

Warrant Enforcement in Louisville Metro and the City of St. Louis from 2006 – 2019: A Cross-site Analysis *

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INTRODUCTION AND EXECUTIVE SUMMARY

Warrants are commonplace in the United States, and some estimate that there were over 7.8 million outstanding warrants in state and federal databases in 2016, most of which stemmed from non-violent crimes and ordinance violations, such as traffic violations.¹ People with warrants often remain free unless they once again come into contact with law enforcement, such as through a traffic stop.² When this occurs, in many states, including Kentucky and Missouri, the legal statute requires police to arrest and detain the person due to their outstanding warrant(s).³ In practice, however, officers in the City of St. Louis have some discretion in making arrests for warrants when they are linked to less serious offenses and ordinance violations.⁴

A better understanding of warrants and their enforcement can contribute to recent conversations about the criminal legal system, particularly how police use their time and how the courts and jails use their resources. Studies of warrant enforcement can also provide data to inform discussions regarding the role the criminal legal system plays in generating and perpetuating inequality. Arrests for warrants, even those for minor offenses, can have negative consequences for individuals and amplify existing inequalities.⁷

This report describes and compares bench and fugitive warrant arrests in Jefferson County, Kentucky

Definitions Used in this Report

Warrant: A legal document issued by a court that directs and allows law enforcement anywhere in the state to bring a person into custody.

Bench Warrant: A type of warrant traditionally issued by courts for administrative reasons, such as failure to comply with court rules or court-mandated requirements (e.g., failure to appear for a court hearing or comply with a summons).⁵ This report describes bench warrants issued in the City of St. Louis and, for Louisville Metro, the Jefferson County 30th District and Circuit Courts.

Fugitive Warrant: A warrant originating in a court outside the City of St. Louis or, for Louisville Metro, Jefferson County.

New Charge: A charge that is for a new crime and is not linked to a warrant.⁶

¹ In Utah v. Strieff, Sotomayor argued that there were 7.8 million outstanding warrants in 2016. See also an investigation by Gatehouse Media (Wagner & Caruso, 2019; Wagner, Caruso, Chen & Futty, 2019). For additional information on enforcement of low-level offenses see Kohler-Hausmann (2018), Mayson & Stevenson (2020), and Natapoff (2018).

² See Sekon (2018) and Wagner, Caruso, Chen & Futty (2019).

³ Per Missouri Revised Statute 575.180, police officers may face legal penalties if they fail to execute an arrest warrant. An officer who discovers an outstanding warrant from any jurisdiction is required to arrest and detain the litigant until either the issuing municipality picks up or declines to pick up the person. Per Kentucky Revised Statute 431.005 a peace officer may make an arrest; (a) in obedience to a warrant.

⁴ Personal communication with St. Louis Metropolitan Police Department (SLMPD).

⁵ Although rare, bench warrants can be issued immediately after the filing of a charge if the issuance of a summons does not appear sufficient to compel the person to appear in court.

⁶ In St. Louis, officers can first arrest a person for a crime and then apply for a warrant after an arrest has been made.

⁷ For example, there is substantial research showing that even short periods of incarceration can result in loss of employment and housing, disrupt family obligations and education, and negatively affect detainees' perceptions of the criminal legal system (Apel, 2016; Comfort, 2016; Harvey et al., 2014; Lowenkamp, VanNostrand, & Holsinger 2013; Petersen & Omori,

(hereinafter Louisville Metro) and the City of St. Louis, Missouri during the period 2006 to 2019.⁸ The report is based on two site-specific reports that focus on the individual jurisdictions (see “[Warrant Arrests in the City of St. Louis: 2002 – 2019](#)” and “[Examining Warrant Arrests in Jefferson County, Kentucky: 2006 to 2019](#)” for additional details). The goal is to shed light on the enforcement of warrants, which are a large part of policing practice. This comparative approach provides insight into variability in the levels and nature of warrant arrests in communities with differing legal contexts and government structures. This report is a starting point to understand trends in warrant enforcement across two jurisdictions with similar social and economic landscapes.⁹ It is our hope that the findings are useful for stakeholders as they consider ways to make the criminal legal system more efficient and equitable.

KEY FINDINGS

- Arrests involving bench warrants were relatively common in both jurisdictions. Rates of arrests for bench warrants were higher in St. Louis than in Louisville Metro.
 - In St. Louis, 14% of arrests in 2019 were for bench warrants only, and 39% of arrests involved at least one bench warrant. In Louisville Metro, bench warrant only arrests accounted for 19% of arrests, and there was at least one bench warrant in 34% of arrests.
- In St. Louis, approximately one-third of arrests were linked to at least one fugitive warrant, but fugitive warrants were rare in Louisville Metro.
 - In 2019, 10% of arrests in St. Louis were for fugitive warrants only, and 38% involved at least one fugitive warrant. Less than 1% of arrests were based exclusively on fugitive warrants in Louisville Metro in this year, while 3% of arrests included a fugitive warrant.
- For both cities, the most prevalent type of arrest involved only new charges, but new charge only arrests comprised a higher percentage of arrests in Louisville Metro (60% in 2019) compared to St. Louis (32% in 2019).
- There were substantial racial disparities in arrests involving bench warrants, and these were greater in St. Louis. The race gap narrowed over time but remained high.
 - In 2019, in St. Louis there were four black persons arrested for a bench warrant without new charges for every one white person. In Louisville, this ratio was approximately three-to-one.
- In both cities, the majority of bench warrant arrests unaccompanied by a new charge were for misdemeanor offenses or ordinance violations. Bench warrants were most likely to stem from traffic offenses, but this was especially true for people arrested in St. Louis. Probation violations, traffic, and society offenses were the most common charges that led to bench warrants among people arrested in Louisville Metro.

Given the number and scope of warrants issued, it is important to continue to learn about the effects of warrant enforcement on the way officers spend their time and crime in the community as well as the impact on outcomes for persons with warrants. Additional analyses are particularly important

2020). The existence of outstanding warrants also can lead some people to avoid government institutions, such as hospitals and schools, out of fear of being arrested (Brayne, 2014, 2017; Goffman, 2015). See also U.S. Department of Justice (2015).

⁸ In St. Louis, warrant enforcement is described using arrest data provided by the SLMPD. Arrest data for Louisville Metro comes from the Louisville Metro Department of Corrections and includes data on all arrests in Jefferson County.

⁹ These two areas have been designated “peer cities”. See <https://wfpl.org/louisvilles-new-list-peer-cities-now-includes-st-louis-oklahoma-city/>

considering the number of people, particularly people of color, who come into contact with the police for warrants stemming from misdemeanor crimes and ordinance violations.¹⁰ Further, research should consider how these trends are influenced by changes in legislation, the COVID-19 pandemic, and public movements for racial equity and police reform.

STUDY CONTEXT: LOUISVILLE METRO AND ST. LOUIS

ST. LOUIS

The City of St. Louis is part of the largest metropolitan area in the state of Missouri with a 2019 residential population of 300,576. According to the Census, in 2018 just under a quarter (22%) of the population lived below the poverty level. St. Louis is racially diverse, with Black individuals making up 45% of the population and White individuals 47%. Like many U.S. cities, dimensions of race and economic inequality are intertwined with spatial segregation. Despite declines in overall rates of crime, St. Louis continues to have high rates of violence (1,927 serious person crimes per 100,000 in 2019).¹¹

The City of St. Louis is policed by the St. Louis Metropolitan Police Department. The St. Louis City Municipal Court is primarily responsible for addressing local ordinance violations including cases related to traffic violations, minor alcohol and drug offenses, and problem properties.¹² The 22nd Circuit handles violations of state law and also houses the Family/Juvenile Division.

