2016 Annual Report

Missouri Vehicle Stops - Executive Summary



Missouri Attorney General JOSH HAWLEY

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Message from Attorney General Josh Hawley



n 1780, in the midst of the Revolutionary War, John Adams took up his pen to help draft a new constitution for his home state. He famously wrote in that document's opening lines that the aim of the American Revolution was to establish "a government of laws, not of men." That has been the American ideal ever since. The rule of law is impartial. It is no respecter of persons. It restrains the violent and protects the weak. It is blind to all but conduct and character.

With this ideal in view, the Missouri General Assembly created the Annual Vehicle Stop Report nearly two decades ago. This Report was meant to further our common commitment as Missourians to the rule of law, and our common efforts to achieve it. When a person is stopped or searched or arrested only because of his race, the rule of law suffers. Racial profiling threatens that fairness and impartiality the rule of law demands. And it

badly undermines the vital trust between everyday citizens and the law enforcement officers who risk their lives to protect them.

As it does each year, this year's Report contains statistics and information about certain vehicle stops conducted over the last calendar year. I hope this data will help us toward a constructive conversation about what we must do together to better achieve—and protect—the rule of law in our state.

A final word about the data itself. For years, commentators have noted that the Report only compares the number of individuals from a particular racial or ethnic group involved in traffic stops to the number of persons in that group who live in the jurisdiction and are eligible to drive. A better and more informative approach would compare the frequency of stops involving particular groups to the number of group members who actually do drive in the jurisdiction, which in some cases may differ substantially from the number who live in the jurisdiction and are of driving age.

Consequently, I am issuing new regulations that will direct law enforcement agencies to collect information about whether stopped individuals reside within the agency's jurisdiction. This change, fully supported by both law enforcement and the civil rights community, will enable the public to draw more relevant inferences from the traffic-stop data going forward.

Joshua D. Hawley Attorney General

Background

oncerns by the citizens of Missouri and the Missouri legislature regarding allegations of racial profiling by law enforcement prompted the passage in 2000 of § 590.650, RSMo. That statute requires that all peace officers report specific information—including a driver's race—for each vehicle stop made in the State. Law-enforcement agencies must provide the data to the Attorney General by March 1, and the Attorney General is required to compile the data and report to the Governor no later than June 1 of each year. The Governor may withhold state funds for any agency that does not comply with these requirements.

The statewide vehicle-stop data contained in this Report have been analyzed by Dr. Scott H. Decker, professor and director of the School of Criminology and Criminal Justice at Arizona State University; Dr. Richard Rosenfeld, professor in the Department of Criminology and Criminal Justice at the University of Missouri-St. Louis; and Dr. Jeffrey Rojek, assistant professor in the Department of Criminology and Criminal Justice at the University of South Carolina.



2016 Statewide Summary of Results

Key indicators	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Population	4,730,501	3,914,998	515,828	139,109	80,677	19,168	60,721
Stops	1,555,468	1,212,726	279,657	34,472	14,395	1,800	12,418
Searches	95,944	67,546	24,533	2,924	375	105	461
Arrests	72,390	50,730	18,443	2,455	286	78	398
State population %	100.00%	82.76	10.90	2.94	1.71	0.41	1.28
Disparity Index	-	.94	1.65	.75	.54	.28	.62
Search rate	6.17	5.57	8.77	8.48	2.61	5.83	3.71
Contraband hit rate	32.32	33.89	29.02	25.31	25.60	26.67	30.59
Arrest rate	4.65	4.18	6.59	7.12	1.99	4.33	3.21

Notes: Population figures are 2010 Census data based on persons 16 and older who designated a single race. Hispanics may be of any race. "Other" includes persons of mixed race or unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation; values less than 1 indicate underrepresentation.

Search rate = (searches / stops) \times 100.

Contraband hit rate = (searches with contraband found / total searches) \times 100.

Arrest rate = $(arrest / stops) \times 100$.

Statewide Findings

his report summarizes the data from 601 law enforcement agencies in Missouri for calendar year 2016. An additional 60 agencies indicated they made no traffic stops during the year. This represents 96.9% of the 682 law enforcement agencies in the State. The agencies filing reports recorded a total of 1,555,468 traffic stops, resulting in 95,944 searches and 72,390 arrests. Table 1 breaks out the stops, searches, and arrests by race and ethnic group. Table 1 includes four summary indicators that may be useful in initiating further assessments of racial profiling in traffic stops.

1. Disparity Index

The "disparity index" compares the percentage of traffic stops involving members of a certain group to the percentage of driving-age individuals who are members of that group, as measured by the 2010 Census. A disparityindex value of 1 indicates that a group's proportion of traffic stops equals its population proportion. For example, if a group accounts for 80% of the drivingage population, and 80% of traffic stops involve members of that group, then the disparity index for that group would be 1. A disparity-index value of 1 indicates that members of a group are stopped at precisely the rate one would expect if all members of the driving-age public were equally likely to be involved in a traffic stop.

A disparity-index value above 1 indicates that a group accounts for a higher proportion of traffic stops than its percentage of the population alone would predict. And a disparity-index value below 1 indicates that a group accounts for a lower proportion of traffic stops than its percentage of the population alone would predict. For example, the 1,212,726 Whites who were stopped accounted for 78.0% of all traffic stops in 2016. Whites comprise an estimated 82.8% of Missouri's driving age population. The disparity-index value for Whites is, therefore, .94 (i.e., .780/.828). Whites were stopped, in other words, at slightly below the rate expected based on their fraction of the driving-age population from the 2010 Census.

The same is not the case for several of the other groups. African-Americans represent 10.9% of the driving-age population but 18.0% of all traffic stops, for a disparityindex value of 1.65. African-Americans were stopped at a rate 65% greater than expected based solely on their proportion of the driving-age population. Hispanics, Asians, American Indians, and persons of mixed or unknown race were stopped at rates well below their proportion of the driving-age population. The values on the disparity index for the different groups can be compared directly to one another. For example, the rate at which African-American motorists were stopped is 1.75 times that of the rate at which White motorists were stopped (i.e., 1.65/.94). In other words, accounting for their respective proportions of Missouri's driving-age population, African-Americans were stopped at a rate 75% higher than Whites.

¹ Hispanics may be of any race. About 1 percent of the population designated two or more races. These persons are included in the "Other" category along with persons of unknown race.

Importantly, the disparity index relies on a group's proportion of the State's driving-age population, as determined by the 2010 Census, not the proportion of the actual drivers who are on the State's roads. A group's share of the residential population age 16 and over may or may not equal its proportion of drivers. In many instances, particularly at the statewide level, the two proportions should be close. But that is not always the case. The extremely low disparityindex value for American Indians, for example, could indicate that they are under-represented among the State's motorists. In addition, some jurisdictions contain attractions—such as malls, universities, and airports—that may draw visitors from outside that jurisdiction. The demographics of these out-ofjurisdiction visitors may differ from the Census demographics of the jurisdiction. The disparity index does not account for these and other deficiencies in the data. Where these deficiencies are especially pronounced, especially at the level of individual jurisdictions, the disparity index may not accurately portray the relevant rates at which drivers of different races are stopped.

2. Search Rate

The "search rate" reflects the percentage of stopped drivers whose person or vehicles were searched as part of the stop. Searches include searches of drivers or property in the vehicle. The reasons for conducting a search and the outcome of the search (i.e., discovery of contraband) should be considered when making comparisons across groups. Some searches are conducted with the

consent of the driver, while others occur because the officer observed suspected contraband in plain view or had reasonable suspicion that an individual may possess a weapon (a "Terry search"). These searches may or may not result in an arrest. Other searches are conducted incident to arrest—that is, there is no other reason given for the search other than arrest. Searches are almost always performed when there is an outstanding arrest warrant, whether or not contraband may be present.

The search rate for all motorists who were stopped in 2016 was 6.17%. Asians were searched at a rate well below the statewide average; African-Americans and Hispanics were searched at rates above the average for all motorists who were stopped. The search rate for the different groups also can be compared directly with one another. African-Americans were 1.57 times more likely to be searched than whites (8.77/5.57). Hispanics were 1.52 times more likely than whites to be searched (8.48/5.57).

3. Contraband Hit Rate

The "contraband hit rate" reflects the percentage of searches in which contraband is found. Contraband was found in 32.3% of all searches that were conducted in 2016. There is some variation, however, in the contraband hit rate across race and ethnic groups. The contraband hit rate for whites was 33.9%, compared with 29.0% for Blacks and 25.3% for Hispanics. This means that on average searches of African-Americans and Hispanics are less likely than searches of Whites to result in the

² Caution should be used when comparing 2000 to subsequent years, especially for smaller agencies, because the 2000 figures are based on only four months of traffic data, while those for subsequent years are based on the full calendar year.

discovery of contraband. This difference may result in part from the higher arrest rates for African-Americans and Hispanics, circumstances that compel a search.

4. Arrest Rate

The "arrest rate" reflects the percentage of stopped drivers who are arrested during the stop. Approximately 4.65% of all traffic stops resulted in an arrest. The arrest rate varies across the race and ethnic groups. Approximately 6.6% of the stops of African-Americans and 7.1% of the stops of Hispanics resulted in arrest, compared with 4.2% of the stops of whites. African-Americans and Hispanics are searched more often than whites, but they are arrested more often as well.

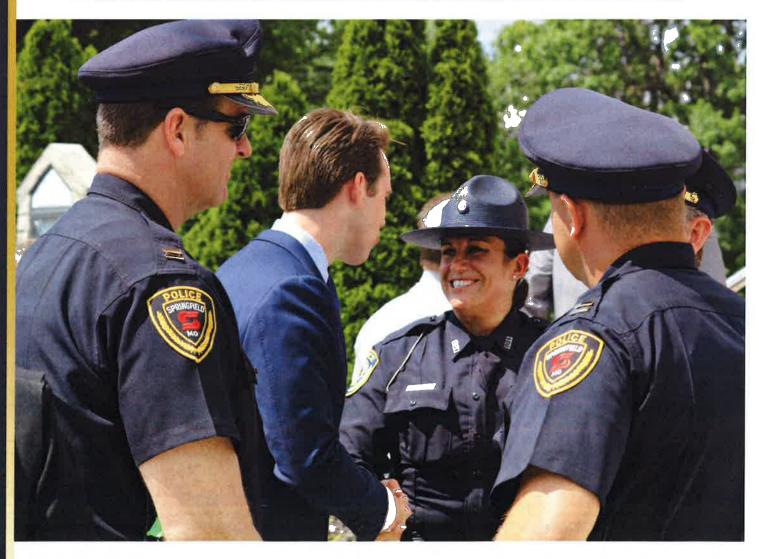
This report includes two Appendices. Appendix A presents the traffic-stop

analysis using the statewide proportions of race and ethnicity, rather than those for each jurisdiction. Appendix B compares each agency's 2016 disparity index to the disparity index for 2000 through 2015.² These comparisons are presented in Appendix B. For each agency, the disparity index for each race-ethnic group is presented for the years 2000-2016. For the State as a whole, the key indicators generally show small changes between 2015 and 2016.

A reasoned determination of the existence of racial profiling in a community requires a comprehensive evaluation of the full range of information compiled in the agency reports. This brief summary of selected indicators for the State as a whole is intended to stimulate those local evaluations and dialogue.



Table 2. Agencies tha	t did not submit report	s by March 1, 2017 as	required by state law
Appleton City Police	Camden Point Police	Cleveland Police	Crystal Lakes
Department	Department	Department	Police Department
Edina	Freeman Police	Gordonville Police	Kinloch
Police Department	Department	Department	Police Department
Lake Lafayette Police	Lilbourn Police	Lockwood Police	Lowry City Police
Department	Department	Department	Department
Marquand Police	Marston Police	Morley Police	Odessa Police
Department	Department	Department	Department
Parma Police	St. Robert Police	Stewartsvile Police	Town of West Sullivar
Department	Department	Department	Police Department
Vanduser Police Department			



Altenburg Police	Armstrong Police	Atlanta Police	Beverly Police
Department	Department	Department	Department
Bland Police	Bunceton Police	Bunker Police	Callao Police
Department	Department	Department	Department
Canalou Police	Charlack Police	Clarksburg Police	Clarkson Valley
Department	Department	Department	Police Department
Cool Valley	Cooter Police	Creighton Police	Dellwood Police
Police Department	Department	Department	Department
Dudley Police	Eminence Police	Emma Police	Eolia Police
Department	Department	Department	Department
Fairfax Police	Fisk Police	Florissant Valley	Gilman City
Department	Department	Police Department	Police Department
Grandin	Hale Police	Harrison County	Hayti Heights
Police Department	Department	Sheriff's Department	Police Department
Holt Police	Hurley Police	Jackson County Drug	Jennings Police
Department	Department	Task Force	Department
Meramec College	Mineral Area	Miramiguoa Police	Missouri Departmen of Revenue
Police Department	College DPS	Department	
Mokane Police	Norborne	Norfolk Southern	Norwood Police
Department	Police Department	Railway Police Dept.	Department
Pasadena Park	Pine Lawn Police	Randolph	Sheldon Police
Police Department	Department	Police Department	Department
St. George	St. Louis City	St. Louis Community	St. Peters Ranger
Police Department	Park Rangers	College at Forest Park	Enforcement Division
Tallapoosa Police	Terminal Railroad	Three Rivers	Walker Police
Department	Association	Community College	Department
Wellston Police	Westwood Police	Wildwood Police	Williamsville Police
Department	Department	Department	Department
Windsor Police Department	Wyatt Police Department		



OFFICE OF ATTORNEY GENERAL JOSH HAWLEY

P.O. Box 899 Jefferson City, MO 65102 573-751-3321 ago.mo.gov

Agency: Columbia Police Dept.

Year	White	Black	Hispanic	Asian	Am. Indian	Other
2000	0.92	2.14	0.52	0.31	0.18	0.96
2001	0.91	2.28	0.60	0.39	0.15	0.53
2002	0.91	2.24	0.57	0.49	0.21	0.64
2003	0.91	2.20	0.56	0.47	0.09	0.74
2004	0.91	2.26	0.61	0.42	0.13	0.54
2005	0.91	2.19	0.82	0.43	0.05	0.47
2006	0.90	2.20	0.96	0.48	0.14	0.35
2007	0.88	2.33	0.91	0.45	0.11	0.40
2008	0.90	2.23	0.68	0.50	0.10	0.31
2009	0.92	2.09	0.57	0.50	0.13	0.38
2010	0.93	2.02	0.48	0.50	0.09	0.37
2011	0.96	1.99	0.39	0.44	0.07	0.29
2012	0.92	2.26	0.46	0.15	0.46	0.30
2013	0.91	2.29	0.44	0.45	0.10	0.40
2014	0.89	2.45	0.43	0.50	0.27	0.51
2015	0.82	2.97	0.52	0.47	0.36	0.65
2016	0.79	3.13	0.56	0.51	0.16	0.87

Agency: Columbia Police Dept.

Population: 90,168

age 16 and over

KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am, Indian	Other
Stops	11819	7416	3691	197	312	5	198
Searches	1346	684	612	30	15	1	4
Arrests	1028	521	464	22	16	1	4
Statewide population %	N/A	82.76	10.90	2.94	1.71	0.41	1.28
Local population %	N/A	79.71	9.96	2.97	5.17	0.27	1.92
Disparity index	N/A	0.79	3.13	0.56	0.51	0.16	0.87
Search rate	11.39	9.22	16.58	15.23	4.81	20.00	2.02
Contraband hit rate	39.75	40.20	39.38	40.00	46.67	0.00	0.00
Arrest rate	8.70	7.03	12.57	11.17	5.13	20.00	2.02

Notes: Population figures are from the 2010 Census for persons 16 years of age and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.

Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

VEHICLE	STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Reason	Moving	4848	3195	1295	92	188	1	77
for stop	Equipment	4171	2685	1264	54	85	1	82
	License	3261	1787	1307	59	61	3	44
	Investigative	350	181	146	10	7	0	6
Stop	Citation	1299	879	344	18	46	0	12
outcome	Warning	10172	6433	3121	165	268	4	181
	No action	30	12	14	1	0	1	2
Location of stop	Interstate hwy	579	408	147	15	7	0	2
	US hwy	376	261	97	7	5	0	6
	State hwy	5290	3419	1530	82	157	3	99
	County road	18	15	3	0	0	0	0
	City street	5556	3313	1914	93	143	2	91
	Other	0	0	0	0	0	0	0
Driver	Male	7042	4253	2262	145	231	1	150
gender	Female	4777	3163	1429	52	81	4	48
Driver	17 and under	298	189	96	6	4	0	3
age	18-29	6155	3751	2003	98	202	1	100
	30-39	2367	1404	803	52	53	3	52
	40 and over	2999	2072	789	41	53	1	43

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable	Consent	535	300	216	13	3	0	3
cause/ authority	Inventory	28	14	14	0	0	0	C
to search	Drug/alcohol odor	284	92	174	11	6	0	1
	Incident to arrest	279	133	139	2	4	1	0
	Plain view contraband	101	56	43	2	0	0	0
	Reasonable suspicion-weapon	72	29	41	0	2	0	0
	Drug-dog alert	122	79	42	1	0	0	0
	Other	39	18	19	1	1	0	0
What	Driver	34	19	13	1	1	0	0
searched	Car/property	139	78	56	4	1	0	0
	Driver & Property	1173	587	543	25	13	1	4
Search duration	0-15 minutes	1190	582	568	24	11	1	4
	16-30 minutes	148	94	44	6	4	0	0
	31+ minutes	8	8	0	0	0	0	0
Contra-	Drugs/alcohol	502	260	224	13	5	0	0
band found	Currency	8	1	7	0	0	0	0
	Weapon	47	19	25	1	2	0	0
	Stolen property	11	6	5	0	0	0	0
	Other	21	16	5	0	0	0	0
Arrest	Outstanding warrant	539	269	258	5	6	1	0
charge	Drug violation	608	367	221	9	11	0	0
	Resist arrest	23	11	12	0	0	0	0
	Off. against person	12	8	4	0	0	0	0
	Traffic Violation	701	311	348	19	18	0	5
	DWI/BAC	148	111	32	3	1	0	1
	Property offense	27	17	9	0	1	0	0
	Other	150	87	59	1	2	0	1

Agency: Columbia Police Dept.

Population: 90,168

age 16 and over

KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Stops	11304	7354	3348	173	277	11	141
Searches	1235	608	593	15	6	2	11
Arrests	874	447	399	17	7	1	3
Statewide population %	N/A	82.76	10.90	2.94	1.71	0.41	1.28
Local population %	N/A	79.71	9.96	2.97	5.17	0.27	1.92
Disparity index	N/A	0.82	2.97	0.52	0.47	0.36	0.65
Search rate	10.93	8.27	17.71	8.67	2.17	18.18	7.80
Contraband hit rate	30.20	34.05	27.15	6.67	16.67	0.00	27.27
Arrest rate	7.73	6.08	11.92	9.83	2.53	9.09	2.13

Notes: Population figures are from the 2010 Census for persons 16 years of age and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.

Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

Arrest rate - (arrests / stops) x 100.								Offiniator.	
VEHICLE	STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other	
Reason	Moving	5184	3637	1226	75	184	8	54	
for stop	Equipment	3747	2374	1190	61	64	2	56	
	License	2630	1524	990	38	44	1	33	
	Investigative	312	160	143	6	2	0	1	
Stop	Citation	1752	1241	399	24	74	4	10	
outcome	Warning	9320	6072	2764	138	210	7	129	
	No action	32	16	13	1	1	0	1	
Location	Interstate hwy	477	337	120	6	10	0	4	
of stop	US hwy	320	211	94	7	5	0	3	
	State hwy	4613	3092	1268	72	123	3	55	
	County road	30	17	12	0	0	1	0	
	City street	5864	3697	1854	88	139	7	79	
	Other	0	0	0	0	0	0	0	
Driver	Male	6693	4262	2021	122	169	4	115	
gender	Female	4611	3092	1327	51	108	7	26	
Driver	17 and under	278	167	102	4	2	0	3	
age	18-29	6085	3967	1787	72	183	5	71	
	30-39	2165	1305	725	57	39	3	36	
	40 and over	2776	1915	734	40	53	3	31	

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable	Consent	446	227	208	7	2	1	1
cause/ authority	Inventory	6	3	2	1	0	0	C
to search	Drug/alcohol odor	206	70	128	2	1	0	5
	Incident to arrest	357	197	149	5	2	1	3
	Plain view contraband	53	35	17	0	0	0	1
	Reasonable suspicion-weapon	68	20	47	0	0	0	1
	Drug-dog alert	61	36	25	0	0	0	0
	Other	38	20	17	0	1	0	0
What	Driver	25	11	13	0	1	0	0
searched	Car/property	135	63	66	3	0	0	3
	Driver & Property	1075	534	514	12	5	2	8
Search duration	0-15 minutes	1099	522	546	13	6	2	10
	16-30 minutes	115	73	40	1	0	0	1
	31+ minutes	21	13	7	1	0	0	0
Contra-	Drugs/alcohol	328	180	143	1	1	0	3
band found	Currency	4	0	4	0	0	0	0
	Weapon	20	12	8	0	0	0	0
	Stolen property	5	4	1	0	0	0	0
	Other	17	11	6	0	0	0	0
Arrest	Outstanding warrant	417	186	226	3	1	0	1
charge	Drug violation	421	262	154	1	1	0	3
	Resist arrest	22	8	14	0	0	0	0
	Off. against person	9	5	4	0	0	0	0
	Traffic Violation	690	306	347	26	7	1	3
	DWI/BAC	185	150	31	3	0	1	0
	Property offense	15	11	4	0	0	0	0
	Other	120	75	44	1	0	0	0

Agency: Columbia Police Dept.

Population: 90,168

age 16 and over

KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Stops	16416	11608	4004	211	420	12	161
Searches	1172	593	541	21	10	2	5
Arrests	1109	586	474	32	10	2	5
Statewide population %	N/A	82.76	10.90	2.94	1.71	0.41	1.28
Local population %	N/A	79.71	9.96	2.97	5.17	0.27	1.92
Disparity index	N/A	0.89	2.45	0.43	0.50	0.27	0.51
Search rate	7.14	5.11	13.51	9.95	2.38	16.67	3.11
Contraband hit rate	29.10	30.69	27.73	19.05	10.00	50.00	60.00
Arrest rate	6.76	5.05	11.84	15.17	2.38	16.67	3.11

Notes: Population figures are from the 2010 Census for persons 16 years of age and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.

Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

VEHICLE	STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Reason	Moving	8699	6483	1769	113	258	7	69
for stop	Equipment	4692	3222	1237	56	116	1	60
	License	3445	2236	1054	44	69	4	38
F :	Investigative	359	179	165	8	2	0	5
Stop	Citation	4444	3349	879	59	120	5	32
outcome	Warning	12134	8513	3031	143	318	5	124
	No action	45	20	19	0	1	0	5
Location of stop	Interstate hwy	454	336	92	8	13	0	5
	US hwy	595	451	109	7	17	2	9
	State hwy	6571	4724	1512	75	189	8	63
	County road	32	21	11	0	0	0	0
	City street	8764	6076	2280	121	201	2	84
	Other	0	0	0	0	0	0	0
Driver	Male	9411	6486	2370	157	267	7	124
gender	Female	7005	5122	1634	54	153	5	37
Driver	17 and under	382	281	92	3	2	0	4
age	18-29	8683	6045	2202	98	256	5	77
	30-39	2977	2000	811	56	68	3	39
	40 and over	4374	3282	899	54	94	4	41

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable	Consent	343	132	200	5	4	1	1
cause/ authority	Inventory	35	19	13	1	0	0	2
to search	Drug/alcohol odor	234	111	123	0	0	0	0
	Incident to arrest	460	287	157	9	5	1	1
	Plain view contraband	57	34	21	0	0	1	1
	Reasonable suspicion-weapon	78	22	52	4	0	0	0
	Drug-dog alert	44	24	19	0	1	0	0
	Other	33	11	18	2	2	0	0
What	Driver	35	14	20	1	0	0	0
searched	Car/property	120	56	60	1	1	0	2
	Driver & Property	1017	523	461	19	9	2	3
Search	0-15 minutes	1082	546	501	19	10	2	4
duration	16-30 minutes	82	41	38	2	0	0	1
	31+ minutes	8	6	2	0	0	0	0
Contra-	Drugs/alcohol	290	149	134	2	1	1	3
band found	Currency	7	5	2	0	0	0	0
	Weapon	22	7	13	2	0	0	0
	Stolen property	7	2	5	0	0	0	0
	Other	121	83	38	0	0	0	0
Arrest	Outstanding warrant	515	241	257	5	4	1,	7
charge	Drug violation	349	193	153	1	0	2	0
	Resist arrest	28	12	15	0	0	0	1
	Off. against person	5	0	4	1	0	0	0
	Traffic Violation	256	186	55	11	3	1	0
	DWI/BAC	261	218	34	6	2	0	1
	Property offense	10	5	5	0	0	0	0
	Other	846	391	400	38	12	1	4

Agency: Columbia Police Dept.

Population: 90,168

age 16 and over

					-3-		
KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Stops	18414	13401	4199	242	426	5	141
Searches	998	431	531	24	11	0	1
Arrests	894	417	441	26	8	0	2
Statewide population %	N/A	82.76	10.90	2.94	1.71	0.41	1.28
Local population %	N/A	79.71	9.96	2.97	5.17	0.27	1.92
Disparity index	N/A	0.91	2.29	0.44	0.45	0.10	0.40
Search rate	5.42	3.22	12.65	9.92	2.58	0.00	0.71
Contraband hit rate	22.24	22.74	22.03	25.00	9.09	#Error	0.00
Arrest rate	4.86	3.11	10.50	10.74	1.88	0.00	1.42

Notes: Population figures are from the 2010 Census for persons 16 years of age and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.

Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

VEHICLE	STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Reason	Moving	9790	7528	1832	123	250	- 4	53
for stop	Equipment	5273	3668	1330	80	120	1	74
	License	3877	2654	1075	46	78	0	24
	Investigative	328	146	167	9	3	0	3
Stop	Citation	5390	4214	945	78	128	3	22
outcome	Warning	13291	9561	3146	152	311	2	119
	No action	37	17	17	2	0	0	1
Location of stop	Interstate hwy	724	571	126	15	7	0	5
	US hwy	925	748	161	7	6	0	3
	State hwy	7022	5071	1626	84	164	2	75
	County road	22	15	6	0	1	0	0
	City street	9721	6996	2280	136	248	3	58
	Other	0	0	0	0	0	0	0
Driver	Male	10282	7372	2382	167	247	3	111
gender	Female	8132	6029	1817	75	179	2	30
Driver	17 and under	472	358	98	8	6	0	2
age	18-29	8880	6296	2169	111	229	1	74
	30-39	3577	2502	883	75	93	0	24
	40 and over	5485	4245	1049	48	98	4	41

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable	Consent	421	178	232	9	2	0	0
cause/ authority	Inventory	13	1	11	1	0	0	0
to search	Drug/alcohol odor	154	59	89	4	2	0	0
	Incident to arrest	361	183	163	8	6	0	1
	Plain view contraband	31	16	14	1	0	0	0
	Reasonable suspicion-weapon	48	8	39	1	0	0	0
	Drug-dog alert	37	7	28	1	1	0	0
	Other	31	9	19	2	1	0	0
What	Driver	42	27	15	0	0	0	0
searched	Car/property	112	44	64	4	0	0	0
	Driver & Property	844	360	452	20	11	0	1
Search	0-15 minutes	938	406	501	20	10	0	1
duration	16-30 minutes	51	24	25	1	1	0	0
	31+ minutes	9	1	5	3	0	0	0
Contra-	Drugs/alcohol	201	86	109	5	1	0	0
band found	Currency	2	0	2	0	0	0	0
	Weapon	15	4	11	0	0	0	0
	Stolen property	2	2	0	0	0	0	0
	Other	18	13	4	1	0	0	0
Arrest	Outstanding warrant	440	180	257	3	0	0	0
charge	Drug violation	226	110	111	3	2	0	0
	Resist arrest	21	6	14	0	1	0	0
	Off. against person	2	0	2	0	0	0	0
	Traffic Violation	133	82	43	6	2	0	0
	DWI/BAC	142	108	27	3	3	0	1
	Property offense	7	3	4	0	0	0	0
	Other	761	341	374	34	9	0	3

Agency: Columbia Police Dept.

Population: 90,168

age 16 and over

				250				
KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am. In dian	Other	
Stops	19154	13994	4318	262	460	8	112	
Searches	1114	542	519	33	12	1	7	
Arrests	874	450	387	23	7	2	5	
Statewide population %	N/A	82.76	10.90	2.94	1.71	0.41	1.28	
Local population %	N/A	79.71	9.96	2.97	5.17	0.27	1.92	
Disparity index	N/A	0.92	2.26	0.46	0.46	0.15	0.30	
Search rate	5.82	3.87	12.02	12.60	2.61	12.50	6.25	
Contraband hit rate	25.04	25.65	24.28	27.27	16.67	0.00	42.86	
Arrest rate	4.56	3.22	8.96	8.78	1.52	25.00	4.46	
					1			

Notes: Population figures are from the 2010 Census for persons 16 years of age and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.

Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

VEHICLE	STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Reason	Moving	10351	7827	2048	140	281	4	51
for stop	Equipment	5318	3781	1301	79	116	2	39
	License	4160	2931	1057	54	87	3	28
	Investigative	393	213	163	12	0	0	5
Stop	Citation	5723	4293	1175	82	144	2	27
outcome	Warning	14065	10294	3181	169	338	5	78
	No action	55	25	21	3	0	0	6
Location	Interstate hwy	522	393	111	7	10	0	1
of stop	US hwy	779	593	161	9	11	0	5
	State hwy	7105	5272	1522	93	177	2	39
	County road	39	27	11	1	0	0	0
	City street	10709	7709	2513	152	262	6	67
	Other	0	0	0	0	0	0	0
Driver	Male	10707	7667	2498	181	271	2	88
gender	Female	8447	6327	1820	81	189	6	24
Driver	17 and under	493	369	110	5	3	0	6
age	18-29	9536	6875	2235	113	255	3	55
	30-39	3609	2507	905	80	86	3	28
	40 and over	5516	4243	1068	64	116	2	23

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable	Consent	424	180	221	14	6	0	3
cause/ authority	Inventory	33	23	8	1	0	1	0
to search	Drug/alcohol odor	148	74	68	3	1	0	2
	Incident to arrest	430	244	168	13	4	0	1
	Plain view contraband	69	27	37	3	1	0	1
	Reasonable suspicion-weapon	52	21	29	2	0	0	0
	Drug-dog alert	40	16	23	0	1	0	0
	Other	42	18	22	2	0	0	0
What	Driver	44	24	18	1	1	0	0
searched	Car/property	99	44	51	2	0	0	2
	Driver & Property	971	474	450	30	11	. 1	5
Search	0-15 minutes	1046	506	491	29	12	1	7
duration	16-30 minutes	62	33	26	3	0	0	0
	31+ minutes	6	3	2	1	0	0	0
Contra-	Drugs/alcohol	240	112	116	8	2	0	2
band found	Currency	0	0	0	0	0	0	0
	Weapon	25	11	13	1	0	0	0
	Stolen property	4	1	3	0	0	0	0
	Other	26	19	5	. 1	0	0	1
Arrest	Outstanding warrant	455	186	257	6	3	1	2
charge	Drug violation	247	140	99	4	4	0	0
	Resist arrest	16	6	10	0	0	0	0
	Off. against person	7	3	4	0	0	0	0
	Traffic Violation	183	123	53	3	3	0	1
	DWI/BAC	191	154	27	5	4	0	1
	Property offense	11	2	9	0	0	0	0
	Other	728	351	331	31	6	3	6

Agency: Columbia Police Dept.

Population: 90,168

age 16 and over

KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Stops	17019	12966	3368	199	387	3	96
Searches	1200	650	503	35	10	0	2
Arrests	891	513	343	22	12	0	1
Statewide population %	N/A	82.76	10.90	2.94	1.71	0.41	1.28
Local population %	N/A	79.71	9.96	2.97	5.17	0.27	1.92
Disparity index	N/A	0.96	1.99	0.39	0.44	0.07	0.29
Search rate	7.05	5.01	14.93	17.59	2.58	0.00	2.08
Contraband hit rate	27.08	27.08	27.63	22.86	20.00	#Error	0.00
Arrest rate	5.24	3.96	10.18	11.06	3.10	0.00	1.04

Notes: Population figures are from the 2010 Census for persons 16 years of age and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.

Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

VEHICLE	E STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Reason	Moving	9993	7920	1661	106	256	1	49
for stop	Equipment	4309	3038	1079	77	93	0	22
	License	3259	2454	699	25	52	2	27
	Investigative	371	191	165	9	5	0	1
Stop	Citation	6588	5314	1032	64	138	2	38
outcome	Warning	11217	8468	2296	123	271	1	58
	No action	65	29	35	0	0	0	1
Location	Interstate hwy	715	573	122	12	7	0	1
of stop	US hwy	1022	859	138	11	9	0	5
	State hwy	6732	5127	1346	83	144	1	31
	County road	35	28	6	0	0	0	1
	City street	8515	6379	1756	93	227	2	58
	Other	0	0	0	0	0	0	0
Driver	Male	9687	7202	2052	154	221	2	56
gender	Female	7332	5764	1316	45	166	1	40
Driver	17 and under	485	376	99	4	3	0	3
age	18-29	8372	6274	1771	91	193	1	42
	30-39	3233	2381	683	58	80	1	30
	40 and over	4929	3935	815	46	111	1	21

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable	Consent	479	257	203	17	0	0	2
cause/ authority	Inventory	46	28	16	1	1	0	0
to search	Drug/alcohol odor	154	77	74	2	1	0	0
	Incident to arrest	480	276	184	13	7	0	0
	Plain view contraband	61	33	27	1	0	0	0
	Reasonable suspicion-weapon	60	24	36	0	0	0	0
	Drug-dog alert	64	27	33	3	1	0	0
	Other	32	16	16	0	0	0 ;	0
What	Driver	41	28	10	3	0	0	0
searched	Car/property	88	64	22	2	0	0	0
	Driver & Property	1071	558	471	30	10	0	2
Search	0-15 minutes	1108	611	454	33	8	0	2
duration	16-30 minutes	80	31	45	2	2	0	0
	31+ minutes	12	8	4	0	0	0	0
Contra-	Drugs/alcohol	284	150	124	8	2	0	0
band found	Currency	3	2	1	0	0	0	0
	Weapon	25	10	15	0	0	0	0
	Stolen property	4	2	2	0	0	0	0
	Other	24	18	6	0	0	0	0
Arтest	Outstanding warrant	441	227	206	2	6	0	0
charge	Drug violation	326	189	127	9	1	0	0
	Resist arrest	9	4	5	0	0	0	0
	Off. against person	2	2	0	0	0	0	0
	Traffic Violation	207	147	53	4	3	0	0
	DWI/BAC	219	174	37	5	3	0	0
	Property offense	11	1	10	0	0	0	0
	Other	664	341	288	27	7	0	1

Agency: Columbia Police Dept.

Population: 83,039

age 16 and over

					3		
KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Stops	23954	18098	4907	278	524	9	138
Searches	1652	872	720	49	9	2	0
Arrests	1482	777	646	48	10	1	0
Statewide population %	N/A	83.36	10.73	2.58	1.54	0.51	1.27
Local population %	N/A	81.05	10.16	2.44	4.36	0.44	1.56
Disparity index	N/A	0.93	2.02	0.48	0.50	0.09	0.37
Search rate	6.90	4.82	14.67	17.63	1.72	22.22	0.00
Contraband hit rate	20.58	22.02	19.72	10.20	11.11	0.00	#Error
Arrest rate	6.19	4.29	13.16	17.27	1.91	11.11	0.00

Notes: Population figures are 2010 Census estimates for persons 16 years of age and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.

Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

Allestic	ite - (arrests / Stops) A 100.				#EITOI IIIdicales zero derro						#Elfor indicates zero derformitator.				
VEHICL	E STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other								
Reas on	Moving	14483	11453	2442	159	343	5	81								
for stop	Equipment	6166	4322	1595	84	127	1	37								
	License	4095	2903	1039	49	76	3	25								
	Investigative	330	160	161	6	2	0	1								
Stop	Citation	9537	7589	1587	93	205	2	61								
outcome	Warning	15257	11362	3295	172	339	7	82								
	No action	42	24	17	0	1	0	0								
Location of stop	Interstate hwy	773	624	120	17	6	1	5								
	US hwy	624	533	77	5	4 :	0	5								
	State hwy	7271	5583	1405	84	161	2	36								
	County road	51	35	15	0	1	0	0								
	City street	15235	11323	3290	172	352	6	92								
	Other	0	0	0	0	0	0	0								
Driver	Male	13529	10004	2909	212	301	5	98								
gender	Female	10425	8094	1998	66	223	4	40								
Driver	17 and under	628	460	145	10	8	0	5								
age	18-29	11936	8979	2487	146	261	6	57								
	30-39	4409	3220	970	78	109	3	29								
	40 and over	6981	5439	1305	44	146	0	47								

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable	Consent	721	385	313	19	3	1	0
cause/ authority	Inventory	84	39	44	1	0	0	0
to search	Drug/alcohol odor	151	85	62	4	0	0	0
	Incident to arrest	679	349	300	25	4	1	0
	Plain view contraband	83	41	42	0	0	0	0
	Reasonable suspicion-weapon	71	26	45	0	0	0	0
	Drug-dog alert	70	31	35	3	1	0	0
	Other	41	20	19	1	1	0	0
What	Driver	75	43	27	4	1	0	0
searched	Car/property	162	103	52	2	3	2	0
	Driver & Property	1415	726	641	43	5	0	0
Search	0-15 minutes	1565	839	671	45	8	2	0
duration	16-30 minutes	70	24	44	1	1	0	0
	31+ minutes	17	9	5	3	0	0	0
Contra-	Drugs/alcohol	287	155	126	5	1	0	0
band found	Currency	3	2	. 0	1	0	0	0
	Weapon	26	17	7	1	1	0	0
	Stolen property	5	2	2	0	1	0	0
	Other	43	31	12	0	0	0	0
Arrest	Outstanding warrant	556	245	304	5	2	0	0
charge	Drug violation	300	187	110	3	0	0	0
	Resist arrest	19	8	11	0	0	0	0
	Off. against person	3	1	2	0	0	0	0
	Traffic Violation	324	239	82	1	2	0	0
	DWI/BAC	304	252	47	3	1	1	0
	Property offense	23	14	9	0	0	0	0
	Other	1127	526	546	48	6	1	0

Agency: Columbia Police Dept.

Population: 81,566

age 16 and over

KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am. In dian	Other
Stops	22648	16938	4766	306	496	13	129
Searches	1381	645	673	55	3	2	3
Arrests	217	97	117	3	0	0	0
Statewide population %	N/A	83.54	10.71	2.50	1.51	0.51	1.23
Local population %	N/A	81.26	10.05	2.37	4.37	0.44	1.50
Disparity index	N/A	0.92	2.09	0.57	0.50	0.13	0.38
Search rate	6.10	3.81	14.12	17.97	0.60	15.38	2.33
Contraband hit rate	19.55	22.79	17.68	7.27	0.00	0.00	0.00
Arrest rate	0.96	0.57	2.45	0.98	0.00	0.00	0.00

Notes: Population figures are 2009 Census estimates for persons 16 years of age and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.

Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

MITESTIC	ite = (arrests / stops	5) 🔨 100.				#Ellor Indi	minator.	
VEHICLE	STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Reason	Moving	12959	10341	2084	150	295	6	83
for stop	Equipment	6939	4795	1823	116	168	6	31
	License	3500	2348	1012	59	58	2	21
	Investigative	319	145	165	7	2	0	0
Stop	Citation	8054	6349	1344	117	183	2	59
outcome	Warning	15027	11147	3292	180	323	10	75
	No action	39	0	37	1	1	0	0
Location	Interstate hwy	681	546	116	7	9	0	3
of stop	US hwy	610	513	76	10	10	0	1
	State hwy	4076	3205	681	48	111	2	29
	County road	0	0	0	0	0	0	0
	City street	17281	12674	3893	241	366	11	96
	Other	0	0	0	0	0	0	0
Driver	Male	12921	9341	2946	248	294	6	86
gender	Female	9727	7597	1820	58	202	7	43
Driver	17 and under	639	493	126	14	3	1	2
age	18-29	11579	8611	2467	169	255	7	70
	30-39	4022	2867	934	73	114	3	31
	40 and over	6408	4967	1239	50	124	2	26

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable	Consent	466	224	220	17	2	1	2
cause/ authority	Inventory	80	37	41	2	0	0	0
to search	Drug/alcohol odor	114	61	49	4	0	0	C
	Incident to arrest	1008	324	368	312	2	1	1
	Plain view contraband	41	20	19	1	0	1	0
	Reasonable suspicion-weapon	61	21	39	1	0	0	0
	Drug-dog alert	58	33	24	1	0	0	0
	Other	33	22	10	1	0	0	0
What	Driver	85	47	31	5	1	1	0
searched	Car/property	254	109	132	12	0	0	1
	Driver & Property	1042	489	510	38	2	1	2
Search	0-15 minutes	1288	604	629	48	3	2	2
duration	16-30 minutes	80	36	37	6	0	0	1
	31+ minutes	13	5	7	1	0	0	0
Contra-	Drugs/alcohol	229	122	105	2	0	0	0
band found	Currency	7	5	2	0	0	0	0
	Weapon	20	11	9	О	0	0	0
	Stolen property	1	0	1	0	0	0	0
	Other	30	18	10	2	0	0	0
Arrest	Outstanding warrant	21	13	7	1	0	0	0
charge	Drug violation	145	68	75	2	0	0	0
	Resist arrest	0	0	0	0	0	0	0
	Off. against person	1	0	1	0	0	0	0
	Traffic Violation	0	0	0	0	0	0	0
	DWI/BAC	15	2	13	0	0	0	0
	Property offense	1	1	0	0	0	0	0
	Other	34	13	21	0	0	0	0

Agency: Columbia Police Dept.

Population: 78,366

age 16 and over

KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Stops	16926	12268	3913	257	403	7	78
Searches	1504	704	747	33	15	1	4
Arrests	274	116	156	1	1	0	0
Statewide population %	N/A	83.76	10.76	2.27	1.55	0.49	1.17
Local population %	N/A	80.79	10.36	2.24	4.72	0.40	1.49
Disparity index	N/A	0.90	2.23	0.68	0.50	0.10	0.31
Search rate	8.89	5.74	19.09	12.84	3.72	14.29	5.13
Contraband hit rate	20.61	19.89	22.22	9.09	6.67	0.00	0.00
Arrest rate	1.62	0.95	3.99	0.39	0.25	0.00	0.00

Notes: Population figures are 2008 Census estimates for persons 16 years of age and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.

Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

Allestian	= (arresis / stops) X 100.				WELLOW WIGHT	ALCO ZOTO GOTTO	THE ICEOU
VEHICLE	STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Reason for	Moving	9022	7071	1505	128	272	3	43
stop	Equipment	5328	3708	1404	89	102	3	22
	License	3216	2017	1087	44	48	1	19
	Investigative	306	127	165	6	3	0	5
Stop	Citation	5219	3951	1034	94	119	3	18
outcome	Waming	12132	8751	2867	167	285	4	58
	No action	58	31	21	1	1	0	4
Location of stop	Interstate hwy	614	499	87	13	10	1	4
	US hwy	460	371	70	10	9	0	0
	State hwy	3023	2344	527	41	88	1	22
	County road	0	0	0	0	0	0	0
	City street	12829	9054	3229	193	296	5	52
	Other	0	0	0	0	0	0	0
Driver	Male	9857	6932	2426	199	239	2	59
gender	Female	7069	5336	1487	58	164	5	19
Driver age	17 and under	508	390	103	6	3	0	6
	18-29	8887	6455	2050	144	198	1	39
	30-39	3033	2099	759	59	93	5	18
	40 and over	4498	3324	1001	48	109	1	15

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable	Consent	302	162	129	7	4	0	0
cause/ authority	Inventory	12	7	5	0	0	0	0
to search	Drug/alcohol odor	91	47	43	0	1	0	0
	Incident to arrest	1068	482	546	25	10	1	4
	Plain view contraband	35	21	14	. 0	0	0	. 0
	Reasonable suspicion-weapon	60	17	43	0	0	0	0
	Drug-dog alert	18	4	13	1	0	0	0
	Other	32	8	24	0	0	0	0
What	Driver	102	49	49	4	0	0	0
searched	Car/property	76	36	38	0	1	1	0
	Driver & Property	1326	619	660	29	14	0	4
Search	0-15 minutes	1424	676	697	31	15	1	4
duration	16-30 minutes	72	27	44	1	0	0	0
= 14	31+ minutes	8	1	6	1	0	0	0
Contra-	Drugs/alcohol	265	114	147	3	1	0	0
band found	Currency	2	0	2	0	0	0	_ 0
	Weapon	18	7	11	0	0	0	0
	Stolen property	7	5	2	0	0	0	0
	Other	32	23	9	0	0	0	0
Arrest charge	Outstanding warrant	23	5	18	0	0	0	0
	Drug violation	170	67	101	1	1	0	0
	Resist arrest	0	0	0	0	0	0	0
	Offense against person	0	0	0	0	0	0	0
	Traffic Violation	0	0	0	0	0	0	0
	DWI/BAC	18	16	2	0	0	0	0
	Property offense	4	3	1	0	0	0	0
	Other	59	25	34	0	0	0	0

Agency: Columbia Police Dept.

Population: 77,083

age 16 and over

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KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Stops	15734	11273	3724	311	329	7	90
Searches	1438	643	738	41	13	1	2
Arrests	264	123	139	2	0	0	0
Statewide population %	N/A	83.95	10.72	2.22	1.50	0.49	1.12
Local population %	N/A	81.19	10.16	2.17	4.65	0.41	1.43
Disparity index	N/A	0.88	2.33	0.91	0.45	0.11	0.40
Search rate	9.14	5.70	19.82	13.18	3.95	14.29	2.22
Contraband hit rate	23.02	23.48	23.98	7.32	0.00	0.00	0.00
Arrest rate	1.68	1.09	3.73	0.64	0.00	0.00	0.00

Notes: Population figures are 2007 Census estimates for persons 16 years of age and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.

Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

VEHICLE :	STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Reason for	Moving	8860	6942	1515	147	204	4	48
stop	Equipment	4036	2721	1096	117	75	2	25
	License	3666	2258	1231	97	59	1	20
	Investigative	269	105	150	10	4	0	0
Stop	Citation	5438	4087	1089	119	116	2	25
outcome	Warning	10789	7754	2534	196	228	5	72
	No action	2	0	0	2	0	0	0
Location	Interstate hwy	515	401	89	18	5	1	1
of stop	US hwy	561	446	92	14	8	0	1
	State hwy	3515	2701	630	61	92	4	27
	County road	0	0	0	0	0	0	0
	City street	11143	7725	2913	218	224	2	61
	Other	0	0	0	0	0	0	0
Driver	Male	9349	6461	2337	272	208	3	68
gender	Female	6385	4812	1387	39	121	4	22
Driver age	17 and under	557	394	143	11	7	0	2
	18-29	8308	5921	2010	177	147	3	50
	30-39	2775	1885	702	77	89	1	21
	40 and over	4094	3073	869	46	86	3	17

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable	Consent	261	130	120	6	3	1	1
cause/ authority	Inventory	12	6	5	1	0	0	0
to search	Drug/alcohol odor	136	50	82	1	2	0	1
	Incident to arrest	1034	448	550	29	7	0	0
	Plain view contraband	34	20	14	0	0	0	0
	Reasonable suspicion-weapon	44	19	24	1	0	0	0
	Drug-dog alert	3	1	2	0	0	0	0
	Other	34	8	21	3	1	1	0
What	Driver	88	42	43	2	1	0	0
searched	Car/property	58	29	26	2	1	0	0
	Driver & Property	1292	572	669	37	11	1	2
Search	0-15 minutes	1335	602	677	41	13	1	1
duration	16-30 minutes	98	39	58	0	0	0	1
	31+ minutes	5	2	3	0	0	0	0
Contra-	Drugs/alcohol	278	117	159	2	0	0	0
band found	Currency	6	2	4	0	0	0	0
	Weapon	20	8	11	1	0	0	0
	Stolen property	5	2	3	0	0	0	0
	Other	37	25	11	1	0	0	0
Arrest charge	Outstanding warrant	25	11	14	0	0	0	0
	Drug violation	201	89	110	2	0	0	0
	Resist arrest	0	0	0	0	0	0	0
	Offense against person	1	1	0	0	0	0	0
	Traffic Violation	0	0	0	0	0	0	0
	DWI/BAC	15	11	4	0	0	0	0
	Property offense	5	2	3	0	0	0	0
	Other	66	33	32	1	0	0	0

Agency: Columbia Police Dept.

Population: 75,174

age 16 and over

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KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Stops	14603	10783	3162	264	307	8	79
Searches	1499	779	671	38	8	1	2
Arrests	246	120	124	1	1	0	0
Statewide population %	N/A	84.22	10.73	2.13	1.39	0.44	1.09
Local population %	N/A	81.93	9.85	1.89	4.40	0.40	1.53
Disparity index	N/A	0.90	2.20	0.96	0.48	0.14	0.35
Search rate	10.27	7.22	21.22	14.39	2.61	12.50	2.53
Contraband hit rate	21.88	21.69	23.40	2.63	12.50	0.00	0.00
Arrest rate	1.68	1.11	3.92	0.38	0.33	0.00	0.00

Notes: Population figures are 2006 Census estimates for persons 16 years of age and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.

Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

VEHICLE :	STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Reason for stop	Moving	7640	6177	1106	125	178	6	48
	Equipment	4054	2911	976	69	77	2	19
	License	3563	2312	1080	86	71	0	14
	Investigative	398	122	268	6	1	0	1
Stop	Citation	5059	3825	988	114	106	2	24
outcome	Warning	9922	7418	2067	148	223	5	61
	No action	0	0	0	0	0	0	0
Location of stop	Interstate hwy	457	366	71	12	5	0	3
	US hwy	245	200	41	2	2	0	0
	State hwy	2770	2159	483	40	70	2	16
	County road	0	0	0	_0	0	0	0
	City street	11131	8058	2567	210	230	6	60
	Other	0	0	0	0	0	0	0
Driver gender	Male	8693	6199	2014	219	195	4	62
	Female	5910	4584	1148	45	112	4	17
Driver age	17 and under	667	495	156	8	4	0	4
	18-29	8035	5955	1731	155	154	1	39
	30-39	2513	1742	596	71	79	7	18
	40 and over	3388	2591	679	30	70	0	18

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable cause/ authority to search	Consent	307	177	123	5	0	0	2
	Inventory	49	33	11	4	1	0	0
	Drug/alcohol odor	117	55	61	0	1	0	0
	Incident to arrest	1021	528	456	29	7	1	0
	Plain view contraband	45	17	27	1	0	0	0
	Reasonable suspicion-weapon	51	20	31	0	0	0	0
	Drug-dog alert	5	3	2	0	0	0	0
	Other	29	8	20	1	0	0	0
What	Driver	73	36	36	1	0	0	0
searched	Car/property	53	20	33	0	0	0	0
	Driver & Property	1373	723	602	37	8	1	2
Search	0-15 minutes	1433	752	633	37	8	1	2
duration	16-30 minutes	61	24	36	1	0	0	0
	31+ minutes	5	3	2	0	0	0	0
Contra-	Drugs/alcohol	273	129	142	1	1	0	- 0
band found	Currency	4	3	1	0	0	0	0
	Weapon	20	13	7	0	0	0	0
	Stolen property	6	4	2	0	0	0	0
	Other	43	34	9	0	0	0	0
Arrest charge	Outstanding warrant	14	4	10	0	0	0	0
	Drug violation	132	59	72	0	1	0	0
	Resist arrest	0	0	0	0	0	0	0
	Offense against person	2	1	1	0	0	0	0
	Traffic Violation	0	0	0	0	0	0	0
	DWI/BAC	22	21	1	0	0	0	0
	Property offense	4	3	1	0	0	0	0
	Other	73	32	40	1	0	0	0

Agency: Columbia Police Dept.

Population: 74,150

age 16 and over

KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Stops	13569	10084	2917	207	258	3	100
Searches	1518	854	611	36	11	0	6
Arrests	275	167	104	2	0	0	2
Statewide population %	N/A	84.26	10.63	2.22	1.38	0.46	1.06
Local population %	N/A	81.85	9.82	1.87	4.46	0.45	1.57
Disparity index	N/A	0.91	2.19	0.82	0.43	0.05	0.47
Search rate	11.19	8.47	20.95	17.39	4.26	0.00	6.00
Contraband hit rate	20.55	21.43	20.62	2.78	0.00	#Error	33.33
Arrest rate	2.03	1.66	3.57	0.97	0.00	0.00	2.00

Notes: Population figures are 2005 Census estimates for persons 16 years of age and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.

Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

Artest rate (unode / stops) X 100.								
IICLE S	STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Reason for stop	Moving	8807	6942	1469	133	193	3	67
	Equipment	2860	1948	788	56	46	0	22
	License	2314	1508	735	29	28	0	14
	Investigative	149	69	72	3	1	1	3
	Citation	5011	3912	886	72	95	3	43
ome	Warning	8515	6247	1909	133	172	0	54
	No action	0	0	0	0	0	0	0
tion	Interstate hwy	589	467	92	18	6	0	6
op [US hwy	435	372	49	6	6	0	2
	State hwy	2135	1656	381	33	51	0	14
	County road	0	0	0	0	0	0	0
,	City street	10410	7589	2395	150	195	3	78
	Other	0	0	0	0	0	0	0
r	Male	8008	5755	1829	183	165	2	74
er	Female	5561	4329	1088	24	93	1	26
r age	17 and under	686	530	139	6	8	0	3
	18-29	7374	5486	1565	137	139	0	47
	30-39	2203	1559	514	42	61	1	26
	40 and over	3306	2509	699	22	50	2	24
r er rage	Interstate hwy US hwy State hwy County road City street Other Male Female 17 and under 18-29 30-39	589 435 2135 0 10410 0 8008 5561 686 7374 2203	467 372 1656 0 7589 0 5755 4329 530 5486 1559	92 49 381 0 2395 0 1829 1088 139 1565 514	18 6 33 0 150 0 183 24 6 137 42	6 6 51 0 195 0 165 93 8 139 61		0 0 0 0 3 0 2 1 0 0

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable	Consent	341	196	128	14	1	0	2
cause/ authority	Inventory	27	16	7	3	1	0	0
to search	Drug/alcohol odor	116	55	58	2	0	0	1
	Incident to arrest	1075	615	424	22	10	0	4
	Plain view contraband	36	20	15	0	1	0	0
	Reasonable suspicion-weapon	38	18	20	0	0	0	0
	Drug-dog alert	5	1	3	1	0	0	0
	Other	33	15	15	3	0	0	0
What	Driver	68	35	27	4	0	0	2
searched	Car/property	42	19	21	2	0	0	0
	Driver & Property	1408	800	563	30	11	0	4
Search	0-15 minutes	1414	801	565	32	11	0	5
duration	16-30 minutes	80	41	35	3	0	0	* i 1
	31+ minutes	24	12	11	1	0	0	0
Contra-	Drugs/alcohol	250	139	108	1	0	0	2
band found	Currency	1	0	1	0	0	0	0
	Weapon	22	13	9	0	0	0	0
	Stolen property	3	2	1	0	0	0	0
	Other	36	29	7	0	0	0	0
Arrest charge	Outstanding warrant	15	6	9	0	0	0	0
	Drug violation	146	87	58	1	0	0	0
	Resist arrest	0	0	0	0	0	0	0
	Offense against person	0	0	0	0	0	0	0
	Traffic Violation	15	7	8	0	0	0	0
	DWI/BAC	40	34	5	1	0	0	0
	Property offense	1	0	1	0	0	0	0
	Other	58	33	23	0	0	0	2

Agency response

RACIAL PROFILING DATA/2004

Agency: Columbia Police Dept.

Population:69,535

age 16 and over

KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am, Indian	Other
Stops	18564	13961	3904	212	333	9	145
Searches	2272	1311	890	48	14	1	8
Arrests	355	219	126	5	5	0	0
Statewide population %	N/A	85.24	10.25	1.85	1.17	0.41	1.08
Local population %	N/A	82.73	9.32	1.88	4.26	0.37	1.45
Disparity index	N/A	0.91	2.26	0.61	0.42	0.13	0.54
Search rate	12.24	9.39	22.80	22.64	4.20	11.11	5.52
Contraband hit rate	16.07	16.70	15.17	14.58	28.57	0.00	0.00
Arrest rate	1.91	1.57	3.23	2.36	1.50	0.00	0.00

Notes: Population figures are from the 2000 Census for persons 16 years of age and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.

Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

#Error indicates zero denominator.

Arrest rate = (arrests / stops) X 100.								
VEHICLE :	STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Reason for	Moving	12209	9725	2005	123	257	7	92
to stop	Equipment	3680	2567	970	50	57	1	35
	License	2988	1922	967	43	31	1	24
	Investigative	176	79	90	2	4	0	1
Stop	Citation	6731	5341	1143	82	124	1	40
outcome	Warning	11733	8547	2705	131	229	8	113
	No action	0	0	0	0	0	0	0
Location	Interstate hwy	617	523	69	10	11	0	4
of stop	US hwy	398	342	46	6	3	1	0
	State hwy	2966	2351	483	41	62	2	27
	County road	0	0	0	0	0	0	0
	City street	14583	10745	3306	155	257	6	114
	Other	0	0	0	0	0	0	0
Driver	Male	11326	8277	2525	185	221	8	110
gender	Female	7238	5684	1379	27	112	1	35
Driver age	17 and under	913	698	193	7	13	0	2
	18-29	10071	7595	2102	124	167	2	81
	30-39	3130	2217	745	55	80	3	30
	40 and over	4450	3451	864	26	73	4	32

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable	Consent	678	419	232	18	5	1	3
cause/ authority	Inventory	12	6	6	0	0	0	0
to search	Drug/alcohol odor	106	62	43	0	1	0	0
	Incident to arrest	1439	798	601	26	9	0	5
	Plain view contraband	43	28	13	1	1	0	0
	Reasonable suspicion-weapon	54	30	23	1	0	0	0
	Drug-dog alert	8	1	7	0	0	0	0
	Other	30	13	13	3	0	0	1
What	Driver	88	52	34	1	0	0	1
searched	Car/property	52	35	16	0	0	0	1
	Driver & Property	2132	1224	840	47	14	1	6
Search	0-15 minutes	2154	1264	825	44	13	1	7
duration	16-30 minutes	107	41	60	4	1	0	1
	31+ minutes	11	6	5	0	0	0	0
Contra-	Drugs/alcohol	317	180	128	5	4	0	0
band found	Currency	3	0	3	0	0	0	0
	Weapon	11	7	3	1	0	0	0
	Stolen property	6	2	4	0	0	0	0
	Other	49	42	4	2	1	0	0
Arrest charge	Outstanding warrant	26	9	17	0	0	0	0
	Drug violation	232	130	96	3	3	0	0
	Resist arrest	0	0	0	0	0	0	0
	Offense against person	0	0	0	0	0	0	0
	Traffic Violation	0	0	0	0	0	0	0
	DWI/BAC	36	33	2	1	0	0	0
	Property offense	2	0	2	0	0	0	0
	Other	59	47	9	1	2	0	0

Agency response

RACIAL PROFILING DATA/2003

Agency: Columbia Police Dept.

Population:69,535

age 16 and over

KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Stops	15300	11530	3131	161	309	5	164
Searches	1777	974	749	27	17	2	8
Arrests	1437	797	602	14	18	1	5
Statewide population %	N/A	85.24	10.25	1.85	1.17	0.41	1.08
Local population %	N/A	82.73	9.32	1.88	4.26	0.37	1.45
Disparity index	N/A	0.91	2.20	0.56	0.47	0.09	0.74
Search rate	11.61	8.45	23.92	16.77	5.50	40.00	4.88
Contraband hit rate	19.30	19.92	19.36	7.41	0.00	0.00	25.00
Arrest rate	9.39	6.91	19.23	8.70	5.83	20.00	3.05

Notes: Population figures are from the 2000 Census for persons 16 years of age and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.

Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

#Error indicates zero denominator.

TRAFFIC	STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Violation	Moving	9554	7549	1574	96	221	3	111
leading to stop	Equipment	3173	2300	754	31	53	1	34
·	License	2847	1856	889	38	37	1	26
Stop	Citation	5170	3949	1011	43	119	4	44
outcome	Warning	10403	7807	2148	121	200	1	127
	No action	0	0	0	0	0	0	0
Location of	Interstate hwy	344	274	47	14	6	0	3
stop	US hwy	329	290	33	0	6	0	0
	State hwy	2518	2003	405	23	60	0	27
	County road	0	0	0	0	0	0	0
	City street	12109	8963	2646	124	237	5	134
	Other	0	0	0	0	0	0	0
Driver	Male	9353	6823	2035	140	214	4	137
gender	Female	5947	4707	1096	21	95	1	27
Driver age	17 and under	826	599	213	3	8	0	3
	18-29	8206	6278	1589	89	160	4	86
	30-39	2754	1875	701	51	83	1	43
	40 and over	3514	2778	628	18	58	0	32

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable	Consent	599	336	246	12	2	0	3
cause/ authority	Inventory	5	3	2	0	0	0	C
to search	Drug/alcohol odor	121	70	49	1	0	0	1
	Incident to arrest	1039	555	451	12	15	2	4
	Plain view contraband	56	27	27	2	0	0	C
	Reasonable suspicion-weapon	45	25	18	2	0	0	C
	Drug-dog alert	14	8	6	0	9 0	0	0
	Other	35	14	19	1	1	0	0
What	Driver	48	26	19	2	1	0	0
searched	Car/property	65	44	20	0	0	0	1
	Driver & Property	1664	904	710	25	16	2	7
Search	0-15 minutes	1733	957	728	22	17	2	7
duration	16-30 minutes	51	24	23	4	0	0	0
	31+ minutes	5	1	2	1	0	0	1
Contra-	Drugs/alcohol	301	161	137	2	0	0	1
band found	Currency	1	1	0	0	0	0	0
	Weapon	16	10	6	0	0	0	0
	Stolen property	6	3	3	0	0	0	0
	Other	36	31	4	0	0	0	1
Arrest charge	Outstanding warrant	0	0	0	0	0	0	0
	Drug violation	319	186	130	1	1	0	1
	Resist arrest	0	0	0	0	0	0	0
	Offense against person	6	3	3	0	0	0	0
	Traffic Violation	0	0	0	0	0	0	0
	DWI/BAC	204	177	19	4	4	0	0
	Property offense	12	5	7	0	0	0	0
	Other	896	426	443	9	13	1	4

Agency response

RACIAL PROFILING DATA/2002

Agency: Columbia Police Dept.

Population: 69,535

age 16 and over

KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Stops	15515	11635	3236	165	323	12	144
Searches	1942	1095	791	38	12	0	6
Arrests	1455	815	597	27	13	0	3
Statewide population %	N/A	85.24	10.25	1.85	1.17	0.41	1.08
Local population %	N/A	82.73	9.32	1.88	4.26	0.37	1.45
Disparity index	N/A	0.91	2.24	0.57	0.49	0.21	0.64
Search rate	12.52	9.41	24.44	23.03	3.72	0.00	4.17
Contraband hit rate	15.91	18.26	13.02	13.16	8.33	#Error	0.00
Arrest rate	9.38	7.00	18.45	16.36	4.02	0.00	2.08

Notes: Population figures are from the 2000 Census for persons16 years of age and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.

Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

#Error indicates zero denominator.

TRAFFIC	STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Violation	Moving	9875	7782	1668	95	228	7	95
leading to stop	Equipment	3448	2399	890	51	66	1	41
·	License	2435	1614	747	21	36	4	13
Stop	Citation	5434	4241	958	61	136	2	36
outcome	Warning	9978	7399	2156	109	192	11	111
	No action	0	. 0	0	0	0	0	0
Location of	Interstate hwy	416	335	62	7	8	0	4
stop	US hwy	371	328	34	3	6	0	0
	State hwy	3552	2778	616	32	86	2	38
	County road	0	0	0	0	0	0	0
	City street	11176	8194	2524	123	223	10	102
	Other	0	0	0	0	0	0	0
Driver	Male	9770	7063	2213	154	208	11	121
gender	Female	5745	4572	1023	11	115	1	23
Driver age	17 and under	884	637	227	7	11	0	2
	18-29	8565	6527	1710	91	154	4	79
	30-39	2795	1912	692	48	101	6	36
	40 and over	3271	2559	607	19	57	2	27

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable	Consent	723	443	255	17	4	0	4
cause/ authority	Inventory	5	4	1	0	0	0	C
to search	Drug/alcohol odor	152	87	64	1	0	0	C
	Incident to arrest	1085	572	483	21	7	0	2
	Plain view contraband	47	31	15	0	1	0	C
	Reasonable suspicion-weapon	37	22	15	0	0	0	C
	Drug-dog alert	18	11	7	0	0	0	C
	Other	15	10	5	0	0	0	0
What	Driver	52	32	16	2	1	0	1
searched	Car/property	63	35	28	0	0	0	0
	Driver & Property	1827	1028	747	36	11	0	5
Search	0-15 minutes	1867	1049	764	37	12	0	5
duration	16-30 minutes	74	46	26	1	0	0	1
	31+ minutes	1	0	1	0	0	0	0
Contra-	Drugs/alcohol	250	156	89	5	0	0	0
band found	Currency	1	1	0	0	0	0	0
	Weapon	22	15	7	0	0	0	0
	Stolen property	4	2	2	0	0	0	0
	Other	41	33	7	0	1	0	0
Arrest charge	Outstanding warrant	0	0	0	0	0	0	0
	Drug violation	256	143	107	6	0	0	0
	Resist arrest	0	0	0	0	0	0	0
	Offense against person	5	2	3	0	0	0	0
	Traffic Violation	0	0	0	0	0	0	0
	DWI/BAC	251	212	33	4	1	0	1
	Property offense	15	9	6	0	0	0	0
	Other	928	449	448	17	12	0	2

Agency response

RACIAL PROFILING DATA/2001

Agency: Columbia Police Dept.

Population: 69,535 age 16 and over

KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Stops	14300	10749	3037	160	237	8	109
Searches	1569	918	604	27	15	2	3
Arrests	957	537	393	15	7	1	4
Statewide population %	N/A	85.24	10.25	1.85	1.17	0.41	1.08
Local population %	N/A	82.73	9.32	1.88	4.26	0.37	1.45
Disparity index	N/A	0.91	2.28	0.60	0.39	0.15	0.53
Search rate	10.97	8.54	19.89	16.88	6.33	25.00	2.75
Contraband hit rate	17.40	20.59	10.93	11.11	20.00	0.00	33.33
Arrest rate	6.69	5.00	12.94	9.38	2.95	12.50	3.67

Population figures are from the 2000 Census for persons 16 years of age and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.

Disparity index = (proportion of stops / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.

Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

#Error indicates zero denominator.

TRAFFIC	STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Violation	Moving	8944	7009	1595	91	170	5	74
leading to stop	Equipment	2639	1804	740	36	37	1	21
•	License	2988	2116	783	36	37	2	14
Stop	Citation	5042	4062	806	53	85	1	35
outcome	Warning	8809	6495	1987	99	149	6	73
Location of	Interstate hwy	538	432	88	8	5	1	4
stop	US hwy	253	217	31	1	3	0	1
	State hwy	2388	1876	413	33	41	1	24
	County road	0	0	0	0	0	0	0
	City street	11121	8224	2505	118	188	6	80
	Other	0	0	0	0	0	0	0
Driver	Male	9140	6640	2089	146	164	7	94
gender	Female	5160	4109	948	14	73	1	15
Driver age	17 and under	921	700	205	6	7	0	3
	18-29	7837	5982	1562	98	128	4	63
3	30-39	2651	1804	713	38	66	1	29
	40 and over	2891	2263	557	18	36	3	14

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable	Consent	503	322	166	9	6	0	0
cause/ authority	Inventory	11	6	4	1	0	0	0
to search	Drug/alcohol odor	121	82	33	3	2	0	1
	Incident to arrest	948	513	407	17	7	2	2
	Plain view contraband	52	44	7	0	1	0	0
×	Reasonable suspicion-weapon	27	16	9	1	1	0	0
	Drug-dog alert	15	8	7	0	0	0	0
	Other	21	15	6	0	0	0	0
What	Driver	1453	854	556	25	13	2	3
searched	Car/property	1481	871	568	25	13	2	2
Search	0-15 minutes	1501	878	581	24	14	1	3
duration	16-30 minutes	61	35	22	2	1	1	0
	31+ minutes	7	5	1	1	0	0	0
Contra-	Drugs/alcohol	202	133	66	1	1	0	1
band found	Currency	1	0	1	0	0	0	0
	Weapon	18	11	6	0	1	0	0
	Stolen property	9	8	1	0	0	0	0
	Other	59	48	7	2	2	0	0
Arrest charge	Outstanding warrant	0	0	0	0	0	0	0
	Drug violation	139	98	39	1	1	0	0
	Resist arrest	0	0	0	0	0	0	0
	Offense against person	1	0	1	0	0	0	0
	DWI/BAC	11	11	0	0	0	0	0
	Property offense	2	2	0	0	0	0	0
	Other	74	56	16	0	2	0	0

Agency response

RACIAL PROFILING DATA/2000

Agency: Columbia Police Dept.

Population: 67,852 age 18 and over

KEY INDICATORS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Stops	4480	3417	895	44	59	3	62
Searches	562	311	238	7	3	0	3
Arrests	371	193	168	5	2	0	3
Statewide population %	N/A	86.38	10.41	1.82	1.43	1.03	0.99
Local population %	N/A	83.99	9.57	1.86	4.73	0.91	1.15
Disparity index	N/A	0.91	2.09	0.53	0.28	0.07	1.21
Search rate	12.54	9.10	26.59	15.91	5.08	0.00	4.84

Notes:

Population figures are for those who are 18 years of age and older. Figures are from the 2000 Census (driving-age figures are not yet available).

Black, Asian, and American Indian includes persons of mixed race. Other race includes unknown race.

The disparity index = proportion of stops / proportion of population. A value of 1 represents no disparity; values greater than 1 indicate over-representation.

Search rate = (searches / stops) X 100.

#Error indicates zero denominator.

TRAFFIC	STOP STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Violation leading to stop	Moving	2723	2160	450	25	44	3	41
	Equipment	878	623	221	9	10	0	15
	License	980	705	251	12	6	0	6
Stop	Citation	1462	1159	256	13	20	0	14
outcome	Warning	2817	2178	523	29	37	3	47
Location of stop	Interstate hwy	82	68	8	2	2	0	2
	US hwy	132	118	14	0	Ó	0	0
	State hwy	1373	1120	199	15	20	0	19
	County road	0	0	0	0	0	0	0
	City street	2893	2111	674	27	37	3	41
	Other	0	0	0	0	0	0	0
Driver	Male	2916	2144	642	35	45	2	48
gender	Female	1564	1273	253	9	14	1	14
Driver age	17 and under	282	215	60	4	1	0	2
	18-29	2602	2021	480	24	40	0	37
	30-39	727	505	181	11	13	2	15
	40 and over	869	676	174	5	5	1	8

Columbia Police Dept.: page 2

SEARCH	STATS	Total	White	Black	Hispanic	Asian	Am. Indian	Other
Probable cause/ authority to search	Consent	- 249	150	95	4	0	0	C
	Inventory	5	.1	4	0	0	0	C
	Drug/alcohol odor	44	31	13	0	0	0	C
	Incident to arrest	280	142	130	2	3	0	3
	Plain view contraband	8	3	5	0	0	0	(
	Reasonable suspicion-weapon	9	3	6	0	0	0	C
	Drug-dog alert	0	0	0	0	0	0	C
8	Other	13	4	8	1	0	0	C
What	Driver	528	290	227	6	2	0	3
searched	Car/property	516	286	219	6	3	0	2
Search	0-15 minutes	551	306	232	7	3	0	3
duration	16-30 minutes	11	5	6	0	0	0	C
	31+ minutes	0	0	0	0	0	0	C
Contra-	Drugs/alcohol	76	49	26	∘ 0	0	0	1
band found	Currency	0	0	0	0	0	0	C
	Weapon	2	0	2	. 0	0	0	0
	Stolen property	0	0	0	0	0	0	C
	Other	6	2	4	0	0	0	0
Arrest charge	Outstanding warrant	161	65	93	0	3	0	0
	Drug violation	87	61	24	0	0	0	2
	Resist arrest	9	4	5	0	0	0	0
	Offense against person	6	5	1	0	0	0	0
	DWI/BAC	75	60	14	0	1	0	0
	Property offense	1	0	1	0	0	0	0
	Other	439	439	197	9	0	0	7

Agency response

Community Conversation with NAACP (Planning Meeting) Meeting Notes September 9, 2016

First, have open and honest communication about the issues, and admit that there is a problem. Then, talk about how everyone can build unity moving forward.

Initially, move beyond the data and place a value on personal, anecdotal stories (perception is reality). Later, analyze the data and focus on solutions.

It was decided that the City and CPD will have meetings with individual groups and then have a larger meeting with multiple groups. (Before the meeting with the larger group occurs this group will get together and meet.)

For the large group meeting invite the following: NAACP, fraternities, sororities, churches, Youth Empowerment Zone, Men's Minority Network, etc.

It is relevant and important to acknowledge that fear exists on both sides (African American community towards police and vice versa).

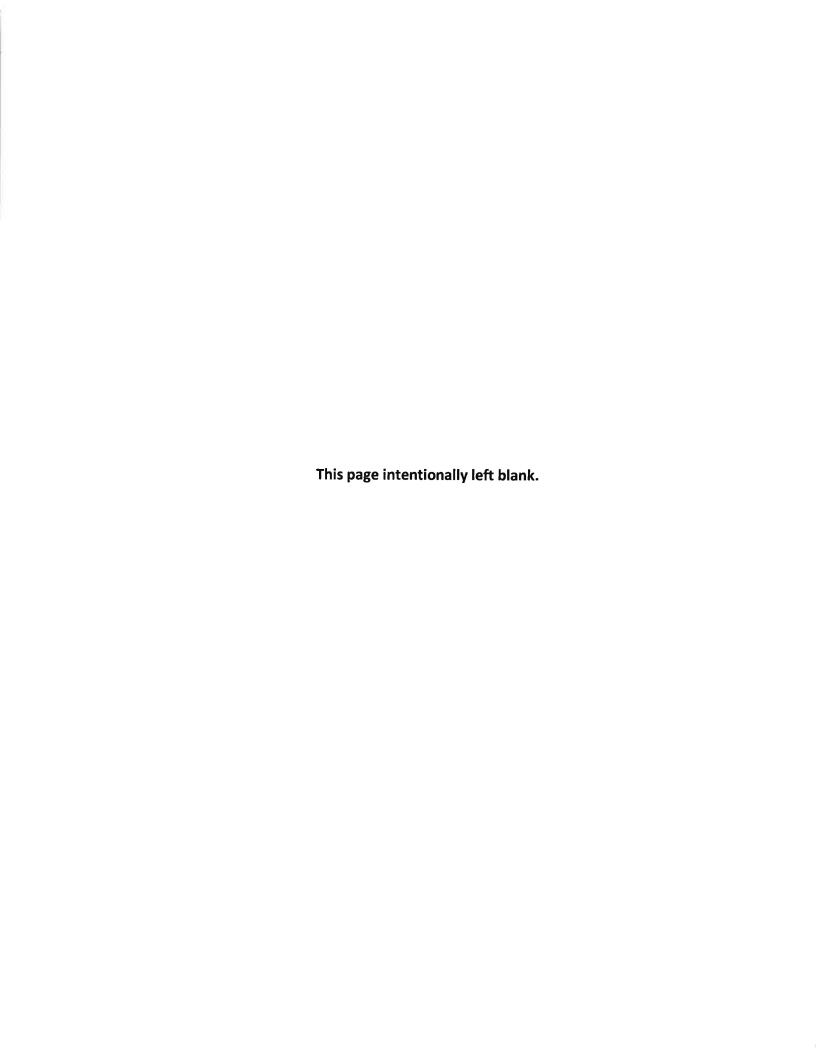
The media has been a part of the problem by sensationalizing issues and topics on both sides. With that said, it is important to use them as part of the solution.

One of the most effective ways to communicate with the African American community is through churches.

Mr. Ruffin gave an open invitation for police officers to attend church service at the Second Baptist Church. He agreed to give police officers up to ten minutes for them to speak to the congregation. Mr. Ruffin asked that CPD communicate at least one week in advance if they plan to attend a service.

Other suggestions:

- Invite different groups to send approximately two representatives to a common meeting so that everyone can hear the same information and message.
- Make a more concerted effort to hire minorities at the City.
- Have the police department represented at the NAACP banquet.



Community Conversation with Minority Men's Network Meeting Notes October 11, 2016

How do we instruct officers that a group of African American teens/ young adults "riding four deep" is not automatically something to be fearful of or an issue/ problem? (This was asked in response to Chief Burton's statement that many times a group of African Americans "riding four deep" occurs because only one of them has or can afford a car.)

City/ CPD Response: This is currently being addressed in trainings (example: procedural justice training).

The point was made that it is the perception that there are differences in the way people are treated based on their appearance and race. One gentleman gave the examples of hearing white people talk about how they got out of tickets/ received warnings because they were white (specifically mentioned two examples of a male business person wearing a suit and a blonde attractive woman) compared to his experience of being a black male going a minimum amount over the speed limit and receiving a ticket.

It was pointed out that there is a clear search discrepancy in traffic stops. Black people are searched at disproportionately higher rates yet the searches yield less contraband in comparison to white people.

There was discussion on the realities of the current economic situation which is squeezing out the middle class and the pressures on families that result from poverty.

How do we do something to address this issue? What is being done/ can be done in Jefferson City and Washington, D.C.?

City/ CPD Response: We are trying to address this at the local issue and we hope to become a model community for everyone else.

The point was made that there is an image and attitude issue with CPD? Specifically, what are the interactions of the officer with the person being stopped during the actual stop? The interactions and personal experiences of people with CPD is shaping people's image of and perceptions towards law enforcement.

Does CPD support everyone being able to carry a firearm? In response to this legislation there is now the perception in the community that law enforcement will assume/ fear everyone has a gun and the likelihood of being shot/ killed has now increased. There is real fear in the community.

Did the City and/or CPD do any lobbying for or against legislation of everyone being able to carry a firearm?

City/ CPD Response: Per law, city personnel cannot lobby for or against legislation. With that said, we do have a lobbyist that we employ to work on behalf of the City. CPD also mentioned that they have a professional association of police chiefs that also lobbies on legislation. The point was made that the City and the police chiefs association did not support this legislation.

When meeting with neighborhoods in community meetings there is the perception that this is being done to check off a box of saying that CPD met with a certain number of neighborhoods and the anecdotal stories are not codified. There is the perception that nothing is being done

publicly regarding the statements and anecdotal evidence coming out of the neighborhood conversations.

IMPORTANT SUGGESTION (Mr. Matthes asked that this idea be highlighted): There is mistrust between the public/ African American community and CPD. Can CPD offer training on community policing for the general public?

City/ CPD Response: On Saturday, November 5th, CPD will be providing a training to the public on Fair and Impartial Policing. Chief Burton personally invited everyone in attendance to attend this training.

It was mentioned that there was a negative response to the flier that was given to Columbia teens regarding how people should interact with law enforcement. The point was made that the language used when speaking with people, especially this younger generation, should be considered. Specifically, one gentleman shared that people react differently to the terms "adherence" and "compliance," and they mean relatively the same thing ("adherence" can have a neutral or positive perception/ association while "compliance" can have a negative perception/ association).

City/ CPD response: The reaction from the public regarding this flier came as a surprise to CPD because the language used within the flier was borrowed directly from a flier produced by a minority youth organization in Akron, Ohio. This group received a positive reaction within their community for their flier which contained the same language.

There is a segregation and division in the neighborhoods in Columbia. There is a perception that if an African American is in the southern portion of the city they will be stopped. The question was then asked: Is this racial profiling?

The point was made that there are differences in the experiences of white and black people. As a result of these experiences people of different races have different perceptions. These perceptions then impact how people act towards and view CPD. (The example was given of how black parents talk with their children about how they need to act during traffic stops so they can avoid conflict and being shot. This is not a subject of conversations in a lot of white families.)

Suggestion: Have a minority on the CPD internal affairs and internal review process. This person would be a paid employee of the City but independent of the police department. Also, this person would have authority and be able to provide their opinion on matters that go through the internal review process.

City/ CPD Response: This is a good idea and many larger cities use this model for reviewing incidents. Chief Burton said he is in favor of this idea, but noted that there are financial and budgetary issues of making this a reality.

Suggestion: Unify/ employ the same de-escalation tactics for all races. There is a perception that black people are treated differently than white people by law enforcement during times of crisis intervention. This was specifically discussed in the context of law enforcement shootings.

The idea of "shooting to kill" versus "shooting to wound" was proposed. Is it always necessary to shoot to kill?

Is there training for CPD on how poor families live? This might be informative for CPD officers to know the behaviors that result for poor families. The following example was specifically

discussed: A poor family with multiple children lives in a one or two bedroom house. As a result of the crowding/ lack of personal space in the house (there are many more people in the house than there are bedrooms), the children will often times be out of the house and in the community. These children are not looking to get into trouble, but rather they are coping with the realities of their living situation and seeking more space. Issues and examples like this might be beneficial for CPD officers to know and understand of people living poverty act, and as a result might improve their ability to interact with people living in poverty.

City/ CPD Response: There is not a specific training for CPD officers which specifically addresses this, but the issue is covered as a part of many trainings.

The point was made that poor does not look like a certain type of person or a particular race. Poverty can impact anyone regardless of their race, gender, age, etc.

The Minority Men's Network volunteered to be a resource for trainings and discussions with officers in the future. The point was made that it will take a collaborative effort to improve the relationship and perceptions of the African American and law enforcement communities.

CPD discussed the realities that law enforcement communities throughout the United States are facing with regards to officers' fear and confusion leading to over reactions (shooting and killing an unarmed person) and under reactions (not acting per established protocol which then endangers lives).

