equipment’ stops make up 3.6%, 5.6%, and 6.0% of all traffic stops,

respectively. Seat belts are required in Tennessee for all front seat occupants of vehicles. Compared to the racial/ethnic distribution of Nashville, black motorists make up 14.6% more stops than their population while Hispanic and white drivers make up 3.9% fewer and 10.8% fewer stops than the population would predict. Regulatory stops are stops made for not having up-to-date registration or Metro wheel tax sticker.<sup>3</sup> Black drivers are stopped 13.7%



greater than their population representation while Hispanic and white drivers are stopped 4.2% and 9.5% less than their population representation. Safety and equipment stops are made in response to damage to the vehicle, including broken windshields or missing bumpers.<sup>4</sup> Black drivers make up 43.4% of all safety and equipment stops, 15.8% greater than their population percentage of 27.6%. Hispanic drivers are represented 2.3% less and white drivers are stopped 13.5% less than their population would predict.

Investigative stops are stops where the officer claims to have had at least “reasonable suspicion” to believe that the occupants of a car are engaging in criminal activity.<sup>5</sup> Investigative stops only account for 1.9% of stops, but have large racial disparities. Stops of black drivers make up 45.8% of investigatory stops, 18.2% more than the black driving age proportion of the Nashville population. Hispanic drivers experience investigatory stops near their population proportion with stops 0.7% less than their population representation. White drivers are stopped 17.5% less than their population percentage. As the basis for such investigatory stops are often minor issues, such as the belief that a driver is unlicensed, or the smell of marijuana at a red light, this category of stops seems particularly prone to both racial bias and possible abuse. Moreover, the widespread criminalization of black men in U.S. society likely leads to cognitive errors by officers such that they erroneously perceive black drivers as being more likely to be engaged in criminal activity, thereby making such stops and investigations seem appropriate.

“‘Suspicion’ was one [reason they gave for stopping me]. I was pulled over, which was like a half a block from home, and I asked him, ‘Why you pull me over?’ He said, ‘Well there was suspicion because you drivin’ a car that look like a car we looking for.’ [...] [Another time] one of ‘em said...my tail light was out. I said, ‘You mind if I get out and look?’ He said, ‘Aw you don’t need to look. I mean trust me, your tail light is out.’ I said, ‘Okay then.’ I said, ‘While you checking, if I put my foot on the brakes, [do] my brake lights work?’ He said, ‘Your brake lights work cause I noticed you’re putting on the brake.’ And I said, ‘I will get that fixed.’ He said, ‘Well I’m not gonna give you a citation this time.’ [...] So, I got home, and I checked my tail light. I asked the young guy across the street to help me check when I put on the brakes: there was nothing wrong with my tail light. The young guy said, ‘No ma’am everything’s fine.’”

- Clara, 64

Traffic stops related to parking have the greatest disparity, with black drivers being 23.3% overrepresented while Hispanic and white drivers are 4.8% and 18.5% underrepresented, respectively. Only 6,053 stops from 2011-2015 are classified as parking, accounting for 0.3% of all stops. Black drivers parked in their vehicles were disproportionately stopped, but no context is provided to better understand why the disparities are so large. From the data, it seems that black drivers sitting in parked cars constitute a uniquely suspicious or potentially criminal scenario in the eyes of MNPD officers.

In sum, across all types of traffic stops by MNPD, black drivers are stopped at rates disproportionately higher than their representation in the total driving age population. In the case of investigatory stops, where police officers have the most discretion and the legal ability to use race as a consideration for making a stop, the racial disparities are widest. Clearly, these disparities demonstrate that “driving while black” is a significant risk factor for being stopped by police in Nashville.

**“I have five sons. They all grown. But if I had two or three of ‘em with me, they pullin’ us over. Too many black people in the vehicle—simple as that. That’s the honest to God reason of why I feel that they pull us over, is there’s too many black people in the car. You up to something, you getting ready to go do something wrong.”**

**- Terrance Key, 47**

**“They give a variety of reasons [for stopping me]. They always make up something, but in my opinion it’s driving while black.”**

**- KHAOS Thomas, 70**

**“[O]nce he pulled me over he came up to the car...and asked how I was doin’, and do I got my license and all of that. I said, ‘Yeah I got them, but why are you pulling me over, is the first thing? Because I know I wasn’t speedin’, and I don’t have no headlight, taillight [out], I know that for a fact.’ ‘Well I pulled you over because...your license plate light is out.’ [...] What I knew what it was is he saw a young black dude, you know all they can tell is it a Pontiac G6 [...] I’m pretty sure he just saw... me, and assumed and wondered, ‘Hey, what’s he doin’ over this side of town this late at night?’ And so, you know, thank God nothing happened. But it’s still the fact that I got pulled over because of that.”**

**- DeWayne, 28**

<sup>1</sup> “MNPD Manual,” § 18.10.030-A.

<sup>2</sup> See Table 5.1 in Appendix for reasons given for traffic stops by race/ethnicity and comparisons to Nashville’s racial/ethnic composition.

<sup>3</sup> Personal communication with MNPD.

<sup>4</sup> Personal communication with MNPD.

<sup>5</sup> MNPD Manual, § 4.40.060-B.

## Finding #6: MNPD officers conduct probable cause and consent searches of black and Hispanic drivers at more than twice the rate of white drivers

### A. Legal and Policy Framework of Discretionary Searches During Traffic Stops

The Fourth Amendment to the U.S. Constitution generally prohibits law enforcement officers from conducting routine searches during traffic stops.<sup>1</sup> To conduct a search, an officer must have an independent legal basis for it, such as the suspect's voluntary consent to be searched<sup>2</sup> or probable cause to believe that the search will lead to evidence of crime.<sup>3</sup> However, in traffic stops the normal requirement of obtaining a warrant before conducting a search is waived, meaning officers are not required to present their alleged justifications to a neutral magistrate or other third party for verification before conducting the search. Instead, officers can act solely on their own unilateral perception and authority.

If an officer is wrong in their determination that a search is legally justified, or if the officer simply decides to conduct a search without a legal justification, the only potential recourse for the person who is searched is to file a lawsuit or a departmental internal affairs complaint.<sup>4</sup> However, lawsuits are expensive and time consuming, and departmental complaints almost never succeed, which means that these hypothetical consequences almost never occur, leaving officers free to mistakenly or falsely claim probable cause or consent without fear of meaningful consequences.<sup>5</sup>

MNPD has a "Bias Based Policing" policy that nominally prohibits MNPD officers from engaging in racial profiling. The policy, however, utilizes a relatively weak definition of biased policing:

[T]he selection of individuals for enforcement intervention based **solely** on a common trait of a group, such as race, ethnic origin, gender, socioeconomic status, sexual orientation, or age. This however does not preclude consideration of race or ethnicity when it is part of a suspect's description or is otherwise validly related to an officer's investigation of criminal activity.<sup>6</sup>

This definition only prohibits demographic based bias as the "sole" basis for an enforcement intervention. Thus, under this definition an officer who says, "I searched the car because the driver was black and he made furtive movements" has not engaged in bias-based policing, because the fact that the driver was black was not the sole reason for the search.

While many in law enforcement favor this weak definition,<sup>7</sup> it is largely useless in terms of actually protecting civilians from racial and ethnic profiling because it is too easy for officers to justify race-driven interventions simply by citing some pretextual additional reason. However, MNPD's policy also contains the following additional provision, which nominally strengthens the prohibition on racial profiling:

In the absence of a specific, credible report containing a physical description, a person's **race, ethnic origin, gender, socioeconomic status, sexual orientation, or age, or any combination of these, shall not be a factor in** determining probable cause for **an arrest or** reasonable suspicion for **a stop**.<sup>8</sup>



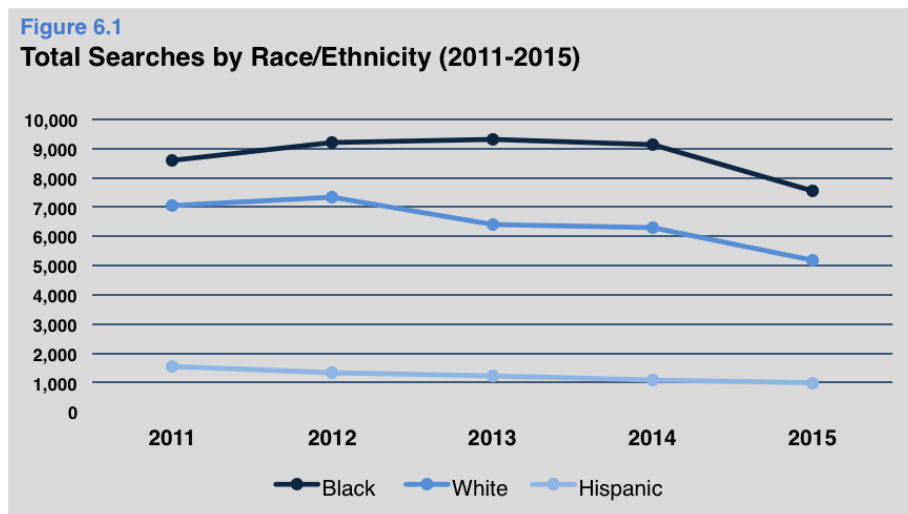
This provision strengthens the policy by prohibiting any use of demographic factors in stop and arrest decisions unless the demographic characteristic is part of a specific suspect report in a specific incident. However, by its own terms, this provision is limited to only “stop” and “arrest” decisions, while omitting other law enforcement interventions such as searches. Thus, this provision does nothing to provide additional protection against the use of race and ethnicity as a factor in search decisions, so long as race or ethnicity is not the sole basis for the search.

## B. Data Analysis of MNPD’s Discretionary Searches Conducted During Traffic Stops

With this legal and policy framework in mind, one might expect to see MNPD officers engaging in more intense racial profiling in searches than in stops, since MNPD policy implicitly allows officers to use race as a basis for search decisions as long as race is not the sole basis. Indeed, MNPD’s traffic stop data bears out exactly this expectation of stark racial disparities.

### 1. Total Searches, 2011-2015

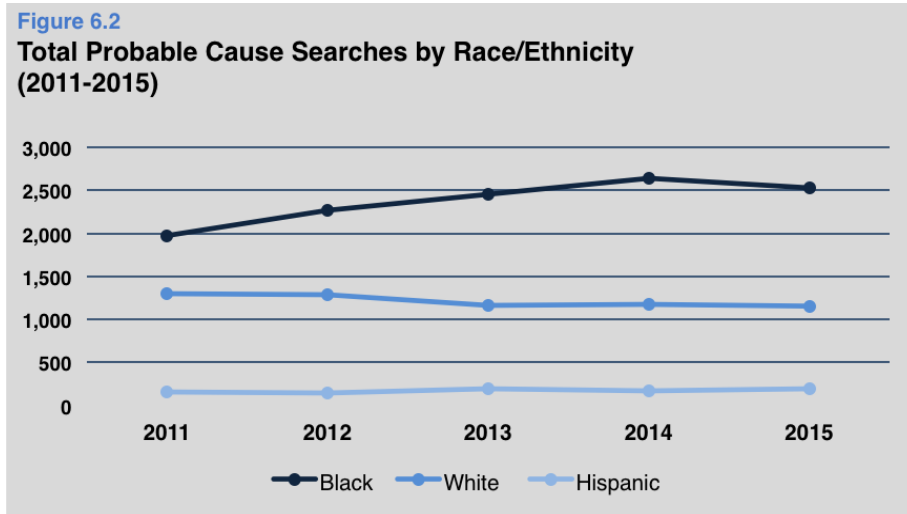
Figure 6.1 shows the total number of all traffic stop related searches conducted against black, white, and Hispanic drivers.<sup>9</sup>



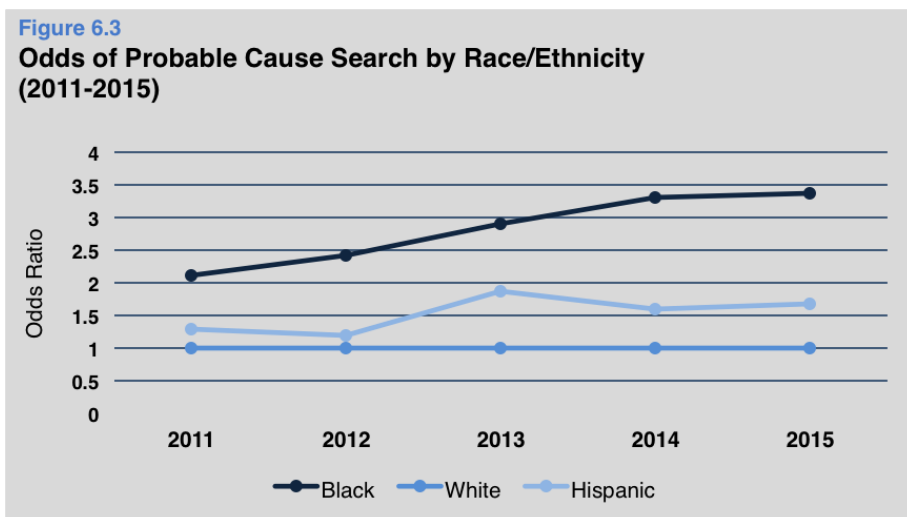
This graph shows significant racial search disparities across all search categories. However, some searches resulting from traffic stops are largely non-discretionary, and can be initiated by external, objective circumstances such as being arrested on a pre-existing warrant or for driving on a suspended license. Discretionary searches are based on an officer’s judgment. The three primary discretionary search categories are: probable cause, consent, and plain view.<sup>10</sup>

**2. Probable Cause Searches, 2011-2015**

Figure 6.2 shows the total number of traffic stop-related probable cause searches conducted against black, white, and Hispanic drivers.



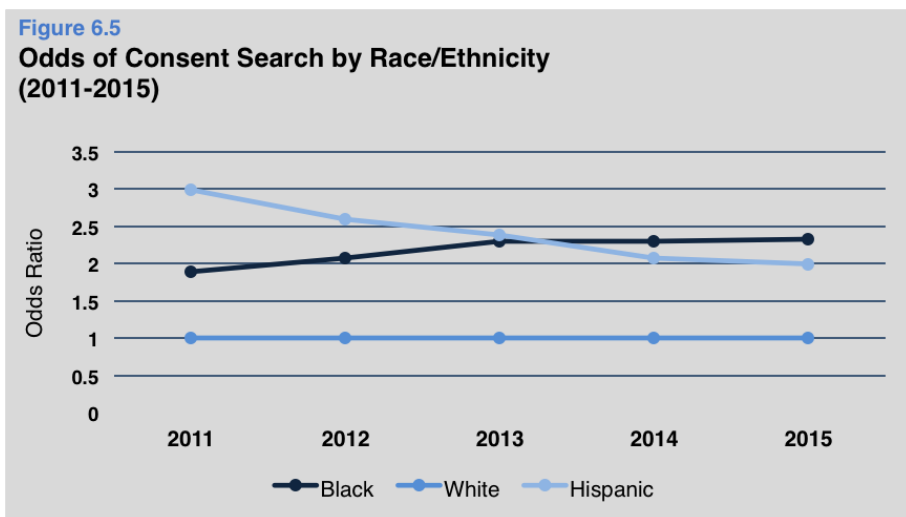
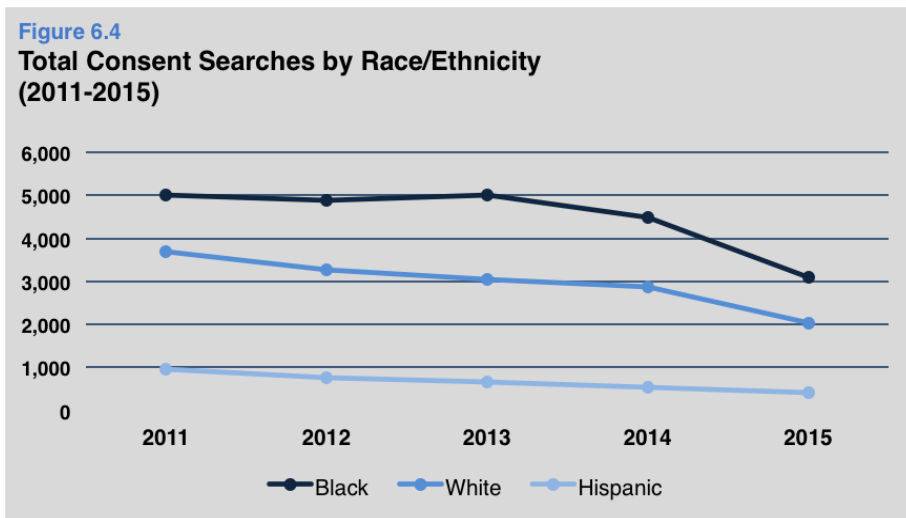
As the data demonstrates, every year the total number of probable cause searches of black drivers exceeds the number of probable cause searches of white drivers, even though there are far more white drivers than black and Hispanic drivers (Table 1.1) and more white drivers are stopped, in total, than black and Hispanic drivers (Table 1.2). The disparity in the frequency with which people of color and white people are subjected to probable cause searches is further illustrated in Figure 6.3. The graph shows the relative odds of having a probable cause search conducted compared to white drivers. Odds ratios are estimated using a logistic regression model described in Section VI of the report (Research Design and Methodology). In 2015, the odds ratio of black drivers compared to white drivers was 3.4, meaning that black drivers are 237% more likely than white drivers to be searched based on probable cause. Across all years, black and Hispanic drivers are more likely to be searched based on probable cause than white drivers.



Clearly, racial disparities in the frequency of probable cause searches are both significant and growing. In 2011, the proportion of black drivers that were subjected to probable cause searches was 2.1 times as large as the proportion of white drivers, but by 2015 black drivers were searched 3.4 times the rate of white drivers. Meanwhile, Hispanic drivers are consistently subjected to probable cause searches at approximately one and a half times the rate of white drivers. This finding shows that MNPD’s disparity between searches of black and white drivers has grown substantially and rapidly under Chief Anderson’s leadership. Moreover, a geographical analysis by MNPD patrol zone of racial search disparities reveals that in virtually every patrol zone, whether it is a “high crime” or “low crime” zone, MNPD patrol officers subject black drivers to probable cause searches at much higher rates than white drivers.<sup>11</sup>

### 3. Consent Searches, 2011-2015

Turning to consent searches, Figure 6.4 shows the total number of traffic stop related consent searches<sup>12</sup> conducted against black, white, and Hispanic drivers.



Like probable cause searches, we see that most consent searches are conducted on black drivers, even though whites constitute the majority of both total drivers (Table 1.1) and of drivers who are stopped by the police (Table 1.2). The disparity in the frequency with which black and white drivers are subjected to consent searches is further illustrated in Figure 6.5, which shows the odds of black and Hispanic drivers that are subjected to consent searches compared to white drivers that are consent searched.

Black and Hispanic drivers are consistently subjected to consent searches at more than twice the rate that white drivers are. In other words, black drivers are 130% times more likely than white drivers to be subjected to a consent search. Because the data underlying this graph is based only on consent searches where the searching officer did not claim to have probable cause, and because the racial disparities in these searches occur in virtually every MNPd patrol zone, one can fairly infer that race and ethnicity, not criminality or geography, are the primary determinants of these disparities.

**“Leaving from my job, my first day of work at Boys & Girls Club, we were immediately pulled over by an officer. It was me and two of my friends. They were picking me up from work. Immediately pulled over, they told us a story like, we had an expired tag, but we were driving my other friend’s car, and he had all his paperwork ready and everything. And they asked if they could search the car. I’m fresh from work. We’re like, we’re just gonna comply, you do whatever you need to do. They took us out the car, patted us down, and then they had us sit on the sidewalk while they searched the car. Honestly, my friends are law-abiding citizens, so there was nothing in the vehicle. Nobody had priors. But they hit us with a ticket for I think \$50 for not having registration, or having insufficient registration. But, my friend went to court and beat the case and didn’t pay anything, but you can tell there was a motive behind it. Honestly, it felt degrading. Because honestly, I’m a law-abiding citizen, like I said. There was no reason for them to pull me over. You could tell that it was some malicious intent behind it, like I was being targeted because of the color of my skin. When I was pulled over on the side being searched, citizens in the community looked at me like I did something wrong. I might have a bad mask on my face like I was a bad guy. And that definitely wasn’t the case. [...] And it was degrading. It shouldn’t have happened, it shouldn’t have occurred, especially with me working so hard in the community. I work for the Boys & Girls Club. I effect change. Why am I being harassed?”**

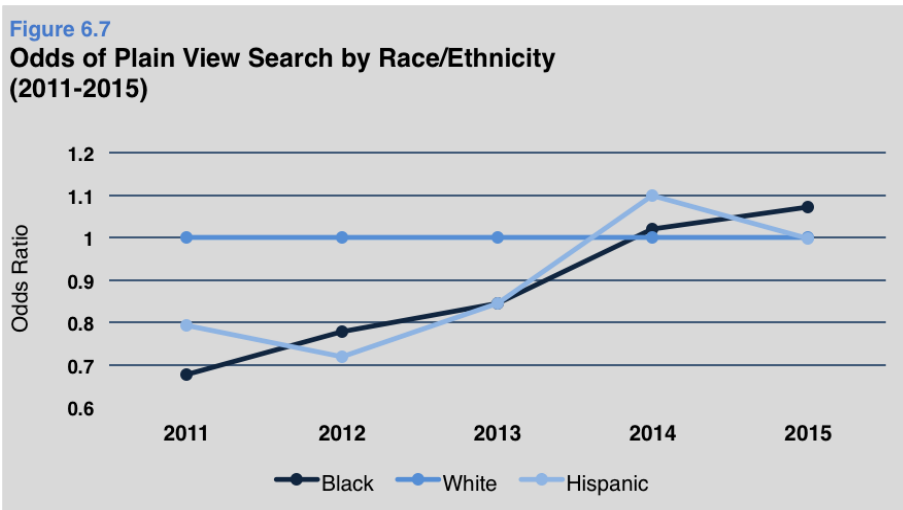
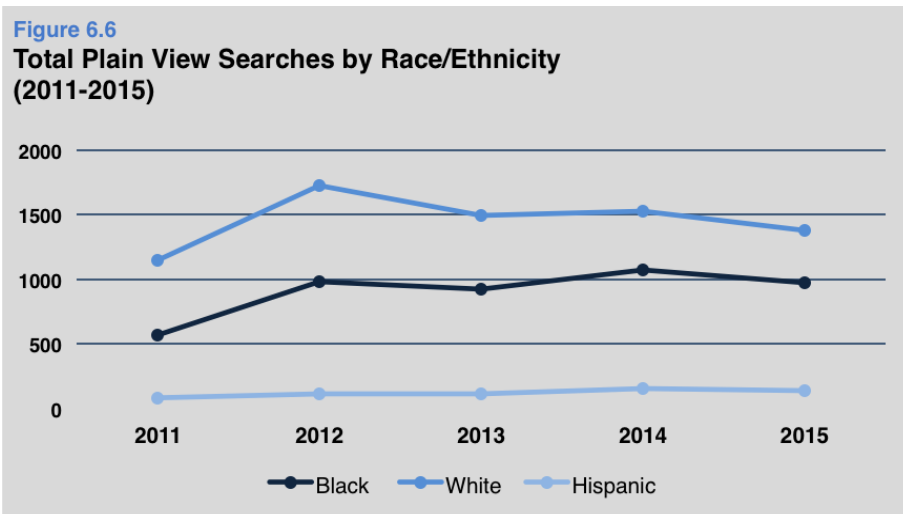
**- Bernard Holmes, 28**

#### 4. Plain View Searches, 2011-2015

The law defines “plain view” searches as searches based on having already observed evidence of crime in “plain view” prior to conducting the search.<sup>13</sup> The raw numbers of plain view searches by demographic are shown in Figure 6.6.

In the context of plain view searches, the numbers are more in line with the relative demographic proportions of the driving population, with the majority of plain view searches being conducted against white drivers. Indeed, Figure 6.7 shows that black and Hispanic drivers are less likely than white drivers to be searched because of evidence in plain view. The lower rate for black and Hispanic drivers has reduced in recent years to be equal to white drivers.

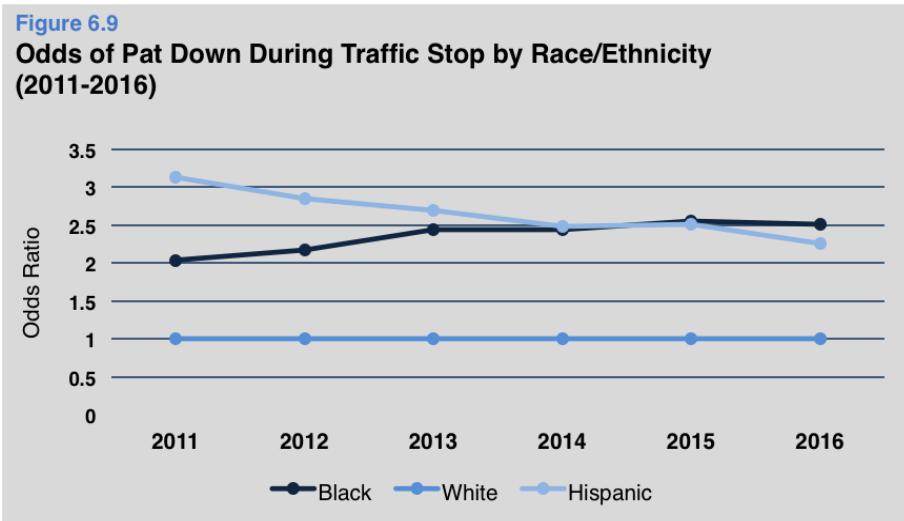
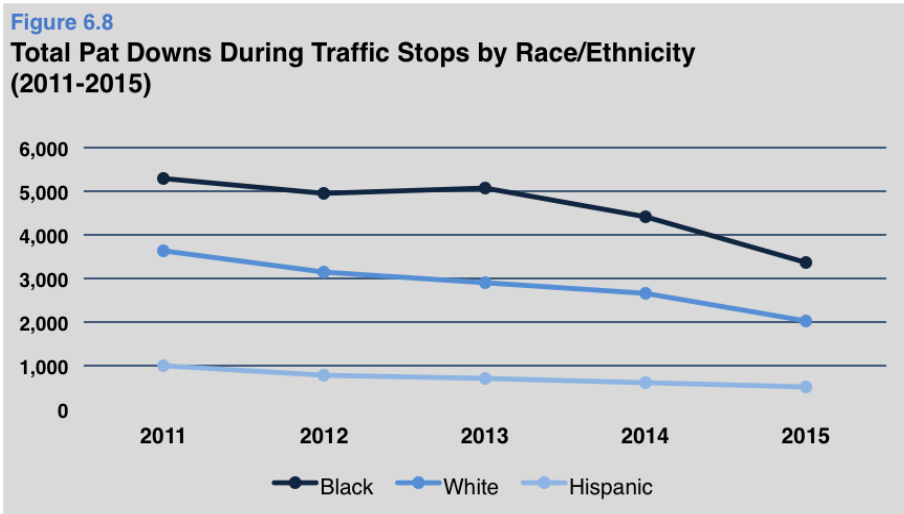
Thus, in the aggregate, MNPD officers appear to largely utilize plain view searches more equitably compared to probable cause and consent searches.



**5. “Pat Down” Searches, 2011 – 2015**

The Constitution allows a limited “pat down” search when an officer has reasonable, objective grounds to believe that the suspect is “armed and dangerous.”<sup>14</sup> The scope of the pat down is limited to a feel of the outer clothing in order to find immediately apparent weapons. The total number of pat down searches are depicted by race and ethnicity in Figure 6.8. As the graph shows, black drivers are consistently subjected to significantly more pat down searches than white drivers.

Figure 6.9 makes MNPD’s disproportionate application of pat down searches clearer, showing the odds ratios between the proportions of stopped black and Hispanic drivers that are subjected to pat downs versus the proportion of stopped white drivers that are subjected to pat downs. As the graph shows, the disparity between MNPD’s rate of pat downs of black drivers versus its rate of pat downs of white drivers has grown under Chief Anderson’s tenure. While the disparity between pat downs of Hispanic drivers and pat downs of white drivers has decreased, it remains significant, with Hispanic drivers being subjected to pat downs at roughly two and a half times the rate of white drivers.



## C. Conclusion

As discussed above, the racial and ethnic disparities in the selection of who to subject to probable cause searches, consent searches, and pat downs are exactly what one would expect from MNPDP's weak prohibition on race-based searches. Indeed, MNPDP's data shows that over the past five years racial disparities in MNPDP's discretionary searches have grown substantially.

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<sup>1</sup> *Coolidge v. New Hampshire*, 403 U.S. 443 (1971).

<sup>2</sup> *Georgia v. Randolph*, 547 U.S. 103 (2006).

<sup>3</sup> *Chambers v. Maroney*, 399 U.S. 42 (1970).

<sup>4</sup> While an illegal search that results in the discovery of evidence can result in the exclusion of that illegally discovered evidence in a criminal proceeding, according to *Mapp v. Ohio*, 367 U.S. 643 (1961), the judge in a criminal proceeding has no authority to sanction the officer for the misconduct.

<sup>5</sup> See: <<http://www.nashvillescene.com/news/features/article/20835187/wrongly-detained-for-a-duit-one-man-uses-a-lawsuit-to-dig-into-how-the-police-investigate-their-own-officers>>.

<sup>6</sup> MNPDP Manual, § 4.40.020-A. (Emphasis in original).

<sup>7</sup> See, for example: <<http://www.thebadgeguys.com/racial-profiling-justification-what-is-it-and-can-it-ever-justified/>>.

<sup>8</sup> MNPDP Manual, § 4.40.020-C. (Emphasis added).

<sup>9</sup> The term “driver” or “drivers” here, in relation to discretionary searches, refers to searches that potentially include driver, passengers, and automobile.

<sup>10</sup> This report considers “inventory,” “search incident to arrest,” and “warrant” to be non-discretionary categories and excludes searches based on those justifications from the ensuing analyses.

<sup>11</sup> This analysis excludes consent searches where the officer simultaneously claimed to have probable cause (a relatively small number in the data) in order to focus exclusively on searches where consent was the sole claimed justification.

<sup>12</sup> *Coolidge v. New Hampshire*, 403 U.S. 443 (1971).

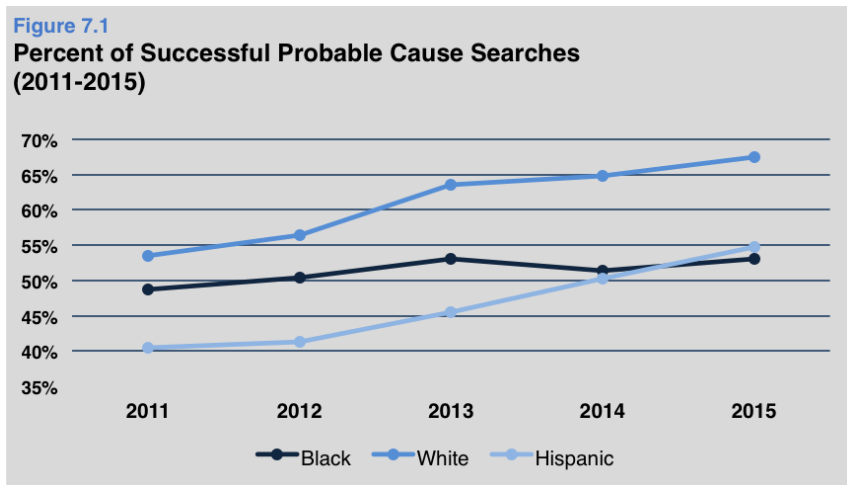
<sup>13</sup> *Terry v. Ohio*, 392 U.S. 1 (1968).

## Finding #7: Discretionary searches of white drivers result in the discovery of incriminating evidence more often than discretionary searches of black and Hispanic drivers

Defenders of racial profiling invariably assert that a search of a black or Hispanic person is more likely to result in the discovery of incriminating evidence than a search of a white person. They claim that racial profiling is justified because “it works.”<sup>1</sup> However, MNPD’s traffic stop data shows that such a premise is simply false. In fact, the opposite is true: MNPD’s searches are consistently more likely to succeed in finding incriminating evidence when the driver is white.

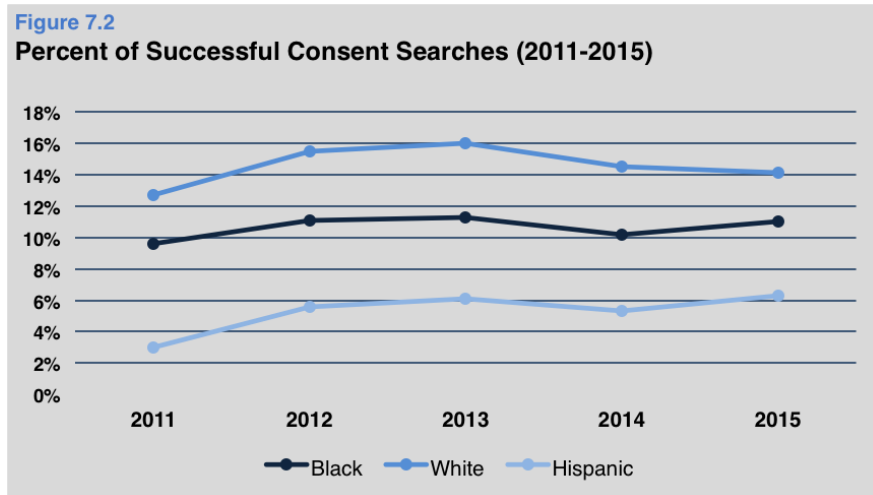
Figure 7.1 depicts the success rate for probable cause searches against black, white, and Hispanic drivers. These data show two striking results. First, the successful search rate of white drivers is consistently higher than the successful search rate of black and Hispanic drivers. Second, while the success rate for searches of white and Hispanic drivers has grown over the course of the past five years, the success rate for searches of black drivers has been largely static. Thus, the white-black disparity in probable cause search accuracy has grown over the past five years, from a 5% difference in 2011 to almost 15% in 2015.

**Despite the fact that MNPD conducts discretionary (probable cause and consent based) searches of black and Hispanic drivers at rates significantly higher than white drivers, searches of white drivers are far more likely to result in incriminating evidence than searches of black and Hispanic drivers.**



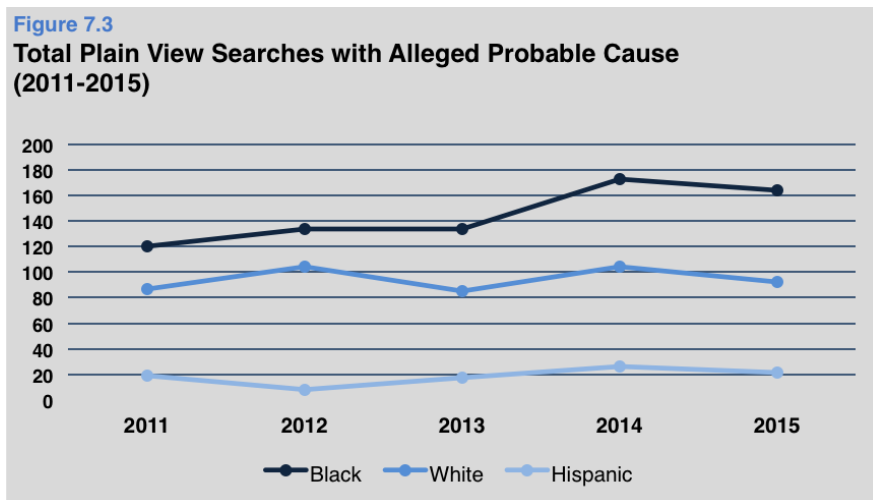


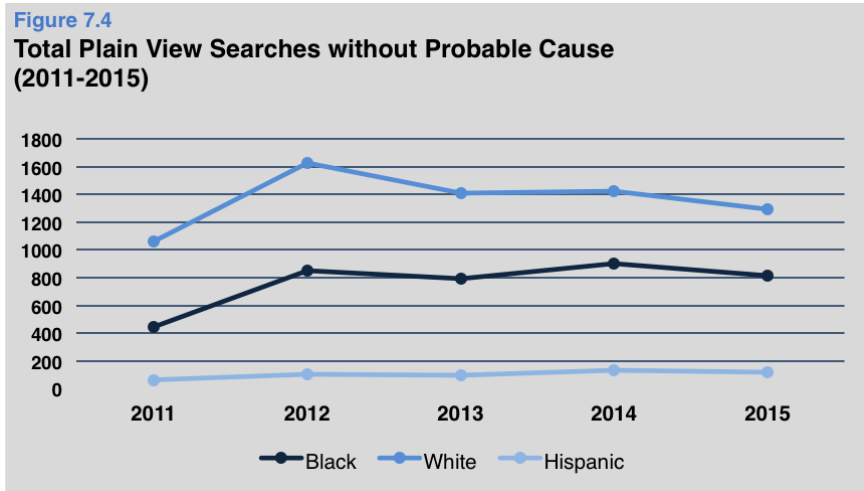
Turning to consent searches, Figure 7.2 depicts the success rates of consent searches of white, black, and Hispanic drivers.



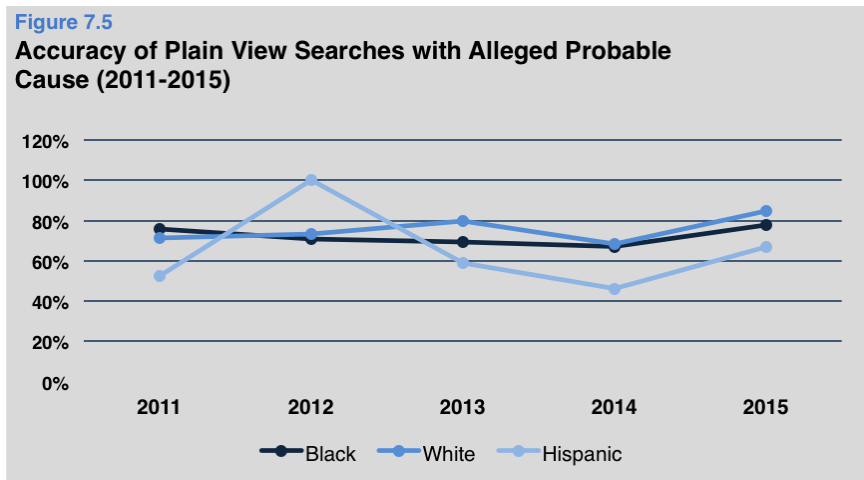
Like the probable cause data above, the consent search data shows that the successful search rate for white drivers is substantially higher than the successful search rate for black and Hispanic drivers. These gaps are noteworthy, with success rates against white drivers at around 15%, black drivers 10%, and Hispanic drivers only 5%. Additionally, success rate for consent searches is extremely low across the board, even against whites. Thus, it appears that the vast majority of consent searches are essentially “fishing expeditions,” resulting in the “shakedown” of innocent people.

As for plain view searches, due to peculiarities in the data, which we explore in the next paragraph, it is useful to separately analyze plain view searches where the officer also claimed to have probable cause, versus plain view searches where the officer did not claim to have probable cause. Figure 7.3 and Figure 7.4 depict the raw numbers of these two categories of plain view searches.

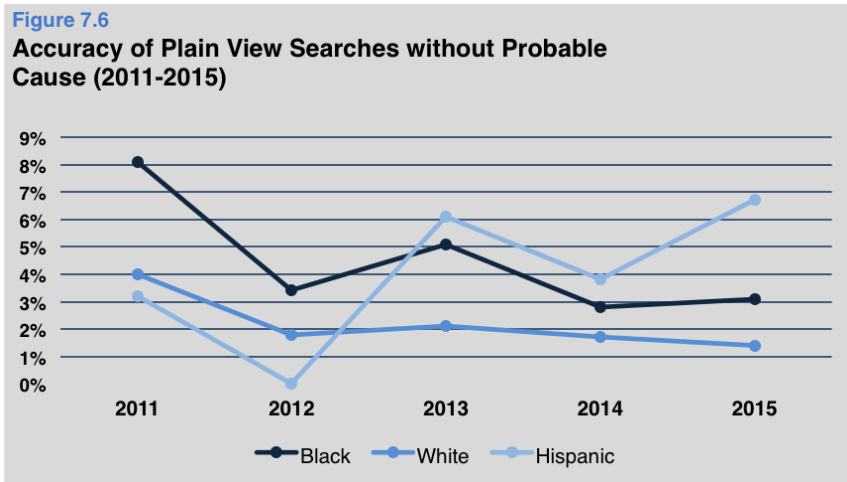




As is clear from these figures, the vast majority of plain view searches are conducted without probable cause. MNPDP averaged 258 plain view searches with probable cause per year and 2,224 plain view searches without probable cause per year. This curious finding is difficult to explain, as it is hard to conceive how a search could be considered “plain view,” meaning that it is based on evidence that has already been observed in plain view, and yet not also be based on probable cause. The mystery in this finding is enhanced when we review the different success rates of plain view searches with and without probable cause, depicted in Figures 7.5 and 7.6.



Plain view searches with probable cause tend to succeed, with success rates in the range of 75-80%, whereas plain view searches without probable cause almost never succeed, with success rates around 3%. While an 80% success rate for plain view searches with probable cause seems high, one does have to question why the success rate for searches that are allegedly based on having already observed “immediately apparent” incriminating evidence is not 100%. Meanwhile, the 3% success rate of plain view searches without probable cause is simply inexplicable and we can only speculate as to its causes and significance. However, the consistent totals and success rates indicate that plain view searches are not being practiced in the way they are intended, namely, based on visible evidence.



The role of race and ethnicity in plain view search success rates appear to be relatively small and erratic. As a result, it is difficult to draw conclusions regarding the role of race or ethnicity in plain view searches.

### Discretionary Searches Rarely Result in the Discovery of Weapons

MNPD's traffic stop database includes limited records on the nature of the evidence discovered in successful traffic stop searches, noting only whether the evidence was "drugs," "weapons," or "other." Thus, MNPD's traffic stop database does not distinguish between different types of drugs and/or drug paraphernalia, different types of weapons, or the specifics of what "other" might refer to.

By far the likeliest outcome of a search is that it fails, which occurs in 80.4% of all searches conducted. Drugs are the next likeliest outcome, found in 16% of searches. Both "other" and "weapon" are extremely rare, with weapons only being discovered in 1.4% of searches. Again, it is worth noting that "weapon" does not necessarily mean "firearm," as it also includes weapons such as knives and brass knuckles.

With regard to the specific outcome of searches, the data on the results of "pat down" searches is particularly noteworthy because the legal basis for a pat down search is supposed to be that there are reasonable, objective grounds to believe that the suspect is "armed and dangerous."<sup>2</sup> Moreover, pat down searches are limited to a non-intrusive pat down of the outer clothing to feel for obvious, "immediately apparent" weapons.<sup>3</sup> However, pat down searches usually fail to discover incriminating evidence at all, and result in drug finds far more often (18.5%) than weapon finds (1.7%).<sup>4</sup> Thus, the data suggests that officer judgment as to when a suspect is likely to be "armed and dangerous" is grossly deficient in the aggregate, and that this deficiency is so extreme that officers may be intentionally exploiting the pat down search as a way to bypass the probable cause requirement in their ongoing efforts to find drugs.

### Conclusions

The fact that discretionary searches succeed significantly more often when conducted against white subjects than against black and Hispanic subjects is striking, especially considering the fact that discretionary searches are usually targeted against black and Hispanic subjects.<sup>5</sup> Indeed, the consistent difference in

success rates supports the hypothesis that officer judgment is impaired when interacting with black and Hispanic subjects such that officers are consistently less accurate at perceiving when a search of a black or Hispanic subject is likely to result in the discovery of incriminating evidence.

Also striking is the abysmal success rate of consent searches in general, across all racial and ethnic categories. With about 90% of consent searches failing to recover evidence, one has to question the efficacy of these tactics. A failed search is not without cost: these shakedowns of innocent people have many costs, including humiliation for the innocent subjects, the waste of the searching officer's valuable time, and the alienation of drivers and their communities from law enforcement. These failures raise serious concerns about the use of the consent search as a matter of public policy and law enforcement strategy, given that consent searches are rarely successful, are applied in a racially disproportionate way, and are consistently less successful against the demographic groups that are targeted the most frequently.

Finally, while law enforcement often paints a picture in which the streets are full of dangers, and in which drugs and weapons generally go hand-in-hand,<sup>6</sup> the reality is that weapons are discovered in only a tiny fraction of traffic stop searches. To the extent that public support for intensive traffic stop and search regimes is premised on the idea that such activities are necessary to protect the public from dangerous armed criminals, the data suggest that a reality check may be in order. Additionally, the data showing that "pat down" searches rarely find weapons is extremely troubling from a constitutional standpoint, in that it strongly suggests that officers are either intentionally exploiting the pat down in order to illegally search for drugs, or that officers are unable to accurately judge when a suspect is likely to be "armed and dangerous."

Based on the totality of these findings, we question whether MNPDP should be permitted to continue using consent and pat down searches in its approach to law enforcement. While the U.S. Supreme Court may have deemed these search tactics constitutional, Nashville's democratically elected local government ultimately controls the MNPDP, and has the authority to prohibit MNPDP's use of these tactics. With the vast majority of consent and pat down searches amounting to blatant "shakedowns" and "fishing expeditions" against

*Do they ever ask to look around in the car?*

**"Yes! I let 'em. I don't have anything in my truck. You wanna look through a bunch of tools and my water bottles in the back of the seat? I do construction. So, if you wanna look, I have no problem. I let them do it. I step out the way and everything. Go ahead, knock yourself out. [...] I'm like, I don't have anything to hide, there's nothing in here. You know? Might find a cigarette or something fell out my pack or something."**

**- Terrance Key, 47**

innocent civilians, these tactics appear to be both damaging to the public and ineffective as crime-fighting techniques. Furthermore, the damage from these tactics is disproportionately imposed on Nashville's black and Hispanic communities, whose members bear the brunt of the majority of these invasive shakedowns.<sup>7</sup>

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<sup>1</sup> See, for example: <<http://www.dailystormer.com/racial-profiling-is-legal-and-it-works/>>. See also: <[https://www.washingtonpost.com/opinions/richard-cohen-racism-vs-reality/2013/07/15/4f419eb6-ed7a-11e2-a1f9-ea873b7e0424\\_story.html?utm\\_term=.765f30098a34](https://www.washingtonpost.com/opinions/richard-cohen-racism-vs-reality/2013/07/15/4f419eb6-ed7a-11e2-a1f9-ea873b7e0424_story.html?utm_term=.765f30098a34)>.

<sup>2</sup> *Terry v. Ohio*, 392 U.S. 1 (1968).

<sup>3</sup> *Arizona v. Johnson*, 555 U.S. 323 (2009).

<sup>4</sup> See Table 7.1 in Appendix.

<sup>5</sup> See Finding 6.

<sup>6</sup> See MNP Chief Steve Anderson, "Firearms and Marijuana," letter to Metro Council: <<http://www.nashvillescene.com/news/pith-in-the-wind/article/20832803/metro-police-now-neutral-on-marijuana-decriminalization>>.

<sup>7</sup> See Finding 6.

## **Finding #8: Nearly 80% of all MNPD traffic stops in 2015 resulted in a warning, and in traffic stops including a search of the vehicle or driver, between one-third and half resulted in a warning, which means hundreds of thousands of drivers—a disproportionate number of whom are black—are being stopped unnecessarily**

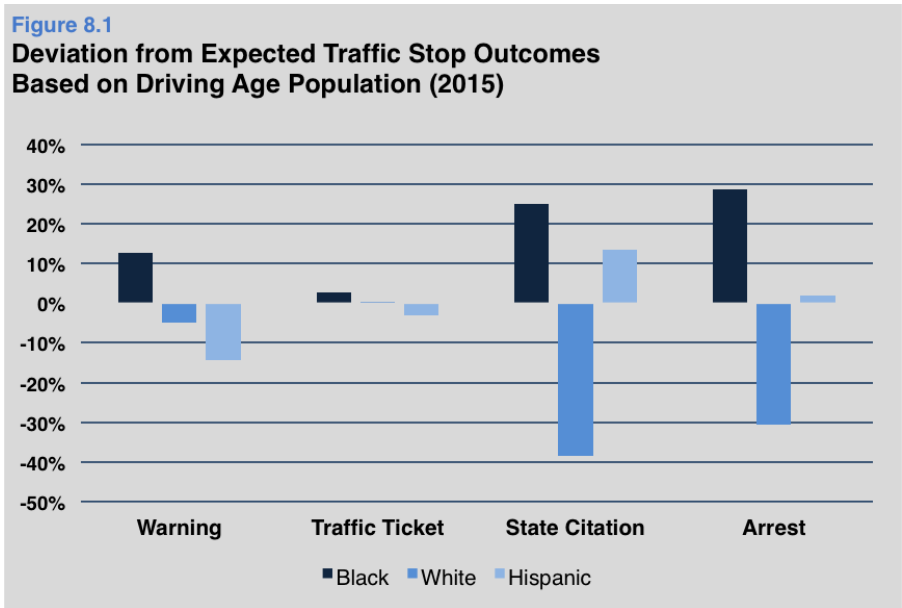
The most common outcome from a traffic stop in Nashville is a warning. Officers may give warnings in addition to other sanctions, so we only consider warnings when no other legal action is taken against a driver. In what follows, percentages add to greater than 100% because multiple actions may be taken in the same traffic stop. In 2015, 79.1% of traffic stops ended with a warning while 14.9% ended with a traffic ticket, 5.7% ended with a state citation, and 1.6% ended with an arrest.<sup>1</sup> Traffic tickets refer to citations given for traffic ordinance (i.e. speeding or running a red light) while a state citation is a criminal charge (i.e. drug possession or driving without a license).

Figure 8.1 visualizes percent differences of 2015 stop outcomes in relation to the driving age population of each race/ethnicity. Bars above the horizontal “zero” axis line represent those stopped at rates disproportionately higher than their representation in the population, while bars below the horizontal “zero” axis line represent those stopped at rates disproportionately lower than their representation in the population. As the graph shows, despite representing 27.8% of the driving age population in 2015, black drivers are overrepresented in all stop outcomes, representing between 40-56% of all warnings, traffic tickets, state citations, and arrests.

