

# Warrant Arrests in the City of St. Louis, 2002 – 2019 \*

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This report was produced as part of the City of St. Louis's participation in the Research Network on Misdemeanor Justice (RNMJ). The RNMJ is composed of eight jurisdictions dedicated to 1) studying lower-level enforcement actions (e.g., misdemeanor arrests, citations, stops), which represent the most common interactions between communities and the criminal legal system; 2) informing criminal legal system operations and policies at the local and state levels; and 3) supporting 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.

## EXECUTIVE SUMMARY

Warrants are commonplace in the United States, and although reliable data are limited, by one estimate, there were 7.8 million outstanding warrants in 2016.<sup>1</sup> The vast majority of warrants stem from non-violent crimes and many are for minor ordinance violations, such as parking tickets or traffic violations.<sup>2</sup> Most people with warrants remain free unless they once again come into contact with law enforcement, often through a traffic stop.<sup>3</sup> In Missouri, state law dictates that if an officer encounters a person with an open warrant, they must arrest that person;<sup>4</sup> however, in practice, officers have a great deal of discretion in making warrant arrests, particularly when the warrants are linked to less serious offenses or ordinance violations.<sup>5</sup>

The goal of this report is to examine trends in arrests made by the St. Louis Metropolitan Police Department (SLMPD) for warrants from 2002 to 2019, the types of offenses that led to these warrants, and differences by race. The focus is on arrests for bench warrants issued by courts in the City of St. Louis. This type of warrant is traditionally issued for administrative reasons such as failure to appear for a court hearing.<sup>6</sup> We also describe arrests made by SLMPD for fugitive warrants, which are defined as warrants originating in another jurisdiction. Most fugitive warrants that resulted in arrests by SLMPD originated from courts in the St. Louis region.

The findings from this report have implications for current discussions regarding how police officers spend their time and officer discretion. Data in the report also provide a foundation for conversations on systemic processes that lead to racial disparities in the criminal legal system as well as the impact of lower-level enforcement on individuals. Additional research is needed to tease out the factors that account for the observed trends.

### Key Findings

Arrests declined over time, but arrests for bench and fugitive warrants were still common. In 2019, over one-third of arrests included at least one bench warrant, and an almost equal percentage involved at least one fugitive warrant. Many of these arrests were for bench or fugitive warrants only and were not associated with any new charges.

People arrested with a bench warrant often had multiple warrants. In 2019, on average, Black individuals arrested with bench warrants had almost five warrants and White persons had almost four.

Arrests made based on bench warrants only were most likely to have an ordinance violation as the most serious original charge. The majority of bench warrants stemmed from traffic violations, most commonly failure to have vehicle insurance. Black persons were more likely to have bench warrants for this charge than White individuals.

Fugitive warrants tended to be tied to traffic violations and obstruction of justice charges, such as failure to appear. Compared to bench warrants arrests, fugitive warrant arrests involved more serious crimes.

There are significant racial disparities in all types of arrests, especially those involving bench warrants. Although the race gap declined, in 2019, there were still more than four Black people arrested for bench warrants for every White person.

<sup>1</sup> See Utah v. Strieff (2016).

<sup>2</sup> Wagner & Caruso (2019).

<sup>3</sup> Sekon (2018) and Wagner, Caruso, Chen & Curry (2019).

<sup>4</sup> 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.

<sup>5</sup> Personal communication with SLPMD.

<sup>6</sup> According to a 2016 report issued by the Municipal Division Work Group to the Supreme Court of Missouri. Report available at <https://www.courts.mo.gov/file.jsp?id=98093>.

## INTRODUCTION

Warrants are commonplace in the United States. There is limited reliable data on the extent of this issue, but by one estimate, there were 7.8 million outstanding warrants in 2016.<sup>7</sup> A more recent investigation in 2018 conservatively estimated that there were 5.7 million open arrest warrants in the 27 states that provided data.<sup>8</sup> The vast majority of these warrants were issued for non-violent crimes and many were for ordinance violations such as failure to pay parking tickets or failure to appear in court for traffic violations.<sup>9</sup>

This report focuses on arrests made by the St. Louis Metropolitan Police Department (SLMPD) for **bench warrants** issued by courts in the City of St. Louis. These legal documents direct and allow law enforcement anywhere in the state to bring people into custody.<sup>11</sup> This report also examines arrests made by SLMPD for charges originating in a court outside of the City of St. Louis, which we refer to as **fugitive warrants**.

A better understanding of warrants and their enforcement can contribute to recent conversations on the criminal legal system, particularly how police utilize 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 collateral consequences when they lead to detention. For example, there is substantial research showing that even short periods of incarceration can result in loss of employment and housing, disruptions to family obligations and access to education, and negatively affect detainees' perceptions of the criminal legal system.<sup>12</sup> Moreover, these penalties often amplify existing inequalities, particularly for Black people.<sup>13</sup> In addition, people with outstanding warrants may be reluctant to engage with government institutions, such as hospitals and schools, out of fear of being arrested.<sup>14</sup>

### 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 people into custody.

**Bench Warrant:** A type of warrant issued by a court that is traditionally issued for administrative reasons, such as failure to comply with the court rules (e.g., failure to appear for a court hearing or comply with a summons) or court-mandated requirements.<sup>10</sup> This report describes bench warrants issued by courts in the City of St. Louis.

**Fugitive Warrant:** A warrant originating in a jurisdiction outside of the City of St. Louis. Fugitive warrants may be bench warrants or other types of warrants.

**New Charge:** A charge that is for a new offense and is not linked to a warrant. In St. Louis, officers can first arrest a person and then apply for a warrant after an arrest has been made.

<sup>7</sup> In *Utah v. Strieff*, Sotomayor argued that there were 7.8 million outstanding warrants in 2016.

<sup>8</sup> Wagner, Caruso, Chen, & Curry (2019).

<sup>9</sup> Wagner & Caruso (2019).

<sup>10</sup> According to a 2016 report issued by the Municipal Division Work Group to the Supreme Court of Missouri, 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. Report available at <https://www.courts.mo.gov/file.jsp?id=98093>.

<sup>11</sup> Missouri Supreme Court Rules 37.44, 37.45 and 34.65.

<sup>12</sup> Apel (2016); Comfort (2016); Harvey et al., (2014); Lowenkamp, VanNostrand, & Holsinger (2013); Petersen & Omori (2020).

<sup>13</sup> Department of Justice (2015); Harvey et al. (2014).

<sup>14</sup> Brayne (2017) and Goffman (2015).

## Study Context: City of St. Louis

A more complete understanding of warrant enforcement in the City of St. Louis requires a consideration of the geography, population demographics, and governing structure of the St. Louis region. It also requires an understanding of the arrest process.

The City of St. Louis, which has just over 300,000 residents, is part of the largest metropolitan area in Missouri. According to the Census, just under a quarter (22%) of the population lived below the poverty level in 2018 (versus 13% for the state of Missouri). St. Louis is racially diverse, with Blacks making up 45% of the population and Whites 47%.<sup>15</sup> Like many U.S. cities, dimensions of economic inequality are intertwined with racial 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).<sup>16</sup>

The city is bordered by St. Louis County and, on the east, by the Mississippi River. St. Louis County includes 88 distinct municipalities, many of which are small in size and have fewer than 5,000 residents.<sup>17</sup> More than 50 of these municipalities, along with St. Louis County, maintain an independent police force, and more than 70 have their own municipal court.<sup>18</sup> These courts have the power to issue bench warrants for people who fail to appear in court. According to the Missouri Court's Annual Statistical Report, in 2019, 80 municipal courts in St. Louis County issued 150,423 warrants.<sup>19</sup>

## Bench Warrants and Warrant Enforcement in St. Louis

Available data indicate that warrants are relatively common in the City of St. Louis. **Figure 1** presents the number of warrants issued by the City of St. Louis Municipal Court each year for 2011 to 2019.<sup>20</sup> For these years, the number of warrants issued by this court ranged from 96,908 in 2017 to 306,203 in 2015.<sup>21</sup> The mean number of warrants issued per year was 146,405 and the median was 133,836. Many warrants that are issued do not get resolved and continue to remain active so that in any given year, the number of outstanding warrants exceeds these numbers. For example, there were 296,985 outstanding warrants as of June 30<sup>th</sup>, 2014, the most recent year this information was published in the Missouri Court's Annual Statistical Report.<sup>22</sup>

Many people with warrants do not come to the attention of the law. Even though an arrest is legally mandated, individuals with warrants who do come in contact with the police are not always arrested. Officers make a

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<sup>15</sup> Demographic information is based on the 2018 American Community Survey Data one-year estimate accessed via Social Explorer.

<sup>16</sup> This rate is based on Uniform Crime Report Part 1 person crimes, which includes murder and non-negligent homicide, rape, robbery, and aggravated assault. Data were obtained from SLMPD December 2019 Crime Summary by Neighborhood Report available at [https://www.slmpd.org/crime\\_stats.shtml](https://www.slmpd.org/crime_stats.shtml).

<sup>17</sup> 2018 American Community Survey Data accessed via Social Explorer.

<sup>18</sup> See <https://data.stlouisco.com/datasets/a4a73f178ba148ba9e0a0801908ffc52> and <https://graphics.stltoday.com/apps/crime/st-louis-county/about/>

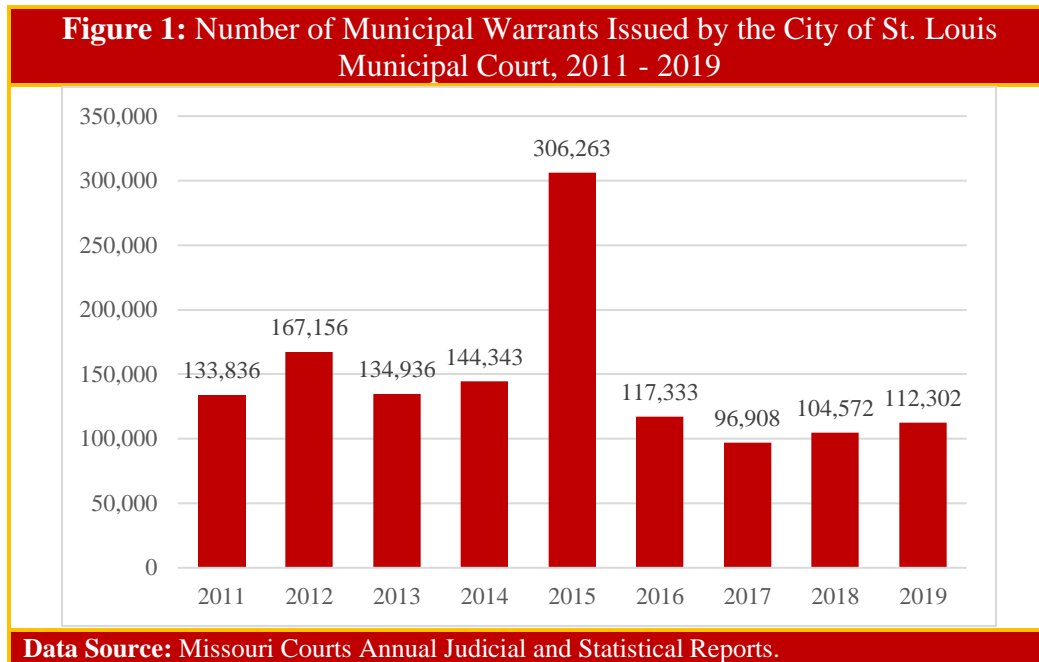
<sup>19</sup> See Table 95 available at <https://www.courts.mo.gov/file.jsp?id=155804>. This count excludes municipalities in which cases are heard by other courts.