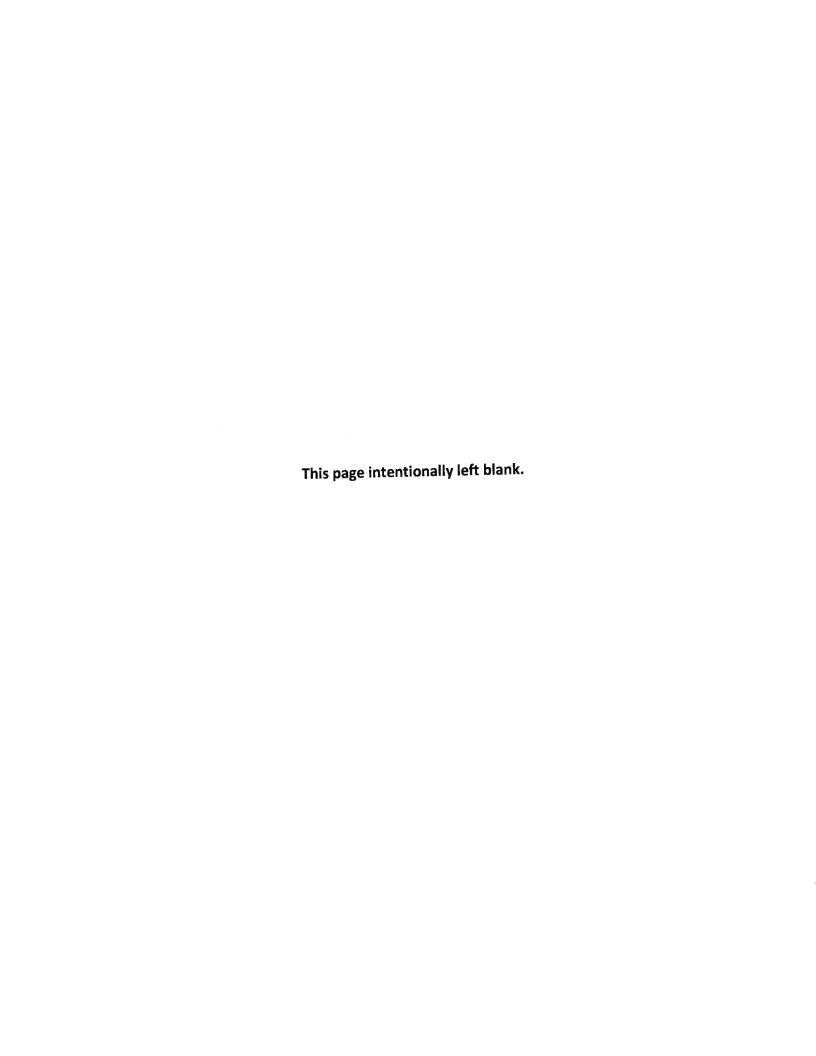
CPD Deputy Chief Schlude recommended a book, *Unleashing the Power of Unconditional Respect: Transforming Law Enforcement and Police Training.*

Suggestion: CPD could do a better job of returning phone calls/ communicating with the public.

The importance of caring, understanding, and appreciating other cultures was discussed. It was mentioned that this belief and attitude of using a "cross-cultural approach" was important for people to have if improvements in relationships are to occur.

This problem is larger than just how the law enforcement community views black people; there is a fear of black males throughout the entire community.

The meeting was concluded with Minority Men's Network stating their willingness to help in any way they are needed including trainings, continued dialogue, recruiting for CPD, etc.



Community Conversation with Empower Missouri Meeting Notes October 26, 2016

Empower Missouri (EM) began the meeting by giving an overview of their organization. EM has six areas of focus: affordable housing and homelessness; criminal justice; economic justice; health and mental health; human rights; and hunger. EM does not provide direct services. EM is an advocacy organization that focuses on evidence based public policy. EM advocates through civic leadership, education, and research.

Chief Burton stated that he has not seen evidence that states that the department engages in racial profiling, but he did mention that he acknowledges that racial profiling/bias policing could be occurring with certain officers and the officers may not even realize it. Chief Burton mentioned that he has reviewed the data and he feels that poverty has a significant impact on the issue.

Chief Burton went on to mention that the department has already engaged in or is in the process of discussing potential changes to CPD practices. One of those practices is consent for vehicle and person searches. Specifically, officers must now obtain written consent for searches. Being "lenient" on vehicle stops for equipment purposes was also discussed as a potential option. For example, if a person is pulled over for an equipment issue and the person that was pulled over does not appear to be a threat (the officer does not have a cause to run the registration/ driver's license or ask to search the vehicle) then the officer could bring the equipment issue to the attention of the driver and send that person on their way without a warning, ticket, running the license, etc. Chief Burton mentioned that CPD has the opportunity to make changes or the changes will get made for them.

Chief Burton acknowledged that there is a fear within certain members and populations of the community.

Chief Burton discussed that law enforcement departments place a value on highly active officers that make stops, search vehicles, and get results (find guns, drugs, etc.). This value is counterintuitive to some of the ideas and practices being discussed.

Chief Burton discussed the "21 foot rule" which states that if a person has a knife and they are within 21 feet of the officer then that officer is trained and justified to shot that person. The officer is not trained alternative actions that can handle that situation. For example, the officer can move or retreat to put an object (e.g. car) in between the person with the knife and themselves while they are attempting to deescalate the problem without using deadly force.

EM: The point was made that police and teachers are often times given the unrealistic expectation that they have to fix all of society's problems.

EM made a point that they are supportive of police and law enforcement. The point was also made that bias free policing makes it safer for police officers because the public trusts them and views them as an ally in the community.

EM agrees with the statement that poverty and economic inequalities is an important part of the equation that needs to be addressed.

EM stated that we are trained throughout life from family, peers, school, cartoons, etc. to have racial bias. In order to overcome this as a society it needs to be addressed across all professions and aspects of society, not just law enforcement.

Chief Burton discussed an example of learning about why African American teens ride "four deep" in vehicles; usually only one of these teens/ young adults can afford a car. This was something that he had not considered or realized because all of his friends when he was growing up all had vehicles. Having this perception/ empathy is important to have when approaching policing.

Chief Burton mentioned that some of the changes that may need to be made might be uncomfortable for some but it is necessary to get out comfort zones in order to make progress on issues.

EM mentioned that just acknowledging the past and the current disparities is important.

Chief Burton discussed some of the following things that CPD has already been doing to address the racial profiling/ implicit bias issues:

- Unleashing the Power of Unconditional Respect. The author of this book is two KCMO police officers. They trained all CPD officers in 2010.
- Procedural Justice training.
- Fair and Impartial Policing training (this training is open to the public on November 5th at City Hall).
- White House Police Data Initiative.

EM encouraged CPD and the City to be persistent and not to let public criticism deter the efforts already underway.

EM mentioned Blue Springs as a "model city" that had addressed the issue of racial disparities and seen a dramatic increase in disproportionate stops. Blue Springs employed many of the same efforts and philosophies that were discussed by Chief Burton. EM made the point that Blue Springs is a much smaller and different city demographically (e.g. white, conservative, affluent, ¼ of the size and population, etc.), and they are able to make changes much quicker as a result. It was acknowledged that the bigger the department/ city, the more difficult it is to fix problems.

EM mentioned that when recruiting and hiring minorities that are qualified, it is important to pay higher because minority groups are often times more impacted by financial issues and constraints (e.g. student loans, providing for other family members, etc.).

Deputy Chief Schlude discussed that when they hire a good officer that is a minority they have a hard time keeping them with the department because the federal government poaches them away.

EM said that we should really examine why they leave. For example, were they treated fairly? Did they have opportunities for advancement? Were they being mentored or shown an interest by administration and supervisors?

Deputy Chief Schlude discussed the fact that the law enforcement profession is not an attractive field right now and that has impacted recruiting. She also discussed the issues of getting people interested in the profession during high school but that interest fades away because people cannot become an officer until they are 21 years of age. She then posed the question: How do we make law enforcement a more attractive profession, especially for our youth?

A representative from EM stated that MACC has a law enforcement academy and they would accept a wide variety of people into their program regardless of age (meaning they took people that did not meet the age requirement after they finished the academy) or psychological make up (not everyone is psychologically fit to be a law enforcement officer). In lines with evidence based research, science tells us that brains are fully developed and "adult thinking" until an individual is 25 years old.

EM mentioned that it is important to get away from dualistic thinking. For example, if someone states black lives matter that does not mean that they think that blue lives don't matter.

EM made the point that CPD/ City should not be afraid to stick their neck out and try new things; results will eventually come if the course is continued.

EM discussed the reality of asking officers to do their job differently. For example, since the war on drugs was issued, officers have been trained that the best approach to combat crime is to pull over as many people as possible in areas of high crime (which were often times areas where minority populations lived and worked) and search cars/ people for contraband, run licenses for warrants, etc. The effect of this dragnet approach has been to build distrust with innocent people and create a sense of fear and disenfranchisement. EM discussed a book called *Pulled Over*. EM mentioned that it is important to reduce the dragnet approach and be focused in deterrence efforts.

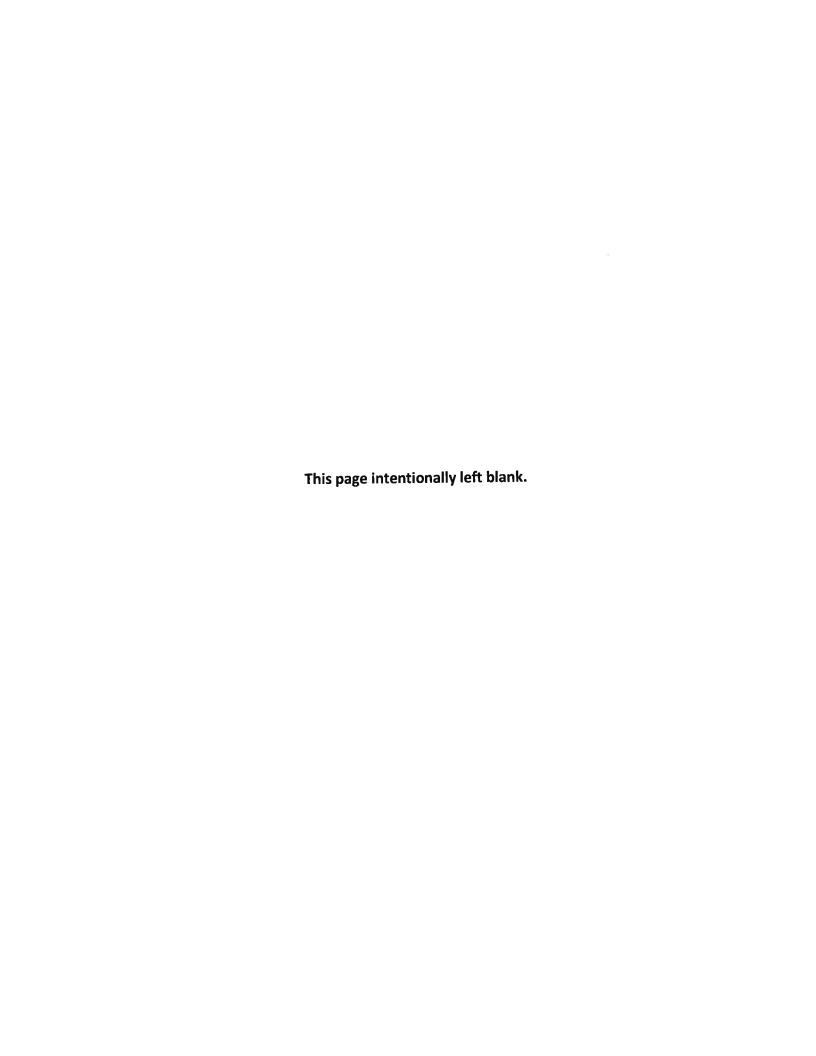
EM discussed that when people are stopped for equipment issues that it would be beneficial for the officer to explain the safety aspect and importance of the stop. Rather than just write a ticket, the officer can explain that it is important to get the brake lights fixed so that an accident can be avoided.

EM was appreciative that CPD was willing to accept and acknowledge that there is a level of fear amongst members of the community.

Deputy Chief Schlude talked about the importance of positive interaction between members of the police department and the citizens that they serve. This will help to repair and improve the relationship and trust.

EM mentioned that in order to overcome bias it is important to have repeated positive interactions with the people with whom we have a bias.

EM mentioned that they are currently participating in the revision of the 2000 Racial Profiling Law.



Community Conversation with Race Matters, Friends Meeting Notes October 25, 2016

A member of Showing Up For Racial Justice, a community organization from Kansas City, spoke about his organization.

Race Matters, Friends (RMF) mentioned that they are currently participating in the rewrite of the state racial profiling law.

RMF also mentioned that some of their members are reviewing the Mayor's Task Force on Community Violence recommendations. They made the point that there has not been a lot of follow up communicated to the public on the recommendations (and what CPD has done to implement those recommendations) that were made within the task force's report. RMF stated that they envisioned a community approach (all levels of the CPD from officer to Chief, other city staff, community activist groups, etc.) to revisit these recommendations and continue to the dialogue.

RMF stated they have met with the mayor to come up with metrics for CPD. Some of these metrics are outlined in the Mayor's Task Force on Community Violence recommendations.

RMF spoke about the data from the vehicle stops report. It was mentioned that the vehicle stops data is "not bad" and "not manipulated" data, and making the statement that it is reflects an effort to deflect what the data states. It was also mentioned that if you can't explain the data then it probably means there is racial bias or discrimination. RMF had the following questions in relation to the data: Is it possible to identify a particular unit or set of officers that are making a disproportionate number of traffic stops on minorities and that is skewing the statistics as a result? (RMF mentioned that other communities have found that this is exactly what occurs and can skew the numbers.) How can the traffic stops data be linked with or used in conjunction with other data the department collects?

Chief Burton responded that he has had many internal discussions exactly on the subjects previously mentioned. For example, they have looked at specific units to see if there are some that are making a disproportionate number of traffic stops on minorities but because of their assignment this was warranted. (There was a lot of shootings occurring between rival gangs and the people doing the shooting were younger African-American males. As a result, a particular CPD unit assigned to combat this issue made a lot of traffic stops in the areas the shootings had occurred.) CPD is now in the process of looking at specific officers.

Chief Burton mentioned that CPD has done other things to address the issue. Specifically, CPD has done the following things:

- Joined the White House Police Data Initiative where CPD will share more data that can be analyzed and scrutinized.
- Officers are now required to get written consent before searching vehicles (and it is documented when people refuse consent).
- Discussions on deemphasizing traffic stops just involving vehicle equipment violations.

Deputy Chief Schlude discussed training which addresses racial bias.

- She reported that all sworn officers have received training on Fair and Impartial Policing. (This training was initially administered to CPD trainers and command staff by the U.S. Department of Justice.) It was also mentioned that there will be a Fair and Impartial Policing training open to the public on November 5, 2016 at City Hall.
- Procedural Justice is another training that addresses racial bias. She mentioned the
 importance of being procedurally just within CPD. In relation to this training, Deputy
 Chief Schlude also discussed a book, *Unleashing the Power of Conditional Respect*.
 She talked about a story of how a potentially dangerous and difficult situation was
 avoided because an officer treated a person with dignity and respect.

RMF: Treating people with respect is a good thing, but what are you doing about racial bias?

Deputy Chief Schlude made the point that when officers were told they had bias they viewed it the same as being called a racist. As more and more dialogue has occurred and officers have got a better understanding of what bias means, it has improved and opened up dialogue.

Chief Burton mentioned that all of the trainings previously mentioned address racial bias. He went on to make the point that many times cadets go through the academy and are trained to have an unrealistic view of situations. He mentioned a scenario of how cadets are trained with traffic stops. Specifically, cadets are given a scenario of a person hiding in the trunk of a vehicle and during the traffic stop the person jumps out of the trunk to attack the officer. Chief stated that although this could happen it is not realistic and now the cadet is scared/ has fear when conducting the stop.

RMF: The acknowledgment of fear is appreciated.

Chief Burton mentioned an example of an Austin Police Department officer shooting an unarmed, naked black male because the officer "feared" the person might attack him and try to kill him. This is the reality of the fear officers have and it can often times be the result of training.

RMF: Are the academies adjusting/ updating their curriculum and approach to training?

Chief Burton stated that he is a member of the board for the cadet/ officer training academy and mentioned that he has brought some of these issues forward. It was also mentioned that the academy is governed by Peace Officer Standards and Training Program (POST).

RMF: There was a discussion about a video that was shown at a council meeting where an officer pointed a gun at a black male.

Chief Burton mentioned that this particular individual was a convicted felon and had been known to carry a weapon. The response of drawing a weapon was justified.

RMF: What about the vulgar language used when addressing the individual. Was this appropriate?

Deputy Chief Schlude mentioned that the language was not appropriate and this could have potentially escalated the situation. The officer should have used de-escalation techniques when interacting with the individual.

RMF: How much Mental Health training do officers receive?

It was mentioned that a majority of officers have received Crisis Intervention training which does discuss how to deal with individuals that have mental health disorders. CPD mentioned that they are getting ready to conduct a 36 hour Crisis Intervention training for their officers and other law enforcement agencies.

RMF: Are officers offered counseling services?

It was discussed that all CPD personnel have access to counseling and mental health services as part of their benefits. Officers that are involved in critical incidents are required to receive mental health services. It was also stated that CPD does not have a psychologist on staff for officers.

RMF: When officers confront an individual with mental health issues, is there a person specifically trained in mental health that can respond with officers?

CPD does not have a mental health clinician on staff. It was mentioned that an attempt is made to have an officer trained in Crisis Intervention respond to these situations.

RMF: As the city has grown the amount of officers in the police department has not kept up with the growth. It was recommended that the City put together a proposal of specific policy changes that they would make with the amount of funding needed to get the number of officers to an appropriate level and then RMF would support a tax increase.

Mr. Matthes mentioned that the following information when discussing the finances of the city:

- The amount of calls per officer is one of the highest in the nation when compared to other benchmark cities.
- Of discretionary funds the council has to appropriate, two out of every three dollars goes to public safety (police and fire services). The other dollar funds everything else (parks, health department, etc.).
- The city property tax rate is one of the lowest in comparison to other cities in the state and region.
- The sales tax is average in comparison to other cities in the state and region. The
 erosion of sales tax revenue due to the internet was also discussed (approximately
 \$10 million per year).
- A property tax ballot initiative failed previously.

RMF: If the tax increase was a property tax increase and included community oriented policing techniques supported by empirical data then RMF would support the tax increase.

RMF: Is there data to support the claims about the sales tax revenue lost because of the internet?

Mr. Matthes stated that there was data. He also mentioned that the sales tax revenue issue has been masked by the growth of the population. (As more people come to Columbia and spend money, the amount of sales tax received has not dramatically decreased because there are more people contributing to the sales tax. As a result, the

sales tax problem is actually worse than people realize because there are now many more people which contribute to the sales tax. In other words, the rate of sales tax growth has not paralleled the rate of population growth.)

Mr. Matthes also asked RMF what type or model of community policing that they would like to see used in Columbia.

RMF: People are scared of police. (An example was mentioned of a man named Andrew Hutchinson that used to do poetry with African American children and their expressed fear towards police.) What concrete actions are you taking?

Mr. Matthes mentioned that this is a resource problem. He went on to state that the officers go from 9-1-1 call to 9-1-1 call with no time to do anything else. We do not have the resources to partake in community policing.

Chief Burton mentioned that we are looking at stopping some of the things that CPD has responded to historically. He mentioned that CPD gets a lot of calls to deal with things that are not police issues. For example, he mentioned a call from a woman that stated when she went into her bathroom to take a shower the door was closed but when she finished her shower the door was open and she wanted an officer to come to her house. (There were other examples mentioned.)

Chief Burton also mentioned that they are going to put a public space in the new police station which he believes will help to improve relations between the police department and public.

RMF: What other things are you attempting to stop doing?

Chief Burton mentioned CPD is looking at the following:

- If there is no suspect information then we will not respond and direct people to report this information either online or via mail.
- No longer working minor, non-injury accidents (they will show up but not process the
 accident like they have done previously).
- Shop lifting/ theft less than \$50 (direct people to report this information either online or via mail).
- Currently home alarms account for a large number of calls and CPD is looking at changing their policy on responding to these calls.

RMF: There are 6 model cities and they are taking an approach not to respond unless it is a public safety concern.

RMF: Developers should pay more taxes.

RMF: What are the policies for officers engaging in racial profiling?

Chief Burton stated that there are policies. We have not had anyone violate these policies because we had not previously looked at the data in depth to discover the racial profiling but we are currently in the process of doing this. We would attempt to deal with this by retraining the individual, but if it persisted then we would need to look at a more permanent solution (job reassignment or possibly termination).

RMF: When conducting traffic stops in more targeted area, how do we not impact innocent people?

Chief Burton stated that we need to make traffic stops less intrusive. For example, if we pull over an African American male in his late 50s for a vehicle equipment issue then it is his opinion that we do not need to run his license. Rather, the officer should just alert the individual of the issue and send him on his way. Chief Burton made the point that this goes against training that the officers have received.

RMF: It was recommended that everyone participate in a ride-a-long with a CPD officer.

RMF: It was recommended that CPD tell their stories and have a dialogue with the public about prioritizing police calls and responses.

RMF: It was mentioned that not everyone has technology so it would be beneficial to come up with alternative means of communication that would be accessible to the poor.

RMF: It was recommended that City staff and other interested parties revisit the recommendations put forth in the report from the Mayor's Task Force on Community Violence.

RMF: A statement that was made by CPD earlier in the meeting about the officers being more open to talking about race was refuted.

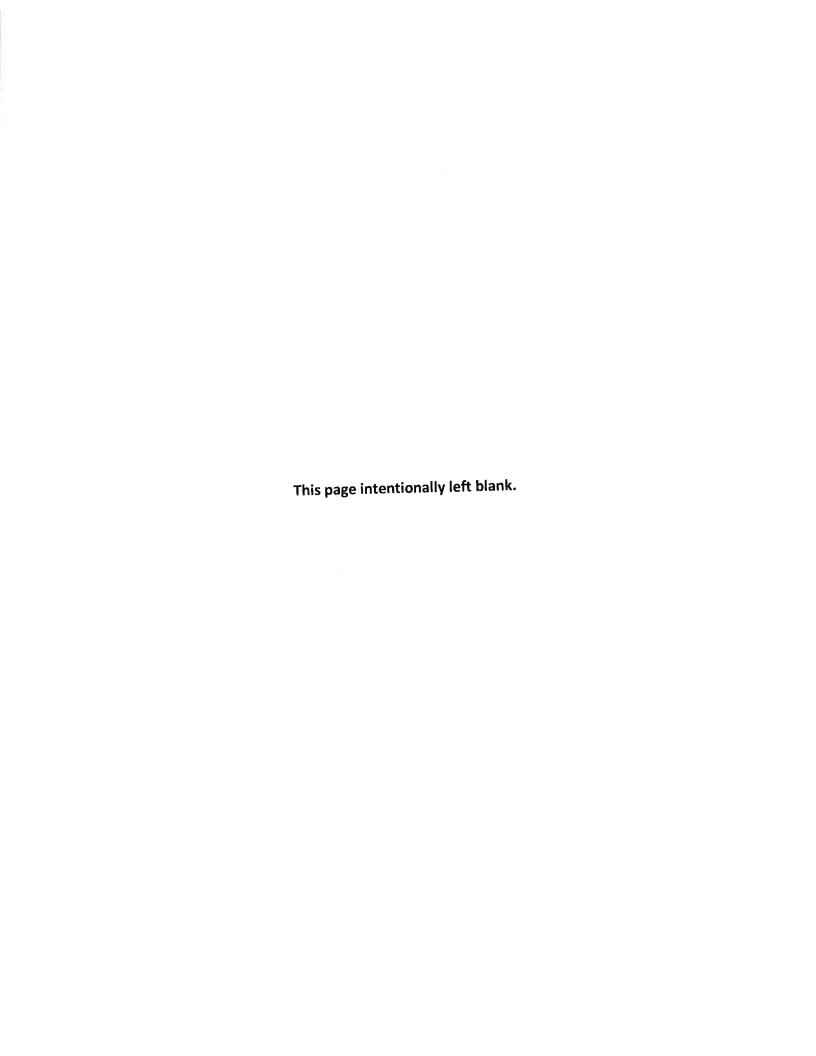
Chief Burton stated that he was speaking to his discussion with command staff.

Deputy Chief Schlude stated that the dialogue is occurring, but some officers still hear racism when people say bias. This will take time to correct.

RMF: It was recommended that CPD understand systemic, institutional barriers and call them out.

Questions from Community Conversation with Race Matters Friends

- 1. Please explain the procedures that are triggered when an officer draws their weapon in the course of doing their job.
- 2. Has a Columbia Police Department Officer ever been penalized for unnecessarily or inappropriately drawing his weapon on a member of the public?
- 3. Are there going to be any focus groups regarding relations with the police in the central city? Transportation and Sense of Comfort can be issues.
- 4. Is there a progress report for the Social Equity Plan?
- 5. How will Carl Kenney's position be filled?
- 6. What is saturation policing and why and when is it used?



Questions from Community Conversation with Race Matters Friends

1. Please explain the procedures that are triggered when an officer draws their weapon in the course of doing their job.

Per our Policy:

300.4 REPORTING THE RESPONSE TO RESISTANCE

Any response to resistance which involves force by a member of this department shall be documented, completely and accurately in an appropriate report, depending on the nature of the incident prior to the end of shift unless the delay is authorized by a supervisor. The officer should articulate the factors perceived and why he/she believed the response to resistance was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.

300.5.1 NOTIFICATION TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- a. The application caused a visible injury.
- b. The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- c. The individual subjected to the force complained of injury or continuing pain.
- d. The individual indicates intent to pursue litigation.
- e. Any application of the CED device or control device.
- f. Any application of a restraint device other than handcuffs, shackles or belly chains.
- g. The individual subjected to the force was rendered unconscious.
- h. An individual was struck or kicked.
- i. An individual alleges any of the above has occurred.

300.5.2 BLUE TEAM ENTRIES

A response to resistance entry containing information on the force used, all involved parties, and a brief narrative explaining the incident must be made through Blue Team software for the following circumstances:

- Any circumstances related to response to resistance that requires supervisor notification
- · Use of a restraint chair.
- Any time an officer points a firearm at any person in response to the person's physical or implied actions.
- Any time an officer applies handcuffs to a person and the person is not arrested.
- When any amount of physical effort is used to compel compliance by an unwilling subject

So, if an officer draws his/her firearm and points it at a person they are required to report it via the Blue Team system. That entry is then reviewed by the officer's chain of command. If a member of the chain of command feels the action was in violation of the policy he or she can request the incident be investigated further.

2. Has a Columbia Police Department Officer ever been penalized for unnecessarily or inappropriately drawing his weapon on a member of the public?

I asked Sgt. Tate in Internal Affairs to run a report in the system. He advised me that since 2010 we have not had any officers formally disciplined specifically for "pointing a firearm at any person in response to the person's physical or implied actions." Prior to that there was no requirement to report pointing a weapon at a person. This practice was instituted by Chief Burton as part of the reporting of uses of force (responses to resistance).

3. Are there going to be any focus groups regarding relations with the police in the central city? Transportation and Sense of Comfort can be issues.

The plan is to continue meetings in each of the four sectors (the Central City is in Beat 20/NW Sector) throughout the year at different locations within the sectors. I am sure we can find someplace that is centrally located and can work with Transit or other partners to provide transportation if that would help get folks there.

4. What is saturation policing and why and when is it used?

The term "saturation policing" as it is used here at CPD, describes a focused effort on a specific type of crime or a specific geographic area as it relates to a specific type of crime. Some of the ways this is used at CPD include DWI saturation Patrols/Checkpoints, Violent Crime saturation operations, Traffic Enforcement saturation (when the Traffic Unit was fully operational) and Underage Drinking Enforcement operations. Generally these events are planned in response to a problem or "hotspot" that is identified through analysis and intelligence gathering. Some examples would be the locations of DWI related accidents, shots fired incidents, drug and/or gang related activity, holiday traffic, etc.

For violent crime saturation specifically we often have a list of people we believe may be involved in a specific hotspot. This list may include info about outstanding warrants, intelligence related to gang affiliations, related police reports, prior arrests, weapons information, associates, vehicles, and addresses. Often there is a surveillance component to these operations as well. It is not just simply going to a designated area and pulling over as many cars or stopping as many pedestrians as possible, though that tactic is utilized in some jurisdictions with varying levels of success.

5. Is there a progress report for the Social Equity Plan?

Refer to attachment titled, "2016 Strategic Plan Annual Report"

6. How will Carl Kenney's position be filled?

We issued an RFQ. Five responses were received. New Chapter Coaching/DAP were awarded the contract.

Questions 1-4 were answered by Deputy Chief Schlude. Question 5 was a report submitted to City Council at the November 7 council meeting. Question 6 was answered by Assistant City Manager Carol Rhodes.

Town Hall Listening Tour Meeting Notes January 30, 2017

The meeting began with Mike Matthes giving an overview of the Listening Tour Process. The purpose of this tour is to discuss the disproportionate contact experiences, also called racial profiling, between members of the community and the Columbia Police Department. There have been three meetings thus far with stakeholder groups in the community and one more meeting is being planned with the NAACP.

Chief Burton stated that he publicly defended his officers when this report was first released, saying that he did not believe racial profiling was happening. From this tour he has learned that there is a realistic fear by African American parents for their children who may be traveling home late at night, due to being harassed or even killed by police. He discussed the term "riding 4 deep" and how he learned that this does not necessarily mean trouble but that only one person in a group of friends could afford a vehicle so they ride together. The data from the Attorney General's Office shows that in Columbia, African Americans are 3 times more likely to be searched but contraband was 4 times more likely to be found on White drivers. One of the recent changes within the police department is to address the fear and intimidation drivers feel when police officers ask to search your car. The police department has implemented a written consent form, which was started on October 1, 2016. There also seems to be a correlation between poverty and traffic stops. If someone's car is older and has more equipment issues, they are more likely to be pulled over.

Mike Matthes began the conversation asking the group, who is familiar with the Attorney General data.

A community member (white male) discussed that he was on the original commission formed by Jay Nixon, to start collecting the data on traffic stops and issuing the report. He currently is working on a dissertation focusing on the relationship between minority community members and police.

A member of Race Matters, Friends (white female) stated that several of their members have also examined the data and sent correspondence to city officials on what they found.

A member of the Citizens Police Review Board (white male) discussed the training he received as a volunteer. He also was able to complete many ride-alongs with police ranging from 8 to 12 hours a piece. Throughout these ride-alongs he noticed that during the night time hours, he was not able to tell the race of the person driving when the car was pulled over. He stated that this may be a problem with the data.

A second member of the Citizen Police Review Board, discussed how Drug and Marijuana Prohibition has had a major effect on policing practices in the country. These issues also need to be changed at the state level.

A local criminal defense attorney stated that he appreciated the written consent forms being implemented. This eliminates confusion in cases he sees, where the person states they were not asked to be searched but the officer states they were. He mentioned that many times he still has cases where an officer says he smells marijuana and then enters the vehicle on probable

cause. This is a problem because smell is subjective. He doesn't want to see an increase in the use of subjective reasons to enter a vehicle to bypass the written consent policy.

Lorenzo Lawson, who works with the Youth Empowerment Zone, has heard from several young, black males that the traffic stops are happening in areas where it is known that there are larger numbers of African Americans. This therefore increases the chances of pulling over someone who is black.

Mr. Matthes responds that police go by the caller description. Unfortunately, this can lead to higher numbers of African Americans being stopped if that is the description given.

Another citizen stated that although it may not be the intention to have racial profiling, it's about the person's perception not the reality. Those things can be completely different.

A citizen shared his stories of being followed throughout the city by police. He stated that in one of the instances the police officer flashed his headlights behind the vehicle and proceeded to pull him over. The citizen asked the officer if flashing the lights was a common practice and was told yes by that officer and the dispatcher but no by all other officers he encountered. The citizen wanted to know, if this is considered racial profiling?

Mr. Matthes responded that he agrees that there are disagreements in the definition of racial profiling. He restated that this comes back to the poverty and equipment issue for the reason people are pulled over.

Chief Burton responded that the citizen may have received different answers from different officers due to the officers working different shifts. He stated that an officer flashing his headlights is done sometimes, if the license plate light is dim and difficult to tell if it is out. Officers who are not familiar with working night shifts and the common practices of night shift officers could have a different answer from officers who primarily work night shift.

A member of the community mentioned that the use of Tasers occurs around 10% of the time. 50% of the time when Tasers are used, the suspect is African American. She would like to see recent numbers and data on these topics.

Mr. Matthes asked that the comments be focused on racial profiling and traffic stops, for the sake of time but that we have the numbers and they can be provided.

Mr. Matthes discussed that in the last year the police department has had to make some tough decisions such as disbanding the traffic unit. This was done to move more officers for patrol. This is an ongoing problem since every year the revenue shrinks.

John Clark asked Mr. Matthes four questions: You would agree that there is something wrong with the disparate contact numbers? Why is the city very resistant to say racial profiling? Do you feel anyone is getting benefits by the high numbers of traffic stops? Is a black man in a car enough to warrant an officer to pull someone over, even if it is based on a description?

A citizen shared his past experience of being searched by an officer after he had declined when asked. After the incident he had reached out to the Chief of Police at the time (not Chief Burton), and the Chief had assured him that the officer would call him back and apologize, however he never received a call. The citizen stated that it hurt him that he wasn't trusted and it took talking with family and friends to make the feeling go away. Since this incident he has seen improvements. He stated he is able to walk around town now without being stopped and questioned by an officer.

Mr. Matthes thanked him for being brave enough for sharing his story and Chief Burton and Deputy Chief Schlude apologized for the man's experience.

A citizen (black female) asked a question regarding the written consent forms. She wanted to know if the forms had a place where the officer would write the reason for the search. She stated this would give something tangible to take to court if someone was disputing why they were searched.

Deputy Chief Schlude responded that the cards do not have a space for that information because if an officer already has probable cause they are not going to ask. The cards are only used when there isn't probable cause to search the vehicle.

A citizen asked for a process overview as to what happens to an officer who repeatedly has stops and searches that never yield anything.

Mr. Matthes responded that officers have been examined on an individual level but that he cannot go into detail as to what happened with these officers.

A citizen asked if there were other changes being implemented to affect the behavior combined with the written consent. This would help address the intimidation factor.

Chief Burton explained that all officers complete bias free policing training. He wants his officers to recognize that they do intimidate people and to be able to look at a person as a person, not treat them like a suspect.

Deputy Chief John Gordon further explained that as an officer we cannot coerce someone to let us search their vehicle. That is a clear violation of someone's Fourth Amendment rights and it can cost the officer their job if they do so.

A citizen (white male) shared his concerns of using the data. He stated "statistics can lie and liars can use statistics." He would like to pay more taxes that would help fund officers. He stated that he hoped that if pay was increased more officers could be recruited that have the will to promote the correct behavior and help meet the goal of reducing racial bias.

Another citizen (white male), stated he would like to applaud the city and the Chief for addressing the issue of racial bias in policing. He stated that he wasn't a statistician but that the disparity index for searches of African Americans was much higher than the disparity of stops for whites.

A citizen (white female) asked what the intent or goal was for even asking to search if there was no probable cause to begin with?

Chief Burton responded that he wasn't sure where this began. This type of mindset was established before he arrived, where searches were conducted more frequently.

A citizen (white male), asked if the consent cards were in use today?

Chief Burton stated yes they were. The department began using them on October 1st.

A citizen (black female) asked Chief Burton if he believed racial profiling exists.

Chief Burton explained that he's getting there but he wants to examine the data further. He would like to get an outside source to examine the data. He currently has his crime analyst Jerry East examining officers on an individual level to examine the use of race in their traffic stops. He gave an example of an officer in his department who had 6 traffic stops for the year and all of them were African American drivers. When they examined

that further, it turned out that the officer was on special assignment where African Americans were shooting at each other and he was searching for the suspects. The same citizen then asked that if these teenage boys are pulled over and decline the search they may be worried about retaliation.

Chief Burton stated that the individuals shouldn't be worried about retaliation. It's their right to refuse the search and parents should communicate that with their children. Citizens are also welcome to come and talk to Internal Affairs which are responsible for investigating these complaints.

The same citizen then asked Chief Burton why officers were pulling over "4 deep" cars, if there wasn't racial profiling?

Chief Burton explained that the car may have been seen engaged in criminal activity or associated with an event that occurred previously.

A citizen made a recommendation to add information to the search consent card. For example, when probable cause is not present add why the officer asked the person to consent to a search on the back of the card.

Chief Burton mentioned that this is a starting point and the purpose of meetings like the one they were engaged in was to get feedback on ways to improve. Deputy Chief Schlude mentioned that CPD is currently in the process of reviewing their data capabilities and technology, and mentioned that they are currently having discussions about what additional data they would like to capture.

A citizen (black, middle-aged male) shared an experience of a time where he was walking by Douglas Park when a police officer stopped and handcuffed him for approximately one hour because he matched the description of a person who had committed a robbery. The man stated that he was eventually let go without receiving charges. He felt that this was an example of racial profiling and discussed that it made him feel angry that he was treated this way when he had done nothing.

A citizen (white, middle-aged male) shared an experience: He stated that he lives by the ARC. One evening he had finished working out and went to shop at Gerbes after completing his workout. As he was entering the store he noticed some "shenanigans" going on in the parking lot. He went into the store and bought some Ben and Jerry's Chunky Monkey ice cream. As he left the grocery store he noticed that some police officers had arrived to the parking lot and he agreed that this was probably a good idea. He got in his car and began driving out of the parking lot to his home (which he stated was close by). As he pulled out of the parking lot the police officer turned on his flashing lots and pulled the man over. He stated that the law enforcement officer had a flat affect and was not very friendly. The officer informed him that he was stopped/ pulled over because it was reported that a man fitting his description (white male) had been selling drugs in the parking lot. This concerned the man and he felt a range of emotions (mad, embarrassed, etc.) as he considers himself a pillar of the community. The officer asked to search the man's vehicle. The man stated that he was intimidated. He also stated that he had nothing to hide. With that said, he informed the officer that if he wanted to search him or the vehicle then the officer would need to obtain a search warrant. The search did not occur and the man was sent on his way. The man said that this experience "messed up his mind." Time went by and the man stated that he discussed this situation with another officer. The conversation with the other officer gave the man a new perspective. The officer informed the man that the appearance to the responding officer was responding to a white male selling drugs in the parking lot. The officer arrived on scene and observed a white male in the parking lot get into his car and then leave. This might have given the officer the appearance

that the man that got into his car to leave was hiding something. In other words, the timing that everything occurred was a coincidence.

A citizen made a statement that he had looked at all of the pictures from the graduating class of the Law Enforcement Training Institute (LETI) and noticed that throughout the years there was only a few minority graduates in every class (race, women, etc.). He discussed the importance of improving the recruitment efforts of local law enforcement agencies and mentioned that efforts could be directed at youth in local middle schools and high schools. He also mentioned that he worked for a company called MDS for approximately 15 years. He stated that there was a lot of diversity in the workforce of this organization. He mentioned that there were quite a few Bosnian refugees that worked for this organization and he thought that they would be interested in a career in law enforcement because they had previously had similar careers in the country that they used to live.

Mr. Matthes then briefly discussed the strategic plan and talked about the City's efforts to build a diverse workforce through apprenticeship programs.

A citizen (white, middle-aged male) brought up the Use of Force continuum and the idea of graduated force. He asked Chief Burton if the first option in the continuum was an officer's physical presence (referring to the fact that an officer's presence can be intimidating). Chief Burton agreed with the statement about physical presence and its place in the Use of Force continuum. The man then went on to ask about the procedures/ criteria for conducting a search without probable cause and specifically asked if the officer would articulate to a person why the officer was asking to search someone. The man went on to talk about an incident where he was pulled over for an equipment issue. He accepted the reason for the traffic stop. He went on to state that the passenger of his vehicle was a black, teenage male. The man stated that upon noticing the age and race of the passenger that the officer became fixated on that person. The officer asked the passenger for his information so he could run a check on that person. The man telling the story felt that this was racial profiling.

Deputy Chief Gordon disagreed with the fact presented in the story and informed the person that he had personally reviewed the incident. The two disagreed and eventually left the room to discuss it amongst themselves in private.

A citizen asked about the idea of not collecting enough data or collecting flawed data, and asked if there was a third party that could review this situation to see if there was additional data or different data that should be collected.

Chief Burton discussed how some of the data could be flawed. He specifically discussed a study that had been conducted where some researchers looked at traffic stops throughout the year from 6:00 pm to 8:00 pm to determine if people got pulled over more in the day time or the night time (depending on the time of year sometimes this was day light and other times it was already dark outside). The researchers determined that this was a flawed research design because depending on if the sun was out or not had a big impact on people's behavior. Specifically it was noticed that when the sun was out (which equated with warmer weather because of the time of year when the sun was out later) more people were out and driving around. By contrast, during the same time period when the sun was already down (which equated to colder weather because of the time of the year) less people were out and driving around. Thus, one could conclude that this was not an equal set of variables to measure ("comparing apples to oranges"). Chief Burton equated this to flawed data of an officer having a disproportionate number of traffic stops on black people in areas where the population is primarily made up of black people; based off of probability this is likely to happen.

The man who originally brought this idea up asked if there were people looking into what other data needed to be collected.

Chief Burton informed him that this was currently being done and he was open to hearing suggestions from others that had insight on this topic.

A citizen stated that her partner is a psychologist that works with law enforcement officers and conducts psychological evaluations on prospective officers during the hiring process. She made the statement that officers in the law enforcement profession are some of the most stable people. With that said, there is inherent disrespect from the public toward police officers and the profession. She stated that we needed to get to know the officers as people and understand their motivations for entering the profession. She also stated that there need to be more positive interactions between the community and law enforcement community. She asked what efforts the city and police department are taking to promote these positive interactions and how community policing can be promoted in all neighborhoods.

Chief Burton discussed the Community Outreach Unit and mentioned that more officers and resources are needed for this to work throughout the city.

The woman followed up and asked about what the public can do financially.

Mr. Matthes mentioned that finances are a problem. He discussed benchmark data and the number of calls per officer data. Mr. Matthes discussed that in Missouri cities have to put tax increase measures like this on the ballot for a vote from the people. When the Parks ballot was passed it provided more revenue for the City but it did not allow that money to be spent on more officers because it had to be spent on parks. It was mentioned that there has been discussion about a ballot initiative for public safety. Mr. Matthes also discussed the City's reliance on sales tax revenue and the impact of internet sales on local sales tax revenue.

The woman then stated that the need for more police and community policing needs to be marketed better. It was recommended to explain to the public how this will positively impact and benefits to the community.

Mr. Matthes agreed. He then discussed the citizen satisfaction survey and the public safety question.

A citizen mentioned that per the data there is currently a lot of contact between law enforcement and the black population. It was asked how more officers would be beneficial to this community.

Mr. Matthes discussed the community policing model and the positive impact that has been seen, but there are only six officers in the COU unit. Currently, officers do not have time to do community policing and have positive interactions.

A citizen mentioned that everyone has implicit ideas and implicit bias. It was recommended that everyone should google "orchestra blind additions". The question was then asked that if the contraband hit rate is higher for whites then should we be increasing searches on white people.

A citizen asked if there was a volunteer citizen liaison group between the citizens and police department.

Chief Burton mentioned that there is a Citizens Police Review Board.

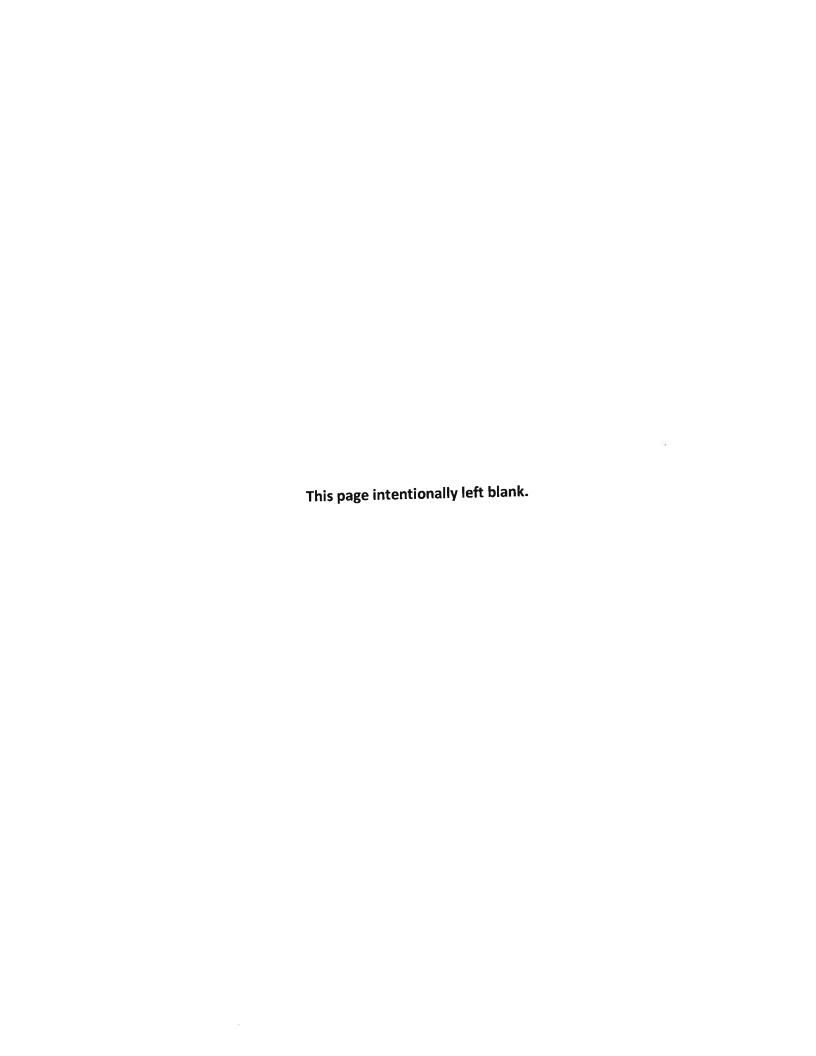
A citizen mentioned that when she witnesses a traffic stop involving a black person that she pulls out her phone to film and record the interaction. She stated that she does this to be safe and not because she distrusts cops or black people.

Chief Burton stated that all CPD officers wear body worn cameras and are required to film all incidents and interactions with people. He also stated that it is a citizen's right to

film incidents with their phone and all CPD officers should be aware that this can/ will occur.

A citizen mentioned that he had heard community policing talked about in regards to being a location/ geographic based approach and he stated that it was his understanding that community policing was a philosophic approach to policing utilized by all police. He then asked if CPD officers receive training in verbal de-escalation.

Chief Burton stated all officers are trained in verbal de-escalation techniques. He stated that he has reviewed examples where it has worked and officers have put the training into practice. He mentioned a specific example of a traffic stop where a man was being dealt with that appeared to be under the influence. When the man began to behave in a difficult manner the officers used spacing, positioned a vehicle in between them and the man, and used verbal de-escalation to handle the situation. Chief Burton then discussed the history of community policing in Columbia (initially downtown area, then Douglas Park, and currently COU in three neighborhoods). He stated that community policing is a department-wide/ city-wide philosophy and we just don't have the resources currently.



Community Conversation with NAACP (Planning Meeting) Meeting Notes March 1, 2017

People is attendance: Mary Ratliff (NAACP), Valerie Shaw (NAACP), Lorenzo Lawson (Youth Empowerment Zone), Councilman Clyde Ruffin (ward 1 councilmember and Second Missionary Baptist Church pastor), Mike Matthes (City Manager), Ken Burton (Police Chief), Jill Schlude (Deputy Police Chief), John Gordon (Deputy Police Chief), Steve Sapp (Community Relations Director), Kacy Hall (Management Fellow), and Chris Clubine (Management Fellow).

Mr. Matthes shared who the City has met with on the listening tour (Minority Men's Network, Race Matters Friends, Empower Missouri, and town hall/ public meeting) and the next steps (review the information internally, discuss what has been heard, and then come up with a plan of action).

Mr. Matthes mentioned that the plan was to attend the meeting with the NAACP before moving on to next steps. He informed members of the NAACP that he had been telling members of the media and press that the meeting with the NAACP was their meeting and it may not be open to the public. Ms. Shaw and Ms. Ratliff clarified that their meetings are initially open to the public but they can be closed at any time.

Mr. Lawson asked about how the data from the previous meetings has been captured. It was mentioned that Kacy Hall and Chris Clubine have taken detailed notes at each of the meetings. Mr. Lawson asked if those notes could be shared with those in attendance that have not seen them yet. Steve Sapp agreed to share them with everyone in attendance.

Ms. Ratliff recommended that the City continue to meet with other groups in order to get buy-in from the entire community. She specifically recommended the League of Woman Voters.

Ms. Ratliff stated that she does not want to see another set of meetings with no outcomes or actions taken.

Chief Burton stated that he has grown to accept the perceptions of individuals in the community. He stated that he was initially adamant that the accusations of racial profiling were not happening in his police department, but he has changed his stance and is open to the idea that the issues could be happening. He has tried to take the approach of not having preconceived notions and is open to listening to the ideas and experiences of others.

It was discussed that open communication and dialogue is needed to move forward. We are dealing with human beings and everyone deserves to have their voice heard and considered. It was stated that sometimes the people are uninformed and may not have all of the needed information.

Ms. Ratliff stated that she would like to see a large, final meeting. She mentioned that the desire is to have a meeting where there could be breakout sessions to focus on specific issues.

Ms. Shaw stated that she thought the idea of a large meeting is great. She mentioned that the person chosen to facilitate the large meeting is very important.

Mr. Lawson commended Chief Burton and the police department for implementing the search and consent written waiver form. He also mentioned his appreciation for Chief Burton's shift in mindset and attitude with acknowledging that racial profiling could be happening.

Chief Burton mentioned the importance of educating the public about what the police deal with and do in their jobs. He mentioned the idea of having members of the public participate in simulations and/or observe firsthand the experiences of police officers so that they can get an understanding of some of the difficulties of the job. It is believed that these people would then talk about it with their friends, family, acquaintances, etc.

Ms. Shaw asked about how often ride-a-longs occur and how they are promoted/ marketed. Chief Burton stated that ride-a-longs can occur as often as someone wants to participate. It was also mentioned that there are no specific promotion efforts to market the ride-a-longs. Mr. Matthes stated that it might be beneficial to promote ride-a-longs at the listening tour meeting with the NAACP.

Chief Burton mentioned that the CPD had held a Fair and Impartial Policing training for the public and they will look for additional opportunities similar to this experience.

Ms. Shaw mentioned that she has a son that is a law enforcement officer so she has a unique perspective on this issue. She made the point that there is a difference between experiencing a situation in a clinical setting and experience something in real life/ a real world situation.

Ms. Ratliff brought up that the City Council had just passed a resolution proposed by Councilman Thomas regarding community policing.

The importance for the City to meet with additional groups on the listening tour was discussed. Ms. Ratliff again mentioned the League of Women Voters. Ms. Shaw put forward the idea of meeting with Centro Latino. It was discussed that this is important because when the time comes to get buy-in from the entire community there will have already been engagement with a large segment of the community. The question was asked if the order of the meetings with the different groups mattered. Ms. Ratliff stated that she did not feel that the order of the groups for the meetings mattered.

A location for the final meeting was discussed. Ms. Ratliff put forward the idea of having the meeting at the Second Missionary Baptist Church. She mentioned that having the meeting in the church might help to influence people in attendance to be respectful. Councilman Ruffin mentioned that the church could accommodate approximately 100 people.

The audience for the final meeting was discussed. It was mentioned that the goal would be to have representatives from each of the groups that the City had met with on the listening tour and to also have the meeting open to the general public.

The marketing for the final meeting was discussed. Ms. Ratliff recommended that the City contact the members of the groups that had been met with on the listening tour and the NAACP would contact additional people for the meeting.

Bishop Lester Woods and Sarah Read were mentioned as potential options for facilitating the final meeting.

Ms. Ratliff recommended that the City continue meeting with individual groups, including having a listening tour meeting with members of the NAACP. After all of these meetings occur it would be beneficial to get this group back together to plan the final meeting.

Ms. Ratliff stated she envisioned the large, final meeting be a solutions focused meeting. She envisioned a world café style meeting with breakout sessions on important, prevalent issues.

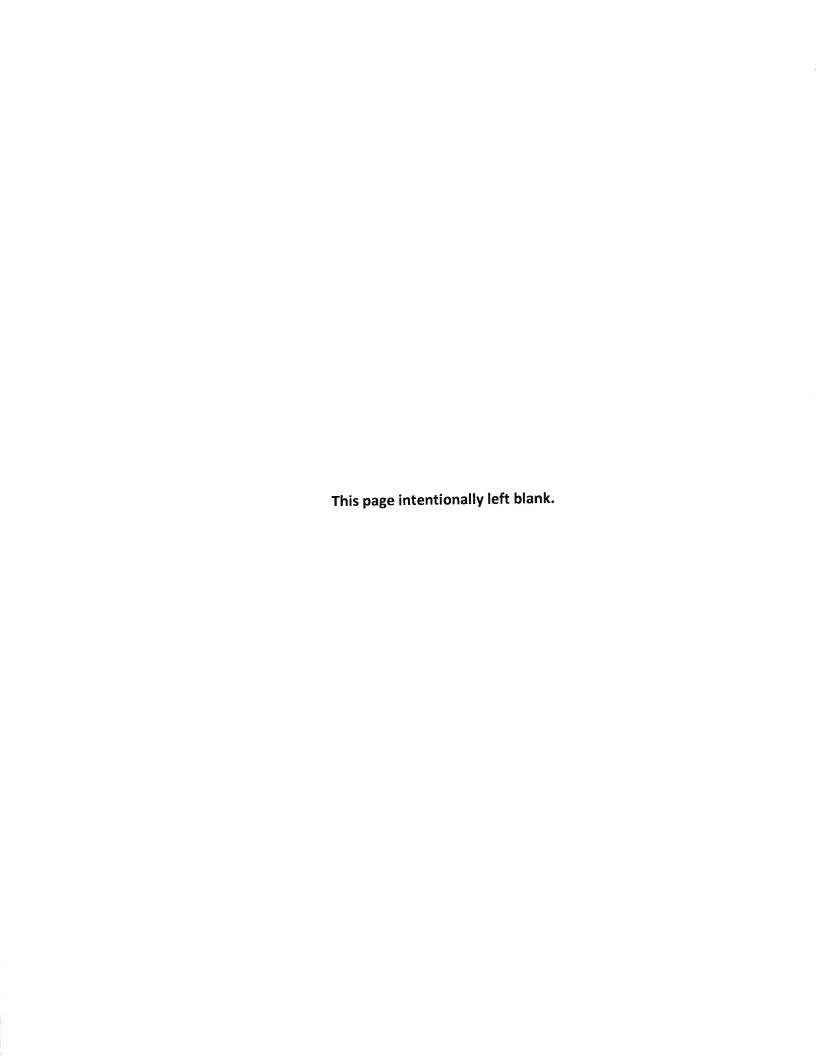
Deputy Chief Schlude mentioned that data is a point that can be discussed. Specifically, what are the holes in the data that is currently collected? What are better data points to collect?

Ms. Ratliff mentioned that it is important to acknowledge the data but it is important to deal with the real experiences of people. It was then discussed that data could potentially be one of the topics for a breakout session. Councilman Ruffin recommended reviewing the notes from the meetings with all of the groups to come up with a list of topics for the breakout sessions.

Chief Burton mentioned that on March 31st CPD will submit the last year's vehicle stops data to the Missouri Attorney General's Office. He did mention that he does not expect any significant changes to the data.

Having the media present for the large, final meeting was discussed. Mr. Matthes stated that the meeting was the NAACP's meeting and it would be their choice. Ms. Ratliff stated that she hoped the meeting would be viewed as "our" meeting.

The listening tour meeting with the NAACP will occur on the 4th Tuesday in April at 7:00 pm.



NAACP Monthly Meeting Meeting Notes April 25, 2017

Ms. Ratliff began the meeting by discussing that the meetings between the NAACP, City Manager and Chief of Police, have been occurring over the last year and a half and were in response to the rising violence in Columbia. The groups were not sure how to stop the violence and wanted to find ways to deter violence from happening.

Ms. Ratliff commended Mr. Matthes on his passion for making a difference on this subject and wanted to acknowledge that Chief Burton has been cooperative throughout the process.

Ms. Ratliff further discussed that it was agreed that the City Manager and Chief of Police would meet with stakeholder groups throughout the community to gather input which would be used to create a strategic plan for curbing the violence. Other stakeholder groups were sought out to encourage people to share their stories and to encourage "buy-in" when the options were presented to the African American community members who were responsible for committing the violence. Once the meetings were complete with the stakeholder groups, the NAACP would host a final meeting, inviting all stakeholder groups, the City Manager and Police Department to come together and discuss their findings. This meeting would be complete with breakout sessions where people could form smaller groups and a facilitator (Rev. Woods) would lead the meeting. Potential breakout discussion topics include: improving infrastructure in low income neighborhoods, transparency in city government, Minority and Women owned businesses and community policing. This meeting would bring the community together and prioritize the issues.

Mr. Steve Calloway, President of Minority Men's Network (MMN), raised the issue of the city creating the community liaison positions. None of the stakeholder groups were consulted on the requirements and hiring of this position. Mr. Calloway stated that the community found out by chance and were not sure of the role for these community liaisons.

Ms. Pam Hardin brought up the issue of allowing racial profiling discussions. She stated that these discussions needed to be open and honest. She used the example of a person who is of lower economic status not being able to afford to fix their taillight and having to risk getting pulled over or not going to work. She acknowledged that the Chief has a difficult job of representing a large group of people and has been open to the discussion of the Attorney General's report and statistics. The Chief seemed to view the statistics differently after discussing with the NAACP.

Ms. Ratliff reiterated that the discussion surrounding these issues has to be open and honest. She stated that it can't be stated that officers do not do profiling. She discussed a call about an incident that had occurred recently to a lady who has worked at the library in Columbia for many years. The lady drove her husband's blue truck to work and as she was leaving, saw a large police presence. She was unaware that there had been a shooting and she turned down a side street to avoid the traffic. The police immediately followed and pulled her over and told her to get out of the truck with her hands up. After the officer ran her information he realized she was not the person involved. The truck did not match the description given as well as the description that a black man with a red shirt on was involved. The police officers were very apologetic but the woman is already traumatized. These situations make the public untrusting of the police and the police should be aware.

Ms. Hardin discussed that parents are having to warn kids on how to interact with the police. She stated that police are unaware of the issues in the community and discussed the example of the term "4 deep" and how the Chief was unaware of what that meant until he met with the NAACP. She stated that when her son was younger there was a large group of kids and the police told them they had to disburse and to just start walking or be arrested. She said her son attempted to explain to the officer that he didn't live nearby but he began walking anyway when the officer told him he had to leave. She stated that she had told her son to stay where he was before he left that night and as a parent she was worried when she found out that he was walking around downtown.

Ms. Virginia Law discussed that today police are taught that hands are dangerous. She had recently watched a television program that discussed police training on autism awareness and how to appropriately deal with someone who has autism. She said that officers should be vetted and not everyone needs to be a police officer that applies. Although the television program was not related to race and police issues, the mental health awareness training was an important component for officers to discuss and be trained in.

Ms. Hardin described that police are afraid. The example given was that police officers stated that they were afraid of Mike Brown because he was a big guy. Community policing is needed so that the community as well as the officers can feel comfortable. The dynamic needs to be changed between the community and the officers. Police are not seen as friends anymore and to change this dynamic the police have to work with the community.

Ms. Hardin stated that she was never worried about her son joining gangs but was worried about the police officers and her son. She told a story about when her son and daughter were out together and were pulled over. The officer made the kids get out of the car and was going to frisk them. She stated that her daughter had never had any interaction with the police and when she was asked to get out had her cell phone in her hand. Her brother began screaming at her to drop the phone for fear of what the police would do, thinking it was a weapon. She also stated that when the police approach you, you are not allowed to be angry and if you are then you're the aggressor.

Everyone at the meeting agreed the Boone County Sheriff's Office was easier to deal with. Reverend Marcus Richardson stated that he works with teens and they always state that they prefer interacting with the BCSD compared to CPD. It was acknowledged that CPD interacts with the inner city more often than BCSD does but that the crime is moving out into the county areas. Furthermore, Reverend Richardson stated that BCSD and CPD do not intermingle often.

It was also discussed that CPD used to buy a table at the NAACP banquet every year. This is important to community members because the CPD can interact with the community. The City manager has the motivation to make a change and the NAACP hope that the community can come together and move forward.

Ms. Shaw discussed that a statement was released by the police department that there were 115 officers and only 10 minorities. The type of "minority status" was not discussed in the statement. Since the African American community represents 12-13% of the community, the numbers within the police department should also reflect this.

Mr. Calloway stated that the brochure released by the CPD regarding "how to interact and to comply" with officers was discussed within the meeting between the CPD, City manager and MMN. Mr. Calloway said that he compared it to other cities that had released similar documents

and was disappointed that the brochure released by CPD never acknowledged what the citizen should expect from an officer, only how the citizen should act.

Ms. Hardin agreed that this is a simple customer and employer dynamic. Oftentimes, within the first 2-3 minutes of getting pulled over, can determine how the stop will go. She stated that she realizes not everyone has all good days but as a business owner herself, when a customer comes in she must be courteous and the officer should be in the same mindset.

Ms. Hardin further explained that people within the community are storytellers and word gets around on the types of interactions that are had with the officers. She stated that having more black officers will help promote trust and that more training is needed for officers. She argued that the training should be more community oriented and referred to the training as "down home" training. This would allow officers to understand the culture, customs and actions that the community that they serve.

CPD Deputy Chief Schlude arrived to the meeting at 8:09 pm.

Deputy Chief Schlude began by explaining her role. She explained that there are two deputy chiefs (her and John Gordon). Deputy Chief Gordon is in charge of CPD operations. Deputy Chief Schlude is in charge of training/ recruiting, investigations/ detectives, civilian personnel (human resources, budget, etc.), and internal affairs.

Deputy Chief Schlude then discussed recruiting new officers.

- The starting salary for a new CPD officer is approximately \$42,000 per year.
- There were five new recruits starting the academy.
- If a person is hired and they have not been through the Law Enforcement Training Institute (LETI) that the City would pay for a person to go through LETI. This is approximately a \$7,000 academy. (It is important to mention that a person must commit to being with CPD four years or repay the City for the cost of LETI if they leave early.)
- The recruits are paid while they go through the academy (\$18 per hour).

Deputy Chief Schlude then discussed the retirement benefits for a CPD officer. She specifically mentioned that the retirement benefits had been reduced.

- The retirement benefit for officers who are in the "old" plan is as follows: An officer can retire after 20 years of service. The highest three years of their salary is averaged and they are paid 60% of that for the remainder of their life.
- The retirement benefit for officers who are in the "new" plan is as follows: An officer can retire after 25 years of service. The highest three years of their salary is averaged and they are paid 50% of that for the remainder of their life.
- Deputy Chief Schlude also briefly discussed and described "drop retirement."

Deputy Chief Schlude stated that despite all of the benefits and pay an officer can receive, it is difficult to get minorities that want to be police officers.

Ms. Ratliff asked how CPD currently recruits minorities.

Deputy Chief Schlude stated that CPD does not have a recruiting unit. Currently, officers volunteer for recruiting people to become officers. She mentioned that CPD does try to get a diverse group of people (i.e. women, minority races including African-

Americans and Asians) to help in the recruiting efforts. She specifically mentioned Corey Jackson as an example of a CPD officer that helps with recruiting.

Ms. Ratliff followed up and asked how CPD pay compares to other law enforcement agencies? Deputy Chief Schlude discussed comparable communities (cities of similar size/population not in a metropolitan area). She stated that when comparing CPD to other law enforcement agencies from similar communities that our pay is comparable.

Ms. Ratliff then asked about the number of college hours that are needed to become a CPD officer and if there are any exemptions for people that don't have college education (i.e. technical schools and training).

Deputy Chief Schlude stated that people are eligible for hire with 30 college credits. She went on to discuss that some military experience/ classes can be given credit as college credit. She was not sure about technical schools. She then stated that there are pros and cons of requiring college credit.

Ms. Ratliff then asked about other options that CPD could implement to recruit minorities. She specifically discussed the VA and mentioned that the VA will hire people and pay for their schooling. She mentioned that the City needs to come up with innovative ways to get more diversity, especially African Americans on the police force. Ms. Ratliff then discussed strategies that are used for getting out the vote and mentioned that if she is trying to register people in the African American community to vote that it is more effective to use African Americans to do the recruiting. She mentioned that the same approach is true for community policing and therefore we need more African American officers, especially for the neighborhoods that are primarily populated by African Americans. Ms. Ratliff then stated that if the City wants to do some type of tax increase for increasing the number of officers then we need to show how we will work to recruit and get more minority officers on the force.

Ms. Ratliff then asked about the biggest barriers to getting African Americans on the police force.

Deputy Chief Schlude did state that applicants are not tracked based on their race. She also mentioned that from a more generic viewpoint on recruiting people that CPD has softened their stance on prior marijuana use of an applicant because assuming perfection in a person's background is not realistic. She did mention that there are things like domestic violence that is an automatic disqualifier.

Ms. Ratliff then stated that the perception of CPD's culture is a problem and issue impacting recruiting. Specifically, many people in the African American community view the police as biased, unfair, etc. and they don't want to a part of that system.

Ms. Shaw then stated that there are people that automatically disqualify themselves even if they have the needed qualifications because they don't look like others on the police force. She suggested that we actively recruit Lincoln University a historically African American university located in Jefferson City, Missouri), as well as the other universities in Columbia that have Criminal Justice degrees (University of Missouri and Columbia College). She mentioned that she had heard that in the CPD there are 113 officers and only 10 are minorities.

Deputy Chief Schlude stated that she has witnessed the number of women decrease. She also broke down the 36 members of the CPD commanding staff (24 sergeants, 9 lieutenants, 2 deputy chiefs, and 1 chief) and stated that there are a total of only 5 minorities (4 women and 1 African American). She did mention that of the five new recruits that two are women.

Deputy Chief Schlude proposed the idea of having African American officers speak with groups like the NAACP in order for others to learn from and understand their experiences.

Ms. Hampton inquired about how often large groups of officers are together for continuing education/ training.

Deputy Chief Schlude stated that the officers are currently on a ten hour shift. All officers are scheduled on Wednesdays. As a result, training will occur on Wednesdays. She mentioned that during in-service trainings, approximately 40 officers will be together for the trainings.

Ms. Hampton followed up and asked about new trainings/ speakers getting added to the training schedule.

Deputy Chief Schlude stated that priority is given to the state training requirements. She then discussed a new training (Blue Courage) that all officers will receive. She mentioned that if someone has an idea for a training that it be put into a lesson plan format so that it can be sent to POST to be evaluated to determine if it is eligible for POST certified training hours.

Ms. Law asked about whether or not there is a mandatory multicultural training for officers.

Deputy Chief Schlude mentioned that the training was previously call racial profiling training and it discussed that people cannot be treated based on their race.

Ms. Ratliff stated that it is her opinion that the racial profiling training would not fit her idea of multicultural training.

Ms. Shaw stated that her idea of multicultural training or diversity training discusses and educates people about what is happening in the communities of different ethnicities and races. She also discussed the importance of having trainings on mental health disorders and autism.

Deputy Chief Schlude mentioned that there was a block of in-service training on autism. She also mentioned that the academy has training on different cultures and religions (i.e. LETI goes to the mosque in Columbia).

Ms. Shaw followed up and asked if there is currently a required multicultural training for officers.

Deputy Chief Schlude mentioned that the idea of multicultural training is used in multiple trainings. She mentioned Fair and Impartial Policing as an example that discusses different cultures, religions, and races.

Ms. Hardin mentioned that people are opting to attend technical schools because it can be completed faster and therefore they can make money to provide for their family sooner compared to traditional college. She recommended that CPD looks into ways that the training can be converted to college credit so that the potential applicant pool can be expanded.

Ms. Hardin recommended that the CPD have trainings specifically on different cultures, and that the African American culture be specifically discussed because she feels that there are times when it gets lost in the idea of diversity.

Mr. Calloway asked if it is possible to get the notes from all of the previous listening tour meetings so that people can refer to them and it can show the fidelity of the process.

Ms. Shaw mentioned that Job Point provides skills training and asked if it was possible for that to be converted to the educational requirements for CPD officers.

Ms. Shaw also mentioned that diversity training can at times be overly complicated. She mentioned that simple things like language, culture, and respect would be good places to start the discussion. For example, someone should not refer to an older lady in the African American community by their first name. They should be addressed by using Ms. and their last name. This shows respect when done correctly and more importantly it is a sign of disrespect when not done correctly.

Deputy Chief Schlude mentioned that there is a "hole" in recruiting people. For example, since a person is not eligible to become an officer until they turn 21, they lose interest from younger people who might have been interested in becoming an officer because they go off to school and get other interests. She said that she would be interested in learning things that can be done to combat this hole and keep the interest of young people. (For example, are their jobs that can bridge the gap from the time they leave high school until they are eligible to become an officer, while still providing opportunities to get their education requirements?)

Ms. Hardin asked about the junior officers program.

Deputy Chief Schlude mentioned that there is an explorers program that was started through the Boy Scouts. Tony Ash, a School Resource Officer, currently headed up this group.

Ms. Hardin then proposed a diversion idea for the junior officers program. Specifically, when a juvenile gets into trouble for a minor offense, rather than put them into the juvenile justice system give the juvenile the option of being put into the Explorers program as an alternative sensitive.

At this point in the meeting City staff were excused and the NAACP continued meeting about other items on their agenda.

NAACP Meeting Meeting Notes May 22, 2017

Ms. Ratliff began the meeting at 7:12 p.m. She stated that these meetings between the City of Columbia and The NAACP began over a year ago to address the violence in Columbia. The NAACP wanted to work with the city to bring the community together. There was concern from the NAACP when the racial profiling report was released. The NAACP believed that the city and its police department needed the confidence of the community to succeed. In response to the report and to gain confidence from other stakeholder groups, the NAACP requested that the city meet with all stakeholder groups and not make the NAACP the exclusive one. They believed that by reaching out to various stakeholder groups the city could reach citizens who may have been apprehensive to come forward previously for fear of what could happen. The NAACP wants to hold the final meeting inviting stakeholders and citizens to come and review what has been heard and work with the city to create next steps to various issues.

Lorenzo Lawson discussed with the group an event that occurred the previous Saturday. He was concerned because there was a Parks and Recreation sponsored event held at Douglass Park and the COU officers were not present.

Chief Burton discussed that the event was held the same weekend as graduation and officers were needed to monitor those events. Additionally, there could have been miscommunication between the Parks and Recreation Department and the Police Department leading to no officers being present. Normally Parks and Recreation notifies the Police Department based on their estimation as to how many attendees will be present at the event if officers should be present.

Mr. Lawson was concerned that no officers were present because there was a group of people already present at the park, who were not attending the event, who had been drinking prior. The group was rowdy and was using language which was not appropriate. Valerie Shaw stated she was surprised because people usually had respect for church sponsored events. She asked if there was routinely an officer present at Douglass Park.

Chief Burton stated that the COU officers, who are assigned to the Central Area, do visit Douglass Park but that the area they serve is broader than just the park. He did acknowledge that from his experience police presence alone can decline "troublemakers."

Chief Burton began speaking about the efforts of the Police Department to address the racial disparities in the Attorney General's report. He stated that this information was primarily designed to inform people about unions. He used this information when he visited the social clubs in Columbia (Rotaries, Cosmopolitan, Kiwanis, etc.) He wanted to visit these clubs so that the public knew where he stood compared to Columbia Police Officers Association and to hear the rest of the story.

He stated that he classifies himself as an "all professional" Chief. To do this, he has a goal of elevating the position through staying ahead of trends. He gave an example of the use of "Tasers." When Tasers were given to officers they were advertised as "non-lethal" but little guidance was ever given to officers on when to use them. This did a disservice to officers. When Chief Burton first arrived in Columbia, Tasers were a "hot topic." One of his first actions as Chief of Police was to adopt the recommendations by the Department of Justice on using Tasers. These recommendations described when they were deemed justified and necessary to use and got rid of them as an option for officers to sue just when they felt like it was a good option.

A second example was the implementation of body cameras in 2009 and 2010. Columbia was one of the first departments to use them and these cameras were initially used to combat the issue of overdrinking at downtown bars. These were implemented 3 ½ months prior to Ferguson.

Valerie Shaw asked Chief Burton about an experience she had with the Columbia Police Department a few years ago. She stated that she was pulled over for running a red light but she was sure that she did not. She showed up to traffic court and was prepared to win her case, however the Police Department did not have the tape from the dash camera. She asked how long are these tapes kept? And are they taped over?

Chief Burton explained that the cameras now are sent to a website called evidence.com. The recordings are held for 60 days but can be kept for longer is they are marked as evidence. The dash cameras are constantly recording and if the lights are turned on for an officer's car the tape adds the previous 30 seconds of camera to the recording.

Ms. Shaw also discussed her time on the Task Force of Downtown Merchants. She stated how they were shown a video of what downtown looks like at 1:15 a.m. She stated that it is completely packed and traffic cannot get through. She would have never known that this is what officers deal with because she is never out that late. She said it may be impactful for more people to see things like this to fully understand.

Pam Hardin asked a question regarding body cameras and their use within medical facilities.

Chief Burton stated that they listen to the doctor and/or nurse regarding the use of cameras within the hospital. Footage from these cameras can be permanently deleted to protect the identity of those on the video. Body cameras can also always be turned off at the request of the person involved. Officers must note when the request was made and then proceed to turn the camera off.

Chief Burton then discussed that Community Policing can have different definitions. The definition he uses is to allow officers time to interact with the community. He stated that he first realized what community policing was when he was an officer in Arlington, TX. There was an adult night club which had been known for having prostitution violations as well as other disturbances. After actions had been taken against the club he was interacting with the neighbors that lived near by the establishment. One lady stuck in his mind because her response was that she would have never known about what was going on at the club however, she did want something done about the graffiti. Chief Burton had the realization that the community members need to tell what the problem is. He has encouraged his COU officers to meet the community, hand out business cards and build these relationships. He wants his department to be an example and be proactive instead of reactive. The COU officers should attempt to solve people's problems or at least reduce the effects it is having on them.

A statement was made about seeing the officers around but not having seen them knock on the doors of citizens. Several attendees agreed they had seen the COU officers and had heard about "Starsky and Hutch" within the community.

Chief Burton stated that he would like to expand this all over the city however there are currently no new positions and no money for them. Ms. Ratliff agreed that she believes the COU officers are doing a good job and that the community will support a tax increase for that reason. She stated that she doesn't like taxes either but things have to get paid for. The Chief stated that from the conversations he has had with members of the public

there seemed to be some apprehension to an increase in property tax except for citizens of Ward 1. He wants to use the increase in property tax to allow the officers to be proactive and prevent crime.

Ms. Virginia Law asked about the Police Department being down about 35 officers. Chief Burton stated that at this time they were currently down 11 officers. He stated that the number of empty positions can be misleading because it can take 6 months to 1 year to fully train an officer and then an additional 1 to 2 years to be fully comfortable on the job. Due to the different time frames and definitions this can contribute to why the public gets different numbers of the number of vacant positions from different people. Deputy Chief John Gordon should be able to answer the question at any time of how many vacant officer positions the Police Department has.

Chief Burton highlighted the Police Department's use of Benchmark Cities. This group is formed by Police Departments all across the U.S. and allows for cities to compare themselves with similar agencies. These cities come together once a year and discuss various topics. Consent searches were a popular topic at the past Benchmark Cities conference. A consent search occurs when there is no probable cause and the officer simply asks the vehicle driver if they can search. Chief Burton stated that some officers will always ask if they can search on every stop they make. Chief Burton stated that he wants officers to realize that they intimidate people when they pull them over. He wants drivers to know that they can decline a request to search.

Ms. Pam Hardin discusses that probable cause allows for a lot of freedom within the definition. Chief Burton stated that probable cause is built into the law for both citizen and officer safety.

Chief Burton described his conversation with Jim Whitt. Mr. Whitt asked Chief Burton if he was ever worried about his son getting killed by police. Chief Burton said that he was not and Mr. Whitt explained that he was often terrified that his sons would because they are black.

Ms. Ratliff explained that when the Ferguson cop was not convicted, riots at Mizzou occurred. Ms. Ratliff would not allow members of the NAACP College Chapter to protest because she was scared they would get killed.

Chief Burton touched on when he learned what riding "4 deep" was. Ms. Hardin explained to him in one the meetings that just because 4 black teenagers are in a car together doesn't automatically mean trouble. Often times, only 1 child has a vehicle therefore more ride together. He stated that he had never thought about it in that way.

Heather, a local school teacher and member of the NAACP, stated that through her experiences she has realized the different sense of community between African Americans and Whites. She stated that the various types of trainings including racial profiling and sensitivity training were beneficial. She would also be interested in teaching the classes that the Police Department attends. Ms. Hardin agreed and stated she would as well.

Chief Burton stated that he agrees that it's more beneficial to learn from a person rather than classes. Chief Burton discussed that the officers take a procedural justice course which is available because of a training grant. He enjoys this class because it teaches you that every person you meet is first a human being. It is also the police officers

responsibility to ensure that person doesn't become defensive because of the officers' actions. Fair and Impartial Policing is another training that officers partake in. This training is beneficial because it teaches officers to recognize their own biases.

Chief Burton's mother was from Colorado and his father was from South Carolina. His parents had stark differences in their upbringings. His parents moved him to South Carolina where he made a friend who happened to be black. In Colorado this wouldn't have been an issue but his schoolteacher asked him why he wanted to be friends with him. Chief Burton says he remembers not understanding why the teacher would ask him this and he discussed this with his mother when he arrived home that day. His mother was very upset by this and Chief Burton's family only stayed in South Carolina a year. He said that he tells his officers that everyone has biases but you can't bring them to work.

Chief Burton went on to discuss that the relationships between Police Chiefs and Unions can be troubled. He wanted the NAACP to understand that the Facebook posts from the CPOA are not from the CPD.

Ms. Valerie Shaw asked who members of the CPOA were. Ms. Ratliff stated that the CPOA has a lot of members possibly up to 40-50% of the department. Members of the NAACP were upset by this. Ms. Ratliff went on to state that unions can have good things come from them and that people have the right to organize.

Chief Burton went on to explain that even though an officer is a member of a union does not mean that they are active. He stated that the entire time he was an officer he was a member of the union but he had never went to meetings. He stated that he joined for the legal protections they offered.

Ms. Pam Hardin discussed the Cadets in high school and Explorer Program. She stated that she used to see these in parades or different events around town but not so much anymore. She wasn't sure if the African American community knew about it. Ms. Hardin also asked about possibly trying a different approach for punishments for small infractions. She stated she would like to have them introduced to the Police Department to get to know the officers rather than putting them in JJC and having a bad picture of law enforcement. Chief Burton stated that it would be up to the judges.

Chief Burton discussed a new program which is being utilized currently by the Columbia Police Department, Boone County Sheriff's Office, and the U.S. Attorney's Office. This program identifies people 20-30 years old who are at risk in the community of being killed or going to prison. It utilizes focused deterrence to deter the person from ending up there. This program offers resources for a job, training and clearly states the expectations of the program. The name of the program is called AVERT. This program was modeled after the program NOVA based in Kansas City. Chief Burton said this program was important to him because it gives the person a chance to change. The groups above have identified 6 individuals within the community currently and are in the process of bringing them in 1 at a time to propose the idea above to them.

Ms. Ratliff stated she was impressed with this and asked if there was anyone on the panel from the community.

Chief Burton stated that with privacy issues there is not anyone from the public on the committee. He did not want added pressure on the person to succeed or word getting

out that this person was participating in a program like this and getting pulled back into trouble.

Ms. Hardin discussed how Kansas City Public Schools had implemented something similar to address children who were acting up. They established a peer reviewed board and saw a 98% deterrence in their discipline referrals.

Heather, school teacher and NAACP member, stated that she could identify 2 children in her classroom now that could be in trouble in the future. She stated currently Lange has good resources for them but she worried about them in the future. She was supportive of the program.



NAACP Community Engagement on Policing, Equity and Civility August 22, 2017

Breakout Session: Community Engagement

- 1. "Coming Together" and Building Relationships
 - Getting to know each other so we can be proactive rather than reactive regarding community issues like this
- 2. Need to create opportunities to come together to talk, learn and share experiences.
 - Have fun together
 - Projects to work on
 - Share cultural activities
- 3. People need to be honest
 - Speak up
 - Hard conversations
 - More minorities visible
- 4. Identifying barriers
 - Small groups formed/ facilitated by those here today
 - Are facilitators necessary?
- 5. Engaging groups on the ground (those impacted by proposed actions)
 - Disenfranchised
 - Unheard
 - City needs to invest in this
 - Trust building

Breakout Session: Community Policing and Racial Profiling

- 6. What do we want Community Policing to be?
 - The philosophy of it
 - Community Oversight and Other Models
 - COU Involvement
- 7. Cultural Diversity
 - Training
 - Interaction
 - How the media presents the African American Community and vice versa
 - Training for law enforcement should include cultural diversity
 - Facilitated by experienced individuals
 - Ongoing
 - More meetings for those directly impacted
- 8. Staffing (CPD)
 - Criminal Justice Administration Internships
 - Educate CPD as well as community
 - Media and biases
 - Hiring Practices
 - Acknowledgement by leadership
 - Complaints
 - o How are they handled?

- o Are they addressed?
- 9. Lack of acknowledgement
 - Acknowledgement of racial profiling and why CPD is defensive
 - Is there a method of tracking?
 - More in depth analysis of current data
 - What good is the data without knowledge?
 - o Rights
 - Ways of transparency

Breakout Session: Mental Health and Community Policing

Mental Health and substance abuse co-occurring disorders

Children- not many resources- schools inundated

- School to prison pipeline

Traumatic brain injuries

- Veterans
- PTSD

Public safety- Homeless people with mental health issues

- No help for them

For adults- treatment options limited

- Inpatient and outpatient cost \$\$\$
- Number of sessions too short
- Insurance won't cover long term care

Love Inc.

- Doing good
- Ignoring mentally ill
- Stereotypes

Long term mental health

Not jails

Focus on early years

- Combatting racism of white supremacist families
- Parents as Teachers?

Do police have de-escalation training?

More training for police.. CPD should follow county

General mental health or community policing

Football- more trainers and concussion checkers

"Verbal Judo" for de-escalation- give choices

Crisis Intervention team training- CPD started- county (60-65% trained)-

- Temporary crisis
- Long-term crisis
- For juveniles too so calling police is last resort- train SRO's
- Training police to recognize mental illness and controlled substances

Funding choices- more for health and human services

 Maybe Clarence Coates wouldn't have been on a roof with a gun if he'd had free counseling

Public Safety is about more than just police

Health and Human Services is fragmented

Community Policing = relationships with people with chronic mental illness People walking around talking to themselves

- People feel unsafe

Most people with mental/behavioral health disorders are not a danger to community Neo-Nazis are not the same as mentally ill: that's an insult to mentally ill Good initiatives for older than 18

- Not timely
- Shortage of providers
- Facilities
- Money
- Stigma
- Access

Undiagnosed traumatic brain injury from sports Maybe anger or frustration, not mental illness

- Toxic stress
- Poverty

Fear of police

Educate the public to let them know mentally ill usually not a threat Youth may not know how to interact with mentally ill- volunteer State legislature gutted gun laws

- permit less carry no screening for mental illness
- incomplete background checks
- VOTE

Nothing wrong with being on meds

- Pride stops people from seeking help

Medicaid expansion would help

Change Jeff City and National Government

Implicit bias training related to mentally ill

Officers don't have time to engage because understaffed

Foster kids

- Handle with care program

Police shouldn't be first responders

- Social workers, etc. should- if they're trained

Doesn't cost anything to adopt community policing philosophy

Force training for social workers

- Not 1 mental health liaison for 7 counties

Why call police for mental health?