The city is bordered by St. Louis County, and the city and county are two distinct political entities; however, the unique law enforcement environment of the county affects policing in the city. St. Louis County is comprised of 88 distinct municipalities, more than 50 of these maintain an independent police force and most have a municipal court.¹³ Municipal judges have the power to issue bench warrants for people who fail to appear in court. Due to the high number of municipal courts and law enforcement agencies operating in the region, people may have outstanding warrants in multiple municipalities, and when this occurs, they are required to settle warrants separately in each court, extending the amount of time individuals may be detained.¹⁴

Missouri has been featured prominently in recent discussions of criminal justice reform following the August 9, 2014 police shooting death of Michael Brown, a young Black male resident of Ferguson, Missouri, which is located outside the city in St. Louis County. Ferguson was subject to a Department of Justice investigation that described the use of arrest warrants for missed court appearances for non-serious violations and detailed the disproportionate effect of these practices on Black persons.¹⁵ The report also documented in St. Louis County factors that contribute to the proliferation of warrants, such as fragmented municipal governments with independent criminal legal systems; decentralized court systems that were difficult to navigate and had limited public accessibility; and enforcement motivated

¹⁰ For example, see Schaefer, Hughes & Jude (2018) and Slocum, Huebner, Greene, & Rosenfeld (2018).

¹¹ The serious violent crime rate is composed of the Federal Bureau of Investigations Part 1 crimes of murder and non-negligent homicide, rape, robbery, and aggravated assault.

¹² See <https://www.stlouis-mo.gov/government/departments/municipal-courts/>

¹³ <https://data.stlouisco.com/datasets/a4a73f178ba148ba9e0a0801908ffc52> and <https://graphics.stltoday.com/apps/crime/st-louis-county/about/>.

¹⁴ See U.S. Department of Justice (2015).

¹⁵ See U.S. Department of Justice (2015).

by revenue generation. Aggressive policing of minor offenses for revenue generation has not been documented in St. Louis City,¹⁶ but the proliferation of warrants in the region influences the workload of the city police because they must enforce fugitive warrants.

Several legislative changes have been made in recent years to address the problems highlighted in the Department of Justice report. In 2015, Senate Bill 5 (SB5) was enacted.¹⁷ Among other things, this legislation limits the percentage of municipal revenue that can be derived from ordinance and traffic enforcement, reduces the total fines that can be levied for minor traffic violations, and prohibits confinement for minor traffic violations and for failure to pay fines. Individuals who do not appear for a court date can be arrested, but an additional “failure to appear” charge cannot be added as an offense. If they do not comply with court mandates, individuals still face the prospect of jail time for offenses such as driving at an excessive speed or possession of marijuana. There has also been an effort to provide more state oversight to municipal courts, and starting in 2017, municipal courts were required to provide documentation of their standard operating procedures to the Office of State Court Administrators.¹⁸ In addition, many municipal courts, including the City of St. Louis Municipal Court, recalled warrants or held warrant amnesty days and enacted changes intended to increase the accessibility of the courts and standardize data systems.¹⁹

LOUISVILLE METRO

Louisville Metro, or Louisville-Jefferson County Metro Government, is a city-county government that was formed in 2003 by merging the City of Louisville and Jefferson County governments. The Louisville Metro area consists of the consolidated city-county of Louisville-Jefferson County and an additional 83 municipalities located within the city and county. Louisville Metro is the largest metropolitan area in the state of Kentucky with a population of 766,757, which includes all municipalities located within Jefferson County. According to the U.S. Census, 15% of the population lives at or below the poverty line, and 72% of the population is White while 22% is Black.

Despite Jefferson County encompassing Louisville Metro and 83 additional municipalities, there is a uniform court structure in the County.²⁰ The 30th District Court and the 30th Circuit Court cover the entirety of Jefferson County. The District Court handles juvenile matters, city and county ordinances, misdemeanors, violations, traffic offenses, arraignments, and felony probable cause hearings, among other cases.²¹ The Circuit Court is Kentucky’s highest trial court and has jurisdiction over capital

¹⁶ In 2019, .65% of The City of St. Louis’ annual general operating revenue came from fines, forfeitures, and court costs for municipal ordinance violations and minor traffic violations. See

<https://app.auditor.mo.gov/Local/SearchPolysubFinancialReports.aspx>

¹⁷ See RSMO 479.353

¹⁸ Missouri Supreme Court Rule 37.04 “Supervision of Courts Hearing Ordinance Violations”

¹⁹ A comprehensive list of court and police reforms enacted since 2014 can be found in the dataset accompanying Forward through Ferguson’s 2019 report, “The State of Police Reform”, which is accessible at

<https://forwardthroughferguson.org/stateofpolicereform/>. See also the November 2017 Report to the Supreme Court of Missouri for the Period 2016-2017 issued by the Commission on Racial and Ethnic Fairness, which is available at <https://www.courts.mo.gov/file.jsp?id=121053>.

²⁰ While several municipalities have their own law enforcement agency, Jefferson County Sheriff’s Office, Shively, St. Matthews, and Jefferstawn account for most arrests.

²¹ For further information on the responsibilities of Kentucky District Courts please visit

<https://kycourts.gov/courts/pages/districtcourt.aspx>

offenses and felonies.²² The Circuit Court also houses the state's Family Court system. Furthermore, Jefferson County has one jail, Louisville Metro Department of Corrections, which allows us to analyze all warrant-related arrests in Jefferson County via a single data source.²³ **Table 1** provides a comparison of the demographic characteristics and municipal structures of the two areas.

Table 1: Characteristics of Louisville Metro and the City of St. Louis

	Louisville Metro/ Jefferson County	City of St. Louis
Population	766,757	300,576
Land Size	380 square miles	62 square miles
% Black	22%	45%
% of Household at or below the Poverty Line	15%	22%
Median Income	\$54,357	\$41,107
Violent Crime Rate	5.98 per 1,000	19.27 per 1,000
Property Crime Rate	40.11 per 1,000	62.39 per 1,000
Local Government and Court Structure	Consolidated city-county government and includes 83 municipalities. The area is served by one court system.	City of St. Louis is distinct from St. Louis County, which includes 88 municipalities, most of which have independent courts.

Data Sources: St. Louis demographic data were obtained from the U.S. Census Bureau's American Community Survey 2018 one-year estimates. Louisville Metro demographic data were obtained from the U.S. Census Bureau's American Community Survey 2019 one-year estimates. Louisville Metro crime rates were retrieved from the 2017 Federal Bureau of Investigations Uniform Crime Reports and St. Louis crime data were obtained from the SLMPD December 2019 Crime Summary by Neighborhood Report.

In Louisville Metro, warrants have been a key issue in local criminal justice discussions, including within the Louisville Metro Criminal Justice Commission's Jail Policy Committee (JPC). The JPC has held numerous meetings to change practices and policies to reduce the number of bench warrants issued and the associated consequences. In August 2017, the General Term of the Jefferson District Court adopted the Bench Warrant Administrative Release Protocol authorized in the Kentucky Supreme Court Non-Financial Schedule of Bail which allows for the administrative release of individuals charged with certain non-violent, non-sexual offenses.²⁴ In 2018-2019, the JPC initiated an action plan to reduce the number of active bench warrants. The Jefferson County Attorney's Office in partnership with the Office of the Circuit Clerk reviewed and purged low-level traffic warrant cases older than five years. The first

²² For more information on the responsibilities of Kentucky Circuit Courts please visit <https://kycourts.gov/courts/Pages/CircuitCourt.aspx>

²³ The report uses data from Louisville Metro Department of Corrections which includes data on all arrests in Jefferson County. The data presented in this report include only instances where a person is booked into jail on new charges and does not include those individuals who were booked in jail for the purposes of serving a sentence. Therefore, these totals do not reflect the number of annual bookings, but the number of arrests. Using jail data to examine warrants is advantageous as it captures activity from all law enforcement agencies in Jefferson County and does not require collecting arrest data from each individual agency.