Traffic citations are given in nearly equal rates to black, Hispanic, and white drivers; however, black and Hispanic drivers are both more likely than white drivers to receive state citations or be arrested during a traffic stop. White drivers receive state citations in 2.6% of stops and are arrested at 1% of stops, while 8% of stopped black drivers and 21% of stopped Hispanic drivers receive a state citation and 2.4% of black drivers and 3% of Hispanic drivers are arrested when stopped. In other words, the risk of getting a state citation is

**MNPD arrests and gives warnings, state citations, and traffic tickets to black drivers at rates disproportionately higher than white drivers. Additionally, Hispanic drivers are 8.4 times more likely, and black drivers are 3.1 times more likely, than white drivers to receive a state citation when stopped.**

8.4 times greater for Hispanic drivers than white drivers and 3.1 times higher for black drivers than white drivers. According to the MNPD yearly traffic stop report, the majority of state citations for Hispanic drivers are related to driving without a license.

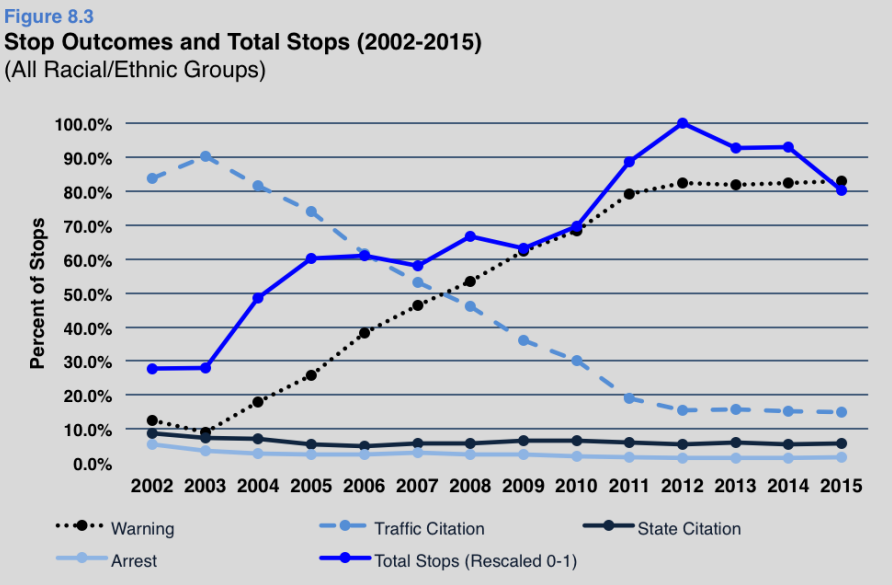
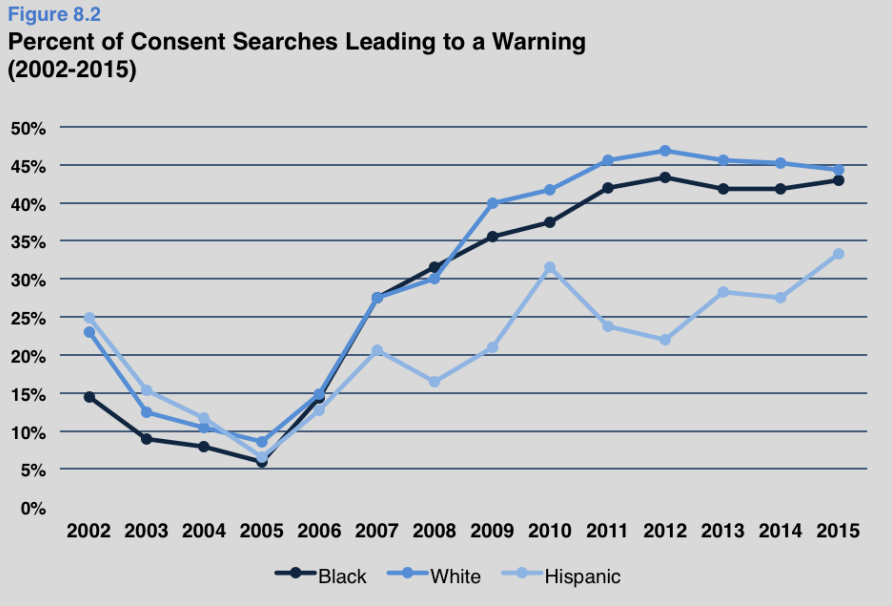


In addition to outcomes from all stops, we examine the outcome of stops where a search was conducted. We focus on three categories of vehicle searches: all searches, searches with probable cause, and searches based on driver consent without probable cause. In short, a large portion of searches conducted during traffic stops result in only a warning, which indicates that many searches are conducted on innocent drivers. When searches of any type, across all racial groups, occur, 37.8% of drivers receive a warning and no other action. Searches lead to a traffic ticket in 10.6% of cases, a state citation in 33% of cases, and an arrest in 29.7% of cases. Probable cause searches, which should be the most accurate, end in a warning in 25.4% of cases, a traffic ticket in 12.8% of cases, a state citation in 49.4% of cases, and an arrest in 27.8% of cases. Finally, consent searches lead to warnings in 42.7% of cases, a traffic ticket in 7.1% of cases, a state citation in 39.8% of cases, and an arrest in 17.9% of cases. These findings are relatively consistent between black and white drivers.<sup>2</sup>

To further investigate the trends of drivers receiving warnings after a consent search (no probable cause), we calculate the percent of searches leading to warnings from 2002-2015. From 2002-2015, MNPD’s rate of warnings after searching drivers has increased, which means that consensual searches have become less accurate over time. As Figure 8.2 shows, these results indicate that MNPD’s search procedures based on gaining consent from drivers has led to more drivers being unjustly searched.

Since Chief Anderson began his post in 2010, the rates of warnings and traffic citations have leveled and remained steady. Figure 8.3 plots the percentage of stops ending with a warning, traffic citation, state citation, or arrest between 2002 and 2015. The plot also shows the total number of stops made per year (rescaled to fit the plot). As traffic stops began rising, the proportion of stops leading to a warning increased. Increases in stops did not, generally, increase the number of traffic citations issued. Instead, traffic stop practices shifted toward stopping individuals for more minor violations. Again, while this reduction in citations may seem on

one level like a diminishment in police interventions, this shift toward increased warnings shows an increase in fruitless stops and searches of Nashville drivers. As discussed in Findings 10-12, many of our interviewees said that stops for minor, petty violations are experienced as forms of harassment, especially for black drivers who are stopped and searched at disproportionate rates compared to whites.





**“One time, I still had a South Carolina tag. And the other time, I think I was moving too fast through a school zone. I was going just maybe five or ten coming down 8th avenue. [...] I got worse than a citation. I got taken into custody both times. The first time, I found out that my license had been suspended from a ticket that I had twelve years prior in the state of South Carolina. I was pulled over in Nashville. Twelve years ago I was living in South Carolina and I got a ticket and I paid the ticket via mail. I didn’t go to court ‘cause I didn’t have time to go to court but what I didn’t realize was there was still a court fee. And I had never paid a court fee so they probably sent some mail but my mother moved from that address. I no longer lived at that address because I was living with my mom at the time. And so I never got notification that 12 years later, when I moved to Nashville, that my license was suspended. It went from South Carolina to Nashville. I never got any kind of notification so I had no idea that my license had been suspended. [...] He said that he had to take me in. [...] They took me in and took pictures and all this stuff. It was a regular arrest kind of thing, and I stayed there till about two o’clock in the morning and I got a chance to talk to my son and I told him not to pay bail. He did anyway, which cost \$1,000. I didn’t have it, and he paid it ‘cause I guess he didn’t want his mother sitting in that room all night. So I was furious with him for paying it because I was just gonna sit there and just go talk to the judge and explain pretty much everything that happened. So I got a diversion, something. I have no arrest record. I had never been stopped. I had no record for the 50-something years of my life I had been living at that time. So that came to an end. I reinstated, paid all the fees, took care of that, license okay, and that was the end of that. [It cost] roughly \$175. Plus the \$1,000.”**

**-Jackie Sims, 62**

**“I got plenty of citations, and I’ve been arrested at least five, six times out of those 20 times. One time I got a citation for—that time I got stopped for my ID, I ended up getting a citation for a piece of a cigar paper, they tried to say it was actually weed. And when we went to court, the judge like (shakes head). ‘There’s no weed.’ And if it was weed, if you weigh it, it didn’t weigh anything. So, it was dismissed. [But] the court cost is ridiculous. You know, it’s crazy. It’s at least \$300-500 each time. And I haven’t actually paid any of them off, ‘cause it’s too much. Court, when I go, there’s nothing being done. So it’s like, I’m there all day, and boom, dismissed. Or, since I’m on probation, get reinstated on probation. [I have to] pay these fines, but at the same time, [they’re] preventing me from even being able to pay the fines, and then when my license was suspended, they want me to pay to get my license, plus pay my reinstatement fee, and all of that, but I can’t drive a vehicle, so how can I get to work, and everything, so it’s like they force you to go back to the life of crime.”**

**-Pastor Smooth, 23**

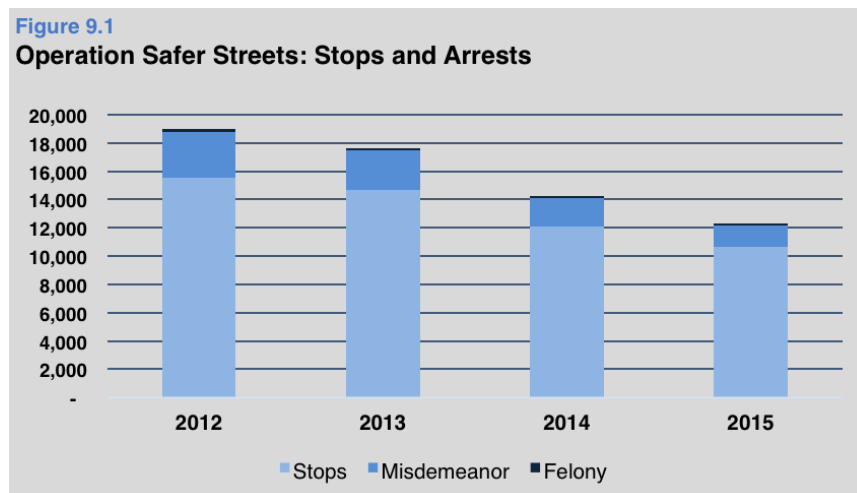
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<sup>1</sup> See Table 8.1 in Appendix 1 for the outcomes of all traffic stops in 2015 as well as outcomes and percentages of total stops for black, white, and Hispanic drivers.

<sup>2</sup> See Table 8.2 in Appendix 1.

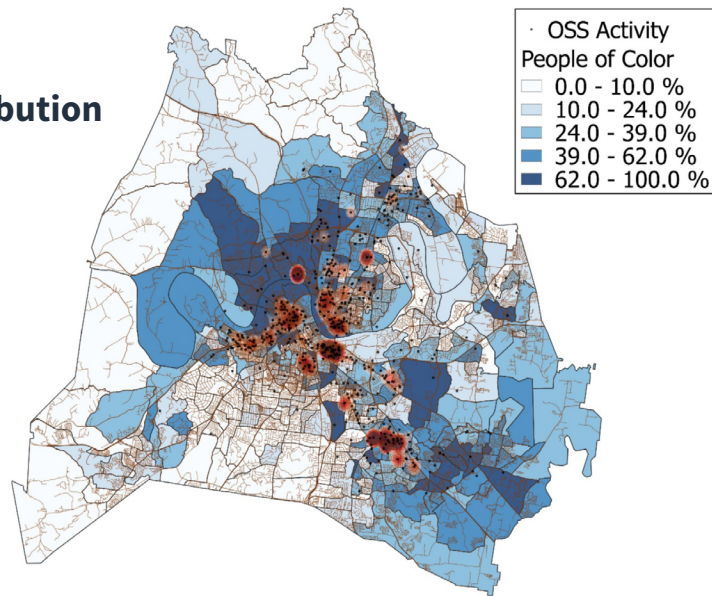
**Finding #9: MNPД’s Operation Safer Streets (OSS) program has resulted in more than 58,000 vehicle stops and 11,000 arrests, the vast majority of which are concentrated in communities of color, with more than 80% of those stops yielding no evidence that warranted arrest. More than 90% of OSS arrests were for misdemeanors, often for possession of small amounts of marijuana.**

Civil rights groups in Nashville have decried the Operation Safer Streets program as disproportionately targeting black, immigrant, and low-income neighborhoods.<sup>1</sup> In 2015, while working with the Justice for Jefferson Street coalition, members of Black Lives Matter Nashville submitted a request to the United States Department of Justice to review OSS for racially discriminatory practices. After reviewing 178 MNPД press releases describing OSS operations from February 2012 to September 27, 2016, we find that OSS does indeed overwhelmingly target black and Hispanic neighborhoods. Moreover, as Figure 9.1 shows, despite its ostensible motivation combating gang violence, OSS arrest counts are driven by petty misdemeanors and drug crimes.



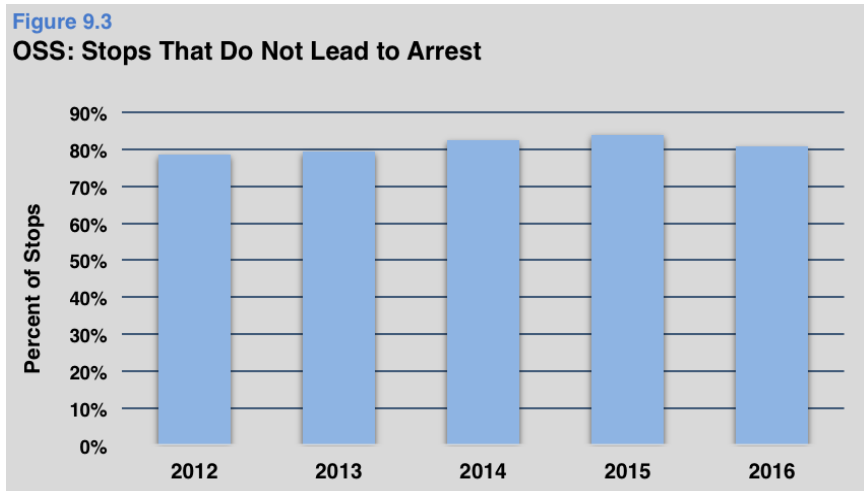
OSS activities between January 2012 and September 27, 2016 have resulted in 58,553 traffic stops and 11,253 arrests. These numbers vary by year and have declined over time: in 2012, about 15,000 stops occurred through OSS activities, compared to about 10,000 in 2015. Thus, despite their presence in public discourse on policing, OSS stops represent a small fraction of traffic stops in Nashville—around 3% of stops annually. However, since OSS stops occur only on weekends and are concentrated in a small number of neighborhoods, the effects of OSS are very unevenly distributed. As Figure 9.2 illustrates, the program’s operations center on communities of color, particularly predominantly black neighborhoods throughout Nashville and in racially/ethnically diverse communities in southeast Nashville.

**Figure 9.2**  
**OSS Activity &**  
**People of Color Distribution**



Indeed, a recent report suggests that while just 30% of Census Block Groups in Nashville are majority nonwhite, 60% of OSS activities occurred in majority nonwhite areas, and 25% occurred in areas that were more than 90% nonwhite.<sup>2</sup> These findings echo previous complaints lodged by Black Lives Matter Nashville and others that OSS primarily targets black neighborhoods, immigrant communities, and gentrifying areas,<sup>3</sup> despite the fact that, as research shows, drug use and trade takes place in predominantly white and black communities at around the same rates.<sup>4</sup>

Figure 9.3 depicts the proportion of stops by year that did not lead to arrest according to Operation Safer Streets press releases compiled from February 2012 to September 2016. Overall, 80.8 percent of stops that occurred as part of OSS do not lead to arrest, a total of 47,280 stops. This compares to 79% of all traffic stops in Nashville that lead to a warning (see Finding 8). Furthermore, arrests are overwhelmingly for misdemeanors: in



2015, felony charges accounted for less than 9% of arrests.<sup>5</sup> Many arrests are for petty drug crimes, and weekly press releases often note seizing a total of only a few grams of marijuana.

These findings concord with Finding 7 in this report: traffic stops of black and Hispanic drivers have a lower rate of success at finding incriminating evidence than stops of white drivers. In the same vein, OSS—which overwhelmingly targets black and Hispanic neighborhoods—is less successful than an ordinary traffic stop at finding evidence that leads to arrest. In short, OSS represents the worst excesses of hyper-policing predominantly black and Hispanic neighborhoods, targeting alleged offenses as part of a drug war that has been widely identified as a costly, community-decimating failure.<sup>6</sup>

## Conclusion

Nearly 60,000 traffic stops and 12,000 arrests have resulted from Operation Safer Streets, overwhelmingly for misdemeanor and drug crimes. This burden has fallen predominantly on black and Hispanic communities in the form of over-policing. These inequities in dealings with the police not only undermine trust in law enforcement, they also diminish

the quality of life of communities that have already experienced decades of economic disinvestment and racial discrimination. As Professor Sekou Franklin of Middle Tennessee State University (MTSU) writes, OSS results in “an excessive number of citations for minor offenses in marginalized communities that are no different than similar transgressions in affluent neighborhoods. In other words, initiatives such as OSS may exist as a revenue-collection program for municipalities that places a regressive, cost-of-living tax on the target communities.”<sup>7</sup>

**“Well we already know that African Americans are targeted more than our Caucasian counterparts. In terms of the profit, profitability, in terms of the police, like, they target us to keep us poor. Like, we already know that jail cells are a way for slavery. Like, for free labor. They target our communities. They don’t target the Caucasian communities. They already deem us as unfit citizens so they want to destroy our families, one. Destroy our self-esteem. It’s just, ugh. I could go on for days about this but yes, we’re targeted.”**

**- Bernard Holmes, 28**

<sup>1</sup> <<http://www.nashvillescene.com/news/article/13059440/north-nashville-groups-allege-civil-rights-violations-in-police-hq-relocation>>

<sup>2</sup> <<https://sunlightfoundation.com/blog/2016/09/16/opengov-voices-nashvilles-police-data-reveals-racial-burden/>>

<sup>3</sup> <<http://www.nashvillescene.com/news/pith-in-the-wind/article/20830456/oped-mayor-barry-should-look-at-race-issues-in-police-department>>

<sup>4</sup> See: American Civil Liberties Union, “The War on Marijuana in Black and White: Billions of Dollars Wasted on Racially Biased Arrests,” June 2013.

<sup>5</sup> <<http://www.nashville.gov/News-Media/News-Article/ID/4800/Last-Weekends-Operation-Safer-Streets-Initiative-Netted-30-Arrests>>

<sup>6</sup> See: Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2012). Todd R. Clear, *Imprisoning Communities: How Mass Incarceration Makes Disadvantaged Neighborhoods Worse* (Oxford: Oxford University Press, 2007).

<sup>7</sup> <<http://www.nashvillescene.com/news/pith-in-the-wind/article/20830456/oped-mayor-barry-should-look-at-race-issues-in-police-department>>

## **Finding #10: MNPD officers often use intimidation tactics to coerce black drivers into complying during traffic stops. Officer aggression often intensifies when drivers “know their rights” and refuse to comply with unconstitutional or otherwise illegal requests by officers.**

In our semi-structured interviews, black Nashville residents recounted instances of officers using intimidation tactics to garner their compliance during traffic stops. Here, we define “intimidation” as an officer’s subtle or explicit exertion of authority through the use of threats of arrest and/or physical force during routine officer-driver interactions. Based on our guided conversations with community members, we conclude that intimidation lies on a spectrum, ranging from subtle verbal and non-verbal signals of a willingness to make an arrest, on the one hand, to overt verbal and physical threats and use of force, on the other.

Regardless of the intensity of the officer’s chosen tactic, the officer’s ultimate goal appears to be to coerce individuals into compliance in order to obtain information or conduct a search, even when their tactics verge on unconstitutional or otherwise illegal requests, such as pressuring drivers into consent searches. This goal is evidenced by officers’ use of intensified intimidation tactics, up to and including physical violence, when community members question inappropriate practices by officers by refusing to consent to an unwarranted search or by asserting one’s right to be present in the parking lot of an establishment as a patron, for example.

**Black drivers report that MNPD officers use their positions of authority to manipulate, intimidate, and garner their compliance during unnecessary and unjust traffic stops.**

### **Intimidation through the Exertion of Authority**

The community members we interviewed overwhelmingly perceived officers as bastions of potential or actual force. Interviewees reported that officers often hinted at their prowess and their willingness to produce undesirable outcomes, effect arrest, or wield force through intimidating verbal and non-verbal displays. Some of these intimidating displays were symbolic reminders of officer power. Forty-nine-year-old Nashville resident Michael Harris, for example, noted the threatening facial expressions and speech that officers deploy:

If you could see some of the looks and expressions on their faces, they just kind of look like, “I can do this and there’s nothing you can do about it. I got the badge and you ain’t got one.” I don’t know

if it's through their training or they feel they have to be aggressive, but they just come off in the wrong tone, wrong vibe. You know, "HEY!" and they are kind of talking at you, ya know?

Recognizing officers' tendency to exert their authority and to threaten him in these ways, Michael explained his constant attentiveness to the risks he faces when an officer or officers stop him:

I'm at a safe distance from an officer and I want to keep him away from me as well. Because you know it's normally five or six against one and in this case it was five against two. They got guns, so I don't want to provoke them in any way to do harm to me.

Twenty-eight-year-old Nashville resident DeWayne reports being stopped by an officer at 11:30 p.m. near Belmont University. Trying to remain both calm and prepared for the worst, DeWayne especially noted the way in which the officer approached his car: "[O]nce he pulled me over he came up to the car, but what was strange is, he came on the passenger side, but he kinda stood very far away, with his hand on his gun, and asked how I was doin', and do I got my license and all of that." The officer told DeWayne that he pulled him over because "your license plate light is out," which DeWayne did not know was a reason one could be pulled over. After another police car arrived and ten minutes passed, the officer returned with his license and registration and let DeWayne go.

DeWayne was left to assume that the officer thought he looked out of place or could only be up to no good in an area with so much development going on that late at night. It would seem, then, that the officer that pulled him over was perhaps protecting his own safety by standing far away and keeping his hand on his gun, which itself seems to imply the presumption that pulling over a young black man like DeWayne at that hour was an inherently dangerous endeavor. DeWayne knew that the officer's fearful caution around a young black man like him could have led to a different result: "And so, you know, thank God nothing happened."

In addition to what seems to be officer fears or presumptions of alleged black criminality, officers' use of intimidation tactics led our interviewees to conclude that some officers use such displays of force "for the express purpose of exerting [their] authority," as 70-year-old KHAOS Thomas put it. Elaborating, KHAOS said, "I think some of these officers kinda get a thrill out of being able to control people, have their demands met immediately without question." Echoing KHAOS, sixty-four-year old "Clara" said that, "officers feel they can do whatever they want to you."

Twenty-five-year-old Rondriquez White's run-in with an officer exemplifies this pattern of officers' exertions of authority. Driving in North Nashville, Rondriquez reported having passed an officer who motioned and yelled to him to slow down. After the officer was unsatisfied with Rondriquez's braking and returning to a normal speed, the officer jumped in his car and sped after him. When the officer reached Rondriquez's window, he scolded Rondriquez for allegedly not sufficiently slowing down in response to his orders, saying, "[T]his is why bad things happen with people and the cops, 'cause y'all don't want to listen. All you gotta do is listen, and everything is gonna go alright, if you just listen." The officer did not ask Rondriquez for his license, and abruptly left moments later. "He just wanted to yell at me," Rondriquez said. "So he pulled me over, yelled at me, and then went on 'bout his way." Rondriquez further reflected on the intimidation he experienced and the risks that might have resulted if things had turned out differently:

I was pretty shaken up. To just see the amount of power. You can just—you felt like someone didn't listen to you, so you're going to track them down and yell at them and then go on about your way. And that's just a small, you know, like a micro-aggression, if you will. You know? You got cops out here who would've taken it a step further, and had the full power of the law behind

them, to defend them. [...] If he would have been that mad, and in a position to, you know, say I did something that I didn't do, what's stopping the system from believing him? What's stopping the defense of him versus me, you know?

As it turns out, the officer who stopped Rondriquez was black. While some of our interviewees complained about the fact that MNPd officers seldom reflect the neighborhoods they police, in Rondriquez's experience, dealing with black officers is "always the worst." As he explains:

'Cause it's like, you should know what we're going through. You should know the mental stress. You often hear black cops say they got into it 'cause they wanted to help their community, or they wanted to be a change. So if you know the level of fear or uncomfortableness that black people have with the police, I feel when you are a black officer you work with black civilians, you know, show some type of discretion. [...] But it's usually just this bulldog mentality where it's like, "What the hell you doing?!" It's very tense. It's almost like they're trying to prove to the department that they're more blue than they are black.

Thirty-four-year-old Louie (pseudonym), a resident of South Nashville, said that, in most cases, officers who unfairly exert their authority on unassuming drivers are working out their own experiences of being disrespected:

I got friends that are policemen. I went to school with them, we grew up with each other and all of that. [...] [H]e's mad because everybody did him wrong. And nine times out of ten, a person becomes a policeman...because they have authority issues. And I'm not saying because they don't like authority. I'm just saying nobody never respected them.<sup>1</sup>

Whatever the source of or reason for black and white police officers' intimidation tactics, black drivers experience such tactics to be an officers' means of asserting authority, thereby enabling officers to obtain compliance to orders that black drivers often experience to be either unjust or unnecessary.

**"I got friends that are policemen. I went to school with them, we grew up with each other and all of that. [...] [H]e's mad because everybody did him wrong. And nine times out of ten, a person becomes a policeman...because they have authority issues. And I'm not saying because they don't like authority. I'm just saying nobody never respected them."**

**- Louie, 34**



## Intensified Intimidation when Community Members Assert Their Rights

We also found in our interviews that officers' use of intimidation tactics intensified when community members asserted their rights during the traffic stop. As discussed in Findings 2-9 above, MNPD officers disproportionately target black drivers in predominantly low-income and non-white neighborhoods, and conduct both probable cause and consent searches of black drivers at rates disproportionately higher than white drivers. Many of our interviewees asserted their rights in response to unwarranted stops and unjust practices by police during traffic stops, only to find themselves vulnerable to intensified hostility and officers' increased reliance on intimidation tactics during the encounter.

Seventy-year-old KHAOS, who is stopped by officers "an average of at least once a month," reported having experienced MNPD officers' intensified intimidation in response to KHAOS's exertion of his rights. When asked about his most memorable interaction with police in the past five years, KHAOS cited an incident in which an officer tried to intimidate him into leaving the parking lot of Bud's drive-in, even though he was a paying customer of the establishment. He had ordered some ice cream and, reasoning that it wasn't safe to drive while eating the ice cream and that it would melt if he waited until he arrived home, "decided to go ahead and consume it while I was sitting there on the property." As he ate his ice cream, an officer pulled up and demanded that he leave the premises:

And police...pulled up beside me there and they got out and stuff and—"Alright you people need to move on. You need to clear this parking lot," and stuff. And so when they came over to me, you know, I kept eating my ice cream. [The officer] said, "Oh, you ain't gonna move?"

KHAOS responded to the officer by explaining his rationale for remaining in the parking lot, as he knew it was "legally...within my rights" to be there since "I stopped at the store to buy something."

I said, "Officer, purpose of this parking lot, I think, is for the customers here. I'm eating ice cream. I just bought it out of the store, which is proof that I'm a customer of this store. I can't very well drive and eat the ice cream or it's going to melt and spoil before I get where I'm going, so I'm trying to consume it here before I leave."

**"He looked at me and said, 'Well, you trying to be a smart guy or something?' I said, 'No, but what's your purpose for bothering me?' And he wanted to see I.D. and all that, then he—I think it's about 11 o'clock at night—he said he wanted to know, 'Watcha doing out here.' I said, 'Don't tell me. You got a curfew on senior citizens.'"**

**- KHAOS Thomas, 70**

Rather than conceding to KHAOS's explanation, however, the officer subjected him to further questioning:

He looked at me and said, "Well, you trying to be a smart guy or something?" I said, "No, but what's your purpose for bothering me?" And he wanted to see I.D. and all that, then he—I think it's about 11 o'clock at night—he said he wanted to know, "Watcha doing out here." I said, "Don't tell me. You got a curfew on senior citizens."

KHAOS noted that his challenge to the officer's unfounded and unethical behavior "perturbed [the officer] a little bit" and that the officer "proceeded to get pretty belligerent." Although KHAOS managed to "smooth him over" and "[get] him calmed down and everything," this instance suggests that some Nashville police officers are unwilling to listen or concede to drivers during traffic stops—even when residents are in the right, and particularly when community members are black. Instead, some officers intensify their use of intimidation to coerce community members into abdicating their legal rights by complying with petty, unnecessary, or unjust orders.

Forty-five-year-old Nashville resident Keno Hill reports multiple experiences of officers expressing frustration in response to Keno asserting his rights during traffic stops.

On one occasion, Keno was rushing his friend to Southern Hills hospital near Nolensville Pike when a police officer followed him into the parking lot. After asking him why he was speeding, Keno responded that his friend was having a medical emergency. Keno continued:

I said, "Now, sir, this man over here is gasping for air. Can we talk on the inside?" He said, "No, we're gonna talk now." I said no so I took [my friend] on in on the inside. Before I got out the door he was waiting on me with handcuffs. I said, "Look, don't put those on me, because my friend is gasping for air. He can die. He's diabetic. He had allergic reaction to something. I wasn't going to pause for you to talk for him to lose his life. Tell me you're going to take me to jail because I'm trying to save somebody's life? You, my friend, don't have a love for humanity. What are you doing with that uniform on?" He says, "I feel like you're resisting." I said, "What am I resisting? I am not under arrest. I'm not resisting anything from you. [...] I didn't say I don't want to talk to you. I'm trying to make sure this person is okay...." And so he said, "Well look, in my position, I feel like you was avoiding me."

After repeatedly asking Keno why he was "avoiding" the officer during his friend's medical emergency, Keno grew impatient with the officers' failure to understand Keno's situation: "[I said,] 'I told you why. I'm

**"If you could see some of the looks and expressions on their faces, they just kind of look like, 'I can do this and there's nothing you can do about it. I got the badge and you ain't got one.' I don't know if it's through their training or they feel they have to be aggressive, but they just come off in the wrong tone, wrong vibe. You know, 'HEY!' and they are kind of talking at you, ya know?"**

**- Michael, 49**

not doing that again. I am not under arrest and I would like to leave.” In response, Keno reports the officer grew frustrated: “He didn’t like that. He didn’t like the fact that I know my law. I know my rights. And if you don’t read me my rights or if you don’t tell me I am under arrest, I’m not standing around for you to plant nothing on me.”

## Summary

In summary, our interviews with black drivers suggest that Nashville police officers quickly resort to intimidation using a variety of verbal and non-verbal tactics in an effort to exert their authority and garner compliance. Intimidation tactics ranged from officers approaching the car window with their hands on their guns or handcuffs, to threatening to break a window or bring police dogs to the scene, to pointing a gun at the person being stopped, even when the person did not pose an immediate threat to the officer. In many cases, officer displays of aggression started or intensified when community members asserted their rights, which indicates officers’ severe displeasure at having their authority questioned.

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<sup>1</sup> For more on the relationship between police violence, on the one hand, and race, masculinity, and experiences of disempowerment, on the other, see: Angela P. Harris, “Gender, Violence, Race, and Criminal Justice,” 52 *Stanford Law Review* 777, 1999-2000.

## **Finding #11: Interactions with MNPB officers during traffic stops leave many black drivers feeling fearful, angry, anxious, dehumanized, and traumatized. As a result, black drivers often resort to strategies of safety and preparedness that might increase their chances of surviving an interaction with an officer.**

In our interviews with black drivers in Nashville, we found that our interviewees overwhelmingly feared MNPB officers. When asked how interactions with officers made them feel, community members expressed feeling anxious, scared, angry, helpless, victimized, violated, traumatized, disrespected, dehumanized, and in many cases, confused as to why the officer stopped them in the first place. This fear, they shared with us, is informed by their past experiences with MNPB and by broader national social and political conditions, namely police killings of young black men.

In response to this fear and in an effort to remain safe and keep officer aggression from escalating during traffic stops, black community members we interviewed developed “safety strategies”: clear signals to the officer that they were willing to comply and that they did not pose a threat. In summary, Nashville police officers’ orientations toward and actions against black residents during traffic stops have a profound emotional impact on black Nashvillians’ everyday lives.

### **Feelings of Fear, Confusion, Indignation, and Dehumanization**

When asked how they felt during traffic stops, the community members we interviewed expressed feeling a gamut of negative emotions, ranging from confusion and fear to anger and indignation. During her tense encounter with gun-wielding MNPB officers, Tamika expressed feeling, “Adrenaline. Scared. Not knowing what to do ‘cause my phone kept going dead,” which prevented her from enlisting help from loved ones. “Louie” (pseudonym), too, felt intense fear during interactions with police: “My heart beats through my throat.” Along similar lines, Jay Jenigan (pseudonym) stated, “[A]s a generalization of police, I just get nervous.”

This fear is often coupled with confusion as to why an officer is pulling them over to begin with. When, despite obeying all traffic laws, 64-year-old Clara (pseudonym) was stopped by an officer for an allegedly broken tail light that, it later turned out, was not broken at all, she felt confused as to why she was being pulled over, and upset at the thought of being targeted:

I was really kinda upset about it [...] I’m going, “Why is he stopping me?” I was kind of upset. Then I calmed down. I said, in my head, “It must be a new policeman...in the neighborhood.”

Although she tried to dismiss the officer’s decision to pull her over and lie about her broken tail light and attributed it to him being “new” in the neighborhood, Clara ultimately felt upset about being pulled over without a legitimate reason.

DeWayne shared Clara’s experience of heightened anxiety when traffic stops were unjustified. When asked how traffic stops made him feel, he delineated between legitimate and unfounded stops:

Well, if I know I’m wrong, then I’m just ready to get it over with, but if I know I’m not, when I know for a fact that I’m not, the only thing that goes through my mind is, you know, what’s getting ready to happen. And of course I say, well, I hope everything just goes smooth. I don’t worry about it no more because I’m legit as far as driving. [...] [I]t’s just like if I know I wasn’t doin’ anything wrong, they on some bullshit, you know. So, I just be prepared to, number one, give them my stuff, say less, just give them my stuff, license and all that stuff, and just, you know, comply.

He added that asserting his rights more directly in these situations could be costly, with “one of the main risks being losing my life.”

Indeed, a fear for physical safety was a common theme in our interviews. Sixty-year-old Nella “Miss Pearl” Frierson described speaking with her 20-year-old grandson about the crippling fear he experienced when he was pulled over by an officer, even after the officer reassured him that she was not going to hurt him:

My oldest grandson, he said he got stopped by a policewoman. And all those killings, last month, he said, “Granny I was terrified.” He’s 20. He’s in college, never ever got in any trouble. He might have skipped school a couple times. (*Laughs.*) But not with the law. So he said, “Granny, I was so afraid.” [...] He said, “I still did exactly what y’all said, I just deep breathing, Granny, I held on to that steering wheel, and I answered the questions. When she asked me for my driver’s license I told her, I’mma get my driver’s license.” And then, he says, “And I waited, Granny.” I told him that’s good. But he said he was shook. Shook up. Nobody should have to go through that.

Reflecting on her grandson’s story in light of recent killings of young black men by police nationwide, Miss Pearl lamented, “[T]hat could have been my grandbaby, it could have been [his] demise. Like, he could have been shot.” Perhaps most significantly, she noted that her white friends “don’t have that worry—that their child may not come back just cause they get stopped by the police.”

**“So he said, ‘Granny, I was so afraid.’ [...] He said, ‘I still did exact what y’all said, I just deep breathing, Granny, I held on to that steering wheel, and I answered the questions. When she asked me for my driver’s license I told her, I’mma get my driver’s license.’ And then, he says, ‘And I waited, Granny.’ I told him that’s good. But he said he was shook. Shook up. Nobody should have to go through that.”**

**- Nella Frierson, 60**

Twenty-nine-year-old Lauren Fitzgerald says she has been pulled over for her hair, which makes her feel like a target behind the wheel. But she admits her greatest fear is for her 6'3, 290 pound brother who Lauren described as having “a big fro like me, and a big beard.” Fearing for his safety given the way his appearance makes him a target for police officers, Lauren and her family are “constantly scared” for him, because they know that, for police officers, just by his size and appearance, “he’s a threat.”

For Lauren, this fear for her own safety and the safety of her brother at the hands of police officers in a country where men who look like her brother are killed by police on a regular basis is so significant that she uses the word “trauma” to describe it:

I have that, that trauma as well, as, you know, having brothers. But it’s an awareness, right. And it manifests itself in our community as post-traumatic stress disorder. And I mean, just all trauma, but this is like the main trauma right now, it’s a targeted trauma of police brutality. And police actions in America.

In addition to these forms of fear and trauma, community members we interviewed expressed anger at being unfairly targeted by Metro officers. Upon being all but coerced into an unwarranted consent search in which a drug dog scratched up his new Camaro, which resulted in his being ticketed (and subsequently fined) for a minor violation, Michael Harris felt intense anger. “It wasn’t the damage or the tickets or me having to go to court” that made him angry, he explained, but rather officers’ disregard for his efforts to turn his life around:

The anger was me being harassed and I’m trying to do the right things. I’m trying to stay out of the streets and these guys be harassing me. Still bugging me. Still talking about a gun or talking about dope. And it’s just a big inconvenience for me. Spoiled my whole day. [...] I knew it was based on the color of my skin.

The black community members we interviewed found MNP’s orientation toward and treatment of them to be not only confusing, frightening, and anger-inducing, but, above all, fundamentally dehumanizing. Bernard Holmes, a staff member at a community center and a mentor to youth, described his experience of being stopped and subjected to an unwarranted search as “degrading.” He elaborated on the ways this event eroded his dignity:

I’m a law-abiding citizen.... There was no reason for them to pull me over. You could tell that it was some malicious intent behind it, like I was being targeted because of the color of my skin. When I was pulled over on the side being searched, citizens in the community looked at me like I did something wrong...like I was a bad guy. And that definitely wasn’t the case. [...] And it was degrading. It shouldn’t have happened, it shouldn’t have occurred, especially with me working so hard in the community. [...] I effect change. Why am I being harassed?

Perhaps 70-year-old KHAOS, a Vietnam veteran, captured the emotional impact of MNP’s practices most poignantly when he highlighted the degrading—and, in extreme cases, fatal—results of racial profiling and intimidation:

It’s dehumanizing. To me it is. And I’m 70 years old. And I played football. I’ve been a motorcycle rider for years. And I’m not a real fearful person. And I never thought I’d say this, but I think one of my greatest fears nowadays is a traffic stop. You know? Broken taillight can result in you losing your life.

## Safety Strategies

This fear for one's life drove many of our interviewees to adopt "safety strategies" during traffic stops. In an often vain attempt to preserve their safety and dissuade officers from using intimidation tactics, many of the black drivers we interviewed report going to great lengths to present themselves as non-threatening during traffic stops. In many cases, our interviewees believed that in order to preserve their safety, they needed to abdicate their right to refuse unwarranted searches or question any other misconduct by MNPD officers.

One of the most common safety strategies our interviewees shared was striving to stay calm. KHAOS highlighted the importance of maintaining a calm demeanor "no matter how fearful or how much anxiety is built up." As he put it, "I try to remain as calm as I can. I try to be as polite as I can. And I try to adhere to whatever instructions that have been given to me, if they make sense [...] If you want to stay as safe as possible, you need to be aware of what's going on."

In addition to appearing calm, many of our interviewees announce their intentions to officers and make their hands visible at all times during traffic stops, out of fear that officers will "get the wrong idea," as Clara put it. In her account of one recent traffic stop, Clara retraced her steps, which were dominated by painstaking efforts to protect herself by appearing nonthreatening:

I showed him my license and don't get out the car. I do remember telling him you, "You want my insurance card? I have to go into the glove compartment. Don't get the wrong idea." And so I told him I'll turn the inside light on and I said, "If you want me to show this card, it's in the glove compartment." And...I gave him the insurance card.

When asked why she goes to such lengths in detailing to the officer her every move before she makes it, she replied:

Because the safety. You know, the safety of it, cause if you reach, like you're gonna reach to your glove compartment, they might mistaken you reaching for something else, so. You have to make sure he know if you want it I gotta go in the glove compartment to get it, you know, don't think I'm reaching for anything else.

Forty-five-year-old Keno Hill said he prays every time he leaves the house that he doesn't get stopped, that he makes it home in one piece: "I pray that I don't get pulled over by the police. Because I don't know what on their minds or why they're pulling me over. That's a bad feeling to have." When asked about the emotional experience of being pulled over, Keno simply said, "Nervous. Don't know what to expect." Keno's perspective on police is that he is unprotected from the start, because police don't serve and protect; they only uphold the law. As a result, he feels the general police mindset is "you're under my scope and [if] you ain't doing something I think is right and ain't look right, if I feel like shooting you, I can kill you and get away with it." Living in under such a reality is "nerve wracking," Keno said.

If you was a black man and you see what's happening on TV and you experience a little bit of that...seeing it happen to other people who look like you, you get a little nervous. You're driving down the street and you see the cop get behind you and you're like, "Oh, shoot here we go. I hope he ain't gonna pull me over."

From this state of nervousness and anxiety, Keno derives his own set of safety precautions. When he sees the blue lights in the rearview mirror, he begins a mental checklist and enters survival mode:

I'm checking myself. Am I driving the speed limit? [...] Do I have my registration? Do I have my license on me? Do I have everything I need to have so this man won't feel like I'm reaching for something I'm not supposed to be reaching for? To make sure this transaction goes quick as possible. Make sure where I can reach my registration, my license, and my insurance. That way I can give it to him with my hand on the steering wheel.

In order to ensure his own safety during a traffic stop, Keno takes the precaution of storing his registration and insurance in the sun visor above the driver's seat:

So I put everything in the sun visor so when he comes, I say, "Sir, if you don't mind can you reach up there?" [...] He reaches up there and when it falls down, there's my insurance and registration. "My license, sir, is in my pocket. Do I have permission to go in my pocket?" He might have had a bad experience before me. I don't want to be the reason why he decides he wants to use some extreme force with me when he doesn't have to.

In these ways, making one's hands visible to officers, remaining calm, avoiding quick movements, and announcing one's movements before making them serve not as mere courtesies to officers, but rather as tools for survival in the face of harassment that could lead to mortal danger. As DeWayne noted, making any sudden moves or protesting any officer's improprieties "could cost me my life." After all, many officers initiated their contact with black community members using intimidation tactics, and as we argue in Finding 10, any hint of noncompliance or questioning an officer's authority risks yielding the intensification of those intimidation tactics.

A final strategy for preserving one's safety during traffic stops is maintaining "a safe distance from an officer" during a traffic stop, as Michael Harris stated during our interview. For Clara, maintaining a safe distance meant seeking to avoid a traffic stop altogether. Per her children's advice, she avoids driving after dark: "If you don't have to be outside, if you don't have to be anywhere at night, just come on home and let us know you're in the house." Similarly, Keno wants to drive to see his family, but fear for his life often makes him think twice about it:

You're driving and you just like, I'm going to see my family, but certain places I just don't want to be going. But my family's still over there. I got to go through it sometimes. I don't even want to go. Especially on the weekends....

**"If you was a black man and you see what's happening on TV and you experience a little bit of that...seeing it happen to other people who look like you, you get a little nervous. You're driving down the street and you see the cop get behind you and you're like, 'Oh, shoot here we go. I hope he ain't gonna pull me over.'"**

**- Keno Hill, 45**



Likewise, 25-year-old Rondriquez White is constantly aware of where and when he is driving, and alters his travel plans in order to avoid potential police interactions:

There are just certain times, like, even if another way is shorter, I'll probably just go around the back way just so I can not deal with the cops, or—I know the cops aren't this busy on this street, around this time, so I hit this street to go there. There's just certain times of the day where I'm not comfortable driving in certain areas. It has nothing to do with the people, it's all about the police. I'll drive to the hood any time of night, but there's just certain times where I'm like, "Oh, okay cops are gonna be hot right there right now—nope. We're going the back way."

Clara also tries to keep distance between visitors coming to her home and officers by encouraging them to exaggerate their efforts at following traffic laws in her heavily policed neighborhood. For example, she informed them about a nearby stop sign that was a popular police target and advised them to make an extra long stop to reduce the chance of being subjected to an unwarranted traffic stop: "I tell them, please, when you stop at that stop sign, count to 10. Do not pull off. Count to 10... Count to 10, please. I tell them that. I tell everybody that."

## Summary

In short, Nashville police officers' practices of disproportionately stopping and searching black drivers and engaging in intimidation tactics have led many black drivers to feel confused, fearful, angry, and dehumanized during traffic stops. In an effort to cope with these realities, many of the residents we interviewed adopted "safety strategies" such as announcing their movements, maintaining a calm demeanor, and keeping a "safe" distance as much as possible during traffic stops. Many black residents even considered compliance with unconstitutional or otherwise illegal officer requests to be essential to remaining safe during a traffic stop.

## **Finding #12: Given their combined experiences of MNPDP’s hyper-vigilance against black drivers on the basis of petty offenses, on the one hand, and reported experiences of MNPDP’s relative unresponsiveness to actual emergencies, on the other, black residents question the idea that police officers actually “serve and protect” them.**

Findings 10 and 11 detail black drivers’ experiences of officer intimidation, harassment, and coercion, on the one hand, and the fear, anxiety, and dehumanization that result from these experiences and from ongoing police violence against black people across the country, on the other. The stories of our interviewees show that driving while black in Nashville often means fearing for one’s life at the hands of those whose stated mission is to “serve and protect.” In this final finding, we explore how black drivers’ anxiety-filled experiences of pointless traffic stops, combined with MNPDP’s unresponsiveness in moments of actual crisis, give way to a general fear, avoidance, and mistrust of those who are tasked with making communities safer.

**Because many black residents feel that Metro police do not make them safer, interviewees argue that the answer to crime and violence is not increased policing but increased economic investment.**

### **Fear and Mistrust of MNPDP**

In light of black drivers’ experiences of MNPDP officer harassment, many of our interviewees reported making every effort possible to avoid interactions with the police. Twenty-eight-year-old Tamika, who has experienced officers pulling guns on her with her baby in the car, has lost trust in the police: “I don’t trust them. When I drive, I’m in fear. I’m constantly looking over my shoulders, looking in all mirrors, because I know if I get pulled over [and] challenge their authority, I know, ‘Hey, you’re going back to jail again.’” Tamika is careful to note that her experiences with MNPDP don’t lead her to hate the police, only to mistrust them, a mistrust she says she has no choice but to pass on to her daughter as well:

[I]n the midst of all this, I teach my daughter you don’t trust them. You don’t trust them. And you have your guard up dealing with them at all times. So an officer actually asked me, “You’re going to teach your daughter that?” I say, “Yes. Look what you guys are doing to me in front of her. So why would I not teach her anything else?”

Forty-nine-year-old Michael Harris recalled the thoughts that passed through his head while sitting in his car during a traffic stop at which an officer tried to coerce him into consenting to a search of his vehicle. While

Michael wanted desperately to assert his rights and deny the search, he feared that persisting in his rights against the officer might get him in more trouble than it was worth:

And I was sitting there, with all the stuff going on and I think maybe a year or two before this they had that big shooting up in New York where the guy got killed. It was a bunch of stuff going on and I believe the Trayvon Martin stuff was going on around that time and...I'm sitting there thinking, I could make this situation worse and provoke him into a situation to hurt me by not even getting out my car and then by having the background I got, the record that I had, they could easily plant something on me or act like I had something and then, you know, it would be just written off, you know? So I got out the car and let them search the car.

Despite trying to turn his life around after doing time in prison, Michael felt the police were still trying to pigeonhole him as a criminal and catch him in some illegal act: “They were really hoping that I was slipping enough to have guns or drugs in that car. Yeah, 20 years ago that would have been me but...today, I work, I'm not trying to get in the streets.” Forty-five-year-old Keno Hill echoed Michael's sentiment: “I'm like, wow, we're criminals before we have been proven guilty. It's supposed to be you're innocent until proven guilty, not you guilty and you got to be proven innocent.”

Ronald Hayes concurred, contending that “if you're a black man in America, and if your systems are intact and you payin' attention to what's going on around you, you already know you're a target.” He asserted that this targeting by officers is at play “whether you're doing anything [illegal] or not.” Knowing that police officers often treat black residents like criminals even if they have done no wrong, and knowing that officers have the power and authority to coerce drivers into undesired and unwarranted submission, many of our interviewees reported a general avoidance and mistrust of MNPd.

## **MNPd's Unresponsiveness to Real Emergencies in Black Neighborhoods**

Our interviewees also said that they mistrust Metro police not just because of unwanted and undeserved attention during traffic stops, but because when they actually need the police during desperate situations, MNPd is often slow to respond.

Forty-seven-year-old Terrance Key reported that, while officers in his predominantly black Nashville neighborhood obsess over drivers driving 32 miles per hour in a 30 mile per hour zone, they hardly responded when a string of burglaries took place at a house belonging to his church:

Every weekend [people] were breaking into the house—stole the church TV, things like that. [...] They do not patrol up here. The church has asked them to patrol up here because people break in, because [people living here] are retired, older people on this hill. They have not [patrolled]. Only time they may come [is to] catch people speeding on Clifton.

Twenty-five-year-old Rondriquez White recalled when someone broke into his grandmother's house in North Nashville while she was at work. When the alarm system went off, Rondriquez and his mother hurried to the house to check on things. He remembered forgetting that the police were even supposed to be there when they finally arrived:

We get there, and I forgot—(laughing) it got to the point where I forgot the cops were even supposed to be coming! And all of a sudden someone knocks on the door. I'm like, “Mama! The

cops outside!” Like, just forgetting completely. It was more of a, “The cops are outside, what the hell are they doing here?”

