FOR IMMEDIATE RELEASE: December 15, 2020
Contact: Sean Keady, sean.keady@berlinrosen.com, 202-725-4156

New Research Shows Broad Enforcement of Warrants for Minor Offenses
New research from the Research Network on Misdemeanor Justice shows that many arrests made in St. Louis, MO and Louisville, KY are for outstanding warrants related to lower-level crimes

New York – New research from the Research Network on Misdemeanor Justice ("the Research Network"), a project of the Data Collaborative for Justice at John Jay College (DCJ), revealed that **in the City of St. Louis, MO and Louisville, KY, a significant percentage of arrests involve outstanding bench warrants, and many of these warrants were associated with non-violent or low-level charges.** The research, examining data from 2006 to 2019 in these two socioeconomically similar jurisdictions, **sheds new light on this under-examined area of law enforcement**, and finds **substantial racial disparities in warrant enforcement** at a time when the country continues to reckon with entrenched biases in the criminal justice system.

"People tend to think of warrants as being issued for serious felonies, but what this data shows is that, in St. Louis and Louisville, when people are arrested only for bench warrants, the majority of those warrants resulted from low-level offenses," said Lee Slocum, Professor of Criminology and Criminal Justice at the University of Missouri, St. Louis and one of the lead authors of the analysis.

"As policy experts grapple with ways to reform the criminal justice system and reduce incarceration, this analysis demonstrates that warrant enforcement must be a part of that discussion," said Brian Schaefer, Assistant Professor of Criminology & Criminal Justice at Indiana University Southeast and another lead author of the analysis.

"What this research shows is that the enforcement of bench warrants for relatively minor offenses is taking up a significant amount of police time and resources and potentially putting individuals on a path towards further entanglement within the criminal legal system," said Preeti Chauhan, Director of the Data Collaborative for Justice.

There were an estimated 7.8 million outstanding warrants in the United States in 2016 – a figure that likely underestimates the true number of warrants since it relies on state and federal databases and does not capture the large number of warrants associated with municipal enforcement. What is clear is that there are millions of warrants issued by courts across the country. These warrants direct law enforcement to arrest someone for any number of reasons, but bench warrants are typically issued if someone failed to appear for court, owed a fine, or failed to follow some other court requirement.

Although empirical research on warrants locally and nationally is lacking, concerns have been raised regarding their use. In 2015, following the killing of Michael Brown by the Ferguson police, a municipality in St. Louis County that is located outside the City of St. Louis, the Department of Justice

(DOJ) issued a report ("[Ferguson Report](#)") that condemned the use of warrants in the region and resulted in municipal court reforms. Since the Ferguson Report was issued and municipal court reforms were enacted, arrests based solely on a person having an outstanding warrant (with no new charge) have declined substantially in St. Louis City – however, these arrests were still quite common in 2019.

The new analyses from the Research Network found:
- In 2019, **a significant percentage of arrests made by the police in both St. Louis City (14%) and Louisville (19%) were driven solely by the fact that the arrested individual had an outstanding bench warrant** (with no new charge);
- **In both cities, a majority of the arrests for bench warrants involved underlying charges for lower-level offenses** (misdemeanors and local ordinance violations);
- **A traffic violation was the most common charge type that led to bench warrants**; and,
- **Substantial racial disparities in arrests for bench warrants existed in both cities** – in 2019 in St. Louis City, four Black people were arrested based solely on a bench warrant for every white person; in Louisville, the ratio was approximately three-to-one.

"Although officers in some jurisdictions have a level of discretion, they're often compelled by law to enforce these warrants, even without new charges," said Erica Bond, Policy Director of Data Collaborative for Justice. "The racial disparities both in the issuance and enforcement of these warrants should be of concern to law enforcement, courts, policymakers, and the public."

"This new analysis takes a long overdue look at an area of law enforcement that takes up an inordinate amount of officers' time, and impacts millions of people nationwide," said Jeremy Travis, Executive Vice President of Criminal Justice at Arnold Ventures. "Warrants cannot be left out of the criminal justice reform conversation."