²⁴ For further discussion of the Administrative Release Protocol see the Louisville Metro Criminal Justice Commission Jail Policy Committee meeting notes

https://louisvilleky.gov/sites/default/files/criminal_justice_commission/metro_criminal_justice_commission/7-30-19_jail_policy_summary.pdf.

purge resulted in 2,202 traffic cases being dismissed.²⁵ Also in 2018, Pretrial Services implemented a Court Notification System to remind defendants of upcoming court dates with the intention of increasing appearance rates across the state.²⁶ Finally, there has been support for providing law enforcement with the discretion to cite and release individuals for low-level bench warrants, instead of the current mandatory arrest requirements.

ARREST TRENDS BY WARRANT AND NEW CHARGE STATUS

To examine how the volume and nature of arrests with and without warrants have changed in the City of St. Louis and Louisville Metro, each arrest was categorized based on whether it involved a new charge and whether it involved a bench or fugitive warrant (see “Types of Arrests”). Because arrests often involve multiple charges, an arrest can be made based on any combination of new charges, bench warrants, and fugitive warrants. [Figure 1](#) presents the yearly number of arrests of each type for 2006 through 2019, and [Figure 2](#)

depicts the percent of arrests in each category by year.

Depending on the year, the number of arrests in St. Louis was similar to or lower than in Louisville Metro, but the rate of arrests per 100,000 persons was higher for all years.

In 2006, St. Louis had a slightly higher volume of arrests than Louisville (40,648 versus 35,389). This includes more bench warrant only arrests (7,423 versus 2,796), more fugitive warrant only arrests (3,878 versus 219), and more arrests with a combination of bench and fugitive warrants (2,959 versus 19). In both cities, the total number of arrests declined from 2006 to 2019, but reductions were greater and more sustained in St.

Louis (54%) than in Louisville Metro (24%). **In 2019, Louisville Metro had significantly more arrests (27,062) than St. Louis (18,909) and more arrests for bench warrants (5,051 versus 2,590).**

Types of Arrests

When people are arrested, they can be arrested based on new charges and/or an existing warrant. We categorized arrests based on their mix of warrants and new charges.

Bench Warrant Arrests: All charges are attached to bench warrants.

Fugitive Warrant Arrest: All charges are attached to fugitive warrants.

Bench and Fugitive Warrant Arrest: Each charge is attached to a bench warrant or a fugitive warrant and there is at least one warrant of each type.

New Charge and Bench or Fugitive Warrant Arrest: Charges are associated with at minimum one new complaint and one bench or fugitive warrant.

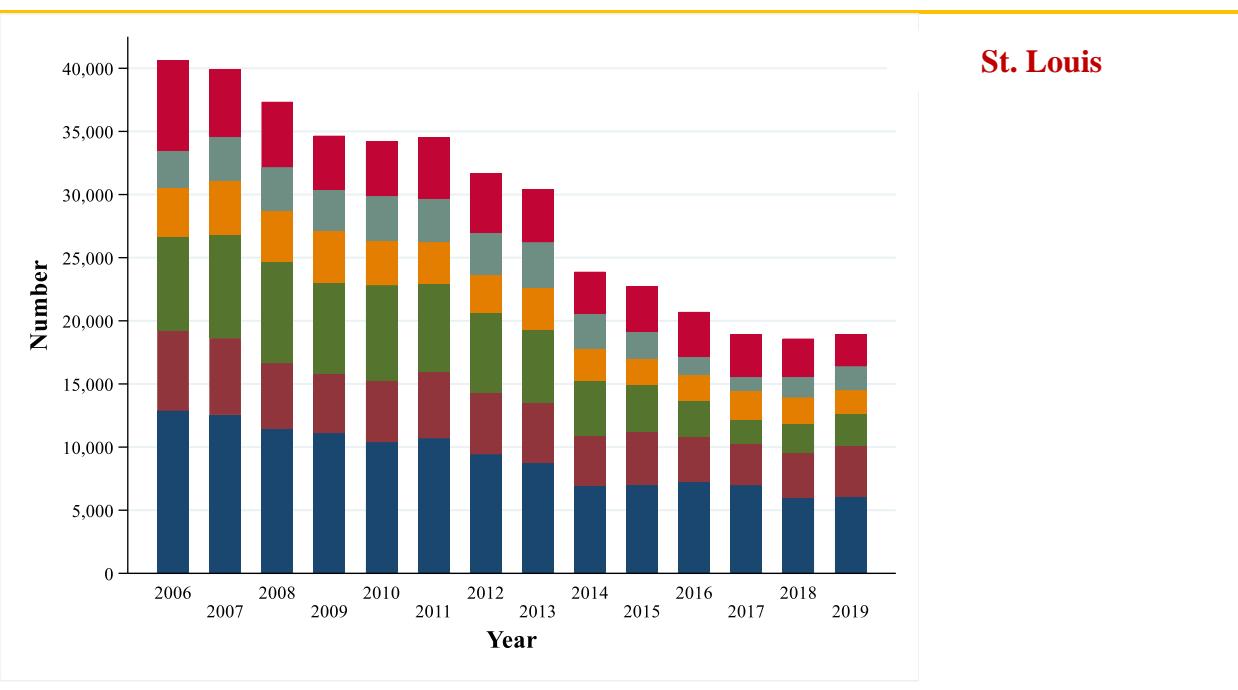
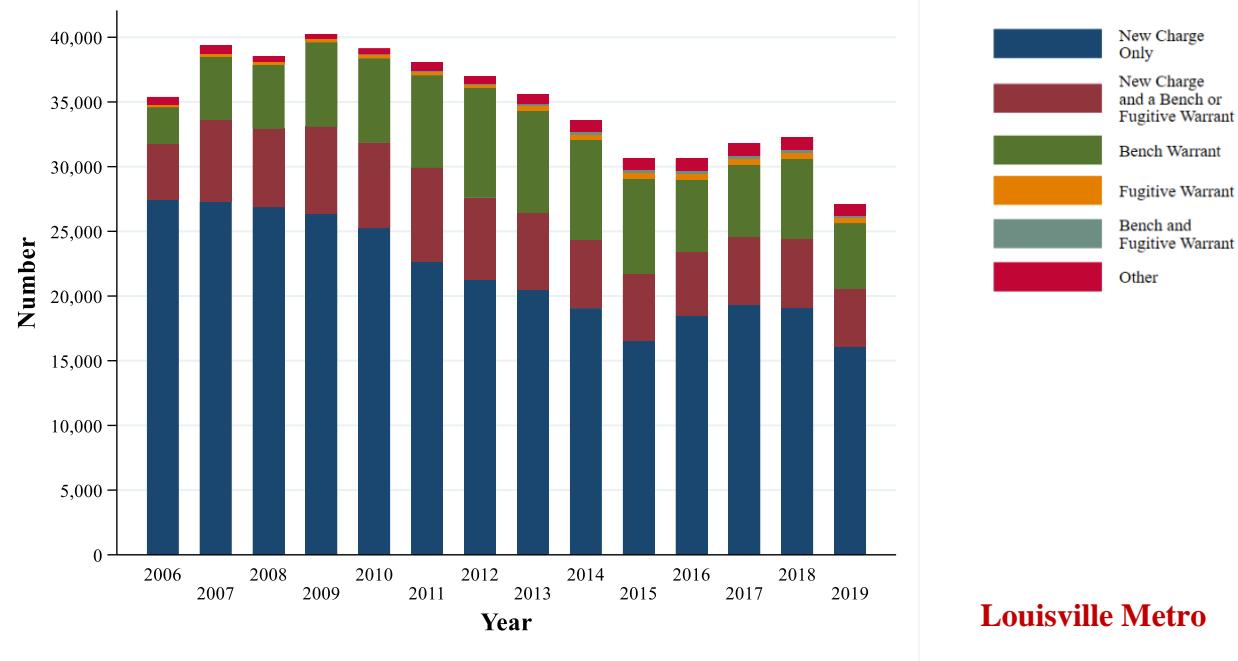
New Charge Only Arrest: At least one charge is for a new crime and no charges are tied to bench or fugitive warrants. These arrests may have other types of warrants or charging documents.