Thirty-four-year-old Louie, who lives in South Nashville, has police officers in his family, and so sympathizes with their perspective. Nevertheless, Louie said, their tendency to abuse authority and their failure to show up when they are really needed leave him mistrustful of the police:

Because it’s like, when I need you for a real emergency, it take you too long ‘cause I’m black. But if anything else jumps off, you right there. Driving, anything. It’s like man, we been seein’ so much brutality when it goes down that people, man, the police, they thrive off of, “That’s that guy. We gotta get him. Get him off the streets.”

### **MNPD Doesn’t “Serve and Protect” Black Communities**

Despite “applaud[ing] policemen that are doing the right thing” and are “upstanding citizens,” Louie expressed a lack of confidence in officers generally, due to their repeated failure to protect and serve people like him:

I’m nervous. Because it don’t even matter. It’s like, I shouldn’t be nervous, with me being a tax-paying citizen. I don’t feel safe when the police around. I don’t. No, they’re not going to understand me personally—like, see me. I feel like the police should protect us, man. You know what I’m saying?

The theme of “safety” and “protection” came up in multiple of our interviews. Sixty-four-year-old Clara said that after being pulled over multiple times for no reason, the police no longer make her feel safe:

You’re doing the speed limit or whatever, and you don’t expect them to bother you. But then when they come out and do something like they did [pulling her over and lying about a broken tail light], it did change my outlook and how I felt about them. I don’t feel safe.... Now I feel threatened because they have this power—the authority to do whatever.

Seventy-year-old KHAOS went so far as to say that, in light of his experiences with Metro officers, “the police are of no use” to him, and that calling the police actually creates more problems than solutions:

I don’t see many incidents where I would call the police. You know, I mean, if somebody stole something from me, I would probably let it go and try to be more cautious. If somebody broke

**“They ain’t no officers of the peace. They don’t protect and serve. Not in my community. Not in the neighborhood I come from.”**

**- KHAOS Thomas, 70**

into my house and didn't harm anybody in the house, and just took something material, I probably would try to secure my house a little better. But to call the police and get them out there and have them escalate the matter and make it worse than whatever happened....

KHAOS's interactions with MNPD has led him to conclude that the police do not in fact live up to the peace-keeping function they claim:

They ain't no officers of the peace. They don't protect and serve. Not in my community. Not in the neighborhood I come from. So you know I think I'd rather see a herd of hoodlums than the police, than one police officer. Cause I know most of the hoodlums in my neighborhood. [...] I think they doing what they've always done from the invention of law enforcement in this country. I think that they just an update of the slave catchers of old. I think their purpose is to serve those who have and protect their interests against those who have not. So they roughly just—they modern day cowboys riding herd. That's how I see them.

Terrance Key echoed KHAOS's perspective. After saying that officers in his predominantly black neighborhood "make their presence seen," the interviewer asked him if their presence was one that made the community feel safer. Terrance responded: "No. It's not a safe thing. Because like I said, there's not that much criminal activity. [...] When [the police] make their presence out here, it's not a presence of being safe." Citing the break-ins on his church's property, and the subsequent unresponsiveness of officers, Terrance said that if their presence made the neighborhood safer, then they would've taken measures to actually protect residents:

Yeah, not protecting. No. They are not protecting and even when my pastor called them it still takes them a moment to get here. [...] [P]olice is not gonna patrol over here. That's Metro's job. But they do not, they too busy clocking people speeding, doing 32 miles per hour down Clifton.

Terrance also added that this wrongheaded focus of MNPD is all too clear to children in his neighborhood who have only had one kind of experience of police officers:

[T]he only thing these little black kids know is, the police gon' take you to jail, or the police gon' take my parents to jail. That's all they know. [...] A police officer maybe just standing outside his car and a kid may ask him, "Are you gonna take my parents to jail?" [...] That's all they know, is that the police come to harass black people.... And they shoot people. They do not know that police is here to protect you. These kids don't know that. Not in the inner city they do not.

Keno Hill elaborated on Terrance's point of view, saying, "[P]olice was put here to protect and serve, but they don't do that no more, they just uphold the law, whatever that might mean to them. So they're not really 'bout humanity no more. [...] You know they don't care no more." Rondriquez White expressed a sentiment similar to Terrance and Keno's, questioning the idea that Metro police actually keep black people safe:

For us, I don't think that whole "protect and serve" thing... In Nashville, they have these new cop cars, and on the back of them...they have "Nashville Guardians" on them. [...] You're not the guardian of this city. You don't protect us. No, there's no protection for the majority of black people, the majority of minorities in general, in Nashville.

Rondriquez added that if it is true that the police make neighborhoods safe, then black neighborhoods would be the safest of all:

**“If police are supposed to make a neighborhood safer, then black communities should be the safest place for anybody to go to, ‘cause we always have cops in the neighborhood. [...] If we have all the cops and we’re still unsafe, then who’s not doing their job?”**

**- Rondriquez White, 25**

If police are supposed to make a neighborhood safer, then black communities should be the safest place for anybody to go to, ‘cause we always have cops in the neighborhood. But the image that is painted is that, usually, our neighborhoods are unsafe and et cetera. But at the same time, we have all the cops. So, if we have all the cops and we’re still unsafe, then who’s not doing their job?

## **Economic Investment as the Key to Safer Communities**

In response to the idea that Metro officers do not generally make our interviewees safer, we asked them what would make neighborhoods safer. In other words, if greater police presence doesn’t necessarily create safer communities, then what does?

Terrance Key, who teaches children in his neighborhood during his spare time, said that the centers where kids used to hang out used to be free, but now cost money that parents don’t have. With nothing to do, smart, good kids who are willing to do something positive are left without options:

These kids are willing to learn. And in order to keep the crime from gettin’ worse over the years as each children get older, they gon’ find them something to do. And the police are just gonna take them to jail. [...] Until they have something to do, it’s not going to get better, it’s going to get worse.

When asked whether she thought the answer to youth violence was putting more police on patrol, Clemmie Greenlee, a community activist who works with area youth, was emphatic: “Hell no!” When asked what, if not increased patrols, was the answer to violence in her community, Clemmie said the answer is serious economic investment:

Put more jobs out here for these mothers so they don’t have to work three jobs. [...] Give these daddies and mommas a decent job and a decent wage so they don’t have to get off of this job and then go to this one, and then get home in the middle of the night. Put some more opportunities out here that fit our children. You know, just cause everyone didn’t go to college and finish high school don’t mean we don’t deserve the same damn opportunities that they have in Brentwood

and Hillsboro and all of that. Give us some type of small opportunities...put money in people's hands that look like these children, talk like these children...and can get the respect of these children, and you will change all of this.

For Clemmie, sending the police after her neighborhood kids means “throwing us away,” and she had sharp words for the way Nashville's mayor has recently spent city funds:

The police ain't fixing to do nothing but get richer, find out how many more beds they need to lock them up, and [the mayor] just signing off on throwing us away like the rest of them. Why in the hell you gonna invest some \$1 million on putting some more police out here and police cameras when you can split the money up for three little local grassroots [groups]—and I'm one of them—and you give each of us just \$50,000. And the reason we can change things on \$50,000 is we've been living on a dollar all these years anyway. We don't need no \$1 million. We can show you in 90 days what we can do with \$50,000.

Sixty-two-year-old community activist Jackie Sims echoed Clemmie's emphasis on economic investment as the key to safer communities, saying that Nashville is “very unwise” to pour money into the police department instead of the communities that need funds the most:

It is foolish not to invest more resources into the communities that need the kind of attention that could possibly begin to deter all the reasons why minority communities are being over-policed. We divest resources, necessary resources, from these communities as if people are gonna be okay. No, they're not gonna be okay. And then we police them excessively because they're responding in a way that makes sense. You know, if you have all your resources slowly and systematically being withdrawn from your community, that's gonna cause problems.

According to Jackie, responding to problems of crime and violence with more punitive measures or increased spending on police resources helps no one: “There's no wisdom in how we address the needs of our more marginalized communities that need resources...more than the police need a million dollars.”

In the wake of increased attention on police killings of black people in recent years, Nashville's Chief of Police Steve Anderson, along with the mayor and others, have often suggested that Nashville polices differently, in a way that distinguishes it from cities where police violence and major protests and uprisings have occurred. But Jackie disagrees, suggesting that if the city fails to address issues of economic disinvestment and disproportionate policing here in a more serious way, Nashville could be next:

**“I think it's foolish for us to think that we cannot become a Ferguson or a Baltimore. Yes we can. Yes we can. The right match has not been struck, that's all.”**  
**- Jackie Sims, 62**

As long as we continue to skate along the surface with these conversations, not much is gonna change. And I think it's foolish for us to think that we cannot become a Ferguson or a Baltimore. Yes we can. Yes we can. The right match has not been struck, that's all.

## Summary

In sum, given that black Nashville residents experience unwanted attention from MNPB officers through excessive traffic stops, and given the fact that those same residents experience MNPB as generally unresponsive to real moments of crisis in their neighborhoods, many of our interviewees suggested that Metro police do not actually serve and protect them in any meaningful way. As such, rather than invest more money in the police department, interviewees argued that the key to creating safer, healthier communities is real economic investment in the communities that need funds the most.





## IV. FIELD INTERVIEWS

### CLEMMIE GREENLEE

**Age:** 56 | **Race:** Black | **Gender:** Female | **Area:** North Nashville, East Nashville



***We are asking questions about police interactions. How many times would you say you have been pulled over in the last couple of years?***

Well, I can say over the last three years I can say I have been pulled over a good eight times. Like maybe four—well I know I can say more than eight now because I was about to say maybe four out east but I was pulled over a lot out east before all this building started. Because that was the profiling place—around Cleveland and Jones and Lischey and Douglas and all of that. They were really hot right there. They was no where near like they are now on Eastland and McFerrin, which is where I lived at. I would get pulled over the last three years I can say I have been pulled over a good eight times. Like maybe four—well I know I can say more than eight now because I was about to

say maybe four out east but I was pulled over a lot out east before all this building started. Because that was the profiling place—around Cleveland and Jones and Lischey and Douglas and all of that. They were really hot right there. They was no where near like they are now on Eastland and McFerrin, which is where I lived at. I would get pulled over there like three times a day. And it would be like, one time I didn't have my lights on because it was raining. Then one time they said my windows were too tinted. And one time they pulled me over because they said I didn't have a plastic [frame] on my tags back there. And I was like, "Sir, I don't see nobody with plastic on their tags." They actually gave me tickets. I was getting so many tickets that they were about ready to take my driver's license.

***So you got citations for all those?***

I got citations for pretty much the majority of them, yeah.

***And do those come with court appearances?***

Oh God, court appearance, court costs...

***Fines too?***

Fines.

***What's an average one add up to with all the costs included?***

Well, I know I came up with an average of \$275 on one of them and \$185 on another because I have to pay the tickets online because I can't miss work to go to court.

***And then you got the fee for the online.***

And then you got the fee for that, \$45 fee for the court thing, got the \$85 fee for the application, so you up to \$275, almost \$300 when you do that and then even when you say, "I can't pay that, because I don't have it, so I'm a go on and go to this school." You know how it is when you go to the school because you don't want it on your record. But you still out of \$275 dollars. Because it's \$85 to go to the school and you still have to pay the application fee, then you paying for the court costs when you went to tell the judge you want to go to the school. Then I may as well just stayed there with my window down and let them give me that ticket because it's a "damned if you do and damned if you don't" situation. Still came out to almost \$300. So they pull you over for this little to nothing and then now that I've moved out north, I've been near Buchanan and Cockrill for almost 2 years. I would get pulled over number one because I was driving a Mercedes and don't look like I should be driving a Mercedes living over here. Number two, again, my license plate was not covered up. And then they pulled me over for tinted windows three times.

Like I get pulled over at 11:15 a.m., I get pulled over wat 1:15 p.m., I get pulled over at 4:15 p.m. So one time, the same cop who had just pulled me over like an hour and a half ago, I was just sitting there waiting on him to come to the window. When I let the window down I say, "Sir, I'm the same person you just pulled over an hour and a half ago to tell me about my tinted windows and I'm going to tell you the same thing I told you the first: these windows are not that dark and then why y'all pulling us over for tinted windows when the retail shop is the one selling us these cars? I think you guys need to go to them and tell them to lighten these windows up because we are buying it from them." So if we're buying it from them we think it's because it's the legit color. So he went and took out a piece of paper like when you go to Home Depot and you want to see all the colors you could paint your walls. I thought it was a Breathalyzer test at first. He went and got some and clamped it on my window so it would show how light and how dark the window is supposed to be.

So you giving me a \$100 ticket because my windows too tinted but I can see through the windows. I've been seeing some windows darker than that like the ones they drive. They need to give their own selves a ticket. I wanted to do something about that. How come you can give us a ticket for that but we can't give you one? Because I can't see you through that window. So he let me go and didn't give me a ticket that time, because he remember he pulled me over. I got another two hours in it and I was down by Monroe & 8th coming by the Kroger over by the North Nashville library and he pulled me over again.

***That's three times in one day.***

Yeah, in that same day. So I was telling him, first I went and got the ticket and let him know, "Sir, I already, yes sir I know, the windows are too tinted." He said, "Naw, your muffler is loud." DUDE! You couldn't even hear my muffler on the Mercedes. I don't have to worry about no muffler on a Mercedes. So y'all just be pulling people over to pull people over. So this is what I told him I said, "I'mma start filming y'all when y'all pull me over." What I did was I started filming other people's cars, man, I wish I would have kept that footage. I was filming them ten times a day I would see cars pulled over round here. I'm still in North Nashville, from 14th and Buchanan to 11th Ave. up here by Krogers. And I was like this is ridiculous it's every three cars that were pulled over with three cars behind them like we really done something. And I'm not saying some of them ain't got caught doing nothing but you pulling us over for the little of nothing.

***Why are they doing that you think?***

Because it's racial profiling.

Because it's racial profiling. I went out in Brentwood on purpose. I got friends out there too. I started to do it on purpose to go visit my friends more often, more often than I used to because I wanted to see how many times I'm going to get pulled over over there because I am a black woman in this white rich neighborhood and I look suspicious. I want to see how many times this cop is going to circle this block like he did five times. I already had my friend on speed dial letting her know that he's coming back, he's coming back, so I want to make sure if something happens to me that she hears it. Then I was really looking for how many times I see a police got somebody pulled over. Because I wanted to take their picture. So I was out there like five hours. I did not see anybody pulled over and there was all kind of—you know they got their own police, the Brentwood police rolling around with their cars and I'm waiting to see some cars pulled over instead of you circling me five times. So they never did pull me over but I look suspicious and just for them to harass me like that. So it's definitely profiling and if they pull over one white person, that's just one white person a month. And I always say, you just got one white person pulled over to make it look good but you done pulled over eight of us for the rest of that day though. So let me see one black person pulled over and then eight white people pulled over the rest of the day and you might win me over.

***What do you think they're looking for? You said racial profiling. So it is a matter of individual officers who are racist or is it an institutional instruction to police certain areas. What do you think is the cause of that?***

It's both. It's the police racism. Let me go back to the homeless advocate I was first and the purpose was to get police to stop beating up and profiling the homeless. We had to go teach the cadets a few lessons before they were able to go to the street. And I was taught by them that some of the cops that are already out here is telling them this is what you do, "you go for all the black folks, you go for the homeless, you don't have no pity on them and all that." And you get some that say, "I just come to serve." I really wanna help y'all and wanna serve. But you got all these people already out here ahead that are veterans that are destroyed mentally and heartless telling them who to profile. So now you got the juniors, they're coming out of school, and they wanna be out there and be noticed and they wanna be proud. They are waiting to get out there and the first thing they fixin' to hit is what they've been told. The first thing is to pull over a black man because he's a gang member, he's a drug addict, or he got drugs, he got guns.

Now let me tell you who else got guns and drugs: Brentwood white boy got guns and drugs in the briefcase and a meth lab and all that in the basement. But y'all covering that up because you got the power, the parents, and the accolades. You wanna come get us with three little rocks and two joints just trying to buy some pampers and survive cause you won't let us in the job but you gave us 40 years. You already know that you are profiling when you come at us.

So that's not fair to me because I want them to show me what's the difference between one of my black boys with this little plastic bag with like 12 big ass rocks in it that don't add up to \$500 then his briefcase with kilos in it that's travelling up and down Brentwood every single day. And the Mercedes and the Audi and all the other cars because that's where it's all coming from. It's not coming from us, it's coming to us. But you're profiling the wrong person and you're locking up the wrong person. So that's the reason I know you're coming out at us and targeting us because cadets told me themselves what they're being told to do when they hit the streets.

***Do you think that officers who behave that way are rewarded for it and move up in the department? Or how does it work?***



Yes, I know for a fact that they are rewarded for it because one minute you came from the desk and then you ended up being a street cop, and next time I see you, you got a damn Sergeant badge on. You ain't been out here two years, bro. You ain't serving, you ain't even found out about this one community yet. So how you gonna raise up to a Sergeant already? So you know I tell people all the time, I don't ever blame hatred on no cops. I've had cops save my life, yes they have. What I get mad about cops is the dirty ones know they dirty and get away with it, but you don't tell me some of these cops out of these departments don't know about their dirty cops. You signing off on it: "I'll just turn my head because I don't want to know about it." But you know about it when you turned your head. You know about it when

you were in that locker room and you heard them say what they're getting ready to do.

You know about it when you was sitting in there and you was in class where they telling y'all don't kick it in if you know it's the wrong door. One old woman they fixin' to go in and pull a gun on and they know she ain't the one who done it or how come you about set up for the hell of it when you should have been setting up out there with a meth lab. So if you know all of this and you don't say nothing, you are a dirty cop to me. You're just like they say about my black boys. You know who killed my son and you won't snitch. So you just like a murderer to me. You didn't pull the trigger but you was standing there and I'm still waiting on them to tell me who killed my son. So we still waiting on these crooked cops to be disciplined when they start talking about what they're doing inside the police department. Instead of standing back. All of these polices that have came out and shot these boys. Somebody in their police department heard them say it, know they said it, and riding with them until they get to us and y'all talking about it now. All the boys who done shot the police, the boys know they were getting ready to do it, they didn't try to stop it and half of 'em rode in the damn car with them. That's why some of 'em talk about running and he the one that got killed. So we not riding in the car, not conversating about what we fixin' to do when we get there. And it's the same thing about these polices. If they not in the car together they always two or three behind each other on the radio. So that is why I call all cops snakes and pigs because you are overlooking what you took an oath for to wear that badge.

That's why I cannot get mad at that football quarterback for the 49ers for not standing up for that flag because you got to hear what he said: that flag was equal opportunity, justice for all and there's none of that no more even over here. There's none of that anymore so why would I want to do this. So when I see a cop now I just feel like you know about it. I know you ain't killed nobody, I saw you go get that lady some groceries. I saw you bring new toys for Christmas. I saw you do all that but I still know you're in some of those meetings and you done heard about something and you're not going to tell me no different. So now you got me irking because

you won't snitch. Just like my street won't snitch. Why would we want to snitch when y'all won't? It's a code of the streets on both ends that they want to get real. See they speak with that because they don't want to hear the truth. I see when they put me up on the mic and try to cut me. Yeah, you better cut: the truth hurts. You can't go on ignoring this. There is a war on both ends. A war on both ends.

***So you brought up so many points and I would love to follow all of them but in the interest of time, one thing that you made me think you made me think about when you were talking about where they would spend their energy policing is that their answer to accusations of racial profiling and what we suspect their answer to this report will be is, "This isn't profiling. We just go to the areas where there is a lot of crime." And that's always their answer to accusations of profiling. What are all the layers at work beneath a claim like that? And why do they actually come to areas like this and not to Brentwood or Green Hills?***

They brought the crime to us. There was not no lotta crime like this until they came over and made us feel like we were in Vietnam.

***What do you mean, exactly?***

The police, they target us and start coming to us, surveilling us with binoculars, sitting on the corner watching us. You know, like, and we are the victims. We didn't have all this murdering stuff, even in the projects. You didn't have all this in the early 80s. They started coming up here profiling, kicking in doors, pulling cars over for nothing, planting shit in they car that they know they didn't have and then you started that ride. So once you started that ride then you know what you was doing because if you just say, look, Roy just got out of the car and then all of the sudden the police pulled you over and they pulled out some weed and you trying to say, "Hey look, Roy had me set up. Because I know there wasn't no weed in my car."

**"There is a war on both ends...  
They brought the crime to us.  
There was not alotta crime like  
this until they came over and  
made us feel like we were in  
Vietnam."**

**- Clemmie Greenlee, 56**

So now you can't tell me little Roy that you didn't put the weed in my car. Because I know I didn't have none. So the police knew what they just done. So when they came in here and started profiling us they turned us into Vietnam. Economics turned us into it. I wanted to say that first. They started coming in and started targeting us and it just made us feel like damn, here they come. Why y'all posted up on my front of my car? Why y'all posted up at my grandmama's house? Why everytime I go to the store you make three or four trips up and down the street like I'm going here to do something? Why you profiling us like that?

You don't ride up and down the store in Brentwood. You don't go following nobody when they're walking their dog up and down the sidewalk. So it was like you targeted us, Mr. Police. You brought this Vietnam to our cities. You helped bring it. Put it that way. But you done it when you first started targeting us. In the early 70s and 80s there was not a lot of violence or drugs like this. You would come in my house and you would come back out and found a big wad of reefer between my couch. Dude, don't nobody in my house even smoke weed. "But Ms. Clemmie, I don't even smoke weed.

How did he get that in my house?" I know exactly how he got that in your house: the same guy they just

busted an hour ago, they didn't turn the weed into the evidence room because they knew they were heading over to your house. So here go another clap of black men they about to get. And why they got you thrown on the couch like they always do with the handcuffs and smeared you. That game is old and I've done been involved, they done did me like that, they did my house like that, they did my car like that when I was in the lifestyle back in the day. And so now you got another charge. Four people, everybody in the house is going. So now they got you down in a trap, made us sign some stuff we don't want to sign but that's the only way we're going to get out or get a lower bond. So when we come out we're a felon, can't go back to the apartment we were living in because of what you just made me sign. So now you made me vicious and angry. Oh shit, they can't get back in housing, they can't get no job, let's go and do ten of them a month. So what are you going to get when you do ten of us a month? You fixing to get all of us angry, vicious, hungry, and need to know how we are going to survive now. This is where the robbing, killing, and stealing starts. It did not start from us. We was helping each other.

***You mentioned the economic piece too, as a source of all this. Tell me what do you mean by that.***

The economic piece is about how they cut us out in the first place in say '88, '89, '90. You start cutting out all the little funds that the black poor community had—those little grants we were able to get from local or government. The programs we was able to have. The carpentry classes, the CCI classes, free camps, swimming classes, just all the stuff we were able to have for the people who under \$40,000 a year. We had stuff for our kids. The men were able to go to work and bring home some stuff because they could live off of \$7 or \$8 at that time. But once you cut all that out for us and started bringing that in and started getting caught with one joint, one pill, one ready rock, and getting ten years for it and all that it broke up our home.

**“When you hit the streets, you’re running into all kinds of street life. You got to learn that street life to survive... That’s what I tell ‘em all the time: all these black men are not murderers and robbers in none of these 50 states.**

**- Clemmie Greenlee, 56**

Cause once you took that first trip to the jail and signed that paper that puts a big “F” beside your name for “felon” then that took all the economics out of our home. Because that little \$8 job, he lost it. And the money you was getting from the government that you paid taxes on, you don't get that grant no more. Or well I can still sign them up for OIC programs. “Oh, Ms. Greenlee, they cut that grant out last year. Oh let me go back over here and sign them up for the Martha O' Bryan program, YMCA. We don't even have that grant anymore.” But you don't have it anymore for us though. The low-income black people. The rest of you got it.

So that's why I say, economics first. You came and kicked us with that. So I had no choice but I got to feed my family, I got to pay the bills, so now the weed I'm smoking I'm fixin' to see can I sell two or three joints. That's all I got left. And you fixin' to kick my girl and the baby out because you won't let me back in the house. Well, I ain't ever had no place else to go and that's all I've ever lived with is my girlfriend and my child. So when you getting ready to kick her out, you know you aren't going to do that so you got to hit the streets. When you hit the streets, you're running into all kinds of street life. You got to learn that street life to survive because these were working men that were coming home everyday. They were not hanging on the corner. They weren't shooting dice. They were not having a quart of beer in their hand turning up. They out here now just

as scared as the female was trying to learn how to survive out here amongst the small percent that was out there. That's what I tell 'em all the time: all these black men are not murderers and robbers in none of these 50 states. They got Chicago looking like it's a Vietnam, World War 1, and it ain't nothing but 1% that's doing all that. But they won't acknowledge that, they won't acknowledge the 5,000 black boys that are doing good up there. They want to go up there and have the nerve to call it Chiraq. You know Chicago should have shut that down. We gonna be naming Nashville Nashraq in a minute I guess with the little murders we have. But I refuse to let them think that Nashville is anything like Chicago. I'm going to let them know you just got a half of an inch of a percent going around doing this killing. And that's because you done took everything out of these communities.

**“The police, they target us and start coming to us, surveilling us with binoculars, sitting on the corner watching us...and we are the victims.”**

**- Clemmie Greenlee, 56**

***Your whole thing as I heard you saying yesterday to the news is that these dialogues and stuff aren't going to do anything if we don't get close enough to hear these stories that you are telling and that's what you're trying to help do is bring it to that level.***

Yeah. So I met with some folks today from Pavilion Church and they heard me, they hear me all the time. And they said, “I remember you Clemmie, I remember your message.” And they said, “We coming to you, we're coming to hear you.” Because I don't need to go to no more mayor's meetings. I don't need to go to no more elected official's meeting. I don't need to go to no more big church meetings. They need to come to me. They need to come to my little church. My little legislation office and all that back there is everything they [area youth] got. But what they don't have is that language. Because if y'all done done this through four governors and four mayors and I ain't saw nothing yet, what makes you think I'm going to up and waste my time on this female? I'm not fixing to do it. I'm not having nothing against her and I'm not calling her like she's not worthy of it, but she will not get my respect until she do. I don't understand how she done called everybody around me and she ain't call me. The reason I say that is because Megan knew me when Matt Leber introduced me to her. It ain't like she don't know me. I was doing this when I was going Homeless Power Project. I still was doing Stop the Violence. So if she want to do a task force on stop violence, and didn't call me? Now that show me that you don't really want to change this. You give \$100,000 to somebody else and \$100,000 to somebody else, and all I ask you for is \$50,000 to show you in 90 days what I can change in this community, at least four streets down, and then teach you how I done it.

But you won't do it because you don't want this to stop because it will stop your salary. It'll stop that jail cell that you helping get filled up with damn beds. So I know why you won't call me. They don't want to hear the truth. I'mma say some shit that gonna shut 'em down. But they don't understand y'all shutting my folk down everyday when I see a young boy get killed like the boy they found on this sidewalk out here. That's my son I'm reliving everyday. So I don't care nothing about what they don't wanna hear. Because they don't wanna hear what we feeling as mothers who keep watching our damn children get killed. This isn't Pakistan, Vietnam.

If it was our speak would be different, cause that's a war over there. This is just a handful that can be stopped and all you got to do is just drop one load of money here. There's plenty of Clemmie's out here. Why you don't give us money? Why you don't give black organizations money, period?



***Their answer to youth violence tends to be to put more police where there is violence. I saw that some of the recommendations from those mayoral events on youth violence was to put more police where there is youth violence. Is that the answer to you?***

Hell no!

***What is the answer?***

Put more jobs out here for these mothers so they don't have to work three jobs. A lot of these mothers ain't doping in clubs and up in the street. Give these daddies and mommas a decent job and a decent wage so they don't have to get off of this job and then go to this one, and then get home in the middle of the night. Put some more opportunities out here that fit our children. You know, just cause everyone didn't go to college and finish high school don't mean we don't deserve the same damn opportunities that they have in Brentwood and Hillsboro and all of that. Give us some type of small opportunities and then give us money who look like these children. Quit putting the white people that we don't know that's been up there already—and I'm not saying they don't deserve it. God bless everybody. But put money in people's hands that look like these children, talk like these children, and get the respect of these children, and can get the respect of these children, and you will change all of this. The police ain't fixing to do nothing but get richer, find out how many more beds they need to lock them up, and she just signing off on throwing us away like the rest of them. Why in the hell you gonna invest some \$1 million on putting some more police out here and police cameras when you can split the money up for three little local grassroots—and I'm one of them—and you give each of us just \$50,000. And the reason we can change things on \$50,000 is we've been living on a dollar all these years anyway. We don't need no \$1 million. We can show you in 90 days what we can do with \$50,000. I'm not saying our kids are no better than the kids out there in Brentwood. These kids is doing the same thing—they popping pills, they got guns. Why you think when they come out here ready to go in the theater or in the schools and all that? The only difference is your kids gonna shoot up a whole school, a theater, a mall, and all that, and we just shooting up each other one at a time. There's no difference. How you gonna say we violent and y'all not? Y'all kids popping pills and all that. Y'all just get to cover it up because of where you live. You live in that big beautiful house. So I'm trying to tell her, take that money and put it toward some type of job or education—or better yet, give us our own center.

## RONALD HAYES

**Age:** 58 | **Race:** Black | **Gender:** Male | **Area:** North Nashville



***Ronald, I'm with Gideon's Army. We're doing an interview of police encounters people have had with the Metropolitan Nashville Police here in Nashville. Do you have any such encounters or have you had any in the recent past that you'd like to talk to us about?***

Yeah, there's three that come to mind, but I'm gonna tell you the one that really got to me the most. It actually was really kind of comical in a way. I was comin' home from work when it like 6:30 in the mornin'. You know, for people that don't know, policemen is usually last out on shifts before they have to drive in to relieve the other guy, I think it's at 7, 3 and 11. I think—if it hasn't changed. That's the way it was back a few years ago. Anyway I was coming home from work, weekday mornin', and I was livin' out in East Nashville at the time. So my route was to drive through downtown and get off Dickerson Road, and get off a side street to my house. So I'm drivin' down Dickerson Road, and I went past the intersection of Dickerson Road and Douglas, and there was a cop parked in one of the parking lots at that intersection. So I go by the light, and I see him whip behind me. And I say, "Well, he just doin' what they do, doin' what they do." So when I got to Trinity Lane intersection, I noticed he still behind me. He had good lights on. So I keeps drivin' toward my house. I get up to the corner where I turn off to get to my house, he still right there with me. I say, if I make it home, ain't nothin' he can do. (Laughs) So I turn on my little side street, give 'em a couple a turns to get to my house. I pulls in my drive. When I pulls in my drive, he come around the corner—headed toward the house. I park, I get out my truck. By that time he's pulling into the driveway. I go up the steps. I get my keys out. I put the keys in the door. Get

ready to walk in the house. Then all of a sudden he gets on some intercom, some loudspeaker, from the car. He never got out of the car. He gets on some kinda loudspeaker and asks me, “Your name Ronald Hayes?” I said yes. And he ask me, “What’s your date of birth?” I said, “June 16, 1958.” Well you’re not the Ronald Hayes we’re lookin’ for. Ronald Hayes we’re lookin’ for was born in 1974.” So I just waved and I said, “Have a good day, hope you catch him.” It’s that he still pulled me over and he waited ‘til I got home, gettin’ ready to step in the house. Two weeks later, I’m in a convenience store. And I pick up one of those papers, they have the Nashville’s most wanted. They had a picture of Ronald Hayes—on the front. (Laughs)

***Let me ask you this, Ronald. How did those encounters with Metro Police make you feel. I mean, did you feel like you were being targeted or they were doing an admirable job, or?***

Well, that’s a given. If you a black man in America, and if your systems are intact and you payin’ attention to what’s going on around you, you already know you’re a target. Whether you’re doing anything or not. So, you try to stay as calm as possible. You try to be as courteous as possible. Fortunately the few encounters that I had with police, they have been courteous and kind, they haven’t raised they voice to me cause I make sure I try not to give them a reason to raise they voice to me. And always try to have everything ready for them before they get to the window.

***Alright. Well, Ronald, I thank you for taking the time out to talk with me about the situation. And we in the process of compiling information in Nashville to see how the police are interacting with citizens and how the citizens feel about the interactions, and see if there’s anything that we should recommend for police encounter, for people that provide training for Nashville police to improve the situation, if indeed it can be improved. So we thank you for your time, and I appreciate you comin’ by and talkin’ with me.***

No problem, my brother.

## JACKIE SIMS

**Age:** 62 | **Race:** Black | **Gender:** Female | **Area:** North Nashville, East Nashville



***How long have you lived in Nashville?***

Since January 8, 2008.

***And what brought you here?***

Family, just looking to get involved in community and service work. I left South Carolina. I had been in corporate sales for a while and things really just weren't working out well anymore in South Carolina so I felt it was time to go on and move. My sister had been here for several years, my parents did move here. I came back and forth to Nashville probably for almost fifteen years. Both my sons were here at Fisk University, so, I'm like oh let's go.

***And what part of Nashville do you live in?***

I live in Midtown/North Nashville. Off of 19th and Charlotte.

***How would you describe your neighborhood?***

It's quiet. It's a combination of homeowners and renters. I've been renting my home since 2010, September 2010, but it's quiet and I've always felt extremely safe there.

***So transitioning to questions about Metro Nashville Police Department. Have you had any interaction with a Nashville Police officer in the past five years?***

Yes. Definitely.

***How many times would you say that you've been stopped by an officer?***

Me personally, twice. And I was in a car where the driver was stopped.

***What reason did they give you for stopping you?***

One time, I still had a South Carolina tag. And the other time, I think I was moving too fast through a school zone. I was going just maybe five or ten coming down 8th avenue.

***So did you kind of take them at their word for that reason or do you think there's other reasons they pulled you over?***

I mean I pretty much took them at their word. I didn't think I was going that fast coming down 8th avenue, 'cause I'm usually pretty aware of school zones. So, if I was going over it could have only been a few miles over, because I try to really pay attention to that.

***So did you get a citation for any or either of those?***

Yes! I got worse than a citation. I got taken into custody both times.

***Okay, so let me back up first then. What kind of car were you driving then?***

The first time I was driving my son's little red Dodge Neon. I think that's what it was. And the second time I was driving an Infinity QX 5 or 50.

***So did either of them have like modifications of any kind? Like rims or anything fancy?***

Well my son's sports utility vehicle, the windows were a little tinted.

***Okay, and they were in decent condition?***

Yeah.

***So tell us about what that experience was like. How did it come along that you were taken into custody?***

Well the first time, I found out that my license had been suspended from a ticket that I had twelve years prior in the state of South Carolina. I was pulled over in Nashville. Twelve years ago I was living in South Carolina and I got a ticket and I paid the ticket via mail. I didn't go to court 'cause I didn't have time to go to court but what I didn't realize was there was still a court fee. And I had never paid a court fee so they probably sent some mail but my mother moved from that address. I no longer lived at that address because I was living with my mom at the time. And so I never got notification that 12 years later, when I moved to Nashville, that my license was suspended. It went from South Carolina to Nashville. I never got any kind of notification so I had no idea that my license had been suspended.

***So that showed up when the police pulled you over?***

Yes, 'cause he asked me, "Ma'am did you know that your driver's license was suspended?" I'm like, "For what? And when and how?" You know, I was clueless and he said, he said he wasn't sure but he did tell me that it was suspended by the state of South Carolina and when he mentioned the town where it originated, I immediately remembered because that was probably the first time I was ever stopped in South Carolina and I lived there for 25 years.

***So what did he say your options were and how did it lead to the custody?***

He said that he had to take me in.

***So what happened then?***

They took me in and took pictures and all this stuff. It was a regular arrest kind of thing, and I stayed there

till about two o'clock in the morning and I got a chance to talk to my son and I told him not to pay bail. He did anyway, which cost \$1,000. I didn't have it, and he paid it 'cause I guess he didn't want his mother sitting in that room all night. So I was furious with him for paying it because I was just gonna sit there and just go talk to the judge and explain pretty much everything that happened. So I got a diversion, something. I have no arrest record. I had never been stopped. I had no record for the 50-something years of my life I had been living at that time. So that came to an end. I reinstated, paid all the fees, took care of that, license okay, and that was the end of that.

***Do you know how much all that was for you? Do you remember roughly?***

Roughly \$175. Plus the \$1,000. I talked to some people that night, but, sat down in front of a window. There was some kind of diversion process or something.

***So on your other stop you were also taken into custody?***

Yes. What happened with that was they claimed that I had never settled some kind of court fee or whatever with the first case. And I was like, "No, no, no." I told the officer all of that was taken care of but it showed no record and the officer he was quite nice, I have to admit. I remember him quite well, he was very nice but he said, because sometimes mistakes are made, because it didn't show up, he'd have to take me in and did I have someone who could come get the car. So I called my sons to come get the car and then I went downtown with him. Eventually, that situation was a little more frustrating, because, I mean, I was thoroughly annoyed. I had been driving since I was 19 years old. I had never been stopped, never. I mean this was like, what's wrong with this place?

***What was the second stop for again?***

Going over the speed limit through a school zone. I didn't pay anything. Eventually everything got straightened out and I ended up going to court, but it was dismissed. But it was just such an unnecessary... I think they found out that whatever was wrong was right and I came to court. My license was good and it seems like they tried to suspend it again. It was something bizarre but it got straightened out, I didn't have to pay anything and I remember asking them, "Are you all sure that there are no fees or anything?" "No, Ms. Sims you can go." That was the end of that. But, it was just highly annoying that I looked up not once but twice that I'm being pulled over at this point in my life by police officers. The first thing was terribly financially burdensome because I only had a part-time job. I was actually homeless at the time. I mean I stayed with family but legally, I was homeless. So, I hated that my son assumed that financial burden. He was a student at Fisk then, he was working on his Masters, and it was just, I remember asking the officer, "Well, can't you just give me a ticket or a citation, let me get in touch with the state of South Carolina, take care of all this stuff and just go home?" It was a female officer, too, I remember. She wasn't quite as nice as the gentleman that stopped the second time. She was a little more...

***She was a white officer or...?***

Yeah. She was a white female. She was a little more cut and dry, like, I have to do this. I didn't believe it, but that's what she said. And I know that officers have some level of discretion. My father was a police officer, but she didn't choose to you know...

***Her discretion led her to take it very seriously and all that. So your most recent interaction with an officer was when you were a passenger?***

Yes. It happened on I think it's Fisk street, off of Jo Johnston. We were coming down Jo Johnston. We were going to some kind of justice event. I was with a friend, and we're both heavily involved in community and social justice work, and apparently one of his tail lights was out. So you know, "whoop whoop," behind us, and we were coming down Jo Johnston and we just turned onto Fisk, the side street. And then the officer asked him for his ID, and registration and all that stuff. And then he peeped over at me and he said, "Ma'am..."

***And what race is your friend?***

He's a young white guy. And I'm in the passenger seat. Clearly older black female. So he said, "Ma'am can I have your driver's license?" And when he asked that I was ticked off immediately. And I just, "Well I don't have it on me officer." I said, "I didn't feel that I needed it and I don't have it." So he said, "Okay." He said, "Well can I have your social security number?" I'm like, "Excuse me?" He's like, "Can I have your social security number?" I said, "What do you want that for?" He said, "Well it's the officer's discretion," is what he told me. Or just discretion or prerogative to ask for another form of ID if a person doesn't have it. I said, "Well officer it's my prerogative to tell you no." I said, "As a matter of fact," I said, "I have your commander's cell phone number in my phone." I said, "I think I'll call him because I think this whole thing is inappropriate." And he said, "Wait a minute, ma'am, wait a minute." You know. So he went back to the car and he had a sergeant in the car with him. He was very young so he may have been in some kind of training, I don't know, but he had an older middle age black guy in the car with him who was his sergeant. And his sergeant came to me with a paper which he said was a form to lodge a formal complaint. And he asked me did I want to lodge a formal complaint? I'm like, "No, I don't need to do that." I said, "But you know if you're training this young officer you need to teach him a few things because I know what my rights are. I knew that I did not have to give him anything. I'm the passenger in this car." And he agreed and then the young officer became very apologetic, "Yeah, ma'am, he's right you could have just gotten out of the car and left and walked back home." We told him we were just coming from my house which was literally around the corner. So he began backpedal and be very apologetic. But I don't know, maybe he would have done something differently if he didn't recognize that I knew my rights and I sat there calmly and told him, or the fact that I had his precinct commander's cell phone number in my cell phone. I doubt if he would have treated me quite the same.

***So why do you think he acted the way he did and asked you for things like that?***

Well, one, you know, I was talking to my friend. I said, "Do you think, you know, at my age, maybe he thinks I'm a prostitute?" You know we were going to an affair so you know we were nicely dressed, you know. I don't know what he thought. Does he think maybe I have drugs or what's he thinking? You know, that he felt he needed to press me for my identification. My social security number! You are in a black community and you're the misfit over here so he probably couldn't think of any good reason why you would be in the car with me. Which is why, I mean that's what we came up with. My friend in the car—you think I was mad? He was livid. A matter of fact, he, you know, "Officer, she's the passenger. Why are you asking for her ID? You know what you're doing." So he was a lot more aggressive with the officer than I was. I was just politely, "No. I'm not giving you anything."

***So did it all change when you said that you had his commander's number?***

Everything changed. Everything changed.

***So what do you think would have happened if you didn't have his commander's cell phone?***

I don't know. To be quite frank, I don't know.

***Could have turned out otherwise.***

It could have, yeah.

***So you kind of talked about how that affected you at the time, both emotionally and financially, in terms of the time it took up for you and the different inconveniences. But what's kind of the sum total of how those things effect you know on a daily basis when you're thinking about what happened if you were stopped again? How do you see the police?***

Well, the thing that concerns me most is the fact that I have sons in their 30s, you know. That I know that they're very wise and understanding, should they be stopped, they've never been stopped, not since they've been adults. They were as youth in South Carolina, and even then they knew they had to behave a certain way and even when my youngest son was approached the latter part of last year, I mean he knew that there are certain things he needed to do immediately. So I'm glad that they're aware. I have three daughters, too. One of them who I don't think would be as controlled as her brothers are, you know, that could be problematic.

***What do you mean by that? Cause you talked about how you were very calm.***

Yes. It was intentional. I really wasn't fearful because, and one thing I knew, I knew something that he didn't know. I knew that I had his commanding officer's phone number in my phone. So I knew things we're only gonna go so far because I had that. But if I hadn't had that I don't know to be quite honest, I don't know.

***So what's your fear if your daughter were to not be as calm?***

Well, my daughter, words are a weapon for her, man. She's got command of the English language and she would use it. She wouldn't have to whip out any curse words, she would use it.

***And that would create a dangerous situation?***

It could, it could make someone feel very little, very small, very easily. So that could that could turn out to be quite threatening to her.

***Because an officer wouldn't think well to being made to feel small in a situation with a black woman?***

Yeah, yeah.

***Well, do you have anything else that you want to add or anything you want to say in general about police and community relations and how people are talking about it right now?***

Yeah, well I think that Nashville is very unwise in not doing more to invest in the communities that they consider more problematic, more likely to have encounters with police officers. I understand that a large sum of money will be going to the police department, I don't know whether it's for training, community relations. I pray that it is for community relations, or whether it's for more body armor and more militarization of the police department, but I think it is foolish, especially looking at what is taking place across the nation. It is foolish not to invest more resources into the communities that need the kind of attention that could possibly begin to deter all the reasons why minority communities are being over-policed. We divest resources,



necessary resources, from these communities as if people are gonna be okay. No, they're not gonna be okay. And then we police them excessively because they're responding in a way that makes sense. You know, if you have all your resources slowly and systematically being withdrawn from your community, that's gonna cause problems. But rather than addressing those problems, we deal very punitively with the people that are left in those communities and that's foolish to me. There's no wisdom in how we address the needs of our more marginalized communities that need resources I think more than the police need a million dollars. As long as we continue to skate along the surface with these conversations, not much is gonna change. And I think it's foolish for us to think that we cannot become a Ferguson or a Baltimore. Yes we can. Yes we can. The right match has not been struck, that's all.

***Well is there anything else left to say?***

I have a friend—I'll just give her first name, Julia. We used to attend sort of a Saturday morning justice meeting every week with Dr. [James] Lawson, and the whole conversation of police stopping became an issue and she actually tried for weeks, she would tell us about it. She was trying to get stopped. She was intentionally breaking traffic laws hoping someone would stop her. No one ever stopped her, 'cause she was a white woman driving around in the Belle Meade community. And she couldn't get stopped. She tried to get stopped and she couldn't get stopped.

## RONDRIQUEZ WHITE

**Age:** 25 | **Race:** Black | **Gender:** Male | **Area:** North Nashville

***Where are you from?***

Nashville, Tennessee.

***What part of town were you raised in?***

North Nashville. Parts of East, but mostly North.

***Where do you live now?***

Still North Nashville, particularly off D.B. Todd, Metro Center.

***How would you describe your neighborhood?***

Black. (Chuckles.) Lower class, working class black people. The working poor, if you will.

***So, how many times would you say, in the last year, you've been pulled over in Nashville?***

I'd say probably about twice.

***Is that about how many times a year you usually get pulled over?***

Yeah, yeah, probably about twice a year. A lot less than some people.

***It is a lot less than some people. What is the most memorable recent one?***

So I was on Dominican going towards Rosa Parks, and as I get over the hill right there where Maxwell House is on my left side, as I get over the hill, I see one cop car, and then all of a sudden I see like three or four, all on the side of the road. I'm going like maybe a mile or two over the speed limit, alright? But with that many cops around, that's like going kinda fast. So, obviously if I had just saw that one cop I would have just kept going, but once I got over the hill I saw all of the others I pumped the brakes, tried to pump real fast, and as I was stopping one of the officers looks at me, he yells, "Slow down!" I'm like, alright, cool. So, I'm already slowing down right before he says that, and so I pull my foot from the pedal that way I don't hit like zero acceleration cause I was like—when he told me, when he was waving his hand, I stopped all the way, actually, so I could be like, you know, make sure I could hear what he was saying. Thought he was just talking directly to me, but he just told me to slow down, so when he did that I put back on the acceleration and my car kinda needed a little work at the time, maybe spark plugs, so when I hit the gas it kinda sounds (imitating car revving) so I guess he took that as me speeding up, and like, basically saying "screw him, I'mma keep going fast," so I go, and I look in my rearview mirror, and I see him hop in his car, do a U-turn, and I'm about to make a right to get to the interstate, and he follows me all the way right to where I'm about to get on the ramp and pulls me over. So, I pull over, roll the window down, he hops out and he's like, "What's your problem? Why didn't you just slow down? I told you to slow down, and you started going faster." I'm like, "No man, I ain't going faster, I just, you know, slowed down a little too fast, and then put my foot back on the acceleration." And he was

like, “No, see this is why bad things happen with people and the cops, ‘cause y’all don’t want to listen. All you gotta do is listen, and everything is gonna go alright, if you just listen.” I’m like, “What are you talking about? I did not mean—I would not blatantly look at you and just press my foot.” I’m a large black male living in North Nashville, right by the precinct, right by Dodge City. So like, cops are around all day. And that’s the last thing I wanna deal with, is police.

***And so, what kind of car are you in again?***

I am a 6’4, 250 pound black man, 25-year-old, driving a black Ford expedition with tinted windows, so.

***And what kind of shape would you describe it as being in?***

(Laughs) Little TLC. Needs a little love. You know, maybe a good washin’, probably. That’s the biggest problem, but I mean, you know. It’s not bad condition, but it can be better.

***So, when he started saying all that stuff about, this is why things happen, was there any conversation about anything else between the beginning and that that led him to say that? Did he know who you were, or something like that?***

No! He had no idea that I’m one of the co-founders of BLM Nashville, or you know, an organizer in general. Like, he had no idea who I was. He started walking away, once he went on his little rampage, his little spiel.

***This was a white officer?***

No, black officer!

***Black officer?***

Which is always the worst, actually, it’s weird. But it was a black officer, and he went on his little spiel about how people should listen to the police, basically saying we should listen or else, you know, we’ll get our ass whooped. But no, he had no idea who I was.

***But that just came out of nowhere, and he just kinda...***

Just out of nowhere. I even tried to give him my license, but he starts walking towards the car, back towards his car. I’m like “You need my license?” (Laughs) I mean you know, I’ve got the window rolled, I’m like, “Dude, you need my license?” “No, just go on.” So he literally pulled me over...

***That was it. He just wanted to yell at you.***

Yeah, he just wanted to yell at me. So he pulled me over, yelled at me, and then went on bout his way.

***Do you think he did know who you were, by chance?***

I don’t think he had any idea, ‘cause he at no point asked me for my license, asked me my name, asked me anything. They already had somebody pulled over. Yeah, see, that’s why they were already there. They already had somebody pulled over. He was just leaving that scene to go yell at me, and then turned back around, went back to that scene. So.

***So that resulted in no...anything?***

That resulted in nothing, but I mean, I was pretty shaken up. To just see the amount of power. You can just—you felt like someone didn't listen to you, so you're going to track them down and yell at them and then go on about your way. And that's just a small, you know, like a micro-aggression, if you will. You know? You got cops out here who would've taken it a step further, and had the full power of the law behind them, to defend them.

***You said that you were shaken up. What's behind those emotions coming up in you?***

Just cases of police brutality we've witnessed. All my life, really, but particularly the past two, three years. Just thinking about how often people are murdered by the police, and the police always find some way to justify it. And if he would have been that mad, and in a position to, you know, say I did something that I didn't do, what's stopping the system from believing him? What's stopping the defense of him versus me, you know? I'm just a large black guy in a black Expedition with tinted windows versus this officer who probably felt threatened by my speed or something like that. "His size and his speed."

***Can you say a quick word on why black officers, to you, are more challenging?***

Oh my goodness. 'Cause it's like, you should know what we're going through. You should know the mental stress. You often hear black cops say they got into it 'cause they wanted to help their community, or they wanted to be a change. So if you know the level of fear or uncomfortableness that black people have with the police, I feel when you are a black officer you work with black civilians, you know, show some type of discretion. Like, "Hey, how you doin' doc. Yeah I know, I'm a cop, what's up, how you doin'? Hey man, you were speeding man? You know what I'm saying? I just wanted you to slow down, nothin' much man, just you know, be safe out here." You know? But it's usually just this bulldog mentality where it's like, "What the hell you doing?" It's very tense. It's almost like they're trying to prove to the department that they're more blue than they are black. And, yeah, so, usually my worst interactions with the cops actually come from black officers trying to prove that they're more on the side of the force than on the side of the black people.