- Crisis Intervention Trained Person

Mental Health for Police Officers

Breakout Session: Equity in Employment and Minority Entrepreneurship

- 1. State civil rights legislation
 - Discrimination in employment
 - Lobby/align organizational priorities
 - Patronize minority/local businesses
 - Make these businesses easier to find

2. Wage issues

- Living wage
- Challenge businesses to raise
- Define living wage
- Boycott non living wage businesses
- Educate/raise awareness
- Talk to Union leaders
- Respect for employees
- Start with the Publicly funded employers
- Internet tax/tax credits

3. Sharp End

- Revitalize district
- Raise awareness of innovation hub
- 4. Resources for entrepreneurship
 - Sustainable mentorship programs
 - Business center
 - Small loans
 - Job skills training for minorities
 - Needs to be after hours
 - Offer child care
 - Improve website
 - Chamber of Commerce should help
 - Need resource list
- 5. Identify early talent in schools
 - Reduce Out of School Suspension (school to prison pipeline)
 - Minority students not involved in Career Center
 - Focus groups
 - Job Point alternative

Breakout Session: Civility and Accountability

To begin the breakout group on civility and accountability, Ms. Valerie Shaw shared a piece of paper with the group that contained the following information:

Civility comes from the Latin word "civilis" which means "Citizen".

Civility is defined as polite remarks and courtesy. In terms of its relationship to citizenship it is more than mere politeness. It is disagreeing without being disrespectful, seeking common good as a starting point for dialogue about differences, listening past one's own perceptions, and modeling this so that others will do the same.

"Civility costs nothing but buys everything." --- Mary Wortley Montagu

The following is a list of things that the group discussed that the <u>City</u> government needs to start doing, needs to do a better job of doing, or is currently doing well and needs to continue doing:

- Street crimes unit (proactive policing units): more frequent rotation of people assigned to the unit (fresh eyes).
- Protocols enforced at every level and accountability.
- Training provided by people in the community (diversity/ cultural competency).
- Community policing.
- Mentorship: more seasoned, comfortable officers model for younger officers.
- Attitudes about who Columbia is and who the city values (my students vs. folks who live here especially with people of color).
- Police department call out officers who do not behave with civility.
- More police interaction at community events.
- Inclusionary zoning.
- Train officers to increase sensitivity to others (emotional intelligence).

The following is a list of things that the group discussed that the <u>Community</u> needs to start doing, needs to do a better job of doing, or is currently doing well and needs to continue doing:

- Schools address gangs in schools.
- Take opportunities to meet new people and exhibit common courtesies.
- Make an effort/ get outside of comfort zone.
- At a personal level commit to smiling with those you don't know.
- Interact with the city's youth/ young adults mentor/ model positive communication skills
- Invite officers to school and community events.
- Do not put people into negative stereotypes get to know people.
- Be mindful of language how do we speak about others.
- Address inappropriate behavior.



NAACP Community Engagement on Policing, Equity and Civility September 26, 2017 Breakout Session Priorities Identified

Breakout Session: Community Engagement

- Getting together to have fun
 - Make sure these are strategic opportunities
 - Use them as a means to an end- develop trust and build relationships at these events
 - Understand what their needs are (How do you reach those that are most impacted?)
 - Go where they are
 - Hands on project (Covered bus shelter)
 - Community wants the police there
 - o Can't have a 1 size fits all approach
 - Community garden
 - Fish fry
 - Have something for the kids (firetruck)
 - Activities that fill a need
 - A facilitator with cultural sensitivity- people won't listen if you try to tell them what they're going to do
 - Get the Greek community involved

Breakout Session: Mental Health

- Task force created with
 - Officers
 - mental health community experts,
 - people with diagnoses
 - o city officials
- Data on current interactions with people with mental health conditions
- More CIT Training
 - 100% of Officers trained with basic knowledge of mental health
 - Renewed every year
- Bias training about people with mental health conditions

Breakout Session: Civility and Accountability

- More diversity training
 - Some from local leaders
 - Help youth to know how to interact with police
- Increase micro units and community engagement
 - See the youth
 - Build relationships
- Accountability
 - o How police are held accountable
 - Better understanding how success is measured
 - What are the goals on performance of police
- Mentorship
 - Officers be mentors for youth and other officers
 - o Choose appropriate officers for this role
- Community Policing
 - What is it? Define.
 - Understand what it is.
 - Model the correct behavior

Breakout Session: Employment

- Civil Rights Legislation passed by the state
 - Organize protests and petitions to get it repealed
- Human Resources Hiring Practices not using name
 - Use another identifier (number) until interview is held
 - Addresses implicit bias
 - Equity Training Required
 - o CPS has implemented: every teacher required to complete
 - o Require all officers to complete- attach to evaluation
 - Outcomes to assess effectiveness of training
- Access to Resources for Entrepreneurs
 - Fayetteville, AR has program where city pays for "streamer trailers" for startup businesses to use and helps them move into city owned commercial buildings when ready
 - City could purchase/subsidize commercial buildings so that small businesses could afford rent- this would look better in community than having empty storefronts
 - o Small Business Institution at University has resources for entrepreneurs

- City has scheduled meetings for small business owners after normal working hours and will be surveying small businesses to find the times that work best to meet
- City will have an upcoming trade show featuring small businesses
- Reach out to Journalism students to feature small diversity owned businesses
- Federal workshops in Kansas City and St. Louis which offer information on loans and grants for small business owners
- o EPIC- Chamber of Commerce- resources for small business owners
- Living Wages for jobs
 - Minimum wage can't be changed unless legislation is changed at state level
 - Can't do different wages for different ages such as teenager receiving minimum wage for fast food work compared to adult because that would be considered ageism
- Identifying and Assisting Youth at younger age to prepare them for jobs
 - Schools have Career Center and City has CARE Program
 - o Focus on all students not just minorities
 - Not all students want to go to college
 - Other communities: Mayor/Governor has created trade programs to help students
 - Have Career Center not only focus on skill but also teach students how to be an entrepreneur with that skill
 - Jobs are open with robots- City should purchase robot and teach kids how to program them to have a well-paying job when they graduate
 - Have schools/city require volunteer/internship hours to graduate high school so that students have that experience

Breakout Session: Community Policing

- Adopting DOJ 6 Pillars
- Requiring cultural diversity training for officers
 - Have some training taught by local community members
- Lack of acknowledgement
 - Acknowledgement of racial profiling and why CPD is defensive
 - Acknowledgement by leadership
- Transparency and Accountability
 - Holding officers accountable and have the department be more transparent
 - o Is there a method of tracking?
 - Complaints

- How are they handled?
- Are they addressed?
- o More in depth analysis of current data
- o What good is the data without knowledge?

 - RightsWays of transparency
- Staffing (CPD)
 - o Criminal Justice Administration Internships
 - o Educate CPD as well as community
 - Media and biases
 - Hiring Practices



POVERTY STATUS IN THE PAST 12 MONTHS OF FAMILIES

2011-2015 American Community Survey 5-Year Estimates

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Data and Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

Tell us what you think. Provide feedback to help make American Community Survey data more useful for you.

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities and towns and estimates of housing units for states and counties.

Subject	Columbia city, Missouri									
		All familie	es		Married-couple families					
	Total		Percent below poverty level		Total		Percent below poverty level			
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error		
Families	22,960	+/-711	10.7%	+/-1.6	17,447	+/-668	3.7%	+/-1.0		
With related children of householder under 18 years	11,947	+/-485	16.2%	+/-2.6	8,465	+/-512	4.9%	+/-1.8		
With related children of householder under 5 years	3,386	+/-429	18.3%	+/-4.5	2,615	+/-356	4.7%	+/-3.0		
With related children of householder under 5 years and 5 to 17 years	2,041	+/-385	25.7%	+/-7.9	1,530	+/-361	9.9%	+/-6.4		
With related children of householder 5 to 17 years	6,520	+/-452	12.1%	+/-3.1	4,320	+/-438	3.3%	+/-2.0		
RACE AND HISPANIC OR LATINO ORIGIN										
Families with a householder who is-										
White alone	18,363	+/-626	6.9%	+/-1.3	14,917	+/-650	3.4%	+/-1.1		
Black or African American alone	2,267	+/-315	28.9%	+/-8.4	908	+/-204	2.0%	+/-2.1		
American Indian and Alaska Native alone	19	+/-22	0.0%	+/-62.6	2	+/-4	0.0%	+/-100.0		
Asian alone	1,168	+/-150	11.0%	+/-6.3	1,013	+/-156	8.1%	+/-5.8		
Native Hawaiian and Other Pacific Islander alone	30	+/-28	0.0%	+/-49.8	30	+/-28	0.0%	+/-49.8		
Some other race alone	153	+/-106	59.5%	+/-31.2	17	+/-27	0.0%	+/-66.2		
Two or more races	960	+/-289	32.3%	+/-11.6	560	+/-205	7,3%	+/-8.6		
Hispanic or Latino origin (of any race)	783	+/-222	20.4%	+/-14.0	453	+/-147	13.5%	+/-15.2		
White alone, not Hispanic or Latino	17,826	+/-616	6.8%	+/-1.3	14,602	+/-669	3.1%	+/-0.9		

Subject	Columbia city, Missouri								
		All familie	25		Married-couple families				
	Tot	al	Percent below poverty level		Total		Percent below poverty level		
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	
Householder worked	18,674	+/-788	9.3%	+/-1.7	14,142	+/-695	2.7%	+/-1.0	
Householder worked full-time, year-round in the past 12 months	14,023	+/-732	4.1%	+/-1.4	11,166	+/-679	1.5%	+/-1.0	
Householder 65 years and over	3,287	+/-234	2,3%	+/-2.0	2,936	+/-214	0.4%	+/-0.5	
Family received —									
Supplemental Security Income (SSI) and/or cash public assistance income in the past 12 months	1,111	+/-225	42.4%	+/-10.6	451	+/-145	23.9%	+/-13.0	
Social security income in the past 12 months	4,574	+/-357	4.8%	+/-2.5	3,634	+/-289	2.2%	+/-2.2	
EDUCATIONAL ATTAINMENT OF HOUSEHOLDER									
Less than high school graduate	983	+/-260	39.5%	+/-13.3	452	+/-158	20.4%	+/-18.7	
High school graduate (includes equivalency)	2,934	+/-372	21.9%	+/-7.2	1,579	+/-266	1.0%	+/-1.1	
Some college, associate's degree	5.254	+/-462	13.9%	+/-3.7	3,780	+/-363	4.8%	+/-2.7	
Bachelor's degree or higher	13,789	+/-675	5.1%	+/-1.3	11,636	+/-608	3.1%	+/-1.2	
NUMBER OF RELATED CHILDREN OF THE HOUSEHOLDER UNDER 18 YEARS									
No child	11,013	+/-625	4.8%	+/-1.4	8,982	+/-535	2.6%	+/-1.0	
1 or 2 children	9,818	+/-594	15.2%	+/-2.7	6,777	+/-575	4.0%	+/-1.9	
3 or 4 children	2,062	+/-394	19.4%	+/-7.2	1.624	+/-353	6.5%	+/-5.0	
5 or more children	67	+/-57	58.2%	+/-41.5	64	+/-57	56.3%	+/-44.0	
NUMBER OF OWN CHILDREN OF THE HOUSEHOLDER UNDER 18 YEARS									
No own child of the householder	11,535	+/-618	5.8%	+/-1.7	9,196	+/-538	2.6%	+/-1-0	
1 or 2 own children of the householder	9,407	+/-578	15.2%	+/-2.8	6,563	+/-573	4.2%	+/-1.9	
3 or 4 own children of the householder	1,958	+/-377	16.5%	+/-6.2	1,631	+/-353	6.9%	+/-5.0	
5 or more own children of the householder	60		53.3%	+/-48.3	57	+/-56	50.9%	+1-50.9	
NUMBER OF PEOPLE IN FAMILY									
2 people	10,771	+/-713	10.5%	+/-2.1	7,813	+/-561	3.0%	+/-1.2	
3 or 4 people	9,767	+/-694	10.7%	+/-2.7	7,432		3.7%	+/-1.7	
5 or 6 people	2,271	+/-373	10.6%	+/-5.8	2,058	+/-348	5.1%	+/-3.9	
7 or more people	151	+/-90	28.5%	+/-26.7	144	+/-90	25.0%	+/-27.5	
NUMBER OF WORKERS IN FAMILY									
No workers	2,523	+/-289	23.7%	+/-6.4	1,847	+/-211	10.9%	+/-4.5	
1 worker	6,651	+/-545	21.5%	+/-4.5	3,613	+/-375	5.3%	+/-3.0	
2 workers	11,464		3.5%	+/-1.3	10,170		2.5%	+/-1.2	
3 or more workers	2,322		0.9%	+/-1.1	1,817	+/-305	0.3%	+/-0.6	
INCOME DEFICIT									
Mean income deficit for families (dollars)	9,044	+/-975	(X)	(X)	9,009	+/-1,906	(X)	(X	

Subject	Columbia city, Missouri									
	All familles				Married-couple families					
	Total		Percent below poverty level		Total		Percent below poverty leve			
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error		
TENURE										
Owner occupied	15,547	+/-544	2.9%	+/-0.9	13,431	+/-592	1.5%	+/-0.9		
Renter Occupied	7,413	+/-604	27.1%	+/-4.4	4,016	+/-473	11.4%	+/-3.5		
ALL FAMILIES WITH INCOME BELOW THE FOLLOWING POVERTY RATIOS										
50 percent of poverty level	981	+/-209	(X)	(X)	(X)	(X)	(X)	(X		
125 percent of poverty level	3,248	+/-397	(X)		(X)	(X)	(X)	(X		
150 percent of poverty level	3,730	+/-443	(X)		(X)	(X)	(X)	(X		
185 percent of poverty level	4,762	+/-495	(X)		(X)	(X)	(X)	(X		
200 percent of poverty level	5,254	+/-562	(X)		(X)	(X)	(X)	(X		
300 percent of poverty level	8,653	+/-680	(X)	(X)	(X)	(X)	(X)	(X		
400 percent of poverty level	11,683	+/-757	(X)		(X)	(X)	(X)			
500 percent of poverty level	14,585	+/-779	(X)		(X)	(X)	(X)	(X		

Subject	Columbia city, Missouri						
	Fem	ale householder, no	husband present				
	Tot	al	Percent below poverty level				
	Estimate	Margin of Error	Estimate	Margin of Error			
Families	3,998	+/-460	34.8%	+/-5_3			
With related children of householder under 18 years	2,736	+/-426	43.6%	+/-6.4			
With related children of householder under 5 years	598	+/-201	69.4%	+/-14.9			
With related children of householder under 5 years and 5 to 17 years	399	+/-169	72.4%	+/-20.0			
With related children of householder 5 to 17 years	1,739	+/-327	28.1%	+/-7.7			
RACE AND HISPANIC OR LATINO ORIGIN							
Families with a householder who is-							
White alone	2,441	+/-332	24.9%	+/-6.7			
Black or African American alone	1,199	+/-282	46.5%	+/-10.3			
American Indian and Alaska Native alone	17	+/-21	0.0%	+/-66.2			
Asian alone	105	+/-74	41.0%	+/-36.9			
Native Hawaiian and Other Pacific Islander alone	0	+/-26					
Some other race alone	44	+/-59	100.0%	+/-41.			
Two or more races	192	+/-105	72.4%	+/-27.5			
Hispanic or Latino origin (of any race)	160	+/-102	27.5%	+/-35.0			
White alone, not Hispanic or Latino	2,337	+/-319	26.1%	+/-6.9			
Householder worked	3,233	+/-472	31.5%	+/-5.7			
Householder worked full-time, year-round in the past 12 months	1,932	+/-387	11.1%	+/-4.7			
Householder 65 years and over	284	+/-103	22.2%	+/-21.3			
Family received –							
Supplemental Security Income (SSI) and/or cash public assistance income in the past 12 months	583	+/-149	52.3%	+/-13.2			
Social security income in the past 12 months	831	+/-230	14.9%	+/-9.4			
EDUCATIONAL ATTAINMENT OF HOUSEHOLDER							
Less than high school graduate	445	+/-190	51.9%	+/-23.4			
High school graduate (includes equivalency)	878	+/-245	47.6%	+/-13.0			
Some college, associate's degree	1,154	+/-249	41.1%	+/-11.7			
Bachelor's degree or higher	1,521	+/-334	17.7%	+/-7.0			
NUMBER OF RELATED CHILDREN OF THE HOUSEHOLDER UNDER 18 YEARS			TABLE !				
No child	1,262	+/-267	15.8%	+/-8.0			
1 or 2 children	2,347	+/-394	39.6%	+/-6.			
3 or 4 children	386	+/-152	67.4%	+/-16.			
5 or more children	3	+/-6	100.0%	+/-100.			
NUMBER OF OWN CHILDREN OF THE HOUSEHOLDER UNDER 18 YEARS				1000			
No own child of the householder	1,503	+/-277	20.8%	+/-8.			
1 or 2 own children of the householder	2.181	+/-374	39.7%	+/-6.5			

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Subject	Columbia city, Missourl							
	Fem	ale householder, no	husband present					
	Tot	ai	Percent below	poverty level				
	Estimate	Margin of Error	Estimate	Margin of Error				
3 or 4 own children of the householder	311	+/-133	67.8%	+/-18.4				
5 or more own children of the householder	3	+/-6	100.0%	+/-100.0				
NUMBER OF PEOPLE IN FAMILY								
2 people	1,955	+/-322	36.2%	+/-7.8				
3 or 4 people	1,859	+/-401	31.1%	+/-8.1				
5 or 6 people	181	+/-115	57.5%	+/-29.7				
7 or more people	3	+/-6	100.0%	+/-100.0				
NUMBER OF WORKERS IN FAMILY								
No workers	557	+/-179	55.8%	+/-22.8				
1 worker	2,234	+/-378	44.2%	+/-8.1				
2 workers	781	+/-206	10.2%	+/-6.1				
3 or more workers	426	+/-163	3.1%	+/-5.2				
NCOME DEFICIT								
Mean income deficit for families (dollars)	9,417	+/-1,435	(X)	(X)				
TENURE								
Owner occupied	1,373	+/-269	12.0%	+/-5.3				
Renter Occupied	2,625	+/-360	46.7%	+/-7.3				
ALL FAMILIES WITH INCOME BELOW THE FOLLOWING POVERTY RATIOS								
50 percent of poverty level	(X)	(X)	(X)	(X)				
125 percent of poverty level	(X)	(X)	(X)	(X				
150 percent of poverty level	(X)	(X)	(X)	(X				
185 percent of poverty level	(X)	(X)	(X)	(X)				
200 percent of poverty level	(X)	(X)	(X)	(X				
300 percent of poverty level	(X)	(X)	(X)	(X				
400 percent of poverty level	(X)	(X)	(X)	(X				
500 percent of poverty level	(X)	(X)	(X)	(X				

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value, in addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see Accuracy of the Data). The effect of nonsampling error is not represented in these tables.

While the 2011-2015 American Community Survey (ACS) data generally reflect the February 2013 Office of Management and Budget (OMB) definitions of metropolitan and micropolitan statistical areas; in certain instances the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB definitions due to differences in the effective dates of the geographic entities.

Estimates of urban and rural population, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data, As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates

Explanation of Symbols:

- 1. An '**' entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.

 2. An '-' entry in the estimate column indicates that either no sample observations or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval or upper interval of an open-ended distribution.
- An '-' following a median estimate means the median falls in the lowest interval of an open-ended distribution.
 An '+' following a median estimate means the median falls in the upper interval of an open-ended distribution.
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- 6. An ****** entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.
- 7. An 'N' entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.
- 8. An '(X)' means that the estimate is not applicable or not available.





2011-2015 American Community Survey 5-Year Estimates

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Data and Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

Tell us what you think. Provide feedback to help make American Community Survey data more useful for you.

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities and towns and estimates of housing units for states and counties.

Subject		Columbia city, Missouri									
	Total	al	Labor Force Participation Rate		Employment/Population Ratio		Unemployment rate				
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error			
Population 16 years and over	95,838	+/-658	68.3%	+/-1.3	64.9%	+/-1.3	4.8%	+/-0.7			
AGE											
16 to 19 years	10,149	+/-468	39.2%	+/-3.8	34.0%	+/-3.3	13.4%	+/-3.6			
20 to 24 years	23,182	+/-542	70.1%	+/-3.6	65.9%	+/-3.6	5.8%	+/-1.6			
25 to 29 years	10,914	+/-439	84.4%	+/-2.8	80.4%	+/-3.3	4.6%	+/-2.0			
30 to 34 years	8,334	+/-421	88.7%	+/-2.8	84.0%	+/-3.2	5.0%	+/-2.1			
35 to 44 years	12,012	+/-477	84.5%	+/-2.7	80.9%	+/-3.0	3.4%	+/-1.6			
45 to 54 years	11,041	+/-472	84.1%	+/-2.8	82.0%	+/-2.8	2.5%	+/-1.1			
55 to 59 years	5,501	+/-403	76.3%	+/-4.3	75.0%	+/-4.3	1.8%	+/-1.3			
60 to 64 years	4,448	+/-384	63.2%	+/-5.0	60.2%	+/-5.2	4.8%	+/-2.9			
65 to 74 years	5,557	+/-320	35.3%	+/-4.4	34.1%	+/-4.2	3.3%	+/-2.6			
75 years and over	4,700	+/-303	5.9%	+/-2.2	5.6%	+/-2.2	4.7%	+/-7.4			
RACE AND HISPANIC OR LATINO ORIGIN											
White alone	77,144	+/-782	69.1%	+/-1.3	66.5%	+/-1.3	3.7%	+/-0.7			
Black or African American alone	9,321	+/-605	66.4%	+/-5.2	58.4%	+/-4.9	11.9%	+/-4.3			
American Indian and Alaska Native alone	173	+/-93	60.7%	+/-17.4	32.9%	+/-25.4	45.7%	+/-37.2			
Asian alone	5,430	+/-308	59.4%	+/-5.3	55.5%	+/-5.2	6.1%	+/-2.8			
Native Hawaiian and Other Pacific Islander alone	71	+/-56	87.3%	+/-20.8	71.8%	+/-29.9	17.7%	+/-28.9			

Subject		Columbia city, Missouri									
	Tot	tal	Labor Force Participation Rate		Employment/Population Ratio		Unemployment rate				
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error			
Some other race alone	787	+/-264	76.7%	+/-11.6	68.6%	+/-16.9	0.0%	+/-5.0			
Two or more races	2,912	+/-444	68.7%	+/-6.6	62.8%	+/-7.7	8.6%	+/-5.5			
Hispanic or Latino origin (of any race)	2,924	+/-268	79.6%	+/-5.2	75.2%	+/-6,9	2.7%	+/-2.6			
White alone, not Hispanic or Latino	75,151	+/-827	68.9%	+/-1.3	66.2%	+/-1.4	3.8%	+/-0.7			
Population 20 to 64 years	75,432	+/-546	78.6%	+/-1.4	75.1%	+/-1.4	4.3%	+/-0.7			
SEX											
Male	36,453	+/-525	80.7%	+/-1.6	76.7%	+/-1.6	4.5%	+/-1.1			
Female	38,979	+/-482	76.7%	+/-2.1	73.5%	+/-2.1	4.0%	+/-1.0			
With own children under 18 years	10,987	+/-517	76.6%	+/-3.3	73.2%	+/-3.6	4.4%	+/-2.0			
With own children under 6 years only	3,601	+/-485	70.5%	+/-5.5	67.1%	+/-5.9	4.9%	+/-3.5			
With own children under 6 years and 6 to 17 years	2,035	+/-375	66.8%	+/-9.6	62.2%	+/-9.4	7.0%	+/-4.9			
With own children under 6 to 17 years only	5,351	+/-436	84,3%	+/-3.1	81.5%	+/-3.7	3.4%	+/-2.6			
POVERTY STATUS IN THE PAST 12 MONTHS											
Below poverty level	20,650	+/-996	60.2%	+/-4.2	53.5%	+/-3.9	11.1%	+/-2.6			
At or above the poverty level	52,609	+/-1,029	87.4%	+/-1.0	85.0%	+/-1.1	2.4%	+/-0.6			
DISABILITY STATUS											
With any disability	5,814	+/-668	52.5%	+/-6.5	44.2%	+/-6.2	15.0%	+/-5.6			
EDUCATIONAL ATTAINMENT											
Population 25 to 64 years	52,250	+/-564	82.4%	+/-1.3	79.1%	+/-1.3	3.7%	+/-0.7			
Less than high school graduate	2,737	+/-504	64.5%	+/-7.9	60.2%	+/-7.9	6.7%	+/-4.7			
High school graduate (includes equivalency)	7,246	+/-608	74.7%	+/-4.6	66.5%	+/-5.1	10.6%	+/-4.0			
Some college or associate's degree	12,062	+/-783	81.6%	+/-2.9	77.9%	+/-3.2	4.4%	+/-1.7			
Bachelor's degree or higher	30,205	+/-906	86.1%	+/-1.4	84.4%	+/-1.5	1.8%	+/-0.6			

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Employment and unemployment estimates may vary from the official labor force data released by the Bureau of Labor Statistics because of differences in survey design and data collection. For guidance on differences in employment and unemployment estimates from different sources go to Labor Force Guidance.

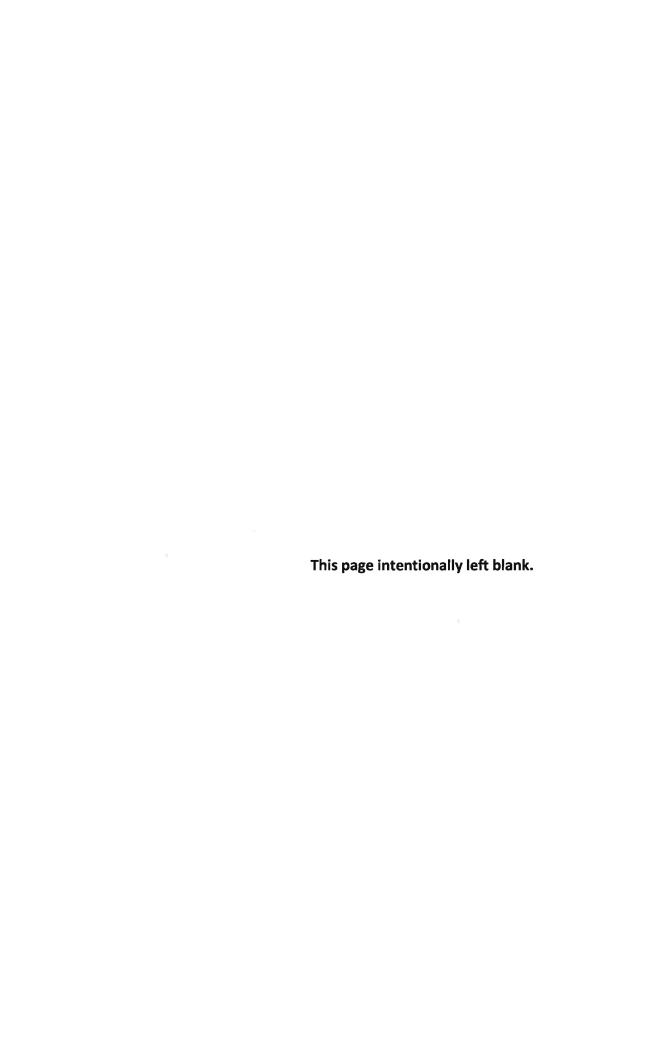
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Source: U,S, Census Bureau, 2011-2015 American Community Survey 5-Year Estimates

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FINAL REPORT OF

THE PRESIDENT'S TASK FORCE ON 21ST CENTURY POLICING

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FROM THE CO-CHAIRS

We wish to thank President Barack Obama for giving us the honor and privilege of leading his Task Force on 21st Century Policing. The task force was created to strengthen community policing and trust among law enforcement officers and the communities they serve—especially in light of recent events around the country that have underscored the need for and importance of lasting collaborative relationships between local police and the public. We found engaging with law enforcement officials, technical advisors, youth and community leaders, and nongovernmental organizations through a transparent public process to be both enlightening and rewarding, and we again thank the President for this honor.

Given the urgency of these issues, the President gave the task force an initial 90 days to identify best policing practices and offer recommendations on how those practices can promote effective crime reduction while building public trust. In this short period, the task force conducted seven public listening sessions across the country and received testimony and recommendations from a wide range of community and faith leaders, law enforcement officers, academics, and others to ensure its recommendations would be informed by a diverse range of voices. Such a remarkable achievement could not have been accomplished without the tremendous assistance provided by the U.S. Department of Justice's Office of Community Oriented Policing Services (COPS Office), led by Director Ronald L. Davis, who also served as the executive director of the task force. We thank Director Davis for his leadership, as well as his chief of staff, Melanca Clark, and the COPS Office team that supported the operation and administration of the task force.

We also wish to extend our appreciation to the COPS Office's extremely capable logistical and technical assistance provider, Strategic Applications International (SAI), led by James and Colleen Copple. In addition to logistical support, SAI digested the voluminous information received from testifying witnesses and the public in record time and helped facilitate the task force's deliberations on recommendations for the President. We are also grateful for the thoughtful assistance of Darrel Stephens and Stephen Rickman, our technical advisors.

Most important, we would especially like to thank the hundreds of community members, law enforcement officers and executives, associations and stakeholders, researchers and academics, and civic leaders nationwide who stepped forward to support the efforts of the task force and to lend their experience and expertise during the development of the recommendations contained in this report. The passion and commitment shared by all to building strong relationships between law enforcement and communities became a continual source of inspiration and encouragement to the task force.

The dedication of our fellow task force members and their commitment to the process of arriving at consensus around these recommendations is also worth acknowledging. The task force members brought diverse perspectives to the table and were able to come together to engage in meaningful dialogue on emotionally charged issues in a respectful and effective manner. We believe the type of constructive dialogue we have engaged in should serve as an example of the type of dialogue that must occur in communities throughout the nation.

FINAL REPORT OF THE PRESIDENT'S TASK FORCE ON 21ST CENTURY POLICING

While much work remains to be done to address many longstanding issues and challenges—not only within the field of law enforcement but also within the broader criminal justice system—this experience has demonstrated to us that Americans are, by nature, problem solvers. It is our hope that the recommendations included here will meaningfully contribute to our nation's efforts to increase trust between law enforcement and the communities they protect and serve.

Charles H. Ramsey Co-Chair Laurie O. Robinson Co-Chair



President Barack Obarna joins members of the President's Task Force on 21st Century Policing for a group photo in the Oval Office, March 2, 2015.

OFFICIAL WHITE HOUSE PHOTO BY PETE SOUZA

MEMBERS OF THE TASK FORCE

Co-Chairs

Charles Ramsey, Commissioner, Philadelphia Police Department

Laurie Robinson, Professor, George Mason University

Members

Cedric L. Alexander, Deputy Chief Operating Officer for Public Safety, DeKalb County, Georgia

Jose Lopez, Lead Organizer, Make the Road New York

Tracey L. Meares, Walton Hale Hamilton Professor of Law, Yale Law School

Brittany N. Packnett, Executive Director, Teach For America, St. Louis, Missouri

Susan Lee Rahr, Executive Director, Washington State Criminal Justice Training Commission

Constance Rice, Co-Director, Advancement Project

Sean Michael Smoot, Director and Chief Counsel, Police Benevolent & Protective Association of Illinois

Bryan Stevenson, Founder and Executive Director, Equal Justice Initiative

Roberto Villaseñor, Chief of Police, Tucson Police Department



PHOTO: BRANDON TRAMEL

TASK FORCE STAFF

The U.S. Department of Justice's Office of Community Oriented Policing Services, led by Director Ronald L. Davis, provided administrative services, funds, facilities, staff, equipment, and other support services as necessary for the task force to carry out its mission:

Executive Director Ronald L. Davis

Chief of Staff Melanca Clark

Communications Director Silas Darden (Office of Justice Programs)

General Counsel Charlotte Grzebien

External Affairs Liaison Danielle Ouellette

External Affairs Liaison Sheryl Thomas

Legislative Liaison Shannon Long

Project Manager Deborah Spence

Senior Policy Advisor Katherine McQuay

Site Manager Laurel Matthews

Special Assistant Michael Franko

Special Assistant Jennifer Rosenberger

Writer Janice Delaney (Office of Justice Programs)

Writer Faye Elkins

Strategic Applications International (SAI): ¹ James Copple, Colleen Copple, Jessica Drake, Jason Drake, Steven Minson, Letitia Harmon, Anthony Coulson, Mike McCormack, Shawnee Bigelow, Monica Palacio, and Adrienne Semidey

Technical Advisors: Stephen Rickman and Darrel Stephens

Consultant Research Assistants: Jan Hudson, Yasemin Irvin-Erickson, Katie Jares, Erin Kearns, Belen Lowrey, and Kristina Lugo

^{1.} SAI provided technical and logistical support through a cooperative agreement with the COPS Office.

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ACKNOWLEDGMENTS

The task force received support from other components of the U.S. Department of Justice, including the Office of Justice Programs, led by Assistant Attorney General Karol Mason, and the Civil Rights Division, led by Acting Assistant Attorney General Vanita Gupta.

The following individuals from across the U.S. Department of Justice also assisted the task force in its work: Eric Agner, Amin Aminfar, Pete Brien, Pamela Cammarata, Erin Canning, Ed Chung, Caitlin Currie, Shanetta Cutlar, Melissa Fox, Shirlethia Franklin, Ann Hamilton, Najla Haywood, Esteban Hernandez, Natalie Hopewell, Arthur Gary, Tammie Gregg, Richard Hughes, Valerie Jordan, Mark Kappelhoff, John Kim, Kevin Lewis, Robert Listenbee, Cynthia Pappas, Scott Pestridge, Channing Phillips, Melissa Randolph, Margaret Richardson, Janice Rodgers, Elizabeth Simpson, Jonathan Smith, Brandon Tramel, Donte Turner, and Miriam Vogel.



Cincinnati Police Chief Jeffrey Blackwell welcomes the task force to the University of Cincinnati, January 30, 2015.

PHOTO: DEBORAH SPENCE

EXECUTIVE SUMMARY

Trust between law enforcement agencies and the people they protect and serve is essential in a democracy. It is key to the stability of our communities, the integrity of our criminal justice system, and the safe and effective delivery of policing services.

In light of recent events that have exposed rifts in the relationships between local police and the communities they protect and serve, on December 18, 2014, President Barack Obama signed an executive order establishing the Task Force on 21st Century Policing. The President charged the task force with identifying best practices and offering recommendations on how policing practices can promote effective crime reduction while building public trust.

This executive summary provides an overview of the recommendations of the task force, which met seven times in January and February of 2015. These listening sessions, held in Washington, D.C.; Phoenix, Arizona; and Cincinnati, Ohio, brought the 11 members of the task force together with more than 100 individuals from diverse stakeholder groups—law enforcement officers and executives, community members, civic leaders, advocates, researchers, academics, and others—in addition to many others who submitted written testimony to study the problems from all perspectives.

The task force recommendations, each with action items, are organized around six main topic areas or "pillars:" Building Trust and Legitimacy, Policy and Oversight, Technology and Social Media, Community Policing and Crime Reduction, Officer Training and Education, and Officer Safety and Wellness.

The task force also offered two overarching recommendations: the President should support the creation of a National Crime and Justice Task Force to examine all areas of criminal justice and pro-

pose reforms; as a corollary to this effort, the task force also recommends that the President support programs that take a comprehensive and inclusive look at community-based initiatives addressing core issues such as poverty, education, and health and safety.

Pillar One: Building Trust and Legitimacy

Building trust and nurturing legitimacy on both sides of the police/citizen divide is the foundational principle underlying the nature of relations between law enforcement agencies and the communities they serve. Decades of research and practice support the premise that people are more likely to obey the law when they believe that those who are enforcing it have authority that is perceived as legitimate by those subject to the authority. The public confers legitimacy only on those whom they believe are acting in procedurally just ways. In addition, law enforcement cannot build community trust if it is seen as an occupying force coming in from outside to impose control on the community. Pillar one seeks to provide focused recommendations on building this relationship.

Law enforcement culture should embrace a guardian—rather than a warrior—mindset to build trust and legitimacy both within agencies and with the public. Toward that end, law enforcement agencies should adopt procedural justice as the guiding principle for internal and external policies and practices to guide their interactions with rank and file officers and with the citizens they serve. Law enforcement agencies should also establish a culture of transparency and accountability to build public trust and legitimacy. This is critical to ensuring decision making is understood and in accord with stated policy.

Law enforcement agencies should also proactively promote public trust by initiating positive non-enforcement activities to engage communities that typically have high rates of investigative and enforcement involvement with government agencies. Law enforcement agencies should also track and analyze the level of trust communities have in police just as they measure changes in crime. This can be accomplished through consistent annual community surveys. Finally, law enforcement agencies should strive to create a workforce that encompasses a broad range of diversity including race, gender, language, life experience, and cultural background to improve understanding and effectiveness in dealing with all communities.

Pillar Two: Policy and Oversight

Pillar two emphasizes that if police are to carry out their responsibilities according to established policies, those policies must reflect community values. Law enforcement agencies should collaborate with community members, especially in communities and neighborhoods disproportionately affected by crime, to develop policies and strategies for deploying resources that aim to reduce crime by improving relationships, increasing community engagement, and fostering cooperation.

To achieve this end, law enforcement agencies should have clear and comprehensive policies on the use of force (including training on the importance of de-escalation), mass demonstrations (including the appropriate use of equipment, particularly rifles and armored personnel carriers), consent before searches, gender identification, racial profiling, and performance measures—among others such as external and independent investigations and prosecutions of officer-involved shootings and other use of force situations and in-custody deaths. These policies should also include provisions for the collection of demographic

data on all parties involved. All policies and aggregate data should be made publicly available to ensure transparency.

To ensure policies are maintained and current, law enforcement agencies are encouraged to periodically review policies and procedures, conduct nonpunitive peer reviews of critical incidents separate from criminal and administrative investigations, and establish civilian oversight mechanisms with their communities.

Finally, to assist law enforcement and the community achieve the elements of pillar two, the U.S. Department of Justice, through the Office of Community Oriented Policing Services (COPS Office) and Office of Justice Programs (OJP), should provide technical assistance and incentive funding to jurisdictions with small police agencies that take steps toward interagency collaboration, shared services, and regional training. They should also partner with the International Association of Directors of Law Enforcement Standards and Training (IADLEST) to expand its National Decertification Index to serve as the National Register of Decertified Officers with the goal of covering all agencies within the United States and its territories.

Pillar Three: Technology & Social Media

The use of technology can improve policing practices and build community trust and legitimacy, but its implementation must be built on a defined policy framework with its purposes and goals clearly delineated. Implementing new technologies can give police departments an opportunity to fully engage and educate communities in a dialogue about their expectations for transparency, accountability, and privacy. But technology changes quickly in terms of new hardware, software, and other options. Law enforcement agencies and leaders need to be able

to identify, assess, and evaluate new technology for adoption and do so in ways that improve their effectiveness, efficiency, and evolution without infringing on individual rights.

Pillar three guides the implementation, use, and evaluation of technology and social media by law enforcement agencies. To build a solid foundation for law enforcement agencies in this field, the U.S. Department of Justice, in consultation with the law enforcement field, should establish national standards for the research and development of new technology including auditory, visual, and biometric data, "less than lethal" technology, and the development of segregated radio spectrum such as FirstNet. These standards should also address compatibility, interoperability, and implementation needs both within local law enforcement agencies and across agencies and jurisdictions and should maintain civil and human rights protections. Law enforcement implementation of technology should be designed considering local needs and aligned with these national standards. Finally, law enforcement agencies should adopt model policies and best practices for technology-based community engagement that increases community trust and access.

Pillar Four: Community Policing & Crime Reduction

Pillar four focuses on the importance of community policing as a guiding philosophy for all stakeholders. Community policing emphasizes working with neighborhood residents to coproduce public safety. Law enforcement agencies should, therefore, work with community residents to identify problems and collaborate on implementing solutions that produce meaningful results for the community. Specifically, law enforcement agencies should develop and adopt policies and strategies that reinforce the importance of com-

munity engagement in managing public safety. Law enforcement agencies should also engage in multidisciplinary, community team approaches for planning, implementing, and responding to crisis situations with complex causal factors.

Communities should support a culture and practice of policing that reflects the values of protection and promotion of the dignity of all especially the most vulnerable, such as children and youth most at risk for crime or violence. Law enforcement agencies should avoid using law enforcement tactics that unnecessarily stigmatize youth and marginalize their participation in schools (where law enforcement officers should have limited involvement in discipline) and communities. In addition, communities need to affirm and recognize the voices of youth in community decision making, facilitate youth participation in research and problem solving, and develop and fund youth leadership training and life skills through positive youth/police collaboration and interactions.

Pillar Five: Training & Education

As our nation becomes more pluralistic and the scope of law enforcement's responsibilities expands, the need for expanded and more effective training has become critical. Today's line officers and leaders must be trained and capable to address a wide variety of challenges including international terrorism, evolving technologies, rising immigration, changing laws, new cultural mores, and a growing mental health crisis.

Pillar five focuses on the training and education needs of law enforcement. To ensure the high quality and effectiveness of training and education, law enforcement agencies should engage community members, particularly those with special expertise, in the training process and provide leadership training to all personnel throughout their careers.

To further assist the training and educational needs of law enforcement, the Federal Government should support the development of partnerships with training facilities across the country to promote consistent standards for high quality training and establish training innovation hubs involving universities and police academies. A national postgraduate institute of policing for senior executives should be created with a standardized curriculum preparing participants to lead agencies in the 21st century.

One specific method of increasing the quality of training would be to ensure that Peace Officer and Standards Training (POST) boards include mandatory Crisis Intervention Training (CIT), which equips officers to deal with individuals in crisis or living with mental disabilities, as part of both basic recruit and in-service officer training—as well as instruction in disease of addiction, implicit bias and cultural responsiveness, policing in a democratic society, procedural justice, and effective social interaction and tactical skills.

Pillar Six: Officer Wellness & Safety

The wellness and safety of law enforcement officers is critical not only for the officers, their colleagues, and their agencies but also to public safety. Pillar six emphasizes the support and proper implementation of officer wellness and safety as a multi-partner effort.

The U.S. Department of Justice should enhance and further promote its multi-faceted officer safety and wellness initiative. Two specific strategies recommended for the U.S. Department of Justice include (1) encouraging and assisting departments in the implementation of scientifically supported shift lengths by law enforcement and (2) expanding efforts to collect and analyze data not only on officer deaths but also on injuries and "near misses."

Law enforcement agencies should also promote wellness and safety at every level of the organization. For instance, every law enforcement officer should be provided with individual tactical first aid kits and training as well as anti-ballistic vests. In addition, law enforcement agencies should adopt policies that require officers to wear seat belts and bullet-proof vests and provide training to raise awareness of the consequences of failure to do so. Internal procedural justice principles should be adopted for all internal policies and interactions. The Federal Government should develop programs to provide financial support for law enforcement officers to continue to pursue educational opportunities. Finally, Congress should develop and enact peer review error management legislation.

Implementation Recommendations

The administration, through policies and practices already in place, can start right now to move forward on the recommendations contained in this report. The President should direct all federal law enforcement agencies to implement the task force recommendations to the extent practicable, and the U.S. Department of Justice should explore public-private partnership opportunities with foundations to advance implementation of the recommendations. Finally, the COPS Office and OJP should take a series of targeted actions to assist the law enforcement field in addressing current and future challenges.

Conclusion

The members of the Task Force on 21st Century Policing are convinced that the concrete recommendations contained in this publication will bring long-term improvements to the ways in which law enforcement agencies interact with and bring positive change to their communities.

INTRODUCTION

"When any part of the American family does not feel like it is being treated fairly, that's a problem for all of us."

—President Barack Obama

Trust between law enforcement agencies and the people they protect and serve is essential in a democracy. It is key to the stability of our communities, the integrity of our criminal justice system, and the safe and effective delivery of policing services.

In light of the recent events that have exposed rifts in the relationships between local police and the communities they protect and serve, on December 18, 2014, President Barack Obama signed Executive Order 13684 establishing the Task Force on 21st Century Policing.

In establishing the task force, the President spoke of the distrust that exists between too many police departments and too many communities—the sense that in a country where our basic principle is equality under the law, too many individuals, particularly young people of color, do not feel as if they are being treated fairly.

"When any part of the American family does not feel like it is being treated fairly, that's a problem for all of us," said the President. "It's not just a problem for some, It's not just a problem for a particular community or a particular demographic. It means that we are not as strong as a country as we can be. And when applied to the criminal justice system, it means we're not as effective in fighting crime as we could be." These remarks underpin the philosophical foundation for the Task Force on 21st Century Policing: to build trust between citizens and their peace officers so that all components of a community are treating one another fairly and justly and are invested in maintaining public safety in an atmosphere of mutual respect. Decades of research and practice tell us that the public cares as much about how police interact with them as they care about the outcomes that legal actions produce. People are more likely to obey the law when they believe those who are enforcing it have the right—the legitimate authority—to tell them what to do.2 Building trust and legitimacy, therefore, is not just a policing issue. It involves all components of the criminal justice system and is inextricably bound to bedrock issues affecting the community such as poverty, education, and public health.

The mission of the task force was to examine ways of fostering strong, collaborative relationships between local law enforcement and the communities they protect and to make recommendations to the President on ways policing practices can promote effective crime reduction while building public trust. The President selected members of the task force based on their ability to contribute to its mission because of their relevant perspective, experience, or subject matter expertise in policing, law enforcement and community relations, civil rights, and civil liberties.

^{2.} T.R. Tyler, Why People Obey the Law (New Haven, CT: Yale University Press, 1990); M.S. Frazer, The Impact of the Community Court Model on Defendant Perceptions of Fairness: A Case Study at the Red Hook Community Justice Center (New York: Center for Court Innovation, 2006).

The task force was given 90 days to conduct hearings, review the research, and make recommendations to the President, so its focus was sharp and necessarily limited. It concentrated on defining the cross-cutting issues affecting police-community interactions, questioning the contemporary relevance and truth about long-held assumptions regarding the nature and methods of policing, and identifying the areas where research is needed to highlight examples of evidence-based policing practices compatible with present realities.

To fulfill this mission, the task force convened seven listening sessions to hear testimony—including recommendations for action—from government officials: law enforcement officers: academic experts: technical advisors: leaders from established nongovernmental organizations, including grassroots movements; and any other members of the public who wished to comment. The listening sessions were held in Washington, D.C., January 13; Cincinnati, Ohio, January 30-31; Phoenix, Arizona, February 13-14; and again in Washington, D.C., February 23–24. Other forms of outreach included a number of White House listening sessions to engage other constituencies, such as people with disabilities, the LGBTQ community, and members of the armed forces, as well as careful study of scholarly articles, research reports, and written contributions from informed experts in various fields relevant to the task force's mission.

Each of the seven public listening sessions addressed a specific aspect of policing and police-community relations, although crosscutting issues and concerns made their appearance at every session. At the first session, **Building Trust and Legitimacy**, the topic of procedural justice was discussed as a foundational necessity in building public trust. Subject matter experts also testified as to the meaning of "community po-

licing" in its historical and contemporary contexts, defining the difference between implicit bias and racial discrimination—two concepts at the heart of perceived difficulties between police and the people. Witnesses from community organizations stressed the need for more police involvement in community affairs as an essential component of their crime fighting duties. Police officers gave the beat cop's perspective on protecting people who do not respect their authority, and three big-city mayors told of endemic budgetary obstacles to addressing policing challenges.

The session on **Policy and Oversight** again brought witnesses from diverse police forces (both chiefs and union representatives), from law and academia, and from established civil rights organizations and grass-root groups. They discussed use of force from the point of view of both research and policy and internal and external oversight; explained how they prepare for and handle mass demonstrations; and pondered culture and diversity in law enforcement. Witnesses filled the third session, on **Technology** and Social Media, with testimony on the use of body-worn cameras and other technologies from the angles of research and legal considerations, as well as the intricacies of implementing new technologies in the face of privacy issues. They discussed the ever-expanding ubiquity of social media and its power to work both for and against policing practice and public safety.

The Community Policing and Crime Reduction listening session considered current research on the effectiveness of community policing on bringing down crime, as well as building up public trust. Task force members heard detailed descriptions of the methods used by chiefs in cities of varying sizes to implement effective community policing in their jurisdictions over a number of years. They also heard from a panel of young people about their encounters with the criminal justice system

and the lasting effects of positive interactions with police through structured programs as well as individual relationships. The fifth listening session considered **Training and Education** in law enforcement over an officer's entire career—from recruitment through basic training to in-service training—and the support, education, and training of supervisors, leaders, and managers. Finally, the panel on Officer Safety and Wellness considered the spectrum of mental and physical health issues faced by police officers from the day-to-day stress of the job, its likely effect on an officer's physical health, and the need for mental health screening to traffic accidents, burnout, suicide, and how better to manage these issues to determine the length of an officer's career.

A listening session on the **Future of Community Policing** concluded the task force's public sessions and was followed by the deliberations leading to the recommendations that follow on ways to research, improve, support, and implement policies and procedures for effective policing in the 21st century.

Many excellent and specific suggestions emerged from these listening sessions on all facets of policing in the 21st century, but many questions arose as well. Paramount among them was how to bring unity of purpose and consensus on best practices to a nation with 18,000 separate law enforcement agencies and a strong history of a preference for local control of local issues. It became very clear that it is time for a comprehensive and multifaceted examination of all the interrelated parts of the criminal justice system and a focused investigation into how poverty, lack of education, mental health, and other social conditions cause or intersect with criminal behavior. We propose two overarching recommendations that will seek the answers to these questions.

0.1 Overarching Recommendation:

The President should support and provide funding for the creation of a National Crime and Justice Task Force to review and evaluate all components of the criminal justice system for the purpose of making recommendations to the country on comprehensive criminal justice reform.

Several witnesses at the task force's listening sessions pointed to the fact that police represent the "face" of the criminal justice system to the public. Yet police are obviously not responsible for laws or incarceration policies that many citizens find unfair. This misassociation leads us to call for a broader examination of such issues as drug policy, sentencing and incarceration, which are beyond the scope of a review of police practices.

This is not a new idea

In the 1967 President's Commission on Law Enforcement and Administration of Justice report, *The Challenge of Crime in a Free Society*, one of the major findings stated, "Officials of the criminal justice system . . . must re-examine what they do. They must be honest about the system's shortcomings with the public and with themselves."

The need to establish a formal structure to take a continuous look at criminal justice reform in the context of broad societal issues has never faded from public consciousness. When former Senator Jim Webb (D-VA) introduced legislation to create the National Criminal Justice Commission in 2009, a number of very diverse organizations from the Major Cities Chiefs Association, the Fraternal Order of Police, the National Sheriffs Association, and the National District Attorneys Association to Human Rights Watch, the American Civil Liberties Union,

^{3.} The President's Commission on Law Enforcement and Administration of Justice, *The Challenge of Crime in a Free Society* (Washington, DC: U.S. Government Printing Office, 1967), 15, https://www.ncjrs.gov/pdffiles1/nij/42.pdf.



A panel of community voices with Allie Bones, Renaldo Fowler, Keeshan Harley, Andrea Ritchie, and Linda Sarsour, Phoenix, February 14, 2015, PHOTO: DEBORAH SPENCE

and the National Association for the Advancement of Colored People all supported it. This legislation would have authorized a national criminal justice commission to conduct a comprehensive review of the criminal justice system by a bipartisan panel of stakeholders, policymakers, and experts that would make thoughtful, evidence-based recommendations for reform. The bill received strong bipartisan support and passed the House but never received a final vote.

More recently, a number of witnesses raised the idea of a national commission at the task force's listening sessions—notably Richard Beary, president of the International Association of Chiefs of Police (IACP), who said,

For over 20 years, the IACP has called for the creation of a National Commission on Criminal Justice to develop across-the-board improvements to the criminal justice system in order to address current challenges and to increase the efficiency and effectiveness of the entire criminal justice community. A deep dive into community-police relations is only one part of this puzzle. We must explore other aspects of the criminal justice system that need to be revamped and further contribute to today's challenges.⁴

You said it is time to look at the criminal justice system, and actually I would broaden the scope. We have this question of how to reintegrate into our society those who have caused harms It is not just the system but these big, democratic, societal questions that go to government functions and how we deal with conflict as well.⁵

0.2 Overarching Recommendation:

The President should promote programs that take a comprehensive and inclusive look at community-based initiatives that address the core issues of poverty, education, health, and safety.

As is evident from many of the recommendations in this report, the justice system alone cannot solve many of the underlying conditions that give rise to crime. It will be through partnerships across sectors and at every level of government that we will find the effective and legitimate long-term solutions to ensuring public safety.

And Jeremy Travis, president of John Jay College of Criminal Justice, added, in the final listening session,

^{4.} Listening Session on Building Trust and Legitimacy (oral testimony of Richard Beary, president, IACP, for the President's Task Force on 21st Century Policing, Washington, DC, January 13—14, 2015).

^{5.} Listening Session on the Future of Community Policing (oral testimony of Jeremy Travis, president, John Jay College of Criminal Justice, for the President's Task Force on 21st Century Policing, Washington, DC, January 24, 2015).

PILLAR 1. BUILDING TRUST & LEGITIMACY

People are more likely to obey the law when they believe that those who are enforcing it have the legitimate authority to tell them what to do The public confers legitimacy only on those they believe are acting in procedurally just ways.

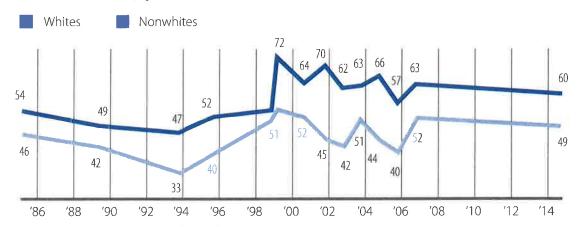
Building trust and nurturing legitimacy on both sides of the police-citizen divide is not only the first pillar of this task force's report but also the foundational principle underlying this inquiry into the nature of relations between law enforcement and the communities they serve. Since the 1990s, policing has become more effective, better equipped, and better organized to tackle crime. Despite this, Gallup polls show the public's confidence in police work has remained flat, and among some populations of color, confidence has declined.⁶

This decline is in addition to the fact that non-Whites have always had less confidence in law enforcement than Whites, likely because "the poor and people of color have felt the greatest impact of mass incarceration," such that for "too many poor citizens and people of color, arrest and imprisonment have become an inevitable and seemingly unavoidable part of the American experience." Decades of research and practice support the premise that people are more likely to obey the law when they believe that those

Figure 1. Confidence in police to protect them from violent crime, U.S. Whites vs. non-Whites

How much confidence do you have in the ability of the police to protect you from violent crime—a great deal, quite a lot, not very much, or none at all?

% A GREAT DEAL/QUITE A LOT OF CONFIDENCE



Source: Justin McCarthy, "Nonwhites Less Likely" (see note 6).

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^{6.} Justin McCarthy, "Nonwhites Less Likely to Feel Police Protect and Serve Them," *Gallup: Politics*, November 17, 2014, http://www.gallup.com/poll/179468/ nonwhites-less-likely-feel-police-protect-serve.aspx.

^{7.} Bryan Stevenson, "Confronting Mass Imprisonment and Restoring Fairness to Collateral Review of Criminal Cases," *Harvard Civil Rights-Civil Liberties Law Review* 41 (Summer 2006): 339–367.

who are enforcing it have the legitimate authority to tell them what to do. But the public confers legitimacy only on those they believe are acting in procedurally just ways.

Procedurally just behavior is based on four central principles:

- 1. Treating people with dignity and respect
- 2. Giving individuals "voice" during encounters
- Being neutral and transparent in decision making
- 4. Conveying trustworthy motives⁸

Research demonstrates that these principles lead to relationships in which the community trusts that officers are honest, unbiased, benevolent, and lawful. The community therefore feels obligated to follow the law and the dictates of legal authorities and is more willing to cooperate with and engage those authorities because it believes that it shares a common set of interests and values with the police.⁹

There are both internal and external aspects to procedural justice in policing agencies. Internal procedural justice refers to practices within an agency and the relationships officers have with their colleagues and leaders. Research on internal procedural justice tells us that officers who feel respected by their supervisors and peers are more likely to accept departmental policies, understand decisions, and comply with them voluntarily.¹⁰ It

follows that officers who feel respected by their organizations are more likely to bring this respect into their interactions with the people they serve.

External procedural justice focuses on the ways officers and other legal authorities interact with the public and how the characteristics of those interactions shape the public's trust of the police. It is important to understand that a key component of external procedural justice—the practice of fair and impartial policing—is built on understanding and acknowledging human biases, 11 both explicit and implicit.

All human beings have biases or prejudices as a result of their experiences, and these biases influence how they might react when dealing with unfamiliar people or situations. An explicit bias is a conscious bias about certain populations based upon race, gender, socioeconomic status, sexual orientation, or other attributes. Common sense shows that explicit bias is incredibly damaging to police-community relations, and there is a growing body of research evidence that shows that implicit bias—the biases people are not even aware they have—is harmful as well.

Witness Jennifer Eberhardt said,

Bias is not limited to so-called "bad people." And it certainly is not limited to police officers. The problem is a widespread one that arises from history, from culture, and from racial inequalities that still pervade our society and are especially salient in the context of criminal justice. ¹³

^{8.} Lorraine Mazerolle, Sarah Bennett, Jacqueline Davis, Elise Sargeant, and Matthew Manning, "Legitimacy in Policing: A Systematic Review," *The Campbell Collection Library of Systematic Reviews* 9 (Oslo, Norway: The Campbell Collaboration, 2013).

Tom Tyler, Jonathon Jackson, and Ben Bradford, "Procedural Justice and Cooperation," in Encyclopedia of Criminology and Criminal Justice, eds. Gerben Bruinsma and David Weisburd (New York: Springer, 2014), 4011–4024.
 Nicole Haas et al., "Explaining Officer Compliance: The Importance of Procedural Justice and Trust inside a Police Organization," Criminology and Criminal Justice (January 2015), doi: 10.1177/1748895814566288; COPS Office, "Comprehensive Law Enforcement Review: Procedural Justice and Legitimacy."

accessed February 28, 2015, http://www.cops.usdoj.gov/pdf/taskforce/Procedural-Justice-and-Legitimacy-LE-Review-Summary.pdf.

^{11.} Lorie Fridell, "This is Not Your Grandparents' Prejudice: The Implications of the Modern Science of Bias for Police Training," *Translational Criminology* (Fall 2013):10—11.

^{12.} Susan Fiske, "Are We Born Racist?" Greater Good (Summer 2008):14-17.

^{13.} Listening Session on Building Trust and Legitimacy (oral testimony of Jennifer Eberhardt for the President's Task Force on 21st Century Policing, Washington, DC, January 13, 2015).

To achieve legitimacy, mitigating implicit bias should be a part of training at all levels of a law enforcement organization to increase awareness and ensure respectful encounters both inside the organization and with communities.

The first witnesses at the task force sessions on the first pillar also directly addressed the need for a change in the culture in which police do their work: the use of disrespectful language and the implicit biases that lead officers to rely upon race in the context of stop and frisk. They addressed the need for police officers to find how much they have in common with the people they serve—not the lines of authority they may perceive to separate them—and to continue with enduring programs proven successful over many years.

Several speakers stressed the continuing need for civilian oversight and urged more research into proving ways it can be most effective. And many spoke to the complicated issue of diversity in recruiting, especially Sherrilyn Ifill, who said of youth in poor communities,

By the time you are 17, you have been stopped and frisked a dozen times. That does not make that 17-year-old want to become a police officer. The challenge is to transform the idea of policing in communities among young people into something they see as honorable. They have to see people at local events, as the person who lives across the street, not someone who comes in and knows nothing about my community. 14

The task force's specific recommendations that follow offer practical ways agencies can act to promote legitimacy.

1.1 RECOMMENDATION: Law enforcement culture should embrace a guardian mindset to build public trust and legitimacy. Toward that end, police and sheriffs' departments should adopt procedural justice as the guiding principle for internal and external policies and practices to guide their interactions with the citizens they serve.

How officers define their role will set the tone for the community. As Plato wrote, "In a republic that honors the core of democracy—the greatest amount of power is given to those called Guardians. Only those with the most impeccable character are chosen to bear the responsibility of protecting the democracy."

Law enforcement cannot build community trust if it is seen as an occupying force coming in from outside to rule and control the community.

As task force member Susan Rahr wrote,

In 2012, we began asking the question, "Why are we training police officers like soldiers?" Although police officers wear uniforms and carry weapons, the similarity ends there. The missions and rules of engagement are completely different. The soldier's mission is that of a warrior: to conquer. The rules of engagement are decided before the battle. The police officer's mission is that of a guardian: to protect. The rules of engagement evolve as the incident unfolds. Soldiers must follow orders. Police officers must make independent decisions. Soldiers come into communities as an outside, occupying force. Guardians are members of the community, protecting from within. 15

There's an old saying, "Organizational culture eats policy for lunch." Any law enforcement

^{14.} Listening Session on Building Trust and Legitimacy (oral testimony of Sherrilyn Ifill, president and director-counsel, NAACP Legal Defense and Educational Fund, Inc., for the President's Task Force on 21st Century Policing, Washington, DC, January 13, 2015); "Statement by the NAACP Legal Defense and Educational Fund, Inc." (written testimony submitted for listening session at Washington, DC, January 13, 2015).

^{15.} Sue Rahr, "Transforming the Culture of Policing from Warriors to Guardians in Washington State," *International Association of Directors of Law Enforcement Standards and Training Newsletter* 25, no. 4 (2014): 3–4; see also Sue Rahr and Stephen K. Rice, "From Warriors to Guardians: Recommitting American Police Culture to Democratic Ideals," *New Perspectives in Policing Bulletin* (Washington, DC: National Institute of Justice, 2015), NCJ 248654, http://www.hks.harvard.edu/content/download/76023/1708385/version/1/file/WarriorstoGuardians.pdf.

organization can make great rules and policies that emphasize the guardian role, but if policies conflict with the existing culture, they will not be institutionalized and behavior will not change. In police work, the vast majority of an officer's work is done independently outside the immediate oversight of a supervisor. But consistent enforcement of rules that conflict with a military-style culture, where obedience to the chain of command is the norm, is nearly impossible. Behavior is more likely to conform to culture than rules.

The culture of policing is also important to the proper exercise of officer discretion and use of authority, as task force member Tracey Meares has written. ¹⁶ The values and ethics of the agency will guide officers in their decision-making process; they cannot simply rely on rules and policy to act in encounters with the public. Good policing is more than just complying with the law. Sometimes actions are perfectly permitted by policy, but that does not always mean an officer should take those actions. Adopting procedural justice as the guiding principle for internal and external policies and practices can be the underpinning of a change in culture and should contribute to building trust and confidence in the community.

1.2 RECOMMENDATION: Law enforcement agencies should acknowledge the role of policing in past and present injustice and discrimination and how it is a hurdle to the promotion of community trust.

At one listening session, a panel of police chiefs described what they had been doing in recent years to recognize and own their history and to change the culture within both their police forces and their communities.

Baltimore Police Commissioner Anthony Batts described the process in his city:

The process started with the commissioning of a study to evaluate the police department and the community's views of the agency The review uncovered broken policies, outdated procedures, outmoded technology, and operating norms that put officers at odds with the community they are meant to serve. It was clear that dramatic and dynamic change was needed.¹⁷

Ultimately, the Baltimore police created the Professional Standards and Accountability Bureau, tasked with rooting out corruption, holding officers accountable, and implementing national best practices for polices and training. New department heads were appointed and a use of force review structure based on the Las Vegas model was implemented. "These were critical infrastructure changes centered on the need to improve the internal systems that would build accountability and transparency, inside and outside the organization," noted Commissioner Batts.¹⁸

1.2.1 ACTION ITEM: The U.S. Department of Justice should develop and disseminate case studies that provide examples where past injustices were publicly acknowledged by law enforcement agencies in a manner to help build community trust.

1,3 RECOMMENDATION: Law enforcement agencies should establish a culture of transparency and accountability in order to build public trust and legitimacy. This will help ensure decision making is understood and in accord with stated policy.

^{16.} Tracey L. Meares, "Rightful Policing," *New Perspectives in Policing Bulletin* (Washington, DC: National Institute of Justice, 2015), NCJ 248411, http://www.hks.harvard.edu/content/download/74084/1679313/ http://www.hks.harvard.edu/content/download/74084/1679313/ http://www.hks.harvard.edu/content/download/74084/1679313/ http://www.hks.harvard.edu/content/download/74084/1679313/ http://www.hks.harvard.edu/content/download/74084/1679313/ https://www.hks.harvard.edu/content/download/74084/1679313/ https://www.hks.harvard.edu/content/download/74084/1679313/ https://www.hks.harvard.edu/content/download/74084/1679313/ https://www.hks.harvard.edu/content/download/74084/1679313/ https://www.hks.harvard.edu/content/download/74084/ https://www.hks.harvard.edu/content/download/74084/ https://www.hks.harvard.edu/content/download/ https://www.hks.harvard.edu/content/download/74084/ https://www.hks.harvard.edu/content/download/74084/ https://www.hks.harvard.edu/content/download/ <a href="h

^{17.} Listening Session on Community Policing and Crime Reduction: Building Community Policing Organizations (oral testimony of Anthony Batts, commissioner, Baltimore Police Department, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13, 2015).

^{18.} Ibid.

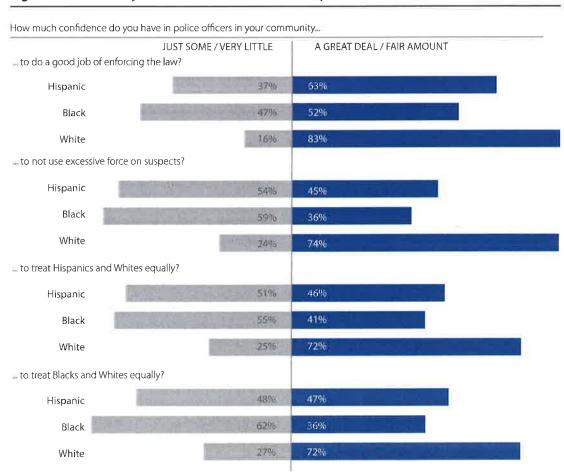
1.3.1 ACTION ITEM: To embrace a culture of transparency, law enforcement agencies should make all department policies available for public review and regularly post on the department's website information about stops, summonses, arrests, reported crime, and other law enforcement data aggregated by demographics.

1.3.2 ACTION ITEM: When serious incidents occur, including those involving alleged police misconduct, agencies should communicate

with citizens and the media swiftly, openly, and neutrally, respecting areas where the law requires confidentiality.

One way to promote neutrality is to ensure that agencies and their members do not release background information on involved parties. While a great deal of information is often publicly available, this information should not be proactively distributed by law enforcement.

Figure 2. Community members' confidence in their police officers



Note: Survey conducted August 20—24, 2014. Voluntary responses of "None" and "Don't know/Refused" not shown. Blacks and Whites include only non-Hispanics. Hispanics are of any race.

Source: Jens Manuel Krogstad, "Latino Confidence in Local Police Lower than among Whites," Pew Research Center, August 28, 2014, http://www.pewresearch.org/fact-tank/2014/08/28/latino-confidence-in-local-police-lower-than-among-whites/.

1.4 RECOMMENDATION: Law enforcement agencies should promote legitimacy internally within the organization by applying the principles of procedural justice.

Organizational culture created through employee interaction with management can be linked to officers' interaction with citizens. When an agency creates an environment that promotes internal procedural justice, it encourages its officers to demonstrate external procedural justice. And just as employees are more likely to take direction from management when they believe management's authority is legitimate, citizens are more likely to cooperate with the police when they believe the officers' authority is legitimate.

Internal procedural justice begins with the clear articulation of organizational core values and the transparent creation and fair application of an organization's policies, protocols, and decision-making processes. If the workforce is actively involved in policy development, workers are more likely to use these same principles of external procedural justice in their interactions with the community. Even though the approach to implementing procedural justice is "top down," the method should include all employees to best reach a shared vision and mission. Research shows that agencies should also use tools that encourage employee and supervisor collaboration and foster strong relationships between supervisors and employees. A more effective agency will result from a real partnership between the chief and the staff and a shared approach to public safety.¹⁹

1.4.1 ACTION ITEM: In order to achieve internal legitimacy, law enforcement agencies should involve employees in the process of developing policies and procedures.

For example, internal department surveys should ask officers what they think of policing strategies in terms of enhancing or hurting their ability to connect with the public, Sometimes the leadership is out of step with their rank and file, and a survey like this can be a diagnostic tool—a benchmark against which leadership can measure its effectiveness and ability to create a work environment where officers feel safe to discuss their feelings about certain aspects of the job.

1.4.2 ACTION ITEM: Law enforcement agency leadership should examine opportunities to incorporate procedural justice into the internal discipline process, placing additional importance on values adherence rather than adherence to rules. Union leadership should be partners in this process.

1.5 RECOMMENDATION: Law enforcement agencies should proactively promote public trust by initiating positive nonenforcement activities to engage communities that typically have high rates of investigative and enforcement involvement with government agencies.

In communities that have high numbers of interactions with authorities for a variety of reasons, police should actively create opportunities for interactions that are positive and not related to investigation or enforcement action. Witness Laura Murphy, for example, pointed out that when law enforcement targets people of color for the isolated actions of a few, it tags an entire community as lawless when in actuality 95 percent are law abiding.²⁰ This becomes a self-reinforcing concept. Another witness, Carmen Perez, provided an example of police engaging with citizens in another way:

^{19.} Tim Richardson (senior legislative liaison, Fraternal Order of Police), in discussion with Ajima Olaghere (research assistant, COPS Office, Washington, DC), October 2014.

^{20.} Listening Session on Building Trust and Legitimacy (oral testimony of Laura Murphy to the President's Task Force on 21st Century Policing, Washington, DC, January 13, 2015).

In the community [where] I grew up in southern California, Oxnard, we had the Police Athletic League. A lot of officers in our communities would volunteer and coach at the police activities league. That became our alternative from violence, from gangs and things like that. That allows for police officers to really build and provide a space to build trusting relationships. No longer was that such and such over there but it was Coach Flores or Coach Brown.²¹

In recent years, agencies across the county have begun to institutionalize community trust building endeavors. They have done this through programs such as Coffee with a Cop (and Sweet Tea with the Chief), Cops and Clergy, Citizens on Patrol Mobile, Students Talking It Over with Police, and the West Side Story Project, Joint community and law dialogues and truth telling, as well as community and law enforcement training in procedural justice and bias, are also occurring nationally. Some agencies are even using training, dialogues, and workshops to take steps towards racial reconciliation.

Agencies engaging in these efforts to build relationships often experience beneficial results.²² Communities are often more willing to assist law enforcement when agencies need help during investigations. And when critical incidents occur, those agencies already have key allies who can help with information messaging and mitigating challenges.

1.5.1 ACTION ITEM: In order to achieve external legitimacy, law enforcement agencies should involve the community in the process of developing and evaluating policies and procedures.

1.5.2 ACTION ITEM: Law enforcement agencies should institute residency incentive programs such as Resident Officer Programs.

Resident Officer Programs are arrangements where law enforcement officers are provided housing in public housing neighborhoods as long as they fulfill public safety duties within the neighborhood that have been agreed to between the housing authority and the law enforcement agency.

1.5.3 ACTION ITEM: Law enforcement agencies should create opportunities in schools and communities for positive nonenforcement interactions with police. Agencies should also publicize the beneficial outcomes and images of positive, trust-building partnerships and initiatives.

For example, Michael Reynolds, a member of the Youth and Law Enforcement panel at the Listening Session on Community Policing and Crime Reduction, told the moving story of a police officer who saw him shivering on the street when he was six years old, took him to a store, and bought him a coat. Despite many negative encounters with police since then, the decency and kindness of that officer continue to favorably impact Mr. Reynolds' feelings towards the police.²³

1.5.4 ACTION ITEM: Use of physical control equipment and techniques against vulnerable populations—including children, elderly persons, pregnant women, people with physical and mental disabilities, limited English proficiency, and others—can undermine public trust and should be used as a last resort. Law enforcement agencies

^{21.} Listening Session on Building Trust and Legitimacy—Community Representatives: Building Community Policing Organizations (oral testimony of Carmen Perez, executive director, The Gathering for Justice, for the President's Task Force on 21st Century Policing, Washington, DC, January 13, 2015).
22. Constance Rice and Susan K. Lee, *Relationship-Based Policing: Achieving Safety in Watts* (Los Angeles: The Advancement Project, February 2015), http://dr.20.108.158/sites/default/files/imce/President%2759620Task9620 Force%20CSP9620Policy9620Brief%20FINAL%2002-27-15.pdf.

^{23.} Listening Session on Community Policing and Crime Reduction: Youth and Law Enforcement (oral testimony of Michael Reynolds, co-president, Youth Power Movement, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13, 2015).

should carefully consider and review their policies towards these populations and adopt policies if none are in place.

1.6 RECOMMENDATION: Law enforcement agencies should consider the potential damage to public trust when implementing crime fighting strategies.

Crime reduction is not self-justifying. Overly aggressive law enforcement strategies can potentially harm communities and do lasting damage to public trust, as numerous witnesses over multiple listening sessions observed.

1.6.1 ACTION ITEM: Research conducted to evaluate the effectiveness of crime fighting strategies should specifically look at the potential for collateral damage of any given strategy on community trust and legitimacy.

1.7 RECOMMENDATION: Law enforcement agencies should track the level of trust in police by their communities just as they measure changes in crime. Annual community surveys, ideally standardized across jurisdictions and with accepted sampling protocols, can measure how policing in that community affects public trust.

Trust in institutions can only be achieved if the public can verify what they are being told about a product or service, who is responsible for the quality of the product or service, and what will be done to correct any problems. To operate effectively, law enforcement agencies must maintain public trust by having a transparent, credible system of accountability.

Agencies should partner with local universities to conduct surveys by ZIP code, for example, to measure the effectiveness of specific policing strategies, assess any negative impact they have on a community's view of police, and gain the community's input.

1.7.1 ACTION ITEM: The Federal Government should develop survey tools and instructions for use of such a model to prevent local departments from incurring the expense and to allow for consistency across jurisdictions.

A model such as the National Institute of Justice-funded National Police Research Platform could be developed and deployed to conduct such surveys. This platform seeks to advance the science and practice of policing in the United States by introducing a new system of measurement and feedback that captures organizational excellence both inside and outside the walls of the agency. The platform is managed by a team of leading police scholars from seven universities supported by the operational expertise of a respected national advisory board.

1.8 RECOMMENDATION: Law enforcement agencies should strive to create a workforce that contains a broad range of diversity including race, gender, language, life experience, and cultural background to improve understanding and effectiveness in dealing with all communities.

Many agencies have long appreciated the critical importance of hiring officers who reflect the communities they serve and also have a high level of procedural justice competency. Achieving diversity in entry level recruiting is important, but achieving systematic and comprehensive diversification throughout each segment of the



Task force members, along with Executive Director Ronald L. Davis, listen to testimony, Washington, D.C., February 23, 2015.

PHOTO: BRANDON TRAMEL

department is the ultimate goal. It is also important to recognize that diversity means not only race and gender but also the genuine diversity of identity, experience, and background that has been found to help improve the culture of police departments and build greater trust and legitimacy with all segments of the population.

A critical factor in managing bias is seeking candidates who are likely to police in an unbiased manner.²⁴ Since people are less likely to have biases against groups with which they have had positive experiences, police departments should seek candidates who have had positive interactions with people of various cultures and backgrounds.²⁵

1.8.1 ACTION ITEM: The Federal Government should create a Law Enforcement Diversity Initiative designed to help communities diversify law enforcement departments to reflect the demographics of the community.

1.8.2 ACTION ITEM: The department overseeing this initiative should help localities learn best practices for recruitment, training, and outreach to improve the diversity as well as the cultural and linguistic responsiveness of law enforcement agencies.

National and local affinity police organizations could be formally included in this effort. This program should also evaluate and assess diversity among law enforcement agencies around the country and issue public reports on national trends.

1.8.3 ACTION ITEM: Successful law enforcement agencies should be highlighted and celebrated and those with less diversity should be offered technical assistance to facilitate change.

Law enforcement agencies must be continuously creative with recruitment efforts and employ the public, business, and civic communities to help.

1.8.4 ACTION ITEM: Discretionary federal funding for law enforcement programs could be influenced by that department's efforts to improve their diversity and cultural and linguistic responsiveness.

^{24.} Lorie Fridell, "Racially Biased Policing: The Law Enforcement Response to the Implicit Black-Crime Association," in *Racial Divide; Racial and Ethnic Bias in the Criminal Justice System*, eds. Michael J., Lynch, E. Britt Patterson, and Kristina K. Childs (Monsey, NY: Criminal Justice Press, 2008), 51.

^{25.} Ibid., 51–52.

1.8.5 ACTION ITEM: Law enforcement agencies should be encouraged to explore more flexible staffing models.

As is common in the nursing profession, offering flexible schedules can help officers achieve better work-life balance that attracts candidates and encourages retention, particularly for officers with sole responsibility for the care of family members.

1.9 RECOMMENDATION: Law enforcement agencies should build relationships based on trust with immigrant communities. This is central to overall public safety.

Immigrants often fear approaching police officers when they are victims of and witnesses to crimes and when local police are entangled with federal immigration enforcement. At all levels of government, it is important that laws, policies, and practices not hinder the ability of local law enforcement to build the strong relationships necessary to public safety and community well-being. It is the view of this task force that whenever possible, state and local law enforcement should not be involved in immigration enforcement.

1.9.1 ACTION ITEM: Decouple federal immigration enforcement from routine local policing for civil enforcement and nonserious crime.

The U.S. Department of Homeland Security should terminate the use of the state and local criminal justice system, including through detention, notification, and transfer requests, to enforce civil immigration laws against civil and nonserious criminal offenders.²⁶

In 2011, the Major Cities Chiefs Association recommended nine points to Congress and the President on this issue, noting that "immigration is a federal policy issue between the U.S. government and other countries, not local or state entities and other countries. Any immigration enforcement laws or practices should be nationally based, consistent, and federally funded."²⁷

1.9.2 ACTION ITEM: Law enforcement agencies should ensure reasonable and equitable language access for all persons who have encounters with police or who enter the criminal justice system.²⁸

1.9.3 ACTION ITEM: The U.S. Department of Justice should not include civil immigration information in the FBI's National Crime Information Center database.²⁹

The National Crime Information Center (NCIC) database is an electronic clearinghouse that law enforcement officers can access in the field. It contains data submitted by agencies across the country aimed at helping officers identify people, property, and criminal histories. At one time, NCIC also included civil immigration detainers (nonmandatory temporary hold requests issued by a federal immigration officer), although the FBI has indicated that the practice of accepting this information was discontinued and that the information does not currently exist in the database. The U.S. Department of Justice should ensure that this remains the case.

^{26.} Listening Session on Building Trust and Legitimacy: Civil Rights/Civil Liberties (oral testimony of Maria Teresa Kumar, president and CEO, Voto Latino, for the President's Task Force on 21st Century Policing, Washington, DC, January 13, 2015).

^{27. &}quot;Major Cities Chiefs Association Immigration Position October 2011," accessed February 26, 2015, http://majorcitieschiefs.com/pdf/news/immigration_position112811.pdf.

^{28.} Listening Session on Building Trust and Legitimacy (written testimony of Nicholas Turner, president and director, Vera Institute of Justice, for the President's Task Force on 21st Century Policing, Washington, DC, January 13, 2015).

^{29.} Listening Session on Community Policing and Crime Reduction (written testimony of Javier Valdes, executive director, Make the Road New York, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13—14, 2015).

PILLAR 2. POLICY & OVERSIGHT

Citizens have a constitutional right to freedom of expression, including the right to peacefully demonstrate.

The issues addressed in the first pillar of this report, building trust and legitimacy between law enforcement agencies and the communities they serve, underlie all questions of law enforcement policy and community oversight. If police are to carry out their responsibilities according to established policies, these policies must be reflective of community values and not lead to practices that result in disparate impacts on various segments of the community. They also need to be clearly articulated to the community and implemented transparently so police will have credibility with residents and the people can have faith that their guardians are always acting in their best interests.

Paramount among the policies of law enforcement organizations are those controlling use of force. Not only should there be policies for deadly and nondeadly uses of force but a clearly stated "sanctity of life" philosophy must also be in the forefront of every officer's mind. This way of thinking should be accompanied by rigorous practical ongoing training in an atmosphere of nonjudgmental and safe sharing of views with fellow officers about how they behaved in use of force situations. At one listening session, Geoffrey Alpert described Officer-Created Jeopardy Training, in which officers who had been in situations where mistakes were made or force was used came to explain their decision making to other officers. Some explained what they did right and how potentially violent situations were resolved without violence. Other officers told what they did wrong, why they made

mistakes, what information was missing or misinterpreted, and how they could have improved their behavior and response to suspects.³⁰

Data collection, supervision, and accountability are also part of a comprehensive systemic approach to keeping everyone safe and protecting the rights of all involved during police encounters. Members of the Division of Policing of the American Society of Criminology recently wrote, "While the United States presently employs a broad array of social and economic indicators in order to gauge the overall 'health' of the nation, it has a much more limited set of indicators concerning the behavior of the police and the quality of law enforcement."³¹

That body noted that Section 210402 of the Violent Crime Control and Law Enforcement Act of 1994 requires the U.S. Attorney General to "acquire data about the use of excessive force by law enforcement officers" and to "publish an annual summary of the data acquired under this section." But the U.S. Department of Justice (DOJ) has never been allocated the funds necessary to undertake the serious and sustained program of research and development to fulfill this mandate. Expanded research and data collection are also necessary to knowing what works and what does not work, which policing practices are effective and which

^{30.} Listening Session on Policy and Oversight: Use of Force Research and Policies (oral testimony of Geoffrey Alpert, professor, University of South Carolina, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 30, 2015).

^{31. &}quot;Recommendations to the President's Task Force on 21st Century Policing," Listening Session on Training and Education (written testimony of Anthony Braga et al., Ad Hoc Committee to the President's Task Force on 21st Century Policing, Division of Policing, American Society of Criminology, February 13—14, 2015).

^{32.} Ibid,

ones have unintended consequences. Greater acceptance of the Federal Bureau of Investigation's (FBI) National Incident-Based Reporting System could also benefit policing practice and research endeavors.

Mass demonstrations, for example, are occasions where evidence-based practices successfully applied can make the difference between a peaceful demonstration and a riot. Citizens have a constitutional right to freedom of expression, including the right to peacefully demonstrate. There are strong examples of proactive and positive communication and engagement strategies that can protect constitutional rights of demonstrators and the safety of citizens and the police.³³

2.1 RECOMMENDATION: Law enforcement agencies should collaborate with community members to develop policies and strategies in communities and neighborhoods disproportionately affected by crime for deploying resources that aim to reduce crime by improving relationships, greater community engagement, and cooperation.

The development of a service model process that focuses on the root causes of crime should include the community members themselves because what works in one neighborhood might not be equally successful in every other one. Larger departments could commit resources and personnel to areas of high poverty, limited services, and at-risk or vulnerable populations through creating priority units with specialized training and added status and pay. Chief Charlie Beck of the Los

Angeles Police Department (LAPD) described the LAPD's Community Safety Partnership, in which officers engage the community and build trust where it is needed most, in the public housing projects in Watts. The department has assigned 45 officers to serve for five years at three housing projects in Watts and at an additional housing project in East Los Angeles. Through a partnership with the Advancement Project and the Housing Authority of the City of Los Angeles, the program involves officers going into the housing developments with the intent not to make arrests but to create partnerships, create relationships, hear the community, and see what they need—and then work together to make those things happen.³⁴ The work in Watts has been documented in an Advancement Project report presented to the task force.35

2.1.1 ACTION ITEM: The Federal

Government should incentivize this collaboration through a variety of programs that focus on public health, education, mental health, and other programs not traditionally part of the criminal justice system.