<sup>20</sup> Data obtained from Tables 95 and 96 of the Statistical Supplement of the Missouri Courts Annual Judicial and Statistical Reports, which can be accessed at <https://www.courts.mo.gov/page.jsp?id=296>.

<sup>21</sup> We were not able to determine why 2015 had a much higher number of bench warrants than other years. Personal communication with the St. Louis Municipal Court suggests one potential explanation is the manner in which warrant amnesty was conducted in that year. In 2014, approximately 220,000 warrants for nonviolent municipal violations issued before 10/1/2014 were cleared (and not visible to law enforcement), and people were allowed to reset the court dates as long as they did so before the year's end. If the person did not obtain a new court date, the warrant was reinstated and the person could once again be arrested on that warrant (see Pistor, 2014). As of 12/29/2014, 71,000 people had failed to take advantage of the amnesty program (see Toler, 2014).

<sup>22</sup> See Table 95 available at <https://www.courts.mo.gov/file.jsp?id=155804>.

number of decisions during encounters that determine whether a person with a warrant is ultimately arrested. The general process through which a warrant turns into an arrest is detailed in [Figure 2](#).<sup>23</sup>



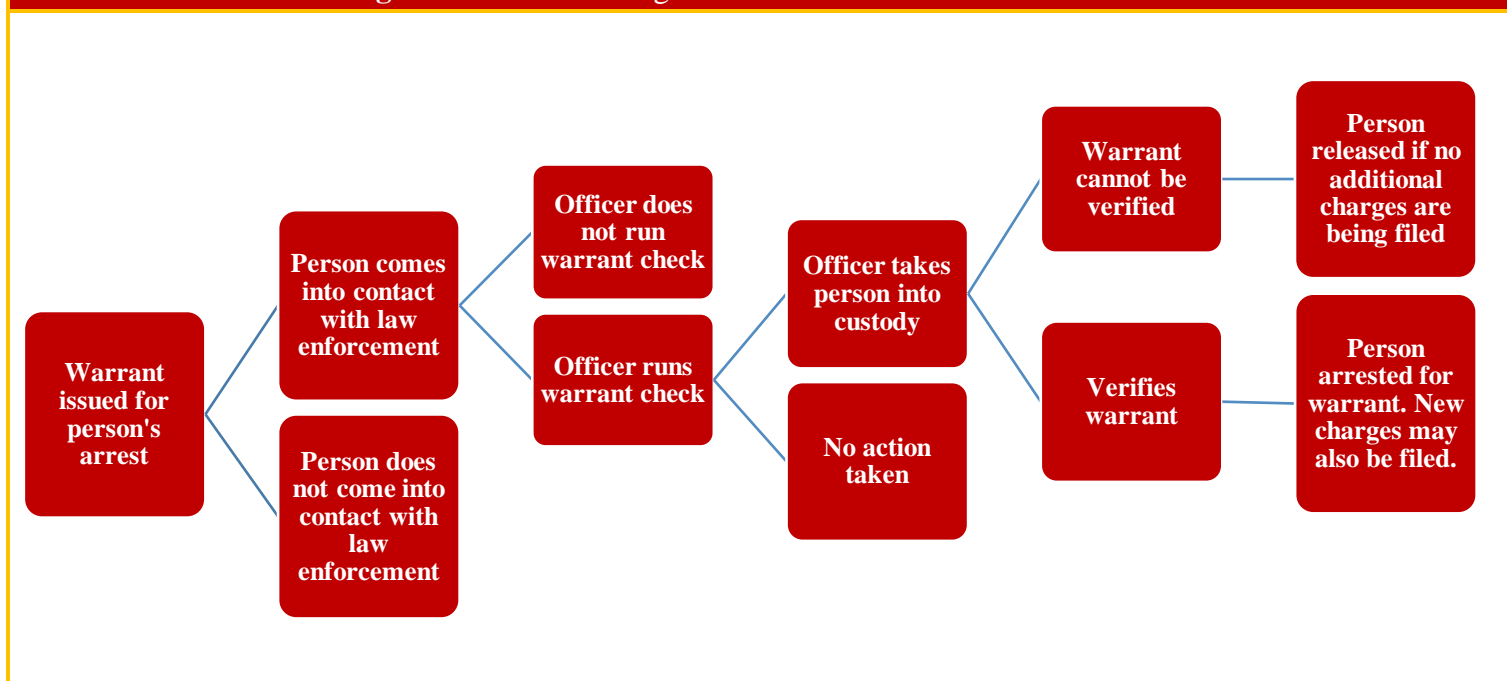
If an arrest is being made for a new offense, a warrant check is always performed. Under other circumstances, officers may choose to refrain from checking for warrants, and if no check is conducted, the person remains free.<sup>24</sup> If a check is conducted, the officer must determine if a person with a warrant should be taken into custody. Charge seriousness is the most important factor driving this decision. Felony warrants almost always generate an arrest, while there is a great deal of discretion regarding how to handle warrants for minor offenses and ordinance violations. People with more warrants are also more likely to be taken into custody. Demand for police services on a given day, particularly the level of violent crime, also influences whether officers have the time to make warrant arrests, while longer-term trends in serious crimes help set the priority level for warrant arrests at the agency- and district-levels. Finally, officers may decide to arrest someone for a bench warrant in lieu of a new charge if, for example, it is more expedient to do so, and the offense is relatively minor. In this situation, an arrest for warrants is a tool that officers can use to manage a situation.

If someone with a warrant has been taken into custody, the officer must verify the warrant(s) with the originating agency and determine if the agency wants them to detain the individual until the agency can transport the person to their jurisdiction. It is not uncommon for people to have warrants in multiple municipalities, so this might require contacting several different law enforcement departments. If the warrant cannot be verified or, with fugitive warrants, the agency has declined to arrange transport for the individual—a decision that also entails a high level of discretion for minor offenses—the person is released without being booked. In summary, an arrest for a warrant is the end result of a process that is characterized by a high level of discretion, and the factors that affect this decision are fluid.

<sup>23</sup> This discussion of the arrest process and the factors that shape officers' arrest decisions for warrants is based on personal communication with SLMPD personnel.

<sup>24</sup> These decisions are influenced by the circumstances surrounding the arrest, including the person's current behavior and prior history with the criminal legal system. Recent reforms in policing, which are intended to keep people out of the criminal justice system for minor offenses, also play a role (Personal communication with SLMPD).

**Figure 2: Process through which a Warrant Turns into an Arrest**



### Factors Associated with the Rise in Warrants

The St. Louis region has been featured prominently in discussions of criminal justice reform since the 2014 police shooting of a young Black male, Michael Brown, in Ferguson, Missouri. The city of Ferguson, which is a municipality located outside the city in St. Louis County, was subject to a Department of Justice (DOJ) investigation that documented racial bias in municipal court and police practices in the region. In the wake of the Michael Brown shooting, the Governor of Missouri appointed a diverse group of leaders to the Ferguson Commission, with the charge to investigate problematic practices in the community and provide a blueprint for reform. The DOJ investigation and the report issued by the Ferguson Commission documented in the St. Louis region many of the factors tied to the generation of warrants.<sup>25</sup>

*Multiple Municipalities.* Fragmented municipal governments with independent criminal legal systems can increase the prevalence of warrants because people are more likely to come into contact with multiple law enforcement agencies.<sup>26</sup> The DOJ report highlighted regional fragmentation and the large number of law enforcement agencies and the more than 70 municipal courts operating in the area. Many individuals arrested in the City of St. Louis have outstanding warrants in other municipalities, and almost 40% of the people arrested in the city do not reside there.<sup>27</sup>

*Decentralized Systems and Issues with Court Accessibility.* Decentralized criminal legal systems also contribute to the generation of warrants because they are difficult to navigate. Individuals often have little knowledge of

<sup>25</sup> U.S. Department of Justice (2015); Ferguson Commission (2015).

<sup>26</sup> Rios (2019).

<sup>27</sup> Slocum, Huebner, Green, & Rosenfeld (2018).

the criminal legal system and many enter the municipal court system without legal representation.<sup>28</sup> Municipal courts in the St. Louis region issue warrants for missed court appearances, but some people fail to receive notice of court dates if, for example, the notice was sent to the wrong address or they moved.<sup>29, 30</sup> This issue is exacerbated by high rates of mobility in the area.<sup>31</sup> Moreover, information on warrants may be inaccurate or out-of-date due to a lack of standardization across criminal legal system databases.

Further, investigations indicated that local courts did not provide an easy mechanism for people to determine if they had outstanding warrants, court was held at inconvenient times, and people could not resolve cases without going to court even if they were pleading guilty.<sup>32</sup> The proliferation of municipal citations in conjunction with the difficulty of complying with the requirements of sanctions, including the payment of fines and fees, often leads to bench warrants, particularly for failure 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, which further extends their detention.

*Minor Crimes and Revenue Generation.* Growth in warrants also has been associated with increases in the number of municipal and ordinance citations issued,<sup>33</sup> which have been tied, in part, to the need to fund municipal governments. This issue is more pronounced in small municipalities that do not have a large tax base.<sup>34</sup> The DOJ investigation showed that revenue generation, rather than public safety, motivated aggressive enforcement of minor offenses in Ferguson and in some of the other jurisdictions in St. Louis County, and these practices disproportionately harmed Black individuals.<sup>35</sup> In addition, municipal courts only have jurisdiction over traffic and ordinance violations; therefore, most of the individuals who come into contact with the municipal courts do so for minor non-violent crimes. There is also evidence that some agencies in St. Louis County measured police officer productivity using the number of citations issued, and that this practice has been a historical part of local governance for many decades.<sup>36</sup> Aggressive policing of minor offenses for revenue generation has not been documented in St. Louis City,<sup>37</sup> but the proliferation of warrants in the region influences the workload of the city police and can further racial disparities.

### Recent Initiatives to Address Warrants

There have been several recent legal changes that address some of the issues raised in the DOJ and Ferguson Commission investigations.<sup>38</sup> Most notably, there have been revisions to the Missouri statutes that limit the funding structure of local courts and how monetary sanctions are imposed. Laws enacted in 2015 restrict the

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<sup>28</sup> Harris et al. (2017). In Missouri, the Public Defender does not provide legal representation for municipal crimes and ordinance violations.

<sup>29</sup> Natapoff (2018).

<sup>30</sup> In Missouri, courts are only required by statute to send a mailed reminder of any changes in court dates to the defendant's last known address.

<sup>31</sup> U.S. Department of Justice (2015).

<sup>32</sup> Report of the Municipal Division Work Group to the Supreme Court of Missouri (2016).

<sup>33</sup> Kohler-Hausmann (2018); Natapoff (2018).

<sup>34</sup> Rios (2019); Fernandes, et al. (2019).

<sup>35</sup> Arch City Defenders (2015); Page & Soss (2017); U.S. Department of Justice (2015).

<sup>36</sup> Page & Soss (2017); U.S. Department of Justice (2015).

<sup>37</sup> In 2019, less than one percent (.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>

<sup>38</sup> 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>.

maximum amount for a fine and reduce the percent of the city’s budget that can be derived from fines and fees (from 30% to 20%).<sup>39</sup> Legislation also limits fines for low-level offenses and infractions (e.g., fines and fees for minor traffic violations cannot exceed \$225.00), prohibits assessing indigent defendants court costs, and requires all defendants to be offered community service as an alternative to payment.<sup>40</sup> There has also been an effort to provide more state oversight to municipal courts, and beginning in 2017, municipal courts were required to provide documentation of their standard operating procedures to the Office of State Court Administrators.<sup>41</sup> In addition, state courts are transitioning to a unified data management system that will standardize the delivery of warrant information to law enforcement as well as the way warrants are activated, recalled, and canceled.

