

# Police Ethnic Profiling in Hungary<sup>1</sup>



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## AIMS OF THE STUDY

Profiling by law enforcement agencies has become one of the most widely researched and debated questions in legal discussions relating to ethnic and racial discrimination in the criminal justice system. The following highlights the findings of a recent pilot research project organised by the Helsinki Committee (HHC)<sup>5</sup> that focused on police stop and search practices and their discriminatory effects on Hungary's largest ethnic minority group, the Roma.

Since previous research has showed that discriminatory identification (ID) check methods are relevant to the differential treatment of the Roma<sup>6</sup>, Strategies for Effective Police Stop and Search (STEPSS), an international project supported by the AGIS Programme of the European Commission and the Open Society Institute, and organised by the Open Society Justice Initiative was launched to change police stop and search policy and practice. For the purposes of the research, for the first time in Hungary, broad-spectrum data collection on the ethnic aspects and general efficiency of ID checks has been conducted.

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## METHOD

The project involved the close cooperation of the HHC, the National Police Headquarters (NPH), the Hungarian Police College (HPC) and selected representatives from the Roma community who performed the internal monitoring of the project. The research was carried out for six months in three pilot sites across Hungary: Budapest's 6th District, Szeged and Kaposvár. These three locations represent a broad range of different police districts with differing populations, crime profiles and resources. Budapest's 6th District covers a busy city-centre area and includes the main railway station in the capital. Szeged, with a population of 200,000, is a medium-sized district on the Romanian border. Kaposvár is a relatively rural police district with 120,000 inhabitants. A full description of the study method is available from the HHC website<sup>5</sup>.

## RESEARCH FINDINGS

### 1. The effectiveness of the stops

The effectiveness of ID checks was determined by examining what percentage of ID checks are followed by further police measures. The project identified three main types of follow-up procedures (i.e. positive results proving that the check was well-grounded): (a) arrests, (b) short-term arrests and (c) petty offence procedures initiated (including on-the-spot fines).

Overall, including traffic related checks, only 1% of ID checks led to an arrest, 2% led to a short-term arrest and 18% to petty offence procedures. If ID checks related to traffic offences are removed, the remaining checks result in 2% arrest, 3% short-term arrest, 19%

1. This paper was written under the aegis of the 68361 OTKA grant and the Bolyai Research Scholarship of the Hungarian Academy of Sciences.

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5. For the full report see: András Kádár, Júlia Körner, Zsófia Moldova and Balázs Tóth: Control(led) Group. Final Report on the Strategies for Effective Police Stop and Search (STEPSS) Project, Hungarian Helsinki Committee, Budapest, 2008. The report is available on the Helsinki Committee's website: [http://helsinki.hu/dokumentum/MHB\\_STEPSS\\_US.pdf](http://helsinki.hu/dokumentum/MHB_STEPSS_US.pdf)

6. In 2005, research carried out under the aegis of the Open Society Justice Initiative found that the Roma are indeed discriminated against in the context of ID checks by the police. Discrimination was especially conspicuous in the practice of stopping pedestrians, with Roma pedestrians disproportionately stopped are more likely to experience disrespectful treatment. See: Pap, A. L., Miller, J., Gounev, P., Wagman, D., Balogi, A., Bezlov, T., Simonovits, B. and Vargha, L.: "Racism and Police Stops – Adapting US and British Debates to Continental Europe", *European Journal of Criminology*, 2008/5, pp. 161-191.; and Pap, A. L.: "Police ethnic profiling in Hungary—Lessons from an international research", *Regio, A review of Studies on Minorities, Politics, Society*, 2007, Vol. 10., pp. 117-140.

petty offence procedure and 76% no further action taken. For comparison, in the UK nationally 10-13 % of stop and searches lead to arrest<sup>7</sup>. On the whole, it appears that the police use of ID checks is ineffective; large numbers of people are being inconvenienced with little result. This data refutes the argument that extensive checks are an efficient tool against criminality, and highlights the sheer amount of police time wasted conducting stops.

It is noteworthy that there was a significant variation in the rate of efficiency depending upon what ground was recorded as the basis for the ID check. Most ID checks, 37%, took place during the course of traffic controls. A relatively high proportion of checks, 19%, were based upon the suspicion of a petty offence, 8% of all checks were pursuant to intensive controls, and only 2% of checks were related to the suspicion of a criminal act. ID checks recorded under the “other” category make up a third of all stops; this proportion rises to 50% when traffic control stops were removed from the data. The examination of the efficiency rate of the ID checks relative to their different grounds showed that the most frequently quoted grounds were the least efficient.