Other Arrests: Arrests that do not fit into the above categories.

²⁵ For further discussion of Jefferson District Court warrant purge see the Louisville Metro Criminal Justice Commission Jail Policy Committee meeting notes at https://louisvilleky.gov/sites/default/files/criminal_justice_commission/jail_policy/12-4-18_jail_policy_summary.pdf.

²⁶ For further discussion of the Court Notification System see the Louisville Metro Criminal Justice Commission Jail Policy Committee meeting notes at https://louisvilleky.gov/sites/default/files/criminal_justice_commission/jail_policy/3-27-18_jail_policy_summary.pdf.

Figure 1: Number of Arrests by Warrant and New Charge Status, 2006 - 2019



Data Sources: SLMPD and LMDC for enforcement data.

Louisville Metro has approximately twice the population of St. Louis. To adjust for these population differences, we computed the rates of arrest per 100,000 persons, which standardizes the number of arrests to the population of each location (not shown in figure).²⁷ **St. Louis had higher rates of arrests than Louisville Metro in all years.** In 2006, in St. Louis the total arrest rate was 16,294 per 100,000 persons versus 6,414 in Louisville Metro. In 2019, despite having fewer arrests, St. Louis continued to have a higher rate of arrests (7,622) than Louisville Metro (4,570) (see Figure 3 for rates of warrant-related arrests). It is important to recognize that there are a number of issues associated with using rates to make comparisons across cities (see box on “Limitations of Using Rates to Make Cross-Jurisdiction Comparisons”).

Figure 2 displays the percent of arrests by warrant and new charge status. **In both cities, arrests involving only new charges were most common, but this type of arrest made up a greater percentage of arrests in Louisville Metro compared to St. Louis.** In Louisville Metro, new charge only arrests comprised between 54% (in 2015) and 78% (in 2006) of all arrests. In St. Louis, this percentage fluctuated between 29% (in 2013) and 37% (in 2017).

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 only, and 39% of arrests involved at least one bench warrant.²⁸ In Louisville Metro, bench warrant only arrests accounted for 19% of all arrests, and there was at least one bench warrant in 34% of all arrests.

Arrests stemming from fugitive warrants were prevalent in St. Louis but rare in Louisville Metro. Ten percent of arrests in St. Louis in 2019 were for fugitive warrants only, while an additional 10% involved at least one fugitive warrant and one bench warrant. **Overall, 38% of arrests involved at least one fugitive warrant in St. Louis in 2019.**²⁹ In contrast, fugitive warrants were rare in Louisville Metro; in 2019, less than 1% of arrests were for fugitive warrants only, while only 2% of arrests involved both bench and fugitive warrants. **Across all arrest types, only 3% of arrests in Louisville Metro were for fugitive warrants.** Differing criminal legal systems in the two regions likely contribute to these cross-site differences. The City of St. Louis is surrounded by St. Louis County, which includes 88 municipalities, most of which maintain independent courts. In contrast, within Jefferson County, Louisville and the additional 83 municipalities share the same District and Circuit Courts.

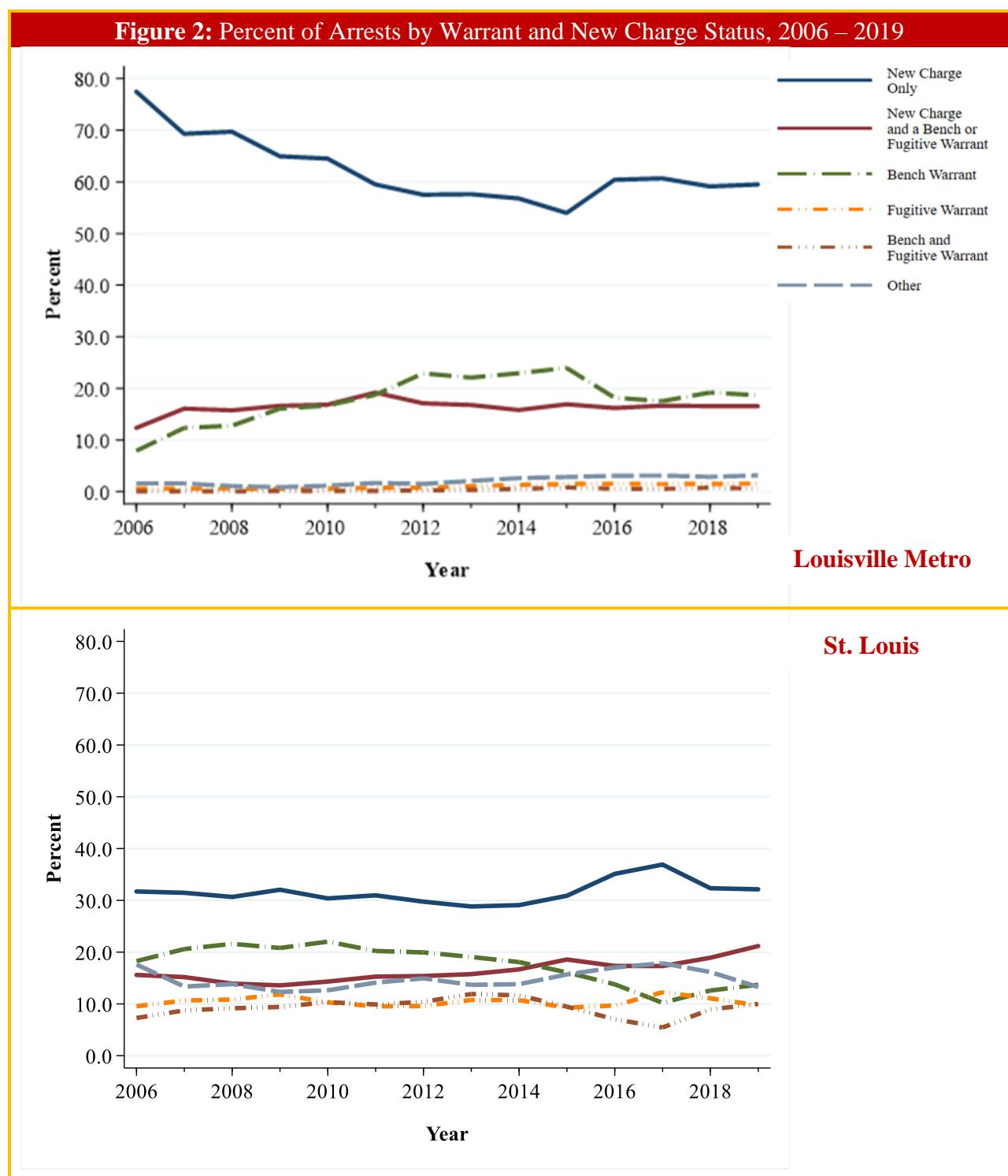
In both cities, it was relatively common for bench or fugitive warrants to be accompanied by a new charge. In 2019, this was the case for 21% of arrests in St. Louis and 17% in Louisville Metro.