On a local level, municipalities in the region have made changes to reduce the burdens associated with warrants. Many municipal courts recalled warrants or held amnesty days, including the City of St. Louis Municipal Court. They also took steps to increase accessibility to the court system including, holding extended hours, introducing a text-based notification system, and developing an electronic court database. In addition, the City of St. Louis Municipal Court only issues warrants after multiple missed court appearances.<sup>42</sup> Although there have been many reforms enacted, a 2018 report by Forward through Ferguson describes that some court reforms suggested in the wake of Ferguson have yet to be enacted in the region, including widespread consolidation of municipal courts and handling of minor violations outside of criminal court.

### Goal of Report

Given the high volume of warrants and the negative consequences associated with warrants and their enforcement, the goal of this report is to examine trends in arrests by SLMPD for outstanding warrants in the City of St. Louis from 2002 to 2019, the nature of the offenses associated with these warrants, and differences in warrant arrests by race. While a number of reports have documented problems related to bench warrants in the region, focusing on long-term trends provides a sense of how warrant enforcement has changed over time and provides a way to put these snapshots in context. Due to its focus on arrests, this report provides only a partial examination of the effect of bench and fugitive warrants on people living in the St. Louis region because the data do not include people with warrants who were not rearrested. Despite this limitation, it is our hope that the information in this report can be used by stakeholders to identify opportunities for additional reform and will provide a benchmark for measuring change in the region.

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<sup>39</sup> RSMO 479.359.

<sup>40</sup> Section 479.353(1)(a).

<sup>41</sup> Missouri Supreme Court Rule 37.04 “Supervision of Courts Hearing Ordinance Violations”.

<sup>42</sup> Personal communication with court.



## 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, each arrest was categorized based on whether it involved a new charge and/or 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. **Panel A in Figure 3** presents the yearly number of arrests of each type for 2002 through 2019, and **Panel B** depicts the percent of arrests that fell into each category by year. These figures indicate that the number of arrests, including those tied to bench and fugitive warrants, declined over the study period, but arrests involving warrants continued to make up a significant percentage of arrests.

**The total number of arrests in the City of St. Louis declined by 56% from 2002 to 2019.** The most arrests (42,698) were made in 2002 and the fewest (18,593) in 2018. The greatest one-year decline occurred between 2013 and 2014—the year Michael Brown was killed by a police officer in nearby Ferguson, Missouri—when the total number of arrests dropped 21% from 30,382 to 23,888.<sup>43</sup> **All types of arrests declined, but reductions were greatest for arrests involving only new charges and only bench warrants, both of which fell by more than 60%.**

**Most arrests were made only on the basis of new charges.** In 2002, there were 15,355 arrests for new charges, but in 2019 there were 6,076 arrests of this type. Across all years, arrests involving only new charges accounted for between 29% (in 2013) and 37% (in 2017) of all arrests.

**Arrests comprised of new charges and bench or fugitive warrants were also prevalent.** In 2002, 20% of arrests (8,461) involved these types of warrants and a new charge. While the number was 53% lower in 2019 (4,003), this type of arrest still accounted for 20% of arrests.

**Bench warrant arrests were also common but made up a declining percentage of arrests.** In 2002, 7,030 arrests involved only bench warrants, but in 2019, this number was 2,590. At their maximum in 2010, bench warrants arrests accounted for 22% of arrests. This percentage fell to a low of 10% in 2017, then climbed to 14% in 2019.

### Types of Arrests

Arrests can be made for a new offense and/or an outstanding warrant. We categorized arrests based on their combination of warrants and new charges.

**Bench Warrant Arrest:** All charges are attached to bench warrants. Probation and parole violations are excluded.

**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.

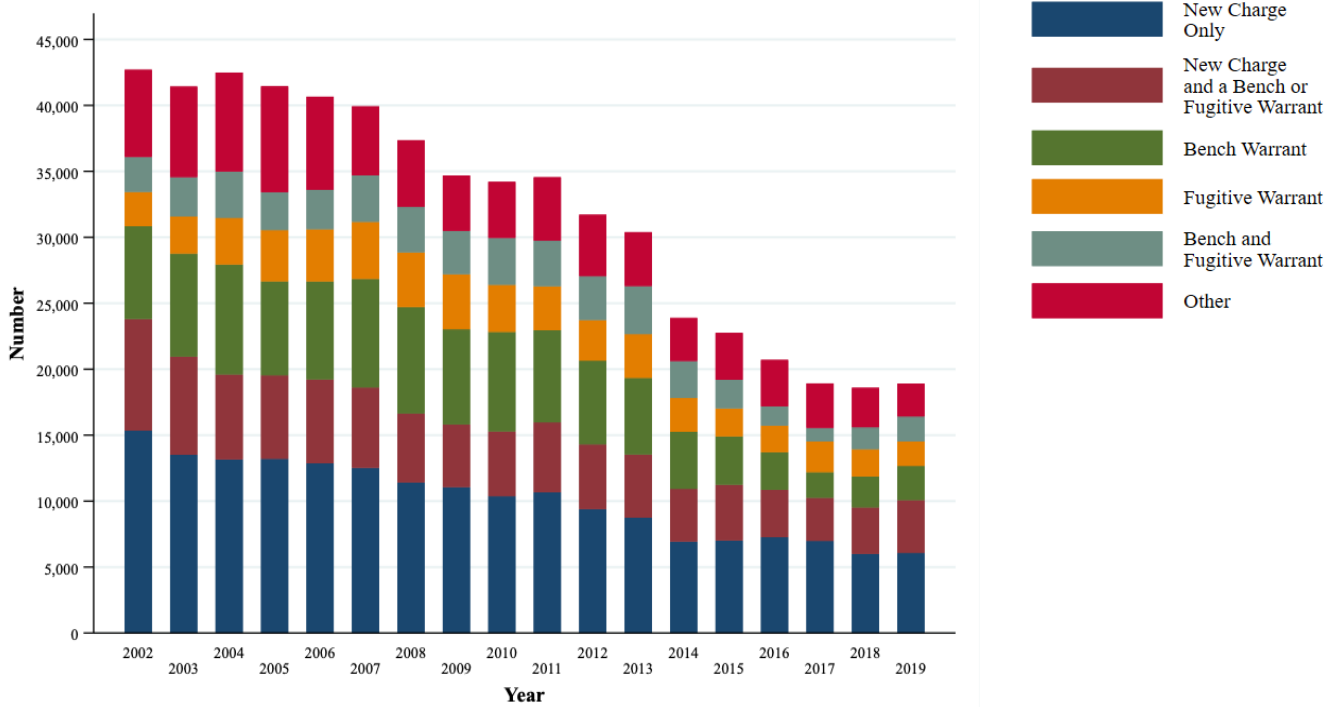
**New Charge Only Arrest:** At least one charge is for a new crime and no charges are tied to bench or fugitive warrants. These arrests may have other types of warrants or charging documents.

**Other Arrests:** Arrests that do not fit into the above categories. In 30% of these arrests, the person arrested has at least one bench warrant, and 22% of these arrests involve at least one fugitive warrant. Additional arrests include other types of warrants (e.g., capias warrants, at-large warrants) or probation or parole violations.

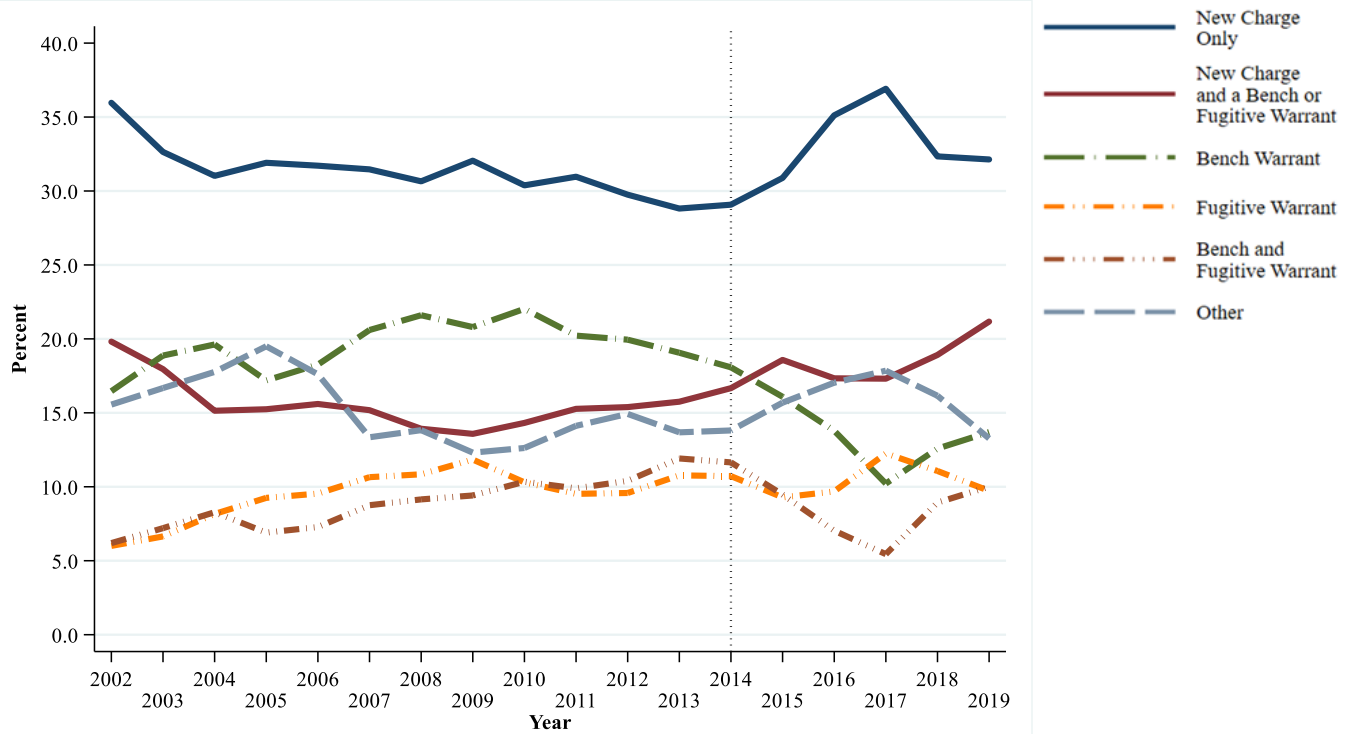
<sup>43</sup> The number of commissioned officers declined from 1,401 in 2002 to 1,177 in 2019, but the decline in arrests cannot be attributed solely to a reduction in manpower. During this time, the ratio of arrests per officer also fell by almost half (from 30 arrests per officer to 16 arrests per officer); however, the number of felony arrests per officer remained relatively unchanged over this period. This finding reflects the more limited discretion associated with felony offenses. It also suggests a sustained focus on serious offenses and

**Figure 3: Number and Percent of Arrests by Warrant and New Charge Status, 2002 - 2019**

**Panel A: Number of Arrests**



**Panel B: Percent of Arrests**



**Data Source:** SLMPD for Enforcement Data.

**Note:** Vertical dotted line signifies the shooting death of Michael Brown.

making felony arrests, which keeps officers available to respond to calls and engage in proactive patrol (Personal communication with SLMPD).