Arrests and significant percentages of short-term arrests only followed those ID checks that were related to the suspicion of a crime, petty offence or finding a wanted person. Out of these latter cases, however, only those checks that were initiated due to the suspicion of a petty offence made up a substantial portion of all the checks. Overall, traffic control constituted the largest reason for the ID checks, though in 84% of these cases no further action was taken.

## *2. The ethnic disproportionality of the stops*

Based on the data collected, it appears that the majority of ID checks take place on public premises (streets, parks and roads account for 78%), while relatively few checks are performed in pubs, discos or similar places (6%). The temporal distribution of the checks is relatively even, with 21% occurring in the morning (from 6 am till noon), 29% in the afternoon (from noon to 6 pm), 30% in the evening (from 6 pm to 10 pm), and the remaining 20% at night.

Police officers stop and check more men than women (75% and 25% respectively), and in line with international trends, young people are more likely to be checked. Individuals belonging to the age group 14-29 represent 43% of all checks, whereas their ratio within the population is 22%<sup>8</sup>. Based on the overall data collected, police in Hungary are most likely to check young men between the ages 14-29.

The data also show that Roma are disproportionately targeted for ID checks. Within the framework of the project, 22% of all persons checked by the police were of Roma origin (according to the assessment of the officer performing the check), as opposed to 75% being identified as “white.” The remaining 3% were identified as “black”, “Asian”, “Arab” or other. According to reliable sociological research, the estimated proportion of Roma people within the total Hungarian population (of 10,045,000) is approximately 6.2% (i.e. their actual number is around 620,000)<sup>9</sup>. Thus, Roma are more than three times more likely to be stopped than their percentage of the general population would indicate.

The results show that Roma youth are especially likely to be targeted for ID checks. The proportion of Roma youth between the ages of 14 and 16 who were stopped and checked during the project period was significantly higher than the already high general representation of Roma within the sample (32% as opposed to 22%).

The data in the research show that ID checks of Roma are no more likely to yield results than measures enforced in relation to non-Roma. It is often argued that disproportionate targeting of ethnic minority groups is justified by differential rates of criminal involvement. The hit rate of police checks, however, shows no significant differences by ethnic group. On a national level, 78% of ID checks involving Roma were “unsuccessful” in the sense that no further measure was required after the check. For non-Roma this ratio was 79%. The percentage of checks followed by a petty offence proceeding for Roma and non-Roma was 19% and 18%, respectively. Rates of arrests and short-term arrests are practically the same

7. See: Jones, A. and Singer, L.; *Statistics on Race and the Criminal Justice System - 2006/07*, London, Ministry of Justice, 2008.

8. Based on the figures of the 2001 census, see [www.nepszamlalas.hu/hun/kotetek/18/tables/load1\\_12.html](http://www.nepszamlalas.hu/hun/kotetek/18/tables/load1_12.html)

9. Háblicsek, L., Gyenei, M. and Kemény, I.: “Kísérleti számítások a roma lakosság területi jellemzőinek alakulására és 2021-ig történő előrebecslésére”, p. 63. See: <http://www.nepinfo.hu/index.php?p=605&m=1003> (hereafter: Háblicsek).

within the Roma and the non-Roma sample. In the country's capital, Budapest, 80% of the checks of Roma did not require any further police action, whereas the same proportion for non-Roma was 59%. If we compare this result with the fact that 33% of all the persons checked are of Roma origin (which is a serious over-representation relative to their proportion of 5-10% in Budapest), we can see that the problem is more acute in Budapest than in the other pilot sites.

### RESEARCH CONCLUSIONS

In Hungary, the annual number of ID checks (per 1,000 people) is high when compared with other nations in Europe. The police practice behind this result is based on the conviction that randomly initiated ID checks constitute an efficient crime prevention and detection strategy. However, in the sample, only approximately 20% of the ID checks were followed up by any measure, and of these measures, 18% merely involved the initiation of a petty offence proceeding (i.e. proceedings launched due to transgressions of minor significance). Arrests followed only 1% of the checks in our sample.

Another important conclusion of the research is that Roma are disproportionately targeted by ID checks. Even though their proportion of the general population is only between 6-8%, persons perceived to be of Roma origin by the acting officers constituted 22% of those who were ID checked. The research also refuted the ostensibly rational argument that is frequently presented to justify disproportionality; namely that the Roma are over-represented among offenders, therefore the practice of checking them more often is objectively reasonable.

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