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The usual suspects: police stop and search practices in Canada

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This paper explores police stop and search activities in Canada using data from a 2007 survey of Toronto residents. The paper begins by demonstrating that black respondents are more likely to view racial profiling as a major problem in Canada than whites or Asians. By contrast, white and Asian respondents are more likely to believe that profiling is a useful crime-fighting tool. Further analysis reveals that the black community’s concern with racial profiling may be justified. Indeed, black respondents are much more likely to report being stopped and searched by the police over the past two years than respondents from other racial backgrounds. Blacks are also much more likely to report vicarious experiences with racial profiling. Importantly, racial differences in police stop and search experiences remain statistically significant after controlling for other relevant factors. The theoretical implications of these findings – and their meaning within Canada’s multicultural framework – are discussed.

Keywords: race; police; stop and search; vicarious police contact; perceptions of injustice

Introduction

Canada is one of the world’s most active immigrant-receiving nations and has received international praise for its official policies of multiculturalism and inclusion. However, a closer examination of the historical record reveals that racial discrimination has long been an issue within Canadian society – particularly with respect to the operation of criminal justice system (Mosher 1998, Henry and Tator 2005, Walker 2010). In recent years, racial bias with respect to police stop and search practices has emerged as a particularly controversial issue. Canada’s growing black community has been especially vocal in their complaints about what has come to be known as ‘racial profiling’. By contrast, allegations of racial bias have, in most cases, been vehemently denied by Canada’s major police services (see Tanovich 2006, Tator and Henry 2006).

Unfortunately, researching possible racial bias within the Canadian criminal justice system is particularly difficult because, with few exceptions, there is a complete ban on the collection and release of all race-crime data (see Owusu-Bempah and Miller 2010). This ban not only includes crime statistics, but all data related to the processing of racial minorities through the criminal justice system. In other words, unlike the United States and Great Britain, Canadian researchers do not have regular access to official data on the race of people stopped and searched by...
the police (or any other justice outcome for that matter). As a result, most of the research that has been conducted on this issue has been qualitative in nature (see James 1998, Neugebauer 2000, Ontario Human Rights Commission 2003, Eid et al. 2011). The results of such qualitative studies, however, have been vigorously attacked as ‘anecdotal’ or ‘junk science’ by police officials and some academics (Gabor 2004, Melchers 2006).

Although the qualitative studies described above may provide rich detail about how police activities impact the members of the black community, their results are often difficult to generalise because they are based on small, non-random samples. Furthermore, previous Canadian studies have also tended to focus on the black community in isolation and have not directly compared the experiences of black people with the experiences of whites or other racial minorities. In this paper we attempt to contribute to the literature on race and police stop and search practices in Canada by examining data from a recent survey of Toronto residents. Toronto is a prime location for such a study because it is Canada’s largest and most ethnically diverse city and home to over half of the nation’s black population (Chui et al. 2008).

We use this survey data to address the following research questions:

1. To what extent do Canadians view racial profiling as a social problem? Do perceptions vary by racial background?
2. Are blacks and other racial minorities in Canada more likely to be stopped and searched by the police than members of the white majority? Do racial differences in police stop and search encounters remain after statistically controlling for other theoretically relevant factors?
3. How do Canadians interpret their encounters with the police? Do interpretations vary by racial group?
4. To what extent are Canadians indirectly exposed to racial profiling through the experiences of friends and family?

The paper concludes by reviewing the major theoretical implications of the survey results and discussing how Canada’s ban on race-crime statistics may hinder future efforts to reduce racially biased policing and improve police-minority relations.

Methodology

The data used in this research were gathered in 2007 by the Hitachi Research Centre at the University of Toronto. A two-stage probability selection technique was used to select respondents and produce a representative sample of black, Chinese and white adults (18 years of age or older) living in Metropolitan Toronto. The first stage of the sampling procedure involved the random selection of residential telephone numbers within Toronto. The second stage involved selecting the adult member of the household who was approaching his/her next birthday. The birthday selection technique is commonly used by survey researchers because it gives each adult within the household an equal probability of being selected. Finally, a screening question was asked to ensure that respondents self-identified as either black, Chinese or white.