2.2 RECOMMENDATION: Law enforcement agencies should have comprehensive policies on the use of force that include training, investigations, prosecutions, data collection, and information sharing. These policies must be clear, concise, and openly available for public inspection.

2.2.1 ACTION ITEM: Law enforcement agency policies for training on use of force should emphasize de-escalation and alternatives to arrest or summons in situations where appropriate.

^{33.} Listening Session on Policy and Oversight: Mass Demonstrations (oral testimony of Garry McCarthy, chief of police, Chicago Police Department, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 31, 2015); Listening Session on Policy and Oversight: Mass Demonstrations (oral testimony of Rodney Monroe, chief of police, Charlotte–Mecklenberg [NC] Police Department, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 30, 2015).

^{34.} Listening Session on Policy and Oversight: Civilian Oversight (oral testimony of Charlie Beck, chief, Los Angeles Police Department, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 30, 2015).

^{35.} Rice and Lee, Relationship-Based Policing (see note 22).

As Chuck Wexler noted in his testimony,

In traditional police culture, officers are taught never to back down from a confrontation, but instead to run *toward* the dangerous situation that everyone else is running away from. However, sometimes the best tactic for dealing with a minor confrontation is to step back, call for assistance, de-escalate, and perhaps plan a different enforcement action that can be taken more safely later.³⁶

Policies should also include, at a minimum, annual training that includes shoot/don't shoot scenarios and the use of less than lethal technologies.

2.2.2 ACTION ITEM: These policies should also mandate external and independent criminal investigations in cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths.

One way this can be accomplished is by the creation of multi-agency force investigation task forces comprising state and local investigators. Other ways to structure this investigative process include referring to neighboring jurisdictions or to the next higher levels of government (many smaller departments may already have state agencies handle investigations), but in order to restore and maintain trust, this independence is crucial.

In written testimony to the task force, James Palmer of the Wisconsin Professional Police Association offered an example in that state's statutes requiring that agency written policies "require an investigation that is conducted by at least two investigators . . . neither of whom is employed by

a law enforcement agency that employs a law enforcement officer involved in the officer-involved death."³⁷ Furthermore, in order to establish and maintain internal legitimacy and procedural justice, these investigations should be performed by law enforcement agencies with adequate training, knowledge, and experience investigating police use of force.

2.2.3 ACTION ITEM: The task force encourages policies that mandate the use of external and independent prosecutors in cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths.

Strong systems and policies that encourage use of an independent prosecutor for reviewing police uses of force and for prosecution in cases of inappropriate deadly force and in-custody death will demonstrate the transparency to the public that can lead to mutual trust between community and law enforcement.

2.2.4 ACTION ITEM: Policies on use of force should also require agencies to collect, maintain, and report data to the Federal Government on all officer-involved shootings, whether fatal or nonfatal, as well as any in-custody death.

In-custody deaths are not only deaths in a prison or jail but also deaths that occur in the process of an arrest. The Bureau of Justice Statistics (BJS) implemented the Arrest Related Deaths data collection in 2003 as part of requirements set forth in the Deaths in Custody Reporting Act of

^{36.} Listening Session on Policy and Oversight: Use of Force Investigations and Oversight (oral testimony of Chuck Wexler, executive director, Police Executive Research Forum, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 30, 2015).

^{37.} Listening Session on Policy and Oversight (written testimony of James Palmer, executive director, Wisconsin Professional Police Association, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 30–31, 2015).

2000 and reenacted in 2014. Although states receiving grants under the Edward Byrne Memorial Justice Assistance Grant Program are required to provide this data to BJS, the Arrest Related Deaths data collection is a voluntary reporting program for law enforcement agencies. Access to this data is important to gain a national picture of police use of force as well as to incentivize the systematic and transparent collection and analysis of use of force incident data at the local level. The agencyreported data should include information on the circumstances of the use of force, as well as the race, gender, and age of the decedents. Agency data should be reported to the U.S. Department of Justice through the FBI's Uniform Crime Reporting System or an expansion of collections managed by the BJS.

2.2.5 ACTION ITEM: Policies on use of force should clearly state what types of information will be released, when, and in what situation, to maintain transparency.

This should also include procedures on the release of a summary statement regarding the circumstances of the incident by the department as soon as possible and within 24 hours. The intent of this directive should be to share as much information as possible without compromising the integrity of the investigation or anyone's rights.

2.2.6 ACTION ITEM: Law enforcement agencies should establish a Serious Incident Review Board comprising sworn staff and community members to review cases involving officer-involved shootings and other serious incidents that have the potential to damage community trust or confidence in the agency. The purpose of this board should be to identify any administrative, supervisory, training, tactical, or policy issues that need to be addressed.

2.3 RECOMMENDATION: Law

enforcement agencies are encouraged to implement nonpunitive peer review of critical incidents separate from criminal and administrative investigations.

These reviews, sometimes known as "near miss" or "sentinel event" reviews, focus on the improvement of practices and policy. Such reviews already exist in medicine, aviation, and other industries.

According to the National Institute of Justice (NIJ), a sentinel event in criminal justice would include wrongful convictions but also "near miss" acquittals and dismissals of cases that at earlier points seemed solid; cold cases that stayed cold too long; wrongful releases of dangerous or factually guilty criminals or of vulnerable arrestees with mental disabilities; and failures to prevent domestic violence within at-risk families

Sentinel events can include episodes that are within policy but disastrous in terms of community relations, whether or not everyone agrees that the event should be classified as an error. In fact, anything that stakeholders agree can cause widespread or viral attention could be considered a sentinel event.³⁸

What distinguishes sentinel event reviews from other kinds of internal investigations of apparent errors is that they are nonadversarial. As task force member Sean Smoot has written.

For sentinel event reviews to be effective and practical, they must be cooperative efforts that afford the types of protections provided in the medical context, where state and federal laws protect the privacy of participants and prevent the disclosure of information to anyone outside of the sentinel event review..... Unless the sentinel event

^{38.} James M. Doyle, "Learning from Error in the Criminal Justice System: Sentinel Event Reviews," *Mending Justice: Sentinel Event Reviews* (Special Report from the National Institute of Justice, September 2014): 3–20.



Barbara O'Connor, President of the National Association of Women Law Enforcement Executives, speaks during a panel on diversity in law enforcement, Cincinnati, January 30, 2015.

PHOTO: DEBORAH SPENCE

process is honest and trustworthy, with adequate legal protections—including use immunity, privacy, confidentiality, and nondisclosure, for example—police officers, who have the very best information about how things really work and what really happened, will not be motivated to fully participate. The sentinel event review approach will have a better chance of success if departments can abandon the process of adversarial/punitive-based discipline, adopting instead "education-based" disciplinary procedures and policies.³⁹

2.4 RECOMMENDATION: Law enforcement agencies are encouraged to adopt identification procedures that implement scientifically supported practices that eliminate or minimize presenter bias or influence.

A recent study by the National Academy of Sciences, Identifying the Culprit: Assessing Eyewitness Identification, studied the important role played by eyewitnesses in criminal cases, noting that research on factors affecting the accuracy of eyewitness identification procedures has given an increasingly clear picture of how identifications are made and, more important, an improved understanding of the limits on vision and memory that can lead to failure of identification. 40 Many factors, including external conditions and the witness's emotional state and biases, influence what a witness sees or thinks she sees. Memories can be forgotten, reconstructed, updated, and distorted. Meanwhile, policies governing law enforcement procedures for conducting and recording identifications are not standard, and policies and practices to address the issue of misidentification vary widely.

^{39.} Sean Smoot "Punishment-Based vs. Education-Based Discipline: A Surmountable Challenge?" in *Mending Justice: Sentinel Event Reviews* (Special Report from the National Institute of Justice, September 2014): 48–50.

^{40.} Samuel R. Gross et al., "Rate of False Conviction of Criminal Defendants who are Sentenced to Death," Proceedings of the National Academy of Sciences of the United States of America 111, no. 20 (2014): 7230—7235. http://www.pnas.org/content/111/20/7230.full.pdf+html

2.5 RECOMMENDATION: All federal, state, local, and tribal law enforcement agencies should report and make available to the public census data regarding the composition of their departments including race, gender, age, and other relevant demographic data.

While the BJS collects information on many aspects of police activities, there is no single data collection instrument that yields the information requested in this recommendation. Demographic data should be collected and made available to the public so communities can assess the diversity of their departments and do so in a national context. This data will also be important to better understand the impact of diversity on the functioning of departments. Malik Aziz, National Chair of the National Black Police Association (NBPA), reminded the task force that the NBPA not only urges all departments to meet the demographics of the community in which they serve by maintaining a plan of action to recruit and retain police officers of color but also has called for the DOJ to collect the annual demographic statistics from the 18,000 police agencies across the nation. "It is not enough to mandate diversity," he stated, "but it becomes necessary to diversify command ranks in departments that have historically failed to develop and/or promote qualified and credentialed officers to executive and command ranks."41

2.5.1 ACTION ITEM: The Bureau of Justice Statistics should add additional demographic questions to the Law Enforcement Management and Administrative Statistics (LEMAS) survey in order to meet the intent of this recommendation.

2.6 RECOMMENDATION: Law enforcement agencies should be encouraged to collect, maintain, and analyze demographic data on all detentions (stops, frisks, searches, summons, and arrests). This data should be disaggregated by school and non-school contacts.

The BJS periodically conducts the Police-Public Contact Survey, a supplement to the National Crime Victimization Survey. The most recent survey, released in 2013, asked a nationally representative sample of U.S. residents age 16 or older about experiences with police during the prior 12 months. 42 But these surveys do not reflect what is happening every day at the local level when police interact with members of the communities they serve. More research and tools along the lines of Lorie Fridell's 2004 publication, By the Numbers: A Guide for Analyzing Race Data From Vehicle Stops—to help local agencies collect and analyze their data, understand the importance of context to the analysis and reporting process, and establish benchmarks resulting from their findings—would improve understanding and lead to evidence-based policies.

^{41.} Listening Session on Policy and Oversight: Law Enforcement Culture and Diversity (oral testimony of Malik Aziz, chairman, National Black Police Association, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 30, 2015).

^{42.} Lynn Langton and Matthew Durose, *Police Behavior during Traffic and Street Stops, 2011*, Special Report (Washington, DC: Office of Justice Programs Bureau of Justice Statistics, 2013), NCJ 242937; Matthew Durose and Lynn Langton, *Requests for Police Assistance, 2011*, Special Report (Washington, DC: Office of Justice Programs Bureau of Justice Statistics, 2013), NCJ 242938.

2.6.1 ACTION ITEM: The Federal Government could further incentivize universities and other organizations to partner with police departments to collect data and develop knowledge about analysis and benchmarks as well as to develop tools and templates that help departments manage data collection and analysis.

2.7 RECOMMENDATION: Law enforcement agencies should create policies and procedures for policing mass demonstrations that employ a continuum of managed tactical resources that are designed to minimize the appearance of a military operation and avoid using provocative tactics and equipment that undermine civilian trust.

Policies should emphasize protection of the First Amendment rights of demonstrators and effective ways of communicating with them, Superintendent Garry McCarthy of the Chicago Police Department detailed his police force training and operations in advance of the 2012 NATO Summit at the height of the "Occupy" movement. The department was determined not to turn what it knew would be a mass demonstration into a riot. Police officers refreshed "perishable" skills, such as engaging in respectful conversations with demonstrators, avoiding confrontation, and using "extraction techniques" not only on the minority of demonstrators who were behaving unlawfully (throwing rocks, etc.) but also on officers who were becoming visibly upset and at risk of losing their composure and professional demeanor.43

2.7.1 ACTION ITEM: Law enforcement agency policies should address procedures for implementing a layered response to mass demonstrations that prioritize de-escalation and a guardian mindset.

These policies could include plans to minimize confrontation by using "soft look" uniforms, having officers remove riot gear as soon as practical, and maintaining open postures. "When officers line up in a military formation while wearing full protective gear, their visual appearance may have a dramatic influence on how the crowd perceives them and how the event ends."⁴⁴

2.7.2 ACTION ITEM: The Federal Government should create a mechanism for investigating complaints and issuing sanctions regarding the inappropriate use of equipment and tactics during mass demonstrations.

There has been substantial media attention in recent months surrounding the police use of military equipment at events where members of the public are exercising their First Amendment rights. This has led to the creation of the President's Interagency Law Enforcement Equipment Working Group.

That group has been tasked by the Executive Order 13688 of January 16, 2015 with a number of issues, including ensuring that law enforcement agencies adopt organizational and operational practices and standards that prevent the misuse or abuse of controlled equipment and ensuring compliance with civil rights requirements resulting from receipt of federal financial assistance.

^{43.} Listening Session on Policy and Oversight (oral testimony of Garry McCarthy, Chicago Police Department, to the President's Task Force on 21st Century Policing, Cincinnati, OH, January 30, 2015).

^{44.} Listening Session on Policy and Oversight (written testimony of Edward Maguire, American University, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 30, 2015).

2.8 RECOMMENDATION: Some form of civilian oversight of law enforcement is important in order to strengthen trust with the community. Every community should define the appropriate form and structure of civilian oversight to meet the needs of that community.

Many, but not all, state and local agencies operate with the oversight or input of civilian police boards or commissions. Part of the process of assessing the need and desire for new or additional civilian oversight should include input from and collaboration with police employees because the people to be overseen should be part of the process that will oversee them. This guarantees that the principles of internal procedural justice are in place to benefit both the police and the community they serve.

We must examine civilian oversight in the communities where it operates and determine which models are successful in promoting police and community understanding. There are important arguments for having civilian oversight even though we lack strong research evidence that it works. Therefore we urge action on further research, based on the guiding principle of procedural justice, to find evidence-based practices to implement successful civilian oversight mechanisms.

As noted by witness Brian Buchner at the Policy and Oversight Listening Session on January 30,

Citizen review is not an advocate for the community or for the police. This impartiality allows oversight to bring stakeholders together to work collaboratively and proactively to help make policing more effective and responsive to the community. Civilian oversight alone is not sufficient to gain legitimacy; without it, however, it is difficult, if not impossible, for the police to maintain the public's trust. 45

2.8.1 ACTION ITEM: The U.S. Department of Justice, through its research arm, the National Institute of Justice (NIJ), should expand its research agenda to include civilian oversight.

NIJ recently announced its research priorities in policing for FY 2015, which include such topics as police use of force, body-worn cameras, and procedural justice. While proposals related to research on police oversight might fit into several of these topical areas, police oversight is not highlighted by NIJ in any of them. NIJ should specifically invite research into civilian oversight and its impact on and relationship to policing in one or more of these areas.

2.8.2 ACTION ITEM: The U.S. Department of Justice's Office of Community Oriented Policing Services (COPS Office) should provide technical assistance and collect best practices from existing civilian oversight efforts and be prepared to help cities create this structure, potentially with some matching grants and funding.

2.9 RECOMMENDATION: Law enforcement agencies and municipalities should refrain from practices requiring officers to issue a predetermined number of tickets, citations, arrests, or summonses, or to initiate investigative contacts with citizens for reasons not directly related to improving public safety, such as generating revenue.

Productivity expectations can be effective performance management tools. But testimony from Laura Murphy, Director of the Washington Legislative Office of the American Civil Liberties Union, identifies some of the negative effects of these practices:

One only needs to paint a quick picture of the state of policing to understand the dire need for reform. First, there are local and federal incentives that

^{45.} Listening Session on Policy and Oversight (oral testimony of Brian Buchner, president, National Association for Civilian Oversight of Law Enforcement, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 30, 2015).



Co-chair Laurie Robinson asks a panelist a question, Phoenix, February 13, 2015.

instigate arrests. At the local level, cities across the country generate much of their revenue through court fines and fees, with those who can't pay subject to arrest and jail time. These debtors' prisons are found in cities like Ferguson, where the number of arrest warrants in 2013—33,000—exceeded its population of 21,000. Most of the warrants were for driving violations. 46

2.10 RECOMMENDATION: Law

enforcement officers should be required to seek consent before a search and explain that a person has the right to refuse consent when there is no warrant or probable cause. Furthermore, officers should ideally obtain written acknowledgement that they have sought consent to a search in these circumstances.

2.11 RECOMMENDATION: Law

enforcement agencies should adopt policies requiring officers to identify themselves by their full name, rank, and command (as applicable) and provide that information in writing to individuals they have stopped. In addition, policies should require officers to state the reason for the stop and the reason for the search if one is conducted.

2.11.1 ACTION ITEM: One example of how to do this is for law enforcement officers to carry business cards containing their name, rank, command, and contact information that would enable individuals to offer suggestions or commendations or to file complaints with the appropriate individual, office, or board. These cards would be easily distributed in all encounters.

2.12 RECOMMENDATION: Law

enforcement agencies should establish search and seizure procedures related to LGBTQ and transgender populations and adopt as policy the recommendation from the President's

^{46.} Listening Session on Trust and Legitimacy (oral testimony of Laura Murphy, director of the Washington Legislative Office, American Civil Liberties Union, for the President's Task Force on 21st Century Policing, Washington, DC, January 13, 2015); Joseph Shapiro, "In Ferguson, Court Fines and Fees Fuel Anger," NPR.com, last updated August 25, 2014, http://www.npr.org/2014/08/25/343143937/in-ferguson-court-fines-and-fees-fuel-anger, In For A Penny, The Rise of America's Debtors' Prisons (New York: American Civil Liberties Union, 2010), http://www.aclu.org/files/assets/InForAPenny_web.pdf.

Advisory Council on HIV/AIDS (PACHA) to cease using the possession of condoms as the sole evidence of vice.

2.13 RECOMMENDATION: Law

enforcement agencies should adopt and enforce policies prohibiting profiling and discrimination based on race, ethnicity, national origin, religion, age, gender, gender identity/expression, sexual orientation, immigration status, disability, housing status, occupation, or language fluency.

The task force heard from a number of witnesses about the importance of protecting the safety and dignity of all people. Andrea Ritchie noted that

gender and sexuality-specific forms of racial profiling and discriminatory policing [include] Failure to respect individuals' gender identity and expression when addressing members of the public and during arrest processing, searches, and placement in police custody.⁴⁷

Invasive searches should never be used for the sole purpose of determining gender identity, and an individual's gender identity should be respected in lock-ups and holding cells to the extent that the facility allows for gender segregation. And witness Linda Sarsour spoke to how

an issue plaguing and deeply impacting Arab-American and American Muslim communities across the country is racial and religious profiling by local, state, and federal law enforcement. We have learned through investigative reports, Freedom of Information Act (FOIA) requests, and lawsuits that agencies target communities by religion and national origin.⁴⁸

2.13.1 ACTION ITEM: The Bureau of Justice Statistics should add questions concerning sexual harassment of and misconduct toward community members, and in particular LGBTQ and gender-nonconforming people, by law enforcement officers to the Police Public Contact Survey.

2.13.2 ACTION ITEM: The Centers for Disease Control should add questions concerning sexual harassment of and misconduct toward community members, and in particular LGBTQ and gender-nonconforming people, by law enforcement officers to the National Intimate Partner and Sexual Violence Survey.

2.13.3 ACTION ITEM: The U.S. Department of Justice should promote and disseminate guidance to federal, state, and local law enforcement agencies on documenting, preventing, and addressing sexual harassment and misconduct by local law enforcement agents, consistent with the recommendations of the International Association of Chiefs of Police.⁴⁹

2.14 RECOMMENDATION: The U.S.

Department of Justice, through the Office of Community Oriented Policing Services and Office of Justice Programs, should provide technical assistance and incentive funding to jurisdictions with small police agencies that take steps towards shared services, regional training, and consolidation.

^{47.} Listening Session on Training and Education (oral testimony of Andrea Ritchie, founder of Streetwise and Safe, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 14, 2015).

^{48.} Listening Session on Training and Education (oral testimony of Linda Sarsour, Advocacy And Civic Engagement coordinator for the National Network for Arab Arnerican Communities, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 14, 2015).

^{49.} IACP, Addressing Sexual Offenses and Misconduct by Law Enforcement: Executive Guide (Alexandria, VA: International Association of Chiefs of Police, 2011).

Half of all law enforcement agencies in the United States have fewer than ten officers, and nearly three-guarters have fewer than 25 officers.⁵⁰ Lawrence Sherman noted in his testimony that "so many problems of organizational quality control are made worse by the tiny size of most local police agencies ... less than 1 percent of 17,985 U.S. police agencies meet the English minimum of 1,000 employees or more."51 These small forces often lack the resources for training and equipment accessible to larger departments and often are prevented by municipal boundaries and local custom from combining forces with neighboring agencies. Funding and technical assistance can give smaller agencies the incentive to share policies and practices and give them access to a wider variety of training, equipment, and communications technology than they could acquire on their own.

2.15 RECOMMENDATION: The U.S.

Department of Justice, through the Office of Community Oriented Policing Services, should partner with the International Association of Directors of Law Enforcement Standards and Training (IADLEST) to expand its National Decertification Index to serve as the National Register of Decertified Officers with the goal of covering all agencies within the United States and its territories.

The National Decertification Index is an aggregation of information that allows hiring agencies to identify officers who have had their license or certification revoked for misconduct. It was designed as an answer to the problem "wherein a police officer is discharged for improper conduct and loses his/her certification in that state . . . [only to relocate] to another state and hire on with another police department." Peace Officer Standards and

Table 1. Full-time state and local law enforcement employees, by size of agency, 2008

Size of agency	Number of agencies	Total number of full-time employees
All agencies	17,985	1,133,915
1,000 or more officers	83	326,197
500999	89	94,168
250-499	237	133,024
100-249	778	174,505
500-99	1,300	136,390
25-49	2,402	124,492
10-24	4,300	98,563
5–9	3,446	32,493
2–4	3,225	11,498
0-1	2,125	2,585

Source: Brian A. Reaves, "State and Local Law Enforcement Agencies" (see note 50).

^{50.} Brian A. Reaves, *Census of State and Local Law Enforcement Agencies, 2008,* Bulletin (Washington, DC: Office of Justice Programs Bureau of Justice Statistics, 2011), NCJ 233982.

^{51.} Listening Session on the Future of Community Policing (oral testimony of Lawrence Sherman, Cambridge University, for the President's Task Force on 21st Century Policing, Washington, DC, February 24, 2015).

^{52. &}quot;National Decertification Index——FAQs," accessed February 27, 2015, https://www.iadlest.org/Portals/0/Files/NDI/FAQ/ndi_faq.html.



Bill Schrier of the Office of the Chief Information Officer for the state of Washington used PowerPoint to demonstrate how agencies can use Twitter for engagement, Cincinnati, January 31, 2015.

Training (POST) boards can record administrative actions taken against certified police and correctional officers. Currently the criteria for reporting an action on an officer is determined by each POST independently, as is the granting of readonly access to hiring departments to use as part of their pre-hire screening process. Expanding this system to ensure national and standardized reporting would assist in ensuring that officers who

have lost their certification for misconduct are not easily hired in other jurisdictions. A national register would effectively treat "police professionals the way states' licensing laws treat other professionals, If anything, the need for such a system is even more important for law enforcement, as officers have the power to make arrests, perform searches, and use deadly force."⁵³

^{53.} Roger L. Goldman, "Police Officer Decertification: Promoting Police Professionalism through State Licensing and the National Decertification Index," *Police Chief* 81 (November 2014): 40–42, https://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=3538&issue_id=112014.

PILLAR 3. TECHNOLOGY & SOCIAL MEDIA

Implementing new technologies can give police departments an opportunity to fully engage and educate communities in a dialogue about their expectations for transparency, accountability, and privacy.

We live in a time when technology and its many uses are advancing far more quickly than are policies and laws. "Technology" available to law enforcement today includes everything from body-worn cameras (BWC) to unmanned aircraft to social media and a myriad of products in between.

The use of technology can improve policing practices and build community trust and legitimacy, but its implementation must be built on a defined policy framework with its purposes and goals clearly delineated, Implementing new technologies can give police departments an opportunity to fully engage and educate communities in a dialogue about their expectations for transparency, accountability, and privacy. But technology changes quickly in terms of new hardware, software, and other options. Law enforcement agencies and leaders need to be able to identify, assess, and evaluate new technology for adoption and do so in ways that improve their effectiveness, efficiency, and evolution without infringing on individual rights.

Thus, despite (and because of) the centrality of technology in policing, law enforcement agencies face major challenges including determining the effects of implementing various technologies; identifying costs and benefits; examining unintended consequences; and exploring the best practices by which technology can be evaluated, acquired, maintained, and managed. Addressing these technology challenges by using research, accumulated

knowledge, and practical experiences can help agencies reach their goals,⁵⁴ but law enforcement agencies and personnel also need to recognize that technology is only a tool for doing their jobs: just because you have access to technology does not necessarily mean you should always use it.⁵⁵

BWCs are a case in point. An increasing number of law enforcement agencies are adopting BWC programs as a means to improve evidence collection, to strengthen officer performance and accountability, and to enhance agency transparency. By documenting encounters between police and the public, BWCs can also be used to investigate and resolve complaints about officer-involved incidents.

Jim Bueermann, retired chief of the Redlands (California) Police Department and President of the Police Foundation, told the task force about a seminal piece of research that demonstrated a positive impact of BWCs in policing. The researchers used the gold standard of research models, a randomized control trial, in which the people

^{54.} Elizabeth Groff and Tom McEwen, Identifying and Measuring the Effects of Information Technologies on Law Enforcement Agencies: The Making Officer Redeployment Effective Program (Washington, DC: Office of Community Oriented Policing Services, 2008), https://www.cops.usdoj.gov/Publications/e08084156-IT.pdf; Christopher S. Koper, Cynthia Lum, James J. Willis, Daniel J. Woods, and Julie Hibdon, Realizing the Potential of Technology in Policing: A Multi-Site Study of the Social, Organizational, and Behavioral Aspects of Implementing Police Technologies (Washington, DC: National Institute of Justice, 2015), https://cebcp.org/wp-content/evidence-based-policing/ImpactTechnologyFinalReport.

^{55.} IACP Technology Policy Framework (Alexandria, VA: International Association of Chiefs of Police, 2014), http://www.theiacp.org/Portals/0/documents/pdfs/ IACP%20Technology%20Policy%20Framework%20January%202014%20Final.pdf.

being studied are randomly assigned either to a control group that does not receive the treatment being studied or to a treatment group that does. The results of this 12-month study strongly suggest that the use of BWCs by the police can significantly reduce both officer use of force and complaints against officers. The study found that the officers wearing the cameras had 87.5 percent fewer incidents of use of force and 59 percent fewer complaints than the officers not wearing the cameras. One of the important findings of the study was the impact BWCs might have on the self-awareness of officers and citizens alike. When police officers are acutely aware that their behavior is being monitored (because they turn on the cameras) and when officers tell citizens that the cameras are recording their behavior, everyone behaves better. The results of this study strongly suggest that this increase in selfawareness contributes to more positive outcomes in police-citizen interaction.56

But other considerations make the issue of BWCs more complex. A 2014 Police Executive Research Forum (PERF) publication, funded by the Office of Community Oriented Policing Services (COPS Office), reporting on extensive research exploring the policy and implementation questions surrounding BWCs noted:

Although body-worn cameras can offer many benefits, they also raise serious questions about how technology is changing the relationship between police and the community. Body-worn cameras not only create concerns about the public's privacy rights but also can affect how officers relate to people in the community, the community's

Now that agencies operate in a world in which anyone with a cell phone camera can record video footage of a police encounter, BWCs help police departments ensure that events are also captured from an officer's perspective. But when the public does not believe its privacy is being protected by law enforcement, a breakdown in community trust can occur. Agencies need to consider ways to involve the public in discussions related to the protection of their privacy and civil liberties prior to implementing new technology, as well work with the public and other partners in the justice system to develop appropriate policies and procedures for use.

Another technology relatively new to law enforcement is social media. Social media is a communication tool the police can use to engage the community on issues of importance to both and to gauge community sentiment regarding agency policies and practices. Social media can also help police identify the potential nature and location of gang and other criminal or disorderly activity such as spontaneous crowd gatherings.⁵⁹

The Boston Police Department (BPD), for example, has long embraced both community policing and the use of social media. The department put its experience to good and highly visible use in April 2013 during the rapidly developing investigation that followed the deadly explosion of two bombs at the finish line of the Boston Marathon. The

perception of the police, and expectations about how police agencies should share information with the public.⁵⁷

^{56.} Listening Session on Technology and Social Media: Body Cameras-Research and Legal Considerations (oral testimony of Jim Bueermann, president, Police Foundation, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 31, 2015); Ariel Barak, William A. Farrar, and Alex Sutherland, "The Effect of Police Body-Worn Cameras on Use of Force and Citizens' Complaints Against the Police: A Randomized Controlled Trial," *Journal of Quantitative Criminology* 2014.

^{57.} Lindsay Miller and Jessica Toliver, *Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned* (Washington, DC: Office of Community Oriented Policing Services, 2014), vii, http://ric-zai-inc.com/Publications/cops-p296-pub.pdf.

^{58.} Ibid.:

^{59.} Police Executive Research Forum, *Social Media and Tactical Considerations for Law Enforcement* (Washington, DC: Office of Community Oriented Policing Services, 2013), http://ric-zai-inc.com/Publications/cops-p261-pub.pdf.

BPD successfully used Twitter to keep the public informed about the status of the investigation, to calm nerves and request assistance, to correct mistaken information reported by the press, and to ask for public restraint in the tweeting of information from police scanners. This demonstrated the level of trust and interaction that a department and a community can attain online.⁶⁰

While technology is crucial to law enforcement, it is never a panacea. Its acquisition and use can have unintended consequences for both the organization and the community it serves, which may limit its potential. Thus, agencies need clearly defined policies related to implementation of technology, and must pay close attention to community concerns about its use.

3.1 RECOMMENDATION: The U.S.

Department of Justice, in consultation with the law enforcement field, should broaden the efforts of the National Institute of Justice to establish national standards for the research and development of new technology. These standards should also address compatibility and interoperability needs both within law enforcement agencies and across agencies and jurisdictions and maintain civil and human rights protections.

The lack of consistent standards leads to a constantly spiraling increase in technology costs, Law enforcement often has to invest in new layers of

technology to enable their systems to operate with different systems and sometimes must also make expensive modifications or additions to legacy systems to support interoperability with newer technology. And these costs do not include the additional funds needed for training. Agencies are often unprepared for the unintended consequences that may accompany the acquisition of new technologies. Implementation of new technologies can cause disruptions to daily routines, lack of buy-in, and lack of understanding of the purpose and appropriate uses of the technologies. It also often raises questions regarding how the new technologies will impact the officer's expectations, discretion, decision making, and accountability.⁶¹

Inconsistent or nonexistent standards also lead to isolated and fractured information systems that cannot effectively manage, store, analyze, or share their data with other systems. As a result, much information is lost or unavailable—which allows vital information to go unused and have no impact on crime reduction efforts. As one witness noted, the development of mature crime analysis and CompStat processes allows law enforcement to effectively develop policy and deploy resources for crime prevention, but there is a lack of uniformity in data collection throughout law enforcement, and only patchwork methods of near real-time information sharing exist.⁶² These problems are especially critical in light of the threats from terrorism and cybercrime.

^{60.} Edward F. Davis III, Alejandro A. Alves, and David Alan Sklansky, "Social Media and Police Leadership: Lessons from Boston," New Perspectives in Policing (Washington, DC: National Institute of Justice, March 2014), http://www.hks.harvard.edu/content/download/67536/1242954/version/1/file/SocialMediaandPoliceLeadership-03-14.pdf.

^{61.} Koper et al., Potential of Technology in Policing (see note 54).

^{62.} Listening Session on Technology and Social Media (oral testimony of Elliot Cohen, Maryland State Police, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 31, 2015).



All of the task force listening sessions were streamed live and can still be viewed at the task force website,

3.1.1 ACTION ITEM: The Federal Government should support the development and delivery of training to help law enforcement agencies learn, acquire, and implement technology tools and tactics that are consistent with the best practices of 21st century policing.

3. L.2 ACTION TTEM: As part of national standards, the issue of technology's impact on privacy concerns should be addressed in accordance with protections provided by constitutional law.

Though all constitutional guidelines must be maintained in the performance of law enforcement duties, the legal framework (warrants, etc.) should continue to protect law enforcement

access to data obtained from cell phones, social media, GPS, and other sources, allowing officers to detect, prevent, or respond to crime.

3.1.3 ACTION ITEM: Law enforcement agencies should deploy smart technology that is designed to prevent the tampering with or manipulating of evidence in violation of policy.

3.2 RECOMMENDATION: The

implementation of appropriate technology by law enforcement agencies should be designed considering local needs and aligned with national standards. While standards should be created for development and research of technology at the national level, implementation of developed technologies should remain a local decision to address the needs and resources of the community.

In addition to the expense of acquiring technology, implementation and training also requires funds, as well as time, personnel, and physical capacity. A case in point is the Phoenix Police Department's adoption of BWCs mentioned by witness Michael White, who said that the real costs came on the back end for managing the vast amount of data generated by the cameras. He quoted the Chief of the Phoenix Police Department as saying that it would cost their department \$3.5 million to not only outfit all of their officers with the cameras but also successfully manage the program.

3.2.1 ACTION ITEM: Law enforcement agencies should encourage public engagement and collaboration, including the use of community advisory bodies, when developing a policy for the use of a new technology.

Local residents will be more accepting of and respond more positively to technology when they have been informed of new developments and their input has been encouraged. How police use technology and how they share that information with the public is critical. Task force witness Jim Bueermann, president of the Police Foundation, addressed this issue, noting that concerns about BWCs include potential compromises to the privacy of both officers and citizens, who are reluctant to speak to police if they think they are being recorded. And as the task force co-chair, Charles Ramsey, noted, "Just having the conversation can increase trust and legitimacy and help departments make better decisions."

3.2.2 ACTION ITEM: Law enforcement agencies should include an evaluation or assessment process to gauge the effectiveness of any new technology, soliciting input from all levels of the agency, from line officer to leadership, as well as assessment from members of the community.⁶³

Witnesses suggested that law enforcement agencies create an advisory group when adopting a new technology.⁶⁴ Ideally, it would include line officers, union representatives, and members from other departmental units, such as research and planning, technology, and internal affairs. External stakeholders, such as representatives from the prosecutor's office, the defense bar, advocacy groups, and citizens should also be included, giving each group the opportunity to ask questions, express their concerns, and offer suggestions on policy and training.

3.2.3 ACTION ITEM: Law enforcement agencies should adopt the use of new technologies that will help them better serve people with special needs or disabilities.

3.3 RECOMMENDATION: The U.S.

Department of Justice should develop best practices that can be adopted by state legislative bodies to govern the acquisition, use, retention, and dissemination of auditory, visual, and biometric data by law enforcement.

^{63.} Sharon Stolting, Shawn Barrett, and David Kurz, *Best Practices Guide for Acquisition of New Technology* (Alexandria, VA: International Association of Chiefs of Police, n.d.), http://www.theiacp.org/portals/0/pdfs/BP-NewTechnology.pdf. Listening Session on Technology and Social Media: Body Cameras—Research and Legal Considerations (oral testimony of Michael White, professor, Arizona State University, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 31, 2015).

These model policies and practices should at minimum address technology usage and data and evidence acquisition and retention, as well as privacy issues, accountability and discipline. They must also consider the impact of data collection and use on public trust and police legitimacy.

3.3.1 ACTION ITEM: As part of the process for developing best practices, the U.S. Department of Justice should consult with civil rights and civil liberties organizations, as well as law enforcement research groups and other experts, concerning the constitutional issues that can arise as a result of the use of new technologies.

3.3.2 ACTION ITEM: The U.S. Department of Justice should create toolkits for the most effective and constitutional use of multiple forms of innovative technology that will provide state, local, and tribal law enforcement agencies with a one-stop clearinghouse of information and resources.

3.3.3 ACTION ITEM: Law enforcement agencies should review and consider the Bureau of Justice Assistance's (BJA) Body Worn Camera Toolkit to assist in implementing BWCs.

A Body-Worn Camera Expert Panel of law enforcement leaders, recognized practitioners, national policy leaders, and community advocates convened a two-day workshop in February, 2015 to develop a toolkit and provide guidance and model policy for law enforcement agencies implementing BWC programs. Subject matter experts contributed ideas and content for the proposed toolkit while a panel composed of privacy and victim advocates contributed ideas and content for the toolkit to broaden input and ensure transparency.

3.4 RECOMMENDATION: Federal, state, local, and tribal legislative bodies should be encouraged to update public record laws.

The quickly evolving nature of new technologies that collect video, audio, information, and biometric data on members of the community can cause unforeseen consequences. Public record laws, which allow public access to information held by government agencies, including law enforcement, should be modified to protect the privacy of the individuals whose records they hold and to maintain the trust of the community.

Issues such as the accessibility of video captured through dashboard or body-worn cameras are especially complex. So too are the officer use of force events that will be captured by video camera systems and then broadcast by local media outlets. Use of force, even when lawful and appropriate, can negatively influence public perception and trust of police. Sean Smoot, task force member, addressed this by recalling the shooting of a Flagstaff, Arizona, police officer whose death was recorded by his BWC. Responding to public record requests by local media, the police department released the graphic footage, which was then shown on local TV and also on YouTube. 65 This illustration also raises questions concerning the recording of police interactions with minors and the appropriateness of releasing those videos for public view given their inability to give informed consent for distribution.

3.5 RECOMMENDATION: Law enforcement agencies should adopt model policies and best practices for technology-based community engagement that increases community trust and access.

^{65.} Listening Session on Technology and Social Media (Sean Smoot, task force member, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 31, 2015).

Table 2. What types of social media does your agency currently use, and what types of social media do you plan to begin using within the next 2 to 5 years?

Social media type	Percent of responding agencies currently using	Percent of responding agencies plan- ning to begin using in 2 to 5 years
Agency website	100	=
Facebook	82	14
Twitter	69	18
YouTube	48	20
LinkedIn	34	20

Note: PERF, with the support of the COPS Office and Target Corporation, disseminated a "Future of Policing" survey in 2012 to more than 500 police agencies; nearly 200 responded.

Source: Police Executive Research Forum, Future Trends in Policing (Washington, DC: Office of Community Oriented Policing Services, 2014), http://ric-zai-inc.com/Publications/cops-p282-pub.pdf.

These policies and practices should at a minimum increase transparency and accessibility, provide access to information (crime statistics, current calls for service), allow for public posting of policy and procedures, and enable access and usage for persons with disabilities. They should also address issues surrounding the use of new and social media, encouraging the use of social media as a means of community interaction and relationship building, which can result in stronger law enforcement. As witness Elliot Cohen noted,

We have seen social media support policing efforts in gathering intelligence during active assailant incidents: the Columbia Mall shooting and the Boston Marathon bombing. Social media allowed for a greater volume of information to be collected in an electronic format, both audibly and visually.⁶⁶

But to engage the community, social media must be responsive and current. Said Bill Schrier, "Regularly refresh the content to maintain and engage the audience, post content rapidly during incidents to dispel rumors, and use it for engagement, Agencies should also develop policies and practices on social media use that consider individual officer expression, professional representation, truthful communication, and other concerns that can impact trust and legitimacy.

3.6 RECOMMENDATION: The Federal Government should support the development of new "less than lethal" technology to help control combative suspects.

The fatal shootings in Ferguson, Cleveland, and elsewhere have put the consequences of use of force front and center in the national news.

not just public information."⁶⁷ False or incorrect statements made via social media, mainstream media, and other means of technology deeply harm trust and legitimacy and can only be overcome with targeted and continuing community engagement and repeated positive interaction. Agencies need to unequivocally discourage falsities by underlining how harmful they are and how difficult they are to overcome.

^{66.} Listening Session on Technology and Social Media: Technology Policy (oral testimony of Elliot Cohen, lieutenant, Maryland State Police, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 31, 2015).

^{67.} Listening Session on Technology and Social Media: Technology Policy (oral testimony of Bill Schrier, senior policy advisor, Office of the Chief Information Officer, State of Washington, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 31, 2015).



Rev. Jeff Brown speaks on restoring trust between police and communities, Phoenix, February 13, 2015.

Policies and procedures must change, but so should the weaponry. New technologies such as conductive energy devices (CED) have been developed and may be used and evaluated to decrease the number of fatal police interventions. Studies of CEDs have shown them to be effective at reducing both officer and civilian injuries. For example, in one study that compared seven law enforcement agencies that use CEDs with six agencies that do not, researchers found a 70 percent decrease in officer injuries and a 40 percent decrease in suspect injures.⁶⁸ But new technologies should still be

68. Bruce Taylor et al., Comparing Safety Outcomes in Police Use-Of-Force Cases for Law Enforcement Agencies That Have Deployed Conducted Energy Devices and A Matched Comparison Group That Have Not: A Quasi-Experimental Evaluation (Washington, DC: Police Executive Research Forum, 2009), https://www.ncjrs.gov/pdffiles1/nij/grants/237965.pdf; John M. MacDonald, Robert J. Kaminski, and Michael R. Smith, "The Effect of Less-Lethal Weapons on Injuries in Police Use-of-Force Events," American Journal of Public Health 99, no. 12 (2009) 2268—2274, http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2775771/pdf/2268.pdf; Bruce G.

subject to the appropriate use of force continuum restrictions. And Vincent Talucci made the point in his testimony that over-reliance on technological weapons can also be dangerous.⁶⁹

3.6.1 ACTION ITEM: Relevant federal agencies, including the U.S. Departments of Defense and Justice, should expand their efforts to study the development and use of new less than lethal technologies and evaluate their impact on public safety, reducing lethal violence against citizens, constitutionality, and officer safety.

Taylor and Daniel J. Woods, "Injuries to Officers and Suspects in Police Use-of-Force Cases: A Quasi-Experimental Evaluation," *Police Quarterly* 13, no. 3 (2010): 260–289, http://pgx.sagepub.com/content/13/3/260.full.pdf.

^{69.} Listening Session on Technology and Social Media (oral testimony of Vincent Talucci, International Association of Chiefs of Police, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 31, 2015).

3.7 RECOMMENDATION: The Federal Government should make the development and building of segregated radio spectrum and increased bandwidth by FirstNet for exclusive use by local, state, tribal, and federal public safety agencies a top priority.⁷⁰

A national public safety broadband network which creates bandwidth for the exclusive use of law enforcement, the First Responder Network (FirstNet) is considered a game-changing public safety project, which would allow instantaneous communication in even the most remote areas whenever a disaster or incident occurs. It can also support many other technologies, including video transmission from BWCs.

^{70.} Listening Session on Technology and Social Media: Technology Policy (oral testimony of Bill Schrier, senior policy advisor, Office of the Chief Information Officer, State of Washington, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 31, 2015).

FINAL REPORT OF THE PRESIDENT'S TASK FORCE ON 21ST CENTURY POLICING



President Barack Obama delivers remarks to the press following a meeting with members of the President's Task Force on 21st Century Policing in the Roosevelt Room of the White House, March 2, 2015.

OFFICIAL WHITE HOUSE PHOTO BY CHUCK KENNEDY

PILLAR 4. COMMUNITY POLICING & CRIME REDUCTION

Community policing requires the active building of positive relationships with members of the community.

Community policing is a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.⁷¹

Over the past few decades, rates of both violent and property crime have dropped dramatically across the United States.⁷² However, some communities and segments of the population have not benefited from the decrease as much as others, and some not at all.⁷³ Though law enforcement must concentrate their efforts in these neighborhoods to maintain public safety, sometimes those specific efforts arouse resentment in the neighborhoods the police are striving to protect.

Police interventions must be implemented with strong policies and training in place, rooted in an understanding of procedural justice. Indeed, without that, police interventions can easily devolve into racial profiling, excessive use of force, and other practices that disregard civil rights, causing negative reactions from people living in already challenged communities.

Yet mutual trust and cooperation, two key elements of community policing, are vital to protecting residents of these communities from the crime that plagues them. Community policing combines a focus on intervention and prevention through problem solving with building collaborative partnerships between law enforcement agencies and schools, social services, and other stakeholders. In this way, community policing not only improves public safety but also enhances social connectivity and economic strength, which increases community resilience to crime. And, as noted by one speaker, it improves job satisfaction for line officers, too.

In his testimony to the task force, Camden County, New Jersey, Police Chief J. Scott Thomson noted that community policing starts on the street corner, with respectful interaction between a police officer and a local resident, a discussion that need not be related to a criminal matter. In fact, it is important that not all interactions be based on emergency calls or crime investigations.

Another aspect of community policing that was discussed in the listening session on this topic is the premise that officers enforce the law *with* the people not just *on* the people. In reflecting this belief, some commented on the negative

http://www.fbi.gov/news/stories/2014/november/crime-statistics-for-2013released/crime-statistics-for-2013-released.

^{71.} Community Policing Defined (Washington, DC: Office of Community Oriented Policing Services, 2014), http://ric-zai-inc.com/Publications/cops-p157-pub.pdf.
72. "Crime Statistics for 2013 Released: Decrease in Violent Crimes and Property Crimes," Federal Bureau of Investigation, last modified November 10, 2014,

^{73.} Listening Session on Community Policing and Crime Reduction: Building Community Policing Organizations (oral testimony of Chris Magnus, chief, Richmond [CA] Police Department, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13, 2015).

^{74.} Listening Session on Community Policing and Crime Reduction: Using Community Policing to Reduce Crime (oral testimony of J. Scott Thomson, chief, Camden County (NJ) Police Department, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13, 2015).

results of zero tolerance policies, which mete out automatic and predetermined actions by officers regardless of extenuating circumstances.

Community policing requires the active building of positive relationships with members of the community—on an agency as well as on a personal basis. This can be done through assigning officers to geographic areas on a consistent basis, so that through the continuity of assignment they have the opportunity to know the members of the community. It can also be aided by the use of programs such as Eagle County, Colorado's Law Enforcement Immigrant Advisory Committee, which the police department formed with Catholic Charities to help the local immigrant community.⁷⁵ This type of policing also requires participation in community organizations, local meetings and public service activities.

To be most effective, community policing also requires collaborative partnerships with agencies beyond law enforcement, such as Philadelphia's successful Police Diversion Program described by Kevin Bethel, Deputy Commissioner of Patrol Operations in the Philadelphia Police Department in his testimony to the task force.76 This partnership with the Philadelphia Department of Human Services, the school district, the District Attorney's office, Family Court, and other stakeholders significantly reduced the number of arrests of minority youths for minor offenses.

Problem solving, another key element of com-

Richmond [CA] Police Department, for the President's Task Force on 21st Century

Policing, Phoenix, AZ, February 13, 2015).

community in order to effectively address chronic crime and disorder problems. As Office of Community Oriented Policing Services Director Ronald L. Davis has said, "We need to teach new recruits that law enforcement is more than just cuffing 'perps'—it's understanding why people do what they do."77

In summary, law enforcement's obligation is not only to reduce crime but also to do so fairly while protecting the rights of citizens. Any prevention strategy that unintentionally violates civil rights, compromises police legitimacy, or undermines trust is counterproductive from both ethical and cost-benefit perspectives. Ignoring these considerations can have both financial costs (e.g., lawsuits) and social costs (e.g., loss of public support).

It must also be stressed that the absence of crime is not the final goal of law enforcement. Rather, it is the promotion and protection of public safety while respecting the dignity and rights of all. And public safety and well-being cannot be attained without the community's belief that their wellbeing is at the heart of all law enforcement activities. It is critical to help community members see police as allies rather than as an occupying force and to work in concert with other community stakeholders to create more economically and socially stable neighborhoods.

4.1 RECOMMENDATION: Law enforcement agencies should develop and adopt policies and strategies that reinforce the importance of community engagement in managing public safety.

munity policing, is critical to prevention. And problems must be solved in partnership with the 75. Listening Session on Community Policing and Crime Reduction: Building Community Policing Organizations (oral testimony of Chris Magnus, chief,

^{76.} Listening Session on Community Policing and Crime Reduction: Using Community Policing to Reduce Crime (oral testimony of Kevin Bethel, deputy police commissioner, Philadelphia Police Department, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13, 2015).

^{77.} Faye Elkins, "Five COPS Office Directors Look Back and Think Forward at the 20th Anniversary Celebration," Community Policing Dispatch 8, no. 1 (January 12, 2014), http://cops.usdoj.gov/html/dispatch/01-2015/cops office 20th anniversary.asp.

Community policing is not just about the relationship between individual officers and individual neighborhood residents. It is also about the relationship between law enforcement leaders and leaders of key institutions in a community, such as churches, businesses, and schools, supporting the community's own process to define prevention and reach goals.

Law enforcement agencies cannot ensure the safety of communities alone but should seek to contribute to the strengthening of neighborhood capacity to prevent and reduce crime through informal social control. More than a century of research shows that informal social control is a much more powerful mechanism for crime control and reduction than is formal punishment. And perhaps the best evidence for the preventive power of informal social control may be the millions of unguarded opportunities to commit crime that are passed up each day.⁷⁸

4.1.1 ACTION ITEM: Law enforcement agencies should consider adopting preferences for seeking "least harm" resolutions, such as diversion programs or warnings and citations in lieu of arrest for minor infractions.

4.2 RECOMMENDATION: Community policing should be infused throughout the culture and organizational structure of law enforcement agencies.

Community policing must be a way of doing business by an entire police force, not just a specialized unit of that force.⁷⁹ The task force heard testimony from Police Chief J. Scott Thomson of Camden County, New Jersey, who noted:

Community policing cannot be a program, unit, strategy or tactic. It must be the core principle that lies at the foundation of a police department's culture. The only way to significantly reduce fear, crime, and disorder and then sustain these gains is to leverage the greatest force multiplier: the people of the community.80

This message was closely echoed by Chris Magnus, the police chief in Richmond, California. To build a more effective partnership with residents and transform culture within the police department as well as in the community, the Richmond police made sure that *all* officers, not just a select few, were doing community policing and neighborhood problem solving. Every officer is expected to get to know the residents, businesses, community groups, churches, and schools on their beat and work with them to identify and address public safety challenges, including quality of life issues such as blight. Officers remain in the same beat or district for several years or more—which builds familiarity and trust.⁸¹

Testimony from a number of witnesses also made clear that hiring, training, evaluating, and promoting officers based on their ability and track record in community engagement—not just traditional measures of policing such as arrests, tickets, or tactical skills—is an equally important component of the successful infusion of community policing throughout an organization.

^{78.} Lawrence Cohen and Marcus Felson, "Social Change and Crime Rate Trends: A Routine Activities Approach," *American Sociological Review* 44 (August 1979): 588–607.

^{79.} Tracey Meares, "Praying for Community Policing," *California Law Review* 90 (2002): 1593—1634, http://digitalcommons.law.yale.edu/fss papers/518/.

^{80.} Listening Session on Community Policing and Crime Reduction: Using Community Policing to Reduce Crime (oral testimony of J. Scott Thomson, chief, Camden County [NJ] Police Department, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13, 2015).

^{81.} Listening Session on Community Policing and Crime Reduction: Building Community Policing Organizations (oral testimony of Chris Magnus, chief, Richmond [CA] Police Department, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13, 2015).

4.2.1 ACTION ITEM: Law enforcement agencies should evaluate officers on their efforts to engage members of the community and the partnerships they build. Making this part of the performance evaluation process places an increased value on developing partnerships.

4.2.2 ACTION ITEM: Law enforcement agencies should evaluate their patrol deployment practices to allow sufficient time for patrol officers to participate in problem solving and community engagement activities.

4.2.3 ACTION ITEM: The U.S. Department of Justice and other public and private entities should support research into the factors that have led to dramatic successes in crime reduction in some communities through the infusion of non-discriminatory policing and to determine replicable factors that could be used to guide law enforcement agencies in other communities.

4.3 RECOMMENDATION: Law enforcement agencies should engage in multidisciplinary, community team approaches for planning, implementing, and responding to crisis situations with complex causal factors.

Collaborative approaches that engage professionals from across systems have emerged as model practices for addressing community problems that are not resolvable by the police alone. These team approaches call upon law enforcement agencies, service providers, and community support networks to work together to provide the right resources for the situation and foster sustainable change. Multiple witnesses before the task force spoke of departments coordinating mental health response teams that include mental health professionals, social workers, crisis counselors, and

other professionals making decisions alongside the police regarding planning, implementing, and responding to mental health crisis situations. But this model is applicable to a number of community problems that regularly involve a police response, including homelessness, substance abuse, domestic violence, human trafficking, and child abuse. Ultimately, the idea is for officers to be trained and equipped to make use of existing community resources in the diffusion of crisis situations.

4.3.1 ACTION ITEM: The U.S. Department of Justice should collaborate with others to develop and disseminate baseline models of this crisis intervention team approach that can be adapted to local contexts.

4.3.2 ACTION ITEM: Communities should look to involve peer support counselors as part of multidisciplinary teams when appropriate. Persons who have experienced the same trauma can provide both insight to the first responders and immediate support to individuals in crisis.

4.3.3 ACTION ITEM: Communities should be encouraged to evaluate the efficacy of these crisis intervention team approaches and hold agency leaders accountable for outcomes.

4.4 RECOMMENDATION: Communities should support a culture and practice of policing that reflects the values of protection and promotion of the dignity of all, especially the most vulnerable.

The task force heard many different ways of describing a positive culture of policing. David Kennedy suggested there could be a Hippocratic



Chief Edward Flynn of the Milwaukee Police Department, Phoenix, February 14, 2015.

Oath for Policing: First, Do No Harm.82 Law enforcement officers' goal should be to avoid use of force if at all possible, even when it is allowed by law and by policy. Terms such as fair and impartial policing, rightful policing, constitutional policing, neighborhood policing, procedural justice, and implicit bias training all address changing the culture of policing. Respectful language; thoughtful and intentional dialogue about the perception and reality of profiling and the mass incarceration of minorities; and consistent involvement, both formal and informal, in community events all help ensure that relationships of trust between police and community will be built. The vision of policing in the 21st century should be that of officers as guardians of human and constitutional rights.

4.4.1 ACTION ITEM: Because offensive or harsh language can escalate a minor situation, law enforcement agencies should underscore the

importance of language used and adopt policies directing officers to speak to individuals with respect.

4.4.2 ACTION ITEM: Law enforcement agencies should develop programs that create opportunities for patrol officers to regularly interact with neighborhood residents, faith leaders, and business leaders.

4.5 RECOMMENDATION: Community policing emphasizes working with neighborhood residents to co-produce public safety. Law enforcement agencies should work with community residents to identify problems and collaborate on implementing solutions that produce meaningful results for the community.

As Delores Jones Brown testified, "Neighborhood policing provides an opportunity for police departments to do things with residents in the co-production of public safety rather than doing

^{82.} Listening Session on Community Policing and Crime Reduction: Using Community Policing to Reduce Crime (oral testimony of David Kennedy, professor, John Jay College of Criminal Justice, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13, 2015).

things to or for them."⁸³ Community policing is not just about the behavior and tactics of police; it is also about the civic engagement and capacity of communities to improve their own neighborhoods, their quality of life, and their sense of safety and well-being. Members of communities are key partners in creating public safety, so communities and police need mechanisms to engage with each other in consistent and meaningful ways. One model for formalizing this engagement is through a civilian governance system such as is found in Los Angeles. As Chief Charlie Beck explained in testimony to the task force,

The Los Angeles Police Department is formally governed by the Board of Police Commissioners, a five-person civilian body with each member appointed by the mayor. The commission has formal authority to hire the chief of police, to set broad policy for the department, and to hold the LAPD and its chief accountable to the people. 84

Community policing, therefore, is concerned with changing the way in which citizens respond to police in more constructive and proactive ways. If officers feel unsafe and threatened, their ability to operate in an open and shared dialogue with community is inhibited. On the other hand, the police have the responsibility to understand the culture, history, and quality of life issues of the entire community—youth, elders, faith communities, special populations—and to educate the community, including its children, on the role and function of police and ways the community can

4.5.1 ACTION ITEM: Law enforcement agencies should schedule regular forums and meetings where all community members can interact with police and help influence programs and policy.

4.5.2 ACTION ITEM: Law enforcement agencies should engage youth and communities in joint training with law enforcement, citizen academies, ride-alongs, problem solving teams, community action teams, and quality of life teams.

4.5.3 ACTION ITEM: Law enforcement agencies should establish formal community/citizen advisory committees to assist in developing crime prevention strategies and agency policies as well as provide input on policing issues.

Larger agencies should establish multiple committees to ensure they inform all levels of the organization. The makeup of these committees should reflect the demographics of the community or neighborhood being served.

4.5.4 ACTION ITEM: Law enforcement agencies should adopt community policing strategies that support and work in concert with economic development efforts within communities.

As several witnesses, including Bill Geller, testified, public safety and the economic health of communities go hand in hand.⁸⁵ It is therefore important

protect itself, be part of solving problems, and prevent crime. Community and police jointly share the responsibility for civil dialogue and interaction.

^{83.} Listening Session on Community Policing and Crime Reduction: Community Policing and Crime Prevention Research (oral testimony of Delores Jones Brown, professor, Department of Law, Police Science & Criminal Justice Administration, John Jay College of Criminal Justice, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13, 2015).

^{84.} Listening Session on Policy and Oversight: Civilian Oversight (oral testimony of Charles Beck, chief, Los Angeles Police Department, for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 30, 2015).

^{85.} Listening Session on Community Policing and Crime Reduction: Community Policing and Crime Prevention Research (oral testimony of Bill Geller, director, Geller & Associates, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13, 2015).

for agencies to work with local, state, and federal partners on projects devoted to enhancing the economic health of the communities in which departments are located.

4.6 RECOMMENDATION: Communities should adopt policies and programs that address the needs of children and youth most at risk for crime or violence and reduce aggressive law enforcement tactics that stigmatize youth and marginalize their participation in schools and communities.

The past decade has seen an explosion of knowledge about adolescent development and the neurological underpinnings of adolescent behavior. Much has also been learned about the pathways by which adolescents become delinguent, the effectiveness of prevention and treatment programs, and the long-term effects of transferring youths to the adult system and confining them in harsh conditions. These findings have raised doubts about a series of policies and practices of "zero tolerance" that have contributed to increasing the school-to-prison pipeline by criminalizing the behaviors of children as young as kindergarten age. Noncriminal offenses can escalate to criminal charges when officers are not trained in child and adolescent development and are unable to recognize and manage a child's emotional, intellectual, and physical development issues. School district policies and practices that push students out of schools and into the juvenile justice system cause great harm and do no good.

One witness told the task force a stunning story about what happened to him one day when he was a high school freshman:

As I walked down the hall, one of the police officers employed in the school noticed I did not have my identification badge with me. Before I could explain why I did not have my badge, I was escorted to the office and suspended for an entire week. I had to leave the school premises immediately. Walking to the bus stop, a different police officer pulled me over and demanded to know why I was not in school. As I tried to explain, I was thrown into the back of the police car. They drove back to my school to see if I was telling the truth, and I was left waiting in the car for over two hours. When they came back, they told me I was in fact suspended, but because the school did not provide me with the proper forms, my guardian and I both had to pay tickets for me being off of school property. The tickets together were 600 dollars, and I had a court date for each one. Was forgetting my ID worth missing school? Me being kicked out of school did not solve or help anything. I was at home alone watching Jerry Springer, doing nothing.86

4.6.1 ACTION ITEM: Education and criminal justice agencies at all levels of government should work together to reform policies and procedures that push children into the juvenile justice system.⁸⁷

^{86.} Listening Session on Community Policing and Crime Prevention (oral testimony of Michael Reynolds for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13, 2015).

^{87.} For more information about such policies and procedures, see the U.S. Department of Justice's Civil Rights Division and U.S. Department of Education's Office for Civil Rights, "Joint'Dear Colleague' Letter," last updated February 4, 2014, http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html.

4.6.2 ACTION ITEM: In order to keep youth in school and to keep them from criminal and violent behavior, law enforcement agencies should work with schools to encourage the creation of alternatives to student suspensions and expulsion through restorative justice, diversion, counseling, and family interventions.

4.6.3 ACTION ITEM: Law enforcement agencies should work with schools to encourage the use of alternative strategies that involve youth in decision making, such as restorative justice, youth courts, and peer interventions.

The Federal Government could incentivize schools to adopt this practice by tying federal funding to schools implementing restorative justice practices.

4.6.4 ACTION ITEM: Law enforcement agencies should work with schools to adopt an instructional approach to discipline that uses interventions or disciplinary consequences to help students develop new behavior skills and positive strategies to avoid conflict, redirect energy, and refocus on learning.

4.6.5 ACTION ITEM: Law enforcement agencies should work with schools to develop and monitor school discipline policies with input and collaboration from school personnel, students, families, and community members. These policies should prohibit the use of corporal punishment and electronic control devices.

4.6.6 ACTION ITEM: Law enforcement agencies should work with schools to create a continuum of developmentally appropriate and proportional consequences for addressing ongoing and escalating student misbehavior after all appropriate interventions have been attempted.

4.6.7 ACTION ITEM: Law enforcement agencies should work with communities to play a role in programs and procedures to reintegrate juveniles back into their communities as they leave the juvenile justice system.

Although this recommendation—and therefore its action items—specifically focuses on juveniles, this task force believes that law enforcement agencies should also work with communities to play a role in re-entry programs for adults leaving prisons and jails.

4.6.8 ACTION ITEM: Law enforcement agencies and schools should establish memoranda of agreement for the placement of School Resource Officers that limit police involvement in student discipline.

Such agreements could include provisions for special training for School Resource Officers to help them better understand and deal with issues involving youth.

4.6.9 ACTION ITEM: The Federal Government should assess and evaluate zero tolerance strategies and examine the role of reasonable discretion when dealing with adolescents in consideration of their stages of maturation or development.



Task force executive director Ronald L. Davis and co-chairs Laurie Robinson and Charles Ramsey, Washington, D.C., February 23, 2015.

4.7 RECOMMENDATION: Communities need to affirm and recognize the voices of youth in community decision making, facilitate youth-led research and problem solving, and develop and fund youth leadership training and life skills through positive youth/police collaboration and interactions.

Youth face unique challenges when encountering the criminal justice system. Law enforcement contacts for apparent infractions create trauma and fear in children and disillusionment in youth, but proactive and positive youth interactions with police create the opportunity for coaching, mentoring, and diversion into constructive alternative activities. Moving testimony from a panel of young people allowed the task force members to hear how officers can lead youth out of the conditions that keep them in the juvenile justice system and into self-awareness and self-help.

Phoenix native Jose Gonzales, 21, first went to jail at age nine and had a chaotic childhood, but in turning his life towards a productive and healthy future, he vividly remembers one officer who made a difference:

Needless to say, I have had a fair amount of interaction with law enforcement in my youth. Some has been very positive, Like the time that a School Resource Officer got me involved in an after school club, Officer Bill D. helped me stop being a bad kid and assisted with after school activities, He sought me out to be a part of a club that included all sorts of youth—athletes, academics—and helped me gain confidence in reaching out to other social circles beyond my troubled community. The important idea I'd like to convey is that approach is everything.⁸⁸

^{88.} Listening Session on Community Policing and Crime Reduction: Youth and Law Enforcement (oral testimony of Jose Gonzales for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13, 2015).

4.7.1 ACTION ITEM: Communities and law enforcement agencies should restore and build trust between youth and police by creating programs and projects for positive, consistent, and persistent interaction between youth and police.

4.7.2 ACTION ITEM: Communities should develop community- and school-based evidence-based programs that mitigate punitive and authoritarian solutions to teen problems.

PILLAR 5. TRAINING & EDUCATION

Hiring officers who reflect the community they serve is important not only to external relations but also to increasing understanding within the agency.

As our nation becomes more pluralistic and the scope of law enforcement's responsibilities expands, the need for more and better training has become critical. Today's line officers and leaders must meet a wide variety of challenges including international terrorism, evolving technologies, rising immigration, changing laws, new cultural mores, and a growing mental health crisis. All states and territories and the District of Columbia should establish standards for hiring, training, and education.

The skills and knowledge required to effectively deal with these issues requires a higher level of education as well as extensive and ongoing training in specific disciplines. The task force discussed these needs in depth, making recommendations for basic recruit and in-service training, as well as leadership development in a wide variety of areas:

- Community policing and problem-solving principles
- Interpersonal and communication skills
- Bias awareness
- Scenario-based, situational decision making
- Crisis intervention
- Procedural justice and impartial policing
- Trauma and victim services
- Mental health issues
- Analytical research and technology
- Languages and cultural responsiveness

Many who spoke before the task force recommended that law enforcement partner with academic institutions; organizations such as the International Association of Chiefs of Police (IACP), the Major Cities Chiefs Association (MCCA), the National Organization of Black Law Enforcement Executives (NOBLE), and the Police Executive Research Forum (PERF); and other sources of appropriate training. Establishing fellowships and exchange programs with other agencies was also suggested.

Other witnesses spoke about the police education now offered by universities, noting that undergraduate criminal justice and criminology programs provide a serviceable foundation but that short courses of mixed quality and even some graduate university degree programs do not come close to addressing the needs of 21st-century law enforcement.

In addition to discussion of training programs and educational expectations, witnesses at the listening session made clear that new approaches to recruitment, hiring, evaluation, and promotion are also essential to developing a more highly educated workforce with the character traits and social skills that enable effective policing and positive community relationships.

To build a police force capable of dealing with the complexity of the 21st century, it is imperative that agencies place value on both educational achievements and socialization skills when making hiring decisions. Hiring officers who reflect the

To be effective in an ever-changing world, training must continue throughout an officer's career.

community they serve is also important not only to external relations but also to increasing understanding within the agency. On the other hand, task force member Constance Rice described the best line officer she knew—White, but better at relating to the African-American community than his Black colleagues. Her recommendation was to look for the character traits that support fairness, compassion, and cultural sensitivity.⁸⁹

The need for understanding, tolerance, and sensitivity to African Americans, Latinos, recent immigrants, Muslims, and the LGBTQ community was discussed at length at the listening session, with witnesses giving examples of unacceptable behavior in law enforcement's dealings with all of these groups. Participants also discussed the need to move towards practices that respect all members of the community equally and away from policing tactics that can unintentionally lead to excessive enforcement against minorities.

Witnesses noted that officers need to develop the skills and knowledge necessary in the fight against terrorism by gaining an understanding of the links between normal criminal activity and terrorism, for example. What is more, this training must be ongoing, as threats and procedures for combatting terrorism evolve.

The need for realistic, scenario-based training to better manage interactions and minimize using force was discussed by a number of witnesses. Others focused more on content than delivery: Dennis Rosenbaum suggested putting procedural justice at the center of training, not on the

fringes. Po Ronal Serpas recommended training on the effects of violence not only on the community and individual victims but also on police officers themselves, noting that exposure to violence can make individuals more prone to violent behavior. And witnesses Bruce Lipman and David Friedman both spoke about providing officers with historical perspectives of policing to provide context as to why some communities have negative feelings toward the police and improve understanding of the role of the police in a democratic society.

Though today's law enforcement professionals are highly trained and highly skilled operationally, they must develop specialized knowledge and understanding that enable fair and procedurally just policing and allow them to meet a wide variety of new challenges and expectations. Tactical skills are important, but attitude, tolerance, and interpersonal skills are equally so. And to be effective in an ever-changing world, training must continue throughout an officer's career.

The goal is not only effective, efficient policing but also procedural justice and fairness. Following are the task force's recommendations for implementing career-long education and training practices for law enforcement in the 21st century.

^{89.} Listening Session on Training and Education (Constance Rice, task force member, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 14, 2015).

^{90.} Listening Session on Community Policing and Crime Reduction: Community Policing and Crime Prevention Research (oral testimony of Dennis Rosenbaum, professor, University of Illinois at Chicago, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13, 2015).

^{91.} Listening Session on Training and Education: Special Training on Building Trust (oral testimony of Ronal Serpas, advisory board member, Cure Violence Chicago, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 14, 2015).
92. Listening Session on Training and Education: Special Training on Building Trust (oral testimony of David C. Friedman, director of National Law Enforcement Initiatives, Anti-Defamation League, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 14, 2015); Listening Session on Training and Education: Special Training on Building Trust (oral testimony of Bruce Lipman, Procedural Justice Training, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 14, 2015).



Task force members Jose Lopez and Brittany Packnett listen to testimony, Phoenix, February 14, 2015.

5,1 RECOMMENDATION: The Federal Government should support the development of partnerships with training facilities across the country to promote consistent standards for high quality training and establish training innovation hubs.

A starting point for changing the culture of policing is to change the culture of training academies. The designation of certain training academies as federally supported regional "training innovation hubs" could act as leverage points for changing training culture while taking into consideration regional variations. Federal funding would be a powerful incentive to these designated academies to conduct the necessary research to develop and implement the highest quality curricula focused on the needs of 21st century American policing, along with cutting-edge delivery modalities.

5.1.1 ACTION ITEM: The training innovation hubs should develop replicable model programs that use adult-based learning and scenario-based training in a training environment modeled less like boot camp. Through these programs the hubs would influence nationwide curricula, as well as instructional methodology.

5.1.2 ACTION ITEM: The training innovation hubs should establish partnerships with academic institutions to develop rigorous training practices, evaluation, and the development of curricula based on evidence-based practices.

5.1.3 ACTION ITEM: The Department of Justice should build a stronger relationship with the International Association of Directors of Law

Enforcement (IADLEST) in order to leverage their network with state boards and commissions of Peace Officer Standards and Training (POST).

The POSTs are critical to the development and implementation of statewide training standards and the certification of instructors and training courses, as well as integral to facilitating communication, coordination, and influence with the more than 650 police academies across the nation. This relationship would also serve as a pipeline for disseminating information and creating discussion around best practices.

5.2 RECOMMENDATION: Law enforcement agencies should engage community members in the training process.

Not only can agencies make important contributions to the design and implementation of training that reflects the needs and character of their communities but it is also important for police training to be as transparent as possible. This will result in both a better informed public and a better informed officer.

Where appropriate and through managed programs, the community would

- learn about and evaluate the existing training within departments;
- provide input into shaping that some training content and delivery;
- in some cases, participate in training alongside officers.

5.2.1 ACTION ITEM: The U.S. Department of Justice should conduct research to develop and disseminate a toolkit on how law enforcement agencies and training programs can integrate community members into this training process.

5.3 RECOMMENDATION: Law enforcement agencies should provide leadership training to all personnel throughout their careers.

Standards and programs need to be established for every level of leadership from the first line to middle management to executive leadership. If there is good leadership and procedural justice within the agency, the officers are more likely to behave according to those standards in the community. As Chief Edward Flynn of the Milwaukee Police Department noted, "Flexible, dynamic, insightful, ethical leaders are needed to develop the informal social control and social capital required for a civil society to flourish."93 One example of leadership training is Leading Police Organizations, a program developed by the IACP and modeled after the West Point Leadership Program, which offers training for all levels of agency management in programs based on a behavioral science approach to leading people groups, change, and organizations, focusing on the concept of "every officer a leader."

5.3.1 ACTION ITEM: Recognizing that strong, capable leadership is required to create cultural transformation, the U.S. Department of Justice should invest in developing learning goals and model curricula/training for each level of leadership.

This training should focus on organizational procedural justice, community policing, police accountability, teaching, coaching, mentoring, and communicating with the media and the public. Chief Kim Jacobs noted this in her testimony discussing current issues with training on reviewing investigations of police actions and prepare comprehensive reports for all stakeholders,

^{93.} Listening Session on Training and Education (oral testimony of Edward Flynn, chief, Milwaukee Police Department, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 14, 2015).

including the media and citizens.⁹⁴ These standards should also influence requirements for promotion and continuing/ongoing education should also be required to maintain leadership positions.

5.3.2 ACTION ITEM: The Federal Government should encourage and support partnerships between law enforcement and academic institutions to support a culture that values ongoing education and the integration of current research into the development of training, policies, and practices.

5.3.3 ACTION ITEM: The U.S. Department of Justice should support and encourage cross-discipline leadership training.

This can be within the criminal justice system but also across governments, nonprofits, and the private sector, including social services, legal aid, businesses, community corrections, education, the courts, mental health organizations, civic and religious organizations, and others. When people come together from different disciplines and backgrounds, there is a cross-fertilization of ideas that often leads to better solutions. Furthermore. by interacting with a more diverse group of professionals, police can establish a valuable network of contacts whose knowledge and skills differ from but complement their own. This opportunity does exist for front-line staff on a variety of specialized topics but also needs to happen at decision/policy maker levels. For example, the National Alliance for Drug Endangered Children is an especially appropriate model for the value of cross-discipline training. Their written testimony to the task force explains how their training approach focuses on the formation of community partnerships that

engage law enforcement and professionals from multiple disciplines to collaboratively identify and protect drug endangered children and their families.⁹⁵

5.4 RECOMMENDATION: The U.S.

Department of Justice should develop, in partnership with institutions of higher education, a national postgraduate institute of policing for senior executives with a standardized curriculum preparing them to lead agencies in the 21st century.

To advance American law enforcement, we must advance its leadership. To that end, the task force recommends the establishment of a top quality graduate institute of policing to provide ongoing leadership training, education, and research programs which will enhance the quality of law enforcement culture, knowledge, skills, practices and policies. Modeled after the Naval Postgraduate School in Monterey, California, this institute will be staffed with subject matter experts and instructors drawn from the nation's top educational institutions, who will focus on the real world problems that challenge today's and tomorrow's law enforcement, teaching practical skills and providing the most current information for improving policing services throughout the nation. This institute could even, as witness Lawrence Sherman proposed, "admit qualified applicants to a three-month residential course for potential police executives, concluding in an assessment center and examination that would certify qualified graduates to serve as chief police executives anywhere in the United States."96

^{94.} Listening Session on Training and Education (oral testimony of Kim Jacobs, chief, Columbus [OH] Division of Police, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 14, 2015).

^{95.} Listening Session on Training and Education (written testimony of the National Alliance for Drug Endangered Children for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 14, 2015).

^{96.} Listening Session on The Future of Community Policing (oral testimony of Lawrence Sherman, Wolfson Professor of Criminology, University of Cambridge, and Distinguished University Professor, University of Maryland, for the President's Task Force on 21st Century Policing, Washington, DC, February 24, 2015).

5.5 RECOMMENDATION: The U.S.

Department of Justice should instruct the Federal Bureau of Investigation to modify the curriculum of the National Academy at Quantico to include prominent coverage of the topical areas addressed in this report. In addition, the COPS Office and the Office of Justice Programs should work with law enforcement professional organizations to encourage modification of their curricula in a similar fashion.⁹⁷

The Office of Community Oriented Policing Services (COPS Office) and the Office of Justice Programs (OJP) should work with the law enforcement professional organizations to encourage modification of their curricula—for example, the Senior Management Institute for Police run by PERF and the Police Executive Leadership Institute managed by the Major Cities Chiefs Association.

5.6 RECOMMENDATION: POSTs should make Crisis Intervention Training (CIT) a part of both basic recruit and in-service officer training.

Crisis intervention training (CIT) was developed in Memphis, Tennessee, in 1988 and has been shown to improve police ability to recognize symptoms of a mental health crisis, enhance their confidence in addressing such an emergency, and reduce inaccurate beliefs about mental illness.⁹⁸ It has

97. Listening Session on Training and Education: Supervisory, Leadership and Management Training (oral testimony of Kimberly Jacobs, chief, Columbus [OH] Division of Police, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 14, 2015); Listening Session on Training and Education (e-mail of Annie McKee, senior fellow, University of Pennsylvania, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13—14, 2015); Listening Session on Training and Education (written testimony of Anthony Braga et al. for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13—14, 2015).

98. Natalie Bonfine, Christian Ritter, and Mark R. Munetz, "Police Officer Perceptions of the Impact of Crisis Intervention Team (CIT) Programs," International Journal of Law and Psychiatry 37, no. 4 (July—August 2014): 341—350, doi:10.1016/j.ijlp.2014.02.004.

been found that after completing CIT orientation, officers felt encouraged to interact with people suffering a mental health crisis and to delay their "rush to resolution." Dr. Randolph Dupont, Chair of the Department of Criminology and Criminal Justice at the University of Memphis, spoke to the task force about the effectiveness of the Memphis Crisis Intervention Team (CIT), which stresses verbal intervention and other de-escalation techniques.

Noting that empathy training is an important component, Dr. Dupont said the Memphis CIT includes personal interaction between officers and individuals with mental health problems, Officers who had contact with these individuals felt more comfortable with them, and hospital mental health staff who participated with the officers had more positive views of law enforcement. CIT also provides a unique opportunity to develop cross-disciplinary training and partnerships.

5.6.1 ACTION ITEM: Because of the importance of this issue, Congress should appropriate funds to help support law enforcement crisis intervention training.

5.7 RECOMMENDATION: POSTs should ensure that basic officer training includes lessons to improve social interaction as well as tactical skills.

These include topics such as critical thinking, social intelligence, implicit bias, fair and impartial policing, historical trauma, and other topics that address capacity to build trust and legitimacy in diverse communities and offer better skills for gaining compliance without the use of physical

^{99.} Kelly E. Canada, Beth Angell, and Amy C. Watson, "Crisis Intervention Teams in Chicago: Successes on the Ground," *Journal of Police Crisis Negotiations* 10, no. 1–2 (2010), 86–100, doi:10.1080/15332581003792070.



Task force member Bryan Stevenson asks a panelist a question, Phoenix, February 13, 2015.

force. Basic recruit training must also include tactical and operations training on lethal and nonlethal use of force with an emphasis on de-escalation and tactical retreat skills,

5.8 RECOMMENDATION: POSTs should ensure that basic recruit and in-service officer training include curriculum on the disease of addiction.

It is important that officers be able to recognize the signs of addiction and respond accordingly when they are interacting with people who may be impaired as a result of their addiction. Science has demonstrated that addiction is a disease of the brain—a disease that can be prevented and treated and from which people can recover. The growing understanding of this science has led to a number of law enforcement agencies equipping officers with overdose-reversal drugs such as naloxone and the passage of legislation in many states that shield any person from civil and criminal liability if they administer naloxone.

The Obama Administration's drug policy reflects this understanding and emphasizes access to treatment over incarceration, pursuing "smart on crime" rather than "tough on crime" approaches to drug-related offenses, and support for early health interventions designed to break the cycle of drug use, crime, incarceration, and re-arrest. 100 And the relationship between incarceration and addiction is a significant one. A 2004 survey by the U.S.

^{100.} A Drug Policy for the 21st Century, July 2014, accessed February 27. 2015, http://www.whitehouse.gov/ondcp/drugpolicyreform.

Department of Justice estimated that about 70 percent of state and 64 percent of federal prisoners regularly used drugs prior to incarceration.¹⁰¹

5.9 RECOMMENDATION: POSTs should ensure both basic recruit and in-service training incorporates content around recognizing and confronting implicit bias and cultural responsiveness.

As the nation becomes more diverse, it will become increasingly important that police officers be sensitive to and tolerant of differences. It is vital that law enforcement provide training that recognizes the unique needs and characteristics of minority communities, whether they are victims or witnesses of crimes, subjects of stops, or criminal suspects.

Keeshan Harley, a young Black man, testified that he estimates that he's been stopped and frisked more than 100 times and that he felt that the problem is not just a few individual bad apples, but the systemic way policing treats certain communities—including low-income and young people, African Americans, LGBTQ people, the homeless, immigrants, and people with psychiatric disabilities. In so doing, police have produced communities of alienation and resentment. 102 He is arguably not alone in his opinions, given that

research has shown that "of those involved in traffic and street stops, a smaller percentage of Blacks than Whites believed the police behaved properly during the stop." ¹⁰³

And in a 2012 survey of LGBTQ/HIV contact with police, 25 percent of respondents with any recent police contact reported at least one type of misconduct or harassment, such as being accused of an offense they did not commit, verbal assault, being arrested for an offense they did not commit, sexual harassment, physical assault, or sexual assault.¹⁰⁴

5.9.1 ACTION ITEM: Law enforcement agencies should implement ongoing, top down training for all officers in cultural diversity and related topics that can build trust and legitimacy in diverse communities. This should be accomplished with the assistance of advocacy groups that represent the viewpoints of communities that have traditionally had adversarial relationships with law enforcement.

5.9.2 ACTION ITEM: Law enforcement agencies should implement training for officers that covers policies for interactions with the LGBTQ population, including issues such as determining gender identity for arrest placement, the Muslim, Arab, and South Asian communities, and immigrant or non-English speaking groups, as well as reinforcing policies for the prevention of sexual misconduct and harassment.

^{101.} C. Mumola and J.C. Karberg, *Drug Use and Dependence, State and Federal Prisoners, 2004* (Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 2007), http://www.bjs.gov/content/pub/pdf/dudsfp04.pdf.

^{102.} Listening Session on Training and Education: Voices in the Community (oral testimony of Keeshan Harley, member, Communities United for Police Reform, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 14, 2015); see also Tracey L. Meares, "Programming Errors: Understanding the Constitutionality of Stop-and-Frisk as a Program, Not an Incident," University of Chicago Law Review (forthcoming).

^{103.} Langton and Durose, *Traffic and Street Stops, 2011* (see note 42).
104. Listening Session on Policy and Oversight (written testimony of Lambda Legal for the President's Task Force on 21st Century Policing, Cincinnati, OH, January 30–31, 2015); Lambda Legal, *Protected and Served? Survey of LGBT/HIV Contact with Police, Courts, Prisons, and Security, 2014*, accessed February 28, 2015, http://www.lambdalegal.org/protected-and-served.

Table 3. College degree requirements for full-time instructors in state and local law enforcement training academies, by type of operating agency, 2006

Primary operating agency	Total percentage of acad- emies with a minimum educational requirement that included a college degree	Percentage of academies requiring a 4-year degree	Percent of academies requiring a 2-year degree
All types	19	11	8
State Peace Officer Standards and Training	13	13	0
State police	11	7	5
Sheriff's office	2	0	2
County police	5	0	5
Municipal police	7	4	3
College/university	35	22	13
Multiagency	15	2	13
Other types	8	8	0

Source: Brian A. Reaves, State and Local Law Enforcement Training Academies, 2006, Special Report (Washington, DC: Bureau of Justice Statistics, 2009), http://www.bis.gov/content/pub/pdf/slleta06.pdf.

5.10 RECOMMENDATION: POSTs should require both basic recruit and in-service training on policing in a democratic society.

Police officers are granted a great deal of authority, and it is therefore important that they receive training on the constitutional basis of and the proper use of that power and authority. Particular focus should be placed on ensuring that Terry stops¹⁰⁵ are conducted within constitutional guidelines.

5.11 RECOMMENDATION: The Federal Government, as well as state and local agencies, should encourage and incentivize higher education for law enforcement officers.

While many believe that a higher level of required education could raise the quality of officer performance, law enforcement also benefits from a diverse range of officers who bring their cultures, languages, and life experiences to policing.

Offering entry level opportunities to recruits without a college degree can be combined with the provision of means to obtain higher education throughout their career, thereby ensuring the benefits of a diverse staff with a well-educated police force and an active learning culture. Current student loan programs allow repayment based on income, and some already provide tuition debt forgiveness after 120 months of service in the government or nonprofit sector.

5.11.1 ACTION ITEM: The Federal Government should create a loan repayment and forgiveness incentive program specifically for policing.