²⁷All rates are population- and year- specific, and they are based on the number of people who are of the age of criminal responsibility (17 years in St. Louis and 18 years in Louisville Metro). For example, enforcement rates for White individuals in Louisville Metro in 2006 were computed using the number of White individuals ages 18 and older living in the Metro area in 2006.

²⁸This percentage includes any arrest that involved a bench warrant including arrests for 1) bench warrants only, 2) fugitive and bench warrants, 3) bench warrants and new charges, and 4) “other” types of arrests that involve a bench warrant but do not fit into any of these categories.

²⁹This percentage includes arrests for fugitive warrants and new charges as well as “other” types of arrests that involved fugitive warrants but do not fit into any of the other categories.

Figure 2: Percent of Arrests by Warrant and New Charge Status, 2006 – 2019



Data Sources: SLMPD and LMDC for enforcement data.

St. Louis also had a higher percentage of arrests that fall in the “other” category. This is due, in part, to differences in the types of charging documents used by the two courts. In St. Louis, the “other” category, which accounts for between 12% and 18% of arrests depending on the year, is comprised of arrests that were made based on other warrant types (e.g., at-large warrants, capias warrants) or probation or parole violations. Approximately one-third of the arrests in this category included bench warrants along with these other charging documents. In Louisville Metro, the “other” category includes commissioner and parole violation warrants and constitutes less than 4% of all arrests in any given year. Also contributing to these differences is that in Louisville Metro, bench warrants are issued for or in conjunction with probation violations, which is often not the case in St. Louis.³⁰

NUMBER OF OUTSTANDING WARRANTS AMONG PEOPLE ARRESTED

People who were arrested with warrants often have multiple warrants; therefore, focusing on arrests underestimates the volume of warrants people had at the time of their arrest. Table 2 displays the volume of bench and fugitive warrants that were outstanding at the time of arrest for people taken into custody in St. Louis and Louisville Metro.

In 2006, in Louisville Metro, arrests were made for more than 10,000 bench warrants, and in 2012, the peak for the study, there were more than twice that number. Bench warrants were even more prevalent in St. Louis. In 2006 and the peak in 2012, individuals arrested in St. Louis collectively had over 60,000 outstanding bench warrants. In 2006, in Louisville Metro, arrests were made for more than 10,000 bench

warrants, and in 2012, the peak for the study, there were more than twice that number. Bench warrants were even more prevalent in St. Louis. In 2006 and the peak in 2012, individuals arrested in St. Louis collectively had over 60,000 outstanding bench warrants. The differences between the two cities are driven in part by variability in court practices. In Louisville Metro, when a person fails to comply with court orders for a particular court case, one bench warrant is issued for all charges the person is facing. In St. Louis, a separate warrant is issued for each charge in the case. **Both cities experienced sharp declines in these numbers from their peaks to 2019, but the reduction was greater for St. Louis (45%) compared to Louisville Metro (24%).**

Table 2: Number of Outstanding Warrants for People Arrested	2006	Maximum (Year)	Minimum (Year)	2019
Bench Warrants				
Louisville Metro	10,331	21,142 (2012)	10,331 (2006)	16,105
St. Louis	61,213	61,887 (2012)	20,820 (2017)	33,973
Fugitive Warrants				
Louisville Metro	598	1,586 (2018)	598 (2006)	1,314
St. Louis	16,959	17,038 (2007)	9,089 (2016)	11,437

Data Sources: SLMPD and LMDC for enforcement data.

³⁰ In St. Louis, probation violations receive a separate charging document type or are handled with a capias warrant. Capias warrants are similar to a bench warrant in that they compel an individual to appear before the court.

The findings in Table 2 further highlight the stark differences in fugitive warrants between Louisville Metro and St. Louis. **In both cities, people arrested had far fewer fugitive warrants than bench warrants, but the volume of fugitive warrants was much higher in St. Louis.** People arrested in Louisville Metro had, at the peak in 2018, 1,586 outstanding fugitive warrants. The peak in St. Louis in 2007 was more than ten times higher (17,038). The difference was slightly smaller (eightfold) in 2019 when there were 11,437 outstanding fugitive warrants among people arrested in St. Louis versus 1,314 in Louisville Metro.

Table 3 provides a race-specific examination of the volume of outstanding warrants among arrested persons in 2019 as well as information on the number of arrests involving warrants and the average number of warrants per arrest for arrests that involved warrants.

Table 3: Number of Warrants, Warrant Arrests and Warrants per Arrest by Race in 2019	Louisville Metro			St. Louis		
	Num. of Warrants	Num. of Arrests with Warrants	Avg. Num. of Warrants per Arrest	Num. of Warrants	Num. of Arrests with Warrants	Avg. Num. of Warrants per Arrest
Bench Warrants						
Black persons	5,962	3,462	1.7	28,610	5,989	4.8
White persons	9,921	4,621	2.1	5,338	1,449	3.7
Fugitive Warrants						
Black persons	414	332	1.2	8,607	5,411	1.6
White persons	881	689	1.3	2,803	1,762	1.6
Data Sources: SLMPD and LMDC for enforcement data.						

In Louisville Metro in 2019, there were a greater number of White than Black persons arrested based on at least one bench warrant (4,621 vs. 3,462), and, on average, White individuals had more bench warrants per arrest. White individuals who were arrested with at least one bench warrant had an average of 2.1 warrants, and Black persons had an average of 1.7. **In 2019 in St. Louis, arrests of Black persons with at least one bench warrant were more prevalent than arrests of White individuals, and the average number of bench warrants for arrests that involved at least one bench warrant was greater for Black (4.8) versus White individuals (3.7).**

Fewer Black than White persons were arrested for at least one fugitive warrant in Louisville Metro, and Black individuals with warrants had slightly fewer fugitive warrants per arrest (1.2) compared to White persons (1.3). In St. Louis, arrests of Black persons for fugitive warrants were more common than arrests of White individuals (5,411 versus 1,762). **In St. Louis, the average number of fugitive warrants per arrest was much lower than the average number of bench warrants per arrest, and there were no race differences.**

RATES OF ARRESTS FOR BENCH WARRANTS BY NEW CHARGE STATUS

Much of the analyses to this point has focused on the number of arrests or the number of warrants associated with the arrests. This section presents information on rates per 100,000 persons in order to standardize the number of arrests by the population of interest. An examination of rates allows us to compare arrests across jurisdictions accounting for differences in the number of residents, and within jurisdictions, it facilitates an examination of race disparities adjusting for differences in the number of Black and White residents. **Given the low volume of fugitive warrants in Louisville Metro, the rest of the report focuses on arrests that involved at least one bench warrant, which are categorized based on whether they were accompanied by a new charge.**^{31, 32}

Figure 3 provides trends in arrest rates per 100,000 persons for arrests involving bench warrants with and without new charges. Rates are provided for the total population and separately for Black and White individuals. In both cities, Black persons were arrested for bench warrants at higher rates than White individuals regardless of whether there was a new charge. To quantify the extent of these race differences, the ratio of Black-to-White arrest rates are presented in **Table 4** for 2006 and 2019.

Several key findings emerge from this analysis. **First, rates of arrests for bench warrants without new charges were much higher than in St. Louis compared to Louisville Metro.** The differences were particularly stark early in the study period, when the total arrest rate in St. Louis (5,017) was almost ten times that of Louisville Metro (510).