**“[I was shaken up by] cases of police brutality we’ve witnessed. All my life, really, but particularly the past two, three years. Just thinking about how often people are murdered by the police, and the police always find some way to justify it. And if [this officer] would have been that mad...what’s stopping the system from believing him? What’s stopping the defense of him versus me, you know? I’m just a large black guy in a black Expedition with tinted windows versus this officer who probably felt threatened...”**

**-Rondriquez White, 25**

***So what's kind of your cumulative experience, driving as a black man of your size, and in your car and all that?***

It's messed up, because sometimes like, I know black people in general, right, who decide what type of vehicles they're gonna get based on, I want something nice, but I don't want it to be too nice, to where the cops are gonna keep messing with me because I'm driving this vehicle. Yeah, so I am wary that I am a large black male driving a black Expedition with tinted windows a lot of the time. There are just certain times, like, even if another way is shorter, I'll probably just go around the back way just so I can not deal with the cops, or—I know the cops aren't this busy on this street, around this time, so I hit this street to go there.

***So you're saying these realities affect how and where and when you travel?***

Yeah. There's just certain times of the day where I'm not comfortable driving in certain areas. It has nothing to do with the people, it's all about the police. I'll drive to the hood any time of night, but there's just certain times where I'm like, "Oh, okay cops are gonna be hot right there right now—nope. We're going the back way."

***Well, is there anything left to say for you that's important to say about what police do, what function they fulfill, what they don't fulfill?***

For us, I don't think that whole "protect and serve" thing... In Nashville, they have these new cop cars, and on the back of them—they're like Ford Tauruses—on the back of them they have "Nashville Guardians" on them. And I'm just like, ohh, that makes me sick. You're not the guardian of this city. You don't protect us. No, there's no protection for the majority of black people, the majority of minorities in general, in Nashville. Even just being on Rosa Parks. Like, one side of Rosa Parks, the side I live on, is more of a patrol, or a hunt if you will. But I can drive in Germantown late at night and not see a single cop. Like, I've been through Germantown two, three, four a.m. Cops look scared, I'm like "Maaaaan, my black ass get caught up in here! I know they're gonna have all types of questions." "What are you doin' here?!" But I'm just driving around, there's not a single cop—anywhere! And then, as soon as I cross over on the other side of Rosa Parks, (imitates siren chirping). Oh, there you go! That's where you at. That's where all y'all at—y'all over here!

***So why are they there and not in Germantown?***

[Silent pause] To just...install fear. Intimidation. And it's just revenue from fines, citations. Multiple reasons, right? People always talk about, they make the neighborhood safer, make people feel better. Well, if they make you feel more comfortable, then why come most of these cops aren't in Green Hills? You know what I'm saying? You can go through Green Hills and not see a single cop. And traffic can be bad out there, too! I'm like, where are the cops at?! Can't nobody control this traffic? No, man. They let them get into traffic jams and then right into their condo, and everything is good. If police are supposed to make a neighborhood safer, then black communities should be the safest place for anybody to go to, 'cause we always have cops in the neighborhood. But the image that is painted is that, usually, our neighborhoods are unsafe and et cetera. But at the same time, we have all the cops, so. If we have all the cops and we're still unsafe, then who's not doing their job?

***I've heard from a few folks that have said this line that I've heard before, that they give all the attention on us when they want to pull us over or stop us, but then when there's an actual problem and we need them, they don't show up for an hour.***

Yeah, yeah! I remember, my grandma's house—her ADT system had went off. And me and my mom, we were somewhere, but we decided to go ahead, 'cause my grandma was at work, so my mom was off that day, so we

just went to my grandma's house. It's down the street from our house, 'bout five minutes, and we went ahead (chuckles) and went out there. We get there, and I forgot— (laughing) it got to the point where I forgot the cops were even supposed to be coming! And all of a sudden someone knocks on the door. I'm like, "Mama! The cops outside!" Like, just forgetting completely. It was more of a, "The cops are outside, what the hell are they doing here?" rather than...

***Than they were responding to the call, finally.***

Right, right. It was one of those—I was trying to figure out what the hell they were doing here, instead of being like, "Oh, they're here, of course, obviously to respond to what we just came over here for." So, yeah, they showed up late—very late.

***Alright, well, is there anything left to say?***

Mmm, oh. One more thing. A lot of them look like skinheads. I don't know why, if that's just a thing, but a lot of them are, like these, big white guys. Either big in like, height or just size, or like whatever. And they usually just bald headed with no facial hair, and it does disturb the hell out of me. It really does! It's just this uniform look that they all have, it's usually white guy, bald, no facial hair, sunglasses.

***And that disturbs you?***

It really does. Like, you look nothing like the neighborhood you're patrolling, at all. Right? You know. Grow a mustache.

**“In Nashville, they have these new cop cars, and on the back of them...they have “Nashville Guardians” on them. And I’m just like...you’re not the guardian of this city. You don’t protect us. No, there’s no protection for the majority of black people, the majority of minorities in general, in Nashville.”**

**-Rondriquez White, 25**

## TAMIKA

**Age:** 28 | **Race:** Black | **Gender:** Female | **Area:** East Nashville, South Nashville

***How many times would you say you've been stopped by a police officer in the past five years?***

About seven.

***What reason does the officer usually give you for stopping you?***

The only reason I've ever gotten for being stopped is speeding.

***Why do you think the officers stop you when they stop you?***

I don't know. It could be a number of reasons. But I do feel like, of course, that we are more prone to being stopped and being pulled over because [we're] black. So an assumption is you don't have your driver's license, you don't have the proper state required information. So I feel like that being black has a lot to do with you being pulled over.

***What has the race been of the police officers you've encountered?***

Predominantly white. I've only seen maybe one officer that pulled me over that was black. But he had a white man's mentality when he pulled me over. Basically doing what his superior says do. And not second guessing his superior basically. Because I've actually had a black cop pull a gun out on me, while my three-year-old was actually in the car. So that was quite scary. Yeah. He was being a jackass to the most, to the utmost.

***What kind of car had you been driving when this happened—the make, model, year?***

I was driving a 2007 Ford Expedition, is what I was driving, when I got pulled over. It was a used car. But it wasn't like wear and tear on it. So you couldn't really tell the year of the car. How often do you get tickets when you get pulled over? And what are the tickets usually for? I don't. It's rare that I get a ticket. But when I do get a ticket it's probably because my license are suspended. It's the only time I get a ticket, is if I'm driving and my license are suspended.

***Have you been able to generally pay those fines that go along with the tickets?***

No, I haven't been able to pay those fines that go along with the ticket. Cause my license has been suspended and revoked twice. The first time I paid the fines to get my license back, I paid a little bit over eight hundred [dollars]. This time, I'm going through chaos on getting my license back.

***Do you feel like those [fines] have affected your life?***

**“I've only seen maybe one officer that pulled me over that was black. But he had a white man's mentality when he pulled me over. Basically doing what his superior says do. And not second guessing his superior basically...I've actually had a black cop pull a gun out on me, while my three-year-old was actually in the car. “**

**- Tamika, 28**

They have cause it's taking money away from my children, that's supposed to go towards my children, to have to be put onto the government in which they're not regulating the laws like they should. So, of course it's affecting my household.

***How do you feel like emotionally when you think of the fines?***

Angry. Pissed. Those are the most two emotions. [In] the second interaction that I had...they actually took my car. April 2016. I was actually leaving a friend's house. That's when I had my three-year-old in the car with me. I was leaving a friend's house heading home because we was both getting sleepy. I was going past Sonic on Nolensville Road. Officer was driving past me. He said I was speeding. I got ready to make a right where the IHOP is, the officer turned on the sirens. Or course, stopped. He asked me what's my name. I told him I was not giving him that, I was not required to do so.

Next thing I know, I turn around and two officers here, two officers here, two officers in the back (motioning). So I literally have ten or fifteen officers surrounding me. And I'm in the car with my three-year-old [and] my little-old self. So, at that point, as I'm talking to one of the officers here to keep me distracted, the other officers have their guns pulled out on me. And it's little old me. They had their guns pulled out on me. And as I'm talking to this officer, I realized in my rear view mirror, one of the officers had his hands on my door. Cause they was basically telling me that if I don't give them my name, they're going to break my window and drag me out of my car. And, "Why would you want to do this when your three-year-old is in the car?"

I says, "So you're basically going to threaten to bust my window, drag me out of my car while my three-year-old's here, because I'm practicing my law. I don't have to give you any kind of information." "Well we need to know if you're a murderer." [I said,] "Sir, do [you] think I'll be out—do you think my three-year-old would be back here with me if I was a murderer?" So as I was explaining the law that I did not have to give them my information and all of this, [they] went and pulled it up. Officer told me that was incorrect, which I knew was an absolute lie. Other officer had his hand on the door and I asked the officer that I was speaking to, can he ask the officer to remove his hands off my car. Officer didn't do it. So, at this point I'm getting angry. Again, "Can you tell that officer to remove his hands off of my property? This my property, it's not you guys." To remove his hands. Still at that point, still had guns drawn at me. I actually had two officers with two guns on the side of my daughter drawn at me. And at this point, I'm asking officers what their names are. No one's telling me what their name is. [To] black officer, "Hey sir, can I get your name?" "I'm not giving you anything cause you won't give us [yours]." [I said,] "But you're required to. I'm not required to give you my name." So of course he was being a jack bottom.

***So how did you feel when this happened?***

Adrenaline. Scared. Not knowing what to do cause my phone kept going dead. So luckily I had a friend that lived directly a block away. So he ended up having to come down because something was about to happen. Didn't know how extreme it was going to get but I knew something was about to happen. The only way that they even allowed me to even leave was he ended up giving them my name. He was scared and not knowing what was going on. They wouldn't allow him to come to the car to talk to me to figure out what was going on. So, when they'd written up the ticket, officer came to the car and was like, "Oh, so you don't get in any trouble but your license are suspended?" or whatnot. "Can you sign this ticket?" [I said] "No sir, I'm not going to sign this." [He said,] "Well if you don't sign anything, you won't be leaving here. We're going to take you to jail. So I was forced to have to sign a ticket. So those are the two serious incidents that I have had with Nashville Police Department.



***Why do you think the officers in that situation acted the way that they did?***

Intimidation. I felt like that I was a threat to them. I felt like they felt intimidated by me. Cause there is no way that one officer—you have a gun; you are an officer of the law. I don't understand why you felt threatened by me to where you had to call multiple, multiple, officers out. And they, all of them had their guns drawn out. So I'm like, how could I be to where you're all scared of me? I didn't understand that at all. Once I told them I couldn't give them my name; it went tense after that. So that's when the whole intimidation started, was once I told them I was not going to give them my name.

***When you challenged the authority of the cops.***

Yeah.

***Do you feel that the Nashville Police Department has treated unfairly?***

Yes. Hell to the yes.

***How, if at all, has your relationship with the Nashville Police Department (electronic noise in background) affected your daily life?***

I don't trust them. When I drive, I'm in fear. I'm constantly looking over my shoulders, looking in all mirrors, because I know if I get pulled over [and] challenge their authority, I know, "Heh, you're going back to jail again."

***Any other kind of feelings when you see Nashville Police Department officers just out and about?***

I speak. I don't hate them. I don't like what they do but I don't hate them. So I speak. But of course, in the midst of all this, I teach my daughter you don't trust them. You don't trust them. And you have your guard up dealing with them at all times. So an officer actually asked me, "You're going to teach your daughter that?" I say, "Yes. Look what you guys are doing to me in front of her. So why would I not teach her anything else?" And luckily she was falling asleep in the car. She just so happened to be going to sleep. So after like the guns got pulled out, she didn't get to see any of that cause she had started to fall asleep.

***How old is your daughter now?***

She's three.

## TERRANCE KEY

**Age:** 47 | **Race:** Black | **Gender:** Male | **Area:** West Nashville



***How long have you lived in Nashville?***

All my life. Born and raised. East Nashville.

***What part of town do you live in now?***

West Nashville.

***How would you describe your neighborhood?***

Where I live is College Hill. It's peaceful, quiet. When I say quiet, it's quiet—you hear crickets at night. You go to the bottom of the hill, at the bottom of the hill—one block—that's where you get confusion. Harassed. Because you are now at the bottom of the hill, which used to be Preston Taylor projects. Not the same activity goes on as it used to be back in the 90s, but, you know, there's still always a bad apple in every group. Sometimes you have a police that sits there at the bottom of the hill.

***Since they been doing construction on the Dollar Tree, they kinda moved somewhere else to...catch you speeding. A couple my friends has got pulled over doing 31 miles per hour, 32 miles per hour. And the speed limit is 30. Now to me that's ridiculous. You coming off a hill, for one thing. And he told him he was speeding. But he never gave him a ticket. But he asked, could he search his car. He had nothing to hide, so he let him.***

As far as police harassment around here, they are very well noticed around here. They make their presence seen a lot. There are occasions that if you go on up on 40th, there may be someone shooting or something like that. But that's not often. I been out here for 10 years in West Nashville. It's not even every month that you may see shootings and everything. That really never happens around here. You have more or less people that drink beer all day or something like that. That's their thing. To each their own. But the police will harass them also.

***You say the police make their presence known. What kind of presence does it feel like, to most people, do you think?***

(Sighs)

***Is it one where people feel safer?***

No. It's not a safe thing. Because like I said, there's not that much criminal activity. You may have the few little knick-knack penny drug deals or something, but forced robberies, different shootings, carjacking—nothing

big like that is actually going on here. Every now and then, you may get a little confusion or something. But when [the police] make their presence out here, it's not a presence of being safe. Because if that was the case—I belong to St. Andrew's Presbyterian Church, right next door to me. On the other side is what they call the Calvin House, which the church owns. Every weekend [people] were breaking into the house—stole the church TV, things like that. A lot of professors, doctors, retired people live on this hill. They do not patrol up here. The church has asked them to patrol up here because people break in, because [people living here] are retired, older people on this hill. They have not [patrolled]. Only time they may come [is to] catch people speeding on Clifton.

***But in terms of protecting folks from the break-ins...***

Yeah, not protecting. No. They are not protecting and even when my pastor called them it still takes them a moment to get here. I mean, TSU campus is right here. They're not—no, police is not gonna patrol over here. That's Metro's job. But they do not, they too busy clocking people speeding, doing 32 mph down Clifton.

***Right. So they're looking for something?***

Right. Okay, even hosting things in the park—Hadley Park, down here. They will have police like on every block. Every corner from 28th all the way up around this corner, I see police on every part. Every corner. Things do happen sometimes but not that often where you need a security gate of police surrounding every-one. And the TSU parade, homecoming parade or something like that. It's just that police around here. At certain times of night they will stop you for walking. You can walk. Not bothering anyone, haven't done anything, you're not staggering while you walk. You know, some people they get off in the middle of the night. I have friends that work at UPS right over there and they work at 2, 3 o'clock in the morning. I had one of my buddies who was stopped, asked him where he was going. He was going home—he just got off of work. You know? He got his ride to drop him off at the bottom of the hill. He lives at the corner of Batavia and I think it's 36th, 34th, something like that. It doesn't make any sense to stop someone for walking. You don't go on 12 South and ask them where they goin'. No, not since the neighborhood changed. You're not going to ask anyone up there where they goin', why you out this time of night. And it's just—I feel like it's just, it's bad.

And even with the children. Kids don't have anything to do around here. You got the Boys & Girls club right there. [But] I do not see them [there] most of the time. I see a few kids when they walk down. But other than that, whole neighborhood full of children—with nothin' to do. And I see them every day. Every now and then, I brought several children up here. So my house, during the summer, taught them a few things. About how to read a measuring tape, and we build a birdhouse, and one of the guys wanted to build a doghouse. These kids are willing to learn. And in order to keep the crime from gettin' worse over the years as each children get older, they gon' find them something to do. And the police are just gonna take them to jail. Eventually. And then what, they 12 now? Give 'em a few years. Until they have something to do, it's not going to get better, it's going to get worse.

***Can you talk about how a neighborhood or area gets to a situation where kids don't have something to do? Why is that the case in the first place?***

There's no centers that would allow kids to come in. You have to pay most of these centers now to do certain things. These children don't have money. Their parents don't have money to just keep giving them to go to a center everyday, or every other day. They need structure, guidance, they need something to do, other than run around. And if they're not going to find that in their own neighborhood, when they find things to do in their neighborhood, it's destructive. And, you know, they can't walk to Hadley Park because they liable to

get in trouble between three, four blocks of getting there. If they had camps that maybe government can fund—maybe it wouldn't cost so much. You know, a lot of parents don't have a hundred dollars to give their children to go to a camp. If they were able to have vans or whatever to take these kids somewhere, not only just let them play, teach them something, [but also] find out what their interests are. You just can't take 'em somewhere [because] maybe they're not interested in doing certain things. But if you talk to these children, find out what they like to do, what they like to be when they grow up, to see who has a dream or a goal, and see who does not, and figure out what they wanna do. Because if they only see what they see in the neighborhoods, that's all they know. And there are children in these neighborhoods that hasn't been out of the inner city, unless they go over their grandmother house, but she live on the other side of town, which is still a poor neighborhood. They do not see outside of all of this. They probably do not know what City Hill Park is or any other park. They only know what's around them. So unless someone helps these children, get 'em out, show them that it's a whole world and it's bigger than just what you see. Otherwise they gonna idolize the drug dealers and everything that's going on around them. They gon' idolize that, they gonna be like, "Ooh I want a car like that. Or I like his necklace, ooh I like his shoes, can I get me some Jordans?" You know your parents can't afford \$200 pair of sneakers. So when he gets old enough to learn how to do what they're doing, he's going to do it. But if he has something more embedded into his mind and his brain that says to do something more positive, something more structured to do, I believe they would do it.

***Have you had any interaction with a police officer yourself in the last five years here?***

Yes. Being pulled over for no daggone reason. And then they never gave me a ticket, citation.

***How many times would you say you've been stopped?***

I'd say every other around here.

***Every other...***

Month. Around here. In the inner city. But when they pull me over, they never ask me for license.

***They don't?***

No.

***What do they say?***

"We pulled you over for suspicion." (Sighs) Most of the time it's suspicion. I may come from the store, and sometimes I sit up here and talk to the owner of the store, and we, you know, chat a little bit. And when I pull off, it's like he sits there, he sit on that corner—think it's 39th and Alameda—and wait for you to pull out from the store. And I knew he was. I said, "Oh man, he's gon'—cause I see when he went down the street

**"Kids don't have anything to do around here...whole neighborhood full of children—with nothin' to do. These kids are willing to learn. And in order to keep the crime from gettin' worse over the years as each children get older, they gon' find them something to do. [Or] the police are just gonna take them to jail. Eventually...Until they have something to do, it's not going to get better, it's going to get worse."**

**-Terrance Key, 47**

and he turned around. What am I just gonna [do]? [I'm just] shooting the breeze with the owner. So I get in my truck, I pull off. He's like, "Well, I thought you handed someone something." I'm like, are you serious? But he never asked me for my license or anything. And here's the thing. I don't even have license. I never had 'em a day in my life. I never took the test. And, they never took me the test. So that's how I knew that [they] were harassing me.

***Because...***

You don't give me a ticket! You don't give me a citation.

***Do they ever ask to look around in the car?***

Yes!

***You say no?***

No, I let 'em. I don't have anything in my truck. You wanna look through a bunch of tools and my water bottles in the back of the seat? I do construction. So, if you wanna look, I have no problem. I let them do it. I step out the way and everything. Go ahead, knock yourself out.

***Be sure they don't plant something on you, though!***

Well, my thing is, if you do me that way, then I mean, wow. The idea never crossed my mind that they would do me that way. I'm like, I don't have anything to hide, there's nothing in here. You know? Might find a cigarette or something fell out my pack or something.

[One time] I was riding with my kids' mom. [An officer] jumped behind us and told her that the light was getting ready to turn red and she turned anyway. Mm, okay. He asked her for a driver's license and insurance and everything, she showed it to him. And then he asked me for my ID. And I told him, "Why?" I said, "I'm not—"

***And you're in the passenger seat?***

Right. I said, "For what? I'm not driving." So we went through this whole altercation about it and I told him I'm not showing, and he said, "What do you have to hide?" I said, "Look here, I know the law around here in Nashville. The passenger does not have to show his ID unless the driver does not have all their right information, if they do not have their insurance and registration and driver's license and whatever." So he kept talking and I said, "Are you a sergeant?" He said no. I said, "Well I do not have to talk to you then. Give me your sergeant, which is your supervisor, and he and I will talk." So then the sergeant, he comes and says, "Why wouldn't you give it to him?" I said, "Because I'm not driving this vehicle."

***So they give you these reasons like "suspicion," or these kind of petty things—turned the wrong way. Why do you think they really pull you over?***

Oh. Because you see too many black people in a vehicle. When I'm by myself I never get pulled over. Only get pulled over if I have one of my workers with me, and I've gotten pulled over with my two sons. I have five sons. They all grown. But if I had two or three of 'em with me, they pullin' us over. Too many black people in the vehicle—simple as that. That's the honest to God reason of why I feel that they pull us over, is there's too many black people in the car. You up to something, you getting ready to go do something wrong.

***So what kind of car are you driving?***

I drive a four-door Dodge Ram.

***And what kind of condition would you describe it in, has it been in?***

It is in great condition, runs great, and it has no dents, it has a few scratches cause I do some haulin'. But other than that, no dents or anything.

***No modifications?***

No. None whatsoever. I didn't even put the pipes on the back or anything. It's actually my work truck that just looks good. But I also drive a Chrysler 300. In great condition, nothing's wrong with it whatsoever. That's the other car we've gotten pulled over in. I also own a Mercury Marina, which I gave to my daughter cause she's a senior in high school. I've got pulled over in that I don't know how many times before I gave it to her, and just in the inner city areas. If I go outside, outskirts, most of the time they may look at me or something like that but they really don't bother me until I come into the inner city.

***You mentioned the one about being at the store up the hill, is it other stuff like that that's happened?***

Yes. This is all the time. This is all the time. They out there every day. You can do 35. No, they gon' pull you over. You [white interviewer] can do 35 and they not going to pull you over. But I could be right behind you doing 35 and I'mma get whipped over. Right behind you. This is all the time. The 32 miles per hour thing with my friends coming over here is really—that's what bothers me: 31, 32 miles per hour. If you pull everyone over, Metro would not have any problems with money. Because they would collect a lot off people speeding. And don't get me wrong, it is a high crime area. But you all know who you looking for. They can stop certain things. They do know the crime streets, they do know who the drug dealers are. They know who they are. They see them every day. If they follow the crack heads they would take you straight to the crack house. But you harass people like me that's But you harass people like me that's coming down there and all I'm doing is I do job sites.

***So what goes through your head or what are you feeling when you see those lights, when they start approaching you?***

First thing come my mind, I'm thinking I'm getting ready to go to jail. You know, like, I didn't do anything. I always use my blinker. I come to a complete stop. And I know not to do over 30, coming around these neighborhoods, cause they allowed to sit anywhere. And they will sit in by the side of a building and you think like, where did you come from? And I be ready just to get out of my truck, go head and search it, whatever you gonna do. This is what you always do. You never do anything to me, so.

***Does this change your daily life? Does it give you any kind of anxiety about driving? What's the sum total experience for you?***

It makes me mad a lot. It makes me mad when I know this is going on. And especially that I work in white neighborhoods. I never see any of them police in those neighborhoods while I'm working. I can do just as fast as anyone else that lives in those neighborhoods, no police around. We doing 35, 37 by General Jackson and everything. Those are 30 MPH zones. All up through there. Green Hills, it's a lot of speeding goes on. But they

also go by appearance. They'll harass you just because of the way you look. The clothes you wear and your face nappy. Dread boys. They get harassed all the time. Now a lot of the commit crimes that are being committed, they have dreads in they head, mind you, but you can't harass everyone with dreads. That's a style that the young guys or whomever brought on. But they get harassed more than anybody.

***So do you think it's a matter of individual cops or is there an order coming down that makes them sit over here more than other places? What's coming down from the top? What's coming from the force?***

Well, I'm pretty sure they have brief meetings before they come out, so I'm pretty sure they are assigned to do certain things. So, to me, it would be coming from higher than what the patrolling [officers] are [doing].

***What do you think they're looking for? Why is it over here but not in Green Hills?***

Cause they use the excuse of "high crime area." You know you got weed selling in Hermitage. And everywhere. Lot of people do drugs. Pills, whatever. There's all type of drugs. But being that this is the dominant black neighborhood, you gonna patrol it. You see guys out drinking, they're not bothering anybody. I see them all the time. I don't socialize with them. I speak to 'em. They don't bother anyone, they don't break in the house, but you watching everything move around here, and it's because this is the low-income neighborhood. Now, once they start building, because they buying up a lot of properties around here. Once this changes, it's not gonna happen anymore.

You know you got weed selling in Hermitage. And everywhere. Lot of people do drugs. Pills, whatever. There's all type of drugs. But being that this is the dominant black neighborhood, you gonna patrol it. You see guys out drinking, they're not bothering anybody. I see them all the time. I don't socialize with them. I speak to 'em. They don't bother anyone, they don't break in the house, but you watching everything move around here, and it's because this is the low-income neighborhood. Now, once they start building, because they buying up a lot of properties around here. Once this changes, it's not gonna happen anymore.

***So am I hearing you saying that it's a racism and fear of poor people thing?***

Low income, yes. That's pretty much as I'm putting this. Because I know this isn't where my mom lived. Police would be there all the time. One time, I was parking in front of my mom's house, but I was facing going up the street. Vice came and everything, gave me a citation, everything. Give me a ticket for parking the wrong way. I was in the passenger seat. And that's on a dead-end street, but other cars are doing the same thing. But my friend and I had just got off of work, and we were sitting in his car, and they come and harassing us. Vice. Said we were probably dealing drugs, so they searched us.

***You said you were sitting in the car?***

We were sitting in the car. We just pulled up in front of my mom's house, he was gonna let me out. And we were just sitting there talking before I got out, and next thing you know, vice has come. And this is over in our neighborhood. But since you have this new thing going on, you all don't harass anyone anymore. My mom friend and this, he can walk, they mess with him. So, it's all about these neighborhoods. North, East Nashville, like I said born and raised over there. You can see how the police have stacked up around McFerrin area. When they change the neighborhood to Five Points, which is just Woodland to us, they don't patrol that way anymore. But you go over there by Shelby, on the opposite side of the street, right. There you have police galore. Everything.

***Cameras...***

Right. You being watched—everything you do. Why? Everyone's not bad. You have bad people in every group, every race. Why you have to single out this particular group, inner city? It make people that trying to make an honest living...(sigh) upset. I can't think of the word I'm trying to use, but we do not feel good about it. We do not like what's going on. Just because I can't afford to live in a better neighborhood, you cannot treat me any kinda way. You know? Some people cannot afford to live in better neighborhoods. You have no other choice but to live here. Which is pretty much a harassment neighborhood. Everyone. You [white interviewer] don't get harassing, though. And then in these neighborhoods, these all black neighborhoods, there's only white cops. Out here, I have not seen one black cop out here. And I been out here ten years. I probably seen one. All white cops patrolling all black neighborhood. Right then and there you gonna have tension. For one thing you all did not do anything with the community. You didn't say, "Hey, we're not against you. We're not trying to harass you. We're here to protect you." You all haven't even gotten out the daggone car to even say that to somebody's little bitty children that's running round here. Because the only thing these little black kids know is, the police gon' take you to jail, or the police gon' take my parents to jail. That's all they know. You know? Are you gon' take my mommy to jail? A police officer maybe just standing outside his car and a kid may ask him, "Are you gonna take my parents to jail?" That's all they know. That's what they know the police do. I'm telling you, you can actually ask some of these small ones that's under 10 how they feel about the police. And it's really pretty much what they see. That's all they know, is that the police come to harass black people.

***That's traumatic.***

Yes! And we're talking about kids 10 and under. We're not talking about the older teenage children. You do can a survey on them and just ask them, "How do you feel about the police?" And then that's all they know is that they take you to jail. That's it. And they shoot people. You know? They do not know that police is here to protect you. These kids don't know that. Not in the inner city they do not.

***Well, is there any final thing you want to add?***

Treat everyone equally. If you gonna pull one person over doing 32 miles an hour in a 30, you have to pull over everyone doing 32 miles an hour or 2 miles an hour over the speed limit. Treat everyone the same. We all bleed and breathe, you know. We all have to go to bed and wake up and we all have to eat, so that makes us all equal. So, to me it's only one God, we only serve one God. No one's better than anyone else. You know, you may live in a better neighborhood and be more fancy, and you may feel like my neighborhood is worse than others. It may be. But that don't mean you have to come and harass, pull everything over that you feel like because it's too many black people in the car. Come on. I have five sons. If I decide I want to ride all five of my sons in my truck, cause we going to a Vanderbilt football game tonight, that doesn't mean pull us over. We just going to a game. Unless you see a lot of smoke coming up out the car, or whatever, I see no reason to harass everyone because they riding two, three people in a car and they all black in a black neighborhood. Everyone's not doing wrong.



## CLARA

**Age:** 64 | **Race:** Black | **Gender:** Female | **Area:** South Nashville

### ***How long have you lived in Nashville?***

All my life. Born and raised.

### ***What part of Nashville do you live in?***

South Nashville. It has changed—the growth, the development of it, but from where I live, I live on a dead end street, it's comfortable. I like where I live. Of course I've always liked south Nashville but there are a whole lot of changes going on now.

### ***Do those changes concern you?***

Very much. Yes, it hits home personally because of the development, I, they want to put pressure on you to sell your property, [pause] to sell your property, to move, and they don't care where you move. It's just displacement.

### ***You don't want to go anywhere right?***

Don't wanna' move. I would like my community, where I live, to be friendly, where everyone, we're so used to working together, helping each other, looking out for each other for it to stay that way and it won't become divided.

### ***Have you had any interaction with a Nashville police officer in the past five years?***

Yes.

### ***How many times would you say you have been stopped by an officer while driving?***

I would say four times.

### ***And what reason does the officer usually give when they stop you? What do they tell you why they stopped you?***

"Suspicion" was one. I was pulled over, which was like a half a block from home, and I asked him, "Why you pull us over? Why you pull me over?" He said, "Well there was suspicion because you drivin' a car that look like a car we looking for." He asked for my driver's license, I gave it to him, and he asked for my insurance, all of that. And, I said well okay, then he went in his car and I had to sit there and wait on him, and he gave me my driver's license insurance back and said you can go on, you can leave now. We got pulled over a half a block from the house so we just had to turn the next corner, and he stopped us. So in my head I'm thinking he's new on the force.

### ***Suspicion was one reason. What other reasons have they given you before?***

One of em' said my head, my tail light was out. And I said you know, "Oh my tail light is out." I said, "You mind get this fixed." I said, "Well okay if I get stopped by another policemen for the same reason, what am I gonna do, tell him you stopped me thirty minutes ago or something?" So he said, "Just let him know that you was stopped and you on your way home and you gonna get it fixed the next day." So, I got home, and I checked my tail light. I asked the young guy across the street to help me check when I put on the brakes: the lights, there was nothing wrong with my tail light. The young guy said, "No ma'am everything's fine."

***So why do you think they actually stopped you?***

To be honest with you, I, like I said I tell myself you're new on the police force you gotta come up with something, you know. You gotta write a ticket or something, but it was just like okay, you're harassing me now. This happened like two weeks in between each time, you know, and I said, "Okay this is a harassment." And it was on a quiet street. The traffic's not heavy, I would say like eleven twelve o'clock at night. Weeknight. So, then I was going yeah okay y'all start harassing people, okay.

***How did you feel when these things were happening?***

I really was kinda upset about it, like there's no cars on the street. I going, "Why is he stopping me? There's no cars out here." I always remember, stay visible, so, I was kind of upset. Then I calmed down. Like I said, in my head, it must be a new policeman, you know, in the neighborhood, cause it switches up.

***Was it a white male officer?***

Uh huh.

***So why do you think he behaved the way he did?***

He could have targeted us. Cause my son was on the other side. He did ask my son for his driver's license and his ID, and my son told him he didn't have to show him his ID. He said, "I know that for the law, I don't have to show you my ID," and he and he said, "Well I need to see your ID." "No, you see the driver's ID, my mom's ID." Okay it's coming back to me. And I'm trying to think, I think I said, "Just show him your ID." He said, "Mom I don't have to."

***Was the officer upset about that do you remember?***

It kind of threw him off because he didn't think he knew his rights—of showing him his ID because he's the passenger. With his authority, you know, whatever they say goes. I always (chuckles), I was told, know your rights, so you can argue your rights, you know, and that way you know if you go to court you know your rights.

***Yeah, and the other time you said the officer said it was suspicion or something?***

Suspicion.

***So who was driving with you that time?***

Me!

***Just by yourself?***

Yes.

***Was that at night too?***

Yeah. I showed him my license and don't get out the car. I do remember telling him you, "You want my insurance card? I have to go into the glove apartment. Don't get the wrong idea." And so I told him I'll turn the inside light on and I said, "If you want me to show this card, it's in the glove compartment." And I think I did, I gave him the insurance card.

***Why did you do that?***

Because the safety. You know, the safety of it, cause if you reach, like you're gonna reach to your glove compartment they might mistaken you reaching for something else, so. You have to make sure he know if you want it I gotta go in the glove compartment to get it, you know don't think I'm reaching for anything else.

***So you described that you were a little frustrated about when you got pulled over. You felt they were being unfair they didn't have a good reason to pull you over in the first place. And you said that maybe they were new officers they were having to fulfill some duty of getting a ticket, that's kind of your guess as to why they pulled you over. How has been being pulled over—especially in that period where it happened really close to each other near your house—how did that affect your daily life?***

So you know, you're doing the speed limit or whatever and you don't expect them to bother you, but then when they come out and do something like they did, it did change my outlook and how I felt about them. You know, if I'm driving, okay, I don't feel secure anymore. And it does bother me sometimes, it used to, and, and it's like, okay, don't get nervous, you know, but I feel that by them having this power that they feel they can do whatever they want to you. So that's what makes me nervous when I was driving. I just, I really stopped driving at night. I was in the house, I would you know, I be visiting my parents on the other side of town, bye I gotta go, it's getting dark. I'm in a good area, I'm in a good area, not, you know, bad areas and when I see policeman after dark, it don't even have to be late, I, they just took that away from me, and I had to get that back sometime. And in your own neighborhood!

***Yeah, right around the corner from home.***

Right. That's harassment. And I still feel unsafe. When they around and they looking at you. And I'm by myself.

## KHAOS THOMAS

**Age:** 70 | **Race:** Black | **Gender:** Male | **Area:** North Nashville, East & South Nashville



***How many times would you say you've been stopped by an officer since you've been in Nashville?***

Hundreds.

***Hundreds. Wow.***

Yeah. But right now it boils down to I'd say an average of at least once a month.

***What reason does the officer usually give you when they stop you?***

They give a variety of reasons. They always make up something, but in my opinion it's driving while black.

***So what are some of the examples of things they do tell you?***

Let me give you [an example]. A couple of weeks ago. I used to have a construction company. And one of the

guys who used to work for me called and he needed a ride home from work. So I went and picked him up. I hadn't seen him in a while, so when we got to his house [we] was sitting in front of his house in the car, talking. And we saw the police car when he turned the corner off Buchanan street coming down 14th Street and he was coming toward us. And he went by us and slowed down and kinda looked at us. And he went about two blocks down and I'm looking at him in the rear view mirror. He'd sit down there a while, then he turned around and came back and pulled right behind my car. Didn't put on any lights anything. Guy got out and walked up on the passenger side of my truck and said, "What's going on fellas?" We're like, "What's going on? There's nothing going on. We're just talking." So he asked a couple of questions and then he looks over at me and says, "Your name Thomas?" I say yeah. He say, "You still live on 12th avenue?" I say, "Yeah sir, a block over." He say, "Alright. Ok." Got back in his car and left. And you know, I'm like, first of all, you done flashed my [tags] when you went by, and you called it in on me. You know who I am and you know where I live at and you know you got whatever documentation you got at the police department on me and so what was the purpose of coming up and giving us the inquisition? You know?

Maybe about last week. The young lady who lives with me and her baby were going to visit a friend of ours on Cockrill Street. Seventeenth and Cockrill I believe it was. And when we got to 16th and Cockrill there was two police cars there. One pulled out and turned and went past us and the other one just sit there. So when we come across in front of him and we got where we was going and pulled over to the side of the street, he pulls up behind us and put the lights on. So before I could get out the car or anything he comes up and he says, "What's going on?" So that seems to be the catch phrase nowadays in North Nashville. "What's going on," so we're like "What do you mean what's going on?" "Well, what are y'all doing?" I said, "Coming to this house right over here." He like, "Well, if you've got I.D. or anything on you or Drivers License, don't bother reaching for it, just give me your social security number." And I gave him my social security number. And he went, called in on me. He come back. And all this time he don't realize there's a baby in the back seat, strapped in. And he's talking to me and he's talking to the lady. I'm 70. I'm 69 fixing to be 70. She's 31. I'm dark [complexion], she's light [complexion]. I don't know if he assumed she was a prostitute or what. But anyway he was just acting...you know...it was dehumanizing the way he was acting. When he called me. When he comes back to tell me my record come back clear, it was OK to go. And then he notices the baby...so that dispelled whatever notions he had in his mind about what was going on. And then he like, "Well, you're free to go." [I said,] "I'm where I was going. We're going to this house right over here." [I ask,] "It safe to get out now?" He'd already told me don't reach for my I.D., anything.

***You said they give you different kinds of reasons for why they stop you, but you think the reason—the actual reason—is driving while black?***

Well, this is what I think. I think that they claim North Nashville to be a high crime area but I've been living in North Nashville since the 50s, off and on. And I don't see any more crime going on in North Nashville than's going on in other parts of the city. Although it's more heavily patrolled. I think [what] they do is just randomly stop cars with the hope of discovering something. So they assume everybody over there into some criminal enterprise. And they just hopefully stop. Maybe we get somebody on suspended license. Maybe we get somebody on probation. Maybe we get somebody drinking or smoking drugs or something. So they just doing a spot check. I guess they might [be] getting some yield out of it. But [for] the average citizen who's law abiding and who's not involved in the enterprises, it's a hassle. It's harassment.

***And you used the word "dehumanizing."***

Yeah. I mean it's humiliating. You know one of the young guys I talked to last week was talking about how we worked at a community center and got stopped right outside his job and the children he was mentoring

were looking at him sitting there on the sidewalk like he was under some kind of suspicion and that just kinda made him feel bad, you know. Having to deal with these children. And he's trying to teach them how to live a better life and then here he is under scrutiny himself.

It's dehumanizing. To me it is. And I'm 70 years old. And I played football. I've been a motorcycle rider for years. And I'm not a real fearful person. And I never thought I'd say this, but I think one of my greatest fears nowadays is a traffic stop. You know? Broken taillight can result in you losing your life. And it's been well documented all over the country. Somebody got shot—a deaf/mute got shot the other day. Cause he couldn't follow the instructions, couldn't hear the instructions so he got shot to death. That kinda stuff. Eighty-four year old woman got pepper sprayed in her own house because they looking for her grandson. You know, you hear these stories and you know, even though it may not have happened to you or anybody you know, that it's a possibility of happening.

***So what do you do when you get stopped? Do you feel like you have to be cautious and careful for that to not happen?***

Well, I try to remain as calm as I can no matter how fearful or how much anxiety is built up to. I try to remain as calm as I can. I try to be as polite as I can. And I try to adhere to whatever instructions that have been given to me, if they make sense. If they don't make sense I think you just shut down and sit there. And wait 'til they get through with their rant. You know, you get a guy 35, 40 years old, he stopping a 65, 70 year old man and yet he want to chastise me. You know, it's like going in a store and having somebody sixteen be like, "Can I see your I.D.?" That's just how it is. That the fact of life. And we're all aware of it so if you want to stay as safe as possible. You need to be aware of what's going on.

***So tell me about what kind of car you drive?***

I drive a GMC Sierra pickup truck.

***And how would you describe its condition, or its appearance?***

Until recently it was in excellent condition. I just had somebody T-bone me in a parking lot about a month ago. But it was in excellent condition. It looked like it was new. It's a 1999 model.

***How often do you get citations when you're pulled over?***

I hardly ever get a citation.

***Just a warning, or a verbal warning?***

No. Usually nothing. Usually after they call in and check my record. See I got no warrants. I got a valid drivers license. I got valid insurance. "OK, you're free to go."

***So have you ever gotten one though?***

A citation? Years ago when I was a little younger, yeah, I got citations. Mostly speeding, not coming to a full stop at traffic light or stop signs or something of that nature.

***Did you have to pay fines for that and stuff or go to court?***

Usually. Yeah. Usually.

***Do you remember how expensive that was when you had to do it?***

I think the most expensive one I've paid has probably been about 200-some dollars.

***Was that an inconvenience for you to have to pay that at the time?***

At the time I hadn't retired yet and I was still working so I was making a fairly decent living. It wasn't really an inconvenience. It was an annoyance, but it wasn't an inconvenience.

***Have you ever actually been physically arrested at a [traffic] stop? Physically taken into custody?***

It's been years ago when I was much younger. In fact I recently went and had my record expunged and what was on my record was I think three driving on suspended drivers licenses, one driving on revoked drivers license.

***So those are expunged now?***

Yeah. All those are expunged.

***So what was your most recent interaction with an officer?***

The one I was telling you where we were going to visit a friend and the guy told me, "Don't reach for anything." That was—that's been—about two weeks ago. It was about three o'clock in the afternoon.

***Why do you think officers behave the way they do when they pull you over. Or why do they pull you over in the first place?***

Well, I think the assumption on the part of most officers is that everybody's guilty of something. And they're just trying to catch you in whatever it is you're guilty of.

***So what would you say is your most memorable, or most difficult or negative interaction with an officer? If you had to pick one or two.***

Oh! Buds Drive-In, which used to [be a] stay open all night market between 16th and 18th on Buchanan Street. I pulled in there one night and it was about like it is now—the weather was pretty hot and the humidity was high and I went and got one of these little cups of ice cream. So they didn't have the little wooden spoons you eat it with, so I decided—I took the top and bent it in half and was scooping it out with the top. And while I was sitting there—you know, I couldn't drive and do that—so I decided to go ahead and consume it while I was sitting there on the property. And police pulled up behind me and they pulled up beside me there and they got out and stuff and—"Alright you people need to move on. You need to clear this parking lot," and stuff. And so when they came over to me, you know, I kept eating my ice cream. He said, "Oh, you ain't gonna move?" I said, "Officer, purpose of this parking lot, I think, is for the customers here. I'm eating ice cream. I just bought it out of the store, which is proof that I'm a customer of this store. I can't very well drive and eat the ice cream or it's going to melt and spoil before I get where I'm going, so I'm trying to consume it here before I leave." He looked at me and said, "Well, you trying to be a smart guy or something?" I said, "No, but what's your purpose for bothering me?" And he wanted to see I.D. and all that,

then he—I think its about 11 o'clock at night—he said he wanted to know, “Watcha doing out here.” I said, “Don’t tell me. You got a curfew on senior citizens.” And so that perturbed him a little bit. He proceeded to get pretty belligerent but...I don’t know, I try to let the voice of reason control, and I do think that I have a certain amount of intellect and so I try to outthink people. So I thought that he was getting perturbed and I tried to smooth him over and got him calmed down and stuff and made him aware of the fact that I was aware of [the law]. He kinda calmed down and everything, but you know, he stared out with that storm trooper sentiment that he was going to just ride roughshod over me, you know? But you know I finally got him calmed down, got him to see the voice of reason. But I just felt like, you know, this guy, he isn’t giving me no respect. First of all, legally, I was within my rights. I stopped at the store to buy something. I was buying it. I was consuming it, throwing it in the trash can before I left, in order to drive more safely. You know? That one kinda got me.

***If you had to imagine what was going through his head when he pulled up. What do you think, if you were to guess what his intentions were, what he thought he was about to do?***

I think he pulled up just for the express purpose of exerting his authority. You know, “I’m going to go over here and show these guys what for,” you know. “I’m in charge. You need to scatter, or do whatever.” I think some of these officers kinda get a thrill out of being able to control people, have their demands met immediately without question.

***And you’ve described a number of different feelings that you’ve had while it’s happening. You’ve described fear. You’ve described annoyance. You’ve described the attempt to kind of outthink the person, or to exert your dignity. What’s kinda the sum total of the different feelings that you feel on a day-to-day basis? Like, what’s your general feeling about the police when you see one pass by or when you see one behind you?***

When I was young I was under the assumption that if the police were bothering somebody, or if the police were questioning them, searching them or something, that they were probably of a suspicious nature or maybe had done something wrong and the police knew them or knew their M.O. But nowadays I’ve come to realize that you don’t have to be in the wrong to come under the suspicion of the police. I also feel like this: I feel like the police are of no use to me whatsoever. I mean, I don’t see many incidents where I would call the police. You know, I mean, if somebody stole something from me, I would probably let it go and try to be more cautious. If somebody broke into my house and didn’t harm anybody in the house, and just took something material, I probably would try to secure my house a little better. But to call the police and get them out there and have them escalate the matter and make it worse than whatever happened.

They ain’t no officers of the peace. They don’t protect and serve. Not in my community. Not in the neighborhood I come from. So you know I think I’d rather see a herd of hoodlums than the police, than one police officer. Cause I know most of the hoodlums in my neighborhood.

***How would you describe their presence if they’re not serving and protecting? How would you summarize what they do actually serve?***

I think they doing what they’ve always done from the invention of law enforcement in this country. I think that they just an update of the slave catchers of old. I think their purpose is to serve those who have and protect their interests against those who have not. So they roughly just—they modern day cowboys riding herd. That’s how I see them.



***I think I heard you use the term “occupation” or “occupying force” one time. Would you use that?***

Yeah. That’s what they make you feel like. You know, like, I see movies of Nazi Germany and stuff, when the Germans would stop the Jewish citizens and they’d have to present their paper and all that kinda stuff, you know. You gotta have a pass to be out at certain times. So that’s how they are in the communities now. You gotta present I.D. You gotta be able to prove yourself. You gotta document. Here’s a man, 70 years old, gotta tell you why I’m out at 10 o’clock at night. You know? Where I’m going. Where I’m coming from. Can anybody substantiate that? They don’t do that to prisoners, you know? They know why they there. They know where they supposed to be.

***Is there anything that you want to add about how you think things could be better or how we should change our priorities?***

I don’t think things are going to get any better until the political climate of this country changes. It’s business as usual. You got all these undocumented murders. You got all these undocumented cases of unnecessary brutality on the part of officers. Nobody’s been held accountable. It’s gonna have to start at the top. It’s gonna have to be implemented in the training. It’s gonna have to be implemented in the frame of mind, I mean, the mental conditioning of some of these people who seek these jobs. When I was coming up I’d see police shoot at felons and shoot to wound or shoot to apprehend them, but now all shots are killing shots. Why does it take four or five people to hold down a teenager? A teenage girl being body-slammed into the wall. Two hundred pound guys on her with their knees in her neck. If I fall on my baby I could easily crack her rib, or fracture her skull or something, so you got five 200-pound people on a person who don’t weigh 100 pounds.

You got mentally retarded people being killed. And if a person is mentally incapacitated then they don’t comprehend what you’re saying and doing to ‘em. So, the penalty for that is death? And chances are nine out of ten their infraction was that they off their meds, they got belligerent or they started shouting or they—you know, like the guy that got shot in Florida. The caregiver. Here’s a guy that has wandered away from a group home. Here’s a full grown man playing with a toy in the middle of the street—and the caregiver’s hollering—he’s got his hands up and he’s hollering, and they shoot him, and then they told him that they were aiming at the mentally incapacitated guy. So you’re going to shoot him for sitting out there playing with a toy? Man.

And then you wonder why you don’t get cooperation in the hood. Why you don’t—you know, like with this documentation that we’re doing, I approached a lot of people who had a fear of retaliation. “No, no, no. I don’t want to be filmed. No, you know, because if the police get wind of the fact that I’m talking negative about them they might target me and give me more tickets. Or they might put codes on me and start coming around harassing me about my property.” So they got this inbred fear of the people who are supposed to be there to help them. And I think retaliation is very possible. I think there’s some people—some people in that position, that capacity, may very well target somebody.

***Yeah. Is that something that scares you?***

Me? I’m too old to be scared. I’ve fought a...battle in my day. You think about sitting at lunch counter with a couple of hundred people screaming and shouting at you, spitting on you, swinging sticks at you. And the police is standing there letting this go on. You think about kids being fire-hosed and bombed in church and stuff like that. That’s scary. But now, you know, the good thing about racists and bigots and people who are just plain mean is that, it’s always good to know your enemy. And if you know your enemy, then you respect the enemy for being the enemy. You don’t go kicking the fence at people who are on the chain. The chain might break. So that’s how I look at that situation. I know my enemy, I know what they’re capable of. I’m protected.

***Well is there anything else you want to share whether its about the current conversation in Nashville about police stuff, about how it's being talked about, or anything else that we left out so far?***

About Nashville I will say this: Nashville, comparatively to a lot of other cities, is relatively calm. I mean, we haven't had any real significant incidents where we've had gross brutality or gross misconduct by the police that was so noticeable that it became national attention. There are things that go on, and I'm sure there are some rogue officers out there who are mistreating people or whatever, but it's not to the magnitude that it has been in other cities. I mean, we've had some police shootings here, whatever, but it seems to be pretty well spread across the board regardless of who or what part of town it is, you know, if it was crime or if it was criminals being pursued, or apprehended and a shooting occurred, it's generally pretty well documented to be in good cause.