**Compared to bench warrant arrests, there were fewer arrests for only fugitive warrants—2,564 in 2002 and 1,839 in 2019. Despite declining in number, arrests for fugitive warrants made up a low, but growing percentage of arrests. They accounted for 6% of arrests in 2002 and 10% in 2019.**

**Arrests involving both bench and fugitive warrants, occurred at levels similar to fugitive warrant only arrests.** In 2002, 2,645 arrests involved both types of warrants. This number declined to 1,892 in 2019. Arrests involving both bench and fugitive warrants accounted for 12% arrests in 2013, 5% in 2017, then rebounded to 10% in 2019.

**Looking across all arrest types, in almost any given year, at least half of the arrests involved at least one bench or fugitive warrant.**<sup>44</sup> For example, in 2002, 43% of arrests involved a bench warrant, 24% involved a fugitive warrant, and 55% involved either a bench or fugitive warrant. In 2019, 39% of arrests included at least one bench warrant, and an almost equal percentage (38%) involved at least one fugitive warrant, while 60% involved either a bench or fugitive warrant.

## ARREST BY WARRANT AND NEW CHARGE STATUS

Changes in the number of arrests may be due, in part, to fluctuations in the population of the city. To adjust for this, [Figure 4](#) provides more information on the rate of arrests per 100,000 residents 17 years of age and older by warrant and new charge status for arrests involving bench or fugitive warrants.<sup>45</sup> While rates are useful for standardizing data across different populations, they should be interpreted with caution. Rates do not account for the number of individuals who commute into the city or travel through the area, and almost 40% of people arrested in the City of St. Louis reside outside the city.<sup>46</sup> Moreover, individuals may have multiple enforcement interactions in a given year, which potentially could result in an overestimation of the enforcement rate.<sup>47</sup>

**The highest rates of arrest for much of the first part of the study period (2003 – 2014) were for bench warrants only.** As shown below, rates of arrests were high in 2002 and then climbed and peaked relatively early in the study period at 3,199 per 100,000. Bench warrant arrest rates fluctuated at a relatively high volume through 2012, then declined precipitously to 762 in 2017, before increasing to 1,044 in 2019. Much of this reduction occurred after the events in Ferguson, when overall levels of enforcement declined, and a number of court reforms were enacted.<sup>48</sup>

**Arrests for new charges combined with bench or fugitive warrants were also high at the beginning of the study period.** In 2002, these rates were even higher than those observed for bench warrant only arrests (3,229), but rates dropped sharply from 2002 to 2004 and then continued to drop for much of the study period. In 2019, there were 1,614 arrests per 100,000.

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<sup>44</sup> For bench warrants, these percentages include bench warrant arrests, bench warrant and fugitive warrant arrests, arrests with new charges and bench warrants, and “Other” arrests that involved a bench warrant. For fugitive warrants, these percentages include fugitive warrant arrests, bench warrant and fugitive warrant arrests, arrests with new charges and fugitive warrants, and “Other” arrests that involved a fugitive warrant.

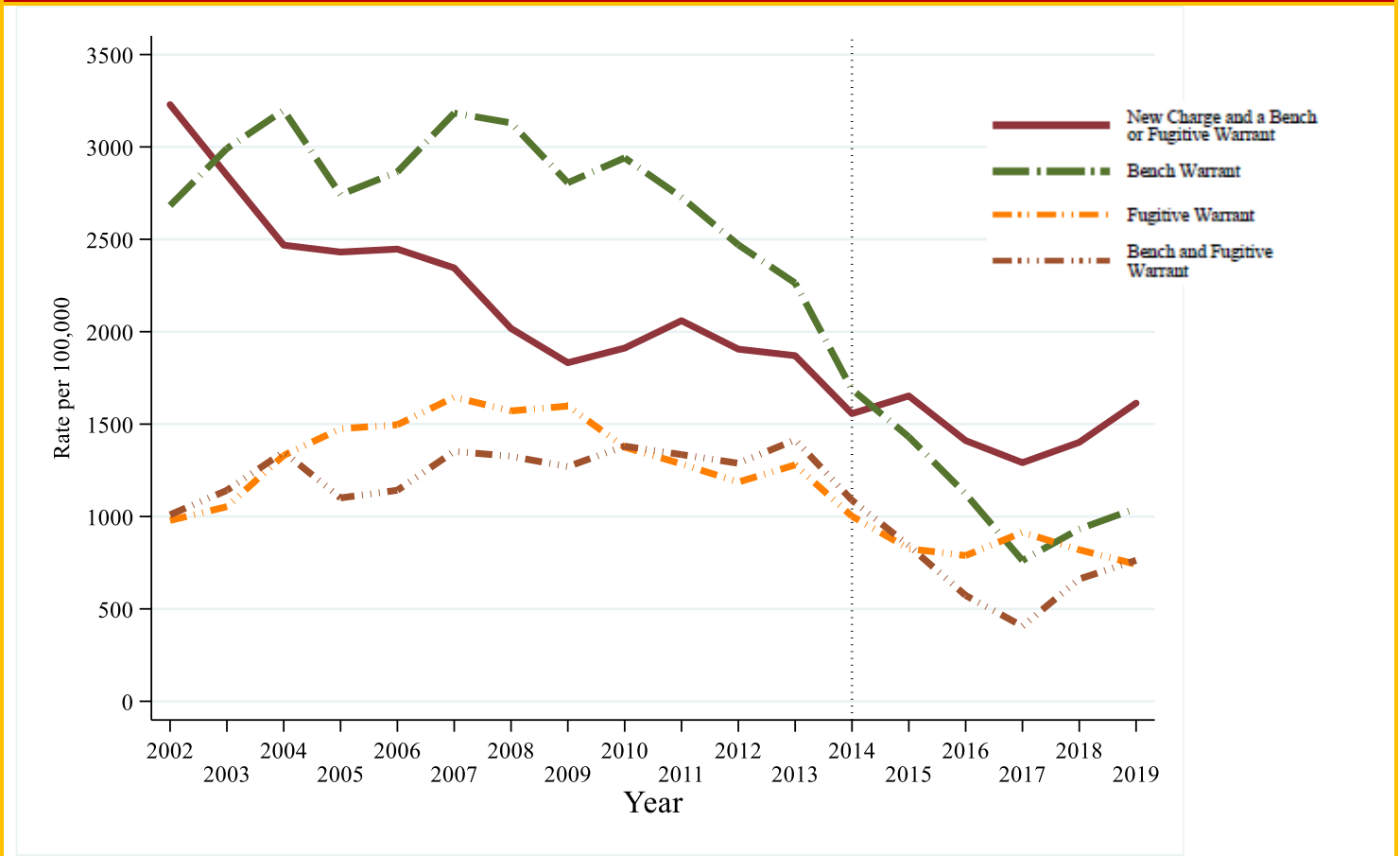
<sup>45</sup> Rates presented throughout are based on the population ages 17 and older because that is the age of criminal responsibility in Missouri.

<sup>46</sup> See Slocum, Huebner, Green, & Rosenfeld (2018).

<sup>47</sup> For example, an individual could be initially arrested on a new charge, and then arrested again on a bench warrant if they failed to appear in court. This would count as two separate enforcement actions in the data.

<sup>48</sup> See Slocum, Green, Huebner, & Rosenfeld (2019).

**Figure 4: Rate of Arrests by Warrant and New Charge Status, 2002 - 2019**



**Data Sources:** SLMPD for Enforcement Data and Census Bureau for Population Counts.

**Note:** Vertical dotted line signifies the shooting death of Michael Brown.

**Rates of arrest were lower in 2019 than in 2002, and these declines were most pronounced for bench warrant arrests.** For example, bench warrant arrests fell by 61%, while arrests for new charges combined with warrants were cut in half. Both fugitive warrant arrests and fugitive and bench warrants arrests declined by approximately a quarter (24%).

**With the exception of fugitive arrests, rates were lowest in 2017, after which they increased. For some arrest types, the increase from 2017 to 2019 was sizeable.** For example, after significant post-Ferguson declines, bench warrant arrest rates increased by 27% from 2017 to 2019, and arrest rates for bench and fugitive warrants almost doubled from 406 to 763. The exception to this pattern was fugitive warrant arrest rates, which were relatively low (978) in 2002, peaked at 1646 in 2007, then generally fell, reaching a low rate (741) in 2019.

## ARRESTS BY CHARGE SEVERITY

Concern has been raised that people arrested for bench warrants have only committed ordinance violations or minor offenses. To explore these issues, the most serious charge associated with each arrest was identified, with felony charges ranked as the most serious, followed by misdemeanors, then municipal ordinance violations. For bench and fugitive warrants, the charge severity was based on the original charge that led to the issuance of the warrant. Arrests often involve multiple charges, and arrests were classified according to the most serious charge. As an example, if a person was arrested for a felony and misdemeanor, the arrest is coded as a felony. For each type of arrest, **Figure 5** presents the percentage of arrests in which the top charge was an ordinance violation, misdemeanor, and felony. **Results indicate that, compared to other types of arrests, those tied exclusively to bench warrants or a combination of bench and fugitive warrants were more likely to have an ordinance violation as the most serious charge.** Further, in 2002, for ordinance violation arrests based on bench warrants only or bench and fugitive warrants, 20% of the bench warrants stemmed from charges related to driving without vehicle insurance and an additional 16% for driving with an invalid license. In 2019, driving without insurance comprised 17% of bench warrants for these types of arrests, while driving without valid registration or tags accounted for 14%, and driving with a suspended or revoked license made up 11%.<sup>50</sup>

**Although the majority of bench warrant arrests were for ordinance violations, this percentage declined over time as the percentage of felony bench warrant arrests increased.** In 2002, 89% of bench warrant arrests were for ordinance violations, but in 2019, this declined to 67%. The percentage of bench warrant arrests that were for felonies increased from less than 1% to 20%.<sup>51</sup> Drug charges were the most common felony charges tied to bench warrants, making up about one-third of felony charges. Burglary and theft were also common in 2019 with each accounting for more than 10% of felony bench warrants.

**Compared to bench warrant arrests, fugitive arrests were more likely to include more serious charges, particularly felonies.** The percentage of fugitive warrant arrests that were for felonies was 38% in 2002, and this percentage increased to 51% in 2019. Fugitive warrants can sometimes require more officer time and resources to enforce, both at SLMPD and the agency in which the warrant originated; therefore, the threshold for arrest is often higher. In addition, for warrants linked to minor offenses, officers may refrain from making an arrest if

### Charge Types<sup>49</sup>

**Felonies:** A serious offense and punishable by a term in state prison of one year or longer. Examples include aggravated assault, robbery, burglary, and motor vehicle theft.

**Misdemeanors:** Offenses defined by statute and punishable by a fine and/or jail time for up to one year. Misdemeanors include crimes such as simple assault, some drug offenses, and larceny under certain dollar amounts.

**Municipal Ordinance Violations:** Rules, laws or regulations as enacted by a county, city, or town. Punishable by a fine or a fine and forfeiture of a privilege, or other civil penalty, for example, community service. Common violations include traffic violations, minor alcohol/drug charges, truancy, and problem properties.

Crimes can be reclassified over time as the criminal code is revised.