Interviews were conducted between October and December 2007. A response rate of 78% was achieved. The interviews were conducted in either English or Chinese (Mandarin or Cantonese dialects) and took on average 35 minutes to complete.
The final sample consisted of 1522 respondents who identified themselves as either black \((N=513)\), Chinese \((N=504)\) or white \((N=505)\). A review of sample characteristics reveals that black respondents are somewhat younger than their Chinese and white counterparts. Black respondents are also less educated, less likely to be married, more likely to be unemployed and report lower household incomes. Finally, the majority of white respondents were born in Canada, while the majority of both black and Chinese respondents are foreign born. Overall, the sample characteristics for this study’s black, white and Chinese respondents are largely consistent with the demographic profiles for these groups produced by the Canadian Census (Chui et al. 2008).

Results

Perceptions of racial profiling

Respondents were asked the following question: racial profiling is said to exist when people are stopped, questioned or searched by the police because of their racial characteristics, not because of their individual behaviour or their actions. In your opinion, is racial profiling a problem in Canada or not? The results suggest that black Canadians are much more likely to perceive racial profiling as a major social problem than their Chinese and White counterparts. Indeed, 6 out of 10 black respondents (57%) view racial profiling in Canada as a ‘big problem’, compared to only 21% of white and 14% of Chinese respondents. Respondents were then asked: suppose that, in a particular neighbourhood, most of the people arrested for drug trafficking, gun violence and gang activity belong to a particular racial group. In order to fight crime in this area, do you think it would be okay or legitimate for the police to randomly stop and search people who belong to this racial group more than they stop and search people from other racial groups? Consistent with the above results, white (39%) and Chinese respondents (34%) are more likely to view racial profiling tactics as a legitimate crime-fighting strategy than their black counterparts (23%). Are these observed racial differences in opinion related to actual racial differences in contact with the police? This question is addressed the next section.

Direct contact with the police

Respondents were asked how many times they had been stopped and questioned by the police – while driving in a car or walking or standing in a public space – in the past two years. The results suggest that a third of the black respondents (34%) have been stopped by the police in the past two years, compared to 28% of whites and 22% of Chinese respondents. Blacks are especially likely to experience multiple police stops. Indeed, 14% of black respondents indicate that they have been stopped by the police on three or more occasions in the past two years, compared to only 5% of white and 3% of Chinese respondents. On average, blacks experienced 1.6 stops in the past two years, compared to 0.5 stops for whites and 0.3 stops for Chinese respondents.

Further analysis reveals that black males are particularly vulnerable to police stops (Table 1). One in four black male respondents (23%) indicated that they were stopped by the police on three or more occasions in the past two years, compared to
only 8% of white males and 6% of Chinese males. On average, black males experienced 3.4 police stops in the past two years, compared to 0.7 stops for white males and 0.5 stops for Chinese males. Although black females are less likely to be stopped and questioned by the police than black males, they are significantly more likely to report police stops than white or Chinese females. In fact, black females (9%) are more likely to report three or more police stops than white (8%) or Chinese males (6%). On average, black females report 0.7 police stops in the past two years, compared to 0.4 stops for white females and 0.2 stops for Chinese females.

Respondents were also asked if they had been physically searched by the police in the past two years. Once again, the data reveal that black people – particularly black males – are more vulnerable to police searches than respondents from other racial backgrounds. Overall, 12% of black male respondents report being searched by the police in the past two years, compared to only 3% of white and Chinese males. Black females are also more likely to report being searched by the police (3%) than white or Chinese women (1%).

The data clearly indicate that black respondents are more likely to be stopped and searched by the police than white or Chinese respondents. However, there are factors, besides race, that may explain black over-representation in police encounters. For example, black Torontonians tend to be younger and less affluent than their white and Chinese counterparts. Thus, it may be youthfulness or poverty – not racial bias – that explains why black people are more likely to be stopped and searched. Similarly, black people may be more likely to be stopped because they are more likely to reside in high crime neighbourhoods, often marked by aggressive police patrol strategies (see Parker et al. 2010). Furthermore, racial differences in behaviour, not race itself, might explain why black people receive greater police attention. For example, compared to people from other racial backgrounds, black people may be more vulnerable to police stops because they spend more time driving or hanging out in public spaces (see Fridell 2004). Finally, blacks may be more likely to draw the legitimate attention of the police because they are more likely to be involved in traffic violations or various forms of criminal activity (see Gabor 2004).