Second, rates of arrests involving bench warrants without new charges followed different trends in the two cities. In St. Louis, the rate for the total population fell by 59% from 2006 to 2019, with much of this reduction occurring after the 2014 shooting of Michael Brown by a police officer in Ferguson, MO, a suburb of St. Louis. Declines were more pronounced for Black persons (61%) compared to White persons (35%). In contrast, in Louisville Metro, arrests for bench warrants without new charges rose by 73%, and the increase was greater for White persons (49%) relative to Black individuals (25%). As a result of these differing trends, the gap in arrest rates between the two cities was narrower in 2019, but was still three times higher in St. Louis (2,072) than in Louisville Metro (880).

³¹ Data on arrests for fugitive warrants can be found in the site specific reports accompanying this brief: “[Warrant Arrests in the City of St. Louis: 2002 – 2019](#)” and “[Examining Warrant Arrests in Jefferson County, Kentucky: 2006 to 2019](#)”.

³² The category of arrests for bench warrants without new charges is more heterogeneous in St. Louis than in Louisville Metro. In 2019, in Louisville Metro, 97% of bench warrant arrests without a new charge were made solely on the basis of bench warrants, with the remaining 3% involving a mix of bench and fugitive warrants. In contrast, in St. Louis, half of arrests in this category were for bench warrants only and 37% included a combination of bench and fugitive warrants. The final 13% consisted of a mix of bench warrants and other types of warrants or probation or parole violations.

Figure 3: Rates of Arrest for Bench Warrants per 100,000 Persons by New Charge Status, 2006 - 2019

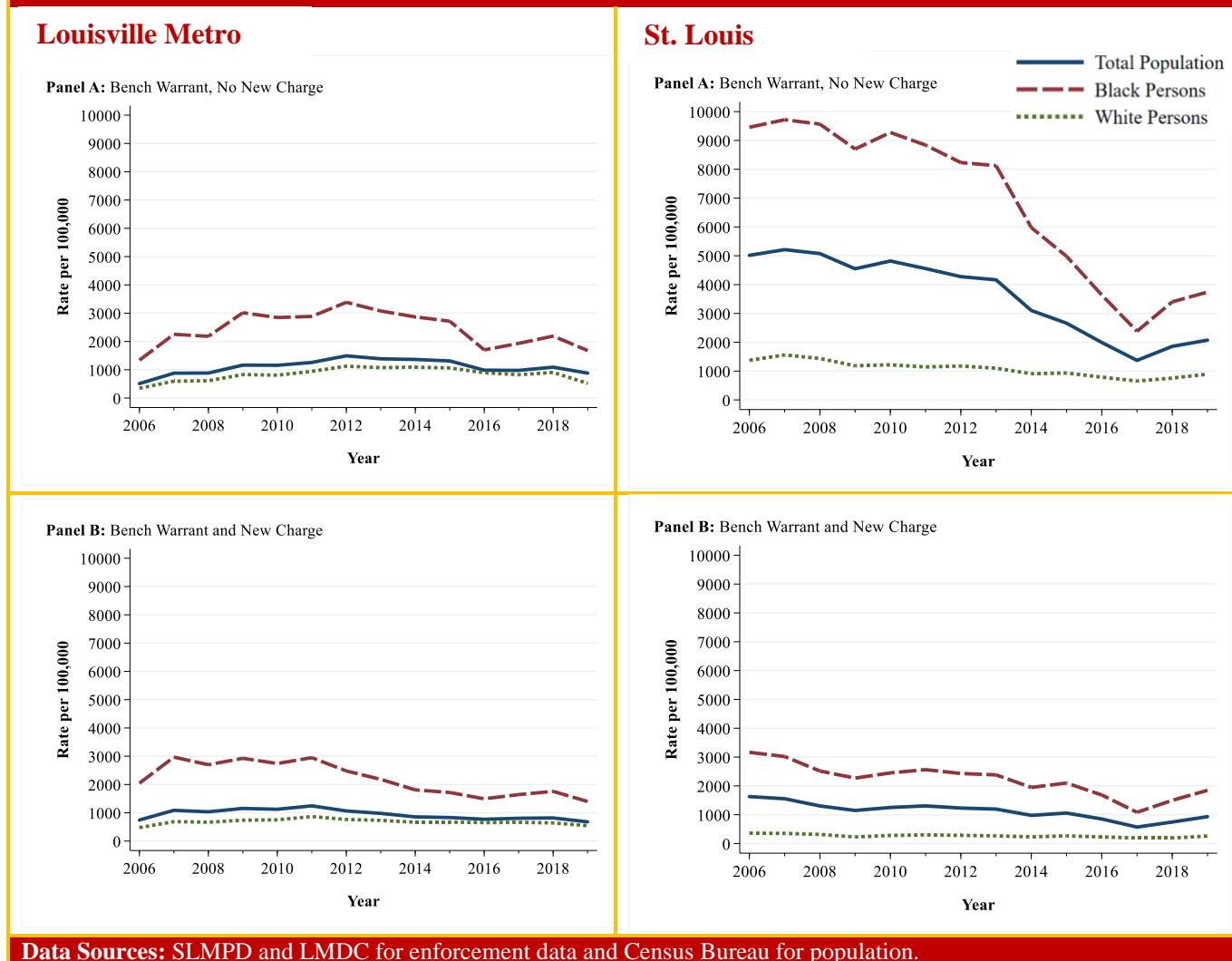


Table 4: Ratios of Black-to-White Arrest Rates By New Charge Status

	Louisville Metro		St. Louis	
	2006	2019	2006	2019
Bench Warrant, No New Charge	3.9	3.2	6.8	4.2
Bench Warrant and New Charge	4.3	2.6	10.5	7.1

Data Sources: SLMPD and LMDC for Enforcement Data and Census Bureau for Population.

Third, total rates of arrest for bench warrants with new charges were higher in St. Louis compared to Louisville Metro, but the difference was smaller than for arrests without a new charge. Differences were most pronounced in 2006, when the rate was 1,629 in St. Louis versus 744 in Louisville Metro. These differences diminished over time, and in 2019, the total arrest rate in St. Louis (932) was less than twice that of Louisville Metro (679).

Fourth, total arrest rates for bench warrants with new charges declined by 43% from 2006 to 2019 in St. Louis. In Louisville Metro, rates were similar in 2006 and 2019, but there were notable differences in the trend by race: Rates declined by 23% for Blacks while increasing by 19% for Whites. In St. Louis reductions in this type of arrest were observed for both groups, although they were more substantial for Blacks (42%) than Whites (28%).

Finally, in recent years the cities followed differing trends for both types of arrests. In Louisville Metro, rates reached a low in 2016, climbed to a small peak in 2018, then declined. In St. Louis, after a steady and steep period of decline, arrests reached a low in 2017, after which rates increased.

As shown in Table 4, in both cities there were significant racial differences in arrest rates, but these were larger in St. Louis. Race gaps narrowed over time but remained in 2019. In St. Louis, in 2006, there were almost seven Black persons arrested for a bench warrant without a new charge for every White person arrested. In 2019, this ratio was just over four-to-one. Race differences were even higher for arrests in which a bench warrant was accompanied by a new charge. Differences were smaller in Louisville Metro, but still high: In 2019, there were more than three Black persons arrested for bench warrants without new charges for every White person. This ratio was slightly lower for arrests involving both bench warrants and new charges (2.6).

Limitations of Using Arrest Rates to Make Cross-Jurisdiction Comparisons

Arrest rates must be interpreted with caution because they are driven by factors aside from police behavior.

Geography and local government structure.