This could be modeled on similar programs that already exist for government service and other fields or the reinstitution of funding for programs such as the 1960s and 70s Law Enforcement Education Program.

^{105.} Terry v. Ohio, 392 U.S. 1 (1968).

5.12 RECOMMENDATION: The Federal Government should support research into the development of technology that enhances scenario-based training, social interaction skills, and enables the dissemination of interactive distance learning for law enforcement.

This will lead to new modalities that enhance the effectiveness of the learning experience, reduce instructional costs, and ensure the broad dissemination of training through platforms that do not require time away from agencies.

This would be especially helpful for smaller and more rural departments who cannot spare the time for their officers to participate in residential/in-person training programs. Present day technologies should also be employed more often—web-based learning, behavior evaluations through body worn camera videos, software programs for independent learning, scenario-based instruction through videos, and other methods. This can also increase access to evidence-based research and other sources of knowledge.

5.13 RECOMMENDATION: The U.S. Department of Justice should support the development and implementation of improved Field Training Officer programs.

This is critical in terms of changing officer culture. Field Training Officers impart the organizational culture to the newest members. The most common current program, known as the San Jose Model, is more than 40 years old and is not based on current research knowledge of adult learning modalities. In many ways it even conflicts with innovative training strategies that encourage problem-based learning and support organizational procedural justice.

5.13.1 ACTION ITEM: The U.S. Department of Justice should support the development of broad Field Training Program standards and training strategies that address changing police culture and organizational procedural justice issues that agencies can adopt and customize to local needs.

A potential model for this is the Police Training Officer program developed by the COPS Office in collaboration with PERF and the Reno (Nevada) Police Department. This problem-based learning strategy used adult learning theory and problem solving tools to encourage new officers to think with a proactive mindset, enabling the identification of and solution to problems within their communities.

5.13.2 ACTION ITEM: The U.S. Department of Justice should provide funding to incentivize agencies to update their Field Training Programs in accordance with the new standards.

PILLAR 6. OFFICER WELLNESS & SAFETY

The wellness and safety of law enforcement officers is critical not only to themselves, their colleagues, and their agencies but also to public safety.

Most law enforcement officers walk into risky situations and encounter tragedy on a regular basis. Some, such as the police who responded to the carnage of Sandy Hook Elementary School, witness horror that stays with them for the rest of their lives. Others are physically injured in carrying out their duties, sometimes needlessly, through mistakes made in high stress situations. The recent notable deaths of officers are stark reminders of the risk officers face. As a result, physical, mental, and emotional injuries plague many law enforcement agencies.

However, a large proportion of officer injuries and deaths are not the result of interaction with criminal offenders but the outcome of poor physical health due to poor nutrition, lack of exercise, sleep deprivation, and substance abuse. Yet these causes are often overlooked or given scant attention. Many other injuries and fatalities are the result of vehicular accidents.

The wellness and safety of law enforcement officers is critical not only to themselves, their colleagues, and their agencies but also to public safety. An officer whose capabilities, judgment, and behavior are adversely affected by poor physical or psychological health not only may be of little use to the community he or she serves but also may be a danger to the community and to other officers. As task force member Tracey Meares observed, "Hurt people can hurt people." 106

106. Listening Session on Officer Safety and Wellness (comment of Tracey Meares, task force member, for the President's Task Force on 21st Century Policing, Washington, DC, February 23, 2015).

Commenting on the irony of law enforcement's lack of services and practices to support wellness and safety, Dr. Laurence Miller observed in his testimony that supervisors would not allow an officer to go on patrol with a deficiently maintained vehicle, an un-serviced duty weapon, or a malfunctioning radio—but pay little attention to the maintenance of what is all officers' most valuable resource: their brains. ¹⁰⁷

Officer suicide is also a problem: a national study using data of the National Occupational Mortality Surveillance found that police died from suicide 2.4 times as often as from homicides. And though depression resulting from traumatic experiences is often the cause, routine work and life stressors—serving hostile communities, working long shifts, lack of family or departmental support—are frequent motivators too.

In this pillar, the task force focused on many of the issues that impact and are impacted by officer wellness and safety, focusing on strategies in several areas: physical, mental, and emotional health; vehicular accidents; officer suicide; shootings and assaults; and the partnerships with social services, unions, and other organizations that can support solutions.

^{107.} Listening Session on Officer Safety and Wellness (oral testimony of Laurence Miller, psychologist, for the President's Task Force on 21st Century Policing, Washington, DC, February 23, 2015).

Physical injuries and death in the line of duty, while declining, are still too high. According to estimates of U.S. Bureau of Labor Statistics, more than 100,000 law enforcement professionals are injured in the line of duty each year. Many are the result of assaults, which underscores the need for body armor, but most are due to vehicular accidents.

To protect against assaults, Orange County (Florida) Sheriff Jerry Demings talked about immersing new officers in simulation training that realistically depicts what they are going to face in the real world. "I subscribe to an edict that there is no substitute for training and experience . . . deaths and injuries can be prevented through training that is both realistic and repetitive." ¹⁰⁸

But to design effective training first requires collecting substantially more information about the nature of injuries sustained by officers on the job. Dr. Alexander Eastman's testimony noted that the field of emergency medicine involves the analysis of vast amounts of data with regard to injuries in order to improve prevention as well as treatment.

In order to make the job of policing more safe, a nationwide repository for [law enforcement officer] injuries sustained is desperately needed. A robust database of this nature, analyzed by medical providers and scientists involved in law enforcement, would allow for recommendations in tactics, training, equipment, medical care and even policies/procedures that are grounded in that interface between scientific evidence, best medical practice, and sound policing.¹⁰⁹

Poor nutrition and fitness are also serious threats, as is sleep deprivation. Many errors in judgment can be traced to fatigue, which also makes it harder to connect with people and control emotions. But administrative changes such as reducing work shifts can improve officer's feelings of well-being, and the implementation of mental health strategies can lessen the impact of the stress and trauma.

However, the most important factor to consider when discussing wellness and safety is the culture of law enforcement, which needs to be transformed. Support for wellness and safety should permeate all practices and be expressed through changes in procedures, requirements, attitudes, and behaviors. An agency work environment in which officers do not feel they are respected, supported, or treated fairly is one of the most common sources of stress. And research indicates that officers who feel respected by their supervisors are more likely to accept and voluntarily comply with departmental policies. This transformation should also overturn the tradition of silence on psychological problems, encouraging officers to seek help without concern about negative consequences.

Partnerships are another crucial element. An agency cannot successfully tackle these issues without partners such as industrial hygienists, chaplains, unions, and mental health providers. But no program can succeed without buy-in from agency leadership as well as the rank and file.

The "bulletproof cop" does not exist. The officers who protect us must also be protected—against incapacitating physical, mental, and emotional health problems as well as against the hazards of their job. Their wellness and safety are crucial for them, their colleagues, and their agencies, as well as the well-being of the communities they serve.

^{108.} Listening Session on Officer Safety and Wellness: Officer Safety (oral testimony of Jerry Demings, sheriff, Orange County, FL, for the President's Task Force on 21st Century Policing, Washington, DC, February 23, 2015).

^{109.} Listening Session on Officer Safety and Wellness: Officer Safety (oral testimony of Dr. Alexander Eastman, lieutenant and deputy medical director, Dallas Police Department, for the President's Task Force on 21st Century Policing, Washington, DC, February 23, 2015).



Elliot Cohen of the Maryland State Police speaks about technology usage while Madhu Grewal of the Constitution Project waits her turn to testify,
Cincinnati, January 31, 2015.

PHOTO: DEBORAH SPENCE

6.1 RECOMMENDATION: The U.S. Department of Justice should enhance and further promote its multi-faceted officer safety and wellness initiative.

As noted by all task force members during the listening session, officer wellness and safety supports public safety. Officers who are mentally or physically incapacitated cannot serve their communities adequately and can be a danger to the people they serve, to their fellow officers, and to themselves.

$6.1 {}_*1 \ ACTION \ ITEM: \textbf{Congress should establish and fund a national "Blue Alert" warning system.}$

Leveraging the current Amber Alert program used to locate abducted children, the Blue Alert would enlist the help of the public in finding suspects after a law enforcement officer is killed in the line of duty. Some similar state systems do exist, but there are large gaps; a national system is needed. In addition to aiding the apprehension of suspects, it would send a message about the importance of protecting law enforcement from undue harm.

6.1.2 ACTION ITEM: The U.S. Department of Justice, in partnership with the U.S. Department of Health and Human Services, should establish a task force to study mental health issues unique to officers and recommend tailored treatments.

Law enforcement officers are subject to more stress than the general population owing to the nature of their jobs. In addition to working with difficult—even hostile—individuals, responding to tragic events, and sometimes coming under fire themselves, they suffer from the effects of everyday stressors—the most acute of which often come from their agencies, because of confusing messages or non-supportive management; and their families, who do not fully understand the pressures the officers face on the job. And as witness Laurence Miller said, "When both work and family relations fray, the individual's coping abilities can be stretched to the limit, resulting in alcohol abuse, domestic violence, overaggressive policing, even suicide." 10

^{110.} Listening Session on Officer Safety and Wellness (oral testimony of Laurence Miller, psychologist, for the President's Task Force on 21st Century Policing, Washington, DC, February 23, 2015).

To add to the problems of those suffering from psychological distress, law enforcement culture has not historically supported efforts to treat or even acknowledged mental health problems, which are usually seen as a sign of "weakness." The challenges and treatments of mental health issues should therefore be viewed within the context of law enforcement's unique culture and working environment,

This task force should also look to establish a national toll-free mental health hotline specifically for police officers. This would be a fast, easy, and confidential way for officers to get advice whenever they needed to; and because they would be anonymous, officers would be more likely to take advantage of this resource. Since nobody understands the challenges an officer faces like another officer, it should be peer driven—anonymously connecting callers to officers who are not in the same agency and who could refer the caller to professional help if needed. An advisory board should be formed to guide the creation of this hotline service.

6.1.3 ACTION ITEM: The Federal Government should support the continuing research into the efficacy of an annual mental health check for officers, as well as fitness, resilience, and nutrition.

Currently, most mental health checks are ordered as interventions for anger management or substance abuse and are ordered reactively after an incident. Mental health checks need to be more frequent to prevent problems. Because officers are exposed to a wide range of stressors on a continuous basis as part of their daily routines, mental and physical health check-ups should be conducted on an ongoing basis. Furthermore, officer nutrition and fitness issues change with time, varying widely from those of the new academy graduate

to those of the veteran who has spent the last five years sitting in a squad car. Many health problems—notably cardiac issues—are cumulative.

6.1.4 ACTION ITEM: Pension plans should recognize fitness for duty examinations as definitive evidence of valid duty or non-duty related disability.

Officers who have been injured in the line of duty can exist in limbo, without pay, unable to work but also unable to get benefits because the "fitness for duty" examinations given by their agencies are not recognized as valid proof of disability. And since officers, as public servants, cannot receive social security, they can end up in a precarious financial state.

6.1.5 ACTION ITEM: Public Safety Officer Benefits (PSOB) should be provided to survivors of officers killed while working, regardless of whether the officer used safety equipment (seatbelt or anti-ballistic vest) or if officer death was the result of suicide attributed to a current diagnosis of duty-related mental illness, including but not limited to post-traumatic stress disorder (PTSD).

Families should not be penalized because an officer died in the line of duty but was not wearing a seat belt or body armor. Though these precautions are very important and strongly encouraged, there are occasions when officers can be more effective without them.¹¹¹

A couple of situations were mentioned by task force member Sean Smoot, who described the efforts of an officer who took off his seat belt to tend to the injuries of a victim in the back of the car as his partner sped to the hospital. Another

^{111.} Listening Session on Officer Safety and Wellness: Voices from the Field (oral testimony of William Johnson, executive director, National Association of Police Organizations, for the President's Task Force on 21st Century Policing, Washington, DC, February 23, 2015).

scenario he mentioned was the rescue of a drowning woman by an officer who shed his heavy body armor to go into the water. Charles Ramsey, task force co-chair, also noted that these types of situations could be further mitigated by the invention of seatbelts that officers could quickly release without getting tangled on their belts, badges, and radios, as well as body armor that is lighter and more comfortable.

6.2 RECOMMENDATION: Law enforcement agencies should promote safety and wellness at every level of the organization.

Safety and wellness issues affect all law enforcement professionals, regardless of their management status, duty, or tenure. Moreover, line officers are more likely to adopt procedures or change practices if they are advised to do so by managers who also model the behavior they encourage. According to witness David Orr, buy-in from the leaders as well as the rank and file is essential to the success of any program.¹¹²

6.2.1 ACTION ITEM: Though the Federal Government can support many of the programs and best practices identified by the U.S. Department of Justice initiative described in recommendation 6.1, the ultimate responsibility lies with each agency.

6.3 RECOMMENDATION: The U.S.

Department of Justice should encourage and assist departments in the implementation of scientifically supported shift lengths by law enforcement.

It has been established by significant bodies of research that long shifts can not only cause fatigue, stress, and decreased ability to concentrate but also lead to other more serious consequences. Tatigue and stress undermine not only the immune system but also the ability to work at full capacity, make decisions, and maintain emotional equilibrium. Though long shifts are understandable in the case of emergencies, as a standard practice they can lead to poor morale, poor job performance, irritability, and errors in judgment that can have serious, even deadly, consequences.

6.3.1 ACTION ITEM: The U.S. Department of Justice should fund additional research into the efficacy of limiting the total number of hours an officer should work within a 24–48-hour period, including special findings on the maximum number of hours an officer should work in a high risk or high stress environment (e.g., public demonstrations or emergency situations).

Though legislation and funding from the Federal Government is necessary in some cases, most of the policies, programs, and practices recommended by the task force can and should be implemented at the local level. It is understood, however, that there are no "one size fits all" solutions and that implementation will vary according to agency size, location, resources, and other factors.

^{112.} Listening Session on Officer Safety and Wellness (oral testimony of David Orr, sergeant, Norwalk [CT] Police Department, to the President's Task Force on 21st Century Policing, Washington, DC, February 23, 2015).

^{113.} Bryan Vila, *Tired Cops: The Importance of Managing Police Fatigue*, (Washington, DC: Police Executive Research Forum, 2000); Mora L. Fiedler, *Officer Safety and Wellness: An Overview of the Issues* (Washington, DC: Office of Community Oriented Policing Services, 2011), 4, https://cops.usdoi.gov/pdf/QSWG/e091120401-0SWGReport.pdf.



Christina Brown of Black Lives Matter Cincinnati speaks about mass demonstrations while Superintendent Garry McCarthy of the Chicago Police
Department looks on, Cincinnati, January 30, 2015,
PHOTO: DEBORAH SPENCE

6.4 RECOMMENDATION: Every law enforcement officer should be provided with individual tactical first aid kits and training as well as anti-ballistic vests.

Task force witness Dr. Alexander Eastman, who is a trauma surgeon as well as a law enforcement professional, noted that tactical first aid kits would significantly reduce the loss of both officer and civilian lives due to blood loss. Already available to members of the military engaged in combat missions, these kits are designed to save lives by controlling hemorrhaging. They contain tourniquets, an Olaes modular bandage, and QuikClot gauze and would be provided along with training in hemorrhage control. Dr. Eastman estimated that the kits could cost less than \$50 each and require about two hours of training, which could be provided through officers who have completed "train the trainer" programs. 114

This would be a national adoption of the Hartford Consensus, which calls for agencies to adopt hemorrhage control as a core law enforcement skill and

yr" programs. 114 vould be a national adoption of the Hartford to integrate rescue/emergency medical services personnel into community-wide active shooter preparedness and training. These activities would complement the current "Save Our Own" law enforcement-based hemorrhage control programs. 115

To further reduce officer deaths, the task force also strongly recommends the provision of body armor to all officers with replacements when necessary.

6.4.1 ACTION ITEM: Congress should authorize funding for the distribution of law enforcement individual tactical first aid kits.

6.4.2 ACTION ITEM: Congress should reauthorize and expand the Bulletproof Vest Partnership (BVP) program.

Created by statute in 1998, this program is a unique U.S. Department of Justice initiative designed to provide a critical resource to state and local law enforcement. Based on data collected and recorded by Bureau of Justice Assistance staff,

^{114.} Listening Session on Officer Safety and Wellness: Officer Safety (oral testimony of Dr. Alexander Eastman, lieutenant and deputy medical director, Dallas Police Department, for the President's Task Force on 21st Century Policing, Washington, DC, February 23, 2015).

^{115.} M. Jacobs Lenworth, Jr., "Joint Committee to Create a National Policy to Enhance Survivability from Mass Casualty Shooting Events: Hartford Consensus II," *Journal of the American College of Surgeons* 218, no. 3 (March 2014): 476–478.

in FY 2012 protective vests were directly attributed to saving the lives of at least 33 law enforcement and corrections officers.

6.5 RECOMMENDATION: The U.S.

Department of Justice should expand efforts to collect and analyze data not only on officer deaths but also on injuries and "near misses."

Another recommendation mentioned by multiple witnesses is the establishment of a nationwide repository of data on law enforcement injuries, deaths, and near misses. Though the Federal Bureau of Investigation (FBI) does maintain a database of information pertinent to police procedures on officers killed in the line of duty, it does not contain the medical details that could be analyzed by medical providers and scientists to improve medical care, tactics, training, equipment, and procedures that would prevent or reduce injuries and save lives. The Police Foundation, with the support of a number of other law enforcement organizations, launched an online Law Enforcement Near Miss Reporting System in late 2014, but it is limited in its ability to systematically analyze national trends in this important data by its voluntary nature.116

6.6 RECOMMENDATION: Law enforcement agencies should adopt policies that require officers to wear seat belts and bullet-proof vests and provide training to raise awareness of the consequences of failure to do so.

According to task force witness Craig Floyd, traffic accidents have been the number one cause of officer fatalities in recent years, and nearly half of those officers were not wearing seat belts.¹¹⁷ He

suggests in-car cameras and seat belt sensors to encourage use along with aggressive safety campaigns. Some witnesses endorsed mandatory seat belt policies as well.

The Prince George's County (Maryland) Arrive Alive Campaign initiated by task force witness Chief Mark Magraw to promote 100 percent seat belt usage relied on incentives and peer pressure for success. The message was, "it is not just about you, it is also about your family and your department." 18

There were also many calls for mandatory requirements that all officers wear soft body armor any time they are going to be engaging in enforcement activities, uniformed or not. It was also suggested that law enforcement agencies be required to provide these for all commissioned personnel.

6.7 RECOMMENDATION: Congress should develop and enact peer review error management legislation.

The task force recommends that Congress enact legislation similar to the Healthcare Quality Improvement Act of 1986¹¹⁹ that would support the development of an effective peer review error management system for law enforcement similar to what exists in medicine. A robust but nonpunitive peer review error management program—in which law enforcement officers could openly and frankly discuss their own or others' mistakes or

Task Force on 21st Century Policing, Washington, DC, February 23, 2015).

118. Listening Session on Officer Safety and Wellness (oral testimony of Mark Magraw, chief, Prince Georges County [MD] Police Department, for the President's Task Force on 21st Century Policing, Washington, DC, February 23, 2015).

119. The Health Care Quality Improvement Act of 1986 (HCQIA), 42 USC §11101 et seq., sets out standards for professional review actions. If a professional review body meets these standards, then neither the professional review body nor any person acting as a member or staff to the body will be liable in damages under most federal or state laws with respect to the action. For more information, see "Medical Peer Review," American Medical Association, accessed February 28, 2015, http://www.ama-assn.org/ama/pub/physician-resources/legal-topics/medical-peer-review.page.

^{116.} Deborah L. Spence, "One on One with LEO Near Miss," *Community Policing Dispatch* 8, no. 2 (February 2015), http://cops.usdoj.gov/html/dispatch/02-2015/leo_near_miss.asp.

^{117.} Listening Session on Officer Safety and Wellness (oral testimony of Craig Floyd, National Law Enforcement Officer Memorial Foundation, for the President's

near misses without fear of legal repercussions—would go a long way toward reducing injuries and fatalities by improving tactics, policies, and procedures. Protecting peer review error management findings from being used in legal discovery would enable the widespread adoption of this program by law enforcement.

The Near Miss anonymous reporting system developed by the Police Foundation in Washington, D.C., currently collects anonymous data that can be very helpful in learning from and preventing mistakes, fatalities, and injuries—but a program that enabled peer review of errors would provide even more valuable perspectives and solutions.

6.8 RECOMMENDATION: The U.S.

Department of Transportation should provide technical assistance opportunities for departments to explore the use of vehicles equipped with vehicle collision prevention "smart car" technology that will reduce the number of accidents.

Given that the FBI's 2003 to 2012 Law Enforcement Officers Killed in Action report showed that 49 percent of officer fatalities were a result of vehicle-related accidents, the need for protective devices cannot be understated. New technologies such as vehicle collision prevention systems should be explored.

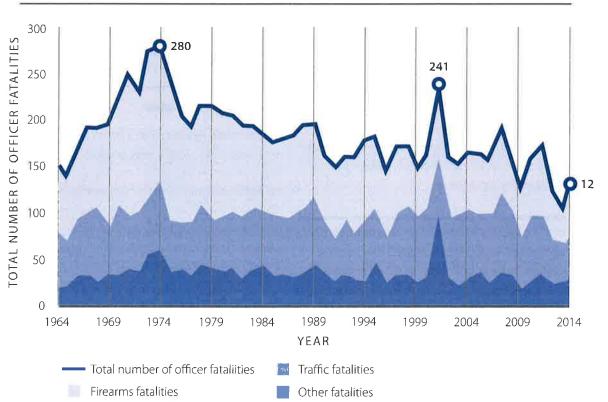


Figure 3. Total law enforcement fatalities from 1964–2014

Source: "126 Law Enforcement Fatalities Nationwide in 2014," Preliminary 2014 Law Enforcement Officer Fatalities Report (Washington, DC: National Law Enforcement Officers Memorial Fund, December 2014), https://www.nleomf.org/assets/pdfs/reports/Preliminary-2014-Officer-Fatalities-Report.pdf

IMPLEMENTATION

The members of the President's Task Force on 21st Century Policing are convinced that these 59 concrete recommendations for research, action, and further study will bring long-term improvements to the ways in which law enforcement agencies interact with and bring positive change to their communities. But we also recognize that the Administration, through policies and practices already in place, can start right now to move forward on the bedrock recommendations in this report. Accordingly, we propose the following items for immediate action.

7.1 RECOMMENDATION: The President should direct all federal law enforcement agencies to review the recommendations made by the Task Force on 21st Century Policing and, to the extent practicable, to adopt those that can be implemented at the federal level.

7.2 RECOMMENDATION: The U.S.

Department of Justice should explore public-private partnership opportunities, starting by convening a meeting with local, regional, and national foundations to discuss the proposals for reform described in this report and seeking their engagement and support in advancing implementation of these recommendations.

7.3 RECOMMENDATION: The U.S.

Department of Justice should charge its Office of Community Oriented Policing Services (COPS Office) with assisting the law enforcement field in addressing current and future challenges. For recommendation 7.3, the COPS Office should consider taking actions including but not limited to the following:

- Create a National Policing Practices and Accountability Division within the COPS Office.
- Establish national benchmarks and best practices for federal, state, local, and tribal police departments.
- Provide technical assistance and funding to national, state, local, and tribal accreditation bodies that evaluate policing practices.
- Recommend additional benchmarks and best practices for state training and standards boards.
- Provide technical assistance and funding to state training boards to help them meet national benchmarks and best practices in training methodologies and content.
- Prioritize grant funding to departments meeting benchmarks.
- Support departments through an expansion of the COPS Office Collaborative Reform Initiative.
- Collaborate with universities, the Office of Justice Programs and its bureaus (Bureau of Justice Assistance [BJA], Bureau of Justice Statistics [BJS], National Institute of Justice [NIJ], and Office of Juvenile Justice and Delinquency Prevention [OJJDP]), and others to review research and literature in order to inform law enforcement agencies about evidence-based practices and to identify areas of police operations where additional research is needed.
- Collaborate with the BJS to
 - establish a central repository for data concerning police use of force resulting in death, as well as in-custody deaths, and disseminate this data for use by both community and police;

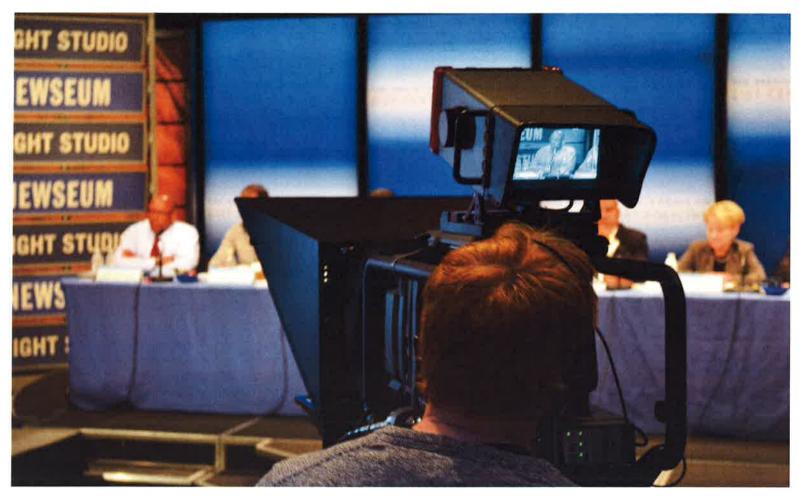


PHOTO: BRANDON TRAMEL

- provide local agencies with technical assistance and a template to conduct local citizen satisfaction surveys;
- compile annual citizen satisfaction surveys based on the submission of voluntary local surveys, develop a national level survey as well as surveys for use by local agencies and by small geographic units, and develop questions to be added to the National Crime Victimization Survey relating to citizen satisfaction with police agencies and public trust.
- Collaborate with the BJS and others to develop a template of broader indicators of performance for police departments beyond crime rates alone that could comprise a Uniform Justice Report.

- Collaborate with the NIJ and the BJS to publish an annual report on the "State of Policing" in the United States.
- Provide support to national police leadership associations and national rank and file organizations to encourage them to implement task force recommendations.
- Work with the U.S. Department of Homeland Security to ensure that community policing tactics in state, local, and tribal law enforcement agencies are incorporated into their role in homeland security.

APPENDIX A. PUBLIC LISTENING SESSIONS & WITNESSES

The President's Task Force on 21st Century Policing hosted multiple public listening sessions to gain broad input and expertise from stakeholders. The information collected in these meetings informed and advised the task force in developing its recommendations.

Listening Session 1. Building Trust & Legitimacy

Washington, D.C., January 13, 2015 Panel One: Subject Matter Experts

Jennifer Eberhardt, Associate Professor of Psychology, Stanford University

Charles Ogletree, Jesse Climenko Professor of Law, Harvard Law School

Tom Tyler, Macklin Fleming Professor of Law and Professor of Psychology, Yale Law School

Samuel Walker, Emeritus Professor of Criminal Justice, University of Nebraska Omaha

Panel Two: Community Representatives

Carmen Perez, Executive Director, The Gathering for Justice

Jim St. Germain, Co-Founder, Preparing Leaders of Tomorrow, Inc.

Jim Winkler, President and General Secretary, National Council of Churches of Christ in the USA

Panel Three: Law Enforcement Organizations

Richard Beary, President, International Association of Chiefs of Police

Chuck Canterbury, National President, Fraternal Order of Police

Andrew Peralta, National President, National Latino Peace Officers Association

Richard Stanek, Immediate Past President, Major County Sheriffs' Association

Panel Four: Civil Rights / Civil Liberties

Sherrilyn Ifill, President and Director–Counsel, National Association for the Advancement of Colored People Legal Defense and Educational Fund

Maria Teresa Kumar, President and CEO, Voto Latino

Laura Murphy, Director, Washington Legislative Office, American Civil Liberties Union

Vikrant Reddy, Senior Policy Analyst, Texas Public Policy Foundation Center for Effective Justice

Panel Five: Mayors

Kevin Johnson, Sacramento

Michael Nutter, Philadelphia

Stephanie Rawlings-Blake, Baltimore

Listening Session 2. Policy & Oversight

Cincinnati, Ohio, January 30, 2015

Panel One: Use of Force Research and Policies

Geoffrey Alpert, Professor, University of South Carolina

Mick McHale, President, National Association of Police Organizations

Harold Medlock, Chief, Fayetteville (North Carolina) Police Department

Rashad Robinson, Executive Director, Color of Change

Panel Two: Use of Force Investigations and Oversight

Sim Gill, District Attorney, Salt Lake County, Utah

Jay McDonald, President, Fraternal Order of Police of Ohio

Kirk Primas, Assistant Sheriff, Las Vegas Metropolitan Police Department

Chuck Wexler, Executive Director, Police Executive Research Forum

Panel Three: Civilian Oversight

Charlie Beck, Chief, Los Angeles Police Department

Brian Buchner, President, National Association for Civilian Oversight of Law Enforcement

Darius Charney, Senior Staff Attorney, Center for Constitutional Rights

Panel Four: Mass Demonstrations

Christina Brown, Founding Organizer, Black Lives Matter: Cincinnati

Garry McCarthy, Superintendent, Chicago Police Department

Rodney Monroe, Chief, Charlotte-Mecklenburg (North Carolina)
Police Department

Sean Whent, Chief, Oakland (California) Police Department

Panel Five: Law Enforcement Culture and Diversity

Malik Aziz, National Chairman, National Black Police Association

Hayley Gorenberg, Deputy Legal Director, Lambda Legal

Kathy Harrell, President, Fraternal Order of Police, Queen City Lodge #69, Cincinnati, Ohio

Barbara O'Connor, President, National Association of Women Law Enforcement Executives

Listening Session 3. Technology & Social Media

Cincinnati, Ohio, January 31, 2015
Panel One: Body Cameras—Research and Legal Considerations

Jim Bueermann, President, Police Foundation

Scott Greenwood, Attorney

Tracie Keesee, Co-Founder and Director of Research Partnerships, Center for Policing Equity

Bill Lewinski, Founder and Director, Force Science Institute

Michael White, Professor, School of Criminology and Criminal Justice, Arizona State University

Panel Two: Body Cameras—Implementation

Johanna Miller, Advocacy Director, New York Civil Liberties Union **Ken Miller**, Chief, Greenville (South Carolina) Police Department

Kenton Rainey, Chief, Bay Area Rapid Transit, San Francisco

Richard Van Houten, Sergeant, Fort Worth (Texas) Police Officers Association

Panel Three: Technology Policy

Eliot Cohen, Lieutenant, Maryland State Police

Madhu Grewal, Policy Counsel, The Constitution Project

Bill Schrier, Senior Policy Advisor, Office of the Chief Information Officer, State of Washington

Vincent Talucci, Executive Director / Chief Executive Officer, International Association of Chiefs of Police

Panel Four: Social Media, Community Digital Engagement and Collaboration

Hassan Aden, Director, Research and Programs, International Association of Chiefs of Police

DeRay McKesson, This is the Movement

Steve Spiker, Research and Technology Director, Urban Strategies Council

Lauri Stevens, Founder and Principal Consultant, LAwS Communications

Listening Session 4. Community Policing & Crime Reduction

Phoenix, Arizona, February 13, 2015
Panel One: Community Policing and
Crime Prevention Research

Bill Geller, Director, Geller & Associates

Dr. Delores Jones-Brown, Professor, John Jay College of Criminal Justice, City University of New York

Dr. Dennis Rosenbaum, Professor, University of Illinois at Chicago

Dr. Wesley G. Skogan, Professor, Northwestern University

Panel Two: Building Community Policing Organizations

Anthony Batts, Police Commissioner, Baltimore Police Department

Jeffrey Blackwell, Chief, Cincinnati (Ohio) Police Department

Chris Magnus, Chief, Richmond (California) Police Department

Patrick Melvin, Chief, Salt River Police Department (Salt River Pima-Maricopa Indian Community)

Panel Three: Using Community Policing to Reduce Crime

Kevin Bethel, Deputy Police Commissioner, Philadelphia Police Department

Melissa Jones, Senior Program Officer, Boston's Local Initiatives Support Corporation

David Kennedy, Professor, John Jay College of Criminal Justice, City University of New York

J. Scott Thomson, Chief, Camden County (New Jersey)Police Department

George Turner, Chief, Atlanta Police Department

Panel Four: Using Community Policing to Restore Trust

Rev. Jeff Brown, Rebuilding Every City Around Peace

Dwayne Crawford, Executive Director, National Organization of Black Law Enforcement Executives

Justin Hansford, Assistant Professor of Law, Saint Louis University School of Law

Cecil Smith, Chief, Sanford (Florida) Police Department

Panel Five: Youth and Law Enforcement

Delilah Coleman, Member, Navajo Nation (Senior at Flagstaff High School)

Jose Gonzales, Alumnus, Foster Care and Crossover Youth

Jamecia Luckey, Youth Conference Committee Member, Cocoa (Florida) Police Athletic League

Nicholas Peart, Staff Member, The Brotherhood-Sister Sol (Class Member, Floyd, et al. v. City of New York, et al.)

Michael Reynolds, Co-President, Youth Power Movement

Listening Session 5. Training & Education

Phoenix, Arizona, February 14, 2015 Panel One: Basic Recruit Academy

Arlen Ciechanowski, President, International Association of Directors of Law Enforcement Standards and Training

William J. Johnson, Executive Director, National Association of Police Organizations

Benjamin B. Tucker, First Deputy Commissioner, New York City Police Department

Dr. Steven Winegar, Coordinator, Public Safety Leadership Development, Oregon Department of Public Safety Standards and Training

Panel Two: In-Service Training

Dr. Scott Decker, Professor, Arizona State University

Aaron Danielson, President, Public Safety Employee Association/ AFSCME Local 803, Fairbanks, Alaska

Dr. Cheryl May, Director, Criminal Justice Institute and National Center for Rural Law Enforcement

John Ortolano, President, Arizona Fraternal Order of Police

Gary Schofield, Deputy Chief, Las Vegas Metropolitan Police Department

Panel Three: Supervisory, Leadership and Management Training

Edward Flynn, Chief, Milwaukee (Wisconsin) Police Department

Sandra Hutchens, Sheriff, Orange County (California) Sheriff's Department

Kimberly Jacobs, Chief, Columbus (Ohio) Division of Police

John Layton, Sheriff, Marion County (Indiana) Sheriff's Office

Dr. Ellen Scrivner, Executive Fellow, Police Foundation

Panel Four: Voices in the Community

Allie Bones, MSW, Chief Executive Officer, Arizona Coalition to End Sexual and Domestic Violence

Renaldo Fowler, Senior Staff Advocate, Arizona Center for Disability Law

Keeshan Harley, Member, Communities United for Police Reform

Andrea Ritchie, Senior Policy Counsel, Streetwise and Safe

Linda Sarsour, Executive Director, Arab American Association of New York

Panel Five: Special Training on Building Trust

Lt. Sandra Brown (retired), Principal Trainer, Fair and Impartial Policing

Dr. Randolph Dupont, Professor and Clinical Psychologist, University of Memphis

David C. Friedman, Regional Director of National Law Enforcement Initiatives, Anti-Defamation League

Lt. Bruce Lipman (retired), Procedural Justice /Police Legitimacy Training

Dr. Ronal Serpas, Advisory Board Member, Cure Violence Chicago

Listening Session 6. Officer Safety & Wellness

Washington, D.C., February 23, 2015
Panel One: Officer Wellness

Dr. Laurence Miller, Clinical Forensic Psychologist and Law Enforcement Educator

David Orr, Sergeant, Norwalk (Connecticut) Police Department

Dr. Sandra Ramey, Assistant Professor, University of Iowa College of Nursing

Dr. John Violanti, Research Professor, State University of New York Buffalo

Yost Zakhary, Public Safety Director, City of Woodway, Texas

Panel Two: Officer Safety

Jane Castor, Chief, Tampa (Florida) Police Department

Jerry L. Demings, Sheriff, Orange County (Florida) Sheriff's Office

Dr. Alexander L. Eastman, Lieutenant and Deputy Medical Director, Dallas Police Department

Craig W. Floyd, Chairman and Chief Executive Officer, National Law Enforcement Officers Memorial Fund

Panel Three: Voices from the Field

Dianne Bernhard, Executive Director, Concerns of Police Survivors

Robert Bryant, Chief, Penobscot Nation

Chuck Canterbury, National President, Fraternal Order of Police

William J. Johnson, Executive Director, National Association of Police Organizations

Jonathan Thompson, Executive Director, National Sheriffs' Association

Panel Four: Labor/Management Relations

Dr. Chuck Wexler, Executive Director, Police Executive Research Forum

Karen Freeman-Wilson, Mayor, Gary, Indiana

Mark Magaw, Chief, Prince George's County (Maryland)
Police Department

James Pasco, Executive Director, Fraternal Order of Police

Dustin Smith, President, Sacramento (California) Police Officers Association

Listening Session 7. Future of Community Policing

Washington, D.C., February 24, 2015 Panel: Future of Community Policing

Dr. Phillip Goff, Professor, University of California, Los Angeles

Jim McDonnell, Sheriff, Los Angeles County Sheriff's Department

Dr. Daniel Nagin, Teresa and H. John Heinz III Professor of Public Policy, Carnegie Mellon University

Dr. Lawrence Sherman, Director of the Institute of Criminology of the University of Cambridge, United Kingdom

Jeremy Travis, President, John Jay College of Criminal Justice, City University of New York

APPENDIX B. INDIVIDUALS & ORGANIZATIONS THAT SUBMITTED WRITTEN TESTIMONY

In addition to receiving testimony from those individuals that appeared as witnesses during public listening sessions, the President's Task Force on 21st Century Policing accepted written testimony from any individual or organization to ensure that its information gathering efforts included as many people and perspectives as possible. The task force thanks the individuals and organizations who submitted written testimony for their time and expertise.

This list reflects organizational affiliation at the time of testimony submission and may not represent submitters' current positions.

Individuals

Robert Abraham, Chair, Gang Resistance Education & Training (GREAT) National Policy Board

Phillip Agnew, Executive Director, Dream Defenders

Kilolo Ajanaku, National Executive Director, World Conference of Mayors' Dr. Martin Luther King, Jr. American Dream Initiative

Barbara Attard, Past President, National Association for Civilian Oversight of Law Enforcement

Paul Babeu, Vice President, Arizona Sheriffs Association

Monifa Bandele, Communities United for Police Reform

Dante Barry, Executive Director, Million Hoodies

David Bayley, Distinguished Professor Emeritus, University of Albany

Michael Bell, Lt. Colonel (retired), United States Air Force

Michael Berkow, Chief, Savannah (Georgia) Police Department

Greg Berman and **Emily Gold LaGratta**, Center for Court Innovation

Angela Glover Blackwell, Founder and CEO, PolicyLink

Mark Bowman, Assistant Professor of Justice Studies, Methodist University **Eli Briggs**, Director of Government Affairs, National Association of County and City Health Officials (NACCHO)

Cherie Brown, Executive Director, National Coalition Building Institute

Steven Brown, Journalist / Public Relations Consultant

Chris Calabrese, Senior Policy Director, Center for Democracy and Technology—with **Jake Laperruque**, Fellow on Privacy, Surveillance, and Security

Melanie Campbell, President and CEO, National Coalition on Black Civic Participation

Mo Canady, Executive Director, National Association of School Resource Officers (NASRO)

Hugh Carter Donahue, Adjunct Professor, Department of History, Rowan University

Anthony Chapa, President, Hispanic American Police Command Officers Association

Lorig Charkoudian, Executive Director, Community Mediation Maryland

Ralph Clark, President and CEO, SST Inc.

Faye Coffield CJ Federal Task Force

The Hon. LaDoris Cordell, Office of the Independent Police Auditor. San Jose, California

Jill Corson Lake, Director of Global Advising, Parsons The New School for Design

David Couper, Chief of Police (retired), Madison (Wisconsin)
Police Department

Madeline deLone, Executive Director, The Innocence Project—with Marvin Anderson, Board Member

Jimmie Dotson, Police Chief (retired), Houston Independent School District / GeoDD GeoPolicing Team

Ronnie Dunn, Professor, Cleveland State University

Lauren-Brooke Eisen and **Nicole Fortier** — Counsel,
Justice Program, Brennan Center for Justice at NYU School of Law

Christian Ellis, CEO, Alternative Ballistics

Jeffrey Fagan, Professor of Law, Columbia Law School

Mai Fernandez, Executive Director, National Center for Victims of Crime

Johnny Ford, Founder, Alabama Conference of Black Mayors and Mayor, Tuskegee, Alabama

Lisa Foster, Director, Access to Justice Initiative, U.S. Department of Justice

Neill Franklin, Executive Director, Law Enforcement Against Prohibition

S. Gabrielle Frey, Interim Executive Director, National Association of Community Mediation

Lorie Fridell, Associate Professor of Criminology, University of South Florida

Allen Frimpong, Activist--Malcolm X Grassroots Movement: New York's Self Defensive Campaign

Ethan Garcia, Youth Specialist, Identity Inc.

Michael Gennaco, Principal, OIR Group

Al Gerhardstein, Civil Rights Attorney

James Gierach, Executive Board Vice Chairman, Law Enforcement Against Prohibition

Fred Ginyard, Organizing Director, Fabulous Independent Educated Radical for Community Empowerment (FIERCE)

Mark Gissiner, Past President, International Association for Civilian Oversight of Law Enforcement

Becca Gomby, SDR Academy

Rev. Aaron Graham, Lead Pastor, The District Church

Fatima Graves, Vice President, National Women's Law Center—with Lara S. Kaufmann, Senior Counsel and Director of Education Policy for At-Risk Students

Virgil Green, Chairman, Future America National Crime Solution Commission

Sheldon Greenberg, Professor, School of Education, Division of Public Safety Leadership, The Johns Hopkins University

Robert Haas, Police Commissioner, Cambridge (Massachusetts)
Police Department

David Harris, Distinguished Faculty Scholar and Professor of Law Associates Dean for Research, University of Pittsburgh School of Law

W. Craig Hartley, Executive Director, CALEA

Steven Hawkins, Executive Director, Amnesty International USA

Louis Hayes, The Virtus Group, Inc.

Wade Henderson, President and CEO, The Leadership Conference on Civil and Human Rights—with **Nancy Zirkin**, Executive Vice President

Maulin Chris Herring, Trainer/Consultant, Public Safety

Sandy Holman, Director, The Culture CO-OP

Zachary Horn and Kent Halverson, Aptima, Inc. with Rebecca Damari and Aubrey Logan-Terry, Georgetown University

Tanya Clay House, Director of Public Policy, Lawyers' Committee for Civil Rights Under Law

Susan Hutson, Office of the Independent Police Monitor, New Orleans

Ingram Janaye, Executive Director, National Action Network

Melanie Jeffers

Megan Johnston, Executive Director, Northern Virginia Mediation Service

Nola Joyce, Deputy Commissioner, Philadelphia Police Department

Keith Kauffman, Captain, Hawthorne (California)

Police Department

Gwendolyn Puryear Keita, Executive Director, American Psychological Association, Public Interest Directorate

Stanley Knee, Chief, Austin (Texas) Police Department

Laura Kunard, Senior Research Scientist, CNA Corporation

David Kurz, Chief, Durham (New Hampshire) Police Department

Deborah Lauter, Director of Civil Rights, Anti-Defamation League—with **Michael Lieberman**, Washington Counsel

Cynthia Lum and **Christopher Koper**, George Mason University, Center for Evidence–Based Crime Policy

Bruce Lumpkins

Edward Maguire, Professor of Justice, Law & Criminology, American University

Baron Marquis, Member, Riverside Church, New York

Travis Martinez, Lieutenant, Redlands (California)
Police Department

Mike Masterson, Chief, Boise (Idaho) Police Department

Andrew Mazzara, Executive Director, International Law Enforcement Forum—with **Colin Burrows** QMP (U.K.), ILEF Advisory Board Chair

R. Paul McCauley, Past President, Academy of Criminal Justice Sciences

V. Michael McKenzie

Harvey McMurray, Chair, Department of Criminal Justice, North Carolina Central University

Pamela Meanes, President, National Bar Association

Doug Mellis, President, Massachusetts Chiefs of Police Association—with **Brian Kyes**, President, Massachusetts Major City Chiefs Association

Seth Miller, President, The Innocence Network

Charlene Moe, Program Coordinator, Center for Public Safety and Justice, Institute of Government and Public Affairs, University of Illinois

Marc Morial, CEO, National Urban League

Richard Myers, Chief, Newport News (Virginia) Police Department

Toye Nash, Sergeant, Phoenix Police Department

Rebecca Neri and **Anthony Berryman** – UCLA Improvement by Design Research Group

Chuck Noerenberg, President, National Alliance for Drug Endangered Children

Newell Normand, Sheriff, Jefferson Parish (Louisiana) Sherriff's Office—submitted with Adrian Garcia, Sheriff, Harris County (Texas) Sheriff's Office; David Mahoney, Sheriff, Dane County (Wisconsin) Sheriff's Office; Anthony Normore, Ph.D., Criminal Justice Commission for Credible Leadership Development; and Mitch Javidi, Ph.D., International Academy of Public Safety

Gbadegesin Olubukola, St. Louis University

Patrice O'Neill, CEO/Executive Producer, Not In Our Town

Jim Palmer, Executive Director, Wisconsin Professional Police Association

Julie Parker, Media Relations Division Director, Prince George's County (Maryland) Police Department

George Patterson, Associate Professor, City University of New York

David Perry, President, International Association of Campus Law Enforcement Administrators (IACLEA)

Megan Price, Director, Insight Conflict Resolution Program, School for Conflict Analysis and Resolution, George Mason University

Sue Quinn, Past President, National Association for Civilian Oversight of Law Enforcement

Tess Raser, Teacher, Brooklyn, New York

Darakshan Raja, Program Manager, Washington Peace Center

Sir Desmond Rea and **Robin Masefield**, Northern Ireland Policing Board

Nuno Rocha

Edwin Roessler, Jr., Chief, Fairfax County (Virginia) Police Department

Jeffrey Rojek, University of Texas at El Paso

Iris Roley, Black United Front of Cincinnati

Julia Ryan, Community Safety Initiative Director, LISC

Robert Samuels, Former Acting Director, DOJ Executive Office for Weed and Seed

Kami Chavis Simmons, Professor of Law and Director of the Criminal Justice Program, Wake Forest University School of Law

Russell Skiba, Professor and Director, Equity Project at Indiana University

Ronald Sloan, President, Association of State Criminal Investigative Agencies

Samuel Somers, Jr., Chief, Sacramento Police Department

Brett Stoudt, Morris Justice Project and Professor, John Jay College of Criminal Justice

"Think Tank Johnny"

Don Tijerina, President, Hispanic American Police Command Officers Association

Nicholas Turner, President and Director, Vera Institute of Justice

James Unnever, Professor of Criminology, University of South Florida

Javier Valdes, Executive Director, Make the Road New York

Kim Vansell, Director, National Center for Campus Public Safety

Nina Vinik, Program Director, Gun Violence Prevention, The Joyce Foundation

Vincent Warren, Executive Director, Center for Constitutional Rights

Barbara Weinstein, Associate Director, Religious Action Center of Reform Judaism

Jenny Yang, Chair, U.S. Equal Employment Opportunity Commission

Organizations

American Friends Service Committee

American Society of Criminology, Division of Policing, Ad Hoc Committee to the President's Task Force on 21st Century Policing (Anthony Braga, Rod K. Brunson, Gary Cordner, Lorie Fridell, Matthew Hickman, Cynthia Lum, Stephen D. Mastrofski, Jack McDevitt, Dennis P. Rosenbaum, Wesley G. Skogan, and William Terrill)

Brooklyn Defender Services

The Bronx Defenders

Center for Popular Democracy

Civil Rights Coalition on Police Reform

CNA Corporation (George Fachner, Michael D. White, James R. Coldren, Jr., and James K. Stewart)

Color of Change

Dignity in Schools Campaign

Ethics Bureau at Yale (Lawrence Fox, Supervising Lawyer)

Evangelical Lutheran Church in America

Harvard Kennedy School (John F. Kennedy School of Government)

Illinois Coalition for Immigrant and Refugee Rights

Immigrant Defense Project

International Association for Human Values (IAHV) / Works of Wonder International

Latino Justice

Lawyers' Committee for Civil Rights Under Law (including A. Phillip Randolph Institute, Black Youth Vote, Empowerment Movement, Hip Hop Caucus, Leadership Conference on Civil and Human Rights, Muslim Advocates, National Association for the Advancement of Colored People [NAACP], NAACP Legal Defense Fund, National Coalition on Black Civic Participation, National Council of Churches of Christ in the USA, PICO National Network, and Rainbow PUSH Coalition)

Local Initiatives Support Corporation (LISC)

Major County Sheriffs' Association

Make the Road New York

National Action Network (NAN)

National Association for Civilian Oversight of Law Enforcement

National Association of Counties

National Association of Police Organizations

National Association of Women Law Enforcement Executives

National Collaborative for Health Equity, Dellums Commission

National Day Laborer Organizing Network

National Immigration Law Center

National Fraternal Order of Police

National Organization of Black Law Enforcement Executives (NOBLE)

National Sheriffs' Association

New Sanctuary Coalition of New York

Northern Manhattan Coalition for Immigrant Rights

Northwest Immigrant Rights Project

PICO National Network

Public Science Project

Santa Fe College and the Santa Fe College Police Department, Gainesville, Florida

Southern Poverty Law Center

Streetwise & Safe

Team Kids

Works of Wonder International

APPENDIX C. EXECUTIVE ORDER 13684 OF DECEMBER 18, 2014

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to identify the best means to provide an effective partnership between law enforcement and local communities that reduces crime and increases trust, it is hereby ordered as follows:

Section 1. Establishment. There is established a President's Task Force on 21st Century Policing (Task Force).

- **Sec. 2.** *Membership.* (a) The Task Force shall be composed of not more than eleven members appointed by the President. The members shall include distinguished individuals with relevant experience or subject-matter expertise in law enforcement, civil rights, and civil liberties.
- (b) The President shall designate two members of the Task Force to serve as Co-Chairs.
- **Sec. 3.** *Mission.* (a) The Task Force shall, consistent with applicable law, identify best practices and otherwise make recommendations to the President on how policing practices can promote effective crime reduction while building public trust.
- (b) The Task Force shall be solely advisory and shall submit a report to the President by March 2, 2015.
- **Sec. 4.** Administration. (a) The Task Force shall hold public meetings and engage with Federal, State, tribal, and local officials, technical advisors, and nongovernmental organizations, among others, as necessary to carry out its mission.

- (b) The Director of the Office of Community
 Oriented Policing Services shall serve as Executive
 Director of the Task Force and shall, as directed by
 the Co-Chairs, convene regular meetings of the
 Task Force and supervise its work.
- (c) In carrying out its mission, the Task Force shall be informed by, and shall strive to avoid duplicating, the efforts of other governmental entities.
- (d) The Department of Justice shall provide administrative services, funds, facilities, staff, equipment, and other support services as may be necessary for the Task Force to carry out its mission to the extent permitted by law and subject to the availability of appropriations.
- (e) Members of the Task Force shall serve without any additional compensation for their work on the Task Force, but shall be allowed travel expenses, including per diem, to the extent permitted by law for persons serving intermittently in the Government service (5 U.S.C.5701-5707).
- **Sec. 5.** *Termination.* The Task Force shall terminate 30 days after the President requests a final report from the Task Force.
- **Sec. 6.** General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:
- (i) the authority granted by law to a department, agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

FINAL REPORT OF THE PRESIDENT'S TASK FORCE ON 21ST CENTURY POLICING

- (b) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.
- (c) Insofar as the Federal Advisory Committee Act, as amended (5 U.S.C. App.) (the "Act") may apply to the Task Force, any functions of the President under the Act, except for those in section 6 of the Act, shall be performed by the Attorney General.

THE WHITE HOUSE, December 18, 2014.

APPENDIX D. TASK FORCE MEMBERS' BIOGRAPHIES

Co-Chairs

Charles Ramsey

Charles Ramsey is the commissioner of the Philadelphia Police Department (PPD), a position he has held since 2008. Since 2010, he has served as president of the Major Cities Chiefs Association and the Police Executive Research Forum. Commissioner Ramsey began his law enforcement career in 1968 as a cadet with the Chicago Police Department (CPD). Over the next 30 years, he held various positions with the CPD, including commander of the Narcotics Division, deputy chief of the Patrol Division, and deputy superintendent, a role he held from 1994 to 1998. In 1998, he was named chief of the Metropolitan Police Department of the District of Columbia (MPDC), where he served until early 2007. In 2007, Commissioner Ramsey served on the Independent Commission on Security Forces of Iraq, leading a review of the Iraqi Police Force. In addition to his current role at the PPD, he also serves as a member of the Homeland Security Advisory Council. Commissioner Ramsey received a BS and MS from Lewis University.

Laurie Robinson

Laurie Robinson is the Clarence J. Robinson Professor of Criminology, Law and Society at George Mason University, a position she has held since 2012. She served as assistant attorney general for the Office of Justice Programs (OJP) in the U.S. Department of Justice (DOJ) from 2009 to 2012. Prior to that, Ms. Robinson served as the Principal deputy assistant attorney general for OJP and acting assistant attorney general for OJP. Previously, she was a member of the Obama-Biden Transition Team. From 2003 to 2009, Ms. Robinson was the director of the Master of Science Program in Criminology at the University of Pennsylvania. From 1993 to 2000, she served her first term as assistant attorney general for OJP. Before joining DOJ, Ms. Robinson spent over 20 years with the American Bar Association, serving as assistant staff director of the Criminal Justice Section from 1972 to 1979, director of the Criminal Justice Section from 1979 to 1993, and director of the Professional Services Division from 1986 to 1993. She is a senior fellow at the George Mason University Center for Evidence-Based Crime Policy and serves as cochair of the Research Advisory Committee for the International Association of Chiefs of Police. She also serves on the board of trustees of the Vera Institute of Justice. Ms. Robinson received a BA from Brown University.

Members

Cedric L. Alexander

Cedric L. Alexander is the deputy chief operating officer for Public Safety in DeKalb County, Georgia, a position he has held since late 2013, Dr. Alexander is also the national president of the National Organization of Black Law Enforcement Executives. In 2013, he served as chief of police for the DeKalb County Police Department. Prior to this, Dr. Alexander served as federal security director for the Transportation Security Administration (TSA) at Dallas/Fort Worth International Airport from 2007 to 2013. And from 2006 to 2007, he was deputy commissioner of the New York State Division of Criminal Justice Services, From 2005 to 2006, Dr. Alexander was chief of the Rochester (New York) Police Department (RPD), where he previously served as deputy chief of police from 2002 to 2005. Before joining RPD, Dr. Alexander was a faculty member in the Department of Psychiatry at the University of Rochester Medical Center from 1998 to 2002. He began his career as a deputy sheriff in Florida from 1977 to 1981, before joining the Miami-Dade Police Department, where he was as an officer and detective from 1981 to 1992. He received a BA and MS from St. Thomas University in Miami, Florida, and a PsyD from Wright State University.

Jose Lopez

Jose Lopez is currently the lead organizer at Make the Road New York (MRNY), a Brooklyn-based non-profit community organization focused on civil rights, education reform, and combating poverty. He became lead organizer of MRNY in 2013. Mr. Lopez began his career in 2000 as youth organizer with Make the Road by Walking, which later merged with the Latin American Integration Center to form MRNY in 2007. He continued to serve as youth organizer with MRNY until 2009 when he became senior organizer. Since 2011, Mr. Lopez has represented MRNY on the steering

committee of Communities United for Police Reform, a New York City organization advocating for law enforcement reform. From 2001 to 2004, he was an active contributor to the Radio Rookies Project, an initiative of New York Public Radio. He received a BA from Hofstra University.

Tracey L. Meares

Tracey Meares is the Walton Hale Hamilton Professor of Law at Yale Law School, a position she has held since 2007. From 2009 to 2011, she also served as deputy dean of Yale Law School. Before joining the faculty at Yale, she served as a professor at the University of Chicago Law School from 1995 to 2007. She has served on the Committee on Law and Justice, a National Research Council Standing Committee of the National Academy of Sciences. She was appointed by Attorney General Eric Holder to serve on the inaugural U.S. Department of Justice, Office of Justice Programs Science Advisory Board. She also currently serves on the board of directors of the Joyce Foundation. Ms. Meares began her legal career as a law clerk for Judge Harlington Wood, Jr. of the U.S. Court of Appeals for the Seventh Circuit. She later served as a trial attorney in the Antitrust Division at the U.S. Department of Justice. Ms. Meares received a BS from the University of Illinois and a JD from the University of Chicago Law School.

Brittany N. Packnett

Brittany Packnett is currently executive director of Teach For America in St. Louis, Missouri, a position she has held since 2012. From 2010 to 2012, she was a director on the Government Affairs Team at Teach For America. Ms. Packnett was a legislative assistant for the U.S. House of Representatives from 2009 to 2010. From 2007 to 2009, she was a third grade teacher in Southeast Washington, D.C., as a member of the Teach For America Corps. Ms. Packnett has volunteered as executive director

of Dream Girls DMV, a mentoring program for young girls, and was the founding co-chair of The Collective-DC, a regional organization for Teach For America alumni of color. She currently serves on the board of New City School, the COCA (Center of Creative Arts) Associate Board, the Urban League of Metro St. Louis Education Committee, and the John Burroughs School Board Diversity Committee. Ms. Packnett received a BA from Washington University in St. Louis and an MA from American University.

Susan Lee Rahr

Susan Rahr is executive director of the Washington State Criminal Justice Training Commission, a position she has held since 2012. From 2005 to 2012, she served as the first female sheriff in King County, Washington, Ms. Rahr spent over 30 years as a law enforcement officer, beginning as a patrol officer and undercover narcotics officer. While serving with the King County Sheriff's Office, she held various positions including serving as the commander of the Internal Investigations and Gang Units; commander of the Special Investigations Section; and police chief of Shoreline, Washington. Ms. Rahr received a BA from Washington State University. She has served as a member of the National Institute of Justice and Harvard Kennedy School Executive Session on Policing and Public Safety; president of the Washington State Association of Sheriffs and Police Chiefs, and an executive board member of the National Sheriffs' Association.

Constance Rice

Constance Rice is a civil rights attorney and co-director of the Advancement Project, an organization she co-founded in 1999. In 2003, Ms. Rice was selected to lead the Blue Ribbon Rampart Review Panel, which investigated the largest police corruption scandal in Los Angeles Police Department history. In 1991, Ms. Rice joined the NAACP Legal Defense and Educational Fund, and she became co-director of the Los Angeles office in 1996. She was previously an associate at Morrison & Foerster and began her legal career as a law clerk to Judge Damon J. Keith of the U.S. Court of Appeals for the Sixth Circuit. Ms. Rice received a BA from Harvard College and a JD from the New York University School of Law.

Sean Michael Smoot

Sean Smoot is currently director and chief counsel for the Police Benevolent & Protective Association of Illinois (PB&PA) and the Police Benevolent Labor Committee (PBLC), positions he has held since 2000. He began his career with PB&PA and PBLC as a staff attorney in 1995, before becoming chief counsel of both organizations in 1997. Since 2001, Mr. Smoot has served as the treasurer of the National Association of Police Organizations and has served on the Advisory Committee for the National Law Enforcement Officers' Rights Center since 1996. From 2008 to 2009, he was a policy advisor to the Obama-Biden Transition Project on public safety and state and local police issues and was a member of the National Institute of Justice and Harvard Kennedy School of Government Executive Session on Policing and Public Safety from 2008 to 2011. Mr. Smoot served as police commissioner of Leland Grove, Illinois, from 1998 to 2008. He received a BS from Illinois State University and a JD from Southern Illinois University School of Law.

Bryan Stevenson

Bryan Stevenson is founder and executive director of the Equal Justice Initiative (EJI), a private, nonprofit organization headquartered in Montgomery, Alabama. In addition to directing the EJI since 1989, he is a clinical professor at New York University School of Law. He previously has served as a visiting professor of law at the University of Michigan School of Law. Mr. Stevenson has received the American Bar Association's Wisdom Award for public service, the ACLU's National Medal of Liberty, and the MacArthur Foundation "Genius" Award Prize, Mr. Stevenson received a BA from Eastern College (now Eastern University), a JD from Harvard Law School, and an MPP from the John F. Kennedy School of Government at Harvard University.

Roberto Villaseñor

Roberto Villaseñor is chief of police for the Tucson (Arizona) Police Department (TPD), a position he has held since 2009. He joined the TPD in 1980 and has served as officer, sergeant, lieutenant, and captain and as assistant chief from 2000 to 2009. Chief Villaseñor was named Officer of the Year for the TPD in 1996 and has been awarded the TPD Medal of Merit three times. He also received the TPD Medal of Distinguished Service. Chief Villaseñor is the incoming president of the Arizona Association of Chiefs of Police and a board member of the Police Executive Research Forum (PERF). He received a BS from Park University and a MEd from Northern Arizona University.

APPENDIX E. RECOMMENDATIONS AND ACTIONS

0.1 Overarching Recommendation:

The President should support and provide funding for the creation of a National Crime and Justice Task Force to review and evaluate all components of the criminal justice system for the purpose of making recommendations to the country on comprehensive criminal justice reform.

0.2 Overarching Recommendation:

The President should promote programs that take a comprehensive and inclusive look at community-based initiatives that address the core issues of poverty, education, health, and safety.

- 1.1 RECOMMENDATION: Law enforcement culture should embrace a guardian mindset to build public trust and legitimacy. Toward that end, police and sheriffs' departments should adopt procedural justice as the guiding principle for internal and external policies and practices to guide their interactions with the citizens they serve.
- 1.2 RECOMMENDATION: Law enforcement agencies should acknowledge the role of policing in past and present injustice and discrimination and how it is a hurdle to the promotion of community trust.
- 1.2.1 ACTION ITEM: The U.S. Department of Justice should develop and disseminate case studies that provide examples where past injustices were publicly acknowledged by law enforcement agencies in a manner to help build community trust.

1.3 RECOMMENDATION: Law enforcement agencies should establish a culture of transparency and accountability in order to build public trust and legitimacy. This will help ensure decision making is understood and in accord with stated policy.

1.3.1 ACTION ITEM: To embrace a culture of transparency, law enforcement agencies should make all department policies available for public review and regularly post on the department's website information about stops, summonses, arrests, reported crime, and other law enforcement data aggregated by demographics.

1.3.2 ACTION ITEM: When serious incidents occur, including those involving alleged police misconduct, agencies should communicate with citizens and the media swiftly, openly, and neutrally, respecting areas where the law requires confidentiality.

- 1.4 RECOMMENDATION: Law enforcement agencies should promote legitimacy internally within the organization by applying the principles of procedural justice.
- 1.4.1 ACTION ITEM: In order to achieve internal legitimacy, law enforcement agencies should involve employees in the process of developing policies and procedures.
- 1.4.2 ACTION ITEM: Law enforcement agency leadership should examine opportunities to incorporate procedural justice into the internal discipline process, placing

additional importance on values adherence rather than adherence to rules. Union leadership should be partners in this process.

- 1.5 RECOMMENDATION: Law enforcement agencies should proactively promote public trust by initiating positive nonenforcement activities to engage communities that typically have high rates of investigative and enforcement involvement with government agencies.
- 1.5.1 ACTION ITEM: In order to achieve external legitimacy, law enforcement agencies should involve the community in the process of developing and evaluating policies and procedures.
- 1.5.2 ACTION ITEM: Law enforcement agencies should institute residency incentive programs such as Resident Officer Programs.
- 1.5.3 ACTION ITEM: Law enforcement agencies should create opportunities in schools and communities for positive nonenforcement interactions with police. Agencies should also publicize the beneficial outcomes and images of positive, trust-building partnerships and initiatives.
- 1.5.4 ACTION ITEM: Use of physical control equipment and techniques against vulnerable populations—including children, elderly persons, pregnant women, people with physical and mental disabilities, limited English proficiency, and others—can undermine public trust and should be used as a last resort. Law enforcement agencies should carefully consider and review their policies towards these populations and adopt policies if none are in place.

- 1.6 RECOMMENDATION: Law enforcement agencies should consider the potential damage to public trust when implementing crime fighting strategies.
- 1.6.1 ACTION ITEM: Research conducted to evaluate the effectiveness of crime fighting strategies should specifically look at the potential for collateral damage of any given strategy on community trust and legitimacy.
- 1.7 RECOMMENDATION: Law enforcement agencies should track the level of trust in police by their communities just as they measure changes in crime. Annual community surveys, ideally standardized across jurisdictions and with accepted sampling protocols, can measure how policing in that community affects public trust.
- 1.7.1 ACTION ITEM: The Federal Government should develop survey tools and instructions for use of such a model to prevent local departments from incurring the expense and to allow for consistency across jurisdictions.
- 1.8 RECOMMENDATION: Law enforcement agencies should strive to create a workforce that contains a broad range of diversity including race, gender, language, life experience, and cultural background to improve understanding and effectiveness in dealing with all communities.
- 1.8.1 ACTION ITEM: The Federal Government should create a Law Enforcement Diversity Initiative designed to help communities diversify law enforcement departments to reflect the demographics of the community.

- 1.8.2 ACTION ITEM: The department overseeing this initiative should help localities learn best practices for recruitment, training, and outreach to improve the diversity as well as the cultural and linguistic responsiveness of law enforcement agencies.
- 1.8.3 ACTION ITEM: Successful law enforcement agencies should be highlighted and celebrated and those with less diversity should be offered technical assistance to facilitate change.
- 1.8.4 ACTION ITEM: Discretionary federal funding for law enforcement programs could be influenced by that department's efforts to improve their diversity and cultural and linguistic responsiveness.
- 1.8.5 ACTION ITEM: Law enforcement agencies should be encouraged to explore more flexible staffing models.
- 1.9 RECOMMENDATION: Law enforcement agencies should build relationships based on trust with immigrant communities. This is central to overall public safety.
- 1.9.1 ACTION ITEM: Decouple federal immigration enforcement from routine local policing for civil enforcement and nonserious crime.
- 1.9.2 ACTION ITEM: Law enforcement agencies should ensure reasonable and equitable language access for all persons who have encounters with police or who enter the criminal justice system.

- 1.9.3 ACTION ITEM: The U.S. Department of Justice should not include civil immigration information in the FBI's National Crime Information Center database.
- 2.1 RECOMMENDATION: Law enforcement agencies should collaborate with community members to develop policies and strategies in communities and neighborhoods disproportionately affected by crime for deploying resources that aim to reduce crime by improving relationships, greater community engagement, and cooperation.
- 2.1.1 ACTION ITEM: The Federal Government should incentivize this collaboration through a variety of programs that focus on public health, education, mental health, and other programs not traditionally part of the criminal justice system.
- 2.2 RECOMMENDATION: Law enforcement agencies should have comprehensive policies on the use of force that include training, investigations, prosecutions, data collection, and information sharing. These policies must be clear, concise, and openly available for public inspection.
- 2.2.1 ACTION ITEM: Law enforcement agency policies for training on use of force should emphasize de-escalation and alternatives to arrest or summons in situations where appropriate.
- 2.2.2 ACTION ITEM: These policies should also mandate external and independent criminal investigations in cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths.

- 2.2.3 ACTION ITEM: The task force encourages policies that mandate the use of external and independent prosecutors in cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths.
- 2.2.4 ACTION ITEM: Policies on use of force should also require agencies to collect, maintain, and report data to the Federal Government on all officer-involved shootings, whether fatal or nonfatal, as well as any in-custody death.
- 2.2.5 ACTION ITEM: Policies on use of force should clearly state what types of information will be released, when, and in what situation, to maintain transparency.
- 2.2.6 ACTION ITEM: Law enforcement agencies should establish a Serious Incident Review Board comprising sworn staff and community members to review cases involving officer-involved shootings and other serious incidents that have the potential to damage community trust or confidence in the agency. The purpose of this board should be to identify any administrative, supervisory, training, tactical, or policy issues that need to be addressed.
- 2.3 RECOMMENDATION: Law enforcement agencies are encouraged to implement nonpunitive peer review of critical incidents separate from criminal and administrative investigations.
- 2.4 RECOMMENDATION: Law enforcement agencies are encouraged to adopt identification procedures that implement scientifically supported practices that eliminate or minimize presenter bias or influence.

- 2.5 RECOMMENDATION: All federal, state, local, and tribal law enforcement agencies should report and make available to the public census data regarding the composition of their departments including race, gender, age, and other relevant demographic data.
- 2.5.1 ACTION ITEM: The Bureau of Justice Statistics should add additional demographic questions to the Law Enforcement Management and Administrative Statistics (LEMAS) survey in order to meet the intent of this recommendation.
- 2.6 RECOMMENDATION: Law enforcement agencies should be encouraged to collect, maintain, and analyze demographic data on all detentions (stops, frisks, searches, summons, and arrests). This data should be disaggregated by school and non-school contacts.
- 2.6.1 ACTION ITEM: The Federal Government could further incentivize universities and other organizations to partner with police departments to collect data and develop knowledge about analysis and benchmarks as well as to develop tools and templates that help departments manage data collection and analysis.
- 2.7 RECOMMENDATION: Law enforcement agencies should create policies and procedures for policing mass demonstrations that employ a continuum of managed tactical resources that are designed to minimize the appearance of a military operation and avoid using provocative tactics and equipment that undermine civilian trust.

2.7.1 ACTION ITEM: Law enforcement agency policies should address procedures for implementing a layered response to mass demonstrations that prioritize de-escalation and a quardian mindset.

2.7.2 ACTION ITEM: The Federal Government should create a mechanism for investigating complaints and issuing sanctions regarding the inappropriate use of equipment and tactics during mass demonstrations.

2.8 RECOMMENDATION: Some form of civilian oversight of law enforcement is important in order to strengthen trust with the community. Every community should define the appropriate form and structure of civilian oversight to meet the needs of that community.

2.8.1 ACTION ITEM: The U.S. Department of Justice, through its research arm, the National Institute of Justice (NIJ), should expand its research agenda to include civilian oversight.

2.8.2 ACTION ITEM: The U.S. Department of Justice's Office of Community Oriented Policing Services (COPS Office) should provide technical assistance and collect best practices from existing civilian oversight efforts and be prepared to help cities create this structure, potentially with some matching grants and funding.

2.9 RECOMMENDATION: Law enforcement agencies and municipalities should refrain from practices requiring officers to issue a predetermined number of tickets, citations, arrests, or summonses, or to initiate

investigative contacts with citizens for reasons not directly related to improving public safety, such as generating revenue.

2.10 RECOMMENDATION: Law enforcement officers should be required to seek consent before a search and explain that a person has the right to refuse consent when there is no warrant or probable cause. Furthermore, officers should ideally obtain written acknowledgement that they have sought consent to a search in these circumstances.

2.11 RECOMMENDATION: Law enforcement agencies should adopt policies requiring officers to identify themselves by their full name, rank, and command (as applicable) and provide that information in writing to individuals they have stopped. In addition, policies should require officers to state the reason for the stop and the reason for the search if one is conducted.

2.11.1 ACTION ITEM: One example of how to do this is for law enforcement officers to carry business cards containing their name, rank, command, and contact information that would enable individuals to offer suggestions or commendations or to file complaints with the appropriate individual, office, or board. These cards would be easily distributed in all encounters.

2.12 RECOMMENDATION: Law enforcement agencies should establish search and seizure procedures related to LGBTQ and transgender populations and adopt as policy the recommendation from the President's Advisory Council on HIV/AIDS (PACHA) to cease using the possession of condoms as the sole evidence of vice.

2.13 RECOMMENDATION: Law enforcement agencies should adopt and enforce policies prohibiting profiling and discrimination based on race, ethnicity, national origin, religion, age, gender, gender identity/expression, sexual orientation, immigration status, disability, housing status, occupation, or language fluency.

2.13.1 ACTION ITEM: The Bureau of Justice Statistics should add questions concerning sexual harassment of and misconduct toward community members, and in particular LGBTQ and gender-nonconforming people, by law enforcement officers to the Police Public Contact Survey.

2.13.2 ACTION ITEM: The Centers for Disease Control should add questions concerning sexual harassment of and misconduct toward community members, and in particular LGBTQ and gender-nonconforming people, by law enforcement officers to the National Intimate Partner and Sexual Violence Survey.

2.13.3 ACTION ITEM: The U.S. Department of Justice should promote and disseminate guidance to federal, state, and local law enforcement agencies on documenting, preventing, and addressing sexual harassment and misconduct by local law enforcement agents, consistent with the recommendations of the International Association of Chiefs of Police.

2.14 RECOMMENDATION: The U.S.
Department of Justice, through the Office of
Community Oriented Policing Services and
Office of Justice Programs, should provide
technical assistance and incentive funding to
jurisdictions with small police agencies that
take steps towards shared services, regional
training, and consolidation.

2.15 RECOMMENDATION: The U.S.

Department of Justice, through the Office of Community Oriented Policing Services, should partner with the International Association of Directors of Law Enforcement Standards and Training (IADLEST) to expand its National Decertification Index to serve as the National Register of Decertified Officers with the goal of covering all agencies within the United States and its territories.

3.1 RECOMMENDATION: The U.S.

Department of Justice, in consultation with the law enforcement field, should broaden the efforts of the National Institute of Justice to establish national standards for the research and development of new technology. These standards should also address compatibility and interoperability needs both within law enforcement agencies and across agencies and jurisdictions and maintain civil and human rights protections.

3.1.1 ACTION ITEM: The Federal Government should support the development and delivery of training to help law enforcement agencies learn, acquire, and implement technology tools and tactics that are consistent with the best practices of 21st century policing.

3.1.2 ACTION ITEM: As part of national standards, the issue of technology's impact on privacy concerns should be addressed in accordance with protections provided by constitutional law.

3.1.3 ACTION ITEM: Law enforcement agencies should deploy smart technology that is designed to prevent the tampering with or manipulating of evidence in violation of policy.

3.2 RECOMMENDATION:

The implementation of appropriate technology by law enforcement agencies should be designed considering local needs and aligned with national standards.

3.2.1 ACTION ITEM: Law enforcement agencies should encourage public engagement and collaboration, including the use of community advisory bodies, when developing a policy for the use of a new technology.

3.2.2 ACTION ITEM: Law enforcement agencies should include an evaluation or assessment process to gauge the effectiveness of any new technology, soliciting input from all levels of the agency, from line officer to leadership, as well as assessment from members of the community.

3.2.3 ACTION ITEM: Law enforcement agencies should adopt the use of new technologies that will help them better serve people with special needs or disabilities.

3.3 RECOMMENDATION: The U.S.
Department of Justice should develop
best practices that can be adopted by
state legislative bodies to govern the
acquisition, use, retention, and dissemination
of auditory, visual, and biometric data by
law enforcement.

3.3.1 ACTION ITEM: As part of the process for developing best practices, the U.S. Department of Justice should consult with civil rights and civil liberties organizations, as well as law enforcement research groups and other experts, concerning the constitutional issues that can arise as a result of the use of new technologies.

3.3.2 ACTION ITEM: The U.S. Department of Justice should create toolkits for the most effective and constitutional use of multiple forms of innovative technology that will provide state, local, and tribal law enforcement agencies with a one-stop clearinghouse of information and resources.

3.3.3 ACTION ITEM: Law enforcement agencies should review and consider the Bureau of Justice Assistance's (BJA) Body Worn Camera Toolkit to assist in implementing BWCs.

3.4 RECOMMENDATION: Federal, state, local, and tribal legislative bodies should be encouraged to update public record laws.

3.5 RECOMMENDATION: Law enforcement agencies should adopt model policies and best practices for technology-based community engagement that increases community trust and access.

3.6 RECOMMENDATION: The Federal Government should support the development of new "less than lethal" technology to help control combative suspects.

3.6.1 ACTION ITEM: Relevant federal agencies, including the U.S. Departments of Defense and Justice, should expand their efforts to study the development and use of new less than lethal technologies and evaluate their impact on public safety, reducing lethal violence against citizens, constitutionality, and officer safety.

3.7 RECOMMENDATION: The Federal Government should make the development and building of segregated radio spectrum

and increased bandwidth by FirstNet for exclusive use by local, state, tribal, and federal public safety agencies a top priority.

- 4.1 RECOMMENDATION: Law enforcement agencies should develop and adopt policies and strategies that reinforce the importance of community engagement in managing public safety.
- 4.1.1 ACTION ITEM: Law enforcement agencies should consider adopting preferences for seeking "least harm" resolutions, such as diversion programs or warnings and citations in lieu of arrest for minor infractions.
- 4.2 RECOMMENDATION: Community policing should be infused throughout the culture and organizational structure of law enforcement agencies.
- 4.2.1 ACTION ITEM: Law enforcement agencies should evaluate officers on their efforts to engage members of the community and the partnerships they build. Making this part of the performance evaluation process places an increased value on developing partnerships.
- 4.2.2 ACTION ITEM: Law enforcement agencies should evaluate their patrol deployment practices to allow sufficient time for patrol officers to participate in problem solving and community engagement activities.
- 4.2.3 ACTION ITEM: The U.S. Department of Justice and other public and private entities should support research into the factors that have led to dramatic successes in crime reduction in some communities through the infusion of

non-discriminatory policing and to determine replicable factors that could be used to guide law enforcement agencies in other communities.

- 4.3 RECOMMENDATION: Law enforcement agencies should engage in multidisciplinary, community team approaches for planning, implementing, and responding to crisis situations with complex causal factors.
- 4.3.1 ACTION ITEM: The U.S. Department of Justice should collaborate with others to develop and disseminate baseline models of this crisis intervention team approach that can be adapted to local contexts.
- 4.3.2 ACTION ITEM: Communities should look to involve peer support counselors as part of multidisciplinary teams when appropriate. Persons who have experienced the same trauma can provide both insight to the first responders and immediate support to individuals in crisis.
- 4.3.3 ACTION ITEM: Communities should be encouraged to evaluate the efficacy of these crisis intervention team approaches and hold agency leaders accountable for outcomes.
- 4.4 RECOMMENDATION: Communities should support a culture and practice of policing that reflects the values of protection and promotion of the dignity of all, especially the most vulnerable.
- 4.4.1 ACTION ITEM: Because offensive or harsh language can escalate a minor situation, law enforcement agencies should underscore the importance of language used and adopt policies directing officers to speak to individuals with respect.

4.4.2 ACTION ITEM: Law enforcement agencies should develop programs that create opportunities for patrol officers to regularly interact with neighborhood residents, faith leaders, and business leaders.

4.5 RECOMMENDATION: Community policing emphasizes working with neighborhood residents to co-produce public safety. Law enforcement agencies should work with community residents to identify problems and collaborate on implementing solutions that produce meaningful results for the community.

4.5.1 ACTION ITEM: Law enforcement agencies should schedule regular forums and meetings where all community members can interact with police and help influence programs and policy.

4.5.2 ACTION ITEM: Law enforcement agencies should engage youth and communities in joint training with law enforcement, citizen academies, ride-alongs, problem solving teams, community action teams, and quality of life teams.

4.5.3 ACTION ITEM: Law enforcement agencies should establish formal community/citizen advisory committees to assist in developing crime prevention strategies and agency policies as well as provide input on policing issues.

4.5.4 ACTION ITEM: Law enforcement agencies should adopt community policing strategies that support and work in concert with economic development efforts within communities.

4.6 RECOMMENDATION: Communities should adopt policies and programs that address the needs of children and youth most at risk for crime or violence and reduce aggressive law enforcement tactics that stigmatize youth and marginalize their participation in schools and communities.

4.6.1 ACTION ITEM: Education and criminal justice agencies at all levels of government should work together to reform policies and procedures that push children into the juvenile justice system.

4.6.2 ACTION ITEM: In order to keep youth in school and to keep them from criminal and violent behavior, law enforcement agencies should work with schools to encourage the creation of alternatives to student suspensions and expulsion through restorative justice, diversion, counseling, and family interventions.

4.6.3 ACTION ITEM: Law enforcement agencies should work with schools to encourage the use of alternative strategies that involve youth in decision making, such as restorative justice, youth courts, and peer interventions.

4.6.4 ACTION ITEM: Law enforcement agencies should work with schools to adopt an instructional approach to discipline that uses interventions or disciplinary consequences to help students develop new behavior skills and positive strategies to avoid conflict, redirect energy, and refocus on learning.

4.6.5 ACTION ITEM: Law enforcement agencies should work with schools to develop and monitor school discipline policies with input and collaboration from school personnel, students,

families, and community members. These policies should prohibit the use of corporal punishment and electronic control devices.

- 4.6.6 ACTION ITEM: Law enforcement agencies should work with schools to create a continuum of developmentally appropriate and proportional consequences for addressing ongoing and escalating student misbehavior after all appropriate interventions have been attempted.
- 4.6.7 ACTION ITEM: Law enforcement agencies should work with communities to play a role in programs and procedures to reintegrate juveniles back into their communities as they leave the juvenile justice system.
- 4.6.8 ACTION ITEM: Law enforcement agencies and schools should establish memoranda of agreement for the placement of School Resource Officers that limit police involvement in student discipline.
- 4.6.9 ACTION ITEM: The Federal Government should assess and evaluate zero tolerance strategies and examine the role of reasonable discretion when dealing with adolescents in consideration of their stages of maturation or development.
- 4.7 RECOMMENDATION: Communities need to affirm and recognize the voices of youth in community decision making, facilitate youth-led research and problem solving, and develop and fund youth leadership training and life skills through positive youth/police collaboration and interactions.

- 4.7.1 ACTION ITEM: Communities and law enforcement agencies should restore and build trust between youth and police by creating programs and projects for positive, consistent, and persistent interaction between youth and police.
- 4.7.2 ACTION ITEM: Communities should develop community- and school-based evidence-based programs that mitigate punitive and authoritarian solutions to teen problems.
- 5.1 RECOMMENDATION: The Federal Government should support the development of partnerships with training facilities across the country to promote consistent standards for high quality training and establish training innovation hubs.
- 5.1.1 ACTION ITEM: The training innovation hubs should develop replicable model programs that use adult-based learning and scenario-based training in a training environment modeled less like boot camp. Through these programs the hubs would influence nationwide curricula, as well as instructional methodology.
- 5.1.2 ACTION ITEM: The training innovation hubs should establish partnerships with academic institutions to develop rigorous training practices, evaluation, and the development of curricula based on evidence-based practices.
- 5.1.3 ACTION ITEM: The Department of Justice should build a stronger relationship with the International Association of Directors of Law Enforcement (IADLEST) in order to leverage their network with state boards and commissions of Peace Officer Standards and Training (POST).

- 5.2 RECOMMENDATION: Law enforcement agencies should engage community members in the training process.
- 5.2.1 ACTION ITEM: The U.S. Department of Justice should conduct research to develop and disseminate a toolkit on how law enforcement agencies and training programs can integrate community members into this training process.
- 5.3 RECOMMENDATION: Law enforcement agencies should provide leadership training to all personnel throughout their careers.
- 5.3.1 ACTION ITEM: Recognizing that strong, capable leadership is required to create cultural transformation, the U.S. Department of Justice should invest in developing learning goals and model curricula/training for each level of leadership.
- 5.3.2 ACTION ITEM: The Federal Government should encourage and support partnerships between law enforcement and academic institutions to support a culture that values ongoing education and the integration of current research into the development of training, policies, and practices.
- 5.3.3 ACTION ITEM: The U.S. Department of Justice should support and encourage cross-discipline leadership training.
- 5.4 RECOMMENDATION: The U.S.