In order to address these competing hypotheses, we produced a series of logistic regressions predicting police stop and search experiences. In addition to race, these regressions statistically control for a variety of demographic variables including age, gender, education, household income and place of birth. Our analysis also controlled for level of crime within the respondents’ neighbourhood, frequency of driving, level of involvement in public leisure activities, alcohol use, marijuana use and criminal

<table>
<thead>
<tr>
<th>Number of stops</th>
<th>Black Male</th>
<th>Black Female</th>
<th>Chinese Male</th>
<th>Chinese Female</th>
<th>White Male</th>
<th>White Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td>52.8</td>
<td>73.3</td>
<td>70.8</td>
<td>85.3</td>
<td>64.9</td>
<td>76.8</td>
</tr>
<tr>
<td>One</td>
<td>15.0</td>
<td>11.7</td>
<td>16.4</td>
<td>11.9</td>
<td>17.8</td>
<td>14.1</td>
</tr>
<tr>
<td>Two</td>
<td>8.9</td>
<td>5.7</td>
<td>6.6</td>
<td>2.2</td>
<td>9.1</td>
<td>6.4</td>
</tr>
<tr>
<td>Three or more</td>
<td>23.3</td>
<td>9.3</td>
<td>6.2</td>
<td>0.7</td>
<td>8.2</td>
<td>2.7</td>
</tr>
<tr>
<td>Sample size</td>
<td>180</td>
<td>333</td>
<td>226</td>
<td>278</td>
<td>208</td>
<td>297</td>
</tr>
</tbody>
</table>
history. A full description of both dependent and independent variables is provided in Appendix 1.

The results of the multivariate analyses indicate that black racial background remains a strong predictor of police stop and search activities after statistically controlling for other theoretically relevant variables (Table 2). Chinese racial background, on the other hand, is unrelated to the probability of being stopped and searched by the police. The results further suggest that, the more stringent the measure of police stops, the stronger the relationship with black racial background. For example, an examination of the odds ratios indicates that blacks are 1.9 times more likely than whites to experience one or more stops in the past two years, 2.3 times more likely to experience two or more stops and 3.4 times more likely to experience three or more stops. Furthermore, the results suggest that blacks are also 3.3 times more likely than whites to have been searched by the police in the past two years.

The results also indicate that males and younger respondents are more likely to be stopped and searched by the police than females or older respondents. Respondents living in high crime neighbourhoods are also more likely to be stopped and searched than those who reside in safer communities. Interestingly, alcohol use increases the likelihood of being stopped by the police, but it is unrelated to police searches. Marijuana use, on the other hand, increases the probability of being stopped at least once in the past two years, but it does not predict multiple police stops or the likelihood of a police search. The results also indicate that respondents with a criminal record are more likely to report police stops and searches than respondents with a clean criminal history. Although driving frequency is positively

Table 2. Logistic regressions predicting police stops and searches.