**“It's dehumanizing. To me it is. And I'm 70 years old. And I played football. I've been a motorcycle rider for years. And I'm not a real fearful person. And I never thought I'd say this, but I think one of my greatest fears nowadays is a traffic stop. You know? Broken taillight can result in you losing your life...I think that they claim North Nashville to be a high crime area but I've been living in North Nashville since the 50s, off and on. And I don't see any more crime going on in North Nashville than's going on in other parts of the city. Although it's more heavily patrolled. I think [what] they do is just randomly stop cars with the hope of discovering something.**

**So they assume everybody over there into some criminal enterprise. And they just hopefully stop. Maybe we get somebody on suspended license. Maybe we get somebody on probation. Maybe we get somebody drinking or smoking drugs or something. So they just doing a spot check. I guess they might [be] getting some yield out of it. But [for] the average citizen who's law abiding and who's not involved in the enterprises, it's a hassle. It's harassment.”**

**-KHAOS Thomas, 70**

## NELLA “MISS PEARL” FRIERSON

**Age:** 60 | **Race:** Black | **Gender:** Female | **Area:** North Nashville

***Alright. My name is KHAOS, I am representing a group called Gideon’s Army. We are conducting in Nashville a survey of how people in Nashville, citizens in Nashville, have dealt with police encounters. Have you had any such encounters with the police within the last couple of years?***

Yes, I have. First off, let me introduce myself. I am Nella “Miss Pearl” Frierson, the founder of Brooklyn Heights community garden, a mother of five grown daughters, and I have five grandchildren. Five sisters and five brothers. So I am family oriented.

***Thank you. Could you explain it to us, the circumstances behind you being stopped by the police and kind of iterate on that experience?***

Okay. I’ve had numerous encounters with the police. One in particular was targeting people who were out there by Fisk University. Down by MLK. Right at that light—a four-way stop. So when one person went, made a right, was going to come up the street, the light changed. Soon as the one person went under the light, I was ready to go and the police came right behind me. He says, “Why’d you go?” And I said, “Excuse me, the light is still yellow.” And he says, “No, it was red.” But there’s no way it could have turned red that quickly. One [car] went under, then I went under. But I did go back, I circled back around just to see what he was talking about. That light changed from green to red. So I said, and the police is right here, “This has got to be some kind of sting”—not a sting but targeting or setup so they could arrest people right at that corner. So when I circled back again, he was gone. But what he did do, he let me go. Cause I said you oughta be ashamed, as you know good and well that light didn’t change that quick. And I said, “I’m going to report this,” which I did not report it. But he didn’t give me a ticket. And so he let me go.

And then another time. I live out on West Trinity Lane and I have been out here 20 years. And I made a right turn again from Brick Church Pike. And it was like 11:30 at night and I had been out doing some hair. The police, there’s no way he could have seen me coming from that curve. He was over almost a half a block up at the Waffle House. He came up behind me and said I didn’t stop. I said how are you going to tell me I didn’t stop when you’re across the street from me? He looked real funny, and I thought, I better chill out. Because I was a house down. But because of my age I kinda think I just say what I want to say. So I said, “How can you see me across the street?” And he lowered his head, like as in shame. I said, “You need some money,” cause it was around a holiday. If you need some money, you got an honest way of doing it because this is not right. I was way down there. And you were way up here. You couldn’t have seen me. He gave me a ticket. But I went and I beat the ticket.

And then another time I had an encounter with the police, it was joyful. He was somebody I’ve known 20, 25 years and we were just talking. And I’m trying to teach my grandchildren, and my grandsons in particular, how to interact with them, that they are just people. They have a job. They do their job. They do need to enforce the laws and stuff. A lot of people break the laws—on purpose, or unbeknownst to themselves, they break the laws. So I was letting them see that all police are not corrupt. The system is off to me, it is not equal, but I teach them: you be the best person you can be inside your body. You take and breathe. What you think is what you manifest, so you bring about positive confirmations inside yourself, and then you execute it. My oldest grandson, he said he got stopped by a policewoman. And all those killings, last month, he said, “Granny I was terrified.” He’s 20. He’s in college, never ever got in any trouble. He might have skipped school

a couple times. (Laughs.) But not with the law. So he said, “Granny, I was so afraid.” He said, “I did what you and Mama told me,” he says. “I held on to the steering wheel, and I answered the questions. When she asked me for my driver’s license I told her, I’mma get my driver’s license.” And then, he says, “And I waited, Granny.” I told him that’s good. But he said he was shook. Shook up. Nobody should have to go through that. And she wanted to stop him because one of his tail lights was out. Which is fine, but she didn’t give him a ticket, but the terror in his whole...

***So Pearl, let me ask you this. Here in the fact that your grandson was so shook by this encounter. How would you say that these types of stops or encounters with the police makes the general public [feel]? Or how does it affect you personally?***

Now, to be honest, when he told me that, my whole insides was like (gasps). You know, I was thinking, that could have been my grandbaby, it could have been the demise. Like, he could have been shot. But you don’t just think about that if—and I don’t know how a lot of white people think. I got a lot of Caucasian, white friends. But they don’t have that worry—that their child may not come back just cause they get stopped by the police. And some of them have that worry. But that was so personable. That touched my heart. That’s when I was like, okay, God, what can I do? What can I do as who I am as a woman, as a granny, what can I do to make the interactions with ourselves and with the police better? And one thing I did come up with, we have to start being more positive within ourselves. We have to look at situations as they are, and address it. But we have to come from a positive state of existence. We have to be about the loving, truthful, just, and kind. We have to be about action. And about rallying after somebody die. Rally—[but] while they’re yelling live, we’re gonna try that. And I’m not knocking the rallies, it’s just that, teaching a person how to grow some vegetables or something, maybe something positive, over against, you know, eating all the junk out of the grocery stores, and you’re doing nothing. Cause it all spirals down. It all goes together—the police brutality, the us not knowing what to eat, how to eat, how to interact with each other, how to be respectful of our elders and of our babies. We’ve got to respect each other and that’s where it starts.

**“I got a lot of Caucasian, white friends. But they don’t have that worry—that their child may not come back just cause they get stopped by the police. And some of them have that worry...God, what can I do? What can I do as who I am as a woman, as a granny, what can I do to make the interactions with ourselves and with the police better?...we have to start being more positive within ourselves...we have to come from a positive state of existence. We have to be about the loving, truthful, just, and kind. We have to be about action. And about rallying after somebody die.”**

**-Nella “Miss Pearl” Frierson, 60**

## LOUIE

**Age:** 34 | **Race:** Black | **Gender:** Male | **Area:** South Nashville, East Nashville

I got pulled over one time because of the fact that—he tried to say I was speeding. Which I wasn't. I wasn't speeding cause I know it's a school zone so you know you gotta drive a certain limit. And when he pulled me over, I kinda gave him a hard time but I really didn't. Cause I was like, no, to all these questions that he was asking, like, could he search my car, or whatever. So when I come out of the gas station, and you're asking me can you search my car, and my license driver and all that. He shouldn't have even pulled me over in the first place. But because of the simple fact that, you know, it's profiling. I'm a black male with dreads, gold teeth, so automatically they're gonna think I have some drugs in the car or, you know what I'm saying, that the car is stolen, you know, or something crazy. Any way it goes, it's something crazy. So when he pulled me over, not only do you like, use force, you use force, they never read you your Miranda rights. Ever. They never tell you you have the right to remain silent, anything. I'm 160 pounds. The officer that pulled me over had to be at least 175, 180. He was light skinned. He said that I struck him. Okay now, being the fact that he's light skinned, or his skin is lighter, if I struck him, would he not have a bruise? So I got a brutality on the police, you know what I'm saying. I had some smoke on me. I got that charge plus some more. Because they couldn't—they try not to charge you so much, man, when I got ready to get actually booked and all of that, and they set my bond so high. In reality the only thing that you can do is pull me over for not having my license and having some marijuana on me.

### ***So how many times would you say you get pulled over a year?***

I been pulled over in other people's cars. You know, just because of the simple fact, what neighborhoods we are in, or whatever. But it's like, all the neighborhoods that you be in, like, everybody doesn't do dirt. Everybody doesn't do wrong. But it's like, they'll see you, and just single you out. "Oh, you're the profile" Or, "We're looking for this suspect," or where it's even if I deal with like, I have friends that are white, I have friends that are oriental, I have friends that are Hispanic. You know what I'm saying, I have family members that are Hispanic and oriental, white, and all of this. So at the end of the day it's like, if we're hangin' out together, you automatically pull us over because you feel that we're doing something drug related.

### ***Because you're all together?***

Yeah. Like I'm saying, me and you, we hang out, it's drug related. Why is this white guy hanging out with this black man? And that's not what we supposed to always be about, man. It's like if we're coming together as one, as a unity, I shouldn't be able to be pulled over because I look like a black man. Because like, in our heritage, we're not supposed to use hair product. Even in biblical terms. Like you are biblical right now by not even shaving. No razors supposed to be on your face. See, I'm Rastafari. And I feel like love is love. Everybody should love everybody, one love, one life, one royalty, you feel me? So it's like, it's hurtful at the end of the day when you have to deal with a person that wants to pull you over cause they feel like that's their job to get some money off of you.

### ***Have you ever had someone take money off you by the police?***

Yes, I have. I've had police officers pull me over and take drugs off of me, not only just drugs but money also. Matter of fact, I'm glad you said that. I had \$1,000 in my pocket. When I got pulled over by the police, I couldn't make \$700 and some change.

***So they just took a cut of it, basically.***

They took a lot. My family member is a police officer. So I sympathize on police officers' side too. But when you abuse your authority to do things, that's when I look at it in a different manner. Because it's like, when I need you for a real emergency, it take you too long cause I'm black. But if anything else jumps off, you right there. Driving, anything. It's like man, we been seein' so much brutality when it goes down that people, man, the police, they thrive off of, "that's that guy. We gotta get him. Get him off the streets."

***So they pulled you over saying you match a description or something like that before?***

Yes they did. Yes they have. I been pulled over several times because of that.

***And they let you go after that? After they realize it's not the person they're looking for?***

No. They end up giving me citations or...

***For what kinda stuff?***

I mean, you know, it's like, okay. I probably get pulled over because they say I fit the profile. And you know, bein' the fact that I'm in the community and you know, it's like, I just want to—at this stage, you know, everybody smokes. You know what I'm saying? Everybody smokes. You make it to a point where it's legal for everybody else, they'll always think that whenever I'm with this, that's what it is. Cause like, I work every day. I have a legal job. I work every day. For you to always think that every time that you see me in the hood I got marijuana, that's not a good thing. I been pulled over cause a person said that I was in the neighborhood and I looked like I was suspect. You know what I'm saying? That would be the best way to say it. "Suspect." So I look suspect, so, if I look like I'm a suspect that means I fit the profile. Say I cut my hair. I still would look like the one they're looking for. Because it's the simple fact that, now, you know, not trying to be like, racial status, but it's like, because I'm black. It doesn't matter. If I'm black, and I could be with a white person. I could be with a Spanish person. I could be with whoever. But if we're all together as one, and we trying to come together as one, doesn't matter, they still gon' try lockin' me up.

***So you were talking earlier about people in Green Hills. Do you think people in Green Hills are smokin' and drivin'?***

They smoke. They get stoned more than we do. We say it's like getting "white boy wasted." You feel what I'm saying? So if you get white boy wasted you know you gotta think about it like—think about a person's background. A person with a lot of money, they got time to do whatever they want to do. They can get high off whatever they want to get high off. Go right back the next day and do the same thing.

***But what do the police do in white neighborhoods, Green Hills?***

I feel like in the white neighborhoods like Green Hills, any of the neighborhoods that are predominately white, they don't patrol those neighborhoods. Because they know that if they patrol stuff like South Nashville, East Nashville, when they patrollin' on West Nashville—when they patrolling there, they finding easy victims for them to pull over. You don't even have to be making any scenes or anything. Police making their money off of quotas. If your chief keep coming down your back, "Oh you ain't doin' this, you ain't doin' that"—of course. That's what's going to happen. But at the end of the day, why is it not happening in these neighborhoods? You trying to tell me that I'm the one that's doin' it. At the end of the day, you know there users in Green Hills and

all of that but guess what, you don't patrol Green Hills. You don't patrol none of these. You don't see these people out of your way. You feel like, like Brentwood, Green Hills, all of those neighborhoods. Nobody patrols those neighborhoods. And if they sit in those neighborhoods, they just there. But if you see a white man and a black man in the car and I was in Green Hills, you pull me over faster than tomorrow. So the profiling is real. Sometimes it don't even be about what it is, what neighborhood it is, sometimes it just be an "I just wanna be an asshole" kinda thing.

***So have you ever gotten a fine from your citations, stuff you've had to go to court over?***

Yes. Plenty. Plenty times.

***What kind of an inconvenience was that for you?***

(Sighs) The inconvenience is the fact of the matter that I had to pay money to you guys and I don't got to pay money to you guys. It's a public humiliation cause my name has to be put down. Not only is it public humiliation, it takes time from my job, takes time from my kids, takes time from that. Something that is so simple when you didn't even put another person in that situation. Like, you didn't go and go to Green Hills or whatever and tell these people, "Well, I pulled you over because you were drivin' too fast, or you were..." See, that's the difference. Green Hills, I pulled you over cause you were driving too fast. Or you didn't do a stop sign. Or you didn't do this. Something. But you'll see me in the neighborhood of South Nashville and pull me over and say, "Oh, well, you fitted this description," or, something wrong and it's not a possibility of whatever you're telling me that is wrong, that it—that's really it.

***You mean they're making up something?***

Yes. Yeah they'll make up a lot of stories about the simple fact that... Okay, prime example is this. We got pulled over because they tried to say my wife's license was suspended. How can you say my wife's license is suspended when she has a license? You feel what I'm sayin'? So you try to say her license is suspended. How would you know all of this if you wasn't sittin' there running my tag? Because of the fact of the matter that you runnin' my tag because you jumped in behind me cause you thought I was who you thought I was? So you come down to that. Nashville's real bad, man. Nashville's real bad.

***People like to say that Nashville's not Baltimore, or Nashville's not Ferguson, or Nashville's not these other places where there's been these incidents of police killing people. Do you think it could happen here?***

Man, listen. Nashville is under the radar because you know why? They in that Bible line, that Bible belt. And ain't nobody really trying to press the issue. My grandfather got locked up, him and his brothers got locked up, cause they was datin' white women.

***When was this?***

This was like in the 60s, man. This is real, you can look it up. They gon' tell you. It's like look man, shit is real when it comes down to them trying to segregate us from each other. I'm not supposed to hang out with you. You not supposed to hang out with me. Why? What's wrong with me hangin' out with you? You not doin' nothing wrong to me. It's like, you don't want us to interact, unless it's business spaces. But if you don't want us to interact and it's business spaces, that means we have to have a social life amongst each other. But you're killing all of that. You killin' it more because, what's goin' on in America is, you got police shooting people now. You got police doing a lot. And down here in Nashville it's gonna catch up to them the most

because they do what all these people are doin' in other cities and they been gettin' away with it.

***Like harassing folks and stuff like that?***

Yeah, the harassment.

***So what's kind of the emotional toll of this, when you see those lights in your rearview mirror, what kind of runs through your mind?***

My heart beats through my throat.

***Why?***

Cause I'm nervous. Because it don't even matter, it's like I shouldn't be nervous with me being a tax-paying citizen.

***So do you feel safer when the police are around or do you feel less safe when the police are around?***

I don't feel safe when the police around. I don't. No, they're not going to understand me personally. I feel like police should protect us, man. You know what I'm saying? I feel like, man, you gotta do your job too. I really applaud policemen that are doing the right thing. Policemen that are upstanding citizens. I got friends that are policemen. I went to school with them, we grew up with each other and all of that. They don't do the same thing that the policemen that has been arrogant over here and he's mad because everybody did him wrong. And nine times out of ten, a person becomes a policeman—I'm not even gonna say. You know what I mean. Nine times outta ten they become a policeman because they have authority issues. And I'm not saying because they don't like authority. I'm just saying nobody never respected them.

***I see. Is this white and black cops?***

Yeah. Nobody respected them. They were in school and stuff ain't go right for them while they was in school. And they felt like they needed to be a policeman or whatever the case may have been, and they abuse they authority. "Oh, I don't abuse authority like that." You feel like, "Oh they did me so wrong in school. So now I'm a policeman, nothin's gonna happen to me." Man, but you gotta really think about it, you guys ain't right, man. They need to have an evaluation when it comes down to them because you got a lot of people that have racial issues goin' on with them and they not— why would I want you to lead me? Why would I want you to be in charge over me and you don't even know how to be social? My experience in Nashville, and I'm from a whole different state. My experience in Nashville, my experience in the other state that I've lived in, my experience in any place that I've ever been in, nine times out of ten if a policeman sees you as a person that they feel like, aw yeah I'm gonna pull him over, I know he got something, I know he doing this. It happens. Because they don't have no respect for the fact that this could be just a regular guy right now. I been in cars with people, we have never did anything illegal, and you'll pull us over anyway cause you try to say, "Alright, well, you didn't stop at the stop sign long enough." Or, "You saw that light and he was supposed to go," and such and such. A lot of stuff, man, is like, you wouldn't press that issue if I was Trevor. If I was Trevor, I had a hippie look about myself, you feel me? You probably would have pulled me over cause I look like a hippie. But if I look like I'm clean cut, like I just came from a job, you know what I'm saying? You wouldn't have even pulled me over. "Nah, that guy's alright. Let him go."

***Well, you were saying that you get asked to be searched every time you get pulled over.***



Every time, brother. I'm gonna show you how bad it is. If it's a woman driving, they won't even come on the woman's side, they'll come on my side. You know, my wife can vouch for that. My wife had, they said they pull my wife over because they said her license was out. Why were you behind me that long to do that? For real, we just driving. You you were sitting, posted at a store, watching people come by in a black neighborhood. Posted.

***What neighborhood was this?***

This is South Nashville. Lafayette. You sittin' there posted, like literally, he was sittin' posted. My wife drove by. You said that it was because my wife ain't have no license. Look at my wife. My wife work for the state. You can't really tell my wife don't got no license. Why would you even be behind me in the first place, and we are not breaking any laws? Any laws. I could understand if you saying, alright, she's saying she ain't got no license. Because she don't go and pay a fine or something like that, those terms mean her license ain't there. But it's a simple correction. Pay the fine. But why would you be behind me, even if—I mean, it's a city. It's not like a town, it's not like everybody knows everybody. So how would you know that she don't have no license? She never been driving around in that car before. Like, never drove with me. We didn't have no speakers in our car. So we're not making noise. It's like, if you could sit right here and really actually sit here and profile, that was profiling for real.

## LAUREN FITZGERALD

**Age:** 29 | **Race:** Black | **Gender:** Female | **Area:** North Nashville

My name is Lauren Fitzgerald, I am the neighborhood and community artist coordinator for Metro Arts, and I am also the media specialist for the Brooklyn Heights Community Garden, and I work really closely with an art history class in North Nashville that supports HBCU communities by preserving their history.

***We're so glad that you took this time out to have this conversation with us this evening. What we're trying to do is that we are trying to document interactions between citizens and police in this community and uh, we'd like to ask if you've had any such encounters with the police, positive or negative, within the past couple of years.***

Honestly, in Nashville, I am able to talk myself out of every ticket that I have (laughs) ever remotely been able to get. I've probably been pulled over by the police, this is me being, you know, my personal experience, about five times. And I haven't been here very long, I've been here like three years. And so, I would say in the past year, I've been pulled over because of my hair. You know?

***Yeah, yeah, you've got great hair.***

Right. I've been pulled over because of my hair on numerous times and my license might have been suspended, I might have had a legitimate tail light but as soon as like, the police officer like, talks to me, I start battin' my little eye-brows, or doin' somethin', you know, doin' somethin'. I'm able to talk myself out of that ticket because my interaction with them. I also recognize that they're incredibly colorist here. They're racist here. And they, just—I have a privilege here as a light-skinned sister in the area. I don't pose a threat. I look nice. So I use that. I also have a brother. He's 6'3, 290 pounds if he's in shape.

***Oh, he's a threat yeah.***

He's a threat. And he has a big fro like me, and a big beard, and so we're constantly scared. And we tell him, you can't wear black when you go out in public. You know, stuff like that. So I have that, that trauma as well, as, you know, having brothers. But it's an awareness, right. And it manifests itself in our community as post-traumatic stress disorder. And I mean, just all trauma, but this is like the main trauma right now, it's a targeted trauma of police brutality. And police actions in America.

***So let me ask you, in your opinion, what do you think can be done on the part of us as citizens of the police department as far as training and sensitivity, awareness, choosing and recruiting officers? What do you think can be done to improve that situation?***

Well I think that what would improve that situation is not only us voting, but we—us, me, you, my generation—being in those offices, being voted into those offices, and having the say-so, having the education to stand up and say, this is what we need to do to change these things, being on platforms that give us voices, we do have that ability now. It's still harder for us to get there, but we have the ability to get there, it's not like, you know, its – that we're so marginalized now. Things have happened and people have died and people have been making sacrifices so that we can do certain things in our community, and we just have to do those things now. The sacrifice has been made, now the work has to be done. So, education, legislation, and courage. Having the courage to do something.

***I appreciate you for taking the time to share your experiences, to have this talk with us, and to also for your great advice and encouragement to seize forward in Tennessee.***

Well, thank you.

## JAY JENIGAN

**Age:** 32 | **Race:** Black | **Gender:** Male | **Area:** Bellevue

*Have you had any interactions with a Nashville police officer in the past five years?*

Yes.

*How many times would you say you've been stopped by an officer?*

Once.

*What reason did the officer give you for stopping you?*

Speeding.

*Why do you think the officer stopped you?*

Because I didn't know where I was going. I looked like I was out of place.

*What kind of car were you driving when you were pulled over?*

Land Rover.

*What color was it?*

White.

*What condition was it in?*

(Laughs) Drivable.

*Did it have any modifications like tinted windows or rims or anything like that?*

No.

*Did you get a ticket when you were pulled over?*

I did not.

*So you haven't had any fines or any citations?*

No.

*Okay, so you haven't gone to court for any traffic stops or anything like that?*

No.

***Going back to when you were pulled over, the officer told you that you were speeding but didn't give you a ticket. Is that right?***

Correct.

***Where were you when that happened?***

Close to downtown.

***Was it at night or during the day?***

During the day.

***They said you were speeding but didn't give you a ticket. What was the conversation?***

Officer asked me, did I know how fast I was going? I said, "Yes. I was going slow because I was trying to find the street to get back to the main street." And he also told me that, I don't really recall exactly what was said but, said I was going a little fast around the corner and that I didn't fully pause at a stop sign.

***Did he make you get out or search the car or anything like that?***

No, he did not. He took my license.

***You were saying that your most recent interaction with a police officer was when? Your car broke down in the middle lane?***

Yes. Monday.

***And they helped you?***

Yes.

***Was the officer helpful?***

Yes.

***Do you feel like the Nashville Police Department has ever treated you unfairly?***

Mm, no.

***How, if at all, has your relationship with Nashville Police Department affected your daily life?***

I don't have a relationship with the officer. I'm not sure. But as a generalization of police, I just get nervous.

I don't have a relationship with the officer. I'm not sure. But as a generalization of police, I just get nervous.

## KENNY

**Age:** 28 | **Race:** Black | **Gender:** Male | **Area:** East Nashville

I moved to East Nashville in '95.

***And what brought you to Nashville?***

My mom married and said she wanted a better life for us opposed to the projects in Brooklyn.

***So you lived in East Nashville when you were living here.***

Yes.

***How would you describe the neighborhood that you lived in?***

At that time, very diverse. The neighborhood I lived in, I honestly didn't see a lot of people my color living the way that I lived. If that's the way to say it. It was surrounded by a lot of like poverty, but my neighborhood was pretty middle class, white.

***How many times would you say you've been stopped in the last five years?***

(Laughs). You want to know what—this is another reason why I was so, I wanted to speak on this so badly. I have one of my best friends...that is actually a white fellow. And literally like thick as thieves and go everywhere together. Unfortunately that was like the thing for me to get pulled over all the time. People always wanted to know why he was in the car. I've been handcuffed to the wheel while he's sat on the side. I've been sat on, I've been literally taken out of my car, hands on top of the car, while he sits on the side and they ask their questions and run our IDs. I've had it to where guns have been drawn on me, spotlights have been put on me while, once again, he's outside of the car on the sidewalk. It happened probably, I would say, a good seven times. Especially with him in the car, usually always in the car (laughs). So, I didn't really get it then. Yeah. Cause there's always like a racist undertone. And I know that's really a good friend to me and he literally, he gets it, and he was even mad at that time. Even like, more angry than I was. So, I've been pulled over a couple of times because of that. I would say other than that, like actually being detained and arrested, one other time. Like if they thought they have probable cause to arrest a black person in Nashville, they just arrested. I was arrested one time—the only time I was ever arrested actually—I did not know what I was arrested for until my mom called the jail. My mom had to call up. And they had to let [me know], "Hey, you have to take another phone call." And I had to make a phone call back out for my mom to tell me what my charges were. I didn't even know why I was arrested. It was just a set up for me (laughs). I was like wrongfully arrested. I was drug through court for literally a year. They tried to get me to plead to like, what was it, six to twelve. I was thinking it just probation but the whole time I'm like, "Okay, whatever." Like even though I didn't do it I going to have probation to just get it over with.

***What kind of car were you driving when you were pulled over? Like the make, model, year, condition?***

A burgundy Ford Excursion. Pretty new. New cars, new cars. Most definitely new cars in great condition.

***When you've gotten these tickets, have you been able to pay your fines? And if you have paid, do you know the total amount that you've had to pay?***

I think all together I probably, it was literally with tags included, like six hundred dollars.

***Do you owe any, or is it all paid off?***

Nope. Well all my license and register, those no. But I do owe money to them but it's like now, I see that it's like, three hundred dollars. But the reason I didn't because it was so steep. At one point in time it was like seven hundred dollars. That was what they were asking for. That was with court fees; that was court fees on the ticket, the ticket's late fee, reinstatement fees. All together they came to like seven hundred dollars at the time.

***How would you say these things have affected your life? Like these fine, these arrests, these appearances in court?***

I feel like growing up I was a little prepared or more so educated in certain areas. So, now going through everything it makes me a little bit, it makes me want to help. It makes me want to somehow figure out how to make a change or try to at least. Sometimes when I think about it or when I think about my personal dealings with them, I think about how some people, especially African Americans, are so insensitive to the police brutality or the police racial profile, or the things that are going on. It makes me look, resort back to what I'll been through with the police. And it makes me feel like angry or sometimes just hurt because people don't get it or people just don't—I feel like the people that scream different opinions opposed to like, "This is actually just wrong." I think that these people haven't, you know, been put in a predicament to where their lives can be literally changed or you're at the risk of having your entire life changed. And there's nothing that you can honestly do about it. Like that's how you personally feel; you feel that you're basically going through stuff that—like I walk into those court rooms every month just feeling like I'm going to lose, like I'm going to go to jail for something that I did not do. And I'm sitting here trying to wrap my head around, what the hell am I going to do in jail for six to twelve months. What is going to be my excuse? What the hell am I going to do outside of here when I get out of here? Like what am I going to say? Who am I going to be? Like me even being in jail for ten hours, like I literally just slept all day. I couldn't do anything, I didn't want to do anything. I was just like, "I'm here for absolutely no reason." And I just really—and I don't even know why. That's what made me feel way much more worse. Was that I literally sitting here in hell and I have no idea why I'm in hell. I'm just here.

***Can I ask how it makes you feel [to be treated in this way]?***

I hated it. I literally, I hated it. It's one of the worst feelings ever to know you're not the person that you're being depicted as or to be treated like a person that you know you're not. Just to be treated like a criminal, it's embarrassing. It's embarrassing to me. I feel like it's embarrassing to the way that I was brought up. It's embarrassing to me to even be in the situation. It's hurtful and it's embarrassing. And then it's also things that we never forget. It's something that I'll never forget. And it's scary now. Now it's become more of a scary thing because hell, everybody seems so quick to just shoot. So, in this predicament you're not really seeing the fear, you're just aware that you're being treated like lesser than a human being. But I think what worried me the most is being in these situations with these white men, explaining to them what's going on, and feeling like because the color of my skin I'm a liar. These people are being killed literally on national television or national platforms and then all these bad things come out about them. And you're basically called, somebody that you literally saw do nothing basically, a liar. And that's how I felt. Like I felt like that.

***How has your relationship and experiences with the Nashville PD affected your daily life?***

Um (laughs). I really, I just—cops are cops at this point. Like I don't want any problems. I just try to keep away from the eye contact. Cause I feel like that, I don't know—I just try my best not to have to deal with them at all.

## MICHAEL HARRIS

**Age:** 49 | **Race:** Black | **Gender:** Male | **Area:** East Nashville



***How long have you lived in Nashville?***

I'll be 49, moved up here when I was 12, so about 37 years.

***What part of town do you live in now?***

East Nashville.

***How would you describe your neighborhood?***

A lot of changes going on. The people moving in and buying up a lot of stuff. Pretty much ya know, when I was comin' up it was pretty rough, a lot of hardship coming up. No I pretty much work everyday and try to stay

out the streets, but it's pretty much the same. A lot of kids out there just floating around, ain't got too much to do with their life, ain't got too much direction. Hence, why I'm doing this interview. I'm trying to get my life right and give back to the community what I can because as a young man I took a lot. I'm more open and more aware of the harm I did coming up than the help that I was giving. So now, I'm pretty much just trying to help and give back.

***How many times would you say you have been pulled over by the police in the last 5 years?***

Phew, oh wow, 5 years. I didn't know we was going back that far.

***Well, we can just talk about the last year.***

A few times. In all fairness, the last two and a half years, I just bought a brand new Camaro and a couple times I was a little heavy on the gas pedal. You know me, new car, first one in my whole life. But there was a few times I got pulled over that I knew it was because I was in that car. Because I was driving that Camaro. And once they got behind me running my plates, ya know, it tells everything, and they must have been like, "Okay, let's see why he's in this car and what he's doing." And like I said on the opening of the interview, I was pretty rough coming up, didn't live a good decent clean life so to speak, I was in the streets. In the last 5 years, to answer the question, I say, ballpark 10-15 times. Maybe more. But that's just off the top of my head.

***Is it usually a warning or citation?***

I was pulled over on 40 by a state trooper and he gave me a warning. I said man, I just got a new car, and he gave me a warning. If it's Metro police though, nah, I don't think I've ever had a warning.

***Citations?***

Citations. Tickets.

***For what kind of stuff?***

Well, I got pulled over about a year and a half ago on Trinity Lane. I was on the phone with my girlfriend at the time. And they had a guy pulled over on the other side of the street. I was coming down Trinity Lane east, like coming in towards town and he was going away from town. As soon as I came by, they were letting him go, and they went right in behind me and pulled me over. And you know, there was a guy crossing the street at the time, and I knew him and went down and said, "Hey, how you doing..." and I was about to walk off and pull off and they shot in behind me. It was like 4-5 [police] cars man. There was already three that had him pulled over. Once they had me pulled over, the three came in behind me, and there was a couple coming down and they turned around. The big issue was they ran my tags. I had my license and registration and all that.

And I was asking the guy, I wasn't even cracking my window, I was like, "What did you pull me over for?" ya know. [He said,] "Because you're not pulled over on the side of the road." And I'm like, "Did you not see this guy crossing the street? What am I supposed to do, run over him?" And they said, "Well, we gonna need you to step out the car." And I said, "What, why do I need to step out of the car?" At the time, I was calling my girlfriend and I said, "Hey look the police done pulled me over, I need you to come over here." Because I don't know why they pulled me over. So she was down the street, she came, and I was recording it. So they got to pulling the intimidation: "Well hey, look, if you don't, we are gonna call the dogs," and this that and the other.



I said, “What I need to do is speak to your superior.” Just so happened his superior was on the spot. I said, “Why am I being harassed and why do I have to step out of my car when I haven’t even been told what I was pulled over for?” I think it was, I forget the term they use, but I was interrupting traffic, so to speak. I forget the exact term they used. And I was like, “What am I supposed to do, run over him, run up on the sidewalk?” There wasn’t nowhere for me to pull over where I could pull over. And I didn’t understand how I’m holding up traffic when I’m allowing someone to cross the street. So he said, “Well sir, if you’ll just step out and let us search the car, we want to make sure you don’t have a gun in the car. I saw your background, it’s pretty rough...”

***So they had already run your tags?***

Right, already run my tags. So I asked him, “Why would I need to be riding around with a gun? I work everyday. How do you think I can afford to even drive this car?” You know I said, “I work everyday.” I’d been home for about four years at the time.

***From doing time?***

From doing time. But I hadn’t had any trouble outside these bogus traffic violations they was putting on me. I just didn’t see no reason to step outside my car. So my girlfriend happened to come at the time and she was recording, and she’s like, “What’s going on?” I said, “They trying to search my car.” To my understanding, now I’m not a lawyer, but to my understanding, unless I commit a crime or they knew for a fact that I committed a crime would they have probable cause to search my car. Just on a mere traffic violation, I kept saying, “Give me my ticket and let me go.” I did not have to step out my car. It had just got to the point where I was frustrated and she was like, “Well what do you want to do?” And I was sitting there, with all the stuff going on and I think maybe a year or two before this they had that big shooting up in New York where the guy got killed. It was a bunch of stuff going on and I believe the Trayvon Martin stuff was going on around that time and you know me I’m sitting there thinking, I could make this situation worse and provoke him into a situation to hurt me by not even getting out my car and then by having the background I got, the record that I had, they could easily plant something on me or act like I had something and then, you know, it would be just written off, you know? So I got out the car and let them search the car. Once they got done searching they wrote me a little citation for something with the traffic. So that was one incident.

***When they told you about the traffic violation, did you think that they were kind of blowing that up...***

I think once they ran my tags, they wanted a reason to get in my car. They were really hoping that I was slipping enough to have guns or drugs in that car. Yeah, 20 years ago that would have been me but you got to also think, 20 years ago, it wouldn’t have been my car and I would have jumped out and left that junk. You know what I mean? It just wouldn’t make sense for me to be riding around knowing that they could get behind me and pull me out the car and search the car. So I wouldn’t be riding around with that like that. And today, I work, I’m not trying to get in the streets. Why would I put myself in the position to send myself back to prison by having something in the automobile to jeopardize my freedom?

***Are there any other recent memories in the past couple years where you feel like it was a shady thing?***

I was getting off of work, leaving the TA truck stop getting on Dickerson Road and I turned off of Dickerson Road, onto—there’s a little backstreet that leads to the overpass. This guy gets behind me, must have mistaken me for someone else or something, and pulls me over. Me and my co-worker. My sister and husband own a moving company and we got on our shirts, got “Hayes Moving Company” on them. He pulled us over and asked us where we coming from. We were just coming from work. I said, “What are you pulling us over

for?" Again, I just got off of work—knew I hadn't done anything wrong. I was just in my Camaro.

***Were there any kind of adjustments on the Camaro, on the outside?***

No, I don't have no loud music, no rims, it's just a black Camaro with no tint. I'm an old-fashioned guy. I just don't believe in all that. So he pulls me over and I asked him what he was pulling me over for and he says, "Well, can I get you to step out of the car?" I said, "No, I'm not stepping out no car." At this time I was still on probation from the charges but I had less than a few months to get off. And he was like, "You know it's a violation of your probation to not get out of the car." I said, "No it's a violation of my probation if I broke the law, like a traffic violation." So he gets upset. He goes back to the car and calls backup and then he comes back. This time I got the window down. And he says, "May I see your license and registration?" So I give him that. I'm all insured and it's checked out. He said, "Well, I need you to step out the car so I can search your car." I said, "No, you don't have no right to search my car. What would you be searching my car for?" He said, "You know, I just have to feel safe in my situation," and I said, "I'm safe in my car." Then I asked him for his superior and he said, "If I call out my superior we are going to have to call out the K-9s," and this that and the other. I said alright. When the superior finally comes with the K-9 dog, me and the man step out of the car. I said, "I tell you what, I don't feel like I should have to let no one search my car [just] because I'm driving a Camaro. And I'm going to say this as blunt and plainly as I can: If I was a white guy coming through here, [he] wouldn't have never even pulled me over, much less asked me to step out of my car." He said, "Well, Mr. Harris, it's just protocol in this neighborhood with the high crime." I said, "But everybody is not out here committing crimes.

I got on a work shirt. You don't see this? This is where I work at and that man right there got the same shirt on." So long story short, I said he can search the inside of my car. I'm not opening my glove compartment, I'm not opening my trunk because you need a warrant for that, but whatever's inside that car he can look and see." So they're searching and he's got this dog all over my car just scratching it and I said, "What is he doing? This is a brand new car!" I still got the scratches on it to this day. So I said, "Why is he letting this dog scratch [my car]," and he said, "Well he's just a little agitated." I said, "He doesn't have to him up on my car!" He said, "Just calm down Mr. Harris. This will all be over in a minute." I said, "See, that's the reason why I didn't even want to do this. I know what this is, and it's racial profiling, and y'all are doing this because I'm a black man. Y'all are doing this because I got a record. If [he] hadn't ran my tags this wouldn't have been nothing. If [he] hadn't got behind me trying to see who I was in this car it wouldn't have been no big deal!" I was very heated at that time. He goes on around the car and I look and my trunk's popped. Now mind you, I'm in a Camaro. The only way that trunk is going to open is there's a little thing and you have to pop it or I pop it with my key. I run up to the trunk and shut my trunk and said, "Man, you need a warrant for that! I said you can search the inside of my car, you're not searching in there." It got a little bit heated and they kind of just let me go and wrote me up for speeding. So I go to court right, and I am heated! I tell the judge, I wasn't speeding and this guy got behind me and racial profiled me and he gave them some statement that he followed me from Douglas Avenue to the street that we were on and I'm telling the judge that I wasn't even going near Douglas. And I didn't think to ask to submit his dash cam. I said, "I came from the T.A. truck stop, which is not even a good half mile from where he pulled me over at, so I don't know what he's talking about." I lost it. I lost the case.

***So what all did you have to pay?***

I had to pay for the tickets and the court cost. It went from somewhere around 50 or so dollars to 75 dollars for the court costs plus 50 or 60 dollars.

***So, over 100 dollars?***

Yeah, plus the damage to my car.

***Was that an inconvenience for you to have to pay that?***

Yes, because it was wrong man. You know? Like I said, I wasn't speeding, I wasn't in the area he said I was in, the one he said he followed me from. And you know me, being a little hot-headed. I was angry up until the court date and me being angry I didn't even think to say well let me see that dash cam. Or let me see the tags that you were behind as opposed to the tags I have on my car. The anger just came. It wasn't the damage of the tickets or me having to go to court. The anger was me being harassed and I'm trying to do the right things. I'm trying to stay out of the streets and these guys be harassing me. Still bugging me. Still talking about a gun or talking about dope. And it's just a big inconvenience for me. Spoiled my whole day.

***So you mentioned anger as a primary emotion that you felt when it was all happening because you knew...***

Yeah, I knew it was based on the color of my skin.

***And having your car and all that.***

Yeah yeah.

***Did you feel any other emotions? Was fear a part of it at all for you?***

No no. So I'm going to tell you and be honest with you, even with everything that's going on today with the cops using the system [and] force, because I don't want to label nobody as murderers or killers because none of them got convicted so far. I've never been afraid of that system because I'm smart enough to know the difference between a conflict and disagreement. So I know what we were having there was a misunderstanding or a disagreement. Okay, you pulled me over because I was black and you think that I don't know better—that's where our misunderstanding is. Now the conflict will come if I act on that, you know, violently or disrespectfully, and I don't. As you can see I talk a lot with my hands. I move my hands around, I'm at a safe distance from an officer and I want to keep him away from me as well. Because you know it's normally five or six against one and in this case it was five against two. They got guns, so I don't want to provoke them in any way to do harm to me. It wouldn't be fear. Confusion, yes, maybe. [Wondering] why this is happening. Why they think it's cool. If you could see some of the looks and expressions on their faces, they just kind of look like, "I can do this and there's nothing you can do about it. I got the badge and you ain't got one." And I'm confused because first off, before I see that badge, I see a man. And I was raised on this: you show me disrespect and I have to disrespect the man I see before me. Not the badge. I'm going to respect you first. And they don't even get that. You don't feel it. I don't know if it's through their training or they feel they have to be aggressive but they just come off in the wrong tone, wrong vibe. You know, "HEY!" and they are kind of talking at you, ya know?

***You feel disrespected?***

I feel disrespected more than anything and then that is probably what fuels my anger, because I don't carry myself in a way to disrespect authority. I don't disrespect anybody. I see the man or the woman and I try to respect that individual first. Then once when they show me a little disrespect I'm going to probably counteract.

***You're standing up for yourself.***

But I'm not going to push it. So there's no fear. That anger comes from disrespect and inconvenience. Because you're wasting time. Now don't get me wrong, you're in a bad neighborhood and I know to this day my neighborhood is not a real good neighborhood. Still, things going on, but there's a lot of other things that add on to that, ya know? Not just because these young men don't want to do nothing or can't do nothing, it's just that there is no opportunity. When when you look around you and you see drug dealers and police—on both sides they see violence. You know, even with the police, they see people jumping on each other, choking each other, slamming them to the ground and then of course the young men and women who see the guys in they neighborhood, all they see is the violence. Maybe even in their own home. There's no outlet. No escape. And that's what we gotta find. That's why I'm here.

I've grown. I'mma tell you, I'm 49. If you caught me 20-29 years ago we couldn't have had this conversation because I'd be trying to figure out how to get your phone. But you know I mean at some point I had an awakening, an epiphany. In jail I lost my mom. I had nine months. That's all I had left to get paroled out and I was trying to get those folks to let me see my mom. My mom died of pancreas cancer. I just wanted to view the body and they wouldn't let me do that. It hurt me real bad. I'm the baby of my family. The crazy thing is I felt a lot of guilt on that because in my younger years I gave my mom a lot of worry and I couldn't help but think, maybe this is me looking into it too much, the guilt of not being here, but I felt like I contributed to my own loss, to losing my mom. Because she was 78 years old and I was in and out of prisons and jails. It was a lot on her. I was in this place this time and she was so sick she couldn't even come up and visit me. I had to call once a week, special holidays if I could, try not to run up her phone bill. That woke me, that's when I was like I have to change my life and I got to do something positive in my life to make up for all the negative that I fed out through the years.

***Do you think she would be proud of you now?***

My girlfriend seems to think so. And I think me doing this interview with you here now. I've been out of work for the last three months. I was terminated from a job. I drive a forklift. And me trying to get back into the work field is hard because of my background. My thing is that the most important thing is, I'm not back in them streets. My condo's behind, my credit card's behind, my bank account is in the red and money was never an issue to me. And to be honest with you it's probably why I never respected money because money was so easy to get. But the key thing is, I'm not out there trying to get no money. I'm trying to get a job. It's different. And I say that she would be proud of me because of that.

## BERNARD HOLMES

**Age:** 28 | **Race:** Black | **Gender:** Male | **Area:** North Nashville

***My name is KHAOS and I'm representing Gideon's Army. I'm here today interviewing this young man, your name is?***

My name is Bernard Holmes. I work at the Boys & Girls Club. I'm a youth development specialist.

***Alright, first of all, I'd like to thank you for agreeing to talk with me today about police in Nashville. What we're doing, we're doing a brief survey about people's interactions of police in the neighborhood, or any encounters that they may have had. Have you had any such encounters within the last year in Nashville?***

Of course I've had a couple encounters with police officers in Nashville. I can honestly say that you can tell that they have a motive behind whenever they pull us over. Especially geared toward um, producing a profit for their unit. I know some of the things I got pulled over for, if I was Caucasian, definitely wouldn't have been an issue. Might have maybe going five miles over the speed limit, something minor like that.

***Would you mind sharing with us maybe one of those experiences?***

Leaving from my job, my first day of work at Boys & Girls Club, we were immediately pulled over by an officer. It was me and two of my friends. They were picking me up from work. Immediately pulled over, they told us a story like, we had an expired tag, but we were driving my other friend's car, and he had all his paperwork ready and everything. And they asked if they could search the car. So us, the entire—I'm fresh from work. We're like, we're just gonna comply, you do whatever you need to do. They took us out the car, patted us down, and then they had us sit on the sidewalk while they searched the car. Honestly, my friends are law-abiding citizens, so there was nothing in the vehicle. Nobody had priors. But they hit us with a ticket for I think \$50 for not having registration, or having insufficient registration. But, my friend went to court and beat the case and didn't pay anything, but you can tell there was a motive behind it.

***Well I'm glad to hear that you had a positive outcome with that encounter. Let me ask you this: how did that encounter, did that experience leave you feeling as a citizen in Nashville?***

Honestly, it felt degrading. Because honestly, I'm a law-abiding citizen, like I said. There was no reason for them to pull me over. You could tell that it was some malicious intent behind it, like I was being targeted because of the color of my skin. When I was pulled over on the side being searched, citizens in the community looked at me like I did something wrong. I might have a bad mask on my face like I was a bad guy. And that definitely wasn't the case. Just, I guess at the wrong place at the wrong time. And it was degrading. It shouldn't have happened, it shouldn't have occurred, especially with me working so hard in the community. I work for the Boys & Girls Club. I effect change. Why am I being harassed?

***So let me ask you, do you think that this is institutionalized, that it's generally across the board the way that they treat citizens in Nashville? Do you think it's racially motivated, or age related, motivated? Or do you have any suggestions that maybe could improve the situation and the relationship between citizens and the police department in Nashville?***

Well we already know that African Americans are targeted more than our Caucasian counterparts. In terms of the profit, profitability, in terms of the police, like, they target us to keep us poor. Like, we already know that

the profit, profitability, in terms of the police, like, they target us to keep us poor. Like, we already know that jail cells are a way for slavery. Like, for free labor. They target our communities. They don't target the Caucasian communities. They already deem us as unfit citizens so they want to destroy our families, one. Destroy our self-esteem. It's just, ugh. I could go on for days about this but yes, we're targeted. What we can do is we need to find a way to get our representatives of our communities to voice our opinions. But we also gotta get our people to understand, hey, we need to get out here and make our voices heard. So we need to come up with a way to do that before we can do anything. And we have to become united ourselves. Now, we talking about we want to make change, but we can't even get together to stop shootings in our own community, you know? We have to be unified.

**“We already know that African Americans are targeted more than our Caucasian counterparts. In terms of the profit, profitability, in terms of the police, like, they target us to keep us poor. Like, we already know that jail cells are a way for slavery. Like, for free labor. They target our communities. They don't target the Caucasian communities. They already deem us as unfit citizens so they want to destroy our families, one. Destroy our self-esteem. It's just, ugh. I could go on for days about this but yes, we're targeted. What we can do is we need to find a way to get our representatives of our communities to voice our opinions. But we also gotta get our people to understand, hey, we need to get out here and make our voices heard.”**

**-Bernard Holmes, 28**

## DEWAYNE

**Age:** 28 | **Race:** Black | **Gender:** Male | **Area:** South Nashville, North Nashville

### *Have you had interactions with police while driving in the last couple of years?*

I have, I have. And the strange thing is, I just got my license back, this year. But since then I have had interactions with them. And one time it was probably around 11:30 at night, goin' on midnight, in South Nashville area, kinda, well it's actually Wedgewood, close to Acklen, and I saw, you know there was people pulled over on all ends, so I seen one zoom out behind me, and he pulled me over. His reason was my license plate light wasn't on. That was his reason for pulling me over!

### *Really? I don't have a light on my...*

Yeah, exactly! So, yeah! That was his reason, which I knew he was lying about that, because I did not have tinted windows, so he clearly saw, he saw who was driving. Nobody was in the car with me. And once he pulled me over he came up to the car, but what was strange is, he came on the passenger side, but he kinda stood very far away, with his hand on his gun, and asked how I was doin', and do I got my license and all of that. I said, "Yeah I got them, but why are you pulling me over, is the first thing? Because I know I wasn't speedin', and I don't have no headlight, taillight [out], I know that for a fact." "Well I pulled you over because uhhh, umm, your license plate light is out." And I said, "Okay." I was already in a bad mood at that time, but I just, you know, gave my license and gave my insurance, gave him everything. And it took him about ten minutes to come back because I saw another car pull up, another police car pull up, so I think okay, here we go. So they both came to the car and, and just said, "Hey man, you may want to get that fixed," and gave me my stuff back. Did no ticket, nothin'. But, you know, I knew that I'm just like, you know, they see this is where they be in development, doing development with housing going on in that area, and so, you know. What I knew what it was is he saw a young black dude, you know all they can tell is it a Pontiac G6, they kinda like, not stylish but they, you know, they nice looking cars. It wasn't no rims or anything, music wasn't loud, no speakers, nothin'. He, I'm pretty sure he just saw... me, and assumed and wondered, "Hey, what's he doin' over this side of town this late at night?" And so, you know, thank God nothing happened. But it's still the fact that I got pulled over because of that.

And then there was another time, before I got my new car, I was still in the G6 right there on Trinity Lane. It was a school zone goin' on, and I know for a fact that I was going under 15. I know that for a fact. But I had a partner of mine in the car, now he looks suspect. (Chuckles) I mean, he's a good guy, but the average person looks at him, he's just got this stern look in his eyes, and he got dreadlocks and he got gold teeth and he sit all the way back and so. And he pulled us over and he came to the passenger side and he said, "How you guys doin'?" As a matter of fact, now that I'm thinking about it, he said the same thing about the license plate light. And he asked for everybody's ID, and of course I had to give him mine because I'm the driver, but my partner says there's some law or something...that he didn't have to give him his ID, because he's a passenger. So, you know, if you don't have a warrant or something...then there's no need, so. They kinda got like in a little, not argument, but a little debate, so I just told him, "Man, just go on, give it to him." You know, not like he was hiding anything. I smoke Black and Milds, and so when he came back after checking, he came back fairly quick, cause he checked both of ours, and he came back and said that, "I see both of you guys are on probation." I said yeah, yeah. My homeboy, he didn't say nothing. He kept looking straight cause he's really getting ready to lose it. I said, "Yeah, what has that got to do with anything?" He said "Uhh, nothing, I just want you to be extra careful man, go on and get that light fix." You know, and then before he gave my stuff back he said, "Uhh, what's that in the ash tray right there?" And I just handed it up to him like that, you know, and he's like "Okay," gave my stuff back, then it was over.

“Okay,” gave my stuff back, then it was over.

***So why do you think they ultimately pulled you over?***

Well, because they see black young men. They know old black men, but it's clear to see a young black man. And because of that and they automatically assume that, because of what maybe other young black kids that are living in the projects and stuff like that, and the kind of the crimes that they commit, they just assume that all young black men either got drugs in their car, they got a gun on them, got no license, all that stuff. But he got messed up when he got me because I'm all the way legit, from registration to license to insurance.