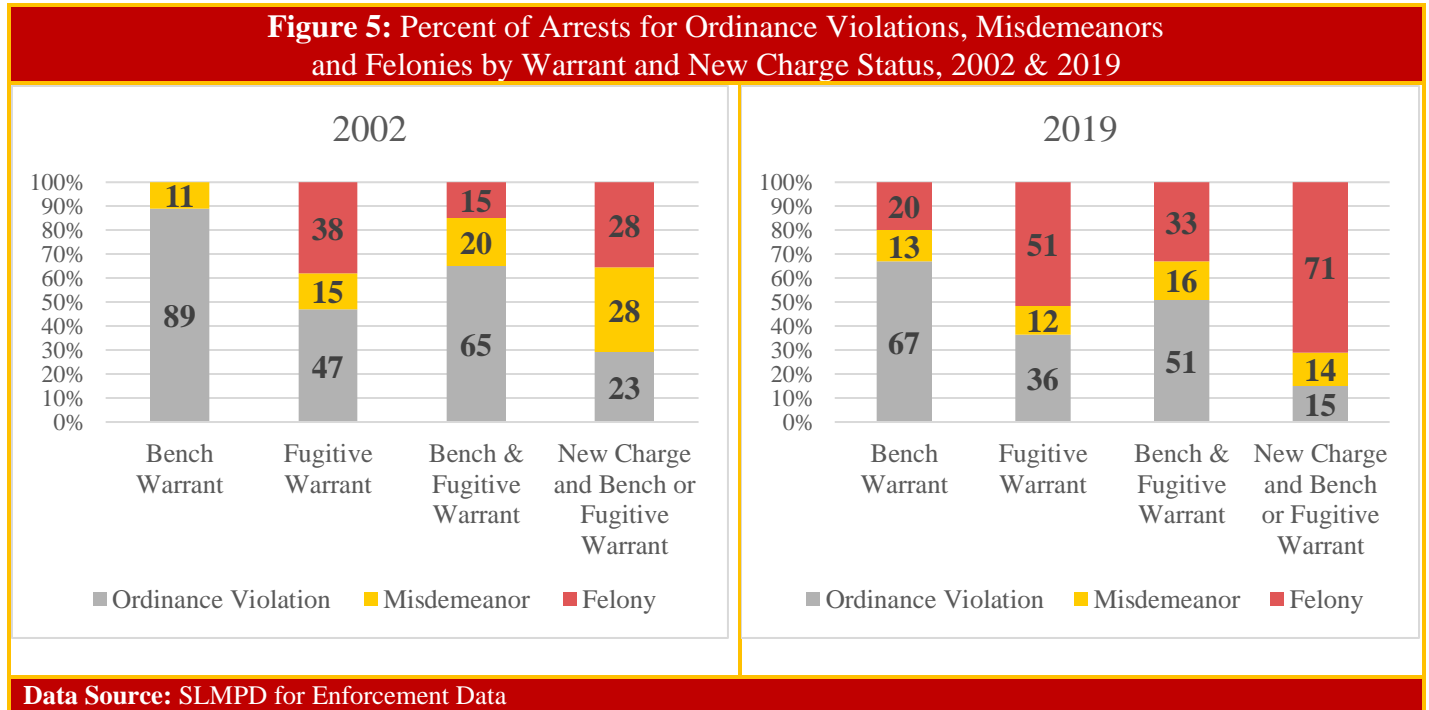
<sup>49</sup> Definitions available at the Missouri Sentencing Commission website [https://www.courts.mo.gov/hosted/JUDEDintra/MOSAC/Criminal\\_System.html](https://www.courts.mo.gov/hosted/JUDEDintra/MOSAC/Criminal_System.html).

<sup>50</sup> Charges tied to driving with a suspended or revoked license are treated more seriously by the courts than driving with an invalid license. Driving with a suspended or revoked license generally carry 12 points on conviction, which will trigger a year revocation on points. The first offense for driving with an invalid license carries only one point, and the points increase depending on the number of prior no license offenses.

<sup>51</sup> It not clear what lead to the large increase in felony bench warrant arrests, but the initial increase occurred in 2005. Potential candidates include changes in legal statutes, the manner in which drugs were processed by the crime lab, and how drug and other charges were handled by the circuit attorney's office.

the warrant was issued in a municipality where the police agency has a limited capacity to transport the arrestee back to their jurisdiction.<sup>52</sup>

**In 2019, the vast majority of arrests involving warrants and new charges were for felonies (71%).** This percentage was much higher than in 2002, when felonies made up 28% of arrests of this type.



## ARRESTS BY RACE

Race disparities in the criminal legal system have been well documented, so this section of the report focuses on differences in warrant enforcement by race. **Figure 6** provides race-specific trends in rates of arrests per 100,000 residents by warrant status separately for Black and White individuals for 2002 through 2019. To quantify the extent of the race differences, the ratios of Black-to-White arrest rates are presented in **Table 1** for 2002 and 2019.

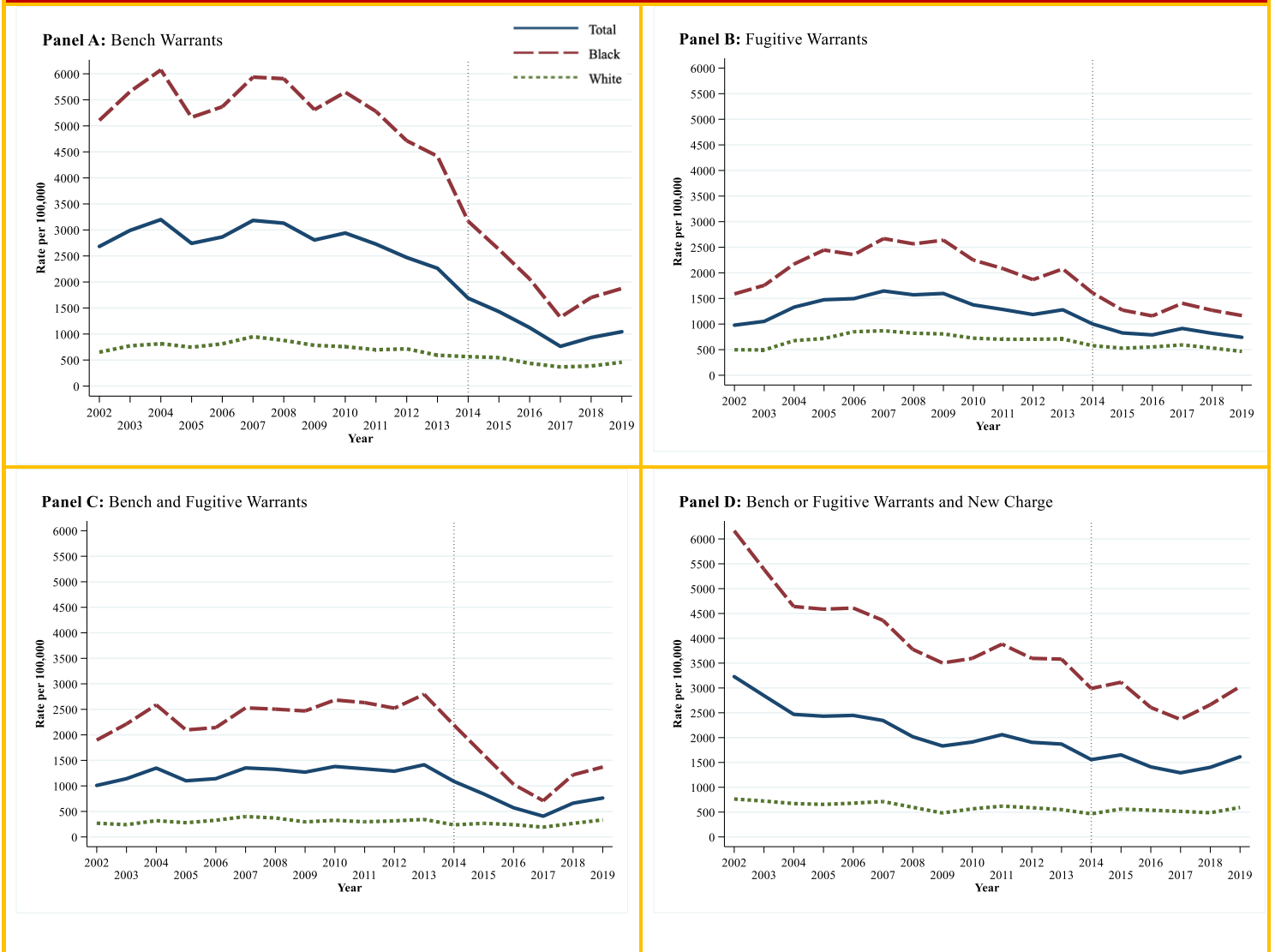
<b>Table 1: Ratios of Black to White Arrest Rates By Warrant and New Charge Status for 2002 &amp; 2019</b>	<b>2002</b>	<b>2019</b>
Bench Warrant	7.8	4.1
Fugitive Warrant	3.2	2.5
Bench and Fugitive Warrant	7.0	4.1
New Charge and Bench or Fugitive Warrant	8.1	5.1

**Data Sources:** SLMPD for Enforcement Data and Census Bureau for Population Counts.

<sup>52</sup> Personal communication with SLMPD.

**In all years and across all arrest types, Black persons were arrested at a higher rate than White individuals.** Race differences were most pronounced for arrests that involved bench warrants. For example, in 2002, almost 8 Black persons (7.8) were arrested for bench warrants for every one white person arrested. Race differences were even greater for arrests involving a new charge and a bench or fugitive warrant (8.1-to-1). Fugitive warrant arrests exhibited the most modest race differences, although they were still substantial at 3.2-to-1. **Race differences declined over time but remained high.** In 2019, Black persons were arrested at four to five times the rate of White individuals for all arrests types except for fugitive arrests, which had a Black-to-White arrest rate ratio of 2.5-to-1.

**Figure 6: Rates of Arrest by Warrant and New Charge Status and Race, 2002 - 2019**



**Data Sources:** SLMPD for Enforcement Data and Census Bureau for Population Counts.

**Note:** Vertical dotted line signifies the shooting death of Michael Brown.

**The declines in arrests rates from 2002 to 2019 were most pronounced for Black persons.** For example, for Black individuals, bench warrant arrests fell by 63%, while arrests for new charges combined with warrants were cut in half (51%) and fugitive warrant arrests and fugitive and bench warrants arrests declined by approximately a quarter (27% and 28%, respectively). Reductions in arrest rates for White persons were more modest, falling by 30% for bench warrant arrests and by 22% for arrests with new charges and warrants. The reduction in fugitive warrant arrests of White individuals was minimal (7%), and arrests for a combination of bench and fugitive warrants increased by 24%.

**Increases in arrest rates from 2017 to 2019 were generally larger for Black individuals.** For example, bench warrant arrest rates increased by 42% for Black persons and by 25% for White persons from 2017 to 2019. For Black individuals, arrest rates for bench and fugitive warrants almost doubled from 710 to 1,370, while they increased by 74% for White persons (from 192 to 334) (see [Figure 6, Panel C](#)).

### ARRESTS BY RACE, AND MOST SERIOUS CHARGE

This section further explores changes in racial disparities by presenting arrest rates for Black and White individuals by arrest type and top charge for 2002 and 2019 (see [Table 2](#)). The percent change in arrest rates from 2002 to 2019 are also presented. [Table 3](#) provides information on the ratio of Black-to-White arrest rates by the top charge and warrant status.

<b>Table 2: Rate of Arrests per 100,000 by Race and Top Charge, 2002 &amp; 2019</b>	<b>2002</b>			<b>2019</b>			<b>Percent Change (2002 to 2019)</b>		
	Felony	Misd.	Muni.	Felony	Misd.	Muni.	Felony	Misd.	Muni.
<b>Black Individuals</b>									
Bench Warrant	40	516	4549	307	246	1322	667	-52	-71
Fugitive Warrant	575	192	818	562	126	475	-2	-34	-42
Bench and Fugitive Warrant	265	359	1274	403	224	743	52	-38	-42
New Charge and Bench or Fugitive Warrant	3046	1716	1404	2166	424	437	-29	-75	-69
<b>White Individuals</b>									
Bench Warrant	4	93	554	149	53	257	3625	-43	-54
Fugitive Warrant	215	117	161	268	65	126	25	-44	-22
Bench and Fugitive Warrant	64	79	126	143	54	137	123	-32	9
New Charge and Bench or Fugitive Warrant	325	226	212	415	80	99	28	-65	-53

**Data Sources:** SLMPD for Enforcement Data and Census Bureau for Population Counts.  
**Abbreviations:** Misd. = Misdemeanor and Muni. = Municipal Ordinance Violation.