<table>
<thead>
<tr>
<th>Predictor variables</th>
<th>Stopped one or more times B</th>
<th>Stopped one or more times Odds</th>
<th>Stopped two or more times B</th>
<th>Stopped two or more times Odds</th>
<th>Stopped three or more times B</th>
<th>Stopped three or more times Odds</th>
<th>Search by police B</th>
<th>Search by police Odds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black</td>
<td>0.633** 1.88</td>
<td></td>
<td>0.814** 2.26</td>
<td></td>
<td>1.232** 3.43</td>
<td></td>
<td>1.184* 3.27</td>
<td></td>
</tr>
<tr>
<td>Chinese</td>
<td>0.166 1.18</td>
<td></td>
<td>-0.106 0.90</td>
<td></td>
<td>0.056 1.06</td>
<td></td>
<td>0.359 1.43</td>
<td></td>
</tr>
<tr>
<td>Gender (1 = male)</td>
<td>0.562** 1.75</td>
<td></td>
<td>0.752** 2.12</td>
<td></td>
<td>0.905** 2.47</td>
<td></td>
<td>1.064** 2.89</td>
<td></td>
</tr>
<tr>
<td>Age</td>
<td>-0.021** 0.97</td>
<td></td>
<td>-0.039** 0.96</td>
<td></td>
<td>-0.048** 0.95</td>
<td></td>
<td>-0.054** 0.94</td>
<td></td>
</tr>
<tr>
<td>Place of birth</td>
<td>-0.263 0.77</td>
<td></td>
<td>-0.275 0.76</td>
<td></td>
<td>-0.157 0.85</td>
<td></td>
<td>-0.382 0.68</td>
<td></td>
</tr>
<tr>
<td>Education</td>
<td>-0.056 0.95</td>
<td></td>
<td>-0.075 0.93</td>
<td></td>
<td>-0.092 0.91</td>
<td></td>
<td>-0.203 0.82</td>
<td></td>
</tr>
<tr>
<td>Household income</td>
<td>0.109 1.12</td>
<td></td>
<td>0.036 1.04</td>
<td></td>
<td>0.095 1.10</td>
<td></td>
<td>-0.029 0.97</td>
<td></td>
</tr>
<tr>
<td>Marijuana Use</td>
<td>0.462* 1.59</td>
<td></td>
<td>0.389 1.48</td>
<td></td>
<td>0.224 1.25</td>
<td></td>
<td>0.262 1.29</td>
<td></td>
</tr>
<tr>
<td>Alcohol use</td>
<td>0.125** 1.13</td>
<td></td>
<td>0.124** 1.13</td>
<td></td>
<td>0.134* 1.14</td>
<td></td>
<td>0.033 1.03</td>
<td></td>
</tr>
<tr>
<td>Criminal record</td>
<td>-0.079 0.93</td>
<td></td>
<td>0.443 1.56</td>
<td></td>
<td>1.043* 2.84</td>
<td></td>
<td>1.209* 3.35</td>
<td></td>
</tr>
<tr>
<td>Community crime</td>
<td>0.085** 1.09</td>
<td></td>
<td>0.114** 1.12</td>
<td></td>
<td>0.137** 1.15</td>
<td></td>
<td>0.104** 1.11</td>
<td></td>
</tr>
<tr>
<td>Public activities</td>
<td>-0.034 0.96</td>
<td></td>
<td>-0.008 0.99</td>
<td></td>
<td>-0.039 0.96</td>
<td></td>
<td>0.012 1.01</td>
<td></td>
</tr>
<tr>
<td>Driving frequency</td>
<td>0.264** 1.30</td>
<td></td>
<td>0.282** 1.33</td>
<td></td>
<td>0.214** 1.24</td>
<td></td>
<td>0.129 1.14</td>
<td></td>
</tr>
<tr>
<td>Constant</td>
<td>-1.806** 0.16</td>
<td></td>
<td>-2.464** 0.09</td>
<td></td>
<td>-2.896** 0.05</td>
<td></td>
<td>-2.760** 0.06</td>
<td></td>
</tr>
</tbody>
</table>

Sample size = 1522; **p < 0.01; *p < 0.05.
related to police stops, it is unrelated to police searches. Finally, according to the
data, education, household income, place of birth and public activities are not
significant predictors of police stop and search activities.

**Respondent interpretations of police encounters**

All respondents who reported that they had been stopped and questioned by the
police in the past two years (N=423) were subsequently asked a series of questions
about their most recent police encounter. The results clearly indicate that black
respondents tend to interpret police stops more negatively than their Chinese and
white counterparts (see Table 3). To begin with, respondents were asked if they
thought their latest police stop was fair or unfair. Almost half of the black
respondents (47%) felt that their last police stop was unfair, compared to only 17% of
Chinese and 12% of white respondents. Compared to white and Chinese respondents,
black respondents were also less likely to report that the police adequately explained
the reason for the stop and were more likely to report that the police treated them in
a disrespectful manner.