 Department of Justice should develop, in partnership with institutions of higher education, a national postgraduate institute of policing for senior executives with a standardized curriculum preparing them to lead agencies in the 21st century.

5.5 RECOMMENDATION: The U.S.

Department of Justice should instruct the Federal Bureau of Investigation to modify the curriculum of the National Academy at Quantico to include prominent coverage of the topical areas addressed in this report. In addition, the COPS Office and the Office of Justice Programs should work with law enforcement professional organizations to encourage modification of their curricula in a similar fashion.

- 5.6 RECOMMENDATION: POSTs should make Crisis Intervention Training (CIT) a part of both basic recruit and in-service officer training.
- 5.6.1 ACTION ITEM: Because of the importance of this issue, Congress should appropriate funds to help support law enforcement crisis intervention training.
- 5.7 RECOMMENDATION: POSTs should ensure that basic officer training includes lessons to improve social interaction as well as tactical skills.
- 5.8 RECOMMENDATION: POSTs should ensure that basic recruit and in-service officer training include curriculum on the disease of addiction.
- 5.9 RECOMMENDATION: POSTs should ensure both basic recruit and in-service training incorporates content around recognizing and confronting implicit bias and cultural responsiveness.
- 5.9.1 ACTION ITEM: Law enforcement agencies should implement ongoing, top down training for all officers in cultural diversity and

related topics that can build trust and legitimacy in diverse communities. This should be accomplished with the assistance of advocacy groups that represent the viewpoints of communities that have traditionally had adversarial relationships with law enforcement.

5.9.2 ACTION ITEM: Law enforcement agencies should implement training for officers that covers policies for interactions with the LGBTQ population, including issues such as determining gender identity for arrest placement, the Muslim, Arab, and South Asian communities, and immigrant or non-English speaking groups, as well as reinforcing policies for the prevention of sexual misconduct and harassment.

5.10 RECOMMENDATION: POSTs should require both basic recruit and in-service training on policing in a democratic society.

5.11 RECOMMENDATION: The Federal Government, as well as state and local agencies, should encourage and incentivize higher education for law enforcement officers.

5.11.1 ACTION ITEM: The Federal Government should create a loan repayment and forgiveness incentive program specifically for policing.

5.12 RECOMMENDATION: The Federal Government should support research into the development of technology that enhances scenario-based training, social interaction skills, and enables the dissemination of interactive distance learning for law enforcement.

5.13 RECOMMENDATION: The U.S. Department of Justice should support the development and implementation of improved Field Training Officer programs.

5.13.1 ACTION ITEM: The U.S. Department of Justice should support the development of broad Field Training Program standards and training strategies that address changing police culture and organizational procedural justice issues that agencies can adopt and customize to local needs.

5.13.2 ACTION ITEM: The U.S. Department of Justice should provide funding to incentivize agencies to update their Field Training Programs in accordance with the new standards.

6.1 RECOMMENDATION: The U.S.

Department of Justice should enhance and further promote its multi-faceted officer safety and wellness initiative.

6.1.1 ACTION ITEM: Congress should establish and fund a national "Blue Alert" warning system.

6.1.2 ACTION ITEM: The U.S. Department of Justice, in partnership with the U.S. Department of Health and Human Services, should establish a task force to study mental health issues unique to officers and recommend tailored treatments.

6.1.3 ACTION ITEM: The Federal Government should support the continuing research into the efficacy of an annual mental health check for officers, as well as fitness, resilience, and nutrition.

6.1.4 ACTION ITEM: Pension plans should recognize fitness for duty examinations as definitive evidence of valid duty or non-duty related disability.

6.1.5 ACTION ITEM: Public Safety Officer Benefits (PSOB) should be provided to survivors of officers killed while working, regardless of whether the officer used safety equipment (seatbelt or anti-ballistic vest) or if officer death was the result of suicide attributed to a current diagnosis of duty-related mental illness, including but not limited to post-traumatic stress disorder (PTSD).

6.2 RECOMMENDATION: Law enforcement agencies should promote safety and wellness at every level of the organization.

6.2.1 ACTION ITEM: Though the Federal Government can support many of the programs and best practices identified by the U.S. Department of Justice initiative described in recommendation 6.1, the ultimate responsibility lies with each agency.

6.3 RECOMMENDATION: The U.S.

Department of Justice should encourage and assist departments in the implementation of scientifically supported shift lengths by law enforcement.

6.3.1 ACTION ITEM: The U.S. Department of Justice should fund additional research into the efficacy of limiting the total number of hours an officer should work within a 24–48-hour period, including special findings on the maximum number of hours an officer should work in a high risk or high stress environment (e.g., public demonstrations or emergency situations).

6.4 RECOMMENDATION: Every law enforcement officer should be provided with individual tactical first aid kits and training as well as anti-ballistic vests.

6.4.1 ACTION ITEM: Congress should authorize funding for the distribution of law enforcement individual tactical first aid kits.

6.4.2 ACTION ITEM: Congress should reauthorize and expand the Bulletproof Vest Partnership (BVP) program.

6.5 RECOMMENDATION: The U.S.

Department of Justice should expand efforts to collect and analyze data not only on officer deaths but also on injuries and "near misses."

6.6 RECOMMENDATION: Law enforcement agencies should adopt policies that require officers to wear seat belts and bullet-proof vests and provide training to raise awareness of the consequences of failure to do so.

6.7 RECOMMENDATION: Congress should develop and enact peer review error management legislation.

6.8 RECOMMENDATION: The U.S.

Department of Transportation should provide technical assistance opportunities for departments to explore the use of vehicles equipped with vehicle collision prevention "smart car" technology that will reduce the number of accidents.

7.1 RECOMMENDATION: The President should direct all federal law enforcement agencies to review the recommendations made by the Task Force on 21st Century Policing and, to the extent practicable, to adopt those that can be implemented at the federal level.

7.2 RECOMMENDATION: The U.S.

Department of Justice should explore publicprivate partnership opportunities, starting by convening a meeting with local, regional, and national foundations to discuss the proposals for reform described in this report and seeking their engagement and support in advancing implementation of these recommendations.

7.3 RECOMMENDATION: The U.S.

Department of Justice should charge its Office of Community Oriented Policing Services (COPS Office) with assisting the law enforcement field in addressing current and future challenges.

For recommendation 7.3, the COPS Office should consider taking actions including but not limited to the following:

- Create a National Policing Practices and Accountability Division within the COPS Office.
- Establish national benchmarks and best practices for federal, state, local, and tribal police departments.

- Provide technical assistance and funding to national, state, local, and tribal accreditation bodies that evaluate policing practices.
- Recommend additional benchmarks and best practices for state training and standards boards.
- Provide technical assistance and funding to state training boards to help them meet national benchmarks and best practices in training methodologies and content.
- Prioritize grant funding to departments meeting benchmarks.
- Support departments through an expansion of the COPS Office Collaborative Reform Initiative.
- Collaborate with universities, the Office of Justice Programs and its bureaus (Bureau of Justice Assistance [BJA], Bureau of Justice Statistics [BJS], National Institute of Justice [NIJ], and Office of Juvenile Justice and Delinquency Prevention [OJJDP]), and others to review research and literature in order to inform law enforcement agencies about evidence-based practices and to identify areas of police operations where additional research is needed.
- Collaborate with the BJS to
 - establish a central repository for data concerning police use of force resulting in death, as well as in-custody deaths, and disseminate this data for use by both community and police;
 - provide local agencies with technical assistance and a template to conduct local citizen satisfaction surveys;

- compile annual citizen satisfaction surveys based on the submission of voluntary local surveys, develop a national level survey as well as surveys for use by local agencies and by small geographic units, and develop questions to be added to the National Crime Victimization Survey relating to citizen satisfaction with police agencies and public trust.
- Collaborate with the BJS and others to develop a template of broader indicators of performance for police departments beyond crime rates alone that could comprise a Uniform Justice Report.

- Collaborate with the NIJ and the BJS to publish an annual report on the "State of Policing" in the United States.
- Provide support to national police leadership associations and national rank and file organizations to encourage them to implement task force recommendations.
- Work with the U.S. Department of Homeland Security to ensure that community policing tactics in state, local, and tribal law enforcement agencies are incorporated into their role in homeland security.

"When any part of the American family does not feel like it is being treated fairly, that's a problem for all of us. It means that we are not as strong as a country as we can be. And when applied to the criminal justice system, it means we're not as effective in fighting crime as we could be."

—President Barack Obama

These remarks underpin the mission of the President's Task Force on 21st Century Policing: to identify ways to build trust between citizens and their law enforcement officers so that all components of a community treat one another fairly and justly and are invested in maintaining public safety in an atmosphere of mutual respect.

U.S. Department of Justice
Office of Community Oriented Policing Services
145 N Street NE
Washington, DC 20530
To obtain details on COPS Office programs,
call the COPS Office Response Center at 800-421-6770.
Visit the COPS Office online at www.cops.usdoj.gov.

President's Task Force on 21st Century Policing



Columbia Police Department's Report

December 2015

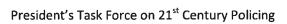
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Columbia Police Department's Report

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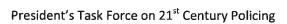


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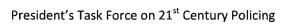
Columbia Police Department's Report

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Pillar 1 Building Trust & Legitimacy

Prepared by Lt. Barbra Buck

People are more likely to obey the law when they believe that those who are enforcing it have the legitimate authority to tell them what to do The public confers legitimacy only on those they believe are acting in procedurally just ways.



Columbia Police Department's Report

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Pillar 1 Introduction

During public listening sessions procedural justice was talked about as a "foundational necessity in building public trust" (page 2 Interim Report 21st Century Policing). During these listening sessions, there was a lot of talk about how to define the difference between "implicit bias and racial discriminations". This was determined to be the main two things which are perceived to be problematic between law enforcement and the community. There was a strong opinion from those in the community that there needs to be more "police involvement in community affairs as an essential component of their crime fighting duties" (page 2 Interim Report 21st Century Policing). Law enforcement voiced concern about some in the community who do not respect their authority. Mayors of three larger metropolitan areas expressed concern of how to budget for the proposed changes for law enforcement.

"Building trust and nurturing legitimacy on both side of the police/citizen" (page 7 Interim Report 21st Century Policing) relationship is at the heart of this pillar. The main question is how will this be accomplished? Over the past twenty years law enforcement has become more effective, better equipped and more organized in solving crime. Despite these successes, some polls indicated the public's confidence in law enforcement remains unchanged and has declined in some minority communities. Some theories suggest this is due to minority communities experiencing the greatest impact of mass incarceration in jail/prison.

In order for the community to feel law enforcement is legitimate, the community must feel those in law enforcement have the authority to tell them what to do. This is based on the belief that law enforcement is "acting in procedurally just ways".

Four Concepts of Procedurally just behavior (page 7 Interim Report 21st Century Policing):

- 1. Treating people with dignity and respect
- 2. Giving individuals a "voice" during encounters
- 3. Being neutral and transparent in decision making
- 4. Conveying trustworthy motives

In theory, if law enforcement practices these four concepts, it will lead to building relationships and trust between the community and law enforcement. The community begins to trust that law enforcement is "honest, unbiased, benevolent and lawful" (page 7 Interim Report 21st Century Policing). Law enforcement will feel their authority is being respected and they are more willing to become more open with the community. As the relationship grows, the community will be likely to share more values with law enforcement. The community is more willing to follow the law and cooperate with law enforcement because of the relationship with law enforcement.

Internal vs External procedural justice

Internal: "Practices within an agency and the relationships officers have with their colleagues and leaders" (page 8 Interim Report 21st Century Policing). Research suggests "Officers who feel respected by their supervisors and peers are more likely to accept departmental policies, understand decisions and comply with them voluntarily" (page 8 Interim Report 21st Century Policing). This results in the officer being more professional and respectful during their interactions with the community.

External: "Focuses on the ways officers and other legal authorities interact with the public and how the characteristics of those interactions shape the public's trust of the police" (page 8 Interim Report 21st Century Policing). The key component is "the practice of fair and impartial policing". Fair and impartial policing is built on the ability to recognize and understand explicit and implicit biases.

Everyone has biases based on their life experiences which influence their interactions with other people and situations. Whether explicit or implicit, biases can be harmful during interactions between law enforcement and the community. To achieve legitimacy, those in law enforcement and the community should become aware of their explicit and implicit biases. This has an impact on the ability to build relationships and trust between the community and law enforcement. The Columbia Police Department has had training in Fair and Impartial Policing (taught by Sgt. Mike Hestir). This training helps officers and other personnel identify their explicit as well as the implicit biases and how it affects their ability to be effective in their interactions with the community.

Each law enforcement agency's police culture has an effect on whether there is a good or bad relationship with the community. Law enforcement's use of disrespectful language and biases has a negative impact on the relationship with the community. Law enforcement's use of respectful language and fair/impartial treatment of the community will have a positive effect on the relationship with the community. Several speakers in the listening sessions called for oversite of law enforcement.

Recommendation 1.1

Law enforcement cultures should embrace a guardian mindset to build public trust and legitimacy. Toward that end, police and sheriffs' departments should adopt procedural justice as the guiding principle for internal and external policies and practices to guide their interactions with the citizens they serve.

Overview

The way an agency and its officers define their roles will determine how they interact with the community. The concept of guardian mindset for officers refers to a mission to protect the community. "Guardians are members of the community, protecting from within" (page 10 Interim Report 21st Century Policing). The community will have a more positive view of law enforcement if law enforcement is viewed as being trustworthy, respectful, and part of the community. The community will have a negative view of law enforcement if viewed as an outside or occupying force which rules over and control the community. It is important for the community to remember that law enforcement must be a warrior at times to survive the potential violent encounter with criminal while fulfilling their responsibility as guardian who protects the community.

Training

CPD has had training on procedural justice which embraces the guardian mindset.

- 10/30/14: Foundations for Strategic Awareness for all sworn police personnel. The
 training was designed to help participants identify core character traits that affect officer
 safety, interpersonal relationships, community interactions and leadership potential. The
 course focused on participants examining context of their law enforcement actions to
 determine if it was respectful or disrespectful towards the community.
- 08/20/15: Procedural Justice for Law Enforcement Agencies. Organizational Change through Decision Making and Policy for all police department supervisors and administrators. The course promotes organizational legitimacy through transparent and fair practices within law enforcement agencies. It focuses on procedural justice which helps resolve disputes and allocate resources.

There has been no known recent training for the community on how to interact with law enforcement and what law enforcement is trying to do to solve crime. CPD used to have a Citizens Academy which educated citizens about the various bureaus and units at the department as well has police procedure and tactics.

Programs

CPD has adopted a geographical policing philosophy. Sworn personnel have been assigned a part of the city to become familiar with the problems and issues of that area's community/businesses. Partnerships are formed with the community to address and solve problems together. This gives the officer/sergeant a sense of ownership of an area of the community.

CPD has created the Community Outreach team to build relationships and trust in areas with high calls for service. This unit will soon be expanded to six officers and a sergeant.

There should be some type of outreach education to the community about how to interact with the police. This would educate citizens on what to expect and how to behave when interacting with the police. The NAACP – Baltimore, MD put out a flyer explaining how to interact with law enforcement. This provides citizens with information on what to do when approached by

law enforcement when a citizens in various places such as in the vehicle, on the street or at home. The police department may consider reaching out to the local NAACP, non-profit agencies or schools to help educate the minority community on how to interact with law enforcement.

Policy

CPD does have policies and procedures with a guardian mindset theme and/or philosophy. Policy directs officers to be professional and treat people with dignity and respect. This is evident in the Code of Conduct policy 340. This policy provides members of this department with guidelines for their conduct in order that they may participate in meeting the goals of this department in serving the community.

The guardian mindset is also a part of CPD vision and mission statement:

Mission: Our Mission is to protect and serve by partnering with the community to solve problems and responsibly enforce the law.

Strategic Vision: Our vision is a safe and successful community served by an innovative team of trusted professionals dedicated to providing excellent service and engaging our community as a valued partner.

Practice

Does the CPD culture embrace the guardian mindset? This can be a very difficult and complex question to answer. While CPD does have training and policy which suggest a guardian mindset, the question remains if the front line officers and supervisors actually practice what is in policy and training. If policy or training conflicts with department culture, behaviors will not change. The CPD culture must first be defined to see if it conflicts with training and policy.

This was done in the 2012 Anderson report and the 2006 Organizational Analysis of the Columbia Police Department. There appears to still be some evidence of low morale in the first line employees and supervisors. This will undermine the efforts for internal procedural justice

practices. There appears to still be a lack of trust, communication, and department unity. The department has had training in procedural justice which can ensure the department has the right culture to build the relationships needed with the community.

Action Plan

Reasonableness

It appears the guardian mindset is a reasonable expectation for Columbia. The guardian mindset is already a part of training and policy at CPD. We have had two trainings which have focused on procedural justice. We have implemented programs which support the guardian mindset including geographical policing and community outreach. Our policy as well as our vision/mission statement has themes which strongly suggest a guardian mindset.

Cost of Implementation

The cost of implementation has already started with the two department-wide trainings in procedural justice. There is the issue of on-going and more advanced training which will have costs to implement the training. The costs would depend on the training and instructors needed for courses.

Cost of programs can vary. The initial startup costs for the community outreach team was minimal since the department used officers who were already assigned to patrol. In order to expand this unit, it will require additional personnel in the budget to include more officers and a sergeant.

Benefits to department/community

The benefit of the police department accepting a guardian mindset is that the community will have more trust in the police department to enforce law in an impartial/fair manner. This will build relationships between the community and law enforcement resulting in more cooperation in

solving crimes and problems. It will also result in the community willingly following the laws and respecting law enforcement's authority.

Recommendation 1.2

Law enforcement agencies should acknowledge the role of policing in past and present injustice and discrimination and how it is a hurdle to the promotion of community trust.

Overview

It is important in building community trust for the police department to acknowledge past and present injustices. It is also important for the police department to describe what they have done to correct these injustices.

CPD training, programs/policy/practices already in place

Training

Internal Affairs does training during in-service to educate officers on the complaint process.

Programs

For several years, CPD has had an Internal Affairs Unit. This allows for both external and internal complaint investigation on officers' actions at various incidents. This gives citizens the opportunity to voice their dissatisfaction with officers' conduct and attitude. If officer misconduct in alleged, an investigation is done by either Internal Affairs or the officer's supervisor. The citizen is notified of the findings of the investigation. If the citizen does not agree with the findings, they may appeal to the Citizens Police Review Board.

Policy

The citizen complaint process is outlined in Policy 1020. It is also outlined in City of Columbia Ordinance. This holds the police department accountable for proper complaint investigations.

Practice

CPD has an established practice of accepting, investigating, and documenting citizen complaints. If the complaint is sustained, the employee is disciplined.

Action Plan

Reasonableness

This is reasonable for CPD and we are already addressing allegations of injustices through the complaint investigation process.

Cost of Implementation

There are no additional costs. We do have the costs of personnel and equipment needed for the complaint investigation process.

Additional resources or training needed

None at this time.

Benefits to department/community

The benefit of the complaint process is the community can file a complaint if they feel they have been treated in an unfair or unjust manner. This makes police department activities more transparent and builds trust between the police department and the community.

Action Item

The U.S. Department of Justice should develop and disseminate case studies that provide examples where past injustices were publically acknowledged by law enforcement agencies in a manner to help build community trust.

Recommendation 1.3

Law enforcement agencies should establish a culture of transparency and accountability in order to build public trust and legitimacy. This will help ensure decision making is understood and in accord with stated policy.

CPD training, programs/policy/practices already in place

Training

Procedural Justice training has covered some of the transparency and accountability issues. The department has Body Worn Cameras (BWC) and patrol vehicle video which personnel have been trained in proper use of the equipment and when to activate the cameras. The cameras can help with both transparency and accountability if there is a question on police activities.

Programs

CPD has an Internal Affair Unit which takes citizen complaints regarding officer/employee misconduct. Complaints are investigated and the citizen is given findings. If the citizen is not satisfied with the complaint findings they can appeal to the Police Citizens Review Board.

CPD reviews all uses of force (response to resistance) via the Blue Team system. This ensures proper use of force by sworn personnel.

Policy

The following policies ensure transparency and accountability for the department: Body Worn Cameras (447), Mobile Audio Video (446) and Citizens complaints (1020).

Practice

Transparency and accountability are shown in officer's recordings of their actions and words. This video is subject to the open records request law as long as it is not an active investigation.

Action Plan

Reasonableness

Transparency and accountability are already something the department does and are what the community expects.

Cost of Implementation

The cost of implementation is in the department's budget for cameras as well as for complaint investigations by Internal Affairs. There are costs involved to maintain and upgrade the camera system.

Additional resources or training needed

None at this time.

Benefits to department/community

The community already has access to the sworn department personnel's actions due to video. This helps build trust and confidence in the police department's service to the community.

Action Item

To embrace a culture of transparency, law enforcement agencies should make all department polices available for public review and regularly post on the department's website information about stops, summonses, arrests, reported crime, and other law enforcement data aggregated by demographics.

CPD does not currently post policies and procedures on the department web site.

The department does list information on their website on reported crime but it is not separated out by demographics. The website does not have information on the number of stops, summonses, and arrests.

Action Item

When serious incidents occur, including those involving alleged police misconduct, agencies should communicate with citizens and the media swiftly, openly, and neutrally, respecting areas where the law requires confidentiality.

Recommendation 1.4

Law enforcement agencies should promote legitimacy internally within the organization by applying the principles of procedural justice.

Overview

"Organizational culture created through employee interactions with management can be linked to officers' interaction with citizens". (Page 13 Interim Report 21st Century Policing)

There is a link between internal and external procedural justice. In internal procedural justice, the officer's willingness to follow management's direction and authority depends on if the officer views the management's authority as legitimate. In external procedural justice, the citizens' willingness to follow the officer's direction and authority depends on whether the citizen views the officer as being legitimate. "When an agency creates an environment that promotes internal procedural justice, it encourages its officers to demonstrate external procedural justice." (Page 13 Interim Report 21st Century Policing)

Internal procedural justice starts with the "clear articulation of organizational core values" and the "transparent creation and fair application of an organization's policies, protocols, and decision-making process" (Page 13 Interim Report 21st Century Policing). If employees are actively involved in policy development and decision-making the employee is more likely to use

this same philosophy in their interactions with citizens. The agency should encourage collaboration between employee, supervisor and administration. This gives the employee a sense of being involved in the policy development and decision-making process. When this happens the employee views the policy and decision as more legitimate because they had input.

CPD training, programs/policy/practices already in place

Training

CPD has had training in procedural justice at the supervisory level. This training needs to be provided to all employees.

Programs

The police department created and implemented a strategic plan for 2013-2015. The strategic plan was developed by a cross-section of officers, supervisors, civilian employees and administration. The police department mission and vision statements were revised. The core values were developed: Character, Professionalism and Dedication. The strategic priorities are as follows: Workforce, Infrastructure, Technology, Growth Management, Crime and Fear of Crime, Community Relations/Partnerships.

Workforce would be the most applicable to promoting internal legitimacy. Sections of Workforce include the following categories: Improve two-way communications; Increase workforce understanding of Mission, Goals, and Objectives, Increase the number of qualified applicants while building a diverse workforce, Support the elimination of our salary compression issues, Respond to employee concerns through evaluation and revision of the current promotional process, Improve Overall Morale, Improve the retention of institutional knowledge through succession planning.

Of 22 workforce sub-categories, 12 sub-categories have been 100% completed, 3 are 75% and 2 are at 50% and 5 are at 0%.

Policy

Not Applicable.

Practice

The practice of internal procedural justice is in its infancy at CPD. Supervisors have been trained but the front line employees have not. There are some hurdles to overcome as far as the trust and communication between first line employees and administration. This appears to be strained at this point in time. Two separate studies, 2012 Anderson report and 2006 University of Missouri Organizational Change report, have indicated low morale, lack of communication and lack of trust between the front line officers/supervisors and administration.

A 2015 Employee Engagement Survey showed the police department had a lower mean score than any other city department in almost all categories. The police department score was 4.19 and the city overall average was 4.95. The sample group size was 60 employees from the police department. Categories included the following: Two way Communication, Top Down Communication, Core Value Trust, Teamwork, Public Service Motivation, Relation With Coworkers, Career Development and Resources. The police department scored the lowest in all categories except Career Development (3rd lowest). The three lowest mean scores for the police department was Teamwork 2.9071 (last), Core Value Trust 3.8911 (2nd lowest) and Resources 3.9000. (Source, Appendix D: Composite Scores by Department and Section Three: Average Scores by Demographic Subgroup)

The following was a question asked about department morale: Morale in my department is better when I compare it to this time last year. The police department had the lowest of all city departments: mean score of 2.37.

Based on the two organizational studies and the Employee Engagement Survey, the police department has a problem with communication, trust and low morale for the majority of police department employees. This appears to be a long standing culture at the police department

which has not changed despite changes in all levels of administration as well as at the first line level officers.

Action Plan

Reasonableness

It is reasonable to expect the police department can fully implement the principles of procedural justice by promoting internal legitimacy. This is a key component in implementing procedural justice externally with the community. The department has already had training for all supervisors for procedural justice. This is a good first step in full implementation of both internal and external procedural justice.

Cost of Implementation

The cost of procedural justice training for the whole department would be determine on whether CPD used outside or inside instructors for the training. The department already has the cost of the most recent procedural justice for supervisors. A grant was used to pay for the training. This training would need to be scheduled for the whole department.

Additional resources or training needed

The department would also need to find a way to address the issues of communication, trust and low morale within the department. The two organizational studies and an employee engagement survey indicate this is a problem area for the department. This is a major obstacle for internal procedural justice.

A good place to start in identifying the internal problems would be to get information from all the interviews in the Anderson Study to determine what problems came up as a common theme. The final Anderson report is summarized, too general, and lacks specific information on exactly what has caused the problems. It is unknown if this information can be retrieved from Mr. Anderson.

The 2006 study provided a much better picture of the internal problems and history. It also suggested some ways to address the problems some of which have been implemented and some have not.

It must be determined exactly what will help address the issues listed in both studies and the survey. This will take some open and honest communication between employees, supervisors and administrators. Without that, any program will be ineffective in addressing and solving the problems.

Collaborating to Address Key Challenges in Policing

This is a COPS article which outlines ways for police executives and labor leaders (police unions) to work together and communicate more clearly. Some of these concepts could work to bridge the gap in communication, trust and low morale at the police department. The same article also discusses ways to recruit and promote a more diverse workforce.

"At the February 2015 roundtable discussion, police executives and labor leaders agreed on a statement of key principles for building trust and collaboration between labor and management. The statement and other findings that emerged from the roundtable discussions were included as part of the recommendations to President Barack Obama's Task Force on 21st Century Policing. The five key principles for strengthening labor and management relations are as follows":

- 1. Focus on finding common ground.
- 2. Engage in open communication and seek input from one another.
- 3. Handle disagreements with respect and professionalism.
- 4. Understand and respect each other's roles and responsibilities
- 5. Work together to promote officer safety and wellness.

Benefits to department/community

The benefit to the department and community is a more effective and professional law enforcement services to the community. By implementing the procedural justice philosophy, there will be more communication, trust, cooperation and higher morale inside the department. This will result in better service and treatment of the community by officers/employees.

Action Item

In order to achieve internal legitimacy, law enforcement agencies should involve employees in the process of developing policies and procedure.

At this time, there is minimal involvement by most employees in the development of policies and procedure. With the CALEA process in progress, it is limited on employee input at this time. Employees may make suggestions as needed.

Action Item

Law enforcement agency leadership should examine opportunities to incorporate procedural justice into the internal discipline process, placing additional importance on values adherence rather than adherence to rules. Union leadership should be partners in this process.

Recommendation 1.5

Law enforcement agencies should proactively promote public trust by initiating positive non enforcement activities to engage communities that typically have high rates of investigative and enforcement involvement with government agencies.

Overview

This recommendation suggests law enforcement should seek opportunities for positive interaction with those populations which have a higher rate of contact with law enforcement for investigative or enforcement reasons. There is a perception in some parts of the community that they are being unfairly targeted by law enforcement based on the actions of a few within the community. If law enforcement can find a way for positive interaction with members of the community, they will be more likely to be viewed in a more positive light.

Some communities have started to "institutionalize community trust building endeavors". This includes programs which provide opportunities for interaction between law enforcement and the

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community. Programs include: Coffee with a Cop, Cops and Clergy, Citizens on Patrol Mobile, Students Talking it over with the Police and West Side Story Project.

CPD training, programs/policy/practices already in place

Training

Procedural Justice training for supervisors.

Programs

The department already has the Coffee with a Cop program. It has allowed citizens to talk directly with officers, supervisors and administrators. The department also has a Chaplain Program.

The department also has a Community Outreach Unit. The mission of this Unit is to open lines of communication with the community while rebuilding community partnerships and relationships. The emphasis is on the parts of the community which experience a higher volume of calls for service.

The Goals of the Community Outreach Unit is as follows:

Goals:

Listen and act upon the cares and concerns of the community.

 Measured by identified ordinance changes, training issues, public training forums, changes to enforcement strategies.

Establish a network of community contacts.

 Measured by the number of community members who will work with police to advocate for the community and jointly advocate for the police. Reach out to existing organizations to enlist their aid at creating coalitions that maintain the peace of the community and positive law enforcement/community interaction.

Create an environment in which community members are comfortable to communicate with police.

• Measured by the cooperation observed when reporting crime, reporting officer conduct (positive and negative), and reporting efficiencies and inefficiencies, etc..

Identify problem areas, people, and situations within the community.

 Measured by documented reports of criminal activity and POP projects to address community concerns. Also measured will be the reduction in reactive calls for service involving identified problem people and places.

Identify areas in which police meet the needs of these communities and areas in which police do not meet the needs of these communities.

• Measured by the number of efficiencies and inefficiencies reported to the sergeant.

Responsibly enforce the law in these communities to build trust in those who call upon us.

• Take responsible police action when we identify offenders who create a danger to others and/or disrupt the peace of the community.

Make ourselves available in Douglass Park to network and interact with community members.

The School Resource Officer (SRO) Program is another program which emphasizes positive interaction between officers and high school students. The police department has SROs at all three high schools and the CORE school.

Policy

Not Applicable.

Practice

This is put into practice with the Community Outreach Unit and the School Resource Officers. How much this is done during patrol officer and other employee interactions with the public is not known. It can be assumed this is occurring but there are no definitive numbers.

Action Plan

Reasonableness

This is a reasonable option for the police department. We have implemented programs with the goal of improving communication and cooperation between the law enforcement and the community.

Cost of Implementation

The cost has been minimal to this point. It is a matter of having a department philosophy of open communication between law enforcement and community members. The department has already taken steps in improving communication.

Additional resources or training needed

The NOVA (Non-violence Alliance) – This program is a new effort by key law enforcement and city leaders to reduce violence in the community. This program has been started in Kansas City, MO. The following is a summary of the program:

KC NOVA aims to bring the community and law enforcement together to actively communicate and engage to reduce violence. This strategy for violence reduction follows similar successful models used across the nation. Operation Ceasefire in Boston, MA reduced youth homicide by 63% and Cincinnati Initiative to Reduce Violence in Cincinnati reduced homicide involving group members by 47%.

KC NOVA uses police intelligence to analyze the relationships among criminals, mapping offenders and their associated groups. Key members of those networks will be invited to meet with KC NOVA leaders and their partners, including community leaders and the faith-based community. At those so-called call-ins, invited group members will be asked to stay away from violence. Offers to connect them to social services will be made. If violence results, anyway, group members will attract the swift attention of law enforcement.

Those choosing to be involved in violence, as well as their associates, will receive the full attention of this new law enforcement alliance.

Any expansion of the Community Outreach Team would be a good start towards building good relationships with the community. A good addition to the team would be adding a Crime Prevention or Community Relations Unit civilian personnel. Due to high call load, patrol officers are unable to do the duties which used to be done by the Crime Prevention Unit. Crime Prevention or Community Outreach Specialists duties include:

Crime Prevention Specialists provide many services (San Jose PD):

Liaisons

Crime Prevention Specialists act as liaisons between the police department and the community, providing a consistent and personal point of contact.

•Resource and Referral

Crime Prevention Specialists are available to answer questions, provide information and give referrals to the general public regarding matters related to crime prevention and quality of life issues.

•Speakers Bureau

Crime Prevention Specialists provide presentations to groups covering a variety of crime prevention topics.

Cost to add civilian positions as Crime Prevention Specialist

This position would be similar to an Administrative Support Assistant (B5) which has a pay range of \$25,446 to \$35,624 per year. It could also be classified as an Administrative Technician (B8) which has a pay range of \$34,638 to \$48,493 per year.

Benefits to department/community

The more the police department is involved in the community, the more the police department will be viewed as legitimate by the community. This will result in better communication and cooperation between both the community and the police department.

Action Item

In order to achieve external legitimacy, law enforcement agencies should involve the community in the process of developing and evaluating policies and procedures.

The police department does not do this at this point in time. The department is going through the CALEA accreditation process which has strict procedures for policy and procedure development. This is not conducive to citizen involvement at this point in time. Once the CALEA process is finished, it would be a good idea to post police department policies and procedures on the department's web site.

The Police Citizens Review Board does review police policy and procedures during the citizen's complaint review process. They can make recommendation for change of policy to the Police Chief.

Action Item

Law enforcement agencies should institute residency incentive programs such as Resident Officer Program.

The police department does not have a Resident Officer Program. Various apartment complexes will offer discounted rent to officers who agree to live in their apartment complex. The officer's responsibilities range from officer presence to checking the complex for security problems or minor calls for service such as peace disturbance.

Action Item

Law enforcement agencies should create opportunities in schools and communities for positive, non-enforcement interactions with police. Agencies should also publicize the beneficial outcomes and images of positive, trust-building partnerships and initiatives.

The police department has the School Resource Officer Program in all three high schools and CORE. This is an opportunity for positive interaction between students and officers.

The Community Outreach Unit interacts with people in the Douglas Park area. This is mainly voluntary contact where the officer gets to know the frequent users of the park. This is achieved by holding conversations with the park patrons, which allows the park patrons and the officers to form relationships.

Action Item

Use of physical control equipment and techniques against vulnerable populations — including children, elderly persons, pregnant women, people with physical and mental disabilities, limed English proficiency, and others — can undermine public trust and should be used as a last resort. Law enforcement agencies should carefully consider and review their policies towards these populations and adopt polices if none are in place.

This is already covered in the department's policies.

300.3 Response to Resistance

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances at the time of the event to accomplish a legitimate law enforcement purpose. The

reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident.

300.3.2 Factors Used to Determine the Reasonableness of Force

When determining whether to apply force and evaluating whether an officer has used reasonable force, an officer shall consider the totality of the circumstances of each particular case. A number of factors should be taken into consideration, as time and circumstances permit; these factors include, but are not limited to:

- a. Immediacy and severity of the threat to officers or others.
- b. The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- c. Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- d. The effects of drugs or alcohol.
- e. Subject's mental state or capacity.
- f. Proximity of weapons or dangerous improvised devices.
- g. The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- h. The availability of other options and their possible effectiveness.
- i. Seriousness of the suspected offense or reason for contact with the individual.
- j. Training and experience of the officer.
- k. Potential for injury to officers, suspects and others.

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- 1. Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer.
- m. The risk and reasonably foreseeable consequences of escape.
- n. The apparent need for immediate control of the subject or a prompt resolution of the situation.
- o. Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- p. Prior contacts with the subject or awareness of any propensity for violence.
- q. Any other exigent circumstances.

Recommendation 1.6

Law enforcement agencies should consider the potential damage to public trust when implementing crime fighting strategies.

Overview

During the listening sessions, many expressed concerns about "overly aggressive law enforcement strategies" and how if effects the communities' trust in law enforcement. The question is what is meant by "overly aggressive law enforcement strategies"? This is not defined and there are no examples of incidents or strategies used by law enforcement which is deemed to cause damage to the communities' trust.

CPD training, programs/policy/practices already in place

Training

The police department has in-service training on proper defensive tactics, response to resistance and firearms. The department also has in-service on legal update, crowd control, racial profiling and Internal Affairs complaint investigation.

Programs

The Blue Team entry process is used by the police department to review all responses to resistance (use of force) by sworn department personnel.

The department has an Internal Affairs Unit which takes both external and internal complaints on department personnel.

The department has body worn cameras as well as patrol vehicle video which records officers/sergeants activities.

Policy

The department has several polices which direct sworn personnel on proper enforcement action. These policies include: 300 Responses to Resistance, 306 Handcuffing and Restraints, 308 Control Devices and Techniques, 309 CED Device, 310 Officer-Involved Shooting, 312 Duty Firearms, 314, Vehicle Pursuits, 318 Canine, 322 Search and Seizure, 340 Code of Conduct and 408 Special Weapons and Tactics.

By following these policies sworn personnel will be performing their duties in a way which is much less likely to damage the public's trust in law enforcement.

Practice

At this time, there are no clear crime fighting strategies that have been identified which have caused damage to public trust. The department is well trained, educated, and equipped to do their duties in a professional manner. The department has an Internal Affairs Unit and citizen complaint investigation process.

Action Plan

Reasonableness

It is reasonable for the department to comply with this recommendation. The department has already taken steps to ensure personnel's crime fighting actions are not damaging

Cost of Implementation

None at this time.

Additional resources or training needed

Not Applicable.

Benefits to department/community

As the department has already taken steps to ensure proper crime fighting strategies, the community will be more likely to trust the police department. This will result in better cooperation between the community and the police department.

Action Item

Research conducted to evaluate the effectiveness of crime fighting strategies should specifically look at the potential for collateral damage of any given strategy on community trust and legitimacy.

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The department already does this. Any tactical operations have an operational plan of action.

This has to be reviewed by the administrator of the bureau to ensure proper procedure and

liability issues.

Recommendation 1.7

Law enforcement agencies should track the level of trust in police by their communities just as

they measure changes in crime. Annual community surveys, ideally standardized across

jurisdiction and with accepted sampling protocols, can measure how policing in that

community affects public trust.

Overview

It is recommended to do a community survey to maintain public trust. This allows the

community to know they have a voice in what services are or are not being provided by law

enforcement. "To operate effectively, law enforcement agencies must maintain public trust by

having a transparent, credible system of accountability" (Page 13 Interim Report 21st Century

Policing).

CPD training, programs/policy/practices already in place

Training

Not Applicable.

Programs

The City of Columbia already does a citizen satisfaction surveys which include the police

department.

Citizen/City survey results

2014 Citizen Survey conducted by ETC Institute

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- Findings Report Jan 30, 2015
- GIS Maps Appendix A
- Crosstabs by Number of Years Lived in Columbia and Home Owners vs. Renters Appendix B
- Crosstabs by College Students, Age of Respondents and Gender Appendix C
- Crosstabs by Race/Ethnicity and Household Income Appendix D
- Crosstabs by City Council Ward Appendix E

The police department has a citizen's satisfaction survey.

Columbia Police Department Customer Satisfaction Survey

Was the CPD employee helpful and polite?*

Did the CPD employee answer your questions and keep you informed in a way that was easy to understand?*

How would you rate the CPD response time to your call for service?*

Overall, how satisfied are you with the Columbia Police Department service you just received?*

Not Applicable

C	very satis	sfied	۱ ر	sati	sfied	, (neut	ral C	uns	atisfied	C	very unsatisfied		
Hov	v did you	con	ne in	cont	act w	vith t	he CF	D em	ploye	e?*				
C	Witness Victim Arrested	۲	Tra	ffic S	•	`								
	we conta		ou r	egaro	ding	your	surve	ey?*						
Nam	ne:												(option	al)
Ema	iil:												(option	al)
Pho	ne							Num	ber:				(option	al)
Sub	mit													
Pol	icy													

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Practice

The police department has a citizen's feedback after calls for service. This allowed the citizen to give feedback on the service they received from the police department. This form is on line on the police department web site. The City of Columbia does a citizens satisfaction survey.

Citizens may also file officer compliments and complaints on line about the police service they received.

Action Plan

Reasonableness

This is a reasonable and it is already in practice in Columbia by the city's and police department's satisfaction surveys.

Cost of Implementation

Not Applicable.

Additional resources or training needed

Not Applicable.

Benefits to department/community

The benefit to the community is they have input on the quality of law enforcement services received. This will result in the community having more trust in the legitimacy of the police department.

Action Item

The Federal Government should develop survey tools and instructions for use of such a model to prevent local departments from incurring the expense and to allow for consistency across jurisdictions.

Recommendation 1.8

Law enforcement agencies should strive to create a workforce that contains a broad range of diversity including race, gender, language, life experience, and cultural background to improve understanding and effectiveness in dealing with all communities.

Overview

The theory behind this concept of a diverse workforce improves the culture of the police department. This includes diversity in both the line officers, supervisors and administration. This results in more trust and legitimacy is built with all segments of the community. The police department should seek officer candidates and supervisors/administrators who will police in an unbiased manner and have positive interactions with people of different cultures and backgrounds. The police department should also ensure it has diversity throughout the ranks and various units in the police department.

CPD training, programs/policy/practices already in place

Training

Throughout the years, the police department has had training in cultural diversity, racial profiling and unbiased policing.

Programs

The police department has officers attend various recruiting venues. The officer recruiters are a culturally diverse group. This helps to recruit a more diverse group of officer candidates.

The promotional process is a ranked system which only considers test and interview score. It does not focus on diversity of applicants who apply. This can be seen as a barrier for women and minorities being successfully promoted.

Policy

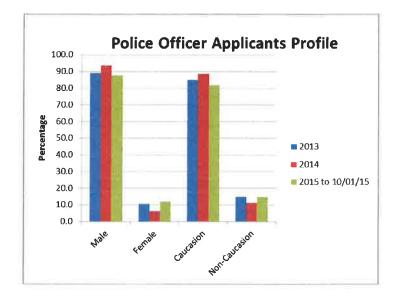
Practice

The Training and Recruiting Unit has increased the amount of applicants over the past few years.

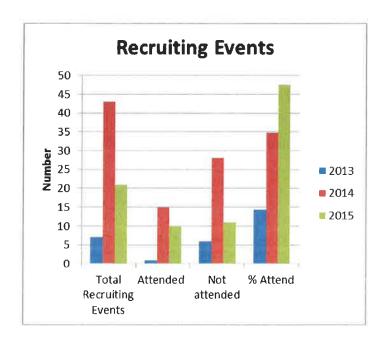
The following numbers and information was obtained from the department's Training Unit's Recruiting (TRU) Hiring and Retention Strategic Plan:

Looking at data from January 1, 2013 until October 1, 2015, we have found a total of 285 people have applied for the job of Police Officer. A total of 69 people were eligible for hire according to the City of Columbia Human Resources Department. Currently our applicants have been Caucasian males, about 90% over the last 3 years. Caucasians, male or female, have been about 85% of the applicants.

TRU wanted to look at the demographics of people who are applying to become police officers and see what and how we can achieve equalities. History seems to indicate that a police officer position has been a male dominated job. The police profession minorities, such as females and non-Caucasians did not typically enter into police work for various reasons. Using data from 2013 to today, TRU has looked at the police officer applicants profile to improve our ability to acquire minorities (see chart "Police Officer Applicant Profile").



The department does active recruiting trips to various job fairs and career days throughout the state. Currently the police department has 19 Police Recruiters. All of them are able to attend recruiting events which may include career fairs, police academies and other special events to market the Department. However, our goal is all Columbia Police Officers are ambassadors for our agency and promote the Department in a positive and healthy way. Any officer can refer and/or contact a potential police candidate.



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Action Plan

TRU (Training and Recruiting Unit) has developed a recruiting system to focus on four

fundamental principles or pillars. The first is mentoring, the second is service orientation. The

third and fourth pillars are hiring traits, ideologies and marketing. Each recruiting pillar focuses

on basics to enhance and increase the number of candidates applying to the Department. Our

goal is finding high quality candidates who are truly noble, dedicated to the community in which

they serve and love the profession of policing.

Our goal is to create an environment where people learn about, apply and become a police

officer. We want to do this in the most efficient way possible for a person navigating a job

market in the City of Columbia. TRU has created a strategic plan to improve our ability to hire

and acquire high quality, community engaged applicants for police officer.

Reasonableness

This is a reasonable and attainable recommendation. The police department has a recruiting

process which has resulted in increased recruitment of officers.

Cost of Implementation

Not Applicable.

Additional resources or training needed

Not Applicable.

Benefits to department/community

The police department will have a more diverse workforce, at all levels, which will be more

likely to relate to the diverse community.

Most of the Action Items are directed towards the federal government

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Action Item

The Federal Government should create a Law Enforcement Diversity Initiative designed to help communities diversify law enforcement departments to reflect the demographics of the community.

Action Item

The department overseeing this initiative should help the department learn best practices for recruitment, training, and outreach to improve the diversity as well as the cultural and linguistic responsiveness of law enforcement agencies.

Action Item

Successful law enforcement agencies should be highlighted and celebrated and those with less diversity should be offered technical assistance to facilitate change.

Action Item

Discretionary federal funding for law enforcement programs could be influenced by that department's efforts to improve their diversity and cultural and linguistic responsiveness.

Action Item

Law enforcement agencies should be encouraged to explore more flexible staffing models.

The Columbia Police Department recently had a staffing study done to look at number of officers and scheduling options. A modified schedule will be implemented in February 2016.

Recommendation 1.9

Law enforcement agencies should build relationships based on trust with immigrant communities. This is central to overall public safety.

Overview

"Immigrants often fear approaching police officers when they are victims of and witnesses to crimes and when local police are entangled with federal immigration enforcement". (Interim Report 21st Century Policing page 17)

CPD training, programs/policy/practices already in place

Training

The department has cultural diversity training. This is not specific to the immigrant community.

Programs

The police department has no specific program to reach out the immigrant community. The department does have a Community Outreach Unit which could make attempts to build relationships between the department and the immigrant community.

Policy

Not Applicable.

Practice

Officers do try to communicate and relate the best they can with the immigrant community. Language barriers are an obstacle at this time due to the low number of officers who speak a second language.

Action Plan

Reasonableness

It is reasonable to build better relationships with the immigrant community. Columbia has a growing immigrant population. This population should have equal access to the police department services.

Cost of Implementation

Unknown at this time.

Additional resources or training needed

The police department needs to implement some type of outreach program to Columbia's immigrant community. The 2010 US Census listed the following racial numbers of Columbia's population in comparison to the state of Missouri's population. The top minorities are: 11.3% Black, 5.2% Asian and 3.2% Hispanic. 3.1% of the households had two or more races represented in the household.

People Quick Facts	Columbia Missouri
0	Population, 116,906 6,063,589
	2014
	estimate
•	White alone, 79.0% 82.8%
	percent, 2010
	(a)
0	Black or 11.3% 11.6%
	African
	American
	alone, percent,

	2010 (a)		
•	American Indian and Alaska Native alone, percent, 2010 (a)	0.3%	0.5%
	Asian alone, percent, 2010 (a)	5.2%	1.6%
	Native Hawaiian and Other Pacific Islander alone, percent, 2010 (a)	0.1%	0.1%
	Two or More Races, percent, 2010	3.1%	2.1%
	Hispanic or Latino, percent, 2010 (b)	3.4%	3.5%
	White alone, not Hispanic or Latino, percent, 2010	77.0%	81.0%

The New York City Police Department implemented a strategy which reached out the New York City's largest three immigrant communities – Arab-American, Muslim and South Asian.

Community meetings were held between leaders of each of the three immigrant communities and NYPD. This opened up communications and greatly enhanced the trust and transparency between NYPD and the immigrant communities. It also resulted in a new unit at NYPD called the Immigrant Outreach Unit.

NYPD discovered common reasons why the immigrant community does not trust or cooperate with law enforcement. This included language and cultural barriers, fear of deportation and previous experience with law enforcement outside the United States. NYPD and leaders of the immigrant communities worked together to educate members of the immigrant community. This program is documented in a 2005 COPS article, "Building Strong Police-Immigrant Community Relations – Lessons from a New York City Project".

Additional training in a second language such as Spanish would be helpful.

Benefits to department/community

If some type of outreach was done with Columbia's immigrant and minority community, the community and department would benefit by being able to better communicate and relate to the immigrant and minority community. The immigrant community would feel more comfortable in contacting the police department if they knew officers could effectively communicate with them and work to address the problem instead of worrying about immigration enforcement. The police department would be better at serving the immigrant community if the officer understands the immigrant's language and cultural background.

Action Item

Decouple federal immigration enforcement from routine local policing for civil enforcement and non-serious crime.

Action Item

Law enforcement agencies should ensure reasonable and equitable language access for all person who have encounters with police or who enter the criminal justice system.

The police department does have information which is in Spanish for specific crimes such as domestic violence. Columbia has a very diverse immigrant community due to the University of Missouri being within the city limits of Columbia. This brings in many people from various countries with different customs and language. It can be a challenge to be able to address all the various immigrant communities.

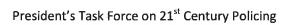
Action Item

The U.S. Department of Justice should remove civil immigration information from the FBI's National Crime Information Center database.

Pillar 2 Policy & Oversight

Prepared by Lt. Scott Young

Citizens have a constitutional right to freedom of expression, including the right to peacefully demonstrate.



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Pillar 2 Introduction

This report will assume the reader is familiar with the "Final Report of the President's Task Force on 21st Century Policing" from May 2015 and will not attempt to duplicate all the background and context that created the Task Force and its assigned mission. Nor will this report touch on the other 5 Pillars and the overall report. This paper only addresses the status of the Columbia Police Department in regard to recommendations made in the larger report's Pillar 2: "Policy and Oversight."

At the time of the assignment CPD had six command level officers at the rank of Lieutenant and each were assigned one of the Pillars. I (Lt. Scott Young) have made every attempt to be objective as possible in regard to this report but it might be useful for the reader to have some background. I consider Columbia to be my hometown, having attended junior high and high school here. Save one eight year period spent in the Kansas City area (started in law enforcement while there) Columbia has been my home since 1975 and I have been with CPD since 1997. In that time I have served 4 police chiefs, been in a variety of assignments, and have been a lieutenant since 2007. I have participated in outside training in several different states, been involved in numerous multi-agency investigations, and have trained officers from roughly 50 different agencies. I am the only command level officer at CPD that was part of command when Chief Burton came to Columbia.

Recommendation 2.1

Luw enforcement agencies should collaborate with community members to develop policies and strategies in communities and neighborhoods disproportionately affected by crime for deploying resources that aim to reduce crime by improving relationships, greater community engagement, and cooperation.

CPD Overview

That Columbia, Missouri is a unique place is not just a tourism slogan. Columbia is a special place that does not easily fit into a pre made mold. We have always been held to higher

standards of conduct and accountability than the majority of police agencies in this country and embrace that. As a result CPD is largely well ahead of most of these recommendations. Some of these suggested practices we've done for many years, others have been implemented by Chief Burton, and the majority of both were in place, or in the making, prior to the events that inspired the President to create the Task Force. Well before the tumultuous events of 2014 Chief Burton and CPD were working towards higher degrees of accountability and transparency, not in response to particular incidents, but as a better way for a police department to operate. Those efforts are continuous and always will be as police learn ways to do things better and community standards change/evolve. Chief Burton is moving the department towards accreditation which will continue the process of improvement.

The citizens and government of Columbia should feel very confident their police department is continually striving to perform its mission in the spirit and by the letter of what is legal, what is right, and what is within the unique characteristics that make Columbia the community it is.

CPD is actively taking steps in this direction, primarily with the creation of the Community Outreach Unit (COU). The COU consists of a sergeant and six police officers tasked with focusing on three specific areas of town that can be described as being "disproportionately affected by crime." The COU implementation plan states, in part, the unit intends to "...open lines of communication between citizens and police. Empower officers to forge new or repair existing partnerships with groups and organizations that can help reduce crime..."

CPD has a history of addressing specific areas with issues with appropriate specialty units over the years. In addition to the COU the Downtown Unit has been in place for several years and we have other such cases where the unit served its purpose and personnel were then redeployed.

Beginning in early 2016 CPD's Patrol Division will be making substantial changes to the scheduling and deployment of uniformed patrol officers. This change will shift existing resources to maximize our presence and ability to respond to calls for service during the times of the day and the days of the week with the highest demand. The changes are data driven based on recommendations from the Matrix Consultants study with input from Patrol Division Commanders. The Patrol Division must absolutely operate 24/7/365; face unpredictable

workloads that often exceed its capacity, and deal with human life safety. Staffing such an operation is a substantial challenge. CPD Commanders are faced with the delicate balance of providing as much service to the community as possible with officers' very real needs for healthy personal lives. This new schedule improves the former to what is hoped to be minimal detriment to the latter. CPD feels this new deployment of patrol resources will allow the entire patrol division more discretionary time to address the stated goals of this section.

Recommendation 2.2

Law enforcement agencies should have comprehensive policies on the use of force that include training, investigations, prosecutions, data collection, and information sharing. These policies must be clear, concise, and openly available for public inspection.

Training

CPD was largely ahead of these issues well before the President's Task Force Report and had policies and directives in place that already address most of these topics. The suggestion on Training for Use of Force presents a change in philosophy for all agencies in the U.S., not just CPD.

This is a substantial paradigm shift for all of American law enforcement. We have long trained officers they may well have to "cowboy up" and make an arrest even when the odds of success are stacked against them. This topic will be controversial among law enforcement and the public. There are times when it would seem to make sense to let an offender of known identity walk free to avoid a violent arrest over a minor crime and make the arrest at a later time. That seemingly common sense approach is countered by those that argue it will embolden criminals to always resist arrest in the hope of the police backing down and letting them go. In large part criminals are immediate gratification types lacking an ability to plan for the long term. To them avoiding an arrest now will always seem preferable to being arrested later, even if the later arrest has increased charges. That being said, CPD's authority comes from the community it serves and we will build this philosophy into our operations as a tactical option if it's what our community desires.

Investigations

CPD Policy Manual Section 300 covers Response to Resistance, also known as "Use of Force."

Subsection 300.7 addresses Supervisor and Watch Commander responsibilities in regard to documenting response to resistance incidents and their review. The following are some of the items specified in 300.7:

- Treatment of injured persons.
- Information gathering.
- Interviewing subject of force, witnesses if available, and officers involved in or witnessing the incident.
- Photographs of scene, persons involved, and injuries, if applicable.
- Existence and preservation of body worn video footage.

All the available facts are then documented in the officer's report and a separate report addressing just the use of force. The latter is reviewed by the officer's entire chain of command.

CPD's Policy Manual Section 310 covers Officer Involved Shootings. Subsection 310.3 is as follows:

Officer-involved shootings involve several separate investigations. The investigations may include:

- A criminal investigation of the incident by the agency having jurisdiction where the
 incident occurred. This department may, however, request that the criminal
 investigation be conducted by an uninvolved outside agency with the approval of the
 Chief of Police.
- A criminal investigation of the involved officer conducted by an outside agency.
- A civil investigation to determine potential liability conducted by the involved officer's agency.

• An administrative investigation conducted by the involved officer's agency to determine if there were any violations of department policy.

Prosecutions

As mentioned above, CPD Policy 310.3 directs a criminal investigation be completed in the event of an officer involved shooting. The Chief of Police (and actually any sworn member of the department) can make an arrest, even of another officer, or submit a warrant application to the Boone County Prosecutor in the event a use of force is deemed excessive to the point of being criminal. We have precedent at CPD for just such actions.

Data Collection

CPD Policy Manual Section 300 covers Response to Resistance, also known as "Use of Force."

Subsection 300.4 addresses the reporting of incidents involving force used by officers for multiple reasons, to include data collection:

Any response to resistance which involves force by a member of this department shall be documented, completely and accurately in an appropriate report, depending on the nature of the incident prior to the end of shift unless the delay is authorized by a supervisor. The officer should articulate the factors perceived and why he/she believed the response to resistance was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.

Information Sharing

The CPD Internal Affairs Unit releases an annual report with detailed information on the department's use of force incidents and other pertinent data.

Public Inspection of Policies

With the exception of a few policies/procedures that contain information considered to be of a sensitive nature for tactical reasons, all of our policies are available to the public via a Sunshine Request. Our "Response to Resistance" polices contain no redacted information. Further, the Citizen's Review Board has CPD's UOF polices already.

Recommendation 2.3

Law enforcement agencies are encouraged to implement non-punitive peer review of critical incidents separate from criminal and administrative investigations.

We do this now on a formal level with SWAT and a more informal level with patrol and other units. However, when and how these are done is left largely to supervisor discretion. We should probably do a better job of training our sergeants and lieutenants on the value of this practice so it will be done more frequently and with incidents that ended well but easily could have had a very negative outcome.

Incident "de-briefs" have been done for many years for SWAT operations, regardless of intensity or outcome. At the shift and squad level it is common for patrol supervisors and commanders to conduct similar de-briefs with involved officers after "critical" incidents. As discussed in Section 2, CPD should strive to make these debriefs more common and lower the threshold of the incidents discussed. We as an agency, however, must be aware that in depositions officers will sometimes have to reveal the contents of these peer review sessions. Sometimes such discussions could provide a plaintiff's attorney more material to use when attempting to show wrong-doing on the part of our agency or even individual officers.

Recommendation 2.4

Law enforcement agencies are encouraged to adopt identification procedures that implement scientifically supported practices that eliminate or minimize presenter bias or influence.

For many years CPD has tried to conform to current best practices in this regard. Extremely rare is the arrest made on eyewitness identification alone and certainly prosecutions require more than just a witness ID. CPD has long recognized difficulties in eyewitness accounts and identifications. In particular, procedures have changed over the years in how photo line ups are conducted to comply with current best practices and minimize false identifications. CPD Policy 610 "Eyewitness Identification" addresses this issue and discusses the importance of obtaining the best identifications possible from witnesses and avoiding influencing them with other evidence that may exist. Exculpatory evidence obtained in the process of identifying suspects must be included in officer's reports.

That being said, it would be beneficial for the CPD Training and Recruitment Unit to constantly monitor the state of the research in this area and provide training to officers that will help avoid unintentional mistaken identification mistakes and improve our investigative capabilities.

Recommendation 2.5

All federal, state, local, and tribal law enforcement agencies should report and make available to the public census data regarding the composition of their departments including race, gender, age, and other relevant demographic data.

This data is available currently and has never been concealed or obfuscated by CPD.

Recommendation 2.6

Law enforcement agencies should be encouraged to collect, maintain, and analyze demographic data on all detentions (stops, frisks, searches, summons, and arrests). This data should be disaggregated by school and non-school contacts.

CPD Policy 402.4.3 "Reporting Traffic Stops" reads as follows:

Each time an officer makes a traffic stop, the officer shall report information that includes (§ 590.650, RSMo):

- 1. The age, gender and race or minority group of the individual stopped.
- 2. The reason for the stop.
- 3. The location of the stop.
- 4. Whether a search was conducted.
- 5. If a search was conducted, whether the individual consented to the search, the probable cause for the search, whether the person or his/her property was searched and the duration of the search.
- 6. Whether any contraband was discovered and if so, the type of contraband discovered.
- 7. Whether a warning or citation were issued as a result of the stop and if so, the violation charged or warning given.
- 8. Whether an arrest was made as a result of the stop or the search. If an arrest was made, the crime charged.

Such data has been collected by CPD since 2000 in compliance with Missouri Law. Why it would be necessary or beneficial to break it down by school versus non-school contacts is not clear, nor is it immediately obvious how difficult it might be to accomplish.

Recommendation 2.7

Law enforcement agencies should create policies and procedures for policing mass demonstrations that employ a continuum of managed tactical resources that are designed to minimize the appearance of a military operation and avoid using provocative tactics and equipment that undermine civilian trust.

CPD has long recognized and honored the first amendment rights of our citizens. Methods and procedures for interacting with crowds and demonstrators are part of our current in-service training for officers and are addressed in Policies 206 "Emergency Operations Plan", 308 "Control Devices and Techniques", and 400 "Patrol Function". Policy 400.3 "Crowds, Events, and Gatherings" contains the following statements:

- "...effort to keep the peace and protect the safety and rights of those present."
- "...carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action."

The policy calls for supervisor and/or commander involvement early in the process and for CPD personnel to "...contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns."

Recommendation 2.8

Some form of civilian oversight of law enforcement is important in order to strengthen trust with the community. Every community should define the appropriate form and structure of civilian oversight to meet the needs of that community

Columbia has a Citizen's Police Review Board already in place. This board's structure and methods were developed and vetted through numerous public hearings and meetings.

Recommendation 2.9

Law enforcement agencies and municipalities should refrain from practices requiring officers to issue a predetermined number of tickets, citations, arrests, or summonses, or to initiate investigative contacts with citizens for reasons not directly related to improving public safety, such as generating revenue.

CPD Policy 500 addresses traffic enforcement and Section 3 contains the following statement: "Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas."

If CPD ever had anything akin to a quota system for enforcement activity it is decades gone. No such quota or incentives currently exist. In field training and practice CPD recognizes the various appropriate levels of contacts with citizens and the citizens' right to refuse such contact lacking legal reason otherwise.

Recommendation 2.10

Law enforcement officers should be required to seek consent before a search and explain that a person has the right to refuse consent when there is no warrant or probable cause.

Furthermore, officers should ideally obtain written acknowledgement that they have sought consent to a search in these circumstances.

CPD Policy 322.2 "Search and Seizure" states, in part: "It is the policy of the Columbia Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property." It goes further by stating: "In accordance with the Training Policy, the Department will provide relevant and current training to officers as guidance for the application of current law as well as local community standards and prosecutorial considerations to specific search and seizure situations as appropriate."

Conducting a search without consent, probable cause, or a warrant is a violation of law as well as CPD policy and practice and always has been. Citizen refusals when officers seek consent and officers honoring such refusals are common occurrences. Currently CPD policy requires such encounters by uniformed personnel be recorded on Body Worn Cameras which should fulfill the intent of obtaining written consent for a search. Non-uniformed personnel, usually detectives, do seek written consent for searches as a normal practice. Regardless of the fruits of any search, the final decision on whether or not the search was legal and the admissibility of any resulting incriminating evidence will be determined in court. Defendants have the right to challenge the validity of consent searches, probable cause searches, and searches authorized by warrants.

Recommendation 2.11

Law enforcement agencies should adopt policies requiring officers to identify themselves by their full name, rank, and command (as applicable) and provide that information in writing to individuals they have stopped. In addition, policies should require officers to state the reason for the stop and the reason for the search if one is conducted.

CPD Policy 340 is title "Code of Conduct." Policy 340.3.4 lists numerous activities that can result in disciplinary action against the involved officer. Number 23: "Failure to identify oneself while on duty, or off duty as required by law, by displaying their department identification card,

badge, and/or business card, upon demand unless doing so is impractical, dangerous, or otherwise authorized by a supervisor."

Policy 500 addresses Traffic Enforcement, section 500.3.2 covers Traffic Citations and states, in part: "Traffic citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at minimum:

- 1. Explanation of the violation or charge
- 2. Court appearance procedure, including the optional or mandatory appearance by the motorist
- 3. Notice of whether the motorist can enter a plea and pay the fine by mail or at the court
- 4. The court contact information"

CPD Policy 322 covers "Search and Seizure." Section 322.4 addresses Search Protocol and states, in part: "Officers should explain to the person being searched the reason for the search and how the search will be conducted."

Recommendation 2.12

Law enforcement agencies should establish search and seizure procedures related to LGBTO and transgender populations and adopt as policy the recommendation from the President's Advisory Council on HIV/AIDS (PACHA) to cease using the possession of condoms as the sole evidence of vice.

CPD Policy 902 "Custody Searches" states in Section 902.3 that "Whenever practicable, a search should be conducted by an officer of the same sex as the person being searched." When that is not possible the policy calls for the search to take place so that it is recorded on video when possible. In practice, now that CPD uniformed officers wear body cameras, virtually all

searches are captured on video. It has long been the policy and practice of CPD to conduct searches on a "same sex" basis when safety allows.

Search Procedures: CPD does not currently have a policy specific to this issue.

Condoms as evidence of vice: CPD does not, and has never, considered "...the possession of condoms as the sole evidence of vice."

Recommendation 2.13

Law enforcement agencies should adopt and enforce policies prohibiting profiling and discrimination based on race, ethnicity, national origin, religion, age, gender, gender identity/expression, sexual orientation, immigration status, disability, housing status, occupation, or language fluency.

CPD Policy 402 addresses the issue of Racial/Bias-Based Profiling and has the following as its Purpose and Scope in section 402.2: "The policy provides guidance to department members and establishes appropriate controls to ensure that employees of the Columbia Police Department do not engage in racial/bias-based profiling or violate any related laws while serving the community."

CPD Policy 402 not only specifically and clearly prohibits Racial/Bias-Based profiling but requires department members to report such activity observed in others to a department supervisor.

Recommendation 2.14

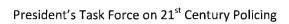
The U.S. Department of Justice, through the Office of Community Oriented Policing Services and Office of Justice Programs, should provide technical assistance and incentive funding to jurisdictions with small police agencies that take steps towards shared services, regional training, and consolidation.

Over the years CPD has applied for such funding in the form of grants with varying levels of success.

Recommendation 2.15

The U.S. Department of Justice, through the Office of Community Oriented Policing Services, should partner with the International Association of Directors of Law Enforcement Standards and Training (IADLEST) to expand its National Decertification Index to serve as the National Register of Decertified Officers with the goal of covering all agencies within the United States and its territories

CPD would gladly participate if such a database existed in conducting background investigations of CPD applicants.



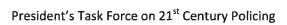
Columbia Police Department's Report

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Pillar 3 Technology & Social Media

Prepared by Lt. Krista Shouse-Jones

Implementing new technologies can give police departments an opportunity to fully engage and educate communities in a dialogue about their expectations for transparency, accountability, and privacy.



Columbia Police Department's Report

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Overview

The effective use of technology can allow law enforcement to maximize efficiency and enable officers to focus more on their interactions with the community than on the administrative duties of their job. That said, implementation of new technology by a police department should take into account both department and community needs and should heavily weigh citizens' concerns for privacy and individual rights.

The use of technology can also enable law enforcement agencies to effectively demonstrate their commitment to the community for transparency and accountability. When the use of technology is systematized, covered by well-reasoned policies, and put into effect after careful consideration and input from the community, it can increase the community's confidence in their police department. If the community sees their department is open about its use of technology to meet defined goals and is using technology in a way the community perceives as fair, the department's authority in the community is more likely to be viewed as legitimate.

Social media use is having a significant impact on policing practices and community engagement, possibly more so than any other type of technology use. While social media can be used to effectively engage large numbers of community members in a positive way, it can also pose challenges for departments in managing their public image and responding to false information.

The review of this section focuses on the action items aimed at local law enforcement and CPD's current status in relation to each of those action items, as well as any gaps or areas for improvement and any budgetary implications (if any gaps/improvements were identified). The related report recommendations were included for reference only. No dialog was included for recommendations unless there were no specific action items included within the recommendation. None of the original report's recommendations or action items that did not relate to local law enforcement were included, since CPD was the focus of this review.

Recommendation 3.1

The U.S. Department of Justice, in consultation with the law enforcement field, should broaden the efforts of the National Institute of Justice to establish national standards for the research and development of new technology. These standards should also address compatibility and interoperability needs both within law enforcement agencies and across agencies and jurisdictions and maintain civil and humans rights protections.

Action Item

Law enforcement agencies should deploy smart technology that is designed to prevent the tampering with or manipulating of evidence in violation of policy.

Current status

In 2014, the Columbia Police Department Evidence Unit was overhauled to improve evidence processing, handling, and storage and to bring the unit in line with nationwide best practices. Some of the changes made in the unit included installing video surveillance equipment to cover the entire unit and storage area and installing proximity locks to manage and record employee access to evidence areas. Coupled with the use of body cameras by officers at the scene, the collection, processing and storage of evidence is now recorded at an unprecedented level.

CPD already has a policy addressing digital evidence. This policy prohibits officers from erasing, deleting or altering any electronic evidence they record prior to submitting it to the Evidence Unit. They are also prohibited by policy from creating or maintaining copies of digital evidence outside of work purposes. The policy also requires officers to preserve all photographs they take, regardless of quality, composition or relevance.

Gaps/Areas for Improvement

CPD is in the process of getting a new records management system (RMS). This system will allow for barcoding which will add yet another layer of checks and balances to the evidence

system. The barcoding system and RMS will track any and all changes to evidence fields and dispositions, as well as record all login activity by department employees.

Budget Implications

There are no budgetary implications since CPD is already using best practices in this area and has already budgeted for the barcoding system to be implemented with the new RMS.

Recommendation 3.2

The implementation of appropriate technology by law enforcement agencies should be designed considering local needs and aligned with national standards.

Action Item

Law enforcement agencies should encourage public engagement and collaboration, including the use of community advisory bodies, when developing a policy for the use of a new technology.

Current status

CPD uses several resources to determine nationwide best practices and to solicit community input when implementing new technology and policies related to new technology.

First, CPD has had a Citizens Police Review Board since 2009. By ordinance, one of the board's roles is to "review and make recommendations on police policies and procedures." These recommendations are sent to the Chief for consideration. For the last several years, CPRB members have been given access to a website with the policies to make the review process more efficient.

Second, the CPD Accreditation Manager uses several different resources when the department is writing a new policy or procedure. These include obtaining example or "model" policies from IACP.net, CALEA and the Benchmark Cities Group. These sources allow CPD to review policies at police departments throughout the nation (including many that are CALEA-

accredited) and use those as models to craft our own policies and procedures. In August 2015, the Chief established the Chief's Committee on Policy and Training, a permanent committee of sergeants to review and make recommendations on policy and to conduct staff studies on issues related to law enforcement. The first task of the committee has been to conduct an in-depth study on CPD's current defensive tactics and firearms training based on the Police Executive Research Forum's (PERF's) report on Re-engineering Police Training. The work of that committee is in progress and will be ongoing.

Lastly, information related to the new RMS project has been presented numerous times to City Council at open public meetings that provide opportunity for public comment and feedback. Each step of the purchase of this system has gone through Council and as a result, received public review. The new RMS will include a Police-to-Citizen ("P2C") module, which will allow citizens easier access to information, such as filing and obtaining copies of reports and contacting officers with follow-up information and questions.

Gaps/Areas for Improvement

Although the CPRB serves in an advisory role for policy and procedure implementation, their role has been somewhat limited. Their review of policies has been done on a case-by-case basis, usually when a concern or issue has arisen. To date, there is no set process for them or other citizens to routinely review police policies and procedures.

In 2012 CPD contracted with Lexipol, a nationally-recognized provider of law enforcement and risk management policies, to create and customize a policy manual for the department. Due to copyright laws that protect Lexipol's material, the department has not published the CPD policy manual online.

Budget Implications

There are no budgetary implications.

Action Item

Law enforcement agencies should adopt the use of new technologies that will help them better serve people with special needs or disabilities.

Current status

CPD employs several methods for communicating with people who have special needs or disabilities. These options range from in-person translation to a new technology that will help officers better communicate with those who have hearing impairment. For citizens who speak Spanish and are brought to the police department in the course of an investigation, CPD is usually able to procure the services of in-person translators. For less common languages, officers may be able to access translation services over the phone via a language line or contact the University of Missouri to obtain assistance.

CPD also recently obtained a new communication device called Ubi Duo that allows officers to communicate face-to-face via text with hearing impaired citizens or citizens who are unable to speak for various reasons. This device is comprised of a monitor and two Bluetooth keyboards that can be used to carry on two-way written conversations. The Ubi Duo can be used in the station or taken out in the field. It makes communication more efficient and easier to record for police reports since the written conversation can be saved and printed. CPD was an early adopter of this technology.

Discussions are also underway to put tablets in the hands of officers on the street in the near future. Access to this technology would allow officers to connect those they encounter in the field who are experiencing mental health issues to mental health professionals via Skype, Facetime or similar applications.

Gaps/Areas for Improvement

Although there are some services available to more effectively communicate with citizens with special needs, it became apparent during the interviews for this report that officers and front desk

and line level personnel are not aware of the available options and often do not know the process to use when requesting interpretation services. For instance, officers often contact the front desk to request translation services but front desk personnel say the list of interpreters and interpretation services in the front desk binder is outdated and they have not been provided updated information in the last few years. They mentioned it can be extremely difficult to obtain an interpreter for officers in the field, especially after hours. Front desk personnel also said they are unsure who to contact within the department with questions or concerns about obtaining interpreters or interpretation services.

CPD's Financial Management Specialist confirmed there have been issues with securing consistent, cost-effective interpretation services that fit the department's needs. She said CPD had discussed the possibility of entering into a contract with an interpretation services provider several years ago, but there were concerns by the City's Finance/Purchasing Department at that time about the need for such a contract given CPD's infrequent use of these services. She said the option of a contract had come up because of issues of inconsistency in availability and rates of several of the interpreters CPD has used in the past. She said the department does not currently have a contract with anyone to provide interpretation services and the issue had not been brought up or discussed in several years. She agreed the department needs to better define and streamline the process for obtaining interpreters for employees in the field and convey the updated process to front desk and line-level employees.

Budget Implications

It is possible that providing consistent access to a wide range of translators could have a budgetary impact, as CPD has had to curtail some services it uses in the past due to cost. Translation services that are dependable, high-quality, court-approved, and available 24 hours a day are not inexpensive. The true budgetary impact cannot be determined at this time without a bid process.

Action Item

Law enforcement agencies should review and consider the Bureau of Justice Assistance's (BJA) Body Worn Camera Toolkit to assist in implementing BWCs.

Current status

CPD was the first police department in Missouri to equip all officers in a patrol function with Body Worn Cameras (BWCs) in 2014. This process was started well before recent events that led many departments to obtain them over the last year and before the BJA's BWC Toolkit was released in May 2015.

Given the nature of the technology and the sensitivity of the footage that is captured on BWCs, CPD took measures to solicit input from the public via the CPRB as the program was being implemented. This included providing a presentation to the board and providing them with the draft policy for review.

Although the state legislature discussed the issue of body worn camera footage as it relates to citizens' personal privacy expectations in the last legislative session, no laws were passed that applied to the handling of this footage under current open records laws. CPD is keenly aware of community members' privacy concerns related to BWC footage. At present time, when CPD receives an open records request for BWC footage, a commander reviews the footage and makes any necessary redactions. The requests for this footage are also reviewed by the City's legal department.

In conjunction with the implementation of the BWC program, CPD purchased the services of Evidence.com, a digital evidence management system compatible not only with the Taser Axon cameras officers are issued, but also other forms of electronic evidence. The system streamlines the process of collecting, transferring, managing, retrieving and sharing digital evidence. Evidence.com is compliant with the national standards of the Criminal Justice Information Services (CJIS) as it includes audit trails, customizable permissions, and authentication protocols.

Gaps/Areas for Improvement

Since CPD was an early adopter of BWC technology, there was much less information available on implementing a BWC program when CPD was going through the process. That said, a cursory review of the BJA Toolkit indicates CPD's program by and large follows the BJA's recommendations. The CPD Accreditation Manager is currently reviewing the toolkit to determine if any changes are needed to bring the CPD program into line with nationwide best practices.

Budget Implications

There are no budgetary implications at this time. The true budgetary impact will be determined once the Toolkit is reviewed in its entirety and potential changes are identified.

Recommendation 3.3

The U.S. Department of Justice should develop best practices that can be adopted by state legislative bodies to govern the acquisition, use, retention, and dissemination of auditory, visual, and biometric data by law enforcement.

Not Applicable to this report.

Recommendation 3.4

Federal, state, local, and tribal legislative bodies should be encouraged to update public record laws.

Not Applicable to this report.

Recommendation 3.5

Law enforcement agencies should adopt model policies and best practices for technologybased community engagement that increases community trust and access. Although there were no action items in this section specific to local law enforcement, there is some information important to note about CPD's use of technology to engage the community and increase trust and access.

CPD recognizes the importance of using technology and social media to engage the community we serve. CPD actively uses several social media platforms to interact with citizens, including Facebook, Twitter, our own Youtube channel, the City Channel and the City's website. All City of Columbia's web access systems are required to be ADA compliant, making them accessible to all citizens.

The increase in media interaction and today's shortened news cycle have necessitated the reallocation of resources to meet the increasing demand for this type of interaction by the community. In the last six years, CPD has gone from having no employees solely dedicated to public communications to having a Public Relations Unit staffed by a Sergeant, an Officer, a full-time civilian employee, and one part-time civilian employee. Hiring of an additional part-time civilian employee is currently in process.

Even with the increase in personnel assigned to handle media and public relations needs, the increasing demands appear to be outpacing the resources. The supervisor of the PR Unit is also the department's Accreditation Manager and is also responsible for the review of all of the department's domestic violence reports. The Public Relations Unit currently handles not only media releases, inquiries, and requests, but also many of the public relations event requests, such as requests for group tours of the police department and requests for officer presentations and appearances at community meetings and events. They also help shape the department's image by increasing publicity for positive internal happenings such as promotions, awards, projects, etc. Many of the public relations requests (tours, officer presentations, and public appearances) were previously handled by the now defunct Crime Prevention/Community Services Unit, which was disbanded in 2009 in a department reorganization. The department still receives a significant number of these types of requests. If the PR Unit is unable to handle a request, it is sent to Patrol to determine if an on-duty officer or sergeant can handle the request as call volume allows. The

PR Unit has been working closely with the newly formed COU to bring attention to the COU and their activities and work in the community.

The PR Unit Sergeant says the shortened news cycle and the need to remain fresh and current with the information posted on social media are constant challenges for PR employees. He said there is a need for the department to have an active presence online to keep people engaged and to continually monitor the department's social media outlets to respond to requests, concerns and posts in a timely manner. The PR Unit Sergeant says the unit's current workload poses challenges to his personnel to be able respond to scenes and obtain photos, video footage and information to disseminate to media outlets in real time.

Although the department does have policies that address individual employee use of social media, CPD does not currently have a policy that applies to the department's use of social media as a whole. The Accreditation Manager says he is aware of the need and such a policy will be drafted in the near future. He said the department does have a generic disclaimer on the department Facebook page outlining the criteria the CPD uses in determining what content to remove from the page. Creating and adhering to a department social media policy and publicizing this policy will make citizens more comfortable engaging with CPD and increase the community's trust in us.

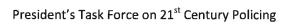
One unanticipated challenge of the department's increased use of social media is the creation of public records by the department that are subject to Missouri's open records laws. This requires the department to maintain and archive these records in compliance with the law, which can be a complex undertaking. For this reason, CPD has recently engaged in discussions with a private company to provide the technical and data storage services needed to maintain these types of records. It will likely cost about \$2,400 per year to obtain the social media archiving services CPD needs.

Maintaining a high level of social media quality and activity and public relations engagement may well have a budgetary impact in the near future as additional staffing and equipment are needed to supplement existing PR resources.

Pillar 4 Community Policing & Crime Reduction

Prepared by Lt. Jason Jones

Community policing requires the active building of positive relationships with members of the community.



Columbia Police Department's Report

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Summary

"Law enforcement's obligation is not only to reduce crime but also to do so fairly while protecting the rights of citizens. Any prevention strategy that unintentionally violates civil rights, compromises police legitimacy, or undermines trust is counterproductive from both ethical and cost-benefit perspectives. Ignoring these considerations can have both financial costs (e.g., lawsuits) and social costs (e.g., loss of public support)." (Final Report of the President's Task Force on 21st Century Policing, Community Policing and Crime Reduction section of Report, 2015.)

It must also be stressed that the absence of crime is not the final goal of law enforcement. Rather, it is the promotion and protection of public safety while respecting the dignity and rights of all. And public safety and well-being cannot be attained without the community's belief that their well-being is at the heart of all law enforcement activities. It is critical to help community members see police as allies rather than as an occupying force and to work in concert with other community stakeholders to create more economically and socially stable neighborhoods."

Pillar four (4), Community Policing and Crime Reduction, contains seven (7) overarching Recommendations, some with numerous "Action Item(s)."

Not surprisingly, the most significant obstacle to the implementation of some of the recommended action items is the current lack of available resources within the police department (patrol staffing).

In 2014, using data from calendar year 2013, the Columbia Police Department's Crime Analyst examined the existing resources on Patrol in an effort to determine how many additional officers we would need for officers to spend one-third of their time responding to calls for service, one-third conducting administrative responsibilities (such as completing paperwork, reports and/or packaging and submitting evidence, etc.), and one-third being proactive (seeking out traffic stops, checking subjects, making proactive citizen contacts, etc.).

Based on the calls for service and the existing resources at the time, the study showed the Department needed an additional 50 officers (described as a "conservative" figure by the crime analyst) to meet this goal.

Recommendation 4.1

Law enforcement agencies should develop and adopt policies and strategies that reinforce the importance of community engagement in managing public safety.

Action Item

Law enforcement agencies should consider adopting preferences for seeking "least harm" resolutions, such as diversion programs or warnings and citations in lieu of arrest for minor infractions.

Response

Historical: Several years ago, in an attempt to better establish communication and outreach to the central city area, which would have fulfilled the intent of this recommendation (making contact with citizens in the area to reinforce the importance of community engagement), the Columbia Police Department assigned two (2) officers to the Beat 20 area with the focus on community outreach. This two-person team would attend various events in the central city area and serve as a more personal extension of the police department to the residents of the area. The two (original) officers have since been promoted to Sergeant and selected for a K-9 position for the department respectively.

Currently: As of July 2014 the Columbia Police Department, recognizing the continued need for community outreach, established the Community Outreach Unit (COU), comprised of two (2) (soon to be six (6)) full-time officers dedicated to "open[ing] lines of communication with the community while rebuilding community partnerships and relationships."

• Among the stated goals of the COU are:

- Listen and act upon the cares and concerns of the community
- Establish a network of community contacts
- Create an environment in which community members are comfortable to communicate with police
- Identify problem areas, people, and situations within the community
- Identify areas in which police meet the needs of these communities and areas in which police do not
- Responsibly enforce the law in these communities to build trust in those who call upon
 us, and
- Make [officers] available in Douglass Park to network and interact with community members

The COU is still in its infancy, but appears to already be having a positive impact.

The cost to adopt policies that reinforce the importance of community engagement in managing public safety is relatively minimal. The recommendation of doing so is reasonable and the perceived benefit to the community could be significant. However, the cost associated with assigning six (6) officers and a Sergeant to this endeavor is significant, and will require a reallocation of resources that are arguably already stretched as thin as can be.

With regard to the Action Items, the 13th Circuit (Boone County) Court does have diversion programs in both adult court (e.g. Drug Court, STOP program for stealing offenses) and in juvenile court to an extent (e.g. Consequence Program, Cognitive Behavior Intervention Programs (from the official website - Thinking for a Change, Why Can't I Stop, Options to Anger), Community Service Work, Restitution, Victim Impact Panel, Family Therapy, Shoplifter's Education).

Additionally, as of 2015, the Columbia Police Department, the Boone County Sheriff's Department, Columbia Public Schools and the 13th Judicial Court (Juvenile Division) entered into a Memorandum of Understanding that allows the Columbia Public School system to handle school-related delinquent acts (referred to in the MOU as "minor school-based offenses") rather

than always referring these types of violations to the Juvenile Office. As further noted in the MOU, "Students may be held accountable for certain offenses without referral to the Juvenile Justice System." The MOU also outlines alternative consequences for referrals to the Juvenile System such as restorative practices, peer mediation, counseling services, etc. that "promote the best interest of the student, school system, law enforcement and the larger community."

Further, regarding cases in the adult court system, there are several examples of the Police Department currently exercising "least harm" resolutions rather than always conducting enforcement actions such as physical/custodial arrests:

Marijuana enforcement - In 2004, the City of Columbia passed an ordinance allowing for the issuance of a summons for a misdemeanor amount of marijuana and/or marijuana paraphernalia in lieu of custodial arrest providing certain criteria are met.