***Do you think he was hoping he would find something?***

Yeah, of course, of course. You can tell when those, in those two occasions for me, you can tell that they was on the hunt for something. Like they're tryin' to find something, and they just picked out me to pull over. And I always know when I ride with somebody because all of my friends [and] stuff, they're not clean cut kinda like I am, and they all, you know, got the dreadlocks and all that, so they stand out. More than I do. So I always be prepared for that. But I just think they did that because they are trying to look for something. You know.

***Do you think that's motivated by, like, institutional demands or is it individual officers who are doing something? Do you have any theory on that?***

Sure, well I think that it starts with self. I think that these officers that do do that, they got issues in their life with the opposite race. I think that even them probably grew up in homes where some of they people were part of the KKK, or taught them and trained them to dislike black people. They're motivated by maybe things going [on] around the country, stuff like that, so I think it starts with self because any white man, any white officer, even if their commanding officer, their boss tells them, “Hey y'all gotta make sure y'all target young black boys,” anybody with a real heart is gonna ignore that because they know it's not right. They know it's not legal. They'll listen but they won't act on anything that's not—anybody with real heart won't do that. So, I think it's a little bit of both, but if I had to pick one, it would definitely be self, the individual, you know.

***Do you think that those commands do come down in some form, though, too, sometimes?***

Oh yeah, I would probably say I'm 85% sure that these are instructions that when they're getting briefed on they shift, and they can use all kind of stuff, and I'm pretty sure they seein' all the crime stuff goin' on here, and Chicago, and all kinda other places, it's mostly black people, young black kids, that are doing that, so I'm pretty sure they are using that as a caution sign.

***So on the question of when you're gettin' pulled over, what are the kinds of thoughts or emotions that are running through your head or your heart when you see the blue lights and when you're getting pulled over? What's the primary emotion you're experiencing and you're feeling?***

Well, if I know I'm wrong, then I'm just ready to get it over with, but if I know I'm not, when I know for a fact that I'm not, you know, the only thing that goes through my mind is, you know, what's getting ready to happen. And of course I say, well, I hope everything just goes smooth. I don't worry about it no more because I'm legit as far as driving. If it was years ago and I wasn't driving, now I already knew it ain't gonna be good. But now, it's just like if I know I wasn't doin' anything wrong, it's just like, they on some bullshit, you know. So, I just be prepared to, number one, give them my stuff, say less, just give them my stuff, license and all that stuff, and just, you know, comply.



***So if you don't do those things, what's the risk?***

One of the main risks is losing my life. That's one of the main reasons. Or, you know gettin' false charges put on me or somethin', they may, you know, plant something in the car, say I resisted or some other stuff they come up with, but you know. That's what I know could happen.

***Well, is there anything else that you haven't said so far that you want to share about the overall experience or what it does to you on a regular basis, or how it affects your life?***

Well, I know what the issues going on in the black community [are]. And I never try to justify wrong. But for every action, you know, there is a reason behind why people act out the way they do, especially young black kids. So what my goal is, is to keep pushing to fight for equality. I believe that separation should take place.

***What kind of separation?***

Between communities as far as black and white go. No, I'm not racist or anything, but the way things are going now, I think that separation is the best thing right now. So that black kids can get educated, just as if they was born to a Brentwood school, so that strong black leaders can educate and teach young black kids on their level, and about them, because a lot of times young black kids don't know about where they come from. So what this is, what they're doing now, you think about the slavery days, it's just modern day—systematically now. They're doing it systematically. Not all white people, but the people who are in power, for sure! The biggest gang of them is the police people, and so I think that's kinda where I'm at, and I think that's what I would like to see happenin' most. So, help economically in the black community, therefore young black kids that don't have license, you know, [can go] through programs, like these non-profits can help them get license and you know, have registration and have insurance and all that type stuff, and teach them responsibility.

***So when you said a minute ago that all actions have some sort of source or cause, tell me what you were referring to.***

Well, for instance, the young black guys that are sellin' dope, sellin' weed, you know—it's a reason why they're doing it. They are a product of their environment. Most of them, their daddies are locked up or dead, or don't know who they are, or on drugs. The mother's a single parent, can't handle them, always working, they could be on drugs. I talked to people on both ends, where they don't know neither parent, or one or the other is locked up or dead or on drugs. And so, the only thing that is around them is the gangs, the dope, the dope dudes, and all that. That is who's showin' them attention, that's who's showin' them the love that they think is love, by putting a pack in their hand, giving them guns and all that type of stuff. And once they get so far in it, they get stuck right there and it's got to be hard to pull them back out. These things the system know. And so, even when a guy says, hey I'm a gang, I'm a Blood, I'm a Crip, I'm you know, I'm GD or whatever. You gotta find out, well, how did you get in that? "You know, well, they the only ones showin' me love." That's what I hear all the time. "They're the only ones I was around, and when I was down, they gave me this, they gave me that." And so, that's what they turn to. You know. Nobody is born black or white, Mexican, green, orange, whatever—nobody is born and then when they get old enough to make the decision, wants to sell dope, wants to sell weed, wants to gang bang, wants to rob. Don't nobody want to do that. Some kinda way they got tricked, manipulated, and had no choice but to go in that area. So before somebody goes, "They need to stop doing this, stop doing that," people need to start giving them an alternative. They got to give them something else to do, and then just leave them alone.

## JOHN BROWN

**Age:** 54 | **Race:** Black | **Gender:** Male | **Area:** Bellevue

***Have you had any interaction with a Nashville police officer in the past five years?***

Yes, just once.

***Were you stopped by a police officer?***

Yep.

***What reason did the officer give you for stopping you?***

No reason. He said I turned at the light, on the red. But there was no sign there that said I shouldn't turn. Because I've turned there everyday I'm coming from work.

***So why do you think the officer stopped you?***

Probably wanted to do a spot check. But he didn't give me a reason why he stopped me.

***So did he give you a ticket?***

No.

***So after he said that you turned at the light on red and he gave you this explanation, what did he say after that?***

He want to see my license, so I gave him my license. And my documents of the car.

***And what did he say after that?***

I'm clean. Why I'm so clean?

***He asked you why you were so clean?***

Yeah. I'm serious!

***And what did you say in response to that?***

I [asked him] what he mean by it.

***What did he say?***

He just look at me and walk away. Just let me walk away. Or drive away. I was sitting in the car.

***What kind of car do you drive?***

I drive a Nissan Sentra. [In] good [condition].

***Does it have any modifications like rims or?***

No, it's a plain car.

***So you didn't have any fines, you didn't have to go to court or anything like that?***

No, no.

***Okay. Is there any other memorable interaction that you've had—with the police department?***

I think one night, they [were doing] some DUI check and they pull me over. Said I was speeding. I said, "No, I cannot be speeding when I just make a right turn."

***This is a different incident?***

Yeah. And I say, "What's your reason?" And he said, I was speeding. I said, "Man." I didn't argue with him, just give him my license, say goodnight. And I said, "Goodnight to you" and that's it.

***Where were you [during this incident]?***

In Antioch.

***What time of day?***

Probably about one o'clock in the morning.

***And they just gave you your license and told you have a good day?***

Yep.

***How'd you feel while that was happening? Did you think it was a DUI check, they were stopping everybody?***

I think there was a party in the area because. There was a party in the area and I think he know about the party so he was doing his, you know, check.

***Surveillance?***

Surveillance.

***So why do you think they do those things? Do you think they actually catch folks or are they just trying to check on everyone or do you think it's—?***

I think it's a random check and they might catch people, as well as they might not.

***Do you feel that Nashville Police Department has ever treated you unfairly?***

No.

***So how, if at all, has your relationship with the Nashville Police Department affected your daily life?***

I try to live within [their] rules. They don't affect me.

## THOMAS

**Age:** 48 | **Race:** Black | **Gender:** Male | **Area:** East Nashville

### ***How would you describe your neighborhood?***

Well, I wouldn't say it's rough. It's not hard to live in. Most of the problems happen from the younger crowd. Or, there's not a big gang presence that there's a bad influence on the neighborhood. It's actually the good guys of history. The thug history of the neighborhood is actually a good influence when directed in the right way. It's always an outsider that really doesn't know of the history. And that's what part of what makes this neighborhood, is the history. It's called the hole, a lot of the time, or a dead end. It's actually a dead end because there's only one way in and one way out. So that's a lot of why we're put in a box. Like you said, the profiling—they anticipate a certain level of what goes on in here. So the cops can sit across the street and just, really, see who they wanna see. You know what I mean? It's easier. The mentality of the neighborhood sometimes is, you're stuck in here. We know where you are. We can look at you. We've got cameras everywhere out here. Like anything, you put anything in a box and put something else in there with it, it's gonna agitate the other thing that's in the box. So you look at it like that. Even though you can get in and outta here, still you still contained in. And that kinda agitates. That rattles the cage a lot, when you've got a lot of things going on. So when you leave outta here, it's like, if they know somebody's in the area, a lot of times, 90% of the times, when you hear a police siren and it's close, right here, they're coming in here for something. Whether it's an ambulance or something. It's almost a daily thing. It's not the wild wild west in here, but when it gets...and being a smaller community, it seems more blown up when things happen.

I got profiled walking from work. At 3 o'clock in the morning, I was just doing my thing. If you gotta walk on a back street you look like you lurking and cutting into people's yards. Especially if there's something going on—burglaries or something. And all you're doing is walking home from work. I had to go from damn near Gallatin Road, Trinity Lane, to here Dickerson Road on past where I'm living now. And different incidents where you get questioned. I'm dog tired. I'm walking home. I'm flat broke. You know what I mean? The anger motivates you to get your step up a little more...to hurry up and get out here, but you feel degraded a little bit. I'm an older cat. I'm 48 so it doesn't affect me mentally, socially, psychologically as it would me 22 years old feeling disrespected. Like I said, you don't want to live in that box of being pressured or feeling like—you don't want to be a part of that community where you're labeled, or feel like you're labeled. You wanna separate yourself from where you are. But you are who you are. Forget where you at. You can make where you at, you.

A lot of times Metro will get in here and post up, wait on—see who comes through here, check our fly trap. There's been a lot of incidents. Every time I've been pulled over in the last ten years, it's been close to here. It's been where I live. I might get all the way across town and get close to home.

### ***And they pull you over here.***

Yeah and that's agitating.

### ***What kind of stuff have you gotten pulled over for?***

Tinted windows. I got pulled over when we got our van last year. We were coming home from church. We had a temp tag in our back window. Then the cop pulled us over. He got behind me because he [said he] couldn't

see the tag. Tinted windows, black heads in the car. He got behind me, quarter of a mile.

***Quarter mile from home.***

Quarter mile from home. Couldn't see the tag. He got behind the car. Checked the tag. Tag is legit. Pulled us over in the gas station here, it was a Shell gas station at the time, pulled us over and could have let us go. This is recently, matter of fact, this is months back now. And the tag was legit. He really saw the tag, pulled us over, and he had a female officer that I guess was senior to the guy that pulled us over, was behind the other cop car, and he just wanted to write it up. He could've let it go cause the tag was decent, had a licensed driver in the vehicle, all we had to do was pull home. We told him where we were going, addresses matched up where we were going, weren't speeding or doing anything else. Cause my license was screwed at the time, it was suspended at the time, but we were just coming home, he could've just let me. He gave me a citation because I was in the process of getting my license, and my girlfriend didn't want to drive at the time. And the lady cop said that, ten minutes before he pulled us over, he let a guy go that had weed in the car, smelled like liquor, and dirty license, just cause he said he was going home. He was revoked and they let him drive home by himself. The lady cop was telling us this. And she's trying to get the other cop, you know, "You just let the other guy go, these people going right here." But they did put me in jail. I went to booking.

***So they arrested you on the spot?***

They arrested me on the spot. I went to jail overnight.

***Wow. That was for driving on suspended?***

Yeah. Driving on suspended.

***But you were working on getting it?***

I was working on it. So when I went they just released me with my citation. I spent a night. I think it might have been a weekend. You know, if you get booked on a Friday you're automatically there for a weekend.

***Did you go to court on Monday?***

Yeah, yeah.

***And what happened at court?***

Oh just same thing. Just finished paying up the reinstatement fee.

***And did they waive it or did they dismiss the charge?***

No, I mean yeah they kinda dismissed it a little bit, yeah, the charge of the citation for driving on suspended. It still goes on my record, but...

***Did you have to pay a fine or a court cost for all that?***

Yeah, yeah. That's included in everything.

***How much was all that?***

Uh, I can't remember. I'm not paying it though. I don't know. It was like \$45 for the citation.

***Does it feel like an inconvenience to have to do all that?***

Yeah, it is. And the lady cop was telling him, "Why did you—you could've just let them go on. They right here at the house anyway." We could've walked home from where we were at. It ain't like we had to wait on somebody to come pick our vehicle up or anything like that either. Inconvenience. I had two incidents in the last year and a half where I was going to church or coming from church. The car wasn't spanking new and look like, you know, the radio banging and beating the block up or nothing like that, no high profile riding, high risk driving, or nothing like that.

***Was the car in good condition?***

Yeah.

***Was it the minivan?***

We got a minivan now. At the time we had a Cadillac sedan De Ville, a late model sedan De Ville.

***Why do you think he arrested you, even though the other one was telling him not to?***

A notch on his belt. And the profiling. Why let him get away?

***A notch on his belt? What do you mean?***

A notch on his belt to, you know, his quota. You know, they gotta do what they gotta—their job is to sit out there and get it all. At the end of the day, it doesn't matter emotionally. Just like when they take you downtown. When the sheriff department gets you downtown, it's over for the cop unless you gotta appear in court or something like that. He ain't worried about it.

***So what's the primary emotion you feel? Is it anger, frustration?***

Those two: anger, frustration. Like you said, a waste of time. It was wasting time. I wasn't disgraced. I'm too old to be disgraced. But it was more like just inconvenience, biggest inconvenience. Because he didn't stop what I was doing, but just think—going to jail over something simple on the weekend. I mean, it could be your hand shaking. It'd be different if I was speeding, didn't turn signal. That one, that really irked me that day. And then you're trying to stay calm because you don't want to get resisting [arrest] or you don't want to get, you know, you were agitated enough to, you know, you're disrespected in a way. He could've let that go. Cause everything, IDs matched up, and everything else matched up—location, the address, and all that, phone number, the whole nine. And then what got me was the lady cop let us know that he just let somebody go that was riding dirty, revoked, tags bad. But she let us know that. That added a little fuel to the fire, her letting us know. She could've not even said anything and just let him do his thing as a rookie. That really got under my skin that day. And that was probably my most recent, I believe. Other than riding with a friend and they got pulled over. I just happened to be in the car.

***Did they ask you for your license?***

Yeah, yeah, yeah. Everybody in the car got checked.

***Do you have anything else to add on police profiling or does that pretty much cover it?***

That's pretty much it other than, you know—I'm glad you came on that subject matter cause, you always profiled. You don't conform to it, but you get caught being in that environment of being profiled. You don't look at it until it happens to you. You know, I don't look at it as they're looking at everything I do because I separate myself from being profiled but you still in the profile no matter what. Like I said, there's a lot of descriptions. Every visual aspect of the human being is a profile. You got bald headed guys, you got afros, you got dreads. Look at just having dreads alone, that profiles you period. If you've got dreads and a ball cap on you, [they think] you gotta be doing something illegal, or on your way to. It's just a fashion. It's just a trend. It's just a fad that goes by. Like dress codes now, you wear skinny jeans and all that now. You know, certain dress codes, dress styles, they take a profile.

## KENO HILL

**Age:** 45 | **Race:** Black | **Gender:** Male | **Area:** Southeast Nashville

### ***What part of town do you live in?***

I stay in Antioch.

### ***How would you describe your area?***

A lot of traffic stops, a lot of patrolling, especially towards the weekend. But for the most part it's pretty cool at times. When holidays are coming up, you know, it beefs up but most of the time towards the weekend there's a lot of people getting pulled over in that area. For the most part the week is fine, just towards the weekend it's crazy or if an event going on or what have you, a holiday or Memorial Day or whatever, then it gets pretty bad.

### ***So what experiences have you personally had of getting pulled over?***

I was on my way home one night and I had just went to pick something up to eat and I noticed a cop was kind of following me a little bit so I kind of turned off at the gas station to see if he was following me and he turned off too so I got back on the highway. And it isn't usually a gas station I stop at. I usually try to go to the Mapco because I get a discount, but I stopped at the Shell station to see if he was following me, and he was. So I got over to the Mapco and he turned his lights on me. I said, "I noticed you've been behind me for a while. What was the problem?" He said, "Your tail lights are dim." So I say, "They're coming on right? You had to see them for them to be dim right?" He said where are you going? I said wait a minute, "Whoa whoa whoa, what's the reason why you pulled me over?" He said, "Cause the tail lights are dim." "Okay, does that require me to have a ticket or anything?" I said, "Because they are coming on and they might be a little dim but they work. You see them enough that they are working, they're just not as bright as everybody else's." So he asked me, "Where are you going?"

I said, "Now, you don't want me to answer that question and I'm not going to answer the question, but I'll tell you right now, how old are you?" He said he is 22. I said, "Look, I'm old enough to be your father. You don't ask me where I'm going. You can tell me the reason why you pulled me over and we can handle that, but where I am going ain't none of your business, okay?" I said, "Furthermore, if you have any reason to have me here longer than I have to be I would like to leave and go about my business." He just kind of paused for a minute and said, "So you're not going to tell me where you're going?" and I said, "At this point I'm done talking to you, sir. Anything that you ask I'm not answering," because it made no sense. He stopped me about some tail lights that worked and they might have been a little dim but they work. I said, "If there's nothing else that you have to do with me, no probable cause or reason why you pulled me over, I want to leave and go about my business, and you don't have to know where I am going. That my business." He wasn't too happy about it and he paused a little bit longer and took his little time about letting me go. He ran my license and I guess to see if I had any warrants. So he came back and said, "Sir, you have a good night." I said, "You too," and I left. But he still got behind me for a few minutes, then I turned off again. I guess he figured I was trying to see if he was following me again. But I went on and went home.

This last time I had took a friend of mine to the hospital. He was gasping for air and I had the flashers on. So I am zipping through traffic not speeding but going around people who wasn't driving the speed limit—you



know, you have people who drive slower than the speed limit. So when I got to Southern Hills, the police is behind me. He says to me, "Why were you driving so fast?" I said, "I'm at the hospital," I said, "If I'm pulling up at the hospital something must be wrong, right?" I said, "Now, sir, this man over here is gasping for air. Can we talk on the inside?" He said, "No, we're gonna talk now." I said no so I took [my friend] on in on the inside. Before I got out the door he was waiting on me with handcuffs.

***He had handcuffs ready?***

Yeah he had handcuffs ready. I said, "Look, don't put those on me, because my friend is gasping for air. He can die. He's diabetic. He had allergic reaction to something. I wasn't going to pause for you to talk for him to lose his life. Tell me you're going to take me to jail because I'm trying to save somebody's life? You, my friend, don't have a love for humanity. What are you doing with that uniform on?" He says, "I feel like you're resisting." I said, "What am I resisting? I am not under arrest. I'm not resisting anything from you. I told you to hold on for me. I didn't say I don't want to talk to you. I'm trying to make sure this person is okay. That why I'm going through traffic. I'm trying to get him where he needs to go." And so he said, "Well look, in my position, I feel like you was avoiding me." "I'm not going to say it again: I wasn't avoiding you." So I said, "You gonna put those handcuffs on me or what?" He said, "No, I just wanna know why you was zipping through traffic like that." "I told you why. I'm not doing that again. I am not under arrest and I would like to leave. You haven't read me no rights so I'm gonna go on ahead." He didn't like that. He didn't like the fact that I know my law. I know my rights. And if you don't read me my rights or if you don't tell me I am under arrest, I'm not standing around for you to plant nothing on me.

I've had that happen to a friend of mine. Never did drugs a day in his life. He had a rent-a-car, and from what I've heard a lot of dope dealers rent rent-a-cars, they be doing their dirt in a rent-a-car. He got a rent a car for him and his girlfriend to go to Gatlinburg. He got pulled over. Didn't find nothing in the car. Then another cop came. They found something in his car—they found a joint, a roach. Whoever had it before him might have had it in there but they're trying to say it was his. So they did a test on him then nothing in his system and so they had to let him go. But it's just stuff like that, man. I'm like, wow, we're criminals before we have been proven guilty. It's supposed to be you're innocent until proven guilty, not you guilty and you got to be proven innocent. It's like things just went upside down and I heard not too long ago that police was put here to protect and serve, but they don't do that no more, they just uphold the law, whatever that might mean to them. So they're not really by humanity no more. All they care about is upholding the law. That's the reason they're doing what they're doing. You know they don't care no more.

I believe that they should be background checking every officer out there. I don't care what color you are, to know your background, where you come from, what you about. Because I honestly believe that a long time ago the Klu Klux Klan took their sheets off. They're your doctors, lawyers, your judges, your police officers. And they having hidden agendas just like some of them black folks do. They have hidden agendas. And I think as long as that goes on we will never get to the point of coming together. Because in every situation there's some good people in every race and some bad people in every race. I think all the good people in every race need to come together against the bad people in the race because the bad people in the race want us from coming together. I have nothing against nobody from nowhere else. If you're cool with me I'm cool with you, you hang out with me and we're cool and I hang out with you and I'm cool. When the first time something nonsense surface I will be gone. I don't want no part of it. Because it don't make any sense. I mean everyone is put here to enjoy life and wanting to expand and wanting to experience something great and wanting to see their kids grow up and have kids and being able to experience that with them. But what makes it hard is when you get out here and you're trying to get a job, just because the color of your skin discriminated against. It doesn't make any sense because I'm still a man. My skin color doesn't determine who I am. My character

does. And every man, just like what Dr. King said, "I hope one day we be judged by not by the color of our skin but by the content of our character," because it has nothing to do with color. Nothing. In a sense of what I'm looking at, character means a lot because I know crazy people in every race. I know good people in every race. And I'm hanging around good people. I don't care what you look like. I don't care what you're into. As long as you're not hurting me, I'm cool with you.

It's just an interesting thing to sit back and watch some things unfold to the point where people are losing their lives just for being a skin color. They got their hands up in the air surrendering like, look, I'm not trying to cause a problem, I don't want to be looked at as a problem, but why I'm being treated as a problem? And people lost their lives just putting their hands up, and what do we do now? Since you're not here to protect and serve you're here to uphold the law, so that means we need to be packing guns right? Because you're not here to protect and serve no more, so who protects us from you? I get afraid if I get pulled over. I don't know if this person is in their right mind or they on something else. I don't care if you're black, white, Chinese, I don't care. I'm afraid. Because I don't know if their intentions is they might have a hidden agenda they might want to kill me for no reason at all. I don't know! So it's like, when I get pulled over, is this going to go well? Do I need to be trying to put my hand on my gun? I might get shot for doing that but do I have my hands up and still get shot anyways? It's like, what do I do? You're kind of like in a state of limbo. What am I gonna do if this person just pulled me over might be having a bad day? They upholding they law, not here to protect and serve no more. These are the thoughts I am having. I'm going to try to be as diplomatic as I can about the situation, whatever it might be and I'm hoping it don't go ugly because I don't know if this person has a hidden agenda or not, because they're not here to protect and serve, they're here to uphold the law. There is a difference. Protect and serve is for humanity. Uphold the law is they are policing the world. They don't care about your rights no more. All they care about is their job, keeping their job.

***So when you got pulled over those times, were they white officers both times?***

The first time, the one who asked me where I was going, yeah, he was a white cop. The second one, he looked like he might have been a Puerto Rican guy.

***But you kinda said it doesn't matter to some degree. You said they get upset whenever you started asserting your rights. Why is that? Why did they get upset?***

They hate it. Some of them don't know their rights they own self. They might know enough to pass a test. Some of them don't even know their rights. Now I've had situations where I told a guy, he wanted to search my car, and I said, "Look, I have rights. My rights say I don't have to let you search my car. You got to have a search warrant. But I don't want you to search my car because I don't want you in my car." Not that I have anything in there. I don't do no drugs, I don't have anything illegal in my car. I said, "You might find a gun but the magazine is in one place and the gun is in another so if you want me to show you that I can show you the magazine is in the glove compartment and my gun is in the trunk. And that's about all I got in there."

The last couple of instances I had were unnecessary. I had a friend of mine, he stayed close to the projects. I dropped him off one day, and when I was coming off Lafayette a cop pulled me over. He asked me, "What you doing in this part?" I was driving a Caprice Classic with some flames on it, no rims on it, it was regular rider.

***No tints or anything?***

No tints. So he pulled me over and asked why I was coming from that area. I said, "Minding my own business, for one. Two, dropping a friend off." He said, "Do you live over here?" I said, "No, I just told you I dropped a

friend off. Why you keep asking me crazy questions? I dropped him off and I'm on my way home. Why did you pull me over?" He said, "You looked suspicious." I said, "What's suspicious?" He said, "You and your car." I said, "Huh? Me and my car are suspicious? I'm not supposed to travel? I'm not supposed to have a car?" He said, "It's the kind of car." I said, "Hmm, so if I put on your uniform and you put on what I got on and you got in my car and I pulled you over and I said that you looked suspicious, how would that make you feel?" He kind of looked at me like, "Are you trying to confuse me?" I said, "I was very blatantly clear, if you were in my shoes, how would you feel? I'm just a man doing a good deed for someone. I dropped somebody off at home, but I'm getting chastised coming from this type of neighborhood. Whatever that type of neighborhood is. What type of neighborhood is this you're talking about?" He said, "It's the projects." I said, "What's so bad about the projects?" He said, "A lot of things go on over in the projects." I said, "I tell you what, a lot of things go on that's not in the projects. In fact more things go on outside of the projects than do in the projects! I'm over here, I dropped a friend off and I'm going home." I said, "Do you have anything that you want to talk to me about, sir?" He said, "No, just be careful." I said, "I will, I appreciate the concern. I hope I don't look suspicious no more before I get home." He kind of scratched his head and looked at me like, I should have never stopped him. Because I won't be rude to you I just—some of them are doing their job and some are being malicious, some are being assholes and some of them might be having a bad day looking for someone to take it out on. I don't ever know.

***So if those things are happening outside of the projects, why are they so focused on places like the projects?***

It's like a concentration camp. They know people are in there trying to survive. Some people don't have jobs. They know some people are trying to get jobs and can't get jobs because a lot of other people have those jobs and they aren't trying to give them to us. There's been a lot of situations that happened over in the projects because people are trying to survive. Who knows? I don't know but the only thing I've experienced from the projects is a lot of love from people that just want some help sometimes. As far as the other people over there that are doing God know what, I don't associate with them so I don't know what they are doing. You can find that anywhere. It just depends on who you are and what you're dealing with and where you are, but a lot of times it don't even matter. It depends on the people, because the people what makes things bad. It ain't the area, it's the people. I have never had any problems over there. A lot of love—a lot of good people just wanting some help really.

***You described the thought process when you're seeing the lights and when you're seeing them pull you over. What emotions would you describe as being the ones that you have when he's coming up to your car and all?***

Nervous. Don't know what to expect. I know that I'm not well protected to begin with. I say that because I know it's different when they're talking about martial law. Instead of them protecting and serving humanity they just want to uphold the law. Who knows what part of the law they're looking at when they do it because it's not protecting and serving anymore it's "you're under my scope and you ain't doing something I think is right and ain't look right, if I feel like shooting you, I can kill you and get away with it." That's nerve wracking. If you was a black man and you see what's happening on TV and you experience a little bit of that, but not necessarily aspects of somebody putting a gun on you and shooting you, but seeing it happen to other people who look like you, you get a little nervous. You're driving down the street and you see the cop get behind you and you're like, "Oh, shoot here we go. I hope he ain't gonna pull me over." I'm checking myself. Am I driving the speed limit? Do I got anything in here I ain't supposed to have in here? Like some liquor or something? I might went and picked some up and opened it? I drink wine, I like wine. Do I have my registration? Do I have my license on me? Do I have everything I need to have so this man won't feel like I'm reaching for something

I'm not supposed to be reaching for? To make sure this transaction goes quick as possible. Make sure where I can reach my registration, my license, and my insurance. That way I can give it to him with my hand on the steering wheel. So I put everything in the sun visor so when he comes, I say, "Sir, if you don't mind can you reach up there?"

***So you have him do it?***

Yeah! He reaches up there and when it falls down, there's my insurance and registration. "My license, sir, is in my pocket. Do I have permission to go in my pocket?" He might have had a bad experience before me. I don't want to be the reason why he decides he wants to use some extreme force with me when he doesn't have to. I've seen people get tased for no reason at all. I've had a shotgun to the back of my head with a cop with a case of mistaken identity because a guy drove the same kind of car I drove. His car was gold, mine was canary yellow, so it was considered to be gold but not gold-gold. You know what I'm talking about?

I pretty much try to stay out of the way as much as possible you know. I haven't had a whole lot of experience, but I've seen some. I definitely don't want to be on the other side of that. I pray every day that I leave the house that I get back home without any interruptions, unnecessary interruptions. And I pray that I don't get pulled over by the police. Because I don't know what on their minds or why they're pulling me over. That's a bad feeling to have. You're driving and you just like, I'm going to see my family, but certain places I just don't want to be going. But my family's still over there. I got to go through it sometimes. I don't even want to go. Especially on the weekends, Friday and Saturday? When I get off work I go home. Sometimes I get out, depends on if something's going on like an event or something.

***You try to avoid it?***

I do, I might Uber.

***So almost every time you're in the car you're thinking about these things?***

Yeah, all the time.

## LASTAIJAH GOLDEN

**Age:** 32 | **Race:** Black | **Gender:** Trans Woman | **Area:** North Nashville

### ***Where [were you stopped]? What was the location?***

We was behind TSU on Walter S. Davis. He had just pulled off 40th Avenue. The police did a full search of both of us—my purse, you know, pat me down, they pat him down. They searched him, and everything. They didn't find anything, but they still searched us all the way down.

### ***Why did they say they pulled you over for?***

I don't even know! He was the one driving. So, I was in the passenger's seat. And I was surprised they even checked me. Because sometimes, you know, you're with the person with legit papers and stuff—you know they're gonna be checking you, too...check my bag and everything. Shine a light in my bag. And I think that was because we was black in a—in the “hood” neighborhood, you know. They wanted to pull us over and see what's up.

### ***Right. And what was the time of day? What was going on?***

It was in the broad daylight. It wasn't even nighttime or nothing.

### ***Wow. Why do you think the officer behaved the way that they did?***

Well, I believe because the type of dude—he's got the goatee, you know. He's got the look like, maybe a dope boy. You would think that, I mean. I think that he does have a criminal record, so maybe that could have something to do with it. I don't know.

### ***But he didn't get arrested though, right?***

No, neither one of us. They let us go. They let us go.

### ***So he had the warrant?***

No warrant. No nothing.

### ***So...your friend, he was driving.***

And I'm just in the car! And lights come on. I'm like, what's up?

### ***So they came up behind. You didn't see the officer pull around or anything like that?***

We did not see that. But we did see him earlier on 40th Avenue, but he didn't pull us over until we got on Walter S. Davis. We did see him on 40th.

### ***Do you remember any words the police officer said when they came to the window?***

I know he did ask to check the car. [My friend's] just like, “What's the problem man? What's goin' on?” I don't

remember exactly everything that the police officer said. He did check the car. He didn't find nothing. He ran both of our names, and let us go. As far as the search, he asked to search and I gave consent. As far as my name situation goes, he looked at my ID and asked was I a tranny. He chuckled and gave my ID to his partner to run my name.

***And y'all both got out of the car?***

We both got out of the car.

***They told you, put your hands on the...***

Well, they had him put his hands on the hood, and they searched him in that way. There wasn't really a female officer present, so they didn't really search me this other way. They just kinda patted me down and then they shined their light in my purse.

***Did they ask you any questions?***

They asked us what we was doin'. I was just like, "He just gave me a ride." And we're not even doin' nothing but driving. Nothing but driving.

***So, is that the most memorable interaction you had with a police officer?***

Oh, but you know what. There was a more recent one where I got pulled over, but they didn't really search us.

***Go ahead. Explain that one.***

They said that his license plate was not well-lit.

***So this is at nighttime?***

Yes. They said the license plate was not well-lit. We were going down Douglas, and they pulled us over. And they checked his ID and they had him get out of the car, and everything, and he was like, "Is there a problem, officer? Am I going to be arrested if I get out of the car?" I know he asked them that, too. He asked them was he going to be arrested if he got out of the car. And then he was like, "No." And he talked to him outside the car. And I guess he was just trying to tell him about the license plate.

***And when was this?***

That wasn't even two months ago. I think it was probably two months ago—in July. I was with the other dude in the car, and he was driving.

***And your dude didn't tell you what the officer was saying.***

I mean, I guess he was just trying to show him the light.

***Not well-lit.***

Yeah, he said that it was not well-lit. I don't know. I thought it was...*(laughs)*. And it was on Douglas.

***What would you like to see happen with this information [in this interview]?***

I want to see them being held accountable for some of the things that they do. I think that they feel like they can get away with anything. They got that cocky attitude, like they could just take control of the situation and do what they please, and I don't think that's right. I also do think that a lot of the time black men are pulled over, it is racial profiling. It's just my personal opinion. I feel like most of the time, you don't see them pulling over anybody but, or like searching—I don't see them searching white people. Or nothing like that.

***Why do you think you have that personal opinion?***

That's just what I see. That's what I see. I don't know what goes on, but that's what I see. I don't know what goes on in the whole scheme of things. But there's always somebody there. I'm surprised they ain't killin' us too...like they're doing everybody else. But they do need to be held accountable. I think there needs to be some kind of program, or maybe some sensitivity training or something.

***Would you like to be part of a conversation with other folks who did the interviews about what you'd like to see happen?***

I mean, yeah.

***You have a very fiery spirit. I see it. A fiery spirit.***

I wish I had more girls for you to talk to.

## PASTOR SMOOTH

**Age:** 23 | **Race:** Black | **Gender:** Male | **Area:** North Nashville, East Nashville

***How long have you lived in Nashville?***

My whole life.

***Were you born and raised here?***

Born and raised.

***And this is the part that you lived in, you lived here in Dodge City?***

I don't live here, but this is where I grew up.

***So how would you describe the neighborhood that you grew up in?***

The neighborhood that I grew up in, 'course it's a lot of violence because of the poverty that takes place. It's rooted from the system, so a lot of violence, it's a lot of police brutality. So if people commit a crime and they run from the police, and the police catch 'em, 9 times out of 10 the police will probably beat them up.

***And have you yourself had any interaction with a Nashville police officer in the last five years?***

Yep.

***How many times would you say you've been stopped over the last five years?***

To be honest, at least 20, at least 25 times, because at one point in time, within three months I was stopped like eight times in that period of time.

***In this area? Or other areas?***

East Nashville mainly. That's where I was stopped in that three month period, at least eight times.

***And what reason does the officer usually give for stopping you?***

You barely even get a reason. But once they stop me they say the reason, they declare that they did stop me because of my record. Because of my record, I have no choice but to let them search, because if not then they'll report to my PO and that'll be in violation of my probation, if I don't consent to searching me or the vehicle I'm in. Also, there have been times on foot, when I was in East Nashville, within that three-month period. 'Cause I was living in River Chase, so walking back and forth to the store I was stopped one day, three times.

***In one day?***

One day. Back to back.



***Why do you think they actually stopped you? Like, what do you think?***

It has to be my appearance, and probably the way I walk, and of course my color. That's the main reasons.

***So you say you've been pulled over quite a number of times. What kind of car do you drive?***

I drive a black Grand Am.

***And when you get pulled over, do they give you tickets every time? Or, how often do they give citations?***

A lot of times I haven't got anything, because of certain good officers. There are certain good officers there that basically know that we're not doing nothing, so they stop me and harass me. Because during that three-month period of time, that I was stopped in that one day, the first two times I was on foot. And then right after I was on foot and stopped by two different officers, I hopped in my vehicle and was stopped by another officer. And they're trying to tell me that I wasn't who I was saying I was, so they were trying to take me down. We were out there like five or six hours, trying to prove to them that I was who I really am.

***So you've never actually gotten any tickets or anything?***

Yes, I got plenty of citations, and I've been arrested at least five, six times out of those 20 times.

***Do you mind telling us for what? Like what kind of citations did you get?***

One time I got a citation for—that time I got stopped for my ID, I ended up getting a citation for a piece of a cigar paper, they tried to say it was actually weed. And when we went to court, the judge like (shakes head). "There's no weed."

***"That's just a piece of paper."***

And if it was weed, if you weigh it, it didn't weigh anything. So, it was dismissed. I've been blessed through a lot of those situations. But the main thing was when I was incarcerated in 2010, the crime that I did wasn't as serious as they made it. So for them to keep me and bound me over, cause I was 17 at the time, so for them to keep me and bound me over they charged me with criminal homicide.

***At seventeen?***

And the only thing that happened was, gunshots. I did shoot a gun. But no one was shot or anything. So, but for me to get bounded over they had me charged with criminal homicide, and once I got bounded over to adult jail and to adult court, they dropped the criminal homicide and gave me like eight charges that.... For one gun they gave me like three charges. Weapon possession, weapon with intent, and all type of stuff. So, yes, it's been hard dealing with the police here in Nashville.

***So, the times when you've had to go to court, I assume you had to pay fines and all that stuff?***

Yes. Yes, the court cost is ridiculous. You know, it's crazy. It's at least \$300-500 each time. And I haven't actually paid any of them off, 'cause it's too much. Court, when I go, there's nothing being done. So it's like, I'm there all day, and boom, dismissed. Or, since I'm on probation, get reinstated on probation.

***And then they want you to pay these fines, but they give you a record so you can't get a job.***

Pay these fines, but at the same time, preventing me from even being able to pay the fines, and then when my license was suspended, they want me to pay to get my license, plus pay my reinstatement fee, and all of that, but I can't drive a vehicle, so how can I get to work, and everything, so it's like they force you to go back to the life of crime.

***Can you describe your most recent interaction with a Nashville police officer?***

My most recent was actually August 31st. Me and my cousin, we was sitting at the library right off of Monroe, and we were getting ready to pull off and we seen the police ride past, and then they turned around and came back. By the time I was going to pull off, there was already three police cars surrounding us, already at the car. The first thing they asked was, "Are either of you on probation or parole?" And I'm like, "Yes, I'm on probation." So, they were like, "Well do you consent to us searching the vehicle?" And all this and that, and I was like, "Umm, I don't..."

***And those were the first things that they said?***

Yes. "Do I consent to searching the vehicle." I was like, "Sir, this vehicle isn't in my name but I'm driving it. But the vehicle isn't in my name." So he was like, "So you're not consenting to the search of the vehicle?" I said, "I consent to you searching me. That's going to be a waste of time for you searching the vehicle because there's nothing in here. I really don't have no choice for you to search me, so..." And he was like, "Okay, so since you don't want to consent to searching the vehicle, where's your probation officer at?" And I told him my probation officer's name, and he said, "Okay, what's his number?" I gave him the number. He said, "I'm gonna report and let him know that you basically told me everything that I knew." But I didn't understand that it was the same way with a vehicle that wasn't in my name. I wasn't aware of that part. But he said he was going to report it to my probation officer, so I said, "Okay you can. I do consent to you searching the vehicle," because I don't want to get violated because of some bogus thing. So he searched, didn't find anything.

***Is that something that you were previously aware of? That they also have the right to search the vehicle if it's not yours? Or he told you that that's what has to happen?***

Yeah, that's what he said has to happen.

***So, do you think the officer was behaving in a way that was right?***

No, no, not at all. Because he said they were looking for someone that robbed somewhere—a Church's Chicken on Jefferson Street. So, my cousin and I, we both like, "If we just robbed someone, why would we be sitting right here, two blocks over from where we just robbed someone?" Y'all wasting y'all time searching us and looking for us, because why would we be sitting right here? We wound up letting them search.

***Based on your experiences that you've had with Nashville police officers, how would you say that your relationship with the Nashville Police Department affects your daily life?***

It affects my daily life in every way, just like I said. That three-month period, where I was stopped at least eight times, I was actually going to college at American Baptist College. While I'm going from River Chase to American Baptist College, I was getting harassed so much. I let them know, I missed school, I'm on my way to class, and they still kept on harassing me. And this was around the time I came back from Ferguson, so a lot

of officers knew me from the news. So it felt intentional when they was doing it because...

***That you were being targeted?***

Yes, I was potentially being targeted because it was so consistent. Like, for no reason, while I'm on foot, while I'm hopping in the vehicle that's not mine, that I'm not driving, they're stopping me. When I'm in my car driving they're stopping me. I was being harassed and, you know, being mistreated for basically standing up for what I believe. And when things weren't going their way, or I'm not conforming to their ways, they want to make sure they set an example to the others around me and let them know, "Don't be like this 'cause this is what's gonna happen." So that's why I feel like they was trying to teach everyone around me, when they was doing those things.

***Is there anything else that you would like us to know?***

The only thing I would say is, you know, we have to speak up for our brothers, our black brothers that's incarcerated right now, because the way the system is going now, they really is taking advantage of us in a whole way. Like, making so much money and profit off of us. And a lot of us don't realize this, and we don't know what to do. So, you know, we just need help. We're willing to fight, and protect our community, it's what we're supposed to do. But we need help from churches and community organizations that can support us and back us up with basically—being the way we already are, and that is, warriors. So we just need help with doing that. That's all I have to say.

**“You barely even get a reason. But once they stop me they say the reason, they declare that they did stop me because of my record. Because of my record, I have no choice but to let them search, because if not then they'll report to my PO and that'll be in violation of my probation, if I don't consent to searching me or the vehicle I'm in.”**

**-Pastor Smooth, 23**

## BAR BIZZAL

**Age:** 42 | **Race:** Black | **Gender:** Male | **Area:** East Nashville, South Nashville

### ***And so where do you live now?***

Right now man we worked up on a house and ended up in that flood and now I'm living out south in Edgehill.

### ***And how would you describe the neighborhood you live in now?***

Changing. Changing. How do I describe it? A changing community. I want to say for the best, but it's hurting a lot of people. It's good but, is change good, or is it to hurt us? So, I'm confused. A lot more people out in the neighborhood is confused. Is it for us? But then I ask that question, is it for us, and I say, no, because everything is going up on prices. The houses are going up. You know the neighborhood—changing their rules, and they going up. And it's leaving out a lot of good people that started the neighborhood, that have been a part of the neighborhood for a long time. So my answer would be: I think it's not for us.

***So I want to transition to asking you a little bit about experiences of racial profiling with Metro Nashville Police Department. So, how many times would you say you've been pulled over in the last five or so years?***

None. But I can tell you a lot of times when I was a little younger that got I pulled over a lot of times. I got pulled over a lot of times. We used to get pulled over just by being in certain cars. By just driving a nice car, you know, you could get pulled over just for anything. And, that's what I remember. It was a lot of racial profiling back then, but nowadays, you know, I feel comfortable about driving even though I had my license then and I got my license now. But when I had my license back in my 20s and driving a nice car, I was getting pulled over. Just by having a nice car. They was just playing games with pulling people over. You know what I'm saying?

***What reasons did they usually give you for stopping you? What did they say? Why they stopped you.***

Taillight. Or, you made a wrong turn, or complete stop. Always come up with something to pull you over and to search your car. You ain't did nothing wrong, man. I remember times where you could show your license and stuff, but then they'll look in your eyes and say, "Well..." They'll come up with something: "You're jumping" or "you're looking nervous" or something. "Can you step out the car?" And then, "Can I search your car?" And then, its like, we did nothing. You know what I'm saying?

***So why do you think they were actually pulling you over? If not for the taillight. If not for going the wrong way.***

**“[They stop you for] taillight or you made a wrong turn, or complete stop. Always come up with something to pull you over and to search your car. You ain't did nothing wrong, man... they'll look in your eyes and say, “Well...You're jumping” or “you're looking nervous” or something. “Can you step out the car?” And then, “Can I search your car?”**

**-Bar Bizzal, 42**

They always come up with...“you got any drugs on you?” You know, they start coming up with these rules or something. These neighborhood right here from Dellway to...anywhere, the police always say “you in a drugs zone.” And what makes these drug zones? You know what I’m saying? What makes these drug zones? And they not making these other areas drug zones. But they make every black neighborhood drug zones. And then that’s a reason to pull you over, to search you, to go through all your stuff in the car, throw it outside. And then say, “You straight.” But then you gotta pick up all your stuff out of the street and put it in the car.

***What’s the emotional experience of getting pulled over? What’s that do to you or to somebody, to keep getting pulled over like that? Is it anger? Is it fear? What does it produce in you?***

Anger. Confusion. When you be young, you be like, “Man, why we getting treated like this?” But then as you get older you learn about slavery and all that. You see why. You be like, “Man, we had to go through all of that? When are we gonna change? When are we gonna get treated equal? When our neighborhoods gonna look like the white neighborhoods? You know what I’m saying? You getting profiled just by walking in there and asking for a job. Just by being black, man. It’s like a crime or something. And then, don’t just blame it on the police. Blame it on the schools. Jobs. Bosses. You know, the people. But we not getting equal rights. They putting people in place just to turn us down, man. People that come from these neighborhoods—there’s a lot of people out here got talent. There’s a lot of people out here that need one chance. I finally got my chance. I was about 20. I finally got my chance I’d say about...some years ago when I got my first job at Dillard’s. And I worked at the Dillard’s warehouse and I was excited to get that job. And I stayed on that job until that job ended. And that kind of changed my life around because I got a chance. Somebody gave me a chance. So if somebody give you a chance, I’m thinking somebody else will give me a chance.

Let me keep going. But that inspired me to keep going. From that job, I ended up supporting my family, building my family up, moving my family out of this situation. Ended up getting a house, with a swimming pool. So, by getting that chance, I did the right thing. It changed my life around. But now, we lost everything. [God] put me in a place where I could support other people. And get people like you to come out and find out what the problem is. Let’s try to make a difference together

***Well, is there anything left to be said for you about the experience of police pulling people over and profiling people.***

I’m going to say, man, I give a big shout out to the police, man—the ones that’s doing good. Because I could name a couple of them that saw what I do with giving away bikes and they come and support me. They let me keep my bikes inside the police station. I got a young [police officer], he’s bought me a suit to get me a job. There’s some good ones out there, but there’s some prickly ones out there too. There’s some bad one out there, but there’s a few good ones out there, too.

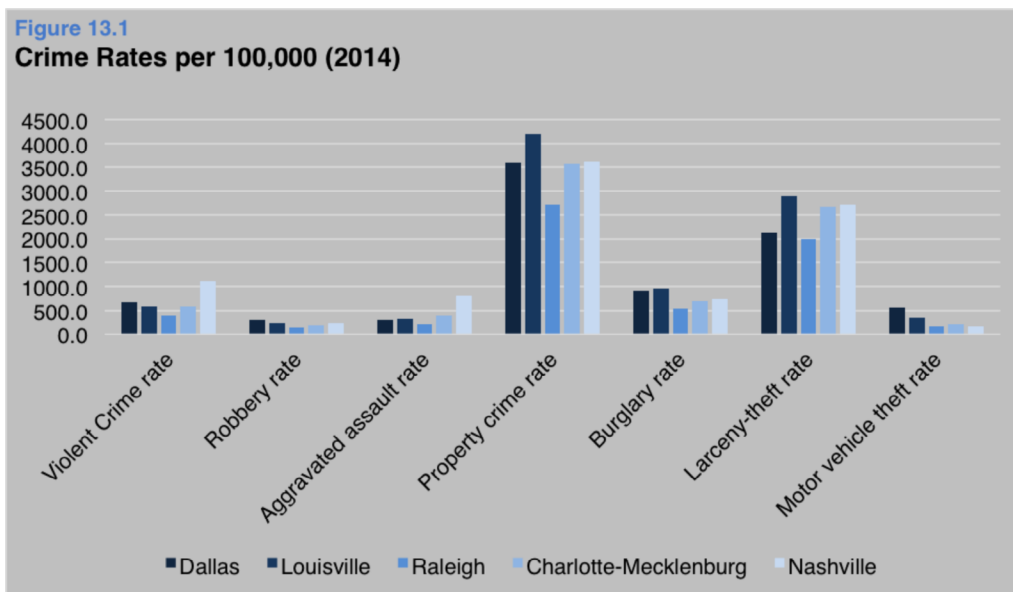


## V. DEMANDS

In light of our quantitative and qualitative research findings that demonstrate clear racial profiling in the traffic stop and search practices of the Metro Nashville Police Department, we offer the following institutional and policy level recommendations.

### 1. End broken windows, zero tolerance, and quality of life policing

Broken windows, zero tolerance, and quality of life policing are each different versions of the same policing philosophy that is premised on the idea that, if police target low-level and petty offenses, the result will be a reduction in more serious forms of crime. NYPD's famous and now unconstitutional stop-and-frisk approach to policing is a classic example. Members of MNPD leadership have stated publicly in recent years that their department operates on the basis of broken windows policing, which can be seen in the severe stop and search disparities along race and class lines presented in this report. Rather than make communities safer, studies have shown that broken windows policing results in a disparate and life-altering impact upon low-income communities and communities of color and has no impact on crime rates. Figure 13.1 below, which draws its numbers from FBI Uniform Crime Reports, shows that, despite stopping hundreds of thousands of more drivers every year, Nashville does not have lower crime rates than comparable cities.



Ending broken windows policing in Nashville would mean an institutional level shift away from its heavy traffic stop regime that includes fishing, issuing citations, and making arrests for low-level, petty offenses in predominantly low-income, black, and Hispanic neighborhoods. Such a shift also depends upon a complete

reorienting of what constitutes “success” according to MNPDP. Currently, as the department’s Compstat records show, institutional and precinct-level success is defined according to higher rates of arrest, while fewer arrests indicates failure. We recommend that the Mayor’s Office and Metro Council consider concrete mechanisms that would shift MNPDP’s institutional level approach away from broken windows policing and the subsequent disproportionate criminalization of black, Hispanic, and poor communities, away from a “Compstat” logic that defines success according to higher arrest rates, and toward community-defined criteria of community wellbeing.