The full report is available on the Data Collaborative for Justice's [website](#). The participating Research Network sites, St. Louis and Louisville, also produced site specific reports that can be found [here](#) and [here](#). Additional **key findings from the research** can be found below:

- **Arrests involving bench warrants were relatively common in both cities, accounting for approximately one-third of arrests in 2019.** In St. Louis, for example, 14% of arrests in 2019 were for bench warrants (with no new charge), and 39% of arrests involved at least one bench warrant. In Louisville, arrests for bench warrants (with no new charge) accounted for 19% of all arrests, and there was at least one bench warrant in 34% of all arrests.

- **Between 2006 and 2019, arrest rates involving bench warrants without new charges followed different trends in the two cities with declines recorded in St. Louis and increases in Louisville.** In St. Louis, the arrest rates based on bench warrants (with no new charge) decreased 59% between 2006 and 2019 – with much of the reduction occurring after municipal court reforms were enacted. In Louisville, the arrest rate based on bench warrants (with no new charge) increased by 73% during the same period.

- **In both cities, racial disparities in arrests made solely on the basis of bench warrants narrowed over time but were still present in 2019**. In St. Louis, in 2006, there were almost seven Black people arrested for a bench warrant without a new charge for every White person arrested. In 2019, this ratio was just over four-to-one. In Louisville, in 2006, there were almost four Black people arrested for a bench warrant without a new charge for every White person arrested. In 2019, this ratio was closer to three-to-one.

- **In both cities, most arrests made based solely on bench warrants without new charges were frequently associated with ordinance violations or misdemeanors**. In St. Louis, 53% of 2019 bench warrants arrests (with no new charge) involved a municipal violation and 13% involved misdemeanors. In Louisville, 13% of 2019 bench warrants arrests (with no new charge) involved a municipal violation and 42% involved misdemeanors.

- **In both cities, for people who were arrested and had an open bench warrant, a traffic violation (e.g., driving on a suspended license or without valid insurance or registration) was the most common type of charge underlying the bench warrant.** In St. Louis, for Black people arrested in 2019, almost three-quarters of their bench warrants stemmed from traffic offenses and among White individuals, more than half were linked to this type of violation. In Louisville, the percentages were lower, but traffic violations were still the most prevalent charge type, and a higher percentage of bench warrants originated with traffic violations for Black people (37%) than White individuals (25%).

- **Arrests tied to fugitive warrants were prevalent in St. Louis but rare in Louisville.** More than one-third of the arrests made by the St. Louis Metropolitan Police Department in 2019 (38%) involved people with a fugitive warrant (warrants that had been issued by a court in another municipality) compared to less than 3% in Louisville. In St. Louis, 10% of 2019 arrests were based *solely* on a "fugitive warrant" (no new charge). This is likely explained in large part by the fragmented nature of governance and criminal justice enforcement in St. Louis County which is comprised of 88 distinct municipalities – many with their own police forces and municipal courts. Due to the high number of municipal courts and law enforcement agencies operating in the region, people may regularly move through different municipalities, be charged in multiple municipalities (e.g., on driving related charges), and have outstanding warrants in multiple municipalities. When this occurs, people may be required to settle warrants separately in each court.

The Data Collaborative for Justice (DCJ) at John Jay College of Criminal Justice houses a group of research initiatives that raise important questions and share critical research about the criminal legal system and its role in creating safe, just, and equitable communities. DCJ conducts data analysis and research on enforcement in the community, the adjudication of cases in the courts, and the use of confinement in jails and prisons. DCJ's work has informed policy reforms, facilitated partnerships between researchers and government agencies across the country, spurred new scholarly research on lower-level enforcement, and has been cited extensively in the press. For more information about the Data Collaborative for Justice please visit: https://datacollaborativeforjustice.org/

In 2016, DCJ launched **The Research Network on Misdemeanor Justice** to study lower-level enforcement actions, which represent the most common interactions between communities and the criminal legal system. The Research Network is comprised of researcher-practitioner partnerships in seven jurisdictions committed to producing data, research, and scholarly work on lower-level enforcement trends: Durham, NC; Los Angeles, CA; Louisville, KY; New York City, NY; Prince George's County; MD; Seattle, WA; and St. Louis, MO. The Research Network seeks to inform criminal justice system operations and policy at the local and state levels. It also seeks to support a national discourse, informed by data, on the role of lower-level enforcement in public safety, trust in the criminal legal system, racial justice, and efficient use of finite taxpayer dollars.