Traffic enforcement - Officers of the Columbia Police Department do have some discretion in certain situations (for example minor traffic offenses) regarding enforcement and are allowed to issue warnings when situationally appropriate.

The Police Department currently has policies in effect that encourage leniency (e.g. policy 464 that addresses the homeless population, which states, "... when encountering a homeless person who has committed a nonviolent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, officers are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals, counseling and summons and release in lieu of physical arrest."

In August 2015 at the direction of the Municipal Court, CPD officers began issuing citations and releasing suspect(s) in a majority of situations involving municipal charges, rather than effecting an arrest and making the suspect(s) post bond.

Recommendation 4.2

Community policing should be infused throughout the culture and organizational structure of law enforcement agencies.

Action Item

Law enforcement agencies should evaluate officers on their efforts to engage members of the community and the partnerships they build. Making this part of the performance evaluation process places an increased value on developing partnerships.

Response

The concept of community policing is a noble one and is believed to benefit the department and the public. Unfortunately, with the current level of police department resources (a problem experienced by many departments across the country, not just exclusive to the Columbia Police Department), the ability to promote true community policing throughout the department is very difficult. Officers on most shifts find themselves going call to call, with little to no time for proactive enforcement and/or community outreach, etc. More time spent on community policing would benefit the community but the current workload almost all but prohibits being able to do so. The cost associated with getting the department up to sufficient staffing levels to allow officers time for true community policing would be significant (likely in the millions of dollars).

The Department recently hired Matrix, a consulting firm that specializes in the assessment of workload and resources. After conducting a study of current schedules and staffing conditions, they proposed schedules believed to maximize the efficiency of current resources and allow for more discretionary (proactive) time. Ideally, this additional time would allow for additional training for all Patrol officers on the topic of incorporating the ideas and concepts of community policing into their workdays. The new Patrol schedule will go into effect near the end of February 2016.

With regards to the Action Item, one of the competencies on which officers of the Columbia Police Department are currently evaluated is "Service". The description of the competency reads as follows, "Supports the City's Vision, Mission and Values in all job-related activities, represents the City in a positive manner, and exhibits an understanding of community values, priorities and expectations. Serves all internal and external customers with patience and tact, and can be depended on to provide the best possible service to all."

The high volume of calls for service and officers' lack of discretionary time (time that would allow for proactive activity) significantly diminishes officers' ability to "engage members of the community" and build partnerships in situations other than a call for service.

The new Community Outreach Unit has included among its goals to establish a network of community contacts. Members of the unit will, presumably, be evaluated on competencies such as this and other similar goals/objectives.

Action Item

Law enforcement agencies should evaluate their patrol deployment practices to allow sufficient time for patrol officers to participate in problem solving and community engagement activities.

Response

As stated earlier, the Department recently hired a consulting firm (Matrix) to complete an assessment of workload and resources. They proposed schedules they believe would maximize resources and allow for more discretionary (proactive) time. The Department decided to implement a slightly modified version of two (2) of the proposed schedules which met roughly the same efficiency, and will hopefully allow sufficient time for patrol officers to participate in more problem solving and community engagement activities.

As noted previously, the 2014 staffing study indicated the Columbia Police Department is approximately 50 officers short of the number necessary to allow for one-third of officers' time to be spent on proactive work and engaging in problem solving/community engagement

activities. Hopefully the change to patrol deployment will have the desired effect and increase discretionary time for officers.

Officers are currently assigned Problem Oriented Policing (POP) projects on occasion to complete as time permits. This allows officers to participate in problem solving and community engagement activities, however, as stated above, POP projects do not occur as often as anyone would like because of the current volume of calls for service.

Action Item

The U.S. Department of Justice and other public and private entities should support research into the factors that have led to dramatic successes in crime reduction in some communities through the infusion of non-discriminatory policing and to determine replicable factors that could be used to guide law enforcement agencies in other communities.

Response

When a police department learns of a specific policing method that results in dramatic crime reduction, they should review those practices to determine if any of those factors can be replicated in their respective law enforcement agencies and communities.

As an example, CPD is looking into the No Violence Alliance (NOVA) program that exists in Kansas City, Missouri to attempt to determine if a similar program in Columbia could have similar results.

The NOVA program "draws upon the strengths of multiple resources of the community, the faith-based community, law enforcement and social services, working together towards a common goal; to interrupt the cycle of violence" (KC NOVA Program pamphlet).

The program is a partnership/collaboration between the Kansas City, Missouri Police Department, the Jackson County Prosecuting Attorney's Office, the United States Attorney's Office, Probation and Parole, the Federal Bureau of Investigation (FBI), Bureau of Alcohol Tobacco Firearms and Explosives (ATF) and the community (including the University of

Missouri - Kansas City, Mothers in Charge, neighborhood and faith leaders). It utilizes "new police intelligence methods to pinpoint the small number of persons who are likely to be a victim or perpetrator of violence." The NOVA program is similar to the Project Longevity Program in Connecticut and the Boston Ceasefire Program. It has reportedly had a significant impact on violent crime and homicide rates.

Recommendation 4.3

Law enforcement agencies should engage in multidisciplinary, community team approaches for planning, implementing, and responding to crisis situations with complex causal factors.

Action Item

The U.S. Department of Justice should collaborate with others to develop and disseminate baseline models of this crisis intervention team approach that can be adapted to local contexts.

Response

The Columbia Police Department utilizes the National Incident Management System (NIMS), which, according to the Federal Emergency Management Agency (FEMA) website "... is a systematic, proactive approach to guide departments and agencies at all levels of government, nongovernmental organizations, and the private sector to work together seamlessly and manage incidents involving all threats and hazards—regardless of cause, size, location, or complexity—in order to reduce loss of life, property and harm to the environment. The NIMS is the essential foundation to the National Preparedness System (NPS) and provides the template for the management of incidents and operations in support of all five National Planning Frameworks."

There are times (such as recent happenings following events of civil unrest) when it's believed some degree of community involvement could play significantly into the success of the response. The logistics of such an endeavor (the formation of a community group that aides in the handling of similar situations) could be explored by the Community Outreach Unit.

Although this Action Item is a recommendation for the Department of Justice (DOJ), the Columbia Police Department does currently have a Crisis Intervention Team (CIT) program. Approximately 35 percent of current Columbia Police Department officers have successfully completed the CIT training program.

Action Item

Communities should look to involve peer support counselors as part of multidisciplinary teams when appropriate. Persons who have experienced the same trauma can provide both insight to the first responders and immediate support to individuals in crisis.

Response

Although this is a "Community" recommended Action Item, the Columbia Police Department has established its own peer support program, but it is in its infancy. Officers have been through one (1) training event, and some officers will attend the Concerns of Police Survivors (COPS) National Conference on Law Enforcement Wellness and Trauma in Texas in November.

In speaking with Assistant Chief J. Gordon about the CPD program, he said he currently sees the program as an opportunity to help individual officers with issues they are experiencing, as well as multiple officers (squads and/or even more significant numbers of officers) affected by a more significant event (such as an officer involved shooting).

The goal is to have the CPD peer support program operational by October 2016.

Action Item

Communities should be encouraged to evaluate the efficacy of these crisis intervention team approaches and hold agency leaders accountable for outcomes.

Response:

This is a "Community" recommended Action Item.

With regards to the CPD CIT program, there is currently no established way of truly evaluating the efficacy of the CPD's Crisis Intervention Team (CIT). According to Lt. Barb Buck, the former commander over CPD's CIT, officers average approximately 20-25 CIT reports per month. There are an additional 35 to 40 non-criminal mental health-related reports completed per month - some by CIT officers and some by officers without the CIT training. CPD averaged over 400 96-hour commitments in 2014, in which officers took custody of a person who was a danger to themselves or someone else and conveyed that person to a mental health treatment facility.

Recommendation 4.4

Communities should support a culture and practice of policing that reflects the values of protection and promotion of the dignity of all, especially the most vulnerable.

Action Item

Because offensive or harsh language can escalate a minor situation, law enforcement agencies should underscore the importance of language used and adopt policies directing officers to speak to individuals with respect.

Response

Columbia Police Department policy 340, Code of Conduct, addresses the code of conduct to which officers are expected to adhere. Section 340.3.3 outlines that "employees engaging in (4) use of derogatory language while on-duty or in uniform, (5) inappropriate use of obscene or profane language while on-duty or in uniform, (20) discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the City are subject to discipline."

Currently, most members of the Police Department's Command Staff and supervisors have attended training called Procedural Justice for Law Enforcement Agencies. The training was conducted by the Center for Public Safety and Justice of the University of Illinois in partnership

with the national office of Community Oriented Policing Services (COPS). The intent is for all CPD employees to receive the training in the future.

From the reading material presented in the class, "Procedural justice refers to the principles of fairness and the transparency of the process by which decisions are made. Procedural justice is the fulcrum on which police legitimacy balances."

Procedural justice has four (4) pillars:

- Fairness and consistency of rule application
- Voice and representation in the process
- Transparency and openness of process, and
- Impartiality and unbiased decision-making

It is believed training the remainder of the department will be beneficial to both the department and the community.

Action Item

Law enforcement agencies should develop programs that create opportunities for patrol officers to regularly interact with neighborhood residents, faith leaders, and business leaders.

Response

Several years ago the Columbia Police Department had a Community Action Team (CAT) that furthered some of these goals, however, as a result of the lack of adequate staffing, the department had to shift its focus back to the basics of law enforcement, putting available resources primarily into general patrol and investigative capacities.

As stated before, in 2012 CPD assigned two (2) officers to the Beat 20 area with a focus on community outreach in an attempt to better establish communication and outreach with people in the central city area. This two-person team attended various events in the central city area and served as a more personal extension of the police department to residents of the area. These two

officers have since been promoted to Sergeant and/or selected for a K-9 position for the department.

In July 2014 CPD recognized the unmet need for community outreach and established the Community Outreach Unit (COU), comprised of two (2) (soon to be six (6) full-time officers dedicated to "open[ing] lines of communication with the community while rebuilding community partnerships and relationships."

Among the stated goals of the COU are:

- Listening and acting upon the cares and concerns of the community
- Establishing a network of community contacts
- Creating an environment in which community members are comfortable to communicate with police
- Identifying problem areas, people, and situations within the community
- Identifying areas in which police meet the needs of these communities and areas in which police do not
- Responsibly enforcing the law in these communities to build trust in those who call upon us, and
- Making [officers] available in Douglass Park to network and interact with community members

Unfortunately, as stated in earlier sections, until CPD reaches staffing levels more conducive to such activities, having sufficient time for all patrol officers to be able to make these types of connections with the community will be difficult.

Additionally, CPD's collaboration with the Kansas City Police Department and the United States Attorney's Office to start a program similar to the KC NOVA (No Violence Alliance) program is a step in this direction. The NOVA program "draws upon the strengths of multiple resources of the community, the faith-based community, law enforcement and social services, working together towards a common goal; to interrupt the cycle of violence" (KC NOVA Program

pamphlet). It is believed the implementation of a program similar to this in the Columbia area could yield positive results.

Recommendation 4.5

Community policing emphasizes working with neighborhood residents to co-produce public safety. Law enforcement agencies should work with community residents to identify problems and collaborate on implementing solutions that produce meaningful results for the community.

Action Item

Law enforcement agencies should schedule regular forums and meetings where all community members can interact with police and help influence programs and policy.

Response

The Community Outreach Unit will be reaching out to members of the public in ways patrol officers currently cannot due to call volume. Identifying community residents who would be valuable members of such a team could be considered a goal of the Community Outreach Unit. In the relatively recent past, the Columbia Police Department has participated in City of Columbia Ward meetings where citizens of the respective wards could bring concerns to members of different city departments, including police.

Additionally, the Columbia Police Department participates in a monthly "Coffee with a Cop" program (March through October) so citizens can come speak to officers and discuss matters of concern.

With regard to encouraging community members to help influence programs and policy, the City of Columbia established the Citizens Police Review Board in 2009, which holds meetings once per month. Citizens are encouraged to attend CPRB meetings to discuss matters of concern with the Board.

Among its other duties, the CPRB "hosts public meetings and educational programs for Columbia residents and police officers, reviews and makes recommendations on police policies, procedures and training, and prepares and submits annual reports that analyze citizen and police complaints to the City Council."

The CPRB "meet[s] semi-annually with the chief of police to discuss issues of concern and to recommend ways that the police can improve their relationship with citizens. The board may also make recommendations regarding policies, rules, hiring, training and the complaint process."

Action Item

Law enforcement agencies should engage youth and communities in joint training with law enforcement, citizen academies, ride-alongs, problem solving teams, community action teams, and quality of life teams.

Response

The Columbia Police Department has held a Citizens Academy in the past and currently holds an annual Youth Academy so Columbia youth can interact positively with police officers and learn various aspects of policing.

Additionally, CPD has a ride-along program where citizens can go on a ride-along with an officer for several hours of the officer's shift.

CPD also has a police Explorer Program, which "offers young adults 14-20 years of age considering a career in law enforcement or a related field in the criminal justice system a personal awareness of the criminal justice system through training, practical experiences, competition, and other activities."

The Explorer program is "based on the following five areas of emphasis: Career Opportunities, Life Skills, Citizenship, Character Education, and Leadership Experience. Law Enforcement Exploring fulfills all of these areas of emphasis in its mission to offer Explorers interested in a career in law enforcement the opportunity to:

- Gain exposure to various criminal justice careers and to have positive interaction with law enforcement professionals. [Career Opportunities]
- Obtain "hands-on" experience and awareness of the criminal justice system, thereby helping Explorers to make an informed decision on a career in law enforcement or a related field. [Career Opportunities]
- Receive comprehensive career focused training that in many cases qualifies for academic credit (i.e. career education credit). [Career Opportunities]
- Benefit from interpersonal growth through self-discipline, teamwork, challenging experiences, and high standards of performance and personal conduct.
 [Citizenship, Character Education]
- Enhance character development and improve physical and mental fitness. [Character Education, Life Skills]
- Learn responsibility to self and others through leadership. [Leadership Experience]
- Serve their community by assisting their sponsoring agency in a supplementary law enforcement and liaison capacity. [Citizenship]"

The Columbia Police Department is also looking into doing something similar to the Dallas, TX Police Department's "Let's Talk" program where officers meet with school-aged youth and discuss the appropriate way to interact with officers should they encounter them. This program also seeks out the voices of the youth to see if they have any input on how they (the police) can improve their interactions with the community.

Action Item

Law enforcement agencies should establish formal community/citizen advisory committees to assist in developing crime prevention strategies and agency policies as well as provide input on policing issues.

Response:

As stated in a previous response, the City of Columbia established the Citizens Police Review Board in 2009, which holds meetings once per month. Citizens are encouraged to attend CPRB meetings to discuss matters of concern with the Board.

Among its other duties, the CPRB "hosts public meetings and educational programs for Columbia residents and police officers, reviews and makes recommendations on police policies, procedures and training, and prepares and submits annual reports that analyze citizen and police complaints to the City Council."

The CPRB "meet[s] semi-annually with the chief of police to discuss issues of concern and to recommend ways that the police can improve their relationship with citizens. The board may also make recommendations regarding policies, rules, hiring, training and the complaint process."

Action Item

Law enforcement agencies should adopt community policing strategies that support and work in concert with economic development efforts within communities.

Response

As stated in earlier sections/responses, the Columbia Police Department is bolstering the Community Outreach Unit in the hopes of better accomplishing the stated goals. In December 2015 as part of the current strategic plan, the City of Columbia identified three geographical areas that could most benefit from increased attention and an influx of city resources and assistance. The COU will operate primarily in these areas, and will focus on helping solve community problems by using methods and resources not contained to traditional law enforcement.

Recommendation 4.6

Communities should adopt policies and programs that address the needs of children and youth most at risk for crime or violence and reduce aggressive law enforcement tactics that stigmatize youth and marginalize their participation in schools and communities.

Action Item

Education and criminal justice agencies at all levels of government should work together to reform policies and procedures that push children into the juvenile justice system.

Response

The Memorandum of Understanding entered into by the Columbia Public Schools, City of Columbia Police Department, Boone County Sheriff's Department and the 13th Judicial Circuit Court - Juvenile Division, does just that. Alternatives to arrest and placement into the Juvenile Justice System have been outlined, and, as stated previously, "[t]he Parties agree that students may be held accountable for certain offenses without referral to the juvenile justice system" and, further, "the Parties agree that a cooperative agreement delineating the responsibilities of each party involved in making decisions regarding juvenile referrals and alternative consequences (such as restorative practices, peer mediation, counseling services, etc.) would promote the best interest of the student, the School System, law enforcement and the larger community."

Action Item

In order to keep youth in school and to keep them from engaging in criminal and violent behavior, law enforcement agencies should work with schools to encourage the creation of alternatives to student suspensions and expulsion through restorative justice, diversion, counseling, and family interventions.

Response:

See above response for alternative consequences/options available to law enforcement and the School System.

Alternatives to suspensions/expulsions have been identified (while still an option should a particular set of circumstances warrant it).

The MOU notes in one section, "The School System may use the most appropriate resources available to the Parties hereto in order to address the report(s) and services needed. Such resources may include but are not limited to: monthly meeting with parents and home school coordinator and/or school representative, counseling at school, behavior plans, home visits, office visits, referral and participation in Interagency Meetings, mediation, attendance contracts and suspension.

Action Item

Law enforcement agencies should work with schools to encourage the use of alternative strategies that involve youth in decision making, such as restorative justice, youth courts, and peer interventions.

See response to above Action Item.

Action Item

Law enforcement agencies should work with schools to adopt an instructional approach to discipline that uses interventions or disciplinary consequences to help students develop new behavior skills and positive strategies to avoid conflict, redirect energy, and refocus on learning.

Response

As has been discussed in previous sections, there is a system currently in place (as set forth by the MOU between the Columbia Public School System, the Columbia Police Department, the Boone County Sheriff's Department, and the 13th Judicial Circuit Court - Juvenile Division) that utilizes measures other than law enforcement involvement and/or introduction into the juvenile justice system for certain offenses (listed in the MOU). These measures can include: monthly meetings with parents and home school coordinator and/or school representative, counseling at school, behavior plans, home visits, office visits, referral and participation in Interagency Meetings, mediation, attendance contracts and suspension.

Action Item

Law enforcement agencies should work with schools to develop and monitor school discipline policies with input and collaboration from school personnel, students, families, and community members. These policies should prohibit the use of corporal punishment and electronic control devices.

Response

The Columbia Public School system does not permit the use of corporal punishment or electronic control devices.

The Columbia Police Department, particularly in schools where School Resource Officers are assigned, is allowed to participate in discussions about discipline.

Action Item

Law enforcement agencies should work with schools to create a continuum of developmentally appropriate and proportional consequences for addressing ongoing and escalating student misbehavior after all appropriate interventions have been attempted.

Response

As stated before there is an MOU currently in place between the school system, area law enforcement agencies and the 13th Judicial Circuit Court - Juvenile Division.

The MOU outlines specific, relatively minor violations (e.g. 3rd Degree Assault, status offenses, Peace Disturbance, Private Peace Disturbance, Trespass, Misdemeanor Stealing and/or Receiving Stolen Property and Property Damage) that, short of specific facts of the crime(s) warranting it, multiple reports/instances of the offenses, or the juvenile currently being under the court's supervision, will not necessarily result in law enforcement involvement. Several alternatives have been identified (as outlined in the Response to Action Item 4.6.4).

Should additional reports/incidents occur, different options are available, such as mediation, suspension or referral to the Children's' Division for possible family-centered services.

The MOU outlines that a report should be made to law enforcement and/or the Juvenile Office should four (4) or more reports be made in the same school year for these offenses.

The Columbia Public School system also has a disciplinary matrix in place to use as a guideline.

There is also a CPS home and school advocate who reviews the more severe disciplinary cases (5 or more days of suspension). In speaking with school officials, they are looking at transitioning this responsibility to a board/panel in the future as opposed to having one individual conduct the reviews.

Action Item

Law enforcement agencies should work with communities to play a role in programs and procedures to reintegrate juveniles back into their communities as they leave the juvenile justice system.

Response

There are a number of programs the local juvenile justice system has in place to reintegrate juveniles back into their communities upon their release back into their communities. Some are conducted in conjunction with local police agencies and other social services providers. Examples are:

- Shoplifter's Education Program in conjunction with CPD
- It's Your Life Program in conjunction with the MSPD
- Cyber Crimes and Cyberbullying Program in conjunction with the BCSD
- Tobacco Education Program in conjunction with the Columbia/Boone County Health Department
- Sexual Education Program in conjunction with the Columbia/Boone County Health Department
- Parachute Program in conjunction with Pathways providing mental health and substance abuse treatment for at-risk youth
- Consequence Program typically for first time or low level offenders to educate youth and parents about the consequences of continued involvement with the Juvenile Office
- Savvy Sisters gender specific program for teenage girls to discuss specific issues they face
- Inpatient and outpatient substance abuse treatment.
- GED and work skills programs in conjunction with Job Point for older youth
- Mental health treatment

Action Item

Law enforcement agencies and schools should establish memoranda of agreement for the placement of School Resource Officers that limit police involvement in student discipline.

Response

As previously discussed, there is currently an MOU between the Columbia Public Schools and the Columbia Police Department, the Boone County Sheriff's Department, and the 13th Judicial Circuit Court - Juvenile Division that limits police involvement in school discipline. The City of Columbia and CPS also enter into a yearly contract not only outlining the financial agreement in placing SROs in schools, but also outlining officers' roles and responsibilities. This contract is reviewed by both parties each year to ensure it is kept up to date.

Action Item

The Federal Government should assess and evaluate zero tolerance strategies and examine the role of reasonable discretion when dealing with adolescents in consideration of their stages of maturation or development.

Response

This is a recommendation for the Federal Government.

Recommendation 4.7

Communities need to affirm and recognize the voices of youth in community decision making, facilitate youth-led research and problem solving, and develop and fund youth leadership training and life skills through positive youth/police collaboration and interactions.

Action Item

Communities and law enforcement agencies should restore and build trust between youth and police by creating programs and projects for positive, consistent, and persistent interaction between youth and police.

Response

The Columbia Police Department has School Resource Officers in all local high schools, an arrangement that allows for "consistent" and "persistent" interaction between youth and police.

As stated in a previous response, the Columbia Police Department currently operates a Youth Academy that allows for positive interactions between youth and the police.

Additionally, as stated before, CPD participates in the police Explorer program for youth 14-20 years of age.

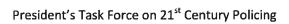
Last, as stated before, CPD is currently exploring the possibility of implementing a program similar to the "Let's Talk" program in Dallas that would allow for dialogue between community youth and law enforcement.

Action Item

Communities should develop community and school-based evidence-based programs that mitigate punitive and authoritarian solutions to teen problems.

Response

This is a community recommendation; however, it is believed the alternative school-based programs will mitigate punitive and authoritarian solutions to teen problems.



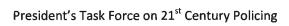
Columbia Police Department's Report

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Pillar 5 Training & Education

Prepared by Lt. Eric Hughes

Hiring officers who reflect the community they serve is important not only to external relations but also to increasing understanding within the agency.



Columbia Police Department's Report

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Overview:

Pillar Five identifies a wide variety of challenges police officers are facing on a daily basis across the nation and in our community: terrorism, rapid changes in technology, fast-paced changes in the societal expectations of their police, and ever-changing laws and expectations.

The Presidential report emphasizes the need for new training curricula for academy recruits and veteran police officers and especially recognizes the need for more interpersonal communications training, increased bias awareness, procedural justice and impartial policing, training on mental health issues, as well as analytical research practices and emerging technology. The report also includes the need for better recruitment, hiring, evaluation, and training and promotion processes with the goal being to develop a highly-educated police agency that can better engage with their community. As a department, it will be important for us to hire police officers that reflect the community they work in and is based on educational achievements and social skills. It is important that we focus on finding officers with character traits that support fairness, compassion, cultural sensitivity, and that respect all members of the community.

Pillar Five recommends standardizing training of law enforcement officers and calls for ongoing and improved training for leadership in all ranks of the department. It further calls for the establishment of postgraduate courses for law enforcement leaders. In theory, the concept of these ideals are on target for creating outstanding police departments, however, the reality of the astronomical costs associated with full implementation make achieving this pillar difficult and a long process at best without significant commitments from policy makers and City leaders to fund this Pillar without making fiscal cuts to other important aspects of a full-service police department. Our department can do its part in this process by applying for any and all grant funds that bring funding to the department for community outreach, training, and equipment. Receiving grant funding for some of our basic police services will assist to free up fiscal funding to increase our training opportunities. This cannot be implemented properly for our community without first understanding the community we serve. It is imperative that we, as a City and a Department, take the time to examine the root causes of some of the issues we face in our

community. As a City, we need to address poverty, education, health, and safety through community-based initiatives so that we can implement a comprehensive, community-based education program that educates officers, City leaders, and police executives.

General response:

The Columbia Police Department is committed to creating an environment that cultivates a procedurally just atmosphere both out in the community and within the department. Education and training is an important aspect of achieving that goal. According to a 2003 Bureau of Justice Statistics study, 83% of all U.S. police departments require a high school diploma, but only 8% require a 4-year college degree. But another study, by 2010 Police Quarterly, revealed that officers with some college education are less likely to resort to force (56% of the time) than those who have never attended college (68% of the time). The Columbia Police Department is already ahead of most other departments in that we, until recently, had a Four-Year Degree requirement. Even with reducing our entry requirement to 60-hours of college education and/or equivalent military experience, we are ahead of other departments who merely require a high school diploma.

In addition to entry level requirements being higher than average, our Training and Recruitment Unit has the track record of staying current with training methods, curriculum, and philosophies of education that are comprehensive and community-based. The Columbia Police Department is already engaged in changes to our internal recruit training practices and philosophies. We have recently conducted a complete overhaul of our recruit training procedures moving from a traditional Field Training Officer model that involved too many phases and too many different training officers, to a streamlined Police Training Officer program that better focuses on ethical decision making, legitimacy, and community engagement. This is accomplished by a more uniformed training process, including the Procedural Justice training that all of our supervisory level officers recently attended. Our training and recruitment team is also already engaged in tailoring our training programs to meet the new requirements by our Peace Officer Standards and Training Division of the Department of Public Safety.

The new requirements by Missouri POST changes the 48 hours of training over a 3-year period to a more stringent 24 hour per year requirement for all police officers. This, by nature, will improve police officer education and training within our department. In addition, the new requirement must implement the following topics for two hours of training:

- Officer Well Being including mental health awareness.
- Fair and Impartial Policing practices including implicit Bias Recognition.
- Tactical training to include de-escalation techniques and crisis management, critical thinking, and social intelligence.
- Legal Studies
- Technical Studies
- Interpersonal
- Fire Arms/Skills

These changes in POST requirements and our quick implementation of these changes are crucial to the foundation for developing, improving, and facilitating best-practices for police training, for establishing more accountability, and enhancing professionalism.

Enhancing policing in Columbia requires a comprehensive approach that utilizes City, State, and Federal resources and opportunities. As we examine the recommendations and action items of Pillar 5 below it is important to note that some of the recommendations of the President's Task Force can be best achieved at other points in the community and do not necessarily rest with the Columbia Police Department. I will however, address each recommendation and accompanying action items.

Recommendation 5.1

The Federal Government should support the development of partnerships with training facilities across the country to promote consistent standards for high quality training and establish training innovation hubs.

Action Item

The training innovation hubs should develop replicable model programs that use adult-based learning and scenario-based training in a training environment modeled less like boot camp. Through these programs the hubs would influence nationwide curricula, as well as instructional methodology.

CPD Current Practice

The CPD TRU utilizes methods that replicate calls that occur in the field and implements some scenario-based training modules. Firearms training and Response to Resistance training is very scenario-based and mimics real-life examples.

Improvement

Expand scenario-based training to include cultural issues, extreme discrimination, sexual harassment, and assault issues. Implementation of role-play training will assist with this.

Cost

Change in cost will be minimal as it involves academic changes in procedure and does not necessarily require the purchase of new equipment.

Reasonableness

It would be reasonable to implement this style of education and training as it covers multiply learning styles and the adult learner.

Action Item

The training innovation hubs should establish partnerships with academic institutions to develop rigorous training practices, evaluation, and the development of curricula based on evidence-based practices.

CPD Current Practice

CPD has a partnership with our local academy and is in the process of evaluating other academies to seek the best training for our officers. Several of our police officers assist in teaching our officers both internally and in partnership with LETI.

Improvement

Continue to seek out dialogue with Academy executives and ensure that we, as an agency, are keeping training for our recruits and officers a priority. In addition, we must continue to focus on training as a priority and maximize our training time with innovative practices that are based on research. We should capitalize on having a Research University in our jurisdiction and develop a stronger partnership with the University of Missouri at both the Department and City levels.

Cost

There is little cost in forging relationships and building partnership.

Reasonableness

It would be reasonable to develop partnerships with our Academies and Universities to improve upon the training we are currently doing and to focus on evidence based research as a guide for future training.

Action Item

The Department of Justice should build a stronger relationship with the International Association of Directors of Law Enforcement (IADLEST) in order to leverage their network with state boards and commissions of Peace Officer Standards and Training (POST).

NOT APPLICABLE as this is handled at the Federal level.

Recommendation 5.2:

Law enforcement agencies should engage community members in the training process.

As stated in the Recommendation, it is essential that police training remain transparent and open for review by the community. Not only would it allow the community to see the demands placed on our law enforcement officers, it would provide an opportunity for community members to be a part of the training process by having the opportunity to shape some of the training content and delivery.

CPD Current Practice

CPD has traditionally allowed media and other civilian community members in to limited training classes we are hosting or conducting internally.

Improvement

Expand our training philosophy to allow for more opportunities to engage our officers and the community by seeking some training from outside local resources such as professors, community leaders, and successful private business leaders. On occasion we have asked local successful business leaders to train/speak to our executive leaders as well as Sergeants. I believe we should expand this practice to include all levels within the department.

Utilize both our department PIO's and the City media specialists to regularly attend, video, and release articles and videos of our training methods, scenarios, practices, and goals. This will allow the public the opportunity to learn about the existing training in our department in a method that is transparent without them having to ask for the information. This would need to include some method for the public to provide feedback on the training...either via surveys or feedback directly to the department. I would recommend against open comments everyone can read though.

Return to conducting a Citizen's Academy where we allow community members to experience some of our training opportunities. It is imperative that the implementation of this style of class includes increasing the academy enrollment and numbers of participants allowed in the class at a time.

Provide training to our officers, officers of other jurisdictions, and community members that focuses on Cultural Awareness and Bias. This could include partnering with local businesses that also wish to improve the knowledge base of their employees. This would require partnering with community members and increasing the educational goals of our TRU to include educating the public and civilians.

Cost:

Cost could be moderate to very expensive, however, much can be mitigated through partnering with local businesses to assist in funding the training for our employees as well as theirs. This would be in-line with the community members and police being engaged in meaningful training together. This type of activity would require expansion of the TRU.

Reasonableness

This recommendation is highly reasonable and crucial to the transparency required in today's law enforcement interactions with the community. It is imperative that we create an ongoing dialogue with the community that is felt throughout the department and the community.

Action Item

The U.S. Department of Justice should conduct research to develop and disseminate a toolkit on how law enforcement agencies and training programs can integrate community members into this training process.

This action item would directly benefit CPD as we would not have to create the methods, however, no further action is required by CPD on this particular item.

Recommendation 5.3

Law enforcement agencies should provide leadership training to all personnel throughout their careers.

Standards and programs need to be established for every level of leadership from the first line to middle management to executive leadership. If there is good leadership and procedural justice within the agency, the officers are more likely to behave according to those standards in the community.

CPD Current Practice

CPD sends Sergeants and those aspiring to be Sergeants to leadership courses such as First Line Supervisor School when budgets allow. Lieutenants and above can attend leadership courses at the upper level such as PERF, however, budgetary funds are not high enough to get everyone trained in a timely manner as Lieutenants have been denied training due to funding during the past 3 years. There is no consistent method or group of classes that all ranks go through that are equivalent with their rank or job. In addition, there is no leadership preparation courses provided to employees at the police officer level. CPD focuses on succession planning activities, however, this is task oriented and not leadership focused.

Improvement

Although the theory of getting all leadership to training is in-line with the recommendation, the implementation is lacking consistency and formalization.

Increase funding to leadership training and increase standardization of training requirements for all ranks within the department and a timeline to achieve those training requirements.

Implement a training timeline for all ranks within the department. A timeline would ensure that the department must provide training to all leaders within the department in a timely manner to increase their opportunities for success.

Develop internal training courses that teach officers to lead through coaching, mentorship, and employee improvement rather than by force. Police leadership methods are changing and departments have to have leaders that are focused on leading people groups, change, and organizations while focusing on every officer as a leader with decision ability and backing.

Cost

Significant. This would require a significant training budget increase that needs to be implemented sooner rather than later. Leadership training for executive police leaders is expensive and requires a vast amount of time away from the department. I would recommend all Lieutenants and executive leaders be trained by an executive level course within the next two or three years. In addition, I would recommend that all Sergeants be required to attend a leadership course. For future growth, I would recommend that our TRU implement internal training for Sergeants that includes in-house procedures, community issues, and other training recommendations that have been outlined in the Pillars research.

Reasonableness

This is not only reasonable, this is crucial for the future success of our department.

Action Item

Recognizing that strong, capable leadership is required to create cultural transformation, the U.S. Department of Justice should invest in developing learning goals and model curricula/training for each level of leadership.

Action Item for Federal Agency, however, we can develop internal training through our TRU that focuses on organizational procedural justice, community policing, police accountability, teaching, coaching, mentoring, and communicating with the media and the public.

If we provided the training and allowed for proper opportunities for this type of training we could then make these tools mandatory for promotion opportunities.

Action Item

The Federal Government should encourage and support partnerships between law enforcement and academic institutions to support a culture that values ongoing education and the integration of current research into the development of training, policies, and practices.

Action Item for Federal Agency, however, we can develop internal training through our TRU that focuses on expand our training philosophy to allow for more opportunities to engage our officers and the community by seeking some training from outside local resources such as professors, community leaders, and successful private business leaders.

Action Item

The U.S. Department of Justice should support and encourage cross-discipline leadership training.

Action Item for Federal Agency, however, we can develop internal training through our TRU that focuses on expand our training philosophy to allow for more opportunities to engage our officers and the community by seeking some training from outside local resources such as professors, community leaders, and successful private business leaders.

Our police leaders should attend training outside of the law enforcement realm and attend general leadership training and opportunities that exist in the private sector as well.

5.4 Recommendation 5.4

The U.S. Department of Justice should develop, in partnership with institutions of higher education, a national postgraduate institute of policing for senior executives with a standardized curriculum preparing them to lead agencies in the 21st century.

If this comes into existence, we should attend.

Recommendation 5.5

The U.S. Department of Justice should instruct the Federal Bureau of Investigation to modify the curriculum of the National Academy at Quantico to include prominent coverage of the topical areas addressed in this report. In addition, the COPS Office and the Office of Justice Programs should work with law enforcement professional organizations to encourage modification of their curricula in a similar fashion.

This was addressed in several of the recommendations above. Our TRU should expand the training courses offered and the knowledge base of our internal instructors to include those topics recommended in the Task Force report. This would require the expansion of the TRU and more funding for training.

Recommendation 5.6

<u>POSTs should make Crisis Intervention Training (CIT) a part of both basic recruit and inservice officer training.</u>

CPD Current Practice

We currently allow officers to attend CIT training and we, as a department, are an active participant in the CIT process.

We have a CIT process in place that includes special reporting, working with a Mental Health Liaison to assist community members that can benefit by their assistance, as well as internal structures that are based on best practices.

Improvement

Mandate officers attend basic CIT training and provide bi-yearly training on a CIT topic of training. This could be accomplished through in-house training by our TRU or by use of internet/on-line training.

Cost

Minimal as CIT training is offered free through cooperation with our community experts on these subject matters. This is one of the areas in which we excel by already meeting the recommendations of partnering with community leaders and educators.

Action Item

Because of the importance of this issue, Congress should appropriate funds to help support law enforcement crisis intervention training.

We are accomplishing this currently and can improve by mandating officers attend basic CIT.

Recommendation 5.7

POSTs should ensure that basic officer training includes lessons to improve social interaction as well as tactical skills.

CPD Current Practice

CPD has already begun this process by sending officers to de-escalation training so that we may develop our own in-house training system on de-escalation. This training includes topics such as social intelligence, implicit bias, fair and impartial policing and other topics that help build trust and legitimacy in our community.

Improvement

Recommendation is that we continue to expand on this starting block. In addition, officers should receive training on the history of our community so that they can understand our community better.

Cost:

Minimal as this can be accomplished in-house.

Recommendation 5.8

POSTs should ensure that basic recruit and in-service officer training include curriculum on the disease of addiction.

This can be best accomplished through training of new recruits at the academy. In-house training of our experienced officers can be in the form of an in-service training block. This, however, will need to be changed at the state and federal levels as far as changing drug possession laws more than just police practices. Currently, drug courts have been statistically shown to have a positive effect on recidivism rates of drug offenders, however, that requires the arrest and initial action of a police officer on the street which is in contradiction with this report. This will have to be sorted out at the state and federal levels as well as local judicial divisions.

Recommendation 5.9

POSTs should ensure both basic recruit and in-service training incorporates content around recognizing and confronting implicit bias and cultural responsiveness.

New training requirements by Missouri POST will require that officers attend this type of training. CPD has historically trained its officers in this topic.

Action Item

Law enforcement agencies should implement ongoing, top down training for all officers in cultural diversity and related topics that can build trust and legitimacy in diverse communities. This should be accomplished with the assistance of advocacy groups that represent the viewpoints of communities that have traditionally had adversarial relationships with law enforcement.

CPD currently trains in these topics and Missouri POST will now require this type of training. We can reach out to our local advocacy groups to assist with the training as well.

Action Item

Law enforcement agencies should implement training for officers that covers policies for interactions with the LGBTQ population, including issues such as determining gender identity for arrest placement, the Muslim, Arab, and South Asian communities, and immigrant or non-English speaking groups, as well as reinforcing policies for the prevention of sexual misconduct and harassment.

CPD has historically provided training on these topics as well. It has been our practice as well as the practice of LETI (our local academy) to reach out to various communities such as the Muslim community as well as the various other groups of individuals.

To improve, we need to ensure that our officers are provided training on all of the various groups that we have in Columbia. Our department as well as our community already has a higher understanding of diversity than other police departments due to the fact that we have several colleges and universities which, by nature, create a more diverse community.

Recommendation 5.10

<u>POSTs should require both basic recruit and in-service training on policing in a democratic society.</u>

CPD already trains on the topics provided in this recommendation, such as ensuring that Terry stops are conducted within constitutional guidelines. In addition, our policies mandate that officers adhere to constitutional guidelines and requirements. In addition, officers are trained in the proper response to resistance techniques that adhere to the constitutional requirements at both the State and Federal levels.

5.11 Recommendation

The Federal Government, as well as state and local agencies, should encourage and incentivize higher education for law enforcement officers.

CPD Current Practice:

CPD already does this through the City tuition reimbursement program.

Improvement:

Increase the incentive for attending higher education through better raises and perks provided to police employees who increase their education levels.

Cost

Moderate to significant depending on participation of officers and incentives offered.

Reasonableness

I believe this is a reasonable recommendation as many people do not enter and/or stay in the field due to lack of incentive for education and training. Entities that invest in their employees will achieve better growth, more employee, engagement, and better job satisfaction of their employees.

Action Item

The Federal Government should create a loan repayment and forgiveness incentive program specifically for policing.

See response to Recommendation 5.11.

Recommendation 5.12

The Federal Government should support research into the development of technology that enhances scenario-based training, social interaction skills, and enables the dissemination of interactive distance learning for law enforcement.

This is mainly for Federal level change, however, we can make a local change in relation to this goal as well.

CPD Current Practice:

The CPD TRU utilizes methods that replicate calls that occur in the field and implements some scenario-based training modules. Firearms training and Response to Resistance training is very scenario-based and mimics real-life examples.

Improvement:

Expand scenario-based training to include cultural issues, extreme discrimination, sexual harassment, and assault issues. Implementation of role-play training will assist with this.

Expand the use of body camera footage to include a designation of "Suitable for training" for officers to "Tag" their videos as good training examples. This would allow the TRU to review these videos and incorporate real examples from our local community that officers can learn from.

Conduct Behavior Evaluations as training through the review of body camera videos.

Cost:

Minimal as we already have the technology of body cameras.

Reasonableness

Reasonable recommendation.

Recommendation 5.13

The U.S. Department of Justice should support the development and implementation of improved Field Training Officer programs.

The Columbia Police Department is already engaged in changes to our internal recruit training practices and philosophies. We have recently conducted a complete overhaul of our recruit training procedures moving from a traditional Field Training Officer model that involved too many phases and too many different training officers, to a streamlined Police Training Officer program that better focuses on ethical decision making, legitimacy, and community engagement. This is accomplished by a more uniformed training process, including the Procedural Justice training that all of our line-level officers recently attended.

Action Item

The U.S. Department of Justice should support the development of broad Field Training Program standards and training strategies that address changing police culture and organizational procedural justice issues that agencies can adopt and customize to local needs.

See response to recommendation 5.13.

Conclusion

We are a becoming a nation that demands the respect of diversity, from ethnic and racial diversity to acceptance of diversity in religion, culture, language, gender, sexual orientation, disabilities, and more. We, as a department, must focus on training to better interact with our citizens and to provide outstanding service to our community. As stated in the Implementation Guide to the President's Task Force on 21st Century Policing, we must prioritize the following:

• Ensure that officers have the knowledge and skills to be culturally responsive and to treat each person with dignity and respect.

- Train officers to recognize factors that may affect how best to treat a community member or suspect while protecting officer and community safety.
- Involve the community in the recruitment, selection, and hiring of officers and incentivize multilingual officers through changes in pay, hours, or other means.
- Recognize and seek to better understand people with mental and physical disabilities
- Recognize that LGBT and gender nonconforming populations often experience extreme
 discrimination, sexual harassment, and assault. Adopt policies and practices that
 encourage true dialogue, dignity, respect, and an understanding of the factors that affect
 these populations when they are involved in the criminal justice system.

To accomplish this, we must train in a manner that focuses on ensuring the culture of policing in our department is consistent across all officers and ranks. This can be accomplished by an emphasis on policing in a democratic society, training officers how to protect human rights, dignity, and equal approach to public safety for all. In addition, we must address procedural justice both internally and externally within the community and we must address issues such as implicit bias and de-escalation training for our officers. Also, we must open training to the public, allow more opportunities for citizen observers of our training, and include community members and local professionals as trainers. Other communities have found success by giving community members the opportunity to participate in training designed for citizens such as citizens academies, allowing citizens to observe department in-service trainings, and actually help to provide training for department in relation to community perspective of the perceptions of police tactics.

In conclusion, this can be accomplished by understanding the community we serve and tailoring our training to match the needs of our community. It is imperative that we, as a City and a Department, take the time to examine the root causes of some of the issues we face in our community. As a City, we need to address poverty, education, health, and safety through community-based initiatives so that we can implement a comprehensive, community-based education program that educates officers, City leaders, and police executives.

Pillar 6 Officer Wellness & Safety

Prepared by Lt. Geoff Jones

The wellness and safety of law enforcement officers is critical not only to themselves, their colleagues, and their agencies but also to public safety.

President's Task Force on 21st Century Policing

Columbia Police Department's Report

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Overview

The President's Task Force on 21st Century Policing did a review of policing and made several recommendations and provided some action items in an effort to "begin healing and restore community trust." The "Final Report" identifies six pillars; one of which is "Officer Wellness & Safety", the focus of my report. Of these recommendations and action items, some involve federal resources (funding, research, and additional committees) while some give local governments a direction for current and future resource management. This report will identify recommendations/action items that can be addressed locally, describe what actions have been taken, and identify some future plans that parallel the Task Force's recommendations.

Before the recommendations and action items can be addressed the Task Force recognizes the need for Law enforcement (and other partners in government and the community) to listen. The term "intentional listening" is used to describe what is needed in the form of both internal communications with police officers and externally with the community. Secondly, the Task Force states the need for planning. The planning, by their recommendation should include government officials, law enforcement, and members of the community.

With the above recommendations as a filter to view our current situation, and where we need to plan for improvement and change, I will address the state of the Columbia Police Officers wellness and safety (Pillar six) of the Task Force Report. This report will address the gaps or areas of improvement, budget implications, and recommend priorities for next steps.

Officer Wellness and Safety

"The wellness and safety of law enforcement officers is critical not only to themselves, their colleagues, and their agencies but also to public safety."

"The recent notable deaths of officers are stark reminders of the risk officers face. As a result, physical, mental, and emotional injuries plague many law enforcement agencies."

Recommendation 6.1

The U.S. Department of justice should enhance and further promote its multi-faceted officer safety and wellness initiative.

Officers who are mentally or physically incapacitated cannot serve as they pose a danger to the community, offer officers and themselves.

The action items listed under the first recommendation are situated at a federal level. They will be discussed under Recommendation 6.2.

Recommendation 6.2

Law Enforcement agencies should promote safety and wellness at every level of the organization.

"Safety and wellness affect all law enforcement officials regardless of their management status, duty, or tenure."

Action Item

Though the Federal Government can support many of the programs and best practices identified by the U.S. Department of Justice Initiative described in recommendation 6.1, the ultimate responsibility lies with the agency.

The federally supported programs from recommendation 6.1 include the creation of a "Blue Alert" warning system, and the creation of a task force to a research mental health issues unique to law enforcement and tailor treatments. Also research the efficacy of annual mental health, fitness, resilience and nutrition, and changes to pension plans to include a fitness for duty exams that act as definitive proof of duty and non-duty related disability and benefits to survivors even if safety equipment is not worn (seatbelts and anti-ballistic vests).

Where are we now?

Currently, fitness is evaluated every two-years, although mental health is not assessed. Although this would increase expenditures, the cost of such a mental health contract could not be determined without first requesting bids from providers.

The creation of a "Blue Alert" system is an effort to enlist the public's help in apprehending those suspected in the killing of police officers. This system, although not formalized, could be created with the help of the Missouri Department of Transportation as they have already placed electronic message boards along the well-travelled highways and interstates in Missouri. A national system would require action from the federal government.

Pension plans and benefits should be evaluated to address the suggestions of the task force, but would ultimately be governed by federal laws that regulate pension plans. Locally, the City of Columbia can assess the manner in which duty and non-duty disabilities are recognized and compensated.

Looking past the specific action items, the City of Columbia has expansive programs related to employee wellness and safety. Mental health is of great concern to the Task Force. The City gives access to the Employee Assistance Program to all police employees and their families in an effort to address mental health issues and provide counseling. In addition to EAP, officers have access to training specific to depression and stress management.

Physical maintenance is also a priority. The following programs are offered by City Employee Wellness Staff:

- Blood pressure and glucose screening.
- Tobacco cessation.
- Weight management (Weightwatchers).
- Reduced fees for gym (ARC) membership.
- Blood borne pathogens training.

Maintaining a healthy lifestyle in addition to mental and physical health is a priority. Although somewhat limited, the City provides training in the areas of financial management.

Some training is related to the wellness of officers while they work. These trainings and assessments provided by the City help to promote safety and wellness while on the job:

- Workstation/work area ergonomic assessments.
- CPR training.
- AED training.

Gaps and areas for improvement

The City of Columbia has focused on preventive health effectively. Maintenance, the frequency of evaluation, and the policies recommended addressing post-event concerns such as death benefit and disability compensation should be examined further.

Further, the City should begin a conversation with the Department of Public Safety that helps to formalize a "Blue Alert" system.

Recommendation 6.3

The U.S. Department of Justice should encourage and assist departments in the implementation of scientifically supported shift lengths by law enforcement.

"It has been established by significant bodies of research that long shifts can not only cause fatigue, stress, and decreased ability to concentrate but also lead to other more serious consequences. Fatigue and stress undermine not only the immune system but also the ability to work at full capacity, make decisions, and maintain emotional equilibrium."

Action Item

The U.S. Department of Justice should fund additional research into the efficacy of limiting the total number of hours an officer should work within a 24-48 hour period, including special

findings on the maximum number of hours an officer should work in a high risk or high stress environment.

Where are we now?

Federally supported/funded research may lend insight into future best practices. The Columbia Police Department currently regulates the length of shifts as a matter of policy. No officer is allowed to work more than 16 consecutive hours without an 8-hour break in service. In addition to limiting the number of hours worked in a shift, the Department has recently made efforts to adjust scheduling based on a consultant's report. This adjustment may lessen workload and relieve fatigue. Evaluation and research would be beneficial in this area to further relieve stress and fatigue.

Gaps and areas for improvement

The Department should consider active participation in future studies that examine our officers, their levels of fatigue, and how shift lengths affect their decision making ability. By following the progress of this pillar, the Department can help to identify studies supported by the Department of Justice so that the Department can seek to join in the research.

Recommendation 6.4

Every law enforcement officer should be provided with individual tactical first aid kits and training as well as anti-ballistic vests.

Action Item

The items listed for this recommendation are both directed at Congress so that they will consider providing funding for the distribution of tactical first aid kits and the renewal of the Bulletproof Vest Partnership; an effort to fund anti-ballistic vests for officers.

Where are we now?

Although this recommendation requires action by the Congress, it allows opportunity for additional funding for our equipment needs. Officers are currently equipped with tourniquets and tactical first aid kits are expected to arrive in the near future. Although the Department does not currently equip tactical first aid kits, progress is imminent.

Gaps and areas for improvement

The Department should continue in its efforts to properly train officers in the use of tactical first aid equipment. Secondly, the Department should work to secure any grant funding that may result from this action item.

Recommendation 6.6

Law Enforcement agencies should adopt policies that require officers to wear seat belts and bullet-proof vests and provide training to raise awareness of the consequences of failure to do so.

Action Item

There is no action item listed under this recommendation.

Where are we now?

Columbia Police Officers are required to wear both seatbelts and body armor. Officers have been trained in driving techniques and the consequences of failing to wear seatbelts are clearly defined by in-house training. Department training to reduce the likelihood of officer-involved crashes, and the failure to use seatbelts is adequate to meet this recommendation.

Gaps and areas for improvement

The department policy requiring the use of body armor is sufficient. Training can be improved to address the importance of body armor. This would have little to no impact as it could be added to shift meeting briefings and/or response to resistance training currently in place.

Recommendation 6.7

Congress should develop and enact peer review error management legislation.

"A robust but non-punitive peer review error management system-in which law enforcement officers could openly and frankly discuss their own mistakes or near misses without fear of legal repercussions."

Action Item

There is no action item listed under this recommendation.

Where are we now

Although there is no action item for this category, it requires comment. The Columbia Police Department through informal debriefing sessions works to address issues and actions that could lead to poor outcomes and officer/citizen injury. This is done regularly in shift meetings by supervisors and officers.

City Risk Management currently tracks worker's compensation claims, and the cost associated to these injuries.

Gaps and areas for improvement

The Department could adopt a formalized procedure to more consistently address those issues of high stress and high technical involvement. In doing so, the department with little budgetary impact could outpace the Federal Governments development of such a program.

The City could improve the tracking of near misses and incidents that do not require medical treatment. By tracking these minor events, the Department could improve training and other equipment and conditions in an effort to decrease error that lead to injury.

Recommendation 6.8

The U.S. Department of Transportation should provide technical assistance opportunities for departments to explore the use of vehicles equipped with vehicle collision prevention "smart car" technology that will reduce the number of accidents.

Action Item

There is no action item listed under this recommendation.

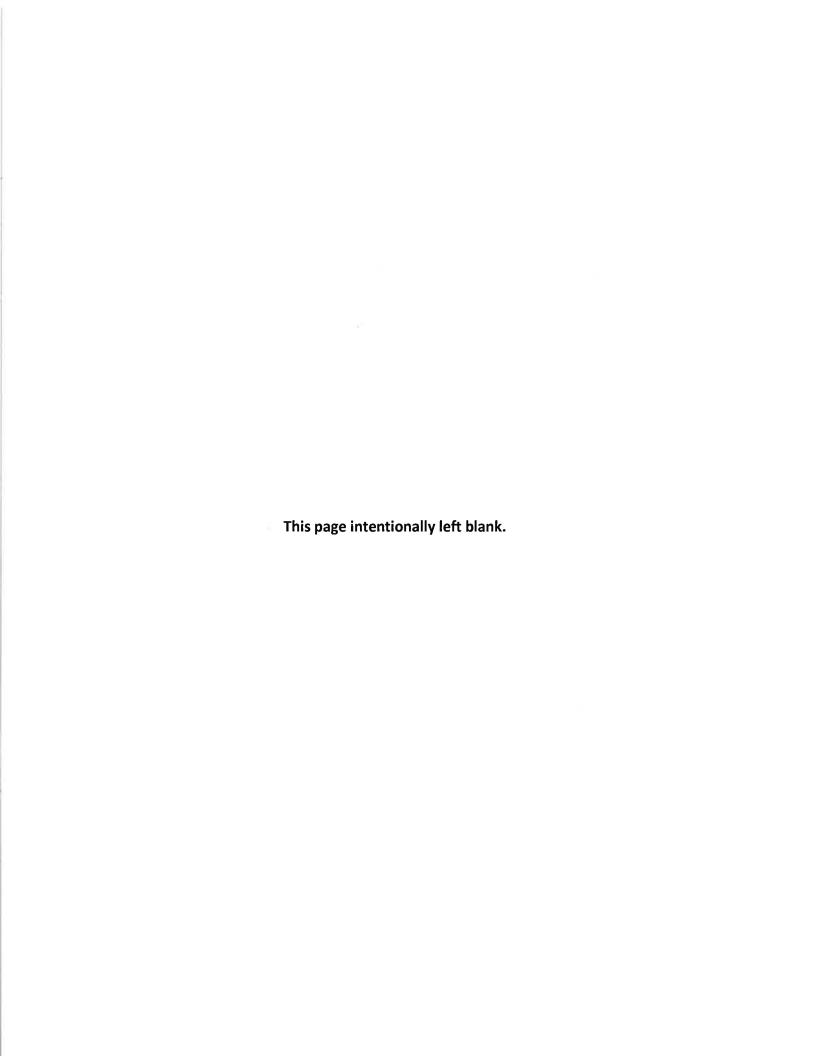
Where are we now?

Many police vehicles are equipped with rear facing cameras to reduce collisions while backing. Although backing collisions have been an issue for police employees in the past, these are generally minor and do not typically result in injury.

As an accountability tool, police vehicles are equipped with GPS devices that will track speeds. This has the potential to deter officers from driving at unsafe speeds.

Gaps and areas for improvement

The City's Fleet Management Committee should consider available technologies in the context of emergency driving to better equip police vehicles with potentially life-saving features. The Department should seek guidance from the Department of Transportation in an effort to explore these technologies and make recommendations to the committee.





701 East Broadway, Columbia, Missouri 65201

Department Source: Police

To: City Council

From: City Manager & Staff

Council Meeting Date: October 16, 2017

Re: Report on CALEA Accreditation for the Columbia Police Department

Executive Summary

At the request of Council, staff has prepared a report on the process and timeline of the CALEA accreditation process for the Columbia Police Department.

Discussion

CALEA accreditation has two tiers. Tier one or initial accreditation, is for agencies like ours, who are seeking accreditation for the first time. Tier Two is for advanced accreditation. Tier one requires police departments to prove compliance with at least 230 standards.

There are three steps to the accreditation process:

- 1. Enrollment- This was completed in September of 2016.
- 2. Self-Assessment this is a three year process (we are currently 10 months into this 36 month process).
- 3. On-site assessment. This entails a team of CALEA assessors visiting our department, visually inspecting our daily operations, conducting interviews with employees and holding public and telephone question and comment sessions for members of the public to participate.

Successful completion of the on-site assessment will lead to the Commission review at the next CALEA conference held after the on-site assessment. After the review is completed the Commission will advise us if we have been accredited or not.

CALEA standards are heavily based on written directives. CPD is committed to this process and we are currently revising our policy/procedure manual to make it a robust directive system that meets CALEA standards.

CPD's goal is to have our mock assessment scheduled for May/June 2019. Depending on the results of the mock assessment, our hope is to have our official on-site assessment scheduled by September 2019 with the actual assessment taking place in late 2019 or early 2020.

Sgt. Bob Dochler is currently overseeing the CALEA Accreditation for CPD. Once the remaining sworn Public Information Officer position has been filled with a civilian Communications Specialist, he will no longer be supervising anyone. He hopes to then devote 100% of his time to CALEA accreditation.



701 East Broadway, Columbia, Missouri 65201

Fiscal Impact

Short-Term Impact: N/A Long-Term Impact: N/A

Strategic and Comprehensive Plan Impacts

Strategic Plan Impacts:

Primary Impact: Public Safety, Secondary Impact: Operational Excellence, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

None.

Suggested Council Action

This report is informational only.



701 East Broadway, Columbia, Missouri 65201

Department Source: Police

To: City Council

From: City Manager & Staff

Council Meeting Date: October 16, 2017

Re: Report on training types for Columbia Police Officers

Executive Summary

At the request of Council, staff has prepared a report outlining the types of training that an officer receives.

Discussion

<u>Law Enforcement Training Institute (600 hours)</u>

Legal Studies

- Constitutional Law
- Missouri Statutory Law
- Traffic Law

Interpersonal perspectives

- Domestic Violence
- Crisis Intervention/Domestic Violence
- Child Abuse and Neglect
- Crisis Intervention Team Training Certification
- Ethics and Professionalism
- Human Behavior
- Tactical Communications
- Cultural Diversity
- Community Problem Solving
- Crime Prevention
- · Dealing with Death
- Stress Management
- Health, Fitness and Nutrition

Technical studies

- Patrol
- Jail Population Management
- Traffic Accident Investigation
- Standardized Field Sobriety Testing NHTSA Certification
- Missouri Department of Health Breath Test Type III Certification
- BAC Datamaster Operator Certification
- County and Municipal Offense Investigations
- Criminal Investigation
- Report Writing
- Juvenile Justice and Procedures



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- Missouri Department of Emergency Medical Services First Responder National Certification
- American Heart Association Health Care Provider C.P.R. Certification
- Incident Command System ICS 100 Certification
- National Incident Management System IS 700 Certification
- Incident Response to Terrorist Bombings New Mexico Tech & DHS

Skill development

- Defensive Tactics (Pressure Point Control Tactics) Certification
- SABRE Oleoresin Capsicum Operator Certification
- Firearms Multiple Qualifications
- Driver Training
- Practical Application Exercises
- Physical Training

Recruit training (3 Weeks)

- City orientation/Policy and Procedure (16 hours)
- TRU Orientation (8 Hours)
- City Prosecutor (1 Hour)
- Firearms training (8 hours)
- POSS/Payroll (1 Hour)
- Internal Affairs (1 Hour)
- Evidence Training (1 Hour)
- Joint Communications (2 Hours)
- Boone County Jail (2 hours)
- CPRB (1 Hour)
- Employee Wellness (2 Hours)
- PIO (1 Hour)
- Defensive Tactics (4 Hours)
- Taser Training (10 Hours)
- Axon Camera (.5 Hours)
- PTO Training (4 Hours)
- Death Notification Training (.5 Hours)
- Self-Aid Buddy-Aid (2 Hours)
- Force on Force training/Building Search (8 Hours)
- DOVE Training (4 Hours)
- CPD Chaplains (1 Hour)
- RMS/Records Training (24 Hours)
- K9 (4-8 Hours)
- Gang Unit (1 Hour)
- Proactive Policing (1 Hour)
- Blue Courage (16 Hours)
- Use of Force Training (4 Hours)
- Prosecutors Training (1 Hour)
- Supreme Court Cases (1 Hour)



701 East Broadway, Columbia, Missouri 65201

PTO Training (Each Phase approximately 30 shifts)

Phase A: General Incident Response

- Non-violent in custody arrests
- Non in progress crimes with little to no investigative components
- Non-violent/cooperative check subject, suspicious person/vehicle, trespass etc.
- Civil matter
- Minor vehicle collision
- Parking violation
- Animal complaint
- · Check the welfare
- Keep the peace
- Peace Disturbance
- Information

Phase B: Priority Incident Response

- Emergency assistance
- In progress calls (Burglary, Robbery, Assault, Disturbance, Vandalism etc.)
- Law Alarm
- 911 Check
- Shots Fired
- Suicidal Subject
- Major vehicle collision (injury, tow)
- Missing child/endangered person
- Bomb threat
- Violent/Uncooperative arrest
- Violent/Uncooperative check subject, suspicious person/vehicle, trespass etc.
- Vehicle/Foot Pursuit

Phase C: Patrol Activities

- Traffic Stops
- Self-initiated check subject/suspicious person or vehicle
- DWI
- School Checks
- Check Open Business
- Watch in Passing
- Self-initiated warrant/TTL
- Foot Patrol
- Traffic Observation
- Community Policing efforts
- Self-initiated abandon vehicle/parking violations

Phase D: Criminal Investigations

Death Investigation



701 East Broadway, Columbia, Missouri 65201

- Sexual Assault
- Domestic Violence
- Child Abuse
- Past Burglary/Robbery
- Crimes with suspects/leads/investigative components
- Missing Person
- Runaways
- Major Crime Scene
- Crime scene process

Mid Term and Final evaluations (Approximately 12 shifts each)

In 2016, the Missouri POST Commission decided on, and mandated new additions to the POST requirements for Continuing Law Enforcement Education (CLEE). The reporting period changed on 01/01/2017 to 24 Hours annually opposed to the previous three year 48 hour requirement. 2017 is a unique year in that it is the final year of the previous three year counting period.

Beginning 01/01/2017, in order to maintain their Peace Officer License, each officer has to not only complete 24 hours of CLEE, but the categories of courses with new mandates were added. Every officer must obtain 24 hours of continuing education within calendar year 2017, with at least 8 of these 24 hours coming from an "Approved Provider" of training (Someone outside of CPD).

Of these 24 hours, officers must obtain a minimum of:

- 2 hours in Legal Studies.
- 2 hours in Technical Studies.
- 2 hours in Interpersonal Perspectives.
 - o 1 hour of Racial Profiling training, which typically fits within the Interpersonal Perspectives block of instruction.
- 2 hours of Skill Development in the area of Firearms.

The remaining 16 hours can be from any of the above-listed core curricula areas.

Of the 24 hours that must be earned in calendar year 2017, the following topics have to be covered, but will fit within one of the core curricula areas listed above (Legal, Technical, Interpersonal or Skill). These training topics are part of the 24 hours of required training, not in addition to it.

- 2 hours on Officer well-being, including mental health awareness;
- 2 hours on Fair and impartial policing practices including implicit bias recognition;
- 2 hours on Handling persons with mental health and cognitive impairment issues;
- 2 hours on Tactical training to include de-escalation techniques, crisis management, critical thinking and social intelligence.



City of Columbia

701 East Broadway, Columbia, Missouri 65201

The above listed courses have to be taught in a manner which includes all the topics, not just one or the other. For example Tactical training to include de-escalation techniques, crisis management, critical thinking and social intelligence has to include each element to be approved, you cannot just teach De-escalation or another component.

The Columbia Police Department Regional Training Center provides all the State mandated training and other training for about an average of 50 hours of training per officer per year. The training topics vary every year. The training that is provided annually includes but is not limited to:

- Taser Recertification (3 Hours)
- Livescan Recertification (2 Hours)
- Legal/Policy update (2 Hours)
- Defensive Tactics (2-4 Hours)

Some of the training that is provided bi-annually includes but is not limited to:

- Police Driving (4 Hours)
- CPR (2 hours)
- Tactical Baton training (1 Hour)
- OC Spray (1 hour)
- Traffic Stop Training (4 Hours)

SWAT officers complete a 40 hour basic SWAT School and specialized SWAT training 20 hours per month.

Additionally, depending on an officer's current assignment and the positions requirements, officers may attend outside training. Officers regardless of assignment can request to attend outside training on a variety of topic areas.

Finally, we have records of all the training completed by each individual officer and records of the training provided to all officers. You are welcome to view these records at any time.

Fiscal Impact

Short-Term Impact: N/A Long-Term Impact: N/A

Strategic and Comprehensive Plan Impacts

Strategic Plan Impacts:

Primary Impact: Public Safety, Secondary Impact: Operational Excellence, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Primary Impact: Not Applicable, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

None.

Suggested Council Action

This report is informational only.



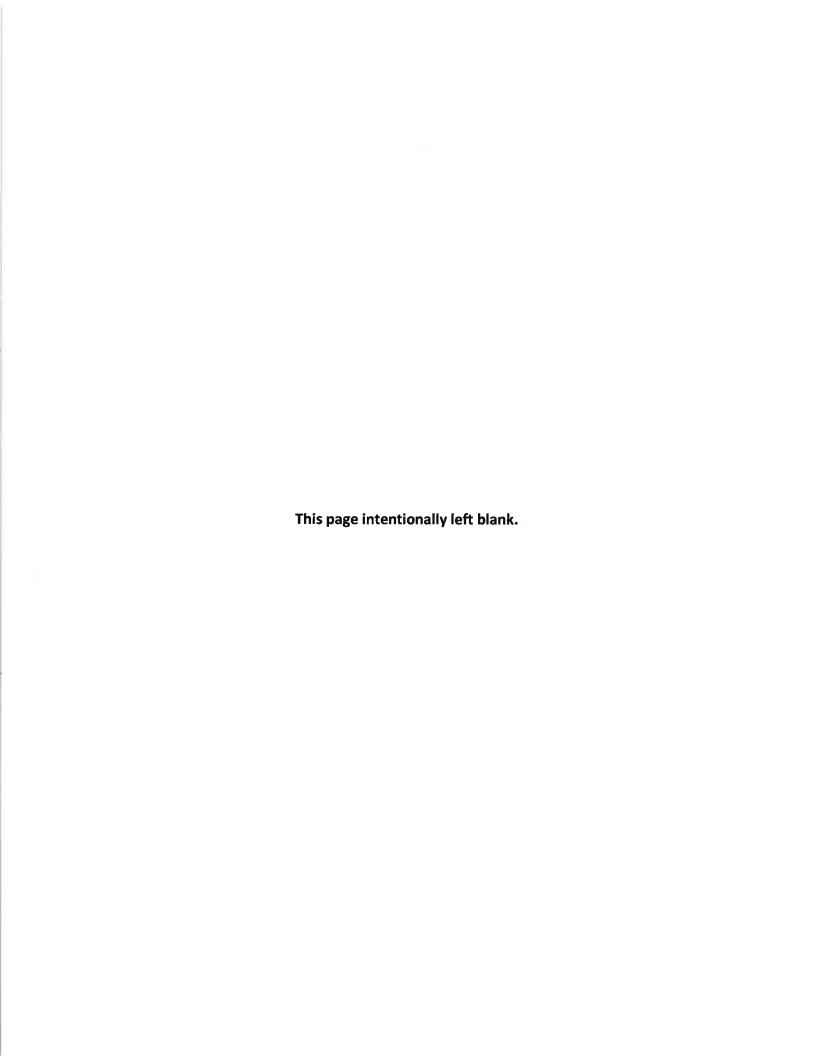
COLUMBIA POLICE DEPARTMENT





Date:	Time:	Case/CAD#:	
Officer (Name/Pln):			
		Columbia Police Department to conduct a search	
I understand that I have a the search and that I can w		right to refuse permission for the officers to conc onsent at anytime.	duct
Signature:		Date:	

Form Updated: 8/16/2016



CITY OF COLUMBIA

CITIZENS POLICE REVIEW BOARD 2015 ANNUAL REPORT

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2015 CITIZENS POLICE REVIEW BOARD MEMBERS

(as of December 31, 2015)

Dr. James C. Martin, Chair

(appointed November 2009, Chair - August 2011 to present)

Andrew Fisher, Vice Chair

(appointed September 2013, Vice Chair - November 2, 2015 to present)

Gabriel Scott Dean

(appointed September 2010 to present, Vice Chair - January 1, 2015 to November 1, 2015)

Stephen Sheltmire

(appointed February 2011)

Javne Woods

(appointed October 2014)

Alan Meyer

(appointed March 2015)

Darryl Smith

(appointed March 2015)

Val R. DeBrunce

(appointed November 2015)

Renee Henson

(appointed December 2015)

Members who resigned or had their term expire during the year:

Jeffrey Shelton (November 2014 to February 2015, resigned)

Dr. Jerry Kennett (November 2011 to February 2015, resigned)

Jordon Hargrove (September 2012 to November 2015, term expired)

Kathryn Busch (November 2014 to November 2015, resigned)

Subcommittee Membership:

Mediation Task Force Subcommittee:

- 1. Gabriel Scott Dean
- 2. Andrew Fisher (appointed March 2015)

Also serving on the subcommittee during the year were: Kathryn Busch (resigned November 2015) and Dr. Jerry Kennett (resigned February 2015).

Outreach Subcommittee:

- 1. Andrew Fisher
- 2. Dr. James C. Martin
- 3. Stephen Sheltmire
- 4. Jayne Woods

Also serving on the subcommittee during the year was Scott Shelton (resigned February 2015).

HISTORY OF THE FORMATION OF THE CITIZENS POLICE REVIEW BOARD

In 2007, a coalition of citizens and groups proposed the idea of creating a civilian review board to the City Council. The City Council appointed a fourteen member committee to study whether or not a review board was needed and to consider how such a board would be structured. The committee reviewed all complaints that existed before the professional standards unit was established. In addition, they studied and considered different models used by different cities, and hosted public events to gather input from the citizens. After extensive study and public input, the committee unanimously agreed to recommend that the City of Columbia establish a citizens police review board.

In July of 2009, the City Council of the City of Columbia, by adopting Ordinance No. 020331, created a nine member Citizens Police Review Board. The ordinance outlined the duties of the Citizens Police Review Board as follows:

The Citizens Police Review Board shall have the following duties:

- (1) Review appeals from the police chief's decisions on alleged police misconduct as provided for in this article.
- (2) Host public meetings and educational programs for Columbia residents and police officers.
- (3) Review and make recommendations to the police chief and city manager on police policies, procedures and training.
- (4) Prepare and submit to the city council annual reports that analyze citizen and police complaints including demographic data on complainants, complaint disposition, investigative findings and disciplinary actions. The reports should also describe the Board's community outreach and educational programs. The reports should also set forth any recommendations made on police policies, procedures and training. The reports shall be submitted no later than March 1 for the previous calendar year.

The City Council initially appointed the first eight members of the Citizens Police Review Board in November of 2009. Also in November of 2009, the Human Rights Commission appointed its first member to the Board. The Board met for the first time on November 18, 2009.

In 2014, the City Council, at the request of the Citizens Police Review Board, amended Section 21-49, to add additional duties. Under the most recent amendments to the ordinance, the Board is also to conduct a jurisdictional review from the decision by the police chief that a person's allegations do not fall within the requirements set forth in the article related to complaints. The Board is also to conduct audits or reviews of the

records of the police department for compliance with the requirements of the ordinances.

In 2015, the City Council, at the request of the Citizens Police Review Board, amended Section 21-46 (d) to remove term limits.

EXECUTIVE SUMMARY

This annual report includes information on the Citizens Police Review Board's work from January 2015 through the end of December 2015.

Pursuant to its mandate, the Citizens Police Review Board's accomplishments include:

- (1) The Board reviewed appeals from the police chief's decision on alleged police misconduct. The Board also conducted a jurisdictional review of the police chief's decision.
 - During this reporting period, the Board received five (5) appeals.
- (2) The Board hosted monthly public meetings with an opportunity for public comment at each regular monthly meeting, provided public educational programs on a variety of topics, and participated in community outreach.
- (3) The Board met with the police chief on two occasions (May 13, 2015 and November 11, 2015).
- (4) The Board is submitting to the City Council the following annual report which outlines the Board's actions from January 1, 2015 through December 31, 2015.
- (5) The Board has trained volunteer advocates to assist complainants and police officers with the complaint and appeal process.
- (6) For the Board's mediation pilot program, the City of Columbia has a contract with local attorney and mediator Lorri Kline to provide mediation services.
- (7) Three Board members Dr. Martin, Mr. Fisher and Mr. Smith were sent to the National Association for Civilian Oversight of Law Enforcement (NACOLE) national conference. Dr. Martin served as the City's voting member in the national organization.
- (8) Mr. Dean is a Certified Practitioner of Oversight through NACOLE. Mr. Dean continues to serve on NACOLE's Website Committee.

(9) The Board continues to review educational, complaint, and supplemental material(s) and make changes where necessary, including creating additional resources when needed.

SUMMARY OF APPEALS REVIEWED BY THE CITIZENS POLICE REVIEW BOARD

During this reporting period, the Board received five (5) appeals filed in 2015.

The dispositions of the cases are summarized below.

CPRB Case Number	Summary and Board's Action
2015-0001	A person filed an appeal on February 9, 2015. After its jurisdictional review, the Board determined that the complaint contained an allegation of police misconduct and that the complaint should be referred back to the police chief for investigation or referral to mediation.
2015-0002	A person filed an appeal on March 11, 2015. The Board agreed with the police chief's decision on the complaint.
2015-0003	A person filed an appeal on August 17, 2015. The Board agreed with the police chief's decision on the complaint.
2015-0004	A person filed an appeal on September 10, 2015. The Board agreed with the police chief's decision on the complaint.
2015-0005	A person filed an appeal on September 14, 2015. The Board determined that the appeal was not timely filed.

DEMOGRAPHIC INFORMATION ON COMPLAINANTS WHO APPEALED TO THE CITIZENS POLICE REVIEW BOARD

CPRB Case Number	Demographic Information on Complainant
2015-0001	b/m
2015-0002	w/m
2015-0003	b/m
2015-0004	w/m
2015-0005	b/f

ANALYSIS OF CITIZEN AND POLICE COMPLAINTS AND COMPLIMENTS

At the time this report was prepared, the Board had not received a copy of the City of Columbia Police Department's 2015 Annual Report of the Internal Affairs Unit or its analysis of police and citizen complaints and compliments. When the Police Department provides the information and analysis of police and citizen's complaints and compliments to the Board, the Board will provide a supplemental report to the City Council.

COMMUNITY OUTREACH AND EDUCATIONAL PROGRAMS BY THE CITIZENS POLICE REVIEW BOARD

Section 21-49 of the City Code of Ordinances provides that the Citizens Police Review Board shall host public meetings and educational programs for Columbia residents and police officers. The Board regularly met with police recruits to provide the new recruits with information about civilian oversight. The Board also used other avenues to increase community awareness and hosted speakers on civilian review topics at public meetings.

Date	Topic
January 14, 2015	Dr. Campbell gave a presentation on the History of Civilian Oversight in Columbia.
February 11, 2015	Sgt. Paul Dickinson gave a presentation on the Internal Affairs process.
February 16, 2015	Article in the Columbia Tribune regarding the complainant in CPRB 2015-0001. The CPRB is mentioned at the end of the article.
February 22, 2015	Article in the Columbia Tribune regarding the use of body cameras by police. The CPRB is mentioned in the article. http://m.columbiatribune.com/news/perspectives/unblinking-eyes-body-cameras-clarify-disputes-add-extra-costs-for/article_c3a97041-d48a-5acb-9a2d-dd7f9e51ad04.html
March 4, 2015	Dr. James Martin was interviewed by KOMU 8 News in a story about fostering better relationships between citizens and law enforcement. http://www.komu.com/news/fostering-better-relationships-between-citizens-and-law-enforcement/

March 5, 2015	Mr. G. Scott Dean was interviewed by the Columbia Missourian in an article regarding the use of body cameras by police officers. http://www.columbiamissourian.com/news/body-cameras-to-capture-conversations-conflicts-between-police-and-citizens/article_ebd8d7f2-7b3e-583c-aa01-7516a28c2022.html .
March 5, 2015	Mr. Jordon Hargrove was interviewed by ABC 17 news regarding the CPRB and communication between the community and police.
	http://www.abc17news.com/news/citizens-police-review-board-improves-communication-between-community-and-police/31641732.
	http://www.abc17news.com/citizens-police-review-board-improves-communication/31641802.
March 11, 2015	Dr. James Martin was interviewed by KOMU 8 news regarding the resignation of the police chief in Ferguson, MO. http://www.komu.com/news/citizens-police-review-board-discusses-ferguson-chief-resignation/ .
March 20, 2015	Mr. Andrew Fisher, Dr. James Martin and Mr. G. Scott Dean met with members of C.A.R.E. from Camdenton, MO. They are interested in starting a similar type of board to the CPRB in their community.
March 23, 2015	ABC 17 news – "Mayor: State oversight not needed for Columbia Police." http://m.abc17news.com/news/mayor-state-oversight-not-needed-for-columbia-police/31971944
April 20, 2015	KOMU 8 – "Columbia Citizens Police Review Board to release report on police." http://www.komu.com/news/columbia-citizens-police-review-board-to-release-report-on-police/
April 29, 2015	Mr. Steve Sheltmire, Mr. G. Scott Dean, Mr. Darryl Smith and Mr. Alan Meyer met with new recruits during the Police Department recruit training/orientation.

June 30, 2015	Dr. James Martin and Mr. Steve Sheltmire met with new recruits during the Police Department recruit training/orientation.
July 8, 2015	Mr. Jerry East with the Columbia Police Department gave a presentation on Vehicle Stop Statistics.
August 10, 2015	Mr. Steve Sheltmire and Mr. G. Scott Dean talked with the Neighborhood Watch Association.
August 11, 2015	Mr. Steve Sheltmire and Mr. G. Scott Dean met with the North Central Neighborhood Association.
August 12, 2015	Dr. David Mitchell presented on the Deconstruction of Police-Citizen Interactions and the Salience of Race and Ethnicity.
September 9, 2015	Dr. Chuck Henson gave a presentation entitled "What If You Were Black?"
September 26, 2015	Mr. G. Scott Dean spoke to a group of Boy Scouts on September 26, 2015.
October 8, 2015	Ms. Busch presented on the MU Campus for a civics education course called "Columbia Government: Learn How Your Voice Matters" for students and community members who wish to learn more about local government.
October 14, 2015	Mr. G. Scott Dean and Ms. Rose Wibbenmeyer met with a social work and law class at the University of Missouri.
October 21, 2015	Ms. Karen Aroesty, Regional Director of the Anti- Defamation League gave a presentation entitled "What is Structural Racism?"
December 8, 2015	Mr. Steve Sheltmire and Mr. G. Scott Dean met with the Benton-Stephens Neighborhood Association.
December 16, 2015	Mr. Steve Sheltmire and Mr. Val R. DeBrunce met with new recruits during the Police Department recruit training/orientation.

CONCLUSION

The Board continues to value the importance of training and education in the civilian oversight process. Three board members attended the NACOLE National Conference in 2015. With the Council's continued support, the Board hopes to send more members in the future -- members which will either maintain or achieve professional designation as Certified Practitioners of Oversight. During 2015, the Board hosted six public presentations on topics related to civilian oversight, and already has plans for future presentations in 2016. The Board also appreciates the open dialogue with Chief Burton and the police department's willingness to allow board members to meet with new recruits.

We look forward to continuing to provide the City with an external and independent process for the review of actual or perceived misconduct by police officers and community service aides of the City of Columbia's police department. It is our firm belief that increased police accountability to the community will foster community trust in the police department and as a result a safer and healthier community for all the citizens of Columbia. It is our honor to continue with this work.

CITY OF COLUMBIA

CITIZENS POLICE REVIEW BOARD 2016 ANNUAL REPORT

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2016 CITIZENS POLICE REVIEW BOARD MEMBERS

(as of December 31, 2016)

Darryl Smith, Chair

(appointed March 2015; Chair - November 2016 to present)

Andrew Fisher, Vice Chair

(appointed September 2013, Vice Chair - November 2, 2015 to present)

Gabriel Scott Dean

(appointed September 2010 to present, Vice Chair - January 1, 2015 to November 1, 2015)

Val R. DeBrunce

(appointed November 2015)

Renee Henson

(appointed December 2015)

Alan Meyer

(appointed March 2015)

Stephen Sheltmire

(appointed February 2011)

Cornellia Williams

(appointed November 2016)

Jayne Woods

(appointed October 2014)

Members who resigned or had their term expire during the year:

Dr. James C. Martin (November 2009 to November 2016; Chair - August 2011 to November 2016 – term expired).

Subcommittee Membership:

Mediation Task Force Subcommittee (Disbanded: January 13, 2016):

- 1. Scott Dean
- 2. Andrew Fisher

Outreach Subcommittee*:

- 1. Andrew Fisher
- 2. Steve Sheltmire
- 3. Jayne Woods
- 4. Renee Henson

*Also serving on the subcommittee during the year was: James Martin (term expired November 2016).

Strategic Planning Subcommittee (Created: January 13, 2016):

- 1. Scott Dean
- 2. Val DeBrunce
- 3. Andrew Fisher
- 4. Alan Meyer
- 5. Javne Woods

HISTORY OF THE FORMATION OF THE CITIZENS POLICE REVIEW BOARD

In 2007, a coalition of citizens and groups proposed the idea of creating a civilian review board to the City Council. The City Council appointed a fourteen member committee to study whether or not a review board was needed and to consider how such a board would be structured. The committee reviewed all complaints that existed before the professional standards unit was established. In addition, they studied and considered different models used by different cities, and hosted public events to gather input from the citizens. After extensive study and public input, the committee unanimously agreed to recommend that the City of Columbia establish a citizens police review board.

In July of 2009, the City Council of the City of Columbia, by adopting Ordinance No. 020331, created a nine member Citizens Police Review Board. The ordinance outlined the duties of the Citizens Police Review Board as follows:

The Citizens Police Review Board shall have the following duties:

- (1) Review appeals from the police chief's decisions on alleged police misconduct as provided for in this article.
- (2) Host public meetings and educational programs for Columbia residents and police officers.
- (3) Review and make recommendations to the police chief and city manager on police policies, procedures and training.
- (4) Prepare and submit to the city council annual reports that analyze citizen and police complaints including demographic data on complainants, complaint disposition, investigative findings and disciplinary actions. The reports should also describe the Board's community outreach and educational programs. The reports should also set forth any recommendations made on police policies, procedures and training. The reports shall be submitted no later than March 1 for the previous calendar year.

The City Council initially appointed the first eight members of the Citizens Police Review Board in November of 2009. Also in November of 2009, the Human Rights Commission appointed its first member to the Board. The Board met for the first time on November 18, 2009.

In 2014, the City Council, at the request of the Citizens Police Review Board, amended Section 21-49, to add additional duties. Under the most recent amendments to the ordinance, the Board is also to conduct a jurisdictional review from the decision by the police chief that a person's allegations do not fall within the requirements set forth in the article related to complaints. The Board is also to conduct audits or reviews of the records of the police department for compliance with the requirements of the ordinances.

In 2015, the City Council, at the request of the Citizens Police Review Board, amended Section 21-46 (d) to remove term limits.

EXECUTIVE SUMMARY

This annual report includes information on the Citizens Police Review Board's work from January 2016 through the end of December 2016.