Finally, ending broken windows policing would mean drastically reducing the highly excessive number of stops MNPDP conducts every year (see Finding 1 of this report) and rebalancing the deployment of patrol officers to reduce the over-policing of predominantly low-income, black, and Hispanic communities. As it presently stands, it is easy for wealthy white residents to ignore the costs of broken windows and zero tolerance policing because they do not bear its costs. Meanwhile, the over-deployment of patrols to communities of color means that fewer officers are available to other areas for the maintenance of traffic safety and the deterrence of actual crime.

## **2. End Operation Safer Streets**

As Finding 9 in this report shows, groups like Black Lives Matter Nashville and others have been right to critique Operation Safer Streets (OSS). Contrary to its name, OSS does not make communities “safer.” Instead, despite the fact that drug use is widely known to be equal among racial groups, and despite the fact that we now know that the drug war is a failed, community-decimating endeavor, OSS targets predominantly low-income communities and communities of color every weekend, making enormous numbers of stops and searches of innocent residents, and yielding insignificant amounts of incriminating evidence. OSS is a prime example of the discriminatory impact of institutional level broken windows style prioritization of police resources. To that end, we join Black Lives Matter Nashville and others in calling for an end to Operation Safer Streets. We call for an institutionalized recognition of the drug trade as a crisis of historical economic disinvestment, institutionalized racism, lack of access to resources, and the quest for survival, and drug use as a similar matter of survival and public health. We recommend that the Mayor’s Office and Metro Council utilize this report—an elaboration of voices that have preceded it—in further investigating OSS’s discriminatory impact in order to bring about its end.

## **3. Divest from excessive policing & invest in our communities & children**

We join the chorus of scholars, policymakers, organizers, and activists across the United States who know that the root of actual harm and violence in our communities is not criminality but lack of access to resources that is the result of centuries of systematic economic disinvestment. As such, we believe that, in the long term, the answer to violent crime is not heavier, more militarized police presence and surveillance, but increased investment and opportunities that address the root causes of crime by creating increased access to quality employment, housing, healthcare, education, public transportation, infrastructure, food, and recreation. We call for a shift away from increased economic investment in policing and incarceration that builds bigger and stronger police forces and bigger jails and prisons. We call instead for a shift toward spending on resources that address the root causes of crime and harm by building access to the resources needed to not just survive but thrive. This includes an increase in funding for local organizations working on the front lines to confront youth violence and restorative justice diversion programs in coordination with Metro courts. Instead of answering the crises of neighborhood violence and crime with increased police presence, we call for enabling and funding the leadership of key community members who are more equipped than police are to respond to neighborhood violence and help build safer communities. Wide-scale decriminalization will need to come



with economic programs and community projects.

In order to disrupt the school-to-prison pipeline, Nashville must invest in its youth. This means investment in the city's most vulnerable population: our kids. Many community members in this report have voiced the lack of access to resources for youth. Our kids are willing to learn, and they are yearning to be successful. To support their potential, the city must fund community centers, community programs, scholarships, and provide opportunities for employment. We must end the practice of juvenile detention. We must end the practice of charging youth as adults and throwing our kids into the revolving doors of the criminal injustice system. We must listen to and value our children.

#### **4. Institute a civilian oversight/review board**

The MNPDP Office of Professional Accountability is the office that currently handles all formal complaints made against Metro police officers. According to records obtained from MNPDP, between 2005 and 2015, citizens filed 6,846 formal officer complaints. However, officers were only suspended in 308 cases (4.5%) and terminated in only four (.1%). Civilian Oversight Boards or Civilian Review Boards are mechanisms for ensuring democratic, community input into matters of police accountability. Echoing the call of front lines organizers, activists, and policymakers across the country, and in Nashville, we call for the institution of a Civilian Oversight Board in Metro Nashville with subpoena power. We call for a board member appointment process that is also controlled by community members, and that excludes current or former police officers from eligibility.

#### **5. Institute racial impact tools**

Racial impact tools are used to show the impact of laws, policies, and rules on communities of color. These tools have been shown to be particularly useful in jurisdictions with offices that focus on racial equity. In implementing racial impact tools, it is crucial that officials in positions of power (city, state, and federal officials) work with community organizations that work with those racial and ethnic groups who are most impacted. This process must involve community participation at all stages. Examples of steps include: constructing a common language, assessing racial impact, and crafting remedies for racially unjust policies. Although data will be an important component in determining racial impact, policies must also place value on the lived experiences that community members share. There must be value placed on qualitative data as well as quantitative, because communities of color are the experts of their own experiences. And it is the duty of those in power to listen to the communities they represent.

#### **6. End the use of consent searches and pat down searches during random traffic stops**

MNPDP has a track record of gross racial and ethnic disparities in its use of consent and pat down searches (see Findings 6 and 7). The vast majority of MNPDP's consent and pat down searches are against innocent civilians who have no contraband or weapons: 95 out of 100 Hispanic/Latino drivers subjected to consent searches are innocent, 90 out of 100 black drivers subjected to consent searches are innocent, and 85 out of 100 white drivers subjected to consent searches are innocent. In the rare event that a pat down or consent search does succeed, the contraband discovered is almost always marijuana or other drugs and is not a weapon. For these reasons, we demand the end of MNPDP's use of consent and pat down searches during random traffic

stops, and we call upon the Metro Council to draft legislation instituting their eradication.

## **7. Radically overhaul MNPD's Traffic Stop Training Program**

We demand an end to MNPD Officer Training's emphasis on the use of traffic stops as a pretext to gain entry into people's cars. Instead, train officers to focus on actual traffic enforcement and *bona fide* moving violations rather than using traffic stops as a pretext to conduct searches and make arrests (see Section II of this report). Instill a philosophy of interacting with civilians on the basis of "Give Respect to Get Respect" rather than "Intimidate and Dominate." End any and all training that gives the explicit or implicit message that it is appropriate for officers to use trickery, deceit, or "gotcha" gamesmanship in order to circumvent people's rights.

The current Traffic Stop Lesson Plan teaches officers that after making the "cite or release" decision they should tell people that they are free to go but then immediately ask "Can I ask you a question?" Officers are supposed to then "get a 'yes,'" after which they are supposed to try to gain consent to search the person's car. The Lesson explicitly endorses the "Can I ask you a question?" tactic as a way to keep people from leaving while ostensibly converting the stop from a forced detention to a consensual encounter. The purpose of this tactic is to make a showing of technical compliance with the Fourth Amendment while advancing the goal of searching people's cars. This practice is fundamentally dishonest, and MNPD must immediately stop promoting this type of practice, which leads to the disparities covered in Findings 6 and 7 of this report.

Provide actual statistical data regarding the potential dangers officers face during traffic stops. Presently, MNPD's traffic stop training focuses on instilling fear with references like the Mark Chesnut story and the "You never know if you're stopping grandma or a felon" line. No MNPD officer has been killed by gunfire during a traffic stop since 1991, and MNPD has conducted over 2 million traffic stops since Mark Chesnut was shot without another officer shooting. According to the FBI, in 2013, only five officers in the entire country were injured by a weapon while conducting a traffic stop, even though law enforcement conducts many millions of traffic stops per year in the U.S. Thus, the reality is that the odds of an individual officer being shot during a traffic stop are extremely low, and traffic stop training should reflect this reality.

## **8. Equip all MNPD patrol cars and undercover cruisers with audiovisual recording devices**

MNPD should equip all patrol cars and undercover cruisers with audiovisual recording devices that automatically turn on when a traffic stop is initiated, and all officers with body microphones. Cameras and microphones would deter violence, protect civilians from false allegations, and provide prosecution evidence when officers engage in misconduct. Many neighboring Tennessee counties that are much less affluent than Nashville already have this equipment. All traffic stops must be recorded and stored for review.

## **9. Reject police militarization**

We are demanding that there be an end to militarization of the police force. While Metro government recently invested \$1 million into militarized police equipment, police should not become an occupying, violent force in our city. In August 2014, during the Ferguson meeting hosted by Bishop Joseph Walker, Chief Anderson

promised that Nashville would not invest in militarized equipment and that the equipment Metro had at the time was strictly for “acts of terrorism.” During this event, before hundreds of people, Chief Anderson acknowledged that departments should not rely on military equipment and tactics to police everyday problems, deal with peaceful protests, or to police Nashville residents in general. Metro Nashville government should reject the transfer of military equipment into our local police department. In order for Metro Nashville Police Department to truly protect and serve the Nashville community, it cannot be armed. An armed police department is one that already views community members as enemy combatants.

## **10. Improve MNPB transparency and accountability**

MNPB should ensure that raw data and aggregate summary statistics are properly collected, accurate, and made publicly available. Incident reports and other documentation related to suspected police brutality and racial profiling should be easily accessible to community members and researchers. In addition to internal analyses by the Crime Analysis Section, independent statistical consultants should be utilized regularly to track progress toward eliminating disparities and providing more equitable policing. Annual reports on traffic stops should, in addition to the current grid method of geolocating stops, utilize census block groups as geographic areas that can be reproducibly linked to demographic data. Finally, similar to the recent collaboration with the Center for Data Science and Public Policy aiming to intervene on officers that are likely to use excessive force, data analytic and machine learning tools should be utilized to reduce officer-level racial disparities in traffic stops made, searches conducted, and traffic stop outcomes.

## **11. Employ restorative justice as a foundational principle**

All police policy decisions must be made based on a deep commitment to the philosophy of Restorative Justice. We must invest in community based preventative measures that are restorative, that nurture and honor the needs of victims, and that offer pre-arrest options of accountability within the community where harm is caused. For instance, there must be provision of the following resources: community-based sexual assault and domestic violence centers, community-based pre-arrest juvenile diversion, and community-based circle keepers where police don't have to be called. Having police officers present in circles can disrupt the safe space and created a negative power differential. To further the idea of restorative justice, we demand that there be concrete fiscal support for pre-arrest diversion programs. Nashville must support the creation and funding of pre-arrest alternative to courts and jails. There must be a presence of unarmed, trained and restorative community members walking through neighborhoods, building relationships, and assisting fellow community members in resolving conflict and repairing harm. Communities will have tools to engage each other when harm is caused. At the least, the city should fund emergency responders.



## VI. RESEARCH DESIGN AND METHODOLOGY

The mission of Gideon’s Army is: “To act collectively, boldly, and strategically as a unified force for all children. We eliminate the root causes of the prison pipeline, save our children from death and incarceration, and guide them on a secure path to success.” As a precursor to this report, Gideon’s Army conducted community listening sessions called “Family Suppers.” These gatherings consisted of fellowshipping amongst members of predominantly black and low-income neighborhoods and participating in what is known as “healing circles.” In these circles, some of this city’s most marginalized residents shared narratives around community safety, youth violence and wellbeing, restorative justice, and the policing practices of the Metro Nashville Police Department (MNPd). These suppers gave insight into how communities interact with and perceive MNPd, which gave rise to critical questions community members have about policing in their community, which, in turn, prompted the formation of a police and criminal justice accountability project tasked with multiple goals, including community education and training, exploring alternatives to policing, and building power to create new forms of restorative justice and police oversight in Nashville. This report is a preliminary expression of these endeavors.

Conducted by a team of more than 60 community members, this report attempts to elaborate upon and deepen critical insight on MNPd’s role and function in the community. The primary sources of this report are 1) data on MNPd traffic stops and 2) the self-narrated experiences of black drivers who have been subjected to those traffic stops. Combining a variety of methodological approaches, and allowing our quantitative and qualitative data to mutually inform, corroborate, and elucidate one another, this report is the product of collaboration between black community members, organizers, activists, lawyers, oral historians, and academic researchers. Our interviewees’ narratives informed the direction of our Research Findings (Section III), and the hopes for change they articulated are reflected in our report’s Demands (Section V). Likewise, our emerging quantitative findings from data obtained from MNPd helped direct the topics and questions we raised in our conversations with our 22 interviewees. The purpose of this report is to communicate just some of the realities of “driving while black” in Nashville.

### Quantitative Methodology

This report draws on multiple sources of data to provide a holistic picture of traffic stops in Nashville. We analyze the Metro Nashville Police Department Manual, the MNPd Traffic Stop Lesson Plan, departmental records of all traffic stops from January, 1 2001 to September, 2 2016 made in the MNPd service area with an emphasis on 2011-2015, press releases on Operation Safer Streets (OSS) activity, and interviews with black community members who have been stopped by police in Nashville. Traffic stop data were obtained through a data request to MNPd. We were provided with data collected through Form 252, the form that police officers are required to submit for all officer-initiated traffic stops. According to the MNPd Manual, gender and race or ethnicity must be recorded on Form 252, “if this information can reasonably be ascertained by physical appearance or from the driver’s license, other documents provided by the vehicle operator, voluntary statements from the person stopped, or observations made by the officer.”<sup>1</sup> Therefore, we are relying on officers’ perception of race and ethnic group membership and driver’s license categorization rather than the self-identification of the individuals being stopped. For this report, the categories “black” and “white”

do not include individuals who are also categorized as “Hispanic” by the police officer. Even though there is considerable racial heterogeneity within Hispanic populations, we follow conventions common in governmental statistical reports and MNP reports.

We proceed with the quantitative data analysis in several phases. First, we estimate population prevalence of traffic stops for Nashville-Davidson County. Second, we look at how many individuals are stopped by police and how many times they are stopped. Third, we examine the reasons given for stopping individuals to see whether types of stops are evenly distributed across racial/ethnic groups. Fourth, we look at searches and search justification as well as how often evidence is reportedly found. Fifth, we parse the possible outcomes (verbal warning, written warning, traffic citation, state citation, or arrest) from stops by race/ethnicity. Sixth, we examine OSS press releases to examine how low-income and racial minority neighborhoods are targeted with special enforcement. Finally, we conduct a spatial analysis by mapping traffic stop coordinates over a map of Nashville showing the racial/ethnic composition of neighborhoods. A variety of tools were used in the quantitative analysis. ACS estimates were calculated in SAS since the US Census Bureau provides data files and sample code in SAS format. All other statistics were calculated in R. SAS and R code are available upon request from the authors. Spatial analysis assigned coordinates to stops and were mapped using QGIS. Together, this analysis provides a lens to view the scale of traffic enforcement in Nashville and the racial/ethnic disparities that shape the lives of Nashvillians every day.

To estimate population prevalence of traffic stops, we first had to estimate the population size of Nashville for the years corresponding to our focal MNP data, 2011-2015. We use the American Community Survey (ACS) Public Use Microdata Sample (PUMS), a representative sample collected annually in cities with populations over 65,000 by the US Census Bureau. ACS data is the most common source of population statistics in the United States. We restrict our population sample to black non-Hispanics, white non-Hispanics, and Hispanics over the age of 16, the driving age in Tennessee. Replicate weights are applied to the sample to estimate the total population size of each group and Nashville as a whole. Standard errors of the estimates were calculated based on the formula provided by the US Census Bureau. Standard error estimates are used to calculate the 95% confidence intervals (i.e., margin of error), the range that population estimates are likely to fall into in 95 out of 100 random samples.

Next, we estimate the proportion of the driving age population (total and by racial/ethnic subgroup) that was stopped in each year. Rates are calculated by dividing the total number of traffic stop records in each year by the total population size giving the proportion of the population stopped each year. The proportion is multiplied by 1,000 to give the rate per 1,000 residents. The process is repeated for black, white, and Hispanic driving age populations.

The estimation of traffic stop rates, above, does not take into account that individuals may be stopped more than once and therefore may be present in the dataset multiple times. The traffic stop records include driver's license number as a unique driver identifier. However, driver's license information is missing for 43.6% of cases (42.8% of black records, 47.9% of Hispanic records, and 43.7% of white records). Driver's license number was an optional category on Form 252 but became mandatory on July 6, 2015. High rates of missing data limit our ability to draw strong conclusions about the number of individuals that experience traffic stops. However, our most recent data end on September 2, 2016 so we utilize a one-year range of data from September 1, 2015 through August 31, 2016 to examine how many times individuals are stopped and the total portion of the population stopped on a yearly basis. We calculate within group proportions for individuals stopped once over five years, those who have been stopped 2-5 times, those stopped 6-10 times, and those stopped 10 or more times.

Officers are required to provide a justification for all traffic stops. We examine investigatory stops, moving violations, parked stops, regulatory stops, safety stops, seat belt stops, and vehicle equipment violations. If stops are evenly distributed across the population, we would expect that the proportion of stops by race/ethnicity would approximate the representation of each group in the population. Table 5.1 (see Appendix 1) shows the total number of stops broken out by category, racial and ethnic stop totals by category, each racial/ethnic group's proportional representation in each type of stop, and the difference between the group's percentage of each type of stop and their percentage of the population showing disparities compared to population representation. Positive differences show that the group has a greater burden of traffic stops compared to their size in the population, while negative numbers show that the group is less represented than their portion of the population.

When officers conduct searches, they must provide a legal justification and/or get consent from the driver. They are required to indicate on Form 252 the types of searches that occurred (i.e. vehicle search, pat down, driver search, or passenger search) and the legal justification for the search (i.e. probable cause, consent of the driver, contraband in plain sight, warrant on the driver, inventory search, or arrest search). We focus on legal justification and distinguish between non-discretionary searches (i.e. warrant on the driver, inventory search, or arrest search) and discretionary searches (i.e. probable cause, consent of the driver, or plain sight). We estimate logistic regression models predicting discretionary searches since logistic regression shows the probability of an event occurring and can model the probability of multiple independent variables on one outcome. When independent variables are categorical, separate binary variables (values 0 and 1) are created for each of  $k$  groups. In the logistic regression equation,  $k-1$  groups have variables in the model. The group left out serves as a reference group, indicated as "ref." in the tables or a line at one in the graphs. Regression coefficients for categorical variables are interpreted as a comparison with the reference group.

Logistic regressions are estimated in R using the `glm()` function with a logit link. Logistic regression coefficients are the log odds of the outcome for a one-unit increase of the independent variable. The coefficients are exponentiated to give odds ratios. Odds ratios are the probability of the event occurring for each 1-unit increase of the independent variable. Since group variables are coded 0 and 1, the odds ratio refers to the probability the event will occur for one group compared to the reference group. An odds ratio of 1 indicates no effect of the independent variable. Values above 1 indicate an increased probability for each 1-unit increase of the independent variable. For example, if a black-white comparison is made and the odds ratio is 1.5, black drivers would have a 50% greater odds of the event happening compared to white drivers. If the odds were 2.5, black drivers would have a 150% greater odds of the event occurring compared to white drivers. If the odds ratio is below 1, the odds of the event are lower than the reference. Given a black-white comparison with an odds ratio of .75, black drivers would be 25% less likely to have the event occur.

During a search, officers may or may not find evidence. Table 7.1 (see Appendix 1) shows the proportion of searches where evidence is obtained for cases where 1) any search took place, 2) an officer conducted a search based on probable cause, 3) searches where the driver consented to a search but the officer had no probable cause to search the vehicle, driver, or passenger, and 4) plain view searches. The percentage of times evidence is found is examined for all forms of evidence, drugs, and weapons.

Finally, we assess the final result of traffic stops. Table 8.1 (see Appendix 1) shows stop outcomes by race and ethnicity. Five results are possible: a verbal warning, a written warning, a traffic citation, a state citation, or an arrest. We combine verbal and written warnings since few written warnings are given. We calculate population differences by subtracting the proportion of the driving age population for each racial/ethnic group from the proportion of total stops by racial/ethnic group. Table 8.2 (see Appendix 1) presents the final result from traffic stops when searches were conducted. These findings provide insight into disparities in search outcomes.

## Spatial Analysis

We analyze the spatial concentration of traffic stops across Nashville, with particular emphases on the prevalence of stops in areas with higher proportions of low-income residents and residents of color. Using the open-source mapping software QGIS, we generated “heat maps” illustrating the clustering of traffic stops in areas with more nonwhite residents and people below the poverty line at the Census Block Group Level using ACS 2009-2014 estimates. To convert the listed addresses in the database into spatial coordinates, we used the geocoder provided by ESRI Business Analyst. Approximately 100,000 traffic stops over the period 2011 to 2015 did not have the address at which the stop occurred; these cases were thus excluded. Some interviews were excluded from cluster analysis due to low-quality geocoding data. Specifically, estimates were included only if they were precise to the level of an exact address point or street address level. The final cluster analyses utilized about 1.67 million cases, of about 1.9 million cases that had an address reported for the traffic stop.

## Qualitative Interviews and Analysis

For the fieldwork portion of this project, we conducted semi-structured interviews with black community members who have had negative interactions with MNPd officers in the past five years. Gideon’s Army decided that semi-structured interviews would be the best way to gain a sense of what Nashvillians’ experiences with MNPd look like “on the ground.” In other words, what do traffic stops actually look and feel like for black drivers in Nashville?

### Semi-Structured Interviewing

Based on our findings that black drivers are disproportionately stopped and searched, we decided to focus on the experiences of black drivers who have had negative interactions with Nashville police. As mentioned above, our interviews were semi-structured, meaning our interviewers used the interview guide as a rough outline of topics, while tailoring their line of questioning to each individual they spoke with. This more “holistic” or “organic” approach allowed community members to share their accounts of traffic stops in their own words, on their own terms, which yielded rich, detailed, and often heart-wrenching accounts of adverse experiences involving MNPd.

We developed a preliminary interview guide inquiring into community members’ experiences with MNPd, with an emphasis on their most recent and most memorable traffic stops. Members of Gideon’s Army’s fieldwork subcommittee reviewed this document and contributed additional interview questions, and the team collectively developed the interview guide found in Appendix 3.

### Informed Consent

In an effort to protect our interview participants, our team also decided to provide interviewees with the option of using a pseudonym to ensure confidentiality, or to refuse to be recorded for the project. We developed a brief informed consent document that outlined the risks and benefits of participation. Gideon’s Army’s fieldwork subcommittee approved the document, and our interviewers clearly outlined the options for protecting confidentiality when speaking with potential participants. This was done either verbally, or through presenting the document, depending on interviewees’ preferences. The informed consent form may be found in Appendix 4 of this report.



## Recruitment and Interviewing

Joanie Evans, A.K. Thomas (aka KHAOS), Andrea Flores, Andrew Krinks, Taneisha Gillyard, and Evan Bunch conducted interviews on behalf of Gideon’s Army. In total, they interviewed 22 black community members ranging in age from 23 to 70 and living in neighborhoods in North, South, East, and West Nashville. The vast majority of interviewees earn low to middle levels of income, based on our interviewers’ estimation and conversation with interviewees.

Our interviewing team recruited participants by a variety of means. In some cases, participants were friends, spouses, or coworkers. In others, our interviewers utilized Gideon’s Army’s community network to have potential interviewees referred through friends. After being interviewed, some of our interviewees made recommendations as to which of their friends or family members might be interested in being interviewed—a method of non-probability sampling called snowball sampling.

Some of our interviewees decided to use pseudonyms to protect their identities, while others use only their first or middle names to identify themselves. Still others opted to have their full names used in our final report, with several of these individuals being prominent community organizers. Some interviewees agreed to be video recorded for the purpose of potential visual arts projects by Gideon’s Army, while others decided to be audio recorded instead. Our team conducted 21 interviews in person and 1 interview by telephone.

## Qualitative Data Analysis

After completing the interviews, our interviewers submitted their recordings to volunteers from Showing Up for Racial Justice (SURJ) Nashville and the Nashville Feminist Collective who transcribed the interviews. We coded the transcribed interviews, noting interviewees’ comments that reflected the themes elucidated through quantitative analysis of MNPD records, as well as identifying new themes as they arose. This latter strategy is referred to as open coding, and this inductive approach allowed our team to identify themes centered on the nature of police-community interactions on an individual, as opposed to aggregate, level.

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<sup>1</sup> MNPD Manual, § 4.40.020.



# APPENDIX 1: REPORT TABLES

## TABLES REFERENCED IN RESEARCH FINDINGS

**Table 5.1: Reasons Given for Traffic Stops by Race (2011-2015 pooled)<sup>a</sup>**

	Total Stops	Black (non-Hispanic) (%)	Hispanic (%)	White (non-Hispanic) (%)	Black Difference from Pop. (27.6%)	Hispanic Difference from Pop. (8.6%)	White Difference from Pop. (63.8%)
<b>All Stops</b>	1,964,778	772,157 (39.3%)	101,592 (5.2%)	1,091,029 (55.5%)	11.7	-3.4	-8.3
<b>Investigatory</b>	36,743	16,835 (45.8%)	2,893 (7.9%)	17,015 (46.3%)	18.2	-0.7	-17.5
<b>Moving Violation</b>	973,492	354,515 (36.4%)	48,063 (4.9%)	570,914 (58.6%)	8.8	-3.7	-5.2
<b>Parked</b>	6,053	3,079 (50.9%)	231 (3.8%)	2,743 (45.3%)	23.3	-4.8	-18.5
<b>Regulatory</b>	109,405	45,218 (41.3%)	4,819 (4.4%)	59,368 (54.3%)	13.7	-4.2	-9.5
<b>Seat Belt</b>	71,447	30,184 (42.2%)	3,366 (4.7%)	37,897 (53.0%)	14.6	-3.9	-10.8
<b>Safety and Equipment</b>	117,265	50,865 (43.4%)	7,440 (6.3%)	58,960 (50.3%)	15.8	-2.3	-13.5
<b>Vehicle Equipment Violation</b>	650,373	271,461 (41.7%)	34,780 (5.3%)	344,132 (52.9%)	14.1	-3.3	-12.6

<sup>a</sup> Population differences subtracts the 5-year average population from the percent of stops by type for each race/ethnicity.

**Table 7.1: Search Results (2011-2015 pooled)**

	Total searches	Drugs Found	Weapons Found	Other Evidence	No Evidence
<b>All Searches</b>	82,270	13,164 (16.0%)	1,178 (1.4%)	2,395 (2.9%)	66,107 (80.4%)
<b>Probable Cause</b>	18,794	8,995 (47.8%)	783 (4.2%)	888 (4.7%)	8,587 (45.7%)
<b>Consent</b>	40,705	3,663 (9.0%)	287 (0.7%)	859 (2.1%)	35,985 (88.4%)
<b>Plain View (with probable cause)</b>	1,288	789 (61.3%)	119 (9.2%)	97 (7.5%)	356 (27.6%)
<b>Plain View (without probable cause)</b>	11,120	192 (1.7%)	39 (0.4%)	101 (0.9%)	10,800 (97.1%)
<b>Pat Down</b>	41,055	7,614 (18.5%)	700 (1.7%)	1,452 (3.5%)	31,618 (77.0%)

**Table 8.1: Stop Outcome by Race/Ethnicity and Difference from Driving Age Population (2015)**

	Total Stops	Black (% of stops)	Hispanic (% of stops)	White (% of stops)	Black Population Difference (%-27.4)	Hispanic Population Difference (%-8.7)	White Population Difference (%-63.9)
<b>Warning</b>	275,255	110,208 (40.0%)	15,781 (5.7%)	162,574 (59.1%)	12.6%	-14.4%	-4.8%
<b>Traffic Ticket</b>	51,814	15,666 (30.2%)	2,872 (5.5%)	33,276 (64.2%)	2.8%	-3.2%	0.3%
<b>State Citation</b>	19,891	10,435 (52.5%)	4,419 (22.2%)	5,037 (25.3%)	25.1%	13.5%	-38.6%
<b>Arrest</b>	5646	3,165 (56.1%)	599 (10.6%)	1,883 (33.4%)	28.7%	1.9%	-30.6%

**Table 8.2: Outcomes of Vehicles Searched During Traffic Stops (2015)**

	Total Stops	Warning (% of total)	Traffic Ticket (% of total)	State Citation (% of total)	Arrest (% of total)
<b>All Drivers</b>					
<b>Searched</b>	13,715	5,189 (37.8%)	1,456 (10.6%)	4,522 (33.0%)	4,075 (29.7)
<b>Probable Cause</b>	3,877	983 (25.4%)	495 (12.8%)	1,914 (49.4%)	1,078 (27.8%)
<b>Consent</b>	5,535	2,366 (42.7%)	394 (7.1%)	2,202 (39.8%)	990 (17.9%)
<b>Black Drivers</b>					
<b>Searched</b>	7,546	2,677 (35.5%)	838 (11.1%)	2,597 (34.4%)	2,311 (30.6%)
<b>Probable Cause</b>	2,526	715 (28.3%)	321 (12.7%)	1,186 (47.0%)	674 (26.7%)
<b>Consent</b>	3,087	1,328 (43.0%)	230 (7.5%)	1,198 (38.8%)	566 (18.3%)
<b>White Drivers</b>					
<b>Searched</b>	5,171	2,276 (44.0%)	461 (8.9%)	1,522 (29.4%)	1,395 (27.0%)
<b>Probable Cause</b>	1,154	234 (20.2%)	144 (12.5%)	640 (55.5%)	331 (28.7%)
<b>Consent</b>	2,036	901 (44.3%)	131 (6.4%)	764 (37.5%)	377 (18.5%)
<b>Hispanic Drivers</b>					
<b>Searched</b>	998	236 (23.6%)	157 (15.7%)	403 (40.4%)	369 (37.0%)
<b>Probable Cause</b>	197	34 (17.3%)	30 (15.2%)	88 (44.7%)	73 (37.1%)
<b>Consent</b>	412	137 (33.3%)	33 (8.0%)	240 (58.3%)	47 (11.4%)

## TABLES CORRESPONDING TO REPORT GRAPHS

Figure 0.1: Total Stops Made by MNPD (2001-2016)

	Total	Black	White	Hispanic	Other
2001	102,783	32,743	61,058	NA	8,982
2002	125,990	40,150	73,742	6,706	5,392
2003	126,083	41,613	72,497	6,712	5,261
2004	218,036	71,956	127,388	10,815	7,877
2005	269,820	88,648	160,068	11,629	9,475
2006	273,572	88,883	163,114	12,027	9,548
2007	261,001	89,181	148,471	13,679	9,670
2008	298,966	117,923	157,532	13,458	10,053
2009	283,502	105,032	153,185	15,409	9,876
2010	312,192	115,571	170,265	15,842	10,514
2011	394,916	153,628	211,459	19,125	10,704
2012	445,098	173,699	238,219	21,442	11,738
2013	413,428	161,095	220,662	20,219	11,452
2014	414,336	155,916	225,470	20,999	11,951
2015	358,566	130,076	197,492	20,206	10,792
2016 (projected) <sup>a</sup>	287,380	104,836	156,122	17,682	8,739

<sup>a</sup>Projected value for 2016 includes data through September 2, 2016 and figures are multiplied by 1.33 to adjust for only having two-thirds of the year's data.

Figure 2.4: Difference from Population Representation (Residents and Non-Residents)

	Total Stops	Black Stops	White Stops	Hispanic Stops	Black diff. from pop.	White diff. from pop.	Hispanic diff. from pop.
2011	384,212	153,628 (40.0%)	211,459 (55.0%)	19,125 (5.0%)	12.6%	-8.8%	-3.7%
2012	433,359	173,699 (40.1%)	238,219 (55.0%)	21,442 (4.9%)	12.6%	-8.9%	-3.7%
2013	401,976	161,095 (40.1%)	220,662 (54.9%)	20,219 (5.0%)	12.6%	-9.1%	-3.5%
2014	402,385	155,916 (38.7%)	225,470 (56.0%)	20,999 (5.2%)	11.0%	-7.7%	-3.3%
2015	347,774	130,076 (37.4%)	197,492 (56.8%)	20,206 (5.8%)	9.9%	-7.0%	-2.8%
<b>Avg.</b>	<b>393,941</b>	<b>154,883</b> <b>(39.3%)</b>	<b>218,660</b> <b>(55.5%)</b>	<b>20,398</b> <b>(5.2%)</b>	<b>11.7%</b>	<b>-8.3%</b>	<b>-3.4%</b>

Rates are calculated based on the total number of stops per year compared to the population of Nashville/Davidson County over age 16 according to the American Community Survey (ACS).

**Figure 2.5: Difference from Population Representation (Residents Only)**

	Total stops	Black	White	Hispanic	Black	White	Hispanic
<b>2011</b>	297,455	136,142 (45.8%)	145,121 (48.8%)	16,192 (5.4%)	18.3%	-15.1%	-3.2%
<b>2012</b>	333,256	153,849 (46.2%)	161,309 (48.4%)	18,098 (5.4%)	18.7%	-15.4%	-3.3%
<b>2013</b>	309,014	142,439 (46.1%)	149,493 (48.4%)	17,082 (5.5%)	18.6%	-15.6%	-3.0%
<b>2014</b>	310,374	138,194 (44.5%)	154,218 (49.7%)	17,962 (5.8%)	16.8%	-14.0%	-2.8%
<b>2015</b>	265,685	113,906 (42.9%)	134,738 (50.7%)	17,041 (6.4%)	15.4%	-14.7%	-2.2%
<b>Average</b>	303,157	136,906 (45.2%)	148,976 (49.1%)	17,275 (5.7%)	17.5%	-14.6%	-2.9%

**Figures 3.1 & 3.2: Proportion of Population Stopped Multiple Times (Rate Per 1,000 Drivers 09/01/15-08/31/16)**

	Once per year	2-5 times	6-10 times	>10 times	Total Proportion Stopped	
<b>Black</b>		307.8	145.4	9.0	1.3	463.4
<b>White</b>		313.1	68.4	1.9	0.28	383.7
<b>Hispanic</b>		186.7	39.0	0.9	0.3	226.9

**Figure 5.1: Reasons for Traffic Stops by Race/Ethnicity (2011-2015 pooled)<sup>a</sup>**

	Total Stops	Black (non-Hispanic) (%)	Hispanic (%)	White (non-Hispanic) (%)	Black Difference from Pop. (27.6%)	Hispanic Difference from Pop. (8.6%)	White Difference from Pop. (63.8%)
<b>All Stops</b>	1,964,778	772,157 (39.3%)	101,592 (5.2%)	1,091,029 (55.5%)	11.7	-3.4	-8.3
<b>Investigatory</b>	36,743	16,835 (45.8%)	2,893 (7.9%)	17,015 (46.3%)	18.2	-0.7	-17.5
<b>Moving Violation</b>	973,492	354,515 (36.4%)	48,063 (4.9%)	570,914 (58.6%)	8.8	-3.7	-5.2
<b>Parked</b>	6,053	3,079 (50.9%)	231 (3.8%)	2,743 (45.3%)	23.3	-4.8	-18.5
<b>Regulatory</b>	109,405	45,218 (41.3%)	4,819 (4.4%)	59,368 (54.3%)	13.7	-4.2	-9.5
<b>Seat Belt</b>	71,447	30,184 (42.2%)	3,366 (4.7)	37,897 (53.0%)	14.6	-3.9	-10.8
<b>Safety and Equipment</b>	117,265	50,865 (43.4%)	7,440 (6.3%)	58,960 (50.3%)	15.8	-2.3	-13.5
<b>Vehicle Equipment Violation</b>	650,373	271,461 (41.7%)	34,780 (5.3%)	344,132 (52.9%)	14.1	-3.3	-12.6

<sup>a</sup> Population differences subtracts the 5-year average population from the percent of stops by type for each race/ethnicity.

Figures 6.1, 6.2, 6.4, 6.6, 6.8, 7.1, 7.2: Total Searches by Race/Ethnicity

	All Groups		Black (non-Hispanic)		White (non-Hispanic)		Hispanic	
	Total Searches	Found evidence (% of total)	Total Searches (% of total)	Found Evidence (% within group)	Total Searches (% of total)	Found Evidence (% within group)	Total Searches (% of total)	Found Evidence (% within group)
<b>All Searches</b>								
2011	17,220	2,970 (17%)	8,613 (50.0%)	1,564 (18.2%)	7,063 (41.0%)	1,271 (18%)	1,544 (9.0%)	105 (6.8%)
2012	17,863	3,356 (18.5%)	9,196 (51.5%)	1,802 (19.6%)	7,329 (41.0%)	1,390 (19%)	1,338 (7.5%)	120 (9%)
2013	16,954	3,505 (20.4%)	9,302 (54.9%)	1,992 (21.4%)	6,422 (37.9%)	1,330 (20.7%)	1,230 (7.3%)	150 (12.2%)
2014	16,518	3,363 (20.1%)	9,132 (55.3%)	1,908 (20.9%)	6,285 (38.0%)	1,291 (20.5%)	1,101 (6.7%)	130 (11.8%)
2015	13,715	3,148 (22.6%)	7,546 (55.0%)	1,811 (24%)	5,171 (37.7%)	1,149 (22.2%)	998 (7.3%)	150 (15%)
<b>Probable Cause Searches</b>								
2011	3,417	1,731 (50.0%)	1,973 (57.7%)	961 (48.7%)	1,293 (37.8%)	692 (53.5%)	151 (4.4%)	61 (40.4%)
2012	3,691	1,954 (50%)	2,262 (61.3%)	1,141 (50.4%)	1,291 (35.0%)	728 (56.4%)	138 (3.7%)	57 (41.3%)
2013	3,816	2,156 (55.8%)	2,448 (64.2%)	1,299 (53.1%)	1,168 (30.6%)	743 (63.6%)	200 (5.2%)	91 (45.5%)
2014	3,993	2,233 (55.2%)	2,645 (66.2%)	1,360 (51.4%)	1,173 (29.4%)	760 (64.8%)	175 (4.4%)	88 (50.3%)
2015	3,877	2,254 (57.5%)	2,526 (65.2%)	1,339 (53%)	1,154 (29.8%)	779 (67.5%)	197 (5.1%)	108 (54.8%)
<b>Consent Searches</b>								
2011	9,661	988 (10.1%)	5,000 (51.8%)	480 (9.6%)	3,696 (38.3%)	468 (12.7%)	965 (10.0%)	29 (3%)
2012	8,912	1,104 (12.3%)	4,886 (54.8%)	542 (11.1%)	3,277 (36.8%)	509 (15.5%)	749 (8.4%)	42 (5.6%)
2013	8,714	1,098 (12.5%)	5,018 (57.6%)	568 (11.3%)	3,043 (34.9%)	487 (16%)	653 (7.5%)	40 (6.1%)
2014	7,883	906 (11.4%)	4,479 (56.8%)	456 (10.2%)	2,859 (36.3%)	415 (14.5%)	545 (6.9%)	29 (5.3%)
2015	5,535	662 (11.8%)	3,087 (55.8%)	341 (11%)	2,036 (36.8%)	288 (14.1%)	412 (7.4%)	26 (6.3%)
<b>Pat Down Searches</b>								
2011	9,939	2,970 (17%)	5,302 (53.3%)	1,564 (18.2%)	3,642 (36.6%)	1,271 (18%)	995 (10%)	105 (6.8%)
2012	8,888	3,356 (18.5%)	4,942 (55.6%)	1,802 (19.6%)	3,156 (35.5%)	1,390 (19%)	790 (8.9%)	120 (9%)
2013	8,662	3,505 (20.4%)	5,063 (58.5%)	1,992 (21.4%)	2,899 (33.5%)	1,330 (20.7%)	700 (8.1%)	150 (12.2%)
2014	7,668	3,363 (20.1%)	4,415 (57.6%)	1,908 (20.9%)	2,651 (34.6%)	1,291 (20.5%)	602 (7.5%)	130 (11.8%)
2015	5,898	3,148 (22.6%)	3,356 (56.9%)	1,811 (24%)	2,028 (34.4%)	1,149 (22.2%)	514 (8.7%)	150 (15%)

**Figures 6.3, 6.5, 6.7, & 6.9: Odds Ratios of Searches by Race/Ethnicity****All Searches**

	<b>Black</b>	<b>Hispanic</b>	<b>White</b>
<b>2011</b>	1.72***	2.54***	Reference
<b>2012</b>	1.76***	2.10***	Reference
<b>2013</b>	2.04***	2.16***	Reference
<b>2014</b>	2.17***	1.93***	Reference
<b>2015</b>	2.29***	1.93***	Reference

**Probable Cause Search**

	<b>Black</b>	<b>Hispanic</b>	<b>White</b>
<b>2011</b>	2.11***	1.29**	Reference
<b>2012</b>	2.42***	1.19*	Reference
<b>2013</b>	2.93***	1.88***	Reference
<b>2014</b>	3.32***	1.61***	Reference
<b>2015</b>	3.37***	1.68***	Reference

**Consent Search**

	<b>Black</b>	<b>Hispanic</b>	<b>White</b>
<b>2011</b>	1.89***	2.99***	Reference
<b>2012</b>	2.08***	2.60***	Reference
<b>2013</b>	2.30***	2.39***	Reference
<b>2014</b>	2.30***	2.08***	Reference
<b>2015</b>	2.33***	2.0***	Reference

**Plain View Search**

	<b>Black</b>	<b>Hispanic</b>	<b>White</b>
<b>2011</b>	0.68***	0.79*	Reference
<b>2012</b>	0.78***	0.72**	Reference
<b>2013</b>	0.85***	0.85	Reference
<b>2014</b>	1.02	1.10	Reference
<b>2015</b>	1.07*	1.00	Reference

**Pat Down Search**

	<b>Black</b>	<b>Hispanic</b>	<b>White</b>
<b>2011</b>	2.04***	3.13***	Reference
<b>2012</b>	2.18***	2.85***	Reference
<b>2013</b>	2.44***	2.69***	Reference
<b>2014</b>	2.45***	2.48***	Reference
<b>2015</b>	2.55***	2.52***	Reference

\*p&lt;.05, \*\*p&lt;.01, \*\*\*p&lt;.001



Figures 7.3, 7.4, 7.5, & 7.6: Plain View Searches by Race/Ethnicity								
	All Groups		Black (non-Hispanic)		White (non-Hispanic)		Hispanic	
	Total Searches	Found evidence (% of total)	Total Searches (% of total)	Found Evidence (% within group)	Total Searches (% of total)	Found Evidence (% within group)	Total Searches (% of total)	Found Evidence (% within group)
<b>Plain View Search, With Probable Cause</b>								
2011	229	164 (71.6%)	120 (52.4%)	91 (75.8%)	87 (38%)	62 (71.3%)	19 (8.3%)	10 (52.6%)
2012	252	183 (72.6%)	134 (53.2%)	95 (70.9%)	104 (41.3%)	76 (73.1%)	8 (3.2%)	8 (100%)
2013	238	172 (72.3%)	134 (56.3%)	93 (69.4%)	85 (35.7%)	68 (80%)	17 (7.1%)	10 (58.8%)
2014	311	203 (65.3%)	173 (55.6%)	116 (67.1%)	104 (33.4%)	71 (68.3%)	26 (8.4%)	12 (46.2%)
2015	284	225 (79.2%)	164 (57.7%)	128 (78%)	92 (32.4%)	78 (84.8%)	21 (7.4%)	14 (66.7%)
<b>Plain View Search, Without Probable Cause</b>								
2011	1,610	81 (5%)	444 (27.6%)	36 (8.1%)	1,057 (65.7%)	42 (4%)	63 (3.9%)	2 (3.2%)
2012	2,628	59 (2.2%)	848 (32.3%)	29 (3.4%)	1,623 (61.8%)	30 (1.8%)	104 (4%)	0 (0%)
2013	2,358	77 (3.3%)	792 (33.6%)	40 (5.1%)	1,412 (59.9%)	30 (2.1%)	99 (4.2%)	6 (6.1%)
2014	2,522	55 (2.2%)	904 (35.8%)	25 (2.8%)	1,423 (56.4%)	24 (1.7%)	130 (5.2%)	5 (3.8%)
2015	2,262	52 (2.3%)	811 (35.9%)	25 (3.1%)	1,290 (57%)	18 (1.4%)	120 (5.3%)	8 (6.7%)

**Figure 8.3: Stop Outcomes and Total Stops, All Groups (2002-2015)**

	<b>Warning</b>	<b>Traffic Citation</b>	<b>State Citation</b>	<b>Arrest</b>	<b>Total Stops (Rescaled 0-1)</b>
2002	12.6%	83.8%	8.7%	5.4%	0.278
2003	8.9%	90.3%	7.4%	3.6%	0.279
2004	17.9%	81.5%	7.0%	2.9%	0.485
2005	25.7%	73.9%	5.4%	2.4%	0.601
2006	38.3%	61.5%	4.9%	2.4%	0.609
2007	46.3%	53.1%	5.7%	3.0%	0.58
2008	53.4%	46.0%	5.7%	2.5%	0.667
2009	62.4%	36.0%	6.7%	2.6%	0.631
2010	68.3%	30.2%	6.5%	2.0%	0.696
2011	79.2%	18.9%	5.9%	1.8%	0.887
2012	82.5%	15.4%	5.4%	1.5%	1
2013	81.8%	15.8%	5.9%	1.5%	0.928
2014	82.3%	15.2%	5.6%	1.5%	0.929
2015	83.0%	14.9%	5.7%	1.6%	0.803

# APPENDIX 2: PATROL ZONE RACIAL SEARCH DISPARITIES

The following three tables (All Searches, Probable Cause Searches, and Consent Searches) depict searches by race/ethnicity and MNPD patrol zone. The maps (courtesy of MNPD) that follow these tables depict MNPD precincts and patrol zones within each precinct. Patrol zone numbers are depicted with light blue lettering.