These tables point to several important findings. First, **for most arrest types, municipal and misdemeanor arrests declined from 2002 to 2019, regardless of race.** For both Black and White individuals, the greatest declines were generally observed for non-felony arrests for a combination of new charges and warrants and non-felony bench warrant arrests. **Reductions in non-felony arrest rates were generally greater for Black persons.**



**Second, felony arrest rates for Black and White individuals generally increased, particularly for those arrests tied exclusively to bench warrants.** By 2019, the rate of arrest for felony fugitive warrants was higher than the rate of fugitive warrant arrest for ordinance violations or misdemeanors. This was also true for arrests that involved new charges and warrants. In 2019, for White persons only, felony arrests for a combination of bench and fugitive warrants were more common than non-felony arrests of this type. The highest rates of arrests with new charges and warrants were also for felonies. **Increases in the felony arrest rates were greater for White persons, but this group had very low levels of felony arrests in 2002.**

**Third, Black persons were arrested at a higher rate than White individuals regardless of charge type or warrant status, and some of the differences were stark, particularly in 2002.** For example, in 2002, the ratio of Black-to-White municipal arrests ranged from a minimum of 5-to-1 for fugitive warrant arrests to 10-to-1 for bench and fugitive warrant arrests (see [Table 3](#)).

<b>Table 3: The Black to White Ratios of Arrest Rates by High Charge and Warrant Status for 2002 &amp; 2019</b>		<b>2002</b>	<b>2019</b>
<b>Municipal Ordinance Violation</b>	Bench Warrant	8.2	5.1
	Fugitive Warrant	5.1	3.8
	Bench and Fugitive Warrant	10.1	5.4
	New Charge and Bench or Fugitive Warrant	6.6	4.4
<b>Misdemeanor</b>	Bench Warrant	5.5	4.7
	Fugitive Warrant	1.6	1.9
	Bench and Fugitive Warrant	4.5	4.1
	New Charge and Bench or Fugitive Warrant	7.6	5.3
<b>Felony</b>	Bench Warrant	10.3	2.1
	Fugitive Warrant	2.7	2.1
	Bench and Fugitive Warrant	4.1	2.8
	New Charge and Bench or Fugitive Warrant	9.4	5.2

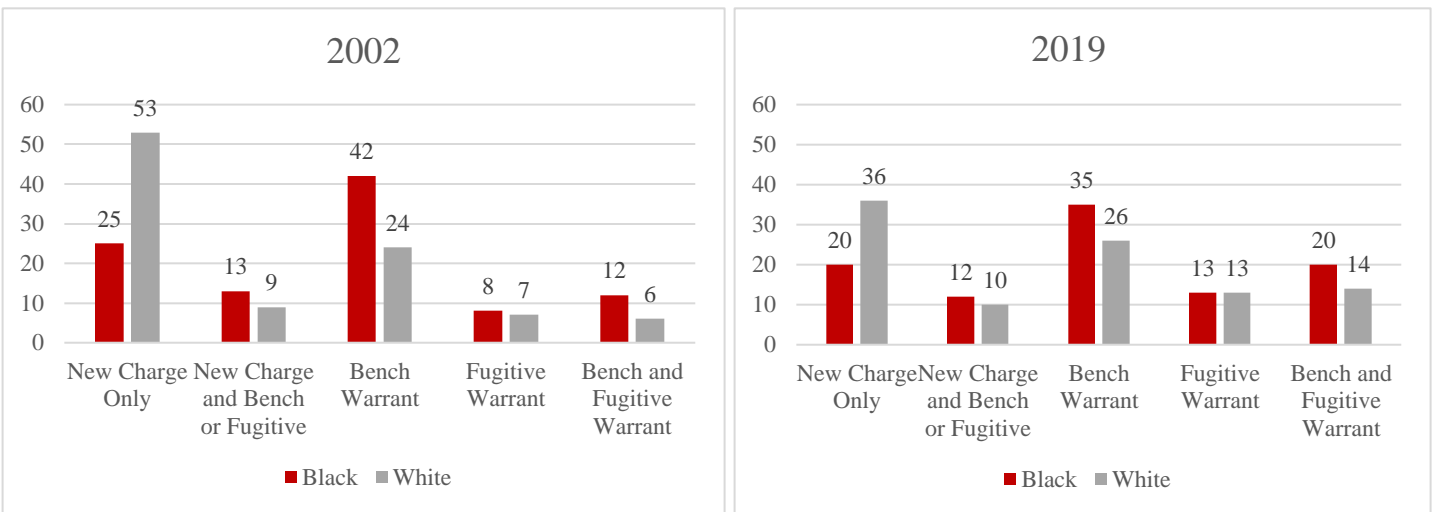
**Data Sources:** SLMPD for Enforcement Data and Census Bureau for Population Counts.

**Fourth, for arrests made exclusively based on warrants, race disparities were higher for ordinance violations versus more serious offenses.** In 2019, for instance, Black individuals were arrested at five times the rate of White persons for municipal bench warrants. Similar race differences were observed for arrests that included a combination of municipal bench and fugitive warrants. The ratio of Black-to-White arrest rates for fugitive warrant arrests was lower, but still almost 4-to-1. For felony arrests linked to warrants only, the ratios ranged from 2.1-to-1 for bench warrant only and fugitive warrant only arrests to 2.8-to-1 for arrests involving both bench and fugitive warrants. **For arrests involving new charges, the race gap was slightly wider for misdemeanors and felonies compared to ordinance violations.** For example, in 2019, the race ratio was more than five-to-one for felony and misdemeanor arrests involving new charges and warrants, but approximately four-to-one for municipal arrests of this type.

## A CLOSER EXAMINATION OF MUNICIPAL ARRESTS

Findings from the prior section highlight that warrant arrests, particularly bench warrant arrests, often stem from ordinance violations, and that racial disparities are more pronounced for warrant arrests with an ordinance violation as the top charge. Officers also have more discretion when the offense is an ordinance violation as opposed to a more serious offense. Therefore, this section provides an in-depth examination of the contribution of bench and fugitive warrants to arrests for ordinance violations and how this differs by race. **Figure 7** displays the percent of arrests for ordinance violations that fall into each of the arrest categories by race for 2002 and 2019. Arrests for new charges only are included as a point of comparison.<sup>53</sup>

**Figure 7: Percent of Municipal Arrests by Warrant and New Charge Status for Blacks and Whites, 2002 and 2019**



**Data Sources:** SLMPD for Enforcement Data.

**Most municipal arrests were either for new charges only or for bench warrants; however, Black individuals arrested for municipal ordinance violations were more likely to be arrested for bench warrants, while White persons were more likely to be arrested for new criminal activity.** In 2002, the majority (53%) of arrests of Whites for municipal offenses were associated with new charges only, and approximately a quarter (24%) involved only bench warrants. The opposite pattern was observed for Black persons in this year: Arrests involving only bench warrants were the most common (42%), followed by arrests with new charges only (24%).

In 2019, the same general pattern emerges but race differences are smaller. Bench warrant arrests accounted for 26% of arrests of White individuals for municipal ordinance violations and 35% for Black individuals. For example, 36% of arrests of White persons for ordinance violations were for new charges with no accompanying warrants, while new charge only arrests made up 20% of municipal arrests of Black persons. Additional analyses indicate that there is little difference by race in the type of ordinance violation leading to arrests for new charges. For both Black and White individuals, more than half of these new charges were for disorderly conduct or trespassing.

<sup>53</sup> The “Other” arrest category made up less than 2% of arrests in which an ordinance violation was the top charge, so this category of arrest was not included in the figure.

**A relatively low percentage of arrests for ordinance violations were for fugitive warrants only, and there is little difference by race.** For example, 13% of Black and White individuals arrested for ordinance violations were arrested based for fugitive warrants only. **The percentage of arrests for ordinance violations that involved a new charge and a bench or fugitive warrant also remained relatively low and steady across the two years, and was comparable for Black and White persons.**

**Although the differences were modest, arrests for a combination of bench and fugitive warrants made up a higher percentage of municipal arrests for Black compared to White individuals.** In 2019, this difference was 20% for Black persons versus 14% for White individuals. The percentages were lower in 2002.

## BENCH AND FUGITIVE WARRANTS AMONG PEOPLE ARRESTED

Focusing on arrests obscures that in many cases, people have multiple warrants when arrested. For example, at the time of their arrest, a person may have bench or fugitive warrants that stem from multiple distinct charges. Moreover, fugitive warrants may be linked to charges originating in several different jurisdictions. This section of the report presents information at the level of the individual warrant, and differs from the previous analysis, which described arrests. It is important to recognize that when a person gets arrested on a bench warrant, that bench warrant is canceled, but a new bench warrant may be issued if the person continues to fail to meet court requirements or fails to appear in court. Thus, law enforcement may arrest a person multiple times for bench warrants tied to the same underlying charge.<sup>54</sup>

### Number of Bench Warrants

**Table 4** provides information on the number of bench warrants possessed by people who were arrested at the beginning and end of the study period and in the years when warrants among people arrested were at their highest and lowest levels.

<b>Table 4: Number of Outstanding Bench Warrants Among People Arrested</b>	<b>2002</b>	<b>Maximum (2004)</b>	<b>Minimum (2017)</b>	<b>2019</b>
Black Persons	59,743	63,823	17,111	28,610
White Persons	5,981	6,727	3,677	5,338
All Persons	65,800	70,657	20,820	33,973
<b>Data Source: SLMPD for Enforcement Data.</b>				