Jurisdiction size and geographic boundaries affect commuting patterns.³³ Because rates are based on residential population, they do not account for the number of individuals who commute into the city or travel through the area. Due to the proximity of the city to the county and patterns of economic development, in St. Louis, rates of commuting are high. Almost 40% of people arrested in the City of St. Louis reside outside the city, which inflates arrest rates.³⁴ Because the city and county are consolidated in Louisville Metro, people living outside the city are included in the residential population count, which contributes to lower arrest rates.

Age of criminal responsibility. In Louisville Metro, the age of criminal responsibility is 18 years and the rate is computed using the population 18 and older. In St. Louis, arrest rates are based on the population age 17 and older, due to the lower age of criminal responsibility.³⁵

Number of outstanding warrants. Historically high rates of crime and arrests in St. Louis relative to Louisville Metro may have cascading effects that result in more warrants being issued by courts.

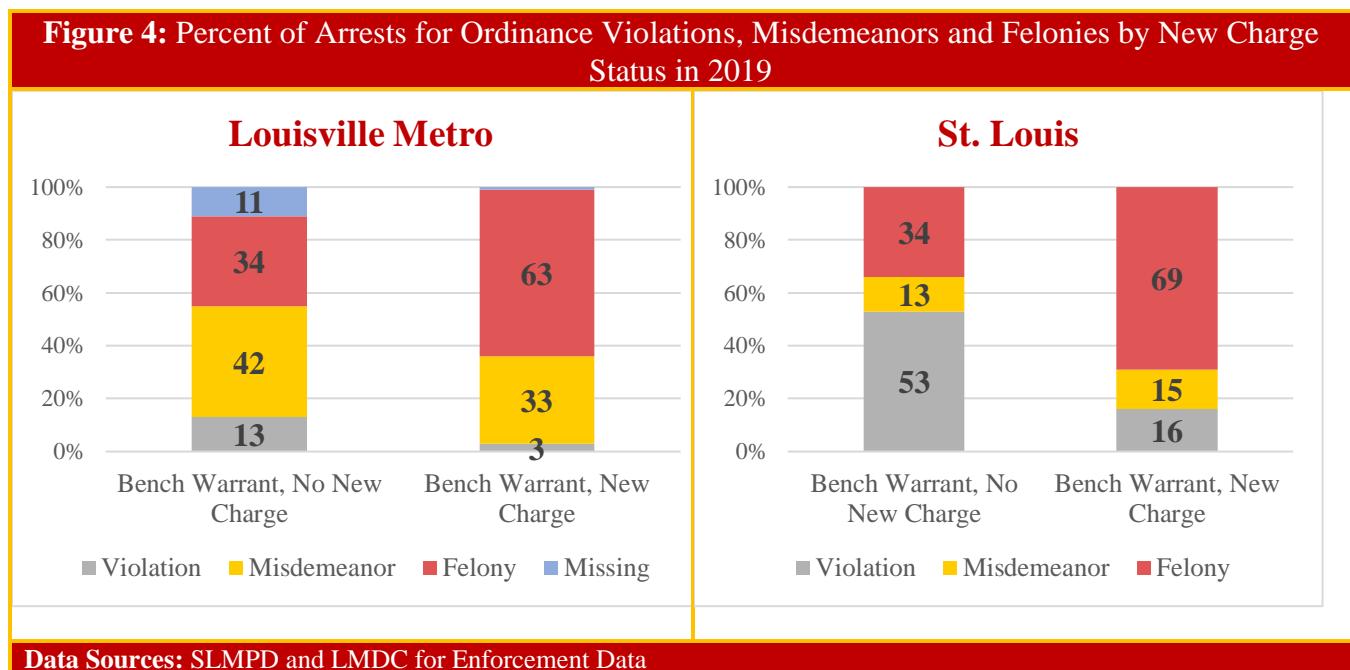
³³ See Rosenfeld & Lauritsen (2008).

³⁴ See Slocum, Huebner, Greene, & Rosenfeld (2018).

³⁵ St. Louis raised the age of criminal responsibility to 18 years of age, but this law does not go into effect until 2021. See https://www.senate.mo.gov/18info/BTS_Web/Bill.aspx?SessionType=R&BillID=69675271.

ARRESTS WITH BENCH WARRANTS BY NEW CHARGE STATUS AND TOP CHARGE

Of particular interest for policymakers are arrests for bench warrants tied to less serious charges, such as minor traffic violations. To assess the extent to which bench warrant arrests are linked to lower-level offenses, **Figure 4** presents the percentage of arrests in which the most serious charge was an ordinance or traffic violation, misdemeanor, and felony. We focus on the total population because the general pattern of findings is similar for Black and White persons.³⁶



In both cities, bench warrant arrests with new charges tended to be for more serious crimes, while those without new charges were more often for lower-level offenses. For example, in both cities, in 2019, approximately two-thirds of bench warrant arrests with new charges were for felonies. In comparison, about one-third of arrests for bench warrants unaccompanied by a new charge were for felonies.

The percentage of bench warrant arrests in which the top charge was an ordinance violation was greater in St. Louis compared to Louisville, particularly when the arrest did not involve a new charge.³⁷ Misdemeanor bench warrant arrests were more common in Louisville than in St. Louis. In 2019, in St. Louis, more than 50% of bench warrant arrests without a new charge were for ordinance

³⁶ The exception to this is that in St. Louis, bench warrant arrests of White persons that do not include a new charge are almost equally likely to have a felony (43%) as the top charge as an ordinance violation (44%). For race-specific arrest rates by top charge, see the site specific reports accompanying this brief: “[Warrant Arrests in the City of St. Louis: 2002 – 2019](#)” and “[Examining Warrant Arrests in Jefferson County, Kentucky: 2006 to 2019](#)”.

³⁷ For Louisville Metro, the “missing” category consists of arrests where an associated charge was not listed for the bench warrant.

violations compared to 13% in Louisville Metro. In contrast, in Louisville Metro, people with bench warrants without new charges were primarily arrested for misdemeanors.

Ordinance violations were less likely to be the top charge in bench warrant arrests with new charges versus those without. In Louisville Metro, bench warrant arrests with new charges had an ordinance violation as the top charge in 3% of arrests, while 16% of these types of arrests were for ordinance violations in St. Louis.

MOST COMMON CHARGES ASSOCIATED WITH BENCH WARRANTS

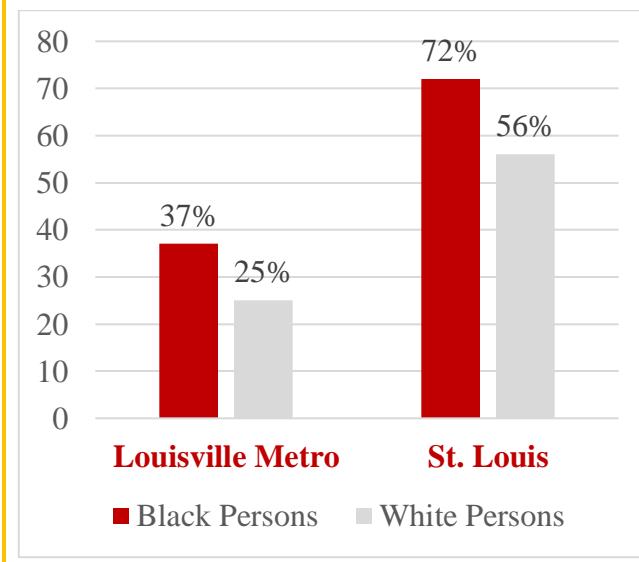
As described above, people often have multiple bench warrants when arrested. Unlike the previous section, which focuses on arrest, **Figure 5** and **Table 5** provide additional information on the individual charges from which bench warrants stemmed for people arrested in 2019. **In both cities, a traffic violation was the most common type of charge that led to the bench warrants for which people were arrested.** As shown in **Figure 5**, in St. Louis, for Black persons 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 Metro, 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 persons (37%) than White individuals (25%).