Finally, respondents were asked the following open-ended question: *The last time
you were stopped by the police, why do you think they stopped you?* One out of every
four black respondents (25%) specifically claimed that they were stopped because of
their race. By contrast, only two Chinese respondents and two white respondents
cited race as the reason that they were stopped. Interestingly, both of these white
respondents claimed that they were stopped by the police because they were riding in
a car with black people. With these results in mind, it is not surprising to note that
black respondents were much more likely than Chinese or white respondents to
report that they were ‘very upset’ by their last police encounter.

**Indirect experiences with racial profiling**

The data clearly suggest that black Canadians are much more likely to be stopped
and searched by the police than their Chinese and white counterparts. This situation,
of course, may help explain why black Canadians are more likely to perceive that
racial profiling is a major social problem. However, direct experience is not the only
way that individuals can learn about police practices. People can also learn indirectly
through the experiences of friends and relatives. In order to explore this possibility,

<table>
<thead>
<tr>
<th>Interpretations of most recent police encounter</th>
<th>Black %</th>
<th>Chinese %</th>
<th>White %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Respondent feels the stop was unfair</td>
<td>46.6</td>
<td>16.8</td>
<td>12.0</td>
</tr>
<tr>
<td>Police did not explain reason for the stop</td>
<td>29.9</td>
<td>10.3</td>
<td>6.3</td>
</tr>
<tr>
<td>Not treated with respect by the police</td>
<td>42.5</td>
<td>17.8</td>
<td>15.5</td>
</tr>
<tr>
<td>Respondent feels that they were stopped because of their racial background</td>
<td>24.7</td>
<td>1.9</td>
<td>1.4</td>
</tr>
<tr>
<td>Respondent was “very upset” by the stop</td>
<td>43.1</td>
<td>20.6</td>
<td>15.5</td>
</tr>
<tr>
<td>Sample size</td>
<td>174</td>
<td>107</td>
<td>142</td>
</tr>
</tbody>
</table>

Table 3. Respondent interpretations of their most recent police stop, by race.
respondents were asked if they knew of any close family or friends who had been the victim of racial profiling – by the police – over the past two years. The results suggest that black Canadians are much more likely to report friends or family members who have been racially profiled than the members of other racial groups. Overall, 46% of black respondents claim that they have at least a few friends who have been racially profiled in the past two years, compared to only 17% of white respondents and 10% of Chinese respondents. Indeed, almost one in ten black respondents (9%) claims that ‘most’ of their family and friends have been racially profiled by the police in the past two years, compared to only a fraction (0.2%) of both white and Chinese respondents.

The results of a logistic regression analysis (see Table 4) suggest that black racial background is a significant predictor of vicarious racial profiling even after statistically controlling for other relevant variables. By contrast, Chinese respondents are no more likely to report friends and family who have been racially profiled than their white counterparts. Overall, an examination of the odds ratios suggests that blacks are 6.5 times more likely to know of a family member or friend who has been racially profiled by the police than whites. The results also suggest that younger people are more likely to report vicarious exposure to racial profiling than their older counterparts. People who live in high crime neighbourhoods are also more likely to know someone who has been racially profiled, as have those who use marijuana and consume alcohol on a frequent basis. Interestingly, foreign-born respondents are less likely to report vicarious racial profiling than those born in Canada.

Discussion

Many scholars have argued that the influence of race on criminal justice outcomes, including police stop and search practices, is largely due to a systematic process of racialisation. Racialisation consists of the classification of people into groups by

Table 4. Logistic regression predicting vicarious exposure to racial profiling.