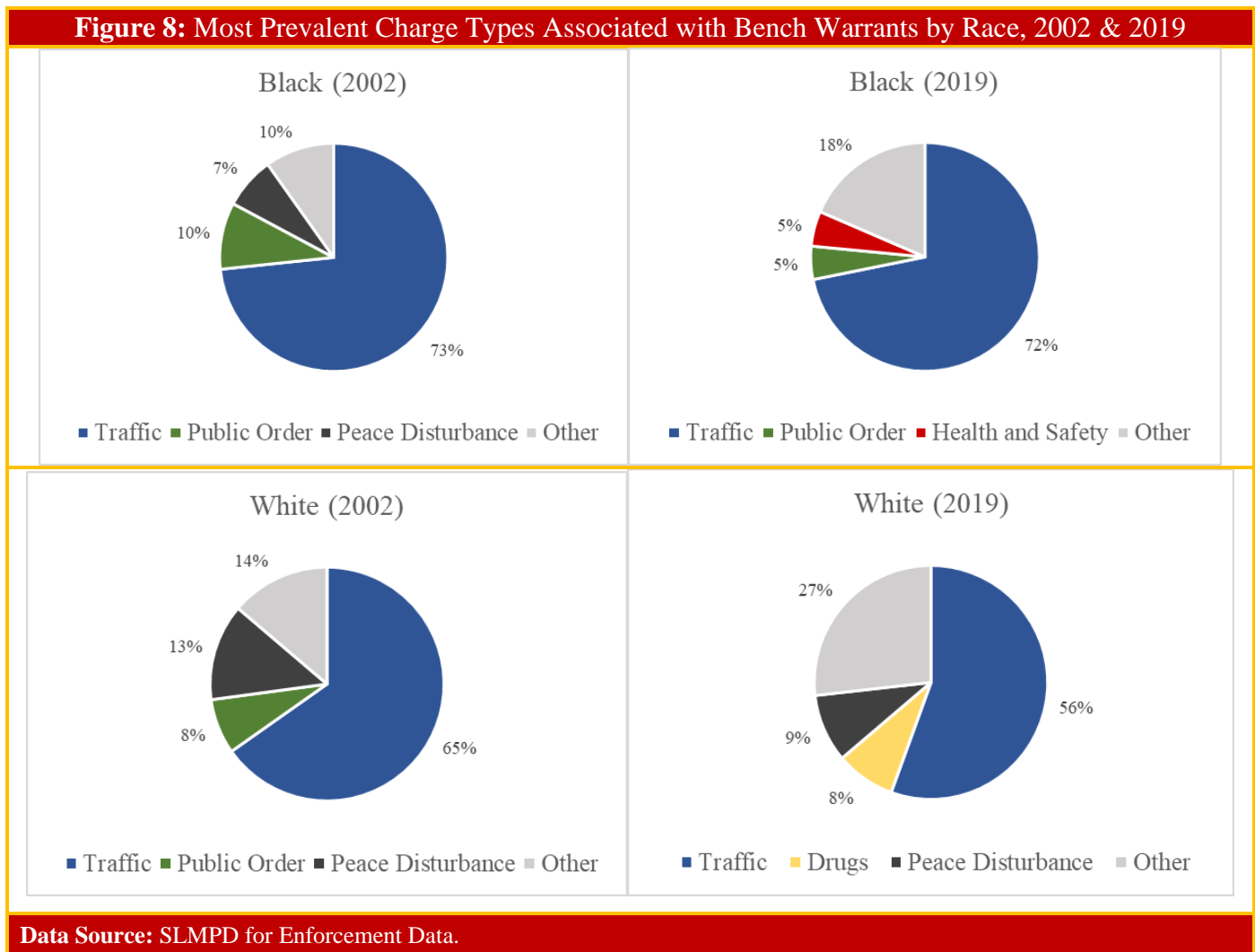
**Collectively, people arrested by SLMPD had many outstanding bench warrants, and at the peak, this number was greater than 70,000.** However, the number of bench warrants declined significantly over time and in 2019, people arrested had 33,973 outstanding bench warrants.

<sup>54</sup> For example, in 2013, the City of St. Louis Municipal Court processed 242,471 original charges. At least one bench warrant was issued for 14% of charges (34,848) while for 8% (19,307) of charges, multiple bench warrants were issued for the same charge. Among the 34,848 charges that led to a bench warrant, 30% (10,476) had at least one bench warrant that was cancelled because the person was arrested, and for 11% of charges (3,762), the person was arrested multiple times for bench warrants stemming from the same underlying charge.

**Bench warrants were much more prevalent among Black persons who had been arrested than White individuals.** At the peak in 2004, Black persons had 63,823 outstanding bench warrants. This number declined significantly to 28,610 in 2019. The corresponding numbers for White individuals were 6,727 and 5,338. **Many people had more than one outstanding bench warrant at the time of their arrest.** Indeed, in 2019 the mean number of bench warrants among White persons who had at least one warrant was 3.7, while Black individuals who had at least one bench warrant had an average of 4.8 warrants per arrest.

**Most Common Charges Linked to Bench Warrants**

Figure 8 provides additional information on the most common types of charges that resulted in bench warrants for Black and White individuals arrested in 2002 and 2019. Charges are grouped in broad categories based on the FBI’s National Crime Information Center (NCIC) offense categories.



**The vast majority of bench warrants stemmed from traffic violations.** Traffic charges were particularly prevalent for Black individuals – in both 2002 and 2019, approximately three-quarters of charges associated with bench warrants were traffic-related. For White persons, this percentage was lower and declined over time, falling from 65% in 2002 to 50% in 2019.

In 2002, for both Black and White persons, bench warrants linked to “peace disturbances”, which include drinking/being intoxicated in public and general peace disturbances, were among the more common charge types as were public order charges such as transit fare evasion, panhandling, and making unnecessary noise. In 2019, aside from traffic violations, Black and White individuals who were arrested differed in the types of charges that resulted in their bench warrants. Peace disturbance made up 9% of bench warrants possessed by White individuals, while drug charges made up 8%. About 5% of the bench warrants that had been issued to Black persons who were arrested resulted from public order crimes and an additional 5% from health and safety violations, which in 2019 were predominantly for maintaining a premise for the purpose of engaging in illegal behavior including drug manufacturing, use, or distribution.<sup>55</sup>

The most prevalent charges associated with bench warrants that resulted in an arrest are displayed in **Table 5**. **Most frequently, bench warrants stemmed from charges related to traffic violations including driving without vehicle insurance, driving without a valid driver’s license, driving without a valid motor vehicle license (e.g., tags, registration), and driving with a suspended or revoked license.**

<b>Table 5: Most Prevalent Charges Associated with Bench Warrants by Race, 2002 &amp; 2019</b>					
<b>Black Persons</b>			<b>White Persons</b>		
<b>2002</b>			<b>2002</b>		
	<b>Frequency</b>	<b>%</b>		<b>Frequency</b>	<b>%</b>
Driving without vehicle insurance	12,600	21.1	Driving without vehicle insurance	987	16.5
Driving without a valid driver’s license	9,756	16.3	Driving without a valid motor vehicle license	553	9.3
Driving without a valid motor vehicle license	6,176	10.3	Street demonstration	382	6.4
No fare-transit conveyance	3,518	5.9	Driving without a valid driver’s license	380	6.4
Violate a stop sign	2,135	3.6	Drinking, intoxicated in public	324	5.4
<b>2019</b>			<b>2019</b>		
Driving without vehicle insurance	4,659	16.3	Driving without vehicle insurance	680	12.7
Driving without a valid motor vehicle license	3,455	12.1	Driving without a valid motor vehicle license	535	10.0
Driving with a suspended/revoked license	3,047	10.7	Panhandling	438	8.21
Driving without a valid driver’s license	1,710	6.0	Driving with a suspended/revoked license	411	7.7
Engage maintain nuisance	1,161	4.1	Possession of a controlled substance	264	5.0

**Data Source:** SLMPD for Enforcement Data.

<sup>55</sup> In 2002, the most frequent offenses in the “Other” category for both Blacks and Whites were stealing, invasion of privacy (primarily trespassing), commercialized sex offenses, and obstructing the police. No other type of offense comprised more than 2% of bench warrants. In 2019, for Black persons, offenses in the “other” category that make up more than 2% of bench warrants include invasion of privacy (e.g., trespassing), stealing, peace disturbances, and dangerous drugs. For White persons in this year, these same offenses plus public order crimes, health and safety, property damage, and liquor law violations are the offenses that up more than 2% of charges in the other category.

**In 2002 and 2019, driving without vehicle insurance was the most common charge associated with bench warrants among both Black and White individuals who were arrested.** In 2002, more than 20% of bench warrants that had been issued to Black persons arrested stemmed from this charge and almost 17% of those issued to White individuals. These percentages were lower in 2019—16% for Black persons and 13% for White individuals. Motor vehicle license violations were also among the most common charges, accounting for approximately 9% to 12% of charges for Black and White persons, depending on the year. For Black persons arrested, driving without a valid driver’s license was also a prevalent charge leading to bench warrants, but this charge was more common in 2002 than in 2019 (16% vs. 6%). This charge accounted for 6% of bench warrants for White persons in 2002. **While driving with a suspended or revoked license was one of the five most common bench warrant related charges in 2019 (11% for Black persons and 8% for White individuals) but not in 2002.**

**Other charges were much less prevalent and exhibited more variability by race and over time.** For example, for Black arrested persons, among the more prevalent charges in 2002 were failing to pay transit fares and violating a stop sign, while street demonstrations,<sup>56</sup> which are often for street sales, including prostitution and drug dealing and drinking/being intoxicated in public were among the most common for White persons. In 2019, maintaining a public nuisance was one of the most common bench warrant charges for Black persons. For White individuals in this year, panhandling and drug possession were among the five most prevalent.

### Number of Fugitive Warrant Charges

The next section focuses on fugitive warrants, and information is again presented at the level of the warrant. **Table 6** provides information on the number of fugitive warrants possessed by people who were arrested in 2002, 2019 and the years when fugitive warrants were at their highest and lowest levels.

<b>Table 6: Number of Outstanding Fugitive Warrants Among People Arrested</b>	<b>2002</b>	<b>Maximum</b>	<b>Minimum</b>	<b>2019</b>
Blacks Persons	12,934	15,418 (2004)	6,503 (2016)	8,607
White Persons	2,522	3,219 (2007)	2,323 (2003)	2,803
All Persons	15,464	18,362 (2004)	9,089 (2016)	11,437
<b>Data Source: SLMPD for Enforcement Data.</b>				

**Among people arrested, fugitive warrants were less prevalent than bench warrants.** For example, at the peak in 2004, collectively, individuals had 18,362 outstanding fugitive warrants at the time of their arrest. Similar to bench warrants, the number declined, falling from 15,464 in 2002 to 11,437 in 2019.

**Black individuals who were arrested collectively had more outstanding fugitive warrants than White individuals, but from 2002 to 2019, the number of fugitive warrants declined for Black persons and increased for White persons.** Following the overall trend, Black individuals who were arrested in 2002 had

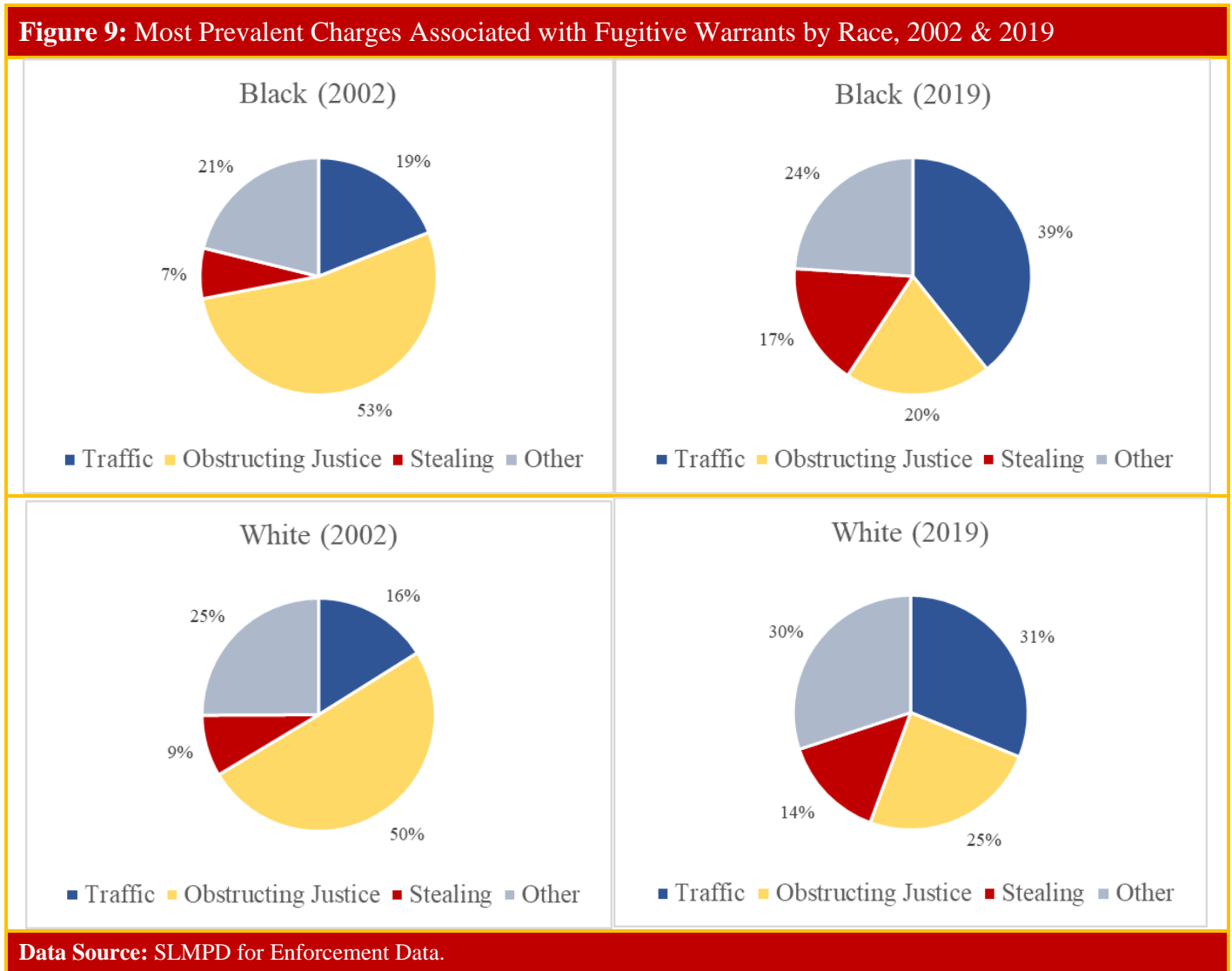
<sup>56</sup> This ordinance was repealed in 2012 and replaced with a new ordinance governing prostitution and loitering (see <https://www.stlouis-mo.gov/government/city-laws/ordinances/ordinance.cfm?ord=69291>).