Table 5 provides more specific information on the five most prevalent charges that resulted in bench warrants for Blacks and Whites arrested in 2019.

In St. Louis, the most prevalent charges were generally traffic related. Among Black and White individuals, driving without vehicle insurance was the most common charge leading to their bench warrants, accounting for 16% and 13% of bench warrants, respectfully. The second most common charge for both groups was driving a motor vehicle without valid plates or registration (i.e., driving without a valid motor vehicle license). Bench warrants stemming from driving with a suspended or revoked license—a traffic offense that carries more serious penalties—were also among the more prevalent for both groups. Driving without a valid license also accounted for about 6% of bench warrant-related charges for Black persons, but was not among the most common charges for White individuals.

Combined, in St. Louis in 2019, White and Black persons who were arrested had more than 11,000 bench warrants that stemmed from less serious traffic violations and 3,458 associated with driving with a suspended or revoked license. Non-traffic charges were less common and differed by race. For Black individuals, the only

Figure 5: For People Arrested in 2019, the Percent of Bench Warrants that Resulted from Traffic Violations



Data Sources: SLMPD and LMDC for Enforcement Data

non-traffic related charge was maintaining a public nuisance—a charge issued for maintaining a premise for the purpose of engaging in illegal behavior, including drug manufacturing, use, or distribution. For Whites, panhandling and drug possession were among the most common charges leading to bench warrants.

Table 5: Most Prevalent Charges that Resulted in Outstanding Bench Warrants For Black and White Persons Arrested in 2019

Louisville Metro			St. Louis		
<u>Black Persons</u>		<u>Black Persons</u>		<u>White Persons</u>	
Probation violation (misdemeanor)	Frequency 997	% 6.3	Driving without vehicle insurance	Frequency 4,659	% 16.3
Driving without vehicle insurance	705	4.4	Driving without valid plates/registration	3,455	12.1
Driving without valid plates/registration	588	3.7	Driving with a suspended/revoked license	3,047	10.7
Driving without a valid driver's license	513	3.3	Driving without a valid driver's license	1,710	6.0
Possession of marijuana	379	2.4	Engage/maintain nuisance	1,161	4.1
<u>White Persons</u>			<u>White Persons</u>		
Probation violation (misdemeanor)	1,857	7.4	Driving without vehicle insurance	680	12.7
Drug paraphernalia	864	3.5	Driving without valid plates/registration	535	10.0
Driving without vehicle insurance	788	3.2	Panhandling	438	8.2
Driving without valid plates/registration	665	2.7	Driving with a suspended/revoked license	411	7.7
Possession of methamphetamine	662	2.7	Possession of a controlled substance	264	5.0

Data Source: SLMPD and LMDC for Enforcement Data.

In Louisville Metro, most of the outstanding bench warrants had been issued for probation violations—6% for Black persons and 7% for White individuals. As in St. Louis, traffic violations were among the most common charges resulting in bench warrants, including charges for driving without vehicle insurance, lack of registration plates, and, for Black individuals, driving without a valid license. Bench warrants stemming from drug charges were also among the most prevalent, specifically possession of marijuana for Black persons and possession of methamphetamine and drug paraphernalia for White individuals.

CONCLUSION

The purpose of this report is to describe trends in warrant arrests in the City of St. Louis, Missouri and Louisville Metro, Kentucky. The report compares arrest data on trends, race differences, and the most common bench warrant charges across the two cities. The findings shed light on variability in the volume and nature of arrests for bench and fugitive warrants for two peer communities with different local governing structures and court systems. The report also provides benchmarks for each jurisdiction and hopes to initiate cross-site conversations to address warrant-related processes and challenges.

Some patterns were common to both cities. First, in both communities, **bench warrants were commonplace** but have decreased from 2006 to 2019. Second, **for arrests for bench warrants that were unaccompanied by a new charge, the most common top charge was a non-felony.** In St. Louis, ordinance violations were particularly prevalent while misdemeanors were more common in Louisville Metro. Third, in both cities, **traffic offenses were the charge type most likely to result in bench warrants for people arrested in 2019.** Driving without insurance and driving without valid registration or license plates were among the most frequent of these charges.

There are substantial racial disparities in bench warrant arrests. In 2019, Black individuals were more than four times more likely than White individuals to be arrested for a bench warrant in St. Louis and more than twice as likely in Louisville Metro. The Black-to-White arrest rate ratio was even higher in St. Louis (7.1-to-1) for arrests that involved bench warrants accompanied by new charges.

There were also several stark differences across the cities, which likely stem, in part, from variability in local government and courts. **In St. Louis City, over a third of arrests involved at least one fugitive warrant, while in Louisville Metro, these types of warrants were very rare.** The higher rates of fugitive warrants in St. Louis are driven, in part, by the sheer number of bordering municipalities in St. Louis County. This level of fragmentation does not exist in Louisville Metro, and the region is geographically isolated from other urban areas. In addition, **rates of bench warrant arrests without new charges were significantly higher in St. Louis compared to Louisville Metro as were the number of bench warrant charges among those arrested.** The differences in the average number of bench warrants per arrest is likely a function of differences in how courts issue warrants. In Louisville Metro, one warrant is issued for all charges in a case in which a person violates court orders, while in St. Louis there is a distinct warrant for each charge.

The results of the report are striking, but **much remains to be learned about warrant enforcement, particularly for lower-level offenses, and its impact on law enforcement operations as well as the community.** The majority of bench warrant arrests are for non-felonies, and it is important to understand how high levels of enforcement influence public safety overall and crime more specifically. For example, does time spent enforcing bench warrants for minor offenses hinder the ability of the police to focus on more serious offenses? Moreover, given the evidence that interactions with the police can be stressful for community members, particularly persons of color,³⁸ more work should be conducted on how the selective enforcement of warrants influences community well-being and police-citizen relationships.

³⁸ See Brunson & Wade (2019), Gau & Brunson (2010), and Slocum, Wiley, & Esbensen (2016).

The report is not able to address why St. Louis has higher rates of arrests for bench warrants than Louisville Metro. While the type of description provided here is valuable for identifying the scope and nature of the problem, **subsequent research should consider the most salient factors driving differences in bench warrants between cities and over time**. Bench warrants, particularly for lower-level crimes, are often the result of failure to appear in court. Enhancing the accessibility of court has been identified as one key factor in improving individual compliance with court mandates. Individuals may find it difficult to attend court because of a lack of reliable personal or public transportation, limited court hours that conflict with employment, and challenges finding information on case information, court locations, and compliance requirements. Municipal court reform in St. Louis does coincide with some declines in bench and fugitive warrant arrests, but arrest rates are still greater than in Louisville Metro, and racial disparities in arrest rates remain high. **More work is needed on structural legal reforms** that increase the accessibility of court, as there is substantial evidence that **litigants face barriers to compliance.**³⁹

Due to its focus on arrests, this report provides only a partial examination of the scope of outstanding bench and fugitive warrants. It is not possible to determine if changes in warrants are due to fewer actions by law enforcement, are a result of a smaller number of warrants being issued in local courts, or emerge from other criminal justice system policies and practices. **Future research should also consider how trends are influenced by the COVID-19 pandemic and by larger criminal justice abolition movements.**

³⁹ Defendants often have very little knowledge of the criminal legal system and often the municipal court system without legal representation. In many cases, individuals often do not know that they have an outstanding warrant because the databases on warrants are inaccurate or because they did receive notice of their court date (Harris, 2016; Natapoff, 2018).

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