<table>
<thead>
<tr>
<th>Predictor variables</th>
<th>B</th>
<th>Odds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black</td>
<td>1.864**</td>
<td>6.45</td>
</tr>
<tr>
<td>Chinese</td>
<td>0.182</td>
<td>1.20</td>
</tr>
<tr>
<td>Gender (1 = male)</td>
<td>−0.193</td>
<td>0.83</td>
</tr>
<tr>
<td>Age</td>
<td>−0.012*</td>
<td>0.99</td>
</tr>
<tr>
<td>Place of birth</td>
<td>−0.443*</td>
<td>0.64</td>
</tr>
<tr>
<td>Education</td>
<td>−0.043</td>
<td>0.96</td>
</tr>
<tr>
<td>Household income</td>
<td>0.092</td>
<td>1.10</td>
</tr>
<tr>
<td>Marijuana use</td>
<td>0.686**</td>
<td>1.99</td>
</tr>
<tr>
<td>Alcohol use</td>
<td>0.125**</td>
<td>1.13</td>
</tr>
<tr>
<td>Criminal record</td>
<td>−0.186</td>
<td>0.83</td>
</tr>
<tr>
<td>Community crime</td>
<td>0.095**</td>
<td>1.10</td>
</tr>
<tr>
<td>Public activities</td>
<td>−0.007</td>
<td>0.99</td>
</tr>
<tr>
<td>Driving frequency</td>
<td>0.011</td>
<td>1.01</td>
</tr>
<tr>
<td>Constant</td>
<td>−1.654**</td>
<td>0.19</td>
</tr>
<tr>
<td>Nagelkerke R square</td>
<td>0.258</td>
<td></td>
</tr>
</tbody>
</table>

Sample size = 1522; **p < 0.01; *p < 0.05.
reference to their skin colour or physical features and the process of stereotyping that emerges as a result of this classification system (Miles 1989). In a classic observational analysis of police patrol practices, Skolnick (1966) observed that the police in the United States tend to perceive young, black males as ‘symbolic assailants’ and thus stop and question them on the street as a means of ‘crime prevention.’ Anderson (1990) confirms this trend in his more recent ethnographic study of a multi-racial community located in a large American city. In documenting the general police tendency to stop, search and harass young black citizens as part of their routine patrolling activity, Anderson notes that:

On the streets, colour-coding works to confuse race, age, class, gender, incivility, and criminality, and it expresses itself most concretely in the person of the anonymous black male. In doing their job, the police often become willing parties to this colour-coding of the public environment… a young black male is a suspect until he proves he is not. (Anderson 1990, pp. 190–191)

The survey results presented in this paper suggest that a similar process of racialisation exists within the Canadian police environment. According to our results, blacks are over three times more likely to experience multiple police stops than whites or Asians and are three times more likely to report being searched during these police encounters. Black males appear to be particularly vulnerable to police stop and search practices. Black respondents are also six times more likely than respondents from other racial backgrounds to report that they have close friends or family members who had been a recent victim of racial profiling. Importantly, racial differences with respect to both direct and indirect police contact remain statistically significant after controlling for other relevant variables including age, income, education, driving habits, community-level crime, alcohol and marijuana use and criminal history. These findings suggest that race matters. Indeed, black racial background appears to be a master status that attracts police attention and significantly contributes to police decisions to conduct street interrogations. To the police, young black males represent the usual suspects.

It is also important to note that Chinese respondents are no more likely to be stopped and questioned by the police than their white counterparts. This finding suggests that not all minorities are subject to racial profiling in Canada. This result is also consistent with the argument that, in contemporary Canadian society, Chinese immigrants are often seen as a ‘model minority’ and have avoided the negative, crime-related stereotypes often associated with blacks (see Zong and Perry 2011). The Canadian situation, however, may be unique as Chinese immigrants have clearly not been able to escape negative police attention in all immigrant-receiving countries (see Namba inpress).

Additional analysis reveals that although blacks are more likely to be stopped by the police, they are even more likely to interpret these stops as unfair. This result has two possible explanations: (1) blacks are, in fact, treated worse than others during police stops; or (2) many blacks already perceive the police as racially biased and thus interpret all police encounters through the lens of discrimination. This second argument is consistent with police complaints that blacks frequently ‘cry racism’ even when they have been stopped for legitimate reasons (Barlow and Barlow 2002, Ioimo et al. 2007). It is possible that both explanations have some validity. Blacks may justifiably perceive police bias because they are – as the data above
suggest – more likely to experience multiple police stops and searches. However, perceptions of bias may also contribute to how black people interpret their future encounters with the police. Thus, while white people usually view the police stops they experience as legitimate – blacks may question the motives of the police and treat such encounters with great suspicion. Furthermore, black distrust of the police could impact their demeanour during police encounters. A negative demeanour towards the police could lead to less respectful treatment by the police. Such poor treatment, in turn, could further reinforce black perceptions of police bias (see Engel et al. 2010). In other words, the relationship between police stops, perceptions of bias and how police encounters are interpreted may be reciprocal.