more fugitive warrants (12,934) than those arrested in 2019 (8,607), and fugitive warrants were highest in 2004 and lowest in 2016. The number of fugitive warrants possessed by White persons who were arrested increased slightly during this period from 2,522 to 2,803. The peak in fugitive warrants also occurred later for White persons (2007) compared to Black individuals (2004).

Compared to people with bench warrants, the average number of fugitive warrants among people who had at least one fugitive warrant was lower and did not differ by race. **In 2019, both Black and White individuals who were arrested with at least one fugitive warrant had on average 1.6 fugitive warrants.**

### Most Common Charges Linked to Fugitive Warrants

Figure 9 provides information on the most common charges that generated fugitive warrants for Blacks and Whites arrested in 2002 and 2019.<sup>57</sup> Charges are grouped in broad categories based on the FBI’s NCIC offense categories. Information on specific charges is not available for fugitive warrants.



<sup>57</sup> This analysis is limited to fugitive warrants for which charge descriptions were available.

**Obstruction of justice, which includes failure to appear, and traffic charges were the two most common types of charges linked to fugitive warrants among people arrested.** In 2002, obstruction charges accounted for approximately 50% of the charges associated with fugitive warrants regardless of race, while traffic offenses accounted for 19% of fugitive warrants for Black persons and 16% for White individuals. In 2019, traffic-related offenses led to approximately one-third of fugitive warrants for both Black and White persons, while obstruction of justice was the second most common charge (20% and 25%, respectively).

Stealing charges, the majority of which were for municipal offenses, were also among the most prevalent fugitive charges among those arrested, particularly in 2019. Although not shown here, in 2019 drug-related offenses accounted for a significant percentage of charges that resulted in fugitive warrants (10%) for White persons, and these were almost evenly split between municipal and felony charges. For Black individuals, a smaller percentage (5%) of fugitive warrants in 2019 were drug related, and these were more than two and half times more likely to be municipal charges than felonies.

### Agencies in which Fugitive Warrants Originated

Fugitive warrants are charges that originate in jurisdictions outside of the City of St. Louis. To provide a better understanding of where these fugitive warrants originated, **Table 7** displays the five law enforcement agencies that had issued the most fugitive warrants for people arrested by SLMPD in 2002 and 2019. **In both years, approximately a quarter of these fugitive warrants originated with St. Louis County Police Department,** a large police department, which patrols unincorporated areas of St. Louis County and is contracted to police several other county municipalities. Outside of St. Louis County, warrants were not concentrated in any single police department, rather many different local municipal departments contributed smaller percentages. Several of the police departments in 2002 are small. For example, Country Club Hills is 115 acres in size and has a population of 1,267.

**Table 7: Agencies in which the Most Fugitive Warrants that Resulted in Arrest Originated, 2002 & 2019**

<b>2002</b>			<b>2019</b>		
<b>Agency</b>	<b>Number</b>	<b>Percent</b>	<b>Agency</b>	<b>Number</b>	<b>Percent</b>
St. Louis County	4,129	26.8	St. Louis County	2,576	22.5
University City	598	3.9	Florissant	970	8.5
St. Ann	444	2.9	Maplewood	609	5.3
Pagedale	439	2.9	Jefferson County	390	3.4
Country Club Hills	438	2.9	Jennings	369	3.2

**Data Source:** SLMPD for Enforcement Data.



## CONCLUSION

This report examines trends in arrests related to bench and fugitive warrants, including race disparities, and describes the types of charges tied to warrants that result in arrest by SLMPD. The findings indicate that **warrants are commonplace**. More than half of all arrests involve a bench or fugitive warrant, and in some years, this percentage was higher. Many arrests are made only on the basis of a bench warrant and/or a fugitive warrant.

**There are large racial disparities in warrant arrests**, which is consistent with overall arrest trends in St. Louis City and nationally.<sup>58</sup> Although race differences declined over time, they remained pronounced. In 2019, **Blacks were arrested at four to five times the rate of Whites for all warrant arrests except for fugitive arrests**. The disparity in warrant arrests could be driven by a number of factors, including differences in underlying behavior as well as the economic barriers people face when trying to comply with the law. Researchers have documented that people of color are more likely to pay what some scholars have referred to as a “poverty penalty”.<sup>59</sup> For example, although not practice in St. Louis, many states add costs for the development of a payment plan and add interest and late fees for outstanding payments.<sup>60</sup> In addition, some places issue additional charges when people fail to appear in court, which is no longer allowed in Missouri.

We find that in the City of St. Louis, bench warrant arrests **primarily stem from ordinance violations, including traffic offenses**. The most common charges tied to bench warrants were driving without vehicle insurance, driving without a valid driver’s license, driving without a valid motor vehicle license (e.g., tags, registration). In 2019, but not 2002, driving with a suspended or revoked license, a charge that carries more serious penalties than the other common traffic violations, was among the most prevalent charges. By statute, individuals in Missouri who fail to appear in municipal court on some moving violations can have their license suspended, and licenses can be barred for renewal for failure to comply.<sup>61</sup> In practice, in the St. Louis Municipal Court people with these charges are generally given continuances so they can obtain insurance or get their license reinstated. Despite these efforts, the data indicate that for some people, **when not resolved, traffic violations lead to warrants and additional charges (i.e., driving with a suspended license), potentially generating additional warrants**.<sup>62</sup>

The data indicate that **arrests for warrants, particularly bench warrants, decreased substantially over time as did the number of warrants possessed by people who were arrested**. It is yet unknown the extent to which these declines are driven by changes in the criminal legal system and its actors versus modifications in individual behavior. Several reforms have been enacted in the St. Louis region that may have precipitated these reductions. For example, legislation was passed in 2015 which limits fines for traffic offenses and reduced the percent of any city’s budget that could be derived from fines and fees. For misdemeanor and ordinance violations, defendants must be offered community service as an alternative to payment.<sup>63</sup> In addition, in 2017 there were substantial changes to the criminal legal code which included adding a tier of felony crimes for

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<sup>58</sup> For more information on St. Louis trends, see Slocum, Greene, Huebner, & Rosenfeld (2019), Slocum, Huebner, Greene, & Rosenfeld (2020), Slocum, Huebner, Rosenfeld, & Greene (2018). For a comparison of St. Louis trends to those in other jurisdictions see Cadoff, Chauhan, & Bond (2020).

<sup>59</sup> See Colgan (2014), & Harris (2016).

<sup>60</sup> See Harris (2016), Harris et al. (2017), Sugie (2018).

<sup>61</sup> See Statutes: 302.177, 302.341, 544.045, and 544.046, RSMo. Recent reforms have barred license suspension for minor traffic violations. Section 479.350, RSMo describes the categorization of minor traffic offenses. Minor offenses cannot include an accident or injury. Offenses for driving over 19 miles over the speed limit or for exceeding the speed limit in a school or construction zone are not considered minor offenses.

<sup>62</sup> See Martin, Sykes, Shannon, Edwards, & Harris (2018) and Shannon et al. (2020).

<sup>63</sup> See RSMO 479.359.

lower-level offenses, like possession of marijuana, and increasing potential sanctions for personal and violent crimes. The St. Louis City Municipal Court has also held several warrant amnesty events. At the same time, crime—particularly non-violent crime—and arrests have declined, which could also contribute to a reduction in warrants.<sup>64</sup>

**In the past two years, warrant-related arrests have increased**, although it is too soon to determine if this is the beginning of a trend. This increase highlights the **importance of having real-time data** on the issuance and enforcement of warrants. Real-time data is also critical for assessing the impact of new initiatives that have the potential to affect warrant arrests, such as new practices that enable people facing charges in circuit court to also resolve their municipal bench warrants. Efforts to standardize municipal court operating procedures and fines schedules and to consolidate court data, including information on warrants, into one system (Show-Me Courts) also has the potential to impact warrant enforcement.

More research is needed to **determine the individual and structural factors that drive warrant arrests**. Rigorous studies that assess changes in warrants over time and across jurisdictions can provide insight into these factors and suggest avenues for criminal justice reform around this issue. For example, researchers could compare the volume of warrants and warrant arrests in St. Louis with those in cities with different laws and policies such as New York, where traffic charges are non-criminal violations handled administratively and not criminally.<sup>65</sup> Similarly, comparing warrant arrests in St. Louis to similarly situated cities that have a less fragmented municipal governance structure can provide insight into how the existence of multiple local municipal law enforcement agencies and courts contribute to arrests for fugitive warrants.<sup>66</sup>

### Questions for Future Research

The analyses presented are descriptive in nature but can be used to guide future analyses.

1. What effect does warrant enforcement have on crime, communities, and individuals involved in the criminal legal system?
2. What are the long-term costs of warrant enforcement for persons of color who are disparately affected?
3. What reforms could be enacted to reduce the number of warrants, particularly for failure to appear on traffic warrants?
4. How does warrant enforcement influence the way police officers spend their time and what are the related personnel and agency costs?
5. To what extent are trends in warrant enforcement a result of changes in officer behavior, agency priorities, court practices and policies, citizen behavior and external pressures, such as increases in serious crimes?
6. How do trends in warrant arrests vary by demographic characteristics, such as age? Are various groups of people, such as the unhoused, responsible for a disproportionate number of warrants?
7. How does warrant enforcement change during times of great social change (COVID-19) and social unrest?
8. How do changes in technology influence warrant enforcement?

<sup>64</sup> See Slocum, Huebner, Greene, & Rosenfeld (2018).

<sup>65</sup> See Bannon, Nagrecha, & Diller (2010) and Martin et al. (2018) for more information on driver's license suspension.

<sup>66</sup> An initial effort at this type of work can be found in a [companion report that compares warrant enforcement in St. Louis City and Louisville Metro](#). This report can be found on the RNMJ website

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