All Searches								
		Total Black Stops	Total White Stops	Black Searches	White Searches	% Black drivers Searched	% white Drivers Searched	Black-White Relative Rate
West Precinct	111	15,621	20,739	1,156	885	7.400%	4.267%	73%
	113	6,597	18,360	305	423	4.623%	2.304%	101%
	115	8,146	18,592	445	876	5.463%	4.712%	16%
	117	1,415	12,576	52	216	3.675%	1.718%	114%
	121	2,982	17,213	101	228	3.387%	1.325%	156%
	123	4,900	17,934	217	422	4.429%	2.353%	88%
	125	2,900	18,663	134	399	4.621%	2.138%	116%
West average		42,561	124,077	2,410	3,449	5.662%	2.780%	104%
East Precinct	211	19,378	13,060	1,943	474	10.027%	3.629%	176%
	213	6,758	17,527	377	376	5.579%	2.145%	160%
	215	7,638	13,416	482	243	6.311%	1.811%	248%
	217	10,614	15,832	595	346	5.606%	2.185%	157%
	221	23,461	11,282	2,067	574	8.810%	5.088%	73%
	223	18,177	12,499	1,347	692	7.410%	5.536%	34%
	225	11,178	12,949	637	382	5.699%	2.950%	93%
227	13,667	16,326	756	418	5.532%	2.560%	116%	
East Average		110,871	112,891	8,204	3,505	7.400%	3.105%	138%
South Precinct	311	12,803	12,705	1,044	569	8.154%	4.479%	82%
	313	6,523	14,826	175	240	2.683%	1.619%	66%
	315	11,081	16,956	564	370	5.090%	2.182%	133%
	317	7,209	11,457	260	238	3.607%	2.077%	74%
	321	11,616	15,468	553	451	4.761%	2.916%	63%
	323	9,995	11,900	351	236	3.512%	1.983%	77%
	325	13,929	11,048	324	172	2.326%	1.557%	49%
	331	5,953	8,776	149	117	2.503%	1.333%	88%
	333	10,445	9,254	290	127	2.776%	1.372%	102%
335	5,668	6,160	248	143	4.375%	2.321%	88%	
South Average		95,222	118,550	3,958	2,663	4.157%	2.246%	85%
Central Precinct	411	7,594	12,996	246	234	3.239%	1.801%	80%
	413	15,398	16,239	690	407	4.481%	2.506%	79%
	415	3,093	6,457	147	217	4.753%	3.361%	41%
	421	6,339	17,533	272	478	4.291%	2.726%	57%
	423	5,784	13,822	320	498	5.533%	3.603%	54%
	425	10,227	22,546	448	364	4.381%	1.614%	171%
Central Average		48,435	89,593	2,123	2,198	4.383%	2.453%	79%
Hermitage Precinct	511	18,302	11,479	1,898	644	10.370%	5.610%	85%
	513	6,478	15,828	341	462	5.264%	2.919%	80%
	515	7,573	18,926	305	455	4.027%	2.404%	68%
	517	7,133	20,275	381	728	5.341%	3.591%	49%
	521	5,949	20,651	428	819	7.194%	3.966%	81%
	523	6,192	22,471	401	671	6.476%	2.986%	117%
	525	2,840	12,424	143	478	5.035%	3.847%	31%

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	531	15,241	20,653	914	627	5.997%	3.036%	98%
	533	5,945	10,887	236	265	3.970%	2.434%	63%
	535	8,675	7,199	494	313	5.695%	4.348%	31%
Hermitage Average		84,328	160,793	5,541	5,462	6.571%	3.397%	93%
North Precinct	611	23,094	5,495	1,146	109	4.962%	1.984%	150%
	613	32,764	4,425	1,950	160	5.952%	3.616%	65%
	615	18,499	5,452	1,062	151	5.741%	2.770%	107%
	617	18,985	7,752	804	111	4.235%	1.432%	196%
	621	17,871	7,506	900	215	5.036%	2.864%	76%
	623	16,260	2,797	648	79	3.985%	2.824%	41%
	625	11,426	5,376	394	116	3.448%	2.158%	60%
	627	1,917	5,984	66	157	3.443%	2.624%	31%
North Average		140,816	44,787	6,970	1,098	4.950%	2.452%	102%
Madison Precinct	711	9,622	11,189	780	784	8.106%	7.007%	16%
	713	6,059	7,939	516	662	8.516%	8.339%	2%
	715	6,813	10,779	620	721	9.100%	6.689%	36%
	721	11,375	3,678	904	210	7.947%	5.710%	39%
	723	10,430	11,556	645	458	6.184%	3.963%	56%
	725	4,654	6,794	305	276	6.554%	4.062%	61%
	727	4,023	8,960	310	563	7.706%	6.283%	23%
Madison Average		52,976	60,895	4,080	3,674	7.702%	6.033%	28%
Midtown Precinct	811	8,172	17,565	588	927	7.195%	5.278%	36%
	813	8,097	18,719	430	769	5.311%	4.108%	29%
	815	4,383	22,194	338	1,322	7.712%	5.957%	29%
	821	14,238	20,434	1,124	343	7.894%	1.679%	370%
	823	5,544	17,954	255	255	4.600%	1.420%	224%
	825	3,461	21,239	75	200	2.167%	0.942%	130%
	831	10,598	25,128	295	408	2.784%	1.624%	71%
	833	2,309	13,685	44	91	1.906%	0.665%	187%
	835	7,490	21,729	226	278	3.017%	1.279%	136%
Midtown Average		64,292	178,647	3,375	4,593	5.249%	2.571%	104%

**Probable Cause Searches**

	Zone	Total Black Stops	Total White Stops	Black Probable Cause Searches	White Probable Cause Searches	% Black Drivers Probable Cause Searched	% White drivers Probable Cause Searched	Black-White Relative rate
West Precinct	111	15,621	20,739	332	148	2.125%	0.714%	198%
	113	6,597	18,360	85	84	1.288%	0.458%	182%
	115	8,146	18,592	138	163	1.694%	0.877%	93%
	117	1,415	12,576	9	29	0.636%	0.231%	176%
	121	2,982	17,213	30	53	1.006%	0.308%	227%
	123	4,900	17,934	72	105	1.469%	0.585%	151%
	125	2,900	18,663	37	104	1.276%	0.557%	129%
West average		42,561	124,077	703	686	1.652%	0.553%	199%
East Precinct	211	19,378	13,060	494	81	2.549%	0.620%	311%
	213	6,758	17,527	81	67	1.199%	0.382%	214%
	215	7,638	13,416	161	48	2.108%	0.358%	489%
	217	10,614	15,832	164	68	1.545%	0.430%	260%
	221	23,461	11,282	551	112	2.349%	0.993%	137%
	223	18,177	12,499	328	117	1.804%	0.936%	93%
	225	11,178	12,949	166	62	1.485%	0.479%	210%

	227	13,667	16,326	221	82	1.617%	0.502%	222%
East Average		110,871	112,891	2,166	637	1.954%	0.564%	246%
South Precinct	311	12,803	12,705	231	111	1.804%	0.874%	107%
	313	6,523	14,826	41	52	0.629%	0.351%	79%
	315	11,081	16,956	165	70	1.489%	0.413%	261%
	317	7,209	11,457	83	66	1.151%	0.576%	100%
	321	11,616	15,468	158	118	1.360%	0.763%	78%
	323	9,995	11,900	130	59	1.301%	0.496%	162%
	325	13,929	11,048	115	45	0.826%	0.407%	103%
	331	5,953	8,776	54	54	0.907%	0.615%	47%
	333	10,445	9,254	102	46	0.977%	0.497%	96%
335	5,668	6,160	95	47	1.676%	0.763%	120%	
South Average		95,222	118,550	1,174	668	1.233%	0.563%	119%
Central Precinct	411	7,594	12,996	81	39	1.067%	0.300%	255%
	413	15,398	16,239	188	68	1.221%	0.419%	192%
	415	3,093	6,457	44	47	1.423%	0.728%	95%
	421	6,339	17,533	61	69	0.962%	0.394%	145%
	423	5,784	13,822	89	70	1.539%	0.506%	204%
425	10,227	22,546	139	83	1.359%	0.368%	269%	
Central Average		48,435	89,593	602	376	1.243%	0.420%	196%
Hermitage Precinct	511	18,302	11,479	466	118	2.546%	1.028%	148%
	513	6,478	15,828	84	76	1.297%	0.480%	170%
	515	7,573	18,926	91	89	1.202%	0.470%	156%
	517	7,133	20,275	132	153	1.851%	0.755%	145%
	521	5,949	20,651	143	219	2.404%	1.060%	127%
	523	6,192	22,471	137	159	2.213%	0.708%	213%
	525	2,840	12,424	37	108	1.303%	0.869%	50%
	531	15,241	20,653	261	138	1.712%	0.668%	156%
	533	5,945	10,887	55	60	0.925%	0.551%	68%
535	8,675	7,199	163	55	1.879%	0.764%	146%	
Hermitage Average		84,328	160,793	1,569	1,175	1.861%	0.731%	155%
North Precinct	611	23,094	5,495	305	19	1.321%	0.346%	282%
	613	32,764	4,425	597	27	1.822%	0.610%	199%
	615	18,499	5,452	310	29	1.676%	0.532%	215%
	617	18,985	7,752	195	24	1.027%	0.310%	232%
	621	17,871	7,506	263	45	1.472%	0.600%	145%
	623	16,260	2,797	198	14	1.218%	0.501%	143%
	625	11,426	5,376	104	17	0.910%	0.316%	188%
	627	1,917	5,984	14	27	0.730%	0.451%	62%
North Average		140,816	44,787	1,986	202	1.410%	0.451%	213%
Madison Precinct	711	9,622	11,189	168	111	1.746%	0.992%	76%
	713	6,059	7,939	103	80	1.700%	1.008%	69%
	715	6,813	10,779	155	110	2.275%	1.021%	123%
	721	11,375	3,678	192	36	1.688%	0.979%	72%
	723	10,430	11,556	136	69	1.304%	0.597%	118%
	725	4,654	6,794	58	37	1.246%	0.545%	129%
727	4,023	8,960	52	80	1.293%	0.893%	45%	
Madison Average		52,976	60,895	864	523	1.631%	0.859%	90%

Midtown Precinct	811	8,172	17,565	104	106	1.273%	0.603%	111%
	813	8,097	18,719	90	136	1.112%	0.727%	53%
	815	4,383	22,194	44	92	1.004%	0.415%	142%
	821	14,238	20,434	251	74	1.763%	0.362%	387%
	823	5,544	17,954	54	35	0.974%	0.195%	400%
	825	3,461	21,239	20	29	0.578%	0.137%	323%
	831	10,598	25,128	97	101	0.915%	0.402%	128%
	833	2,309	13,685	11	20	0.476%	0.146%	226%
835	7,490	21,729	85	94	1.135%	0.433%	162%	
Midtown Average		64,292	178,647	756	687	1.176%	0.385%	206%

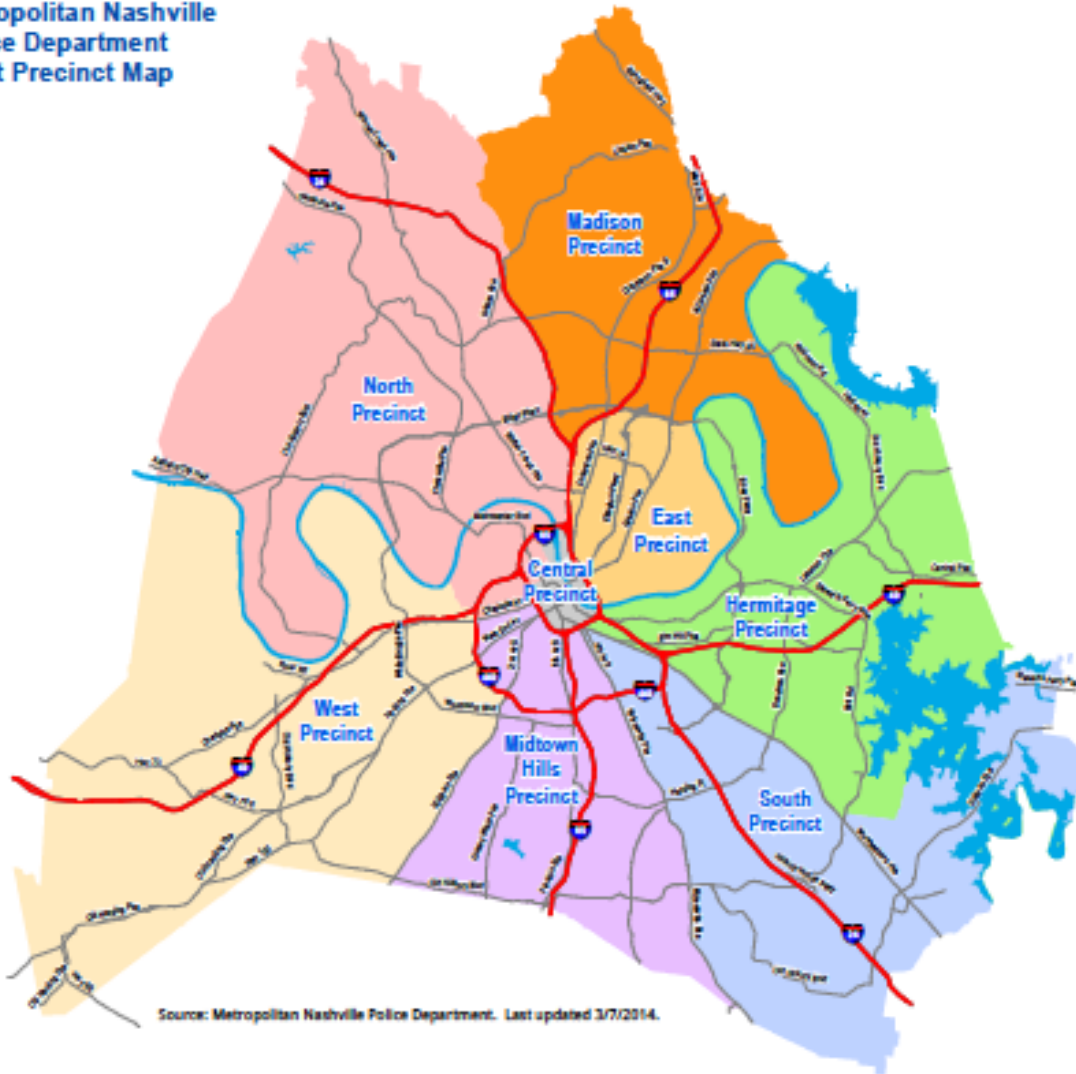
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<b>Consent Searches</b>								
	Zone	Total Black Stops	Total White Stops	Black Consent Searches	White Consent Searches	% Black Drivers consent searched	% White drivers consent searched	Black-White Relative Rate
West Precinct	111	15,621	20,739	690	629	4.417%	3.033%	45.6%
	113	6,597	18,360	172	264	2.607%	1.438%	81.3%
	115	8,146	18,592	250	573	3.069%	3.082%	-0.4%
	117	1,415	12,576	13	33	0.919%	0.262%	250.1%
	121	2,982	17,213	52	122	1.744%	0.709%	146.0%
	123	4,900	17,934	127	245	2.592%	1.366%	89.7%
	125	2,900	18,663	78	221	2.690%	1.184%	127.1%
West average		42,561	124,077	1,382	2,087	3.247%	1.682%	93.0%
East Precinct	211	19,378	13,060	1,126	222	5.811%	1.700%	241.8%
	213	6,758	17,527	213	183	3.152%	1.044%	201.9%
	215	7,638	13,416	257	132	3.365%	0.984%	242.0%
	217	10,614	15,832	329	202	3.100%	1.276%	142.9%
	221	23,461	11,282	1,270	369	5.413%	3.271%	65.5%
	223	18,177	12,499	798	423	4.390%	3.384%	29.7%
	225	11,178	12,949	293	196	2.621%	1.514%	73.2%
	227	13,667	16,326	433	231	3.168%	1.415%	123.9%
East Average		110,871	112,891	4,719	1,958	4.256%	1.734%	145.4%
South Precinct	311	12,803	12,705	659	330	5.147%	2.597%	98.2%
	313	6,523	14,826	62	83	0.950%	0.560%	69.8%
	315	11,081	16,956	293	179	2.644%	1.056%	150.5%
	317	7,209	11,457	127	112	1.762%	0.978%	80.2%
	321	11,616	15,468	310	259	2.669%	1.674%	59.4%
	323	9,995	11,900	137	105	1.371%	0.882%	55.3%
	325	13,929	11,048	145	84	1.041%	0.760%	36.9%
	331	5,953	8,776	77	45	1.293%	0.513%	152.3%
	333	10,445	9,254	122	48	1.168%	0.519%	125.2%
	335	5,668	6,160	113	60	1.994%	0.974%	104.7%
South Average		95,222	118,550	2,045	1,305	2.148%	1.101%	95.1%
Central Precinct	411	7,594	12,996	83	55	1.093%	0.423%	158.3%
	413	15,398	16,239	310	134	2.013%	0.825%	144.0%
	415	3,093	6,457	47	36	1.520%	0.558%	172.6%
	421	6,339	17,533	82	80	1.294%	0.456%	183.5%
	423	5,784	13,822	91	87	1.573%	0.629%	150.0%
	425	10,227	22,546	213	139	2.083%	0.617%	237.8%
Central Average		48,435	89,593	826	531	1.705%	0.593%	187.7%
Hermitage	511	18,302	11,479	1,142	438	6.240%	3.816%	63.5%

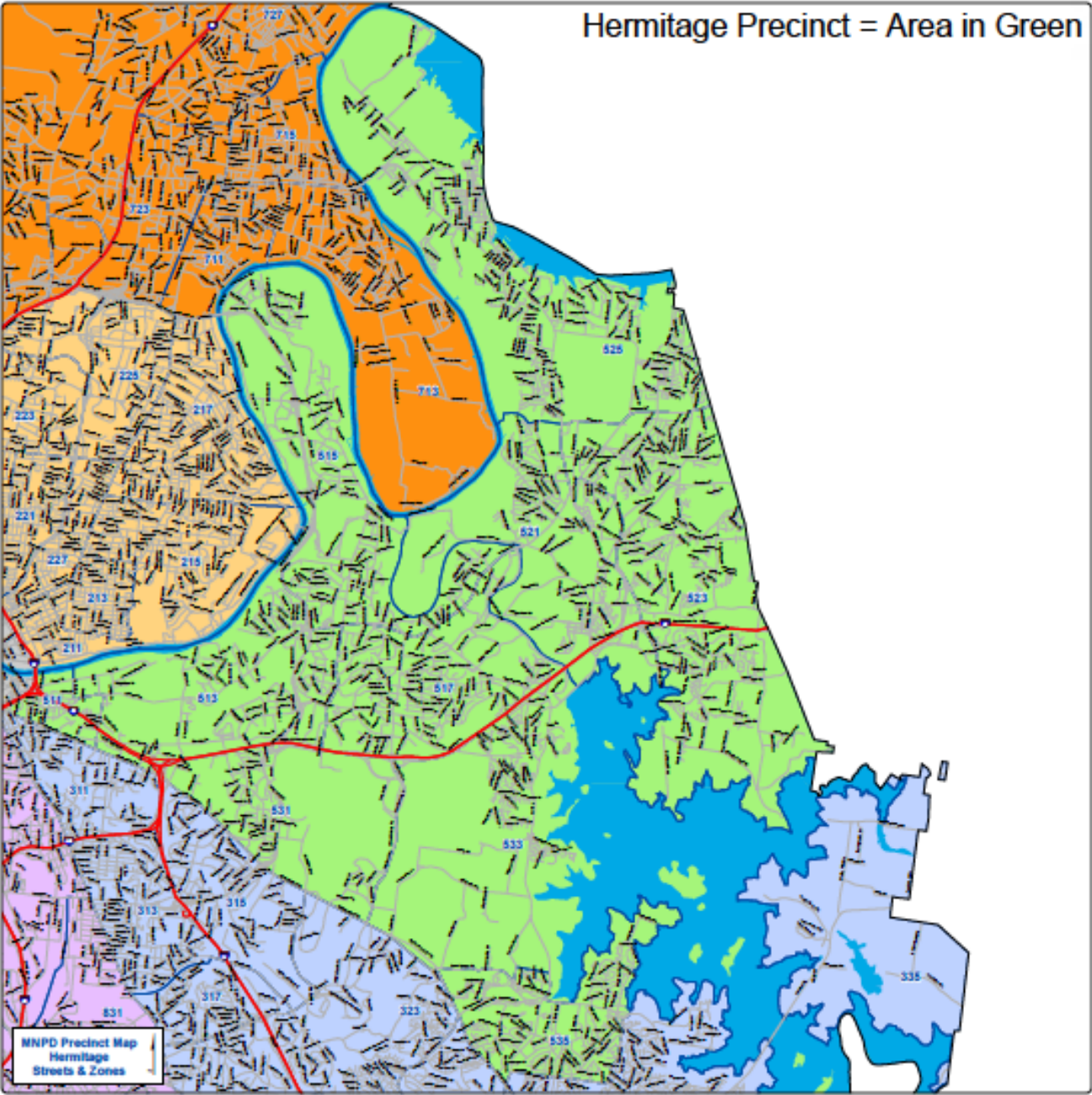
Precinct	513	6,478	15,828	136	204	2.099%	1.289%	62.9%
	515	7,573	18,926	105	158	1.387%	0.835%	66.1%
	517	7,133	20,275	168	441	2.355%	2.175%	8.3%
	521	5,949	20,651	243	476	4.085%	2.305%	77.2%
	523	6,192	22,471	213	401	3.440%	1.785%	92.8%
	525	2,840	12,424	82	294	2.887%	2.366%	22.0%
	531	15,241	20,653	499	346	3.274%	1.675%	95.4%
	533	5,945	10,887	101	116	1.699%	1.065%	59.4%
	535	8,675	7,199	196	145	2.259%	2.014%	12.2%
Hermitage Average		84,328	160,793	2,885	3,019	3.421%	1.878%	82.2%
North Precinct	611	23,094	5,495	633	69	2.741%	1.256%	118.3%
	613	32,764	4,425	1,106	115	3.376%	2.599%	29.9%
	615	18,499	5,452	592	93	3.200%	1.706%	87.6%
	617	18,985	7,752	450	62	2.370%	0.800%	196.4%
	621	17,871	7,506	437	118	2.445%	1.572%	55.5%
	623	16,260	2,797	308	51	1.894%	1.823%	3.9%
	625	11,426	5,376	187	50	1.637%	0.930%	76.0%
	627	1,917	5,984	34	70	1.774%	1.170%	51.6%
North Average		140,816	44,787	3,747	628	2.661%	1.402%	89.8%
Madison Precinct	711	9,622	11,189	351	416	3.648%	3.718%	-1.9%
	713	6,059	7,939	249	407	4.110%	5.127%	-19.8%
	715	6,813	10,779	285	405	4.183%	3.757%	11.3%
	721	11,375	3,678	490	112	4.308%	3.045%	41.5%
	723	10,430	11,556	264	224	2.531%	1.938%	30.6%
	725	4,654	6,794	127	113	2.729%	1.663%	64.1%
	727	4,023	8,960	134	231	3.331%	2.578%	29.2%

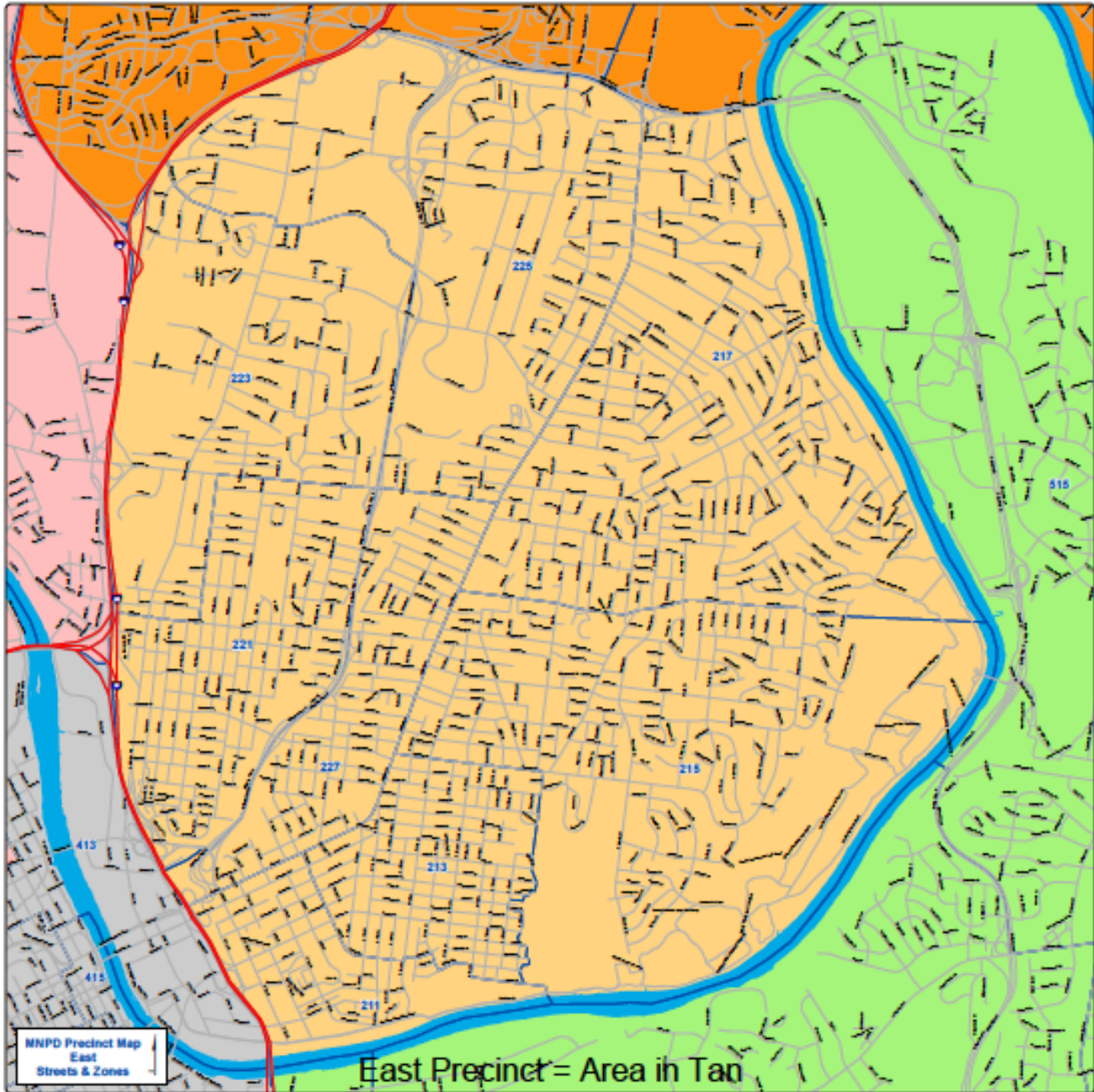


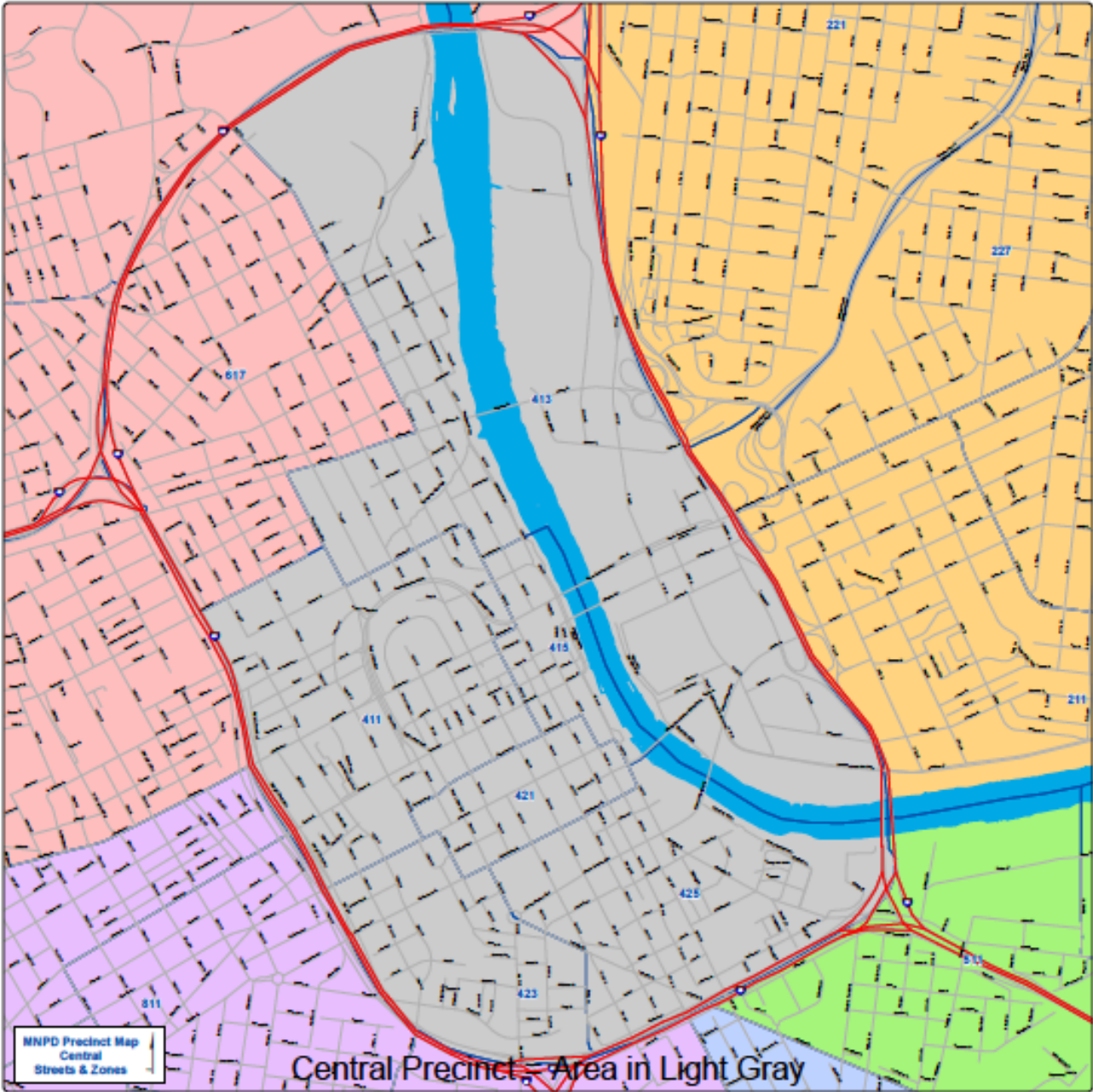
**Metropolitan Nashville  
Police Department  
Eight Precinct Map**

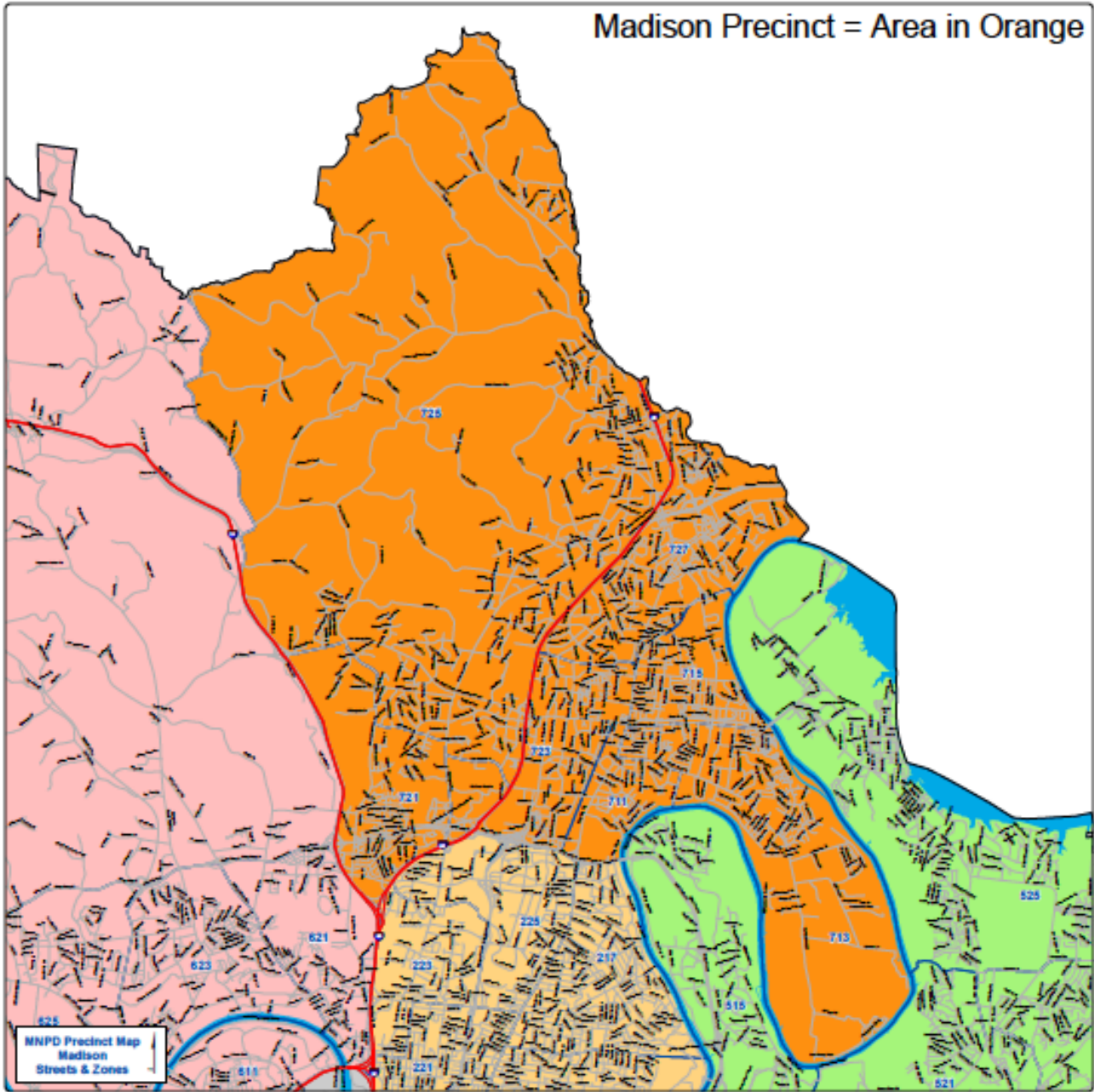


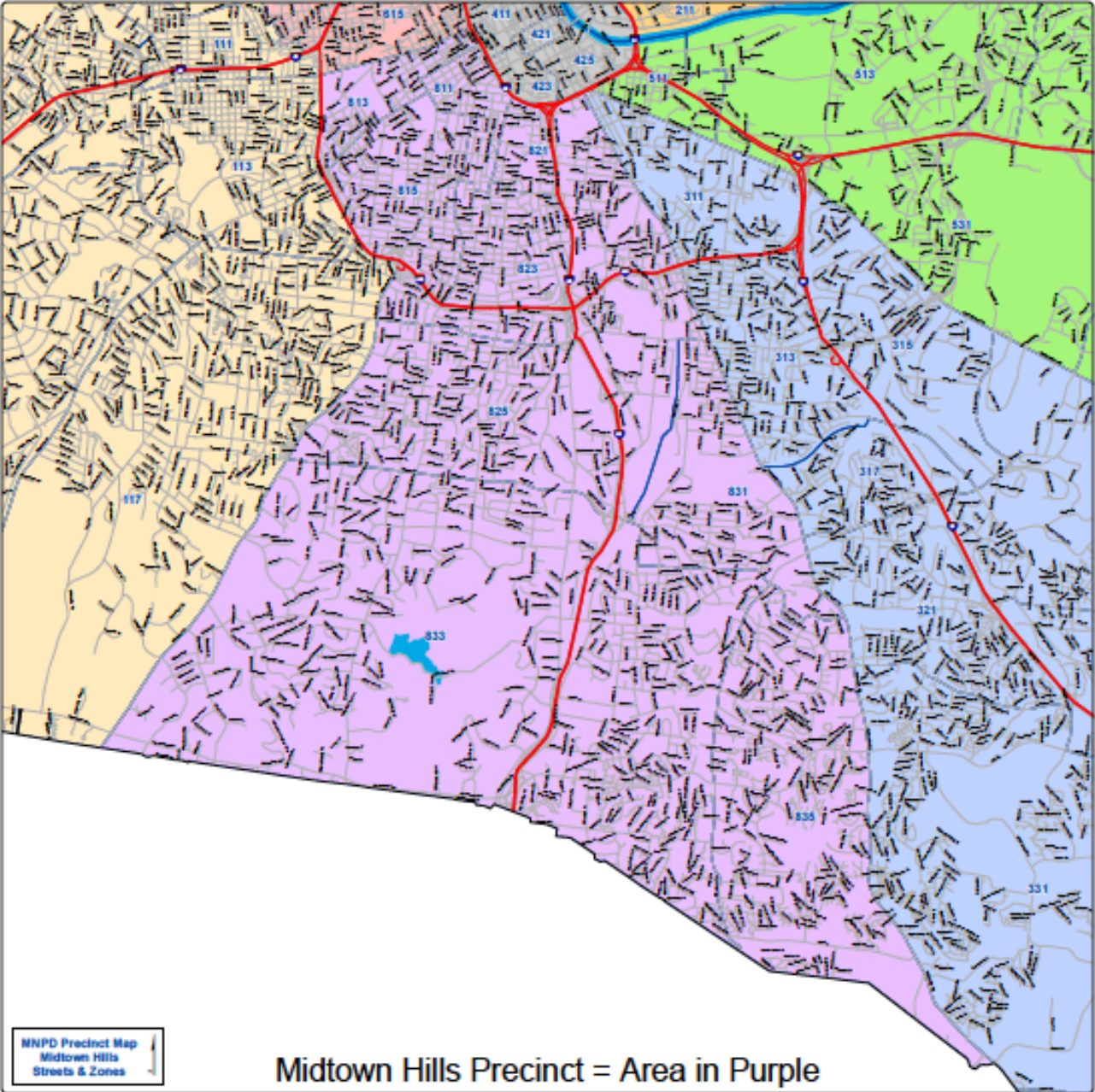


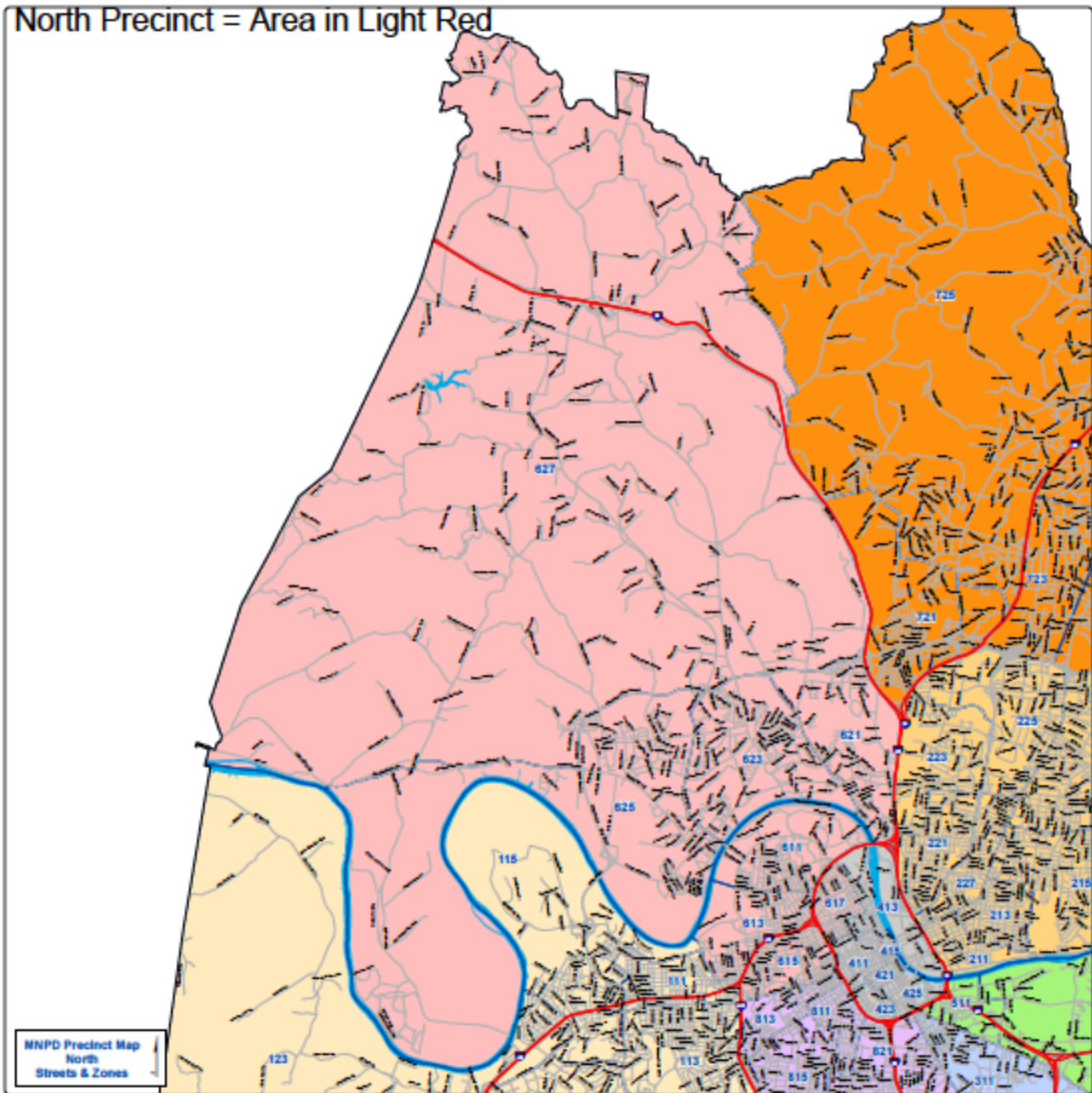


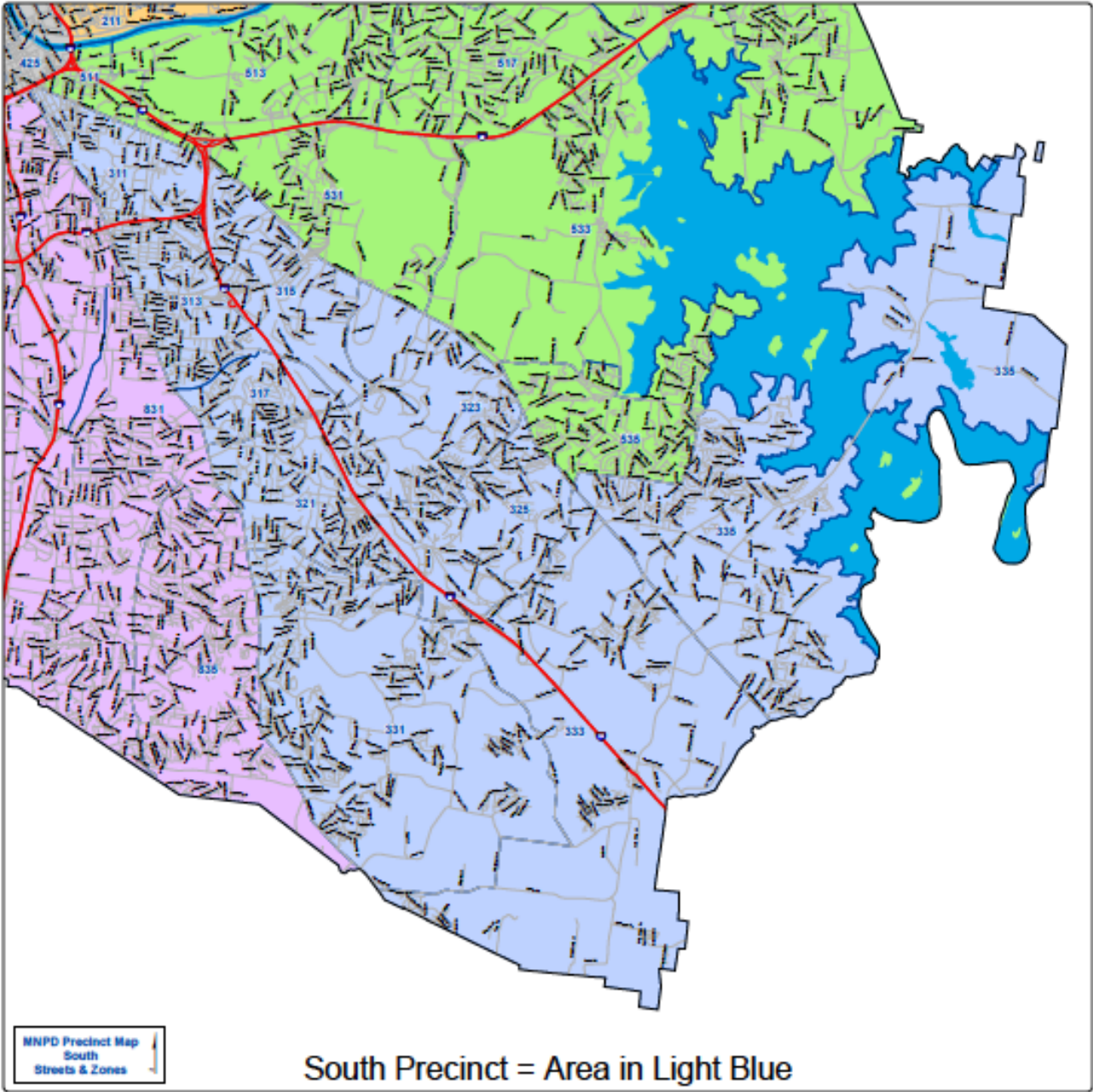


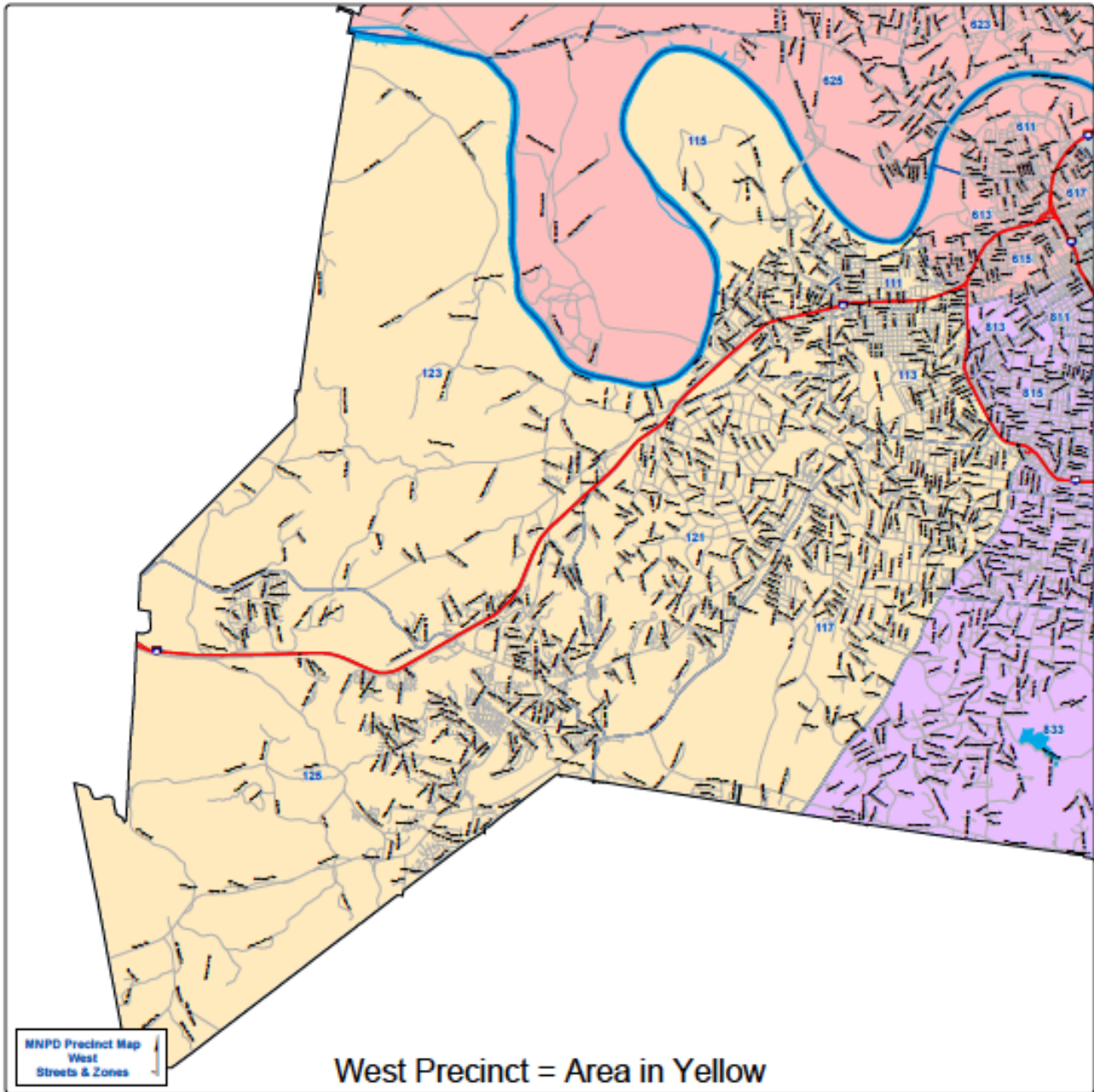














## APPENDIX 3: FIELD INTERVIEW GUIDE

### “Driving While Black” Fieldwork Interview Guide

Thank you so much for agreeing to speak with me about your experiences with policing in Nashville!

(If interviewee has agreed to be recorded, turn on tape recorder and let interviewee know it’s on.)

#### First, I’m going to ask you a few general questions to get us started.

- 1) What name would you like us to use for you in our report? This can be your actual name or a made-up one to protect confidentiality.
- 2) In what year were you born?
- 3) How long have you lived in Nashville? What brought you to Nashville?
- 4) What part of Nashville do you live in? How would you describe your neighborhood?

#### Now, I’m going to ask you about your experiences with MNPD in particular.

- 5) Have you had any interaction with a Nashville police officer in the past five years? If so...

How many times would you say you have been stopped by an officer?

What reason does the officer usually give for stopping you?

Why do you think officers stop you?

If you have been pulled over...

What kind of car do you drive? (make, model, year, condition, any modifications)

How often do you get citations when pulled over? What were the citations for?

Have you been able to pay your fines? How much have you paid? How much do you owe? How, if at all, have fines affected your life?

Have you been able to go to court? How, if at all, have court dates affected your life?

Have you ever been arrested during a traffic stop? If so, what happened?

- 6) Describe your most recent interaction with a Nashville police officer.

What happened? (include location, time of day, etc.)

How did you feel while it was happening?

Why do you think the officer behaved the way he/she did?

- 7) Describe a memorable interaction with a Nashville police officer.

What happened? (include location, time of day, etc.)

How did you feel while it was happening?

Why do you think the officer behaved the way he/she did?

- 8) Do you feel that MNPB has ever treated you unfairly? If so, tell us a bit more about this experience.  
What happened? (include location, time of day, etc.)  
How did you feel while it was happening?  
Why do you think the officer behaved the way he/she did?

- 9) How, if at all, has your relationship with MNPB affected your daily life?

**Now, I'd like to ask your opinion on what MNPB does well and what it can do better.**

- 10) What, if anything, does MNPB do well?

- 11) What, if anything, does MNPB do poorly?

- 12) What changes, if any, would you like to see in MNPB?

**Finally, I'd like to ask a couple more questions before we finish up.**

- 13) Would you like a copy of our final report? If so, what is the best way for us to get it to you? (Email, snail mail, etc.)

- 14) Who else would you recommend we talk to about policing in Nashville?

- 15) Is it okay for you to contact you with further questions? For upcoming projects? If so, what is the best way for us to contact you? (Call, text, email)

Thank you so much for participating!

# APPENDIX 4: INFORMED CONSENT FORM

## Informed Consent Form for Metropolitan Nashville Police Department (MNP) Study

This informed consent document is for participants in the MNP) project, which is led by the community-based organization Gideon’s Army. Gideon’s Army’s mission is as follows: “To act collectively, boldly and strategically as a unified force for all children. We eliminate the root causes of the prison pipeline, save our children from death and incarceration and guide them on a secure path to success.”

**Name of participant:** \_\_\_\_\_ **Age:** \_\_\_\_\_

The information below provides a summary of our community-based research project and what your participation would involve. Please read this form carefully and let us know if you have any questions. You may also have a copy of this form.

### 1. Purpose of the Project

The purpose of the project is to better understand police-community relations in Nashville. We plan to write a comprehensive report on policing in our city using statistics from Metro, personal accounts from residents, and careful reading of the handbooks and training tools our city’s police department uses. By writing a comprehensive report on policing in Nashville, we at Gideon’s Army hope to empower Nashvillians and influence public policy as it relates to local law enforcement training and policy.

In our interviews, we hope to learn more about residents’ experiences with traffic stops and other interactions with officers. This study is in no way affiliated with the Metropolitan Nashville Police Department.

### 2. Study Procedures

Today, if you would like to participate, we will be conducting a semi-structured interview with you. A semi-structured interview is an informal, guided conversation that, in this case, will give you the opportunity to describe your experiences with police in Nashville.

If you so choose, we will audio record or videotape and transcribe our conversation. If you so choose, we will take portraits of you for a later photo project. On the other side of the coin, you may also refuse to be recorded or photographed—no questions asked!

Your participation in this project is voluntary. You are free to end our interview at any time, for any reason. You may also refuse to answer any question at any time, for any reason.

### 3. Confidentiality as an Option

For this project, we want to empower members of our community while also keeping them safe. Our final report will be a publicly available document that members of the community (including law enforcement officers) can have access to. For this reason, we are giving you the option to choose how much you would like others to know about your identity when they read the report. This includes deciding whether to give us your actual name, deciding whether you would like to be audio or video recorded, and deciding whether or not you would like photographs taken of you. Let us know what your preferences are, and we will honor them.

We will keep any recordings either on a locked cell phone or on a tape recorder kept in a locked cabinet, if you prefer this. Transcripts will also be kept in a locked cabinet. While we cannot guarantee confidentiality 100%, we will do our very best! We would only share confidential information intentionally if you mention in our conversation that you or someone you know is in immediate danger.

Here, you may indicate your preferences by checking the appropriate statements below:

- \_\_\_\_\_ I consent to be audio recorded.
- \_\_\_\_\_ I do not consent to be audio recorded.
- \_\_\_\_\_ I consent to be video recorded.
- \_\_\_\_\_ I do not consent to be video recorded.
- \_\_\_\_\_ I consent to have my photo taken.
- \_\_\_\_\_ I do not consent to have my photo taken.

### 4. Contact Information

If you have any questions about the project or would like a copy of the final report, please feel free to contact Taneisha Gillyard or Elizabeth Barna at ###-###-####.

### Statement by Participant

I have read this informed consent document and understand my rights as a participant. I have asked any questions I have, and I am a willing and enthusiastic participant in this project!

Date \_\_\_\_\_ Participant's signature \_\_\_\_\_  
Consent obtained by \_\_\_\_\_ Date \_\_\_\_\_  
Interviewer's signature \_\_\_\_\_