Overall, the results of this study are consistent with survey results produced in the United States and Great Britain (see Bowling and Phillips 2002, Engel and Canlon 2004, Alpert et al. 2005, Skogan 2006, Weitzer et al. 2008, Bradford et al. 2009). The results are also similar to other data emerging from Canada. For example, a recent survey of Toronto high school students found that black youth are much more likely than youth from other racial backgrounds to be subjected to police street interrogations and that racial differences in being stopped and searched cannot be explained by racial differences in self-reported criminal activity, gang membership, drug and alcohol use or public leisure activities (Wortley and Tanner 2005). Unfortunately, due to Canada’s ban on race-crime statistics, survey results have not yet been supplemented with official data.

What are the major implications of these findings? First of all, logic dictates that there is a direct relationship between how closely people are monitored by the police and how likely they are to get caught for breaking the law. In other words, if black people are systematically stopped and searched more frequently than others, they are also more likely to be detected and arrested for illegal activity than people from other racial backgrounds who engage in exactly the same behaviour. Thus, consistent with the major principles of conflict criminology, racial differences in police stop and search activities directly contribute to the over-representation of black people in the Canadian criminal justice system (Wortley and Owusu-Bempah 2011).

Police stop and search experiences can also undermine the legitimacy of the criminal justice system. Indeed, a number of studies have now confirmed that people who are frequently stopped and searched by the police have less trust in the justice system and are more likely to view criminal justice institutions as biased (see review in Wortley and Owusu-Bempah 2009, Bowling this volume). Importantly, additional research suggests that people with a poor perception of the justice system are less likely to cooperate with police investigations (Brown and Benedict 2002). Furthermore, a number of theoretical perspectives, including Tyler’s theory of Legitimacy and Compliance (Tyler 1990) and Sherman’s Defiance Theory (Sherman 1993), have clearly shown that people with poor perceptions of the justice system are less likely to obey the law. Thus, racial differences in stop and search activities could ultimately contribute to racial differences in criminal behaviour.

In conclusion, as Phillips and Bowling (2003, p. 277) point out, the structural context of life within minority communities – and by extension the nature of policing in these communities – cannot be fully understood without historical contextualisation. This is particularly important for a nation such as Canada which seems to suffer from amnesia when it comes to its historical treatment of racialised peoples. For example, in a recent address to G20 leaders, Prime Minister Stephen Harper declared...
that Canada has no history of colonialism (Ljunggren 2009). This comment completely ignores Canada’s deep roots in both English and French colonialism and its legacy of blatant discrimination against Aboriginals, blacks and other racial minorities (see Mosher 1998, Henry and Tator 2005).

It is also important to note that Canada’s much lauded policy of official multiculturalism may actually facilitate the racialisation of blacks and other minorities. Opposition to multiculturalism has been voiced by those who view the policy as one that further accentuates differences between racial groups rather than promoting inclusiveness. It has also been argued that the true intent of multiculturalism is to provide a counter argument to charges of racism and the increasing demands of minorities to equal access to all sectors of Canadian society (Knowles 2007). Thus, while supposedly embracing ‘other’ cultures, Canadian multiculturalism may actually provide a veil behind which discrimination flourishes and the cultural hegemony of the dominant group is secured.

This view is well captured in the theory of ‘democratic racism’. Democratic racism is an ideology that permits the emergence of two seemingly conflicting sets of values: a public commitment to racial justice and equality on one hand, but a refusal to seriously investigate and address racial inequalities and potential racial bias when these issues emerge (Henry and Tator 2005, p. 349). In our opinion, the Canadian government’s unofficial ban on the collection and dissemination of race-based criminal justice statistics provides an excellent example of democratic racism in action. At the same time that the police and other criminal justice agencies claim to provide equitable service to all Canadians, they systematically withhold vital information that is essential to the examination and ultimate elimination of any racial disparities that may exist. Indeed, it must be recognised that the ban on race-crime and race-based statistics has actually helped the Canadian justice system deflect allegations of racial bias. For example, the Canadian courts have often dismissed allegations of racial profiling due to a lack of empirical data (see Tanovich 2006). The fact is, without proper data, it is impossible to truly monitor the activities of criminal justice decision-makers, document the extent of racial discrimination and determine whether anti-racist policies are having an impact. Thus, the current ban on race-crime statistics serves to reduce accountability within the Canadian justice system and prevents Canadians from honestly investigating the true impact that the police and other justice institutions have on the lives of minority citizens.

Notes
1. For more details about the study methodology (see Wortley and Owusu-Bempah 2009).
2. All of the racial differences highlighted in the text are significant at the $p > 0.01$ level.

References


Namba, M., in press. War on illegal immigrants, national narratives and globalization: Japanese policy and practice of police stop and question in the global perspective.


Appendix 1. Description of independent variables used in all regression analyses

**Race**: Two dummy variables were used to denote race. Black (1 = black; 0 = other) and Chinese (1 = Chinese; 0 = other). White is the default category left out of the analysis.

**Age**: Age is an interval variable ranging from 18 to 89 years. Mean age = 45.1 years.

**Gender**: Gender is dummy coded (1 = male; 0 = female).

**Education**: Education is an ordinal variable coded: 1 = elementary or less; 2 = some high school; 3 = completed high school; 4 = some post-secondary; 5 = completed college; 6 = bachelor’s degree; 7 = professional or graduate degree.

**Household Income**: Income is an ordinal variable ranging from 1 (<$10,000 per year) to 12 ($200,000 or more).

**Place of Birth**: Dummy variable: 1 = Born outside of Canada; 0 = Born in Canada.

**Number of Times Stopped by the Police**: Respondents were asked how many times in the past two years they had been stopped and questioned by the police. Contact with the police was coded: 0 = no stops; 1 = one stop; 2 = two stops; 3 = three or more stops.

**Marijuana Use**: We asked the respondents whether they had used marijuana in the past two years. Marijuana use is dummy coded: 0 = has not used marijuana in past two years; 1 = has used marijuana in past two years.

**Alcohol Use**: All respondents were asked how often they had consumed alcohol in the past twelve months. Response options ranged from 0 (never) to 7 (Every day or almost every day).

**Criminal record**: Respondents were asked if they had ever been arrested by the police at some point in their life. Criminal record was dummy coded: 1 = has a criminal record; 0 = no criminal record.

**Vicarious Police Contact**: Respondents were asked if any family members had been the victim of racial profiling by the police in the past two years. This variable was dummy coded: 1 = family/friends have been profiled in the past 2 years; 0 = family and friends have not been profiled.
Driving Frequency: All respondents were asked how often they usually drive in a motor vehicle as either the driver or as a passenger. Response options ranged from 0 (never) to 6 (every day).

Public Activities: Respondents were asked how often they engaged in four different types of public activity: a) used public transit; b) visited shopping malls or theatres; c) hung out on the street or in parks; and d) went to bars or nightclubs. Response options ranged from 0 (never) to 6 (every day). Answers to these four questions were combined into a single variable measuring frequency of engaging in public activities (alpha = 0.66). This variable ranges from 0 to 24 (mean = 8.55).

Community Crime and Disorder: Respondents were asked how often the following problems occurred in their neighbourhood: a) homeless people on the street begging for money; b) prostitution; c) drug trafficking; d) gun violence; and e) violence between rival gangs. Response options ranged from 0 (never) to 4 (very often). Responses to these five questions were eventually combined into a Community Crime and Disorder Index (alpha = 0.77). Scores on this index range from 0 to 20 (mean = 2.54).