Pursuant to its mandate, the Citizens Police Review Board's accomplishments include:

- (1) The Board reviewed appeals from the police chief's decision on alleged police misconduct and conducted jurisdictional reviews of the police chief's decisions. During this reporting period, citizens requested that the Board review the police chief's decisions eleven (11) different times.
- (2) The Board hosted monthly public meetings with an opportunity for public comment at each regular monthly meeting, provided public educational programs on a variety of topics, and participated in community outreach. In addition, the Outreach Subcommittee met on February 10, 2016.
- (3) The Board met with the police chief on two occasions (May 11, 2016 and November 9, 2016).
- (4) The Board is submitting to the City Council the following annual report which outlines the Board's actions from January 1, 2016 through December 31, 2016.
- (5) The Board has trained volunteer advocates to assist complainants and police officers with the complaint and appeal process.
- (6) For the Board's mediation pilot program, the City of Columbia has a contract with local attorney and mediator Lorri Kline to provide mediation services. During this review period, the Board referred a case to mediation.
- (7) Three Board members Mr. Smith, Mr. Fisher, and Mr. Dean were sent to the National Association for Civilian Oversight of Law Enforcement (NACOLE) national conference. Mr. Dean served as the City's voting member in the national organization.
- (8) Mr. Dean is a Certified Practitioner of Oversight (CPO) through NACOLE. Mr. Fisher, Mr. Sheltmire, and Mr. Smith are in the process of achieving CPO credentialing. Mr. Dean continues to serve on NACOLE's Website Committee.
- (9) Three board members rode along with on duty police officers. Darryl Smith completed a ride along with a police officer on September 9, 2016 from 6pm to midnight. On October 4, 2016, Andrew Fisher completed a ride along with a

- police officer from 3 p.m. to 7 p.m. On November 5, 2016, Scott Dean completed a ride along with a police officer.
- (10) The Board continues to review educational, complaint, and supplemental material(s) and make changes where necessary, including creating additional resources when needed.
- (11) The Board established a strategic planning subcommittee in 2016. The Strategic Planning Subcommittee met on August 10, 2016, October 12, 2016, and on November 9, 2016. The subcommittee's work is ongoing, and it expects to deliver recommendations to council.
- (12) The Board established a complaint review process for those complaints lodged with the Columbia Police Department but not formally appealed to the Board.

SUMMARY OF APPEALS REVIEWED BY THE CITIZENS POLICE REVIEW BOARD

During this reporting period, the Board received eleven (11) appeals filed in 2016.

The dispositions of the cases are summarized below.

CPRB Case Number

Summary and Board's Action

2016-0001

A person filed an appeal on March 4, 2016. After its jurisdictional review, the Board determined that the case be referred to the Police Chief for investigation. Dr. Martin, Mr. Dean, Mr. Sheltmire, Mr. Fisher, Ms. Woods, Mr. DeBrunce, Ms. Henson, and Mr. Meyer voted in favor of the motion. Mr. Smith voted against the motion. In a letter dated May 9, 2016 the Police Chief responded to the CPRB that he was standing by his original findings that the allegation was not an allegation of misconduct. In a letter dated June 7, 2016 the Police Chief responded to the CPRB and included in his correspondence a finding that the complaint was unfounded. The complainant appealed this decision to the Board and it was assigned case number CPRB 2016-0004. For additional information on the complainant's second appeal, see below summary related to CPRB 2016-0004.

2016-0002

A person filed an appeal on May 4, 2016. After its independent review, the Board voted to uphold the Police Chief's decision. Mr. Dean, Mr. Sheltmire, Mr. Fisher, Ms. Woods, Mr. DeBrunce, Mr. Smith, and Ms. Henson voted in favor of the motion.

2016-0003

A person filed an appeal on June 21, 2016. After its jurisdictional review, the Board voted unanimously that they had standing to review the case. Mr. DeBrunce seconded the motion. Dr. Martin, Mr. Dean, Mr. Sheltmire, Mr. Fisher, Mr. DeBrunce, Mr. Smith and Mr. Meyer voted in favor of the motion. After its initial review, the Board voted unanimously to sustain the Police Chief's decision. Dr. Martin, Mr. Dean, Mr. Sheltmire, Mr. Fisher, Mr. DeBrunce, Mr. Smith and Mr. Meyer voted in favor of the motion.

2016-0004

A person filed an appeal on June 30, 2016. After its initial review, the Board voted on July 13, 2016 to send this case to mediation. Mr. Fisher, Mr. DeBrunce, Mr. Smith and Mr. Meyer voted in favor of the motion. Dr. Martin abstained. The mediator informed the Board that cases CPRB 2016-0001 and CPRB 2016-0004 were being returned to the Board because a party declined to participate in mediation. At the September 14, 2016 Citizens Police Review Board meeting, the Board passed a motion to agree with the police chief's decision on the complaint. The motion passed with Mr. Meyer, Mr. DeBrunce, Mr. Smith, Ms. Woods, Mr. Fisher, Mr. Sheltmire, Ms. Henson, and Mr. Dean voted in favor of the motion. Mr. Martin voted against the motion.

2016-0005

A person filed an appeal on July 19, 2016. Mr. Smith made a motion to uphold the police chief's decision on the complaint. Mr. Meyer seconded the motion. The motion passed unanimously with Mr. Meyer, Dr. Martin, Mr. Dean, Mr. Sheltmire, Mr. Fisher, Ms. Woods, Mr. DeBrunce, Ms. Henson and Mr. Smith voting in favor of the motion.

2016-0006

A person filed an appeal on July 19, 2016. After its jurisdictional review on September 14, 2016, the Board voted unanimously that they had standing to review the case. Mr. Fisher, Mr. Dean, Mr. Sheltmire, Ms. Woods, Mr. DeBrunce, Mr. Smith, Ms. Henson, Mr. Meyer and Dr. Martin voted in favor of the motion. After its initial review, the Board voted to sustain the Police Chief's decision. Mr. Fisher, Mr. Dean, Mr. Sheltmire, Ms. Woods, Mr. DeBrunce, Mr. Smith,

Ms. Henson, Mr. Meyer and Dr. Martin voted in favor of the motion.

2016-0007

Two people filed an appeal on July 26, 2016. After its jurisdictional review on September 14, 2016, the Board voted unanimously that they had standing to review the case. Mr. Fisher, Mr. Dean, Mr. Sheltmire, Ms. Woods, Mr. DeBrunce, Mr. Smith, Ms. Henson, Mr. Meyer and Dr. Martin voted in favor of the motion. After its initial review, the Board voted to sustain the Police Chief's decision. Mr. DeBrunce, Ms. Henson, Dr. Martin, Mr. Fisher, Mr. Smith voted in favor. Mr. Meyer and Ms. Woods abstained. Mr. Dean and Mr. Sheltmire voted against the motion.

2016-0008

A person filed an appeal on September 9, 2016. After its jurisdictional review on October 12, 2016, the Board voted unanimously that they had standing to review the case. Mr. Fisher, Mr. Dean, Mr. Sheltmire, Ms. Woods, Mr. DeBrunce, Mr. Smith, Ms. Henson, Mr. Meyer and Dr. Martin voted in favor of the motion. After its initial review, the Board voted unanimously to sustain the Police Chief's decision. Mr. Fisher, Mr. Dean, Mr. Sheltmire, Ms. Woods, Mr. DeBrunce, Mr. Smith, Ms. Henson, Mr. Meyer and Dr. Martin voted in favor of the motion.

2016-0009

A person filed an appeal on September 16, 2016. After its jurisdictional review on October 12, 2016, the Board unanimously voted that they had standing to review the case. . After its initial review, the Board voted unanimously with the Police Chief's decision for exonerating the officer on one allegation and further moved that the Board send back the Police Chief's determination that another allegation did not fall within the guidelines of officer misconduct. Fisher, Mr. Dean, Mr. Sheltmire, Ms. Woods, Mr. DeBrunce, Mr. Smith, Ms. Henson, Mr. Meyer and Dr. Martin voted in favor of the motion. As to the Police Chief's third finding, the Board voted unanimously to uphold the chief's decision with respect to the finding that the person complained of was not an employee of CPD. Mr. Fisher, Mr. Dean, Mr. Sheltmire, Ms. Woods, Mr. DeBrunce, Mr. Smith, Ms. Henson, Mr. Meyer and Dr. Martin voted in favor of the motion.

2016-0010

A person filed an appeal on September 19, 2016. After its jurisdictional review on October 12, 2016, the Board unanimously that they had standing to review the case. Mr. Fisher, Mr. Dean, Mr. Sheltmire, Ms. Woods, Mr. DeBrunce, Mr. Smith, Ms. Henson, Mr. Meyer and Dr. Martin voted in favor of the motion. After its initial review, the Board voted unanimously with the Police Chief's decision. Mr. Fisher, Mr. Dean, Mr. Sheltmire, Ms. Woods, Mr. DeBrunce, Mr. Smith, Ms. Henson, Mr. Meyer and Dr. Martin voted in favor of the motion.

2016-0011

A person filed an appeal on December 27, 2016. It is still pending.

DEMOGRAPHIC INFORMATION ON COMPLAINANTS WHO APPEALED TO THE CITIZENS POLICE REVIEW BOARD

CPRB Case Number	Demographic Information on Complainant
2016-0001	w/f
2016-0002	b/m
2016-0003	b/m
2016-0004	w/f
2016-0005	b/m
2016-0006	b/m
2016-0007	w/f and w/m
2016-0008	b/f
2016-0009	b/m
2016-0010	b/m
2016-0011	b/f

ANALYSIS OF CITIZEN AND POLICE COMPLAINTS AND COMPLIMENTS

At the time this report was prepared, the Board had not received a copy of the City of Columbia Police Department's 2016 Annual Report of the Internal Affairs Unit or its analysis of police and citizen complaints and compliments. When the Police Department provides the information and analysis of police and citizen's complaints and compliments to the Board, the Board will provide a supplemental report to the City Council.

COMMUNITY OUTREACH AND EDUCATIONAL PROGRAMS BY THE CITIZENS POLICE REVIEW BOARD

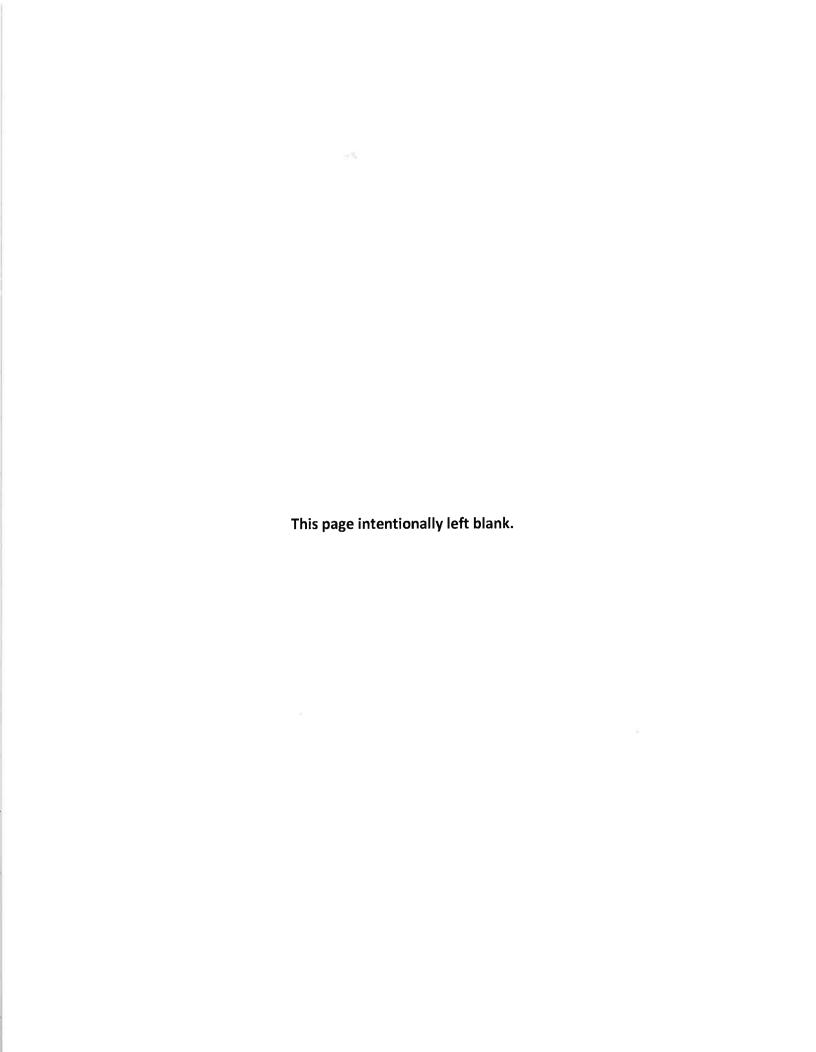
Section 21-49 of the City Code of Ordinances provides that the Citizens Police Review Board shall host public meetings and educational programs for Columbia residents and police officers. The Board regularly met with police recruits to provide the new recruits with information about civilian oversight. The Board also used other avenues to increase community awareness and hosted speakers on civilian review topics at public meetings.

Date	Topic
February 2, 2016	Jayne Woods met with a new recruit during the Police Department recruit training/orientation.
February 5, 2016	Darryl Smith met with Sgt. Baillargeon and Andre Cook.
February 10, 2016	Professor Bruce Bartholow, Psychologist at MU, presented on his research of implicit biases.
March 9, 2016	James Martin met with individuals from the St. Louis and the Kansas City area on Civilian Oversight.
April 2, 2016	Mr. Sheltmire, Mr. DeBrunce, Mr. Smith, and Ms. Henson attended Use of Force training provided by the Columbia Police Department.
April 4, 2016	Scott Dean and Rose Wibbenmeyer were on Community Connections radio show at KOPN.
May 4, 2016	Alan Meyer and Steve Sheltmire met with new recruits during the Police Department recruit training/orientation.
June 6, 2016	Steve Sheltmire, Darryl Smith, and Val DeBrunce met with new recruits during the Police Department recruit training/orientation.
July 13, 2016	Jerry East presented on Columbia Police Department Traffic Stop Data.
August 10, 2016	Lt Geoff Jones, Lt. Krista Shouse-Jones, Lt. Jason Jones, Lt. Eric Hughes, and Lt. Scott Young presented on 21 st Century Policing by the Columbia Police Department.

August 29, 2016	Darryl Smith and Val DeBrunce met with new recruits during the Police Department recruit training/orientation.
September 2016	Steve Sheltmire attended a community meeting at the Tribune.
October 2016	Val DeBrunce met with Officer Gooch and learned about fake identifications.
October 8, 2016	Scott Dean presented at Boy Scout University.
November 2, 2016	Scott Dean and Rose Wibbenmeyer presented to Professor Clark Peters' class.
November 5, 2016	Darryl Smith, Val DeBrunce, Steve Sheltmire and Andrew Fisher attended the Fair and Impartial Policing event.
November 2016	Steve Sheltmire attended a town hall meeting at the Columbia Tribune.
November 14, 2016	Darryl Smith attended the NACOLE – Civilian Oversight of Law Enforcement: A Road to Building Community Trust conference in St. Louis, Missouri. The sessions he attended include: Effective Communication with Law Enforcement, De-escalation of Force by the Police, and Bias-Based Policing.

CONCLUSION

The Board looks forward to continuing to execute its duties in 2017.





Chris Clubine <chris.clubine@como.gov>

Fwd: a first step in using data to improve policing

1 message

Michael Matthes <michael.matthes@como.gov>

Thu, Nov 3, 2016 at 11:16 AM

To: Kacy Hall <kacy.hall@como.gov>, Chris Clubine <chris.clubine@como.gov>

Cc: Heather Cole < Heather. Cole@como.gov>

Chris, Kacy,

Wanted you to have the following email for your files.

Regards,

Mike Matthes City Manager Columbia, Missouri



----- Forwarded message ------

From: Don Love <dmaclove1@gmail.com>

Date: Fri, Aug 19, 2016 at 1:21 PM

Subject: a first step in using data to improve policing

To: City of COlumbia Mayor <mayor@como.gov>, Ward1@como.gov, Michael Trapp <ward2@como.gov>, City of Columbia Ward3 <ward3@como.gov>, lan Thomas <ward4@como.gov>, City Of Columbia Ward5 <ward5@como.gov>, City Of Columbia Ward6 <ward6@como.gov>, cmo@como.gov, Ken Burton <ken.burton@como.gov>, Heather Cole <heather.cole@como.gov>, Steven Sapp <steven.sapp@como.gov>

Cc: Tara Warne-Griggs <twgmom71@gmail.com>, Traci Wilson-Kleekamp <tracilizzette@gmail.com>, "Oxford, Jeanette Mott: Jeanette@empowermissouri.org" <jeanette@empowermissouri.org>, Mustafa Abdullah <mabdullah@aclu-mo.org>, John Chasnoff < johnchasnoff@cs.com>, Dan Viets < danviets@gmail.com>

We at Empower Missouri appreciate that honest dialogue that seems to have taken place among RMF representatives and CPD representatives about data. We also welcome Chief Burton's action to require signed consent to searches.

Tara Warne-Griggs mentions work by Dr. Lorie Fridell in her report of the meeting. I know Chief Burton has voiced support for Fridell's work in the past. Perhaps we could use her new book, Producing Bias-Free Policing, as a study guide. It's short but hits all the sensitive spots, and provides references to the most recent research.

In terms of making the best use of data to pinpoint areas of officers' performance that need examination, a good place to start might be what is reported in the VSR data as "Other Stop Outcomes," because would be relatively easy to investigate. These are outcomes other than citations, warnings and no action. They are not included the official VSR but they are in the complete data set we receive from the Attorney General. According to the data, the stop outcome for black drivers was "other" 172 times in 2015 and 25 times for white drivers.

It would be helpful to know whether this data is correct—perhaps an error was made either in submitting it to the AG or by the AG, but some other agencies have even higher rates and disproportions so it's probably a real situation.

We would like to know what sorts of outcomes were involved that the standard categories did not apply.

- We would like to know why it was that black drivers were affected at a rate 15 times the rate for white drivers. Perhaps there were reasons totally unrelated to race; if so, the public needs to know that this is the case. Perhaps the situation correlates more with economic factors than with race. Perhaps some form of bias is involved.
- And we would like to know what will be done to make sure that black drivers will not be unfairly affected in the future: perhaps policies are not written clearly, or not clearly understood by officers. Perhaps supervisors are not noticing a problem and giving officers appropriate guidance. Perhaps different training is needed for officers. Perhaps it's just a form that needs to be revised.

This is the pattern that should be followed whenever the VSR data flag a potential problem. Other situations will probably be more difficult to assess. For instance, hit rates broken down by type of search would go a long way toward clarify fairness, but these are not recorded for the VSR by officers and can be found only in internal data.

The high rate of outstanding warrant arrests for black drivers results in a high rate of searches that must be conducted after every arrest. These searches may have a very low hit rate because officers would usually have no reason to suspect contraband.

A high hit rate for consent searches might confirm that officers have valid reasonable suspicion when they ask for consent. A low hit rate for consent searches might indicate that consent searches are based on stereotypes rather than valid reasonable suspicion.

On page 82 of Producing Bias-Free Policing, Fridell gives an example of a chief who received complaints of bias in consent searches. He could not identify bias but he wondered whether the benefit of consent searches outweighed the negative community feelings they generated. He thought that a hit rate of 20% would justify them, but he found instead a very low hit rate. Fridell doesn't report exactly what he did.

Chief Burton's recent decision to require officers to get signed consent might help. Requiring officers to have strong reasonable suspicion would help. Ladue's Chief, Rick Wooten, stopped all consent searches.

That section of Producing Bias-Free Policing, starting on page 80, is full of information helpful to us as we figure out how to move toward bias-free policing.

Just an explanation of the "Other Outcome" data would be a good first step toward the sort of program lan Thomas has proposed—the CPD responding to community concerns, even if just in a limited situation at first.

Don Love, Chair

Empower Missouri Human Rights Task Force

DmacLove1@gmail.com

573 230 6446

http://empowermissouri.org/



Chris Clubine <chris.clubine@como.gov>

Fwd: [CMO]: Empower Missouri follow up on discussion of community policing 1 message

Michael Matthes <michael.matthes@como.gov>

Wed, Nov 16, 2016 at 2:03 PM

To: Kacy Hall <kacy.hall@como.gov>, Chris Clubine <chris.clubine@como.gov>, Heather Cole <heather.cole@como.gov>

Kacy, Chris,

Please include the following in our input for the listening tour on racial profiling. After we have the NAACP meeting, I'd like to have an internal meeting with staff involved to sort through the input and create a list of things we are willing to do/change resulting from the input.

Regards,

Mike

Sent from my iPad

Begin forwarded message:

From: "Don Love" <dmaclove1@gmail.com>
Date: November 10, 2016 at 11:51:47 AM EST

To: "Matthes, Mike" <cmo@como.gov>

<tracilizzette@gmail.com>, <cbmi@centurytel.net>, "Rachel Girdler \(Student\)"
<Gird116990@evangel.edu>, "Steve Sheltmire" <ssheltmire@hotmail.com>

Subject: [CMO]: Empower Missouri follow up on discussion of community policing

Thanks for listening to us! We were encouraged by your responses.

You asked for specific suggestions—or did you actually say demands? We said we wanted Columbia to continue its present course but to do so with increased confidence.

Being a little more specific, we would like to continue the collaboration on analysis of internal data started with CPD, RMF and Empower Missouri. CPD has concentrated on extracting information relevant to crime fighting from its data but there's a lot that can be learned about improving officer behavior. The data will go a long way toward indicating situations in which minority drivers are treated disproportionally and then locating specific factors that can be addressed.

For instance, the data indicate that officers are using consent searches in situations in which they do not have good indicators of criminal behavior—in fact, that the indicator they are following is skin color. There is little more than one consent search of a black driver per officer per year, so the problem isn't overwhelming, although it is significant from the point of view of the drivers.

Can officers cite an acceptable level of reasonable suspicion for their consent searches?

Are there other non-bias factors that account for the disproportion?

Is there one officer who is purposefully targeting minority drivers?

Is there a group of officers who allow implicit biases to affect their decisions?

Or are the disproportions more general, suggesting that systemic issues need to be addressed? For instance, perhaps a policy isn't clear, or supervisors aren't reinforcing the right things, or training isn't having the right outcomes.

Similar approaches should be followed for any category of officer action for which a disproportion exists.

Other aspects of continuing the present course are:

- Training in control of implicit bias and in appreciation of diversity;
- 2. Ongoing refinement of policies and procedures;
- 3. Close supervision of officers so that they are getting the right feedback on areas of performance critical for improved community relations.

Under policies and procedures, we are gratified that CPD is moving toward a "focused deterrence" approach. A generation of officers has been taught in a basic strategy of the War on Drugs that it's good policy to stop as many drivers as possible in order to investigate them for criminal behavior, especially drug crimes. Officers do get lucky every once in a while, but these successes are overwhelmed by the disproportion in which minority drivers are stopped and searched despite their innocence—especially since there are no major differences in illegal drug use among racial and ethnic groups.

Several of us, including Chief Burton, RMF and Ian Thomas, find compelling the explanation of this phenomenon in Pulled Over: How Police Stops Define Race and Citizenship, by KU professors drawing upon data from interviews of residents and officers in the KC area. Lead author Chuck Epp has indicated a willingness to speak in Columbia on their work. I hope we can work out the details for a townhall discussion based on his input.

And one more thing. Empower Missouri has been contributing to a revision of the 2000 racial profiling law so that it would better direct agencies to the strategies that are proven to be effective in Producing Bias-Free Policing (stealing the title of Lori Fridell's most recent book). Chief Burton has been applying many of the strategies. It would be very useful for us to have a critique of the draft legislation—what's good, what would be difficult for agencies to do, what improvements are possible, and so on. An informal critique at first, with the possibility of a formal endorsement of the final draft.

We have used Blue Springs PD as an exemplar because a new chief has been doing the sorts of things called for by the legislative revisions and VSR data for Blue Springs document improvements. We think Columbia will be another success story if it continues on its path. We look forward to holding it up as a model.

Don Love, CoChair

Empower Missouri Human Rights Task Force

DmacLove1@gmail.com

573 230 6446

http://empowermissouri.org/



Chris Clubine <chris.clubine@como.gov>

Fwd: [CMO]: FW: CPD, RMF and EM working on bias-free policing

1 message

Michael Matthes <michael.matthes@como.gov>

Wed, Nov 16, 2016 at 3:22 PM

To: Kacy Hall <kacy.hall@como.gov>, Chris Clubine <chris.clubine@como.gov>

Cc: Heather Cole <heather.cole@como.gov>

Please add the following to the racial profiling file.

Sent from my iPad

Begin forwarded message:

From: "Don Love" <dmaclove1@gmail.com> Date: September 9, 2016 at 4:27:30 PM EDT

To: "lan Thomas" <ward4@como.gov>, "Matthes, Mike" <cmo@como.gov>, "Michael Trapp" <ward2@como.gov>, "Nauser, Laura" <ward5@como.gov>, "Peters, Betsy" <ward6@como.gov>, "Ruffin Clyde" <Ward1@como.gov>, "Skala, Karl" <ward3@como.gov>, "Steven Sapp" <steven.sapp@como.gov>, "Tara Warne-Griggs" <twgmom71@gmail.com>, "Wilson-Kleekamp, Traci" <tracilizzette@gmail.com>, "Lynn Maloney" <lynnmaloney11@gmail.com>, "Grace Vega" <vegagrace2015@gmail.com>, "'Rachel Haverstick Taylor"' <rachel.haverstick@gmail.com>, <kmburton@gocolumbiamo.com>, <Jill.Schlude@como.gov>, <Jerry.East@como.gov>, "Steve Sheltmire"

<ssheltmire@hotmail.com>, "Rose Wibbenmeyer" <rose.wibbenmeyer@como.gov>, "Oxford, Jeanette Mott: Jeanette@empowermissouri.org" < jeanette@empowermissouri.org>

Subject: [CMO]: FW: CPD, RMF and EM working on bias-free policing

I agree with Tara's report.

Chief Burton emailed this morning that he thinks we need to follow up with more discussion, sooner rather than later.

We seem to have common ground to make better use of internal data to show that in some situations in which racial disproportions exist officers are not causing it (as for outstanding warrant arrests) and in other situations officer bias (implicit bias) might be involved so they should be provided with the benefit of improved policies, supervision and training. Consent searches match this second condition, an area in which Chief Burton is changing policy.

My follow-up notes on the discussion are attached. Pretty wonky. We are talking about mountains of data after all. But there are some opportunities for community dialog that emerge from it.

Before Empower Missouri got involved in bias-free policing, we were strategizing about working on profiling by retail personnel (security guards) and real estate personnel. The same problems that arise in law enforcement are with us in many other sectors.

It's not that officers are worse than anyone else. They are probably better because we already have professional standards for them. It's just that what they do under the unconscious effects of implicit bias have life and death consequences for members of the public and themselves. In fact, we targeted them because we thought we could improve polices related to these professional standards and thereby increase their chances of being successful in their goal of protecting public safety.

I'm anxious to get this done and move on to retail and real estate.

Don Love, Chair

Empower Missouri Human Rights Task Force

DmacLove1@gmail.com

573 230 6446

http://empowermissouri.org/

From: T.R. Warne-Griggs [mailto:twgmom71@gmail.com]

Sent: Friday, September 9, 2016 12:39 PM

To: Ken Burton <ken.burton@como.gov>; Donald Love <DmacLove1@gmail.com>; Jerry East

<Jerry.East@como.gov>; Jill Schlude <Jill.Schlude@como.gov>

Subject: Fwd: [City Council]: Bias Training for Peace Officers

Traci forwarded my report to members of the city council etc... I have forwarded it to you as well.

----- Forwarded message ------

From: Traci Wilson-Kleekamp <tracilizzette@gmail.com>

Date: Fri, Sep 9, 2016 at 11:58 AM

Subject: Re: [City Council]: Bias Training for Peace Officers

To: City Of Columbia Ward5 <ward5@como.gov>, Ian Thomas <ward4@como.gov>, City Of Columbia Ward6 <ward6@como.gov>, ward1@como.gov, ward2@como.gov, ward3@como.gov, Tara Rae Warne-Griggs <twgmom71@gmail.com>, Lynn Maloney <lynnmaloney11@gmail.com>, Grace Vega

<vegagrace2015@gmail.com>, rachel.haverstick@gmail.com

We just had another meeting with the PD.

Here's Tara Warne Griggs' quick report on the meeting:

Don Love and I met with Deputy Chief Jill Schlude and Crime Analyst Jerry East yesterday afternoon. I think it went very well. Jill talked much more comfortably about implicit bias than at the previous meeting. Don, Jerry, and I had a good conversation about the VSR data and what can and cannot be inferred from it. I will place the data file he sent me in our google drive as it is public information. They have provided it for several years to journalists.

The consent search form is happening. CPD is still discussing which specific date to begin using them so they can track how the form is being used. The form will capture refusals as well. Right now we know that more consent searches happen with Black drivers, but we don't know if that is because they are asked more frequently, or if White drivers refuse more often. This was an interesting conversation. Command's belief is that officers ask for consent too often in order to provide cover for the search in court. They believe that officers ask for consent when they do in fact have reasonable suspicion that justifies a search. This creates problems in the community when officers ask for consent, a driver refuses, then the officer searches the car anyway because they have probable cause. (I'm getting reasonable suspicion and probable cause mixed up) So the number of searches will not likely go down, but the number of consent searches should go down.

Sgt. Hestir went through train the trainer course with Lori Fridell's Fair and Impartial Policing. CPD had Fair and Impartial Policing come and do some presentations and selected Hestir to become the in-house trainer. He will be conducting the internal training for officers. Jill said that they are going to have a session for external stakeholders as well. She is going to send me the date.

We discussed fields needed when the new Records Management System (RMS) comes on line. They are designing the vehicle stops module over the next few months. Several fields will be added that allow CPD and the public to know if a stop occurred as a part of a street crimes unit operation or if it was "regular" traffic stop. Stops that occur during street crime operations are done with suspect and vehicle descriptions. The current data system does not allow those stops to be analyzed separately from regular traffic stops.

Jill also said that they have been talking with department's attorney and one of prosecuting attorneys about alternatives to arrest warrants for fines, tickets etc.... This would be a good conversation for us to engage in. Jill said they were trying to reduce the punitive nature for minor municipal infractions and instead use community service, take the opportunity to link people with services etc... to leverage the work that has been done to coordinate human services. She didn't think the current judge who is close to retirement was likely to take on a big project, but that we can start planning and making recommendations in the interim.

I suggested that we (CPD, RMF, and Empower Missouri) collaborate on a report analyzing Columbia's vehicle stops. Indicating where there seemed to be issues and where there are not. The report would be public and include information about questions we hope to be able to answer with the new RMS. It would also describe the actions CPD is taking now to reduce bias in its policing and some recommendations for municipal reform as well.

Don and I are going to work on some ways to present the VSR data from a couple of different vantage points. We are also going to make some suggestions for additional fields.

Traci

Sent from my iPhone

On Sep 9, 2016, at 11:40 AM, City Of Columbia Ward5 <ward5@como.gov> wrote:

Thought you might be interested.

Laura

Sent from my iPad

Begin forwarded message:

From: Michael Matthes <michael.matthes@como.gov>

Date: September 8, 2016 at 8:00:08 AM CDT To: City Council <city_council@como.gov>

Cc: Kacy Hall <kacy.hall@como.gov>, Heather Cole

<Heather.Cole@como.gov>, Ken Burton <Ken.Burton@como.gov>

Subject: [City Council]: Bias Training for Peace Officers

Dear Mayor and Members of the City Council,

Council Member Peters requested an brief note to overview the timing of various training we provide to police officers related to implicit bias, racial profiling, etc.

By December 31st, 2016 all licensed peace officers will have completed fair and impartial policing, verbal de-escalation and racial profile training. Beginning January 1, 2017, new requirements go into effect and require an annual completion of 1 hour of racial profile training, 2 hours of verbal deescalation and 2 hours of fair and impartial policing with an implicit bias section.

Regards,

Mike Matthes

City Manager

Columbia, Missouri



Suggestions for CPD Data Collection and Analysis 9 9 16.docx 18K

Suggestions for CPD Data Collection and Analysis

Collecting More Information

- 1. Recording investigative stops. Check offs for:
 - a. Acting on department information coming from an investigation
 - b. Acting on information from a reliable informant
 - c. Terry Stop: reasonable suspicion of dangerous situation
 - d. Pretext stop: stop for violation that would not have merited a stop except for officer's reasonable suspicions. (What degree of reasonable suspicion is appropriate here? Not as high as for a consent search but not based on race.)
 - e. Check off moving violation but also check investigative stop. AG form allows this.
- 2. Record request/denial of consent
- 3. Record call for dog, no alert and call for dog, dog alerts, search conducted. Currently, officers presumably just report when they conduct a search with a drug-dog alert as the probable cause, and don't report anything when the dog does not alert.
- 4. Consent Searches: Check off for reasonable suspicion, covering the most common situations. (Policies would need to be changed to require reasonable suspicion for consent searches and officers need to be trained on what counts as reasonable suspicion so that the tactic is not overused to the point of driver ill-will.)
- 5. RSW searches: check off reasonable suspicion and the perceived danger.
- 6. When consent searches are used to back up probable cause, check off consent search and probable cause. (Unless department prohibits this use of consent searches.)
- 7. Check off for special circumstances: , stop by the street crimes unit, stop in a high-intensity area, etc. I forget the other situations Jerry mentioned. I put calls for service under investigative stops.

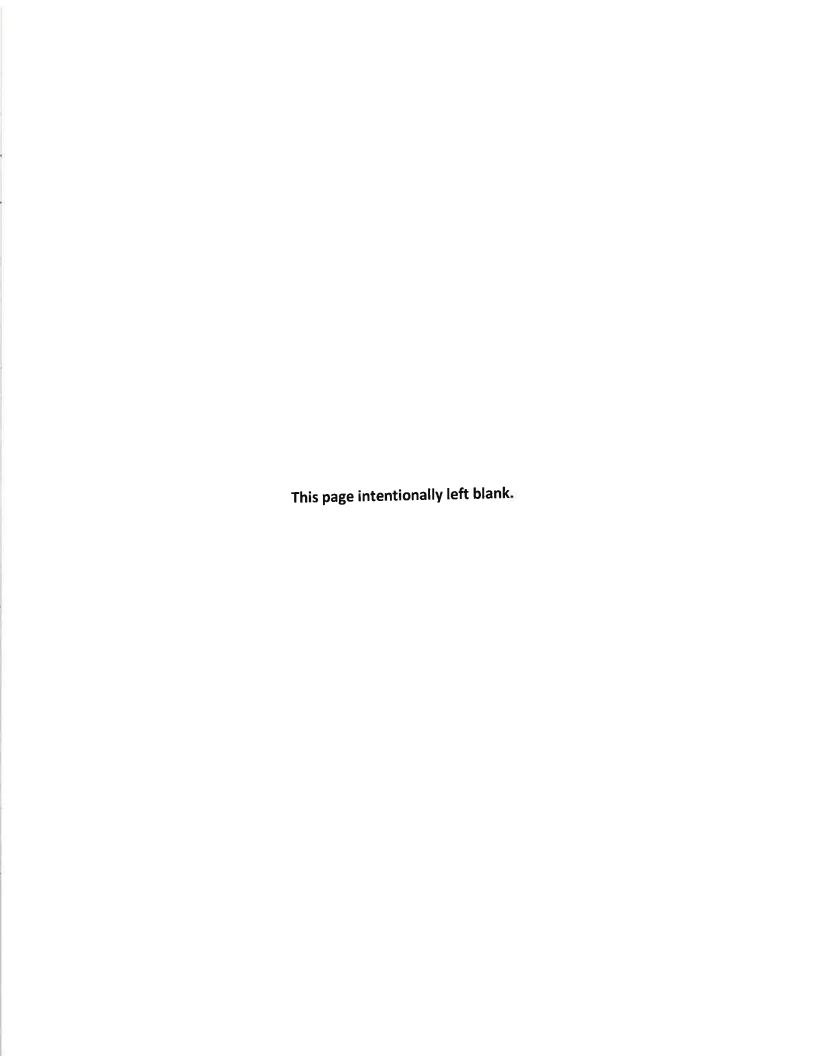
Tweaks to Current Spreadsheet

- Include both group percentages of subcategories based on the main category (e.g. consent searches as a percentage of total stops) and group rates based on group stops (the rate of group consent searches per group stops), with minority group percentages and rated compared to white percentages and rates.
- 2. Under Violation for Arrest (arrest charges), perhaps base the rate/percentage on the total number of arrest charges instead on the total number of drivers arrested. That would give a number more consistent with the other percentages. But maybe it helps that the rate in Jerry's table is affected by multiple charges for the same driver. It this is considered significant (that one group is more likely to have multiple charges) than perhaps this should be a separate result.
- 3. Perhaps the problem of having to use the Other Outcomes category as a fudge receptacle could be solved by with a work-around, such as giving officers a paper form to use when their computer doesn't pop up the one they need.
- 4. Some of the percentages are actually rates per 100, e.g., line 33, 44, 58. Also Reasons for Stops, starting with line 17. Subcategories of moving violations could be treated as a percentage of total moving violations.

Next Steps

- 1. It seems as if we are in general agreement that officer/community relations will be helped if CPD uses data to:
 - a. Document situations in which there are disproportions but factors other than officer bias are the cause;
 - b. Document situations in which factors other than officer bias cannot be ruled out, so that officer bias must be assumed to contribute:
 - c. Document efforts to identify situations in which overt bias is involved and disciplinary actions taken;
 - d. Document efforts to improve policies, supervision and training to address the disproportions.
- 2. Since CPD has decided to require signed consent for searches, I suggest:
 - a. CPD use the data to explain that the hit rate for searches does not justify consent searches in the way they have been used in Columbia, especially since black drivers are disproportionately affected and have a hit rate lower than the one for white drivers.
 - i. The data should also be used to document that the disproportions in arrest rates are inflated by OWAs.
 - b. Perhaps CPD could also say that other policies related to consent searches are changing or that they are being reviewed. For example, officers must have a reasonable suspicion, clearly not based on race, officer are not permitted to use consent searches to back up probable cause.
 - c. CPD work up a press release making all this as clear as possible. Empower Missouri and Race Matters, Friends could make statements in support.
 - i. It would probably help for Empower Missouri and RMF to say that data cannot be used to prove officer bias because there are too many factors involved in every action they take, but that data is one of the best ways to identify the situations in which officers are likely to benefit from improved policies, supervision and training.
 - ii. We need to hone our skills in explaining why implicit bias is important and how current best practices really do help officers control them. (One press release or one press conference won't be enough to teach the public.)
 - d. CPD call a press conference to explain its intent and answer questions. Empower Missouri and RMF could make supporting statements and help answer questions.
 - e. RMF and Empower Missouri move forward with a broader approach to equity in criminal justice, beyond what officers do, because officers tend to get the blame for the whole system being unfair:
 - i. Improve procedures of the municipal court (alternative service, evening hours, etc.) It's a significant problem but there are only about 400 OWAs in 2015; it should be possible to bring these way down by helping people resolve their legal issues.
 - ii. Push for bias-free retail and real estate policies; security guards should be held to the standards we set for officers.

- iii. Push for further reforms of drug laws, de-emphasizing jail time and emphasizing effective drug treatment, etc.
- iv. Push for equity in education, wages, healthcare, etc.
- f. We work on an overall approach to the use of data to explore other potential situations in which officers would benefit from improved policies, supervision and training.
 - i. For this effort, Don will work on putting his post-stop analysis in a format that complements Jerry's breakdown tables.
 - It would help if Jerry would prepare a short explanation of what comparing percentages says about how drivers are affected by officer actions, and I'll do so too for post-stop analysis. I don't think Fridell says anything about percentages of subcategories, but maybe I missed it. She discusses measures of disparity in <u>By the Numbers</u>, see pages 311ff.
 - ii. We need to do more work sorting Jerry's Original Data table to identify key situations, doing things like looking at what happens to young black males at certain times.
 - iii. I wonder if we could agree on a set of estimates for driver group proportions. A good estimate is still the best way to get at what drivers are experiencing.
- 3. Empower Missouri is contributing to an effort to reform the Racial Profiling Law. A major aspect of this is directed at spelling out how agencies must do the sorts of things we're talking about. So CPD is an experiment for me. If it works here, we can be more forceful in the way we sell the reforms to the legislators.
 - a. Would it be possible for agencies to send the AG a subset of their UCR data, so they do not need to keep separate records for the VSR?





Chris Clubine <chris.clubine@como.gov>

Fwd: [CMO]: City of Columbia Contact Form: 6-23-2017 02:36:22 pm

2 messages

Heather Cole heather.cole@como.gov To: Chris Clubine chris.clubine@como.gov

Fri, Jun 23, 2017 at 2:41 PM

I forwarded this to Matthes as well, but thought this might be helpful in any research you do going forward too.

Heather Cole

Assistant to the City Manager Vision Zero Program Manager City of Columbia 701 E. Broadway - 2nd Floor Columbia, MO 65201

Phone: 573.874.6338 Fax: 573.442.8828

----- Forwarded message -----

From: <noreply@como.gov> Date: Fri, Jun 23, 2017 at 2:36 PM

Subject: [CMO]: City of Columbia Contact Form: 6-23-2017 02:36:22 pm

To: cmo@como.gov

The following form submission was received on the City of Columbia website. The sender has been notified of the successful receipt of this request. Recipients should respond to this request within a reasonable time frame, normally within 1 to 3 business days. For more information regarding origin of this message or to report spam contact the Webmaster at webmaster@como.gov

Below are the results of a Web form submitted on: June 23rd, 2017 at 02:36PM (CDT).

Name: Peggy Placier

Email Address: pplacier@centurylink.net

Comments: Hi Mr. Matthes, I hope you heard about the Stanford University report on policing, especially traffic stops. Lots

of useful information. Here's a link https://openpolicing.stanford.edu/ Regards, Peggy Placier

IP:173.248.108.130

Form: City of Columbia Contact Form

Michael Matthes <michael.matthes@como.gov>
To: Chris Clubine <chris.clubine@como.gov>

Mon, Jun 26, 2017 at 8:49 AM

Chris.

Please add this to our research on racial profiling.

Regards,

Mike Matthes City Manager Columbia, Missouri



----- Forwarded message -----

From: <noreply@como.gov> Date: Fri, Jun 23, 2017 at 2:36 PM

Subject: [CMO]: City of Columbia Contact Form: 6-23-2017 02:36:22 pm

To: cmo@como.gov

The following form submission was received on the City of Columbia website. The sender has been notified of the successful receipt of this request. Recipients should respond to this request within a reasonable time frame, normally within 1 to 3 business days. For more information regarding origin of this message or to report spam contact the Webmaster at webmaster@como.gov

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Comments: Hi Mr. Matthes, I hope you heard about the Stanford University report on policing, especially traffic stops. Lots

of useful information. Here's a link https://openpolicing.stanford.edu/ Regards, Peggy Placier

IP:173.248.108.130

Form: City of Columbia Contact Form



Chris Clubine <chris.clubine@como.gov>

Fwd: Columbia, Boone County and the VSR

1 message

Michael Matthes <michael.matthes@como.gov> To: Chris Clubine <chris.clubine@como.gov>

Mon, Jul 3, 2017 at 5:08 PM

Making sure you got this.

Regards,

Mike Matthes City Manager Columbia, Missouri



----- Forwarded message ------

From: Don Love <dmaclove1@gmail.com> Date: Mon, Jun 26, 2017 at 7:04 AM

Subject: Columbia, Boone County and the VSR

To: Heather Cole <heather.cole@como.gov>, lan Thomas <ward4@como.gov>, Matt Pitzer <ward5@como.gov>, "Matthes, Mike" <cmo@como.gov>, Michael Trapp <ward2@como.gov>, "Peters, Betsy" <ward6@como.gov>, Rose Wibbenmeyer <rose.wibbenmeyer@como.gov>, Ruffin Clyde <Ward1@como.gov>, "Skala, Karl" <ward3@como.gov>, Steven Sapp <steven.sapp@como.gov>, Ken Burton <kmburton@gocolumbiamo.com>, City of COlumbia Mayor <mayor@como.gov>

Cc: "Oxford, Jeanette Mott: Jeanette@empowermissouri.org" <jeanette@empowermissouri.org>, Phillip Weeks <pbweeks@mac.com>

Attached is an explanation from Empower Missouri of what we see in the 2016 Vehicle Stops Report, plus our analysis of VSR data disproportions based on the group proportions of drivers who have been stopped.

In brief, we see signs of progress in the data but we are disappointed that Columbia is not doing the little, noncontroversial things that would begin to change attitudes and get the civic engagement process off to a better start.

For instance, Chief Burton responded last year to our analysis of consent search hits by requiring officers to get signed consent. Columbia should analyze internal data for the part of the year when the new policies were in place and report on effects—which were probably good since there was a substantial drop in the consent search disproportion.

Questions? Comments? Glad to help in any way I can.

Don Love

Empower Missouri

Human Rights Task Force Co-Chair

573 230 6446

2 attachments



Boone County Columbia VSR 6 26 17.docx 44K



2016 Boone Columbia State post stop 6 7 17.xlsx 65K

Empower Missouri Responds to the 2016 Vehicle Stops Reports for the Boone County Sheriff's Department and Columbia Police Department

Major Tom Reddin told Alan Burdziak for his June 1 article in the **Columbia Tribune** on the Vehicle Stops Report: "The analyses that are conducted are just statistical numbers and don't delve into the realities of traffic stop." Yet the numbers do have a valuable use. Empower Missouri affirms Reddin's contention that a crucial part of a law enforcement agency's responsibility to its officers and its citizens is to regularly monitor "deputies' traffic stops, where they work and the data."

The Vehicle Stops Report (VSR) cannot prove that officers are discriminating against People of Color. Instead, **its data** highlight situations in which groups are disproportionately affected by officers' actions. Then agencies must do the hard work of delving into the circumstances of their traffic stops to determine the sources of the disproportions, **using both VSR data and more detailed internal information**.

Columbia Police Department has begun to dig into its VSR data, but it could be doing much more to explain the realities of traffic stops and, if needed, change how officers practice policing.

For instance, stop disproportions are affected by the area an agency chooses to patrol. If in one area there are more accidents, or the agency receives complaints about speeders, or shots are occurring, officers will patrol that area more heavily. Residents of that area will experience more stops.

Many factors can affect the disproportions seen in the VSR, ranging from the focus of the department, the type of policing being practiced, and any biases, implicit or otherwise, of individual officers. If one group is disproportionately affected, then the department owes the community an explanation for the categories in which there are disproportions. By offering a truthful and honest analysis of the disproportions, including any changes necessary in policing, an agency can develop trust and cooperation between it and the community it serves.

Columbia has had increasing numbers of shootings in recent years. According to the authors of *Pulled Over*, Charles Epp, Steven Maynard-Moody and Donald Haider-Markel, such an increase typically results in an increase in enforcement of traffic violations in an area which shootings are occurring in the hopes of catching someone involved in serious crime. Many more drivers are stopped for minor violations that officers would otherwise ignore. These drivers feel

violated by the officers' discretionary stops. They become increasingly alienated and a rift widens between the community and the police.

Pulled Over bases its conclusions on over 3000 interviews of drivers and officers in the Kansas City area. Black drivers reported this feeling of violation after pretext stops much more frequently than white drivers.¹ Officers, on the other hand, tend to think that as long as they are polite the "investigatory" stops are fine.²

Pretext stops occur when an officer makes a stop that would not have been made otherwise in order to look for some other violation. They involve minor violations—failure to signal a lane change, a burnt-out license bulb and so on. Officers are given wide discretion in making these stops. Drivers need occasional reminders that details protect public safety. When group disproportions arise, the rates at which officers make these discretionary stops become a concern.

Dr. Lorie Fridell, a national expert on bias-free policing, points out "the potential risk of bias manifesting in highly discretionary activities." She gives an example of an agency that instructed its officers to aggressively use consensual encounters to collect information. Data showed that African Americans were disproportionately affected. Agency leaders defended themselves by saying, "We certainly don't tell them to target Blacks."

Fridell concludes:

...Officers told to engage in some high-discretion activity geared toward preventing or solving crimes will default to the group(s) they most link to crime and violence. In most humans, this will be males of color between 18 and 25. This requires no animus towards those groups; it does not require conscious intention to target those groups. It requires only a human with the best of intentions—wanting to serve the community members by reducing crime in the area.³

The best of intentions is not, however, a justification:

Even if certain demographic groups are disproportionately represented among people who commit crime, police are not justified in treating the individuals as if they represent that stereotype or generalization. Doing so is unsafe, ineffective and unjust.⁴

¹ Epp, Charles R.; Maynard-Moody, Steven; Haider-Markel, Donald P. (2014-04-04). Pulled Over: How Police Stops Define Race and Citizenship (Chicago Series in Law and Society) (Kindle Location 160). University of Chicago Press. Kindle Edition.

² Ibid. Kindle Locations 221-237.

³ Fridell, Lorie. (2017) *Producing Bias-Free Policing: A Science-Based Approach*. Switzerland: Springer International Publishing. Page 20.

Misuse of discretionary actions can be controlled, Fridell says, by training officers to control implicit bias and by policies that clearly require officers to ignore race except when it is a descriptor like height and weight.

Pulled Over proposes that agencies minimize investigatory stops and instead practice "targeted enforcement" or "focused deterrence" in which the agency cultivates positive relationships with community members so that officers get the tips they need to investigate individuals who are real threats to public safety. Focused deterrence is an element of community policing which builds trust and support between residents and law enforcement.

When Empower Missouri met with City Manager Mike Matthes, Chief Ken Burton and members of his command staff in the fall of 2016, we were told the agency was implementing focused deterrence. CPD command staff have copies of *Pulled Over* available. What's needed now is a response by CPD to the disproportions in the VSR data, explaining the actions being taken.

In most cases the VSR's "Key Indicators" of total stops, searches and arrests are not precise enough; the agency and the public need to pay attention to the breakdown into 50 categories of stop and officer action. Unfortunately, the VSR does not provide disproportions for these categories, so everyone has to do the math.⁶

Burdziak correctly reported that disproportions can be distorted by non-residents entering a jurisdiction. Group stop rates are figured as group stops divided by group drivers; the proportion or percentage of group drivers is called the "benchmark"—the basis for making comparisons.

It's difficult to determine the number of group drivers on a jurisdiction's streets. An observational study is considered the most accurate method, but these are difficult to design and conduct, so an estimate is made based on group percentages of driving age residents in the last census. But drivers often come from other jurisdictions to work, shop, attend school, have fun and so on. Columbia and Boone County have I-70 and Hwy 63 bringing drivers from other locations with unknown group proportions, which complicates analysis of VSR data.

⁴ Fridell, Lorie. 2017. *Producing Bias-Free Policing: A Science-Based Approach*. Switzerland: Springer International Publishing. Page 13

⁵ Pulled Over. Page 164, Kindle Location 3275. Also see James Forman Beyond Stop and Frisk. New York Times, 4/19/12.

⁶ Or go to Empower Missouri's reports.

Some researchers suggest a spatially-weighted data analysis strategy in which the size the distance of other communities along good transportation routes are taken into account.⁷

In order to address this issue, Attorney General Josh Hawley, following one of the requirements of the Fourth Amendment Affirmation Act (FAAA) which strengthens the 2000 racial profiling law, now requires agencies to include residency in their data. This policy will allow an analysis to be done just for residents, for whom the census estimates are usually reasonably accurate. It's not good to ignore some drivers; they may be subject to different treatment for a number of reasons,8 but still it's important to have situations in which dependable disproportions are known.9

This gets complicated, however, especially where city and county form a mosaic; the residency workaround may not be helpful. Using the VSR's estimates, in 2010 there were 10,961 African American residents in Boone County, but 8980 of them lived in Columbia. Columbia officers patrol Columbia; sheriff's deputies generally leave the city to them. So the drivers that deputies encounter are probably not the 8.3% used by the VSR but closer to 4.7%.

But still, there are many more drivers on county roads near city limits than on remote county roads, so who can say what benchmark to use? Major Reddin has good reason to question the VSR; it's not perfect but the total data set, combined with an agency's internal information, should be used to spot and correct problems.

At best, estimates of group driver proportions are always problematic. The best method of making them is to conduct an observational survey of drivers, but this is expensive and still an estimate. Disproportions may be faulty because of flawed estimates of driver proportions, but high disproportions still merit a review of the situations in which they occur.

Empower Missouri favors a procedure in which a jurisdiction for which the group driver proportions are suspect assembles a **community partnership**, including representatives of all stakeholders, which **studies the problem and reaches a consensus on acceptable benchmarks**. The benchmarks may not be perfect but at least they would allow further discussion of disproportions.¹⁰ Remember, the point of the VSR and a follow up on disproportions is not to

⁷ See Rojek, Jeff, Richard Rosenfeld, and Scott Decker. 2002. *The Influence of Driver's Race on Traffic Stops in Missouri. POLICE QUARTERLY* Vol. 7 No. 1, March 2004 126–147. Fridell discusses their work in *Understanding Race Data* pages 101ff. The authors point out that yet another consideration is that stop data does not reflect the legal disposition of incidents (page 145). Affluent people are more likely to use a lawyer to get the prosecutor to downgrade a moving violation.

⁸ For instance, a jurisdiction might take advantage of a busy thoroughfare to generate income from traffic fines.

⁹ CPD may be able to identify driver residency from internal data.

¹⁰ The Fourth Amendment Affirmation Act, a proposed reform of the 2000 racial profiling law, would allow agencies

prove agencies are at fault, but to identify and fix problems.

Black drivers in Missouri are affected at a rate 1.75 the rate for white drivers. This is the headline statistic from the VSR. It is based on the census estimates of group driver proportions, but these are reasonably accurate for the entire state. And if the state as a whole has a significant disproportion, individual agencies should take their disproportions seriously, even if the benchmarks aren't as accurate as desired.

An easy option for factual benchmarks is to use the group proportions of drivers who have been stopped. Then, the officer has been face to face with the driver so there's no question of awareness of race. The drawback to this approach is that disproportions can only be figured for actions officers take after the stop has been made—not for the stop itself. But still, these post-stop actions often give the clearest indications of officer performance.

Empower Missouri likes to look at disproportions in consent searches because these occur after a stop and when no major violation has occurred. If an arrest is made for any reason, the officer automatically makes a search. If there is a disproportion in consent searches, is it because officers had some fact about the driver that made them suspicious or did the common negative stereotypes about People of Color our society perpetuates make them suspicious?

There's really no way to prove an officer is affected by these stereotypes. Dr. Lorie Fridell, a nationally recognized authority on bias-free policing, says we should just get used to the idea these stereotypes or implicit biases are always tempting us to do things counter to our conscious values. Agencies need to look out for explicit bias too, but implicit is much more common and likely to avoid notice. Thus, officers must be trained and educated to recognize and control implicit biases.

Another approach to the disproportions in consent searches is to train the officers to act on facts about the individual; if they are focused on facts, it is easier for them to act fairly and ignore stereotypes. Policies need to make clear that officers are not to act on suspicions based on race. The facts don't have to be strong enough to constitute probable cause but they do have to be strong enough to allow the officer to control implicit bias and convince the public that the officer wasn't keying on race. Supervisors need to question officers about their facts whenever a disproportion appears in their data.

to form community partnerships and suggest alternative benchmarks, which the AG would use, if reasonable, to compute an alternative analysis. Empower Missouri can generate alternative reports now.

¹¹ Fridell, Lorie. (2017) *Producing Bias-Free Policing: A Science-Based Approach*. Switzerland: Springer International Publishing. Page 66.

Agencies need to do the hard work of delving into the internal information they have to determine whether there are factors other than bias causing the disproportions. If they cannot find alternative legitimate factors, their job is to investigate officer performance, policies, supervision and training, then report to the public what they have found and what improvements they are making. If they do a responsible job they will win the trust and cooperation of community members they need in order to protect public safety.

On EmpowerMissouri.org, under <u>Press Packets</u>, we have posted resources to help reporters—and officers and members of the public—better understand the value of the VSR data. The basic documents are massive spreadsheets that compute disproportions for all categories of officer action for all 600 plus agencies in the state using as benchmarks either estimates of group driver proportions or group proportions of stops. Other documents explain how to use this information to create a community dialogue aimed at reaching a consensus on what officers need to do to protect public safety and earn the trust and cooperation of community members. The 2016 VSR Guide provides a broad range of background information. Comments on Stop Categories describes the categories of officer action documented in the VSR.

Here are some of the things we at Empower Missouri see in the data.

Analysis of Stops Based on Estimates of Group Driver Proportions

As explained above, we rely most on post-stop analysis, but the stops themselves can't be analyzed this way. A high disproportion, even when it is accurate, does not prove bias, but still, a high disproportion must trigger a review of incidents by the agency.

For instance, officers record incidents in which they make a stop as part of an investigation. Statewide, black drivers receive 26% of these stops. For the sheriff's department, it is 31% and for CPD it is 42%. Statewide, black drivers are affected at a rate 2.79 times the rate for white drivers. For the sheriff's department, the disproportion is 4.72 and 6.45 for CPD, based on estimates of group driver proportions.¹²

¹² This is the format Empower Missouri uses for expressing disproportions: African Americans are affected at a rate 1.93 times the rate for Caucasians. We usually use the terms "black drivers" and "white drivers" because they are what the VSR uses. This statistic is called a "ratio of disparity." When we use the term "disproportion" we are referring to it. We believe it is easier to understand than the VSR's "disparity indexes." You can also think of it this way: "black drivers are affected 93% more frequently than white drivers." When white drivers are affected at a rate greater than another group the disproportion will be less than 1.00: "black drivers are affected at a rate 0.50 times the rate for white drivers" is the same as "white drivers are affected at 2.00 times the rate for black drivers." For more information, see our 2016 VSR Guide.

Again, these disproportions do not prove bias, but the agencies should explain why there are high disproportions in investigative stops for black drivers. Are these in response to tips or calls for service, so that officers are not initiating them, and therefore bias on their part is not involved? Are they the result of ongoing investigations into serious crime, so that officers have access to facts about the individual indicating a strong possibility of criminal behavior? Or are they spontaneous investigations by officers, and therefore more subjective and more likely to involve implicit bias?

The agencies should examine the high disproportions in the categories of moving violations—speeding, lane violations, failure to signal and so on--which are not in the VSR but are in the complete data set we analyze. Are the disproportions occurring in serious traffic violations, in which public safety is threatened, for example, driving 90 mph in a school zone? Or are they occurring in minor violations—32 in a 30? Are these the situations in which officers give warnings or take no action, indicating the stop may have been investigative? And if the officers were making the stop in order to find out more about the driver, did they have some fact strong enough to convince the public that race was not a motivating factor? These are the sorts of stops that can lose officers trust and cooperation if they are not adequately explained.

Another example: city officers stop black drivers for **failing to signal at a rate** 4.69 times the rate for white drivers. The county disproportion is 3.82. Everyone wants officers to reinforce good driving habits, but are black drivers really that more likely to fail to signal? Are the stops followed by DWI charges, indicating officers were alert for serious dangers to public safety? Or were they followed by consent searches, suggesting officers may have been suspicious because of the drivers' race? Agencies need to investigate these sorts of possibilities and report to the public whether they found legitimate reasons for the disproportion. If they did not, officers need better policies, supervision and training. Either way, the agency wins and the public wins because there has been respectful analysis and a proper systemic response.

Boone County and Columbia have high disproportions in **outstanding warrant arrests**, as do most jurisdictions. Based on group driver estimates, drivers are arrested at a rate almost five times the rate for white drivers.

Based on group stop rates, black drivers are arrested by both deputies and officers for outstanding warrants at a rate 1.93 times the rate for white drivers.

Officers may sometimes detect an outstanding warrant because a license plate scanner identifies the owner of the vehicle as having an outstanding warrant; that makes OWAs a stop category. Otherwise the OWA would be post-stop category; the officer would make a stop, enter driver information in the computer and find out about the warrant.

Officers are usually required to make an arrest if they know there is a warrant.¹³ If there is bias, it would probably be in the form of not checking to see if there is a warrant for members of some groups.

These warrants are not usually for serious crimes. They are more likely to be for minor violations that the driver was not able to resolve. Rich people send in a check or hire lawyers to get a moving violation changed to a parking violation. People with low incomes are likely to have difficulties getting to municipal court because they can't get off work or find child care or they can't afford the fine.

In Missouri, African Americans are more than twice as likely as Caucasians to have low incomes. Caucasians with low incomes are likely to have a similar rate of outstanding warrant arrests, but more research would be required to verify this assumption.¹⁴

It might be possible to determine the rates at which different groups experience outstanding warrants and then use this rate as a benchmark. If black drivers are issued outstanding warrants at a rate 1.93 times the rate for white drivers, then their arrests for outstanding warrants occurring at the same disproportion would support that officers are even handed.

Members of some jurisdictions may demand this documentation; members of other jurisdictions may accept the explanation based on group income. The community would have to decide how to use its resources. Is it better to spend money on documentation or to spend it making sure officers are performing correctly? Or better still, the community might decide to reform court practices so that it is easier for all individuals with limited budgets to meet their obligations.

As an exercise in community relations, OWA disproportions are a good place for an agency to begin. The disproportion looks bad but it is probably not caused by officer bias. The agency can

¹³ A municipality was reported as issuing outstanding warrants for individuals who failed to pay trash fees. Some agencies may be allowing officers to ignore outstanding warrants for minor violations, but officers usually feel strongly about enforcing laws. Fridell says agencies can avoid discretionary opportunities that lead to disproportions by taking out the discretion: an arrest must be made for all outstanding warrants. Fridell (2017) pages 1-2.

¹⁴ Columbia's anti-violence task force concluded that violence needed to be addressed on many fronts: education, income, housing, health, and so on. Because of a heritage of discrimination, African Americans have been deprived of equal access to resources needed for a secure life—needed to pursue happiness. As late as the most recent housing market collapse, they were disproportionately given subprime mortgages. Federal resources have historically been used to limit home ownership opportunities, creating segregated housing. Undoing socioeconomic inequalities would greatly reduce disproportions in policing. Disproportions in outstanding warrant arrests would decline. Officers would not be tempted to use tactics in "black" neighborhoods that they would not use in "white" neighborhoods.

explain what outstanding warrants are, why people get them, what their policy is when officers find out a driver has one, and what the community can do to reduce the disproportion.

In the county, black drivers are affected by **consent searches** at a rate 5.06 times the rate for white drivers, figured on the basis of group driver estimates. The disproportion figured on the basis of group driver stops is 1.41.

In the city, black drivers are affected by consent searches at a rate 5.76 times the rate for white drivers, figured on the basis of group driver estimates. The disproportion figured on the basis of group driver stops is 1.45.

Statewide, black drivers are affected by consent searches at a rate 1.92 times the rate for white drivers, figured on the basis of group driver estimates. The disproportion figured on the basis of group driver stops is 1.09."

Data is an important tool in improving policing. But listening to the lived experience of residents is equally important. Many African American drivers report their experience of "Driving While Black" as being similar to this: First you are stopped for a minor violation that a white driver would probably not be stopped for, and then, when the officer doesn't have anything on you, you are coerced into consenting to a search¹⁵ that doesn't find anything. Looking just at what happens after the stop misses this one-two punch.¹⁶

When law enforcement agencies and community members examine the VSR data, both the stops and the actions that take place after the stop, opportunities can be created to hear each other in ways that lead to improved policing and potentially stronger community-agency relationships.

In post-stop situations, Empower Missouri focuses on the categories in which officers can exercise a high degree of discretion: consent, drug-dog alert and reasonable suspicion searches and resisting arrest charges.

Consent Searches: To justify a search, officers are required to have probable cause for searches, or, under special circumstances, at least reasonable suspicions based on articulable

¹⁵ Pulled Over offers an informative analysis of the manual used for decades to teach officers tactics to obtain consent. See Kindle Locations 937-954.

¹⁶ Disproportions are higher when based on group driver proportions as long as there was an initial disproportion in stops. The Missouri State Highway Patrol has a stop disproportion for black drivers of 0.87; black drivers are stopped at a rate 87% that of white drivers. So the consent search disproportion based on group driver proportions (1.25) is lower than the one based on group stop proportions (1.44).

facts. They may still ask for a driver's consent when they do not have probable cause or even reasonable suspicion. The authority for the search becomes the consent granted by the driver. Consent Searches can be a valuable law enforcement tool, but Empower Missouri is concerned that their overuse damages the public's trust in officers because an element of coercion is always involved. Consent searches are unacceptable if officers use them based on the perceived race of the driver, whether consciously or unconsciously.

Some prosecutors encourage officers to get consent even when they have probable cause because probable cause can be challenged in court and consent cannot be challenged so easily. Empower Missouri believes this practice violates the intent of the Fourth Amendment to protect individuals from unfair searches.

Officers sometimes use consent searches when they do not want to reveal the source of a tip or the tip does not establish probable cause.

An officer might see from a computer check that a driver has been convicted for a gun violation. This is not probable cause for a search, but it would justify increased care on the part of the officer and might be accepted by residents of the jurisdiction as justification of a request for consent.

The rate at which officers find contraband might also validate the officers' decisions to ask for consent. The VSR provides hits based on contraband found, but hits cannot be computed from the data based on type of search. The FAAA calls for this statistic to be added to the VSR. Agencies can delve into internal date to compute hit rates.

Officers record when they conduct a search but not when they ask for consent and it is refused. Groups may be refusing consent at different rates. It would be best to be able to compute disproportions on the rates at which officers ask group members for consent. When agencies cannot explain a disproportion by factors other than bias, they should take very seriously the possibility that bias is a factor.

Black drivers are affected by consent searches by deputies at a rate 1.41 times the rate for white drivers based on the group proportions of drivers stopped. The disproportion for Hispanic drivers is 1.86. The state disproportion for both groups is 1.09. The sheriff may be able to document that the disproportion is the result of factors other than bias. If alternative factors do not account for the disproportion, then the agency needs to look into the possibility that officers are influenced by stereotypes to be suspicious of People of Color and improve policies,

supervision and training so that deputies can guard against bias-based policing by acting only on facts about the individual.

Black drivers are affected by consent searches by Columbia officers at a rate 1.45 times the rate for white drivers. The disproportion for Hispanic drivers is 1.63. The disproportion for black drivers is down from 4.39. in 2014, but the decline is largely the result of an increase in consent searches for white drivers.

We appreciate that Chief Ken Burton gave Race Matters, Friends internal data for 2015 in the spreadsheet CPD used to generate the data submitted to the AG's office. Empower Missouri used the data to see if hit rates validated officer decisions to ask for consent. We found Black drivers were affected by consent searches at twice the rate for white drivers but officers found black drivers with contraband at half the rate for white drivers.

Empower Missouri generally recommends the next step in a situation such as this one to be looking for alternative legitimate factors, but Chief Burton decided to change policies, requiring officers to inform drivers of their rights and obtain recorded consent. We expect this action will help but more changes may prove to be necessary.

The best way to address consent search disproportions is to have policies that require officers to have facts about the individual. Columbia PD has a good policy on biased policing but it may need to be clarified so that officers know that even in consent searches they are not allowed to act on suspicions based on racial stereotypes—that they must always have facts about the individual.

CPD should be able to use its own internal data to compute disproportions for consent searches after Chief Burton changed policies.¹⁷ The fall of the disproportion for the year may have occurred because of policies changed in the fall. CPD should also compute hit rates for consent searches in 2016.

Are drivers refusing consent now that officers are telling them they can and then asking for signed consent? Do different groups refuse at different rates? Do officers ask for consent less frequently now that they have to explain consent searches may be refused?¹⁸

¹⁷ This occurred in September, if memory serves.

¹⁸ The Fourth Amendment Affirmation Act, a reform of the 2000 racial profiling law, will require that officers explain the right to refuse and record when they ask for consent and when it is refused.

Drug-dog Alert Searches: Officers are allowed to call for a drug dog if they suspect drugs but do not have probable cause. The situation is similar to a consent search. Officers presumably report only when they call for a dog, the dog alerts and they make a search based on the alert. This procedure leaves out incidents in which an officer calls for a dog but it does not alert. This information should be collected for the VSR. Agencies should use internal data to compute disproportions for when officers call for a dog but it doesn't alert. If a group disproportion exists, the agency should investigate to confirm that the officers were acting on facts, not on suspicions prompted by stereotypes.

Boone County deputies conducted too few drug-dog alert searches to document a disproportion.

Columbia officers conducted drug-dog-alert searches at a rate much higher than the overall state rate but there were no significant group disproportions.

Reasonable Suspicion-Weapon Searches. On the form officers use, these are labeled "Terry stops." If an officer does not have probable cause but can cite an "articulable fact," a restricted search just for a weapon is allowed since the danger to officers and the public would be great if a weapon is available. There is a possibility of officers being influenced by stereotypes of group behavior. A hit rate for these searches could justify officer actions or could indicate that officers need to learn to be guided by driver behavior, not driver skin color.

Boone County deputies are not overusing these searches. They conducted too few of them to document a pattern.

Columbia officers conducted these searches at rates much higher than the state rate and had a disproportion for black drivers of 2.84, somewhat higher than the state disproportion of 2.61.

Internal 2015 CPD data indicate officers conducted 47 of these searches on black drivers and found 1 weapon. They conducted 20 of them on white drivers and found 7 weapons. Black drivers received these searches at a rate 5.16 times the white rate, but drivers were found with weapons at 16.31 times the black rate.

Officer and public safety are involved in weapons situations, so Empower Missouri believes officers should be given some leeway; if they are concerned about the presence of a weapon, they should be allowed to do a quick search. But this is the same thinking that justifies "stop and frisk" strategies that result in large numbers of POC being denied their rights.

This is an excellent example of the importance of community dialogue. Community members should hear from officers their concerns about safety. Officers should hear from community members their concerns that officer decisions are affected by racial stereotypes. Dialogue should be pursued until a consensus on policies emerges.

Resisting Arrest Charges: Black frustration, fear or indignation—alienation stemming from feelings of violation that *Pulled Over* documented-- could be contributing factors for high disproportions for black drivers. The statewide disproportion is 2.03. But the disproportions may be occurring because officers are escalating situations or do not have the skills to defuse confrontations. Or incidents could simply be the result of criminal behavior. The data does not tell us, so agencies must consult internal records and offer explanations.

Last year Empower Missouri pointed out a high disproportion in resisting arrest charges to a chief from an agency outside Boone County. There were only 12 incidents so he was able to quickly review the circumstances and report that in all but one incident drivers had been fleeing the scene of a crime, so officers had no opportunity to de-escalate.

This is how we see the review process working, except it should be the local community asking the questions and responding to the agency's explanations.

Boone County deputies filed 9 resisting arrest charges against black drivers resulting in a disproportion of 3.14. Columbia officers filed 12 charges for a disproportion of 2.19. Rates for both agencies for both blacks and whites are considerably above the state rate. The number of incidents may be too small to document a strong pattern but review of the incidents is still appropriate. One case of biased policing is serious, especially when officers need to resort to force.

Both agencies should review their resisting arrest incidents, determine whether officers would benefit from better de-escalation skills and report to the public the actions they have taken.

Body and dashboard cameras could be useful in evaluating officer performance.

Other situations should be reviewed when there are high disproportions. For instance, the county and city both have high disproportions for **drug and alcohol odor searches**. CPD officers conduct these searches on black drivers at a rate 3.80 times the rate for white drivers. The odor disproportions for Hispanic drivers and for the county are even higher.

It could be that black and Hispanic drivers are using drugs and alcohol more frequently than white drivers, but that is not what national and state data have reported. If so, the agencies should be able to present collaborating evidence from their internal data. Was the driver driving in a way that suggested impairment? Did a sobriety test confirm alcohol use? Was a DWI charge filed, or was alcohol at least detected? Were drugs or alcohol found during the search? Did CPD receive complaints that officers smelled drugs and alcohol when none were present?

The same 2015 CPD spreadsheet that Empower Missouri used to determine low hit rates for consent searches would furnish much of this information. We would be pleased to help, but CPD should be able to do this analysis on its own.

The City of Columbia press release responding to the VSR on June 7 gives an adequate summary of the VSR, covering its history, the key indicators, the disparity indexes and so on but ignoring the "meaningful and useful information" Empower Missouri has been offering for years: that aggregate stops are not the best indicators covered by the data, that disparity indexes are not the most useful indicators of disproportions, that post-stop officer actions can be better assessed on the basis of factual benchmarks, not estimates, and so on.

The press release rightfully claims credit for improved policies on consent searches but fails to mention that an analysis of 2015 CPD data showed that officers did not find contraband during consent searches at a rate high enough to justify the way officers had been using them. 2016 data would probably give the same result, but looking just at incidents after the policy was implemented would help evaluate the effect of the policy change.

Empower Missouri has often pointed out that similar analysis of other situations with high disproportions would either enable CPD to explain that factors other than bias were involved or that steps had been taken to improve policies, supervision and training in ways that address bias.

In the press release, Chief Ken Burton says he wants to collect additional data, and we agree that there are some facts that it would be useful to know, but much can be done with the data already in CPD records. CPD should make more use of that data.¹⁹

The ongoing meetings with groups mentioned in the press release are fine, but there is no reason Columbia and its police department cannot show what it is learning by making more changes right away.

¹⁹ For instance, if CPD is not already recording when officers make an investigative stop in response to a call for service, it should start doing so. This information will help CPD explain that officer bias is not behind these stops.

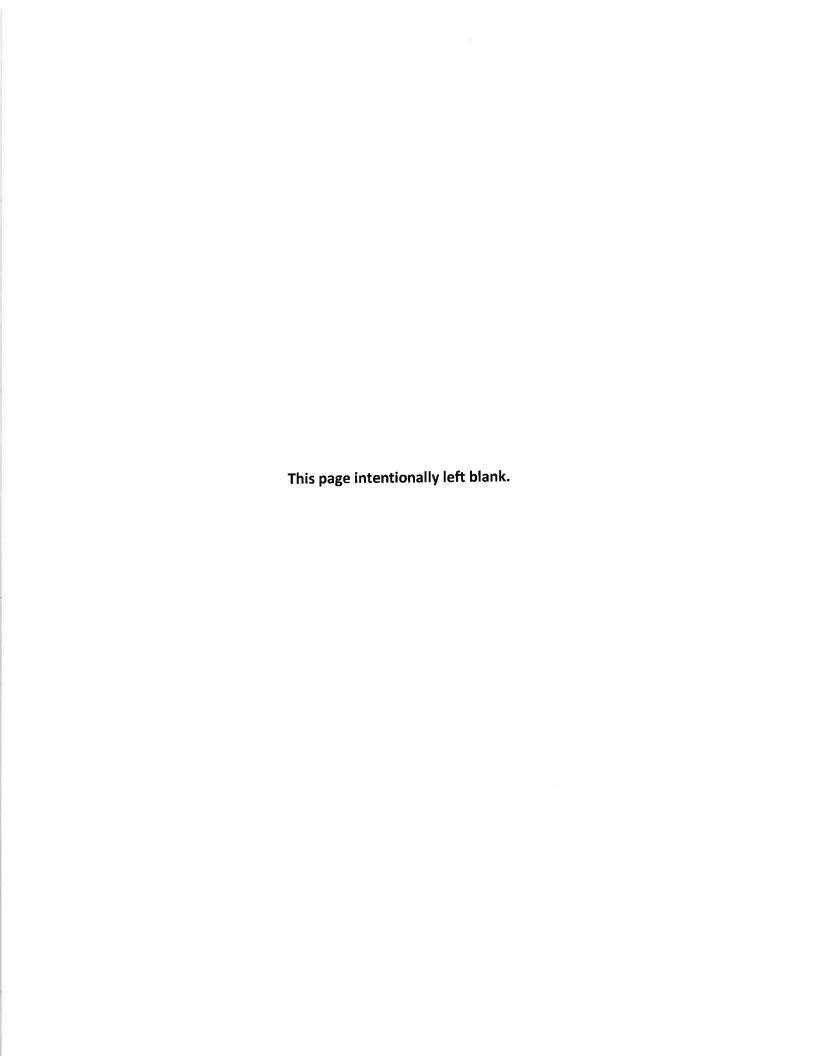
Here is the general process Empower Missouri suggests for all agencies:

- The agency makes sure its policy against bias-based policing requires officers to base all actions on facts about the individual and not stereotypes about the individual's group.
- The agency looks for disproportions in the VSR data, covering all situations, both in what officers do in making a stop and what they do after a stop.
- The agency looks for causes other than bias for the disproportions and reports to the public. The public asks questions; a consensus is reached.
- If the agency cannot identify alternative legitimate factors, it looks closely at officer performance and disciplines or retrains when appropriate. It reviews and improves policies, supervision and training.
- The agency reports to the public what it has found and what it has done. The
 public may ask for further review and more action. A consensus is reached about
 how policing should be done in the jurisdiction to ensure public safety and
 protect the rights of everyone.

Agencies must be willing to delve into the internal information only they have in order to tell us what the realities are of the stops their officers make. The Boone County Sheriff's Department needs to get started with this task. The Columbia Police Department needs to continue the work it has started.

This process is also employed by the Fourth Amendment Affirmation Act, which made significant progress during the last legislative session, with sponsorship from Republican Representative Shamed Dogan. Empower Missouri hopes that the act will become law in the next legislative session, but there is no reason to wait: we need to remedy our heritage of racial discrimination now.

If we follow this process, officers will be able to count on community members for trust and cooperation, and community members will be able to count on officers as guardians of public safety. Please participate in the process by considering the disproportions in the data and urging law enforcement officials and their personnel to take action.





Chris Clubine <chris.clubine@como.gov>

Fwd: Language and Implicit Bias Study

1 message

Michael Matthes <michael.matthes@como.gov>
To: Chris Clubine <chris.clubine@como.gov>

Mon, Jul 3, 2017 at 5:34 PM

Chris,

Please add this to our racial profiling research.

Regards,

Mike Matthes City Manager Columbia, Missouri



----- Forwarded message -----

From: City Of Columbia Ward1 <ward1@como.gov>

Date: Fri, Jun 9, 2017 at 5:34 PM

Subject: Language and Implicit Bias Study

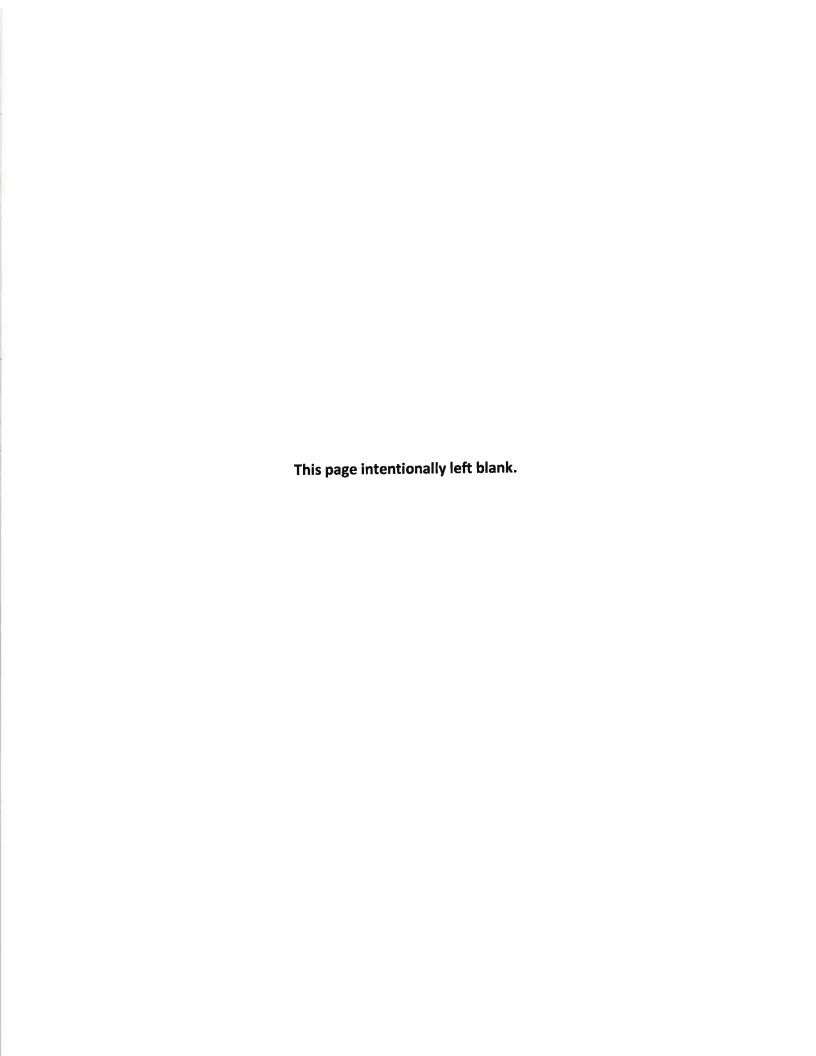
To: Michael Matthes < Michael. Matthes@como.gov>

This is the article regarding the use of language as a component of bias training for police officers

http://www.latimes.com/science/sciencenow/la-sci-sn-police-drivers-race-20170605-story.html

Thought you might be interested.

Clyde Ruffin, First Ward Columbia City Council



Oakland police tend to treat black drivers with less respect than white ones, linguistic analysis shows



A patrol car sits in front of the Oakland Police headquarters. A linguistic analysis of body camera footage shows that Oakland officers treat black motorists with less respect than white motorists. (Justin Sullivan / Getty Images)



By Karen Kaplan

JUNE 5, 2017, 5:55 PM



fter reviewing transcripts of traffic stops involving 981 motorists, Stanford researchers have come up with proof of something that many Americans have believed for a very long time: Police officers tend to treat black citizens with less respect than white citizens.

This is true regardless of the police officer's own racial background, the researchers found. Nor does it matter whether the traffic stop occurs in a business district or residential neighborhood, or whether the crime rate in the area is high or low.

When you boil it all down, the inescapable conclusion is this: "Officers' language is less respectful when speaking to black community members," according to a report published Monday in the Proceedings of the National Academy of Sciences.

If this sounds like a trivial thing, the researchers assure you that it is not.

In any given year, more than 1 in 4 Americans who are old enough to drive have some kind of encounter with a police officer, usually as a result of a traffic stop. If these interactions go smoothly, the police build respect within their community. If they don't, the public's trust in law enforcement erodes, and citizens may become less willing "to support or cooperate with the police," the study authors said.

The researchers, led by Rob Voigt, a graduate student in Stanford's linguistics department, took advantage of the rapid spread of police body cameras to conduct their study. They obtained 183 hours' worth of footage from the police department in Oakland, a city that is both large (population 420,005) and racially diverse (39% white, 26% black, 16% Asian, 6% two or more races and 26% Latino). The recordings were made in April 2014.

Voigt and his colleagues focused their attention on traffic stops involving 682 black drivers and 299 white ones. Once the footage was transcribed, they identified 36,738 distinct comments, or "utterances," made by 245 police officers.

The study was conducted in multiple steps:

First, the researchers randomly selected 414 of the 36,738 utterances and paired each one with the driver comment that immediately preceded it. These exchanges were given to 70 study volunteers, who rated the degree to which officers were respectful, polite, friendly, formal and impartial. Each exchange was rated at least 10 times, and the volunteers weren't told whether the motorist was black or white, male or female.

Even so, a clear pattern emerged: When the motorist was black, police officers were judged to be less respectful, less polite, less friendly, less formal and less impartial than when the motorist was white.

66

Officers' language is less respectful when speaking to black community members.

- Stanford researchers, writing in the journal PNAS

Breaking things down, the researchers determined that 71% of the variance in the way black drivers and white drivers were treated could be traced to "Respect" with a capital R, a component of all five of the attributes examined.

Next, the researchers used computational linguists to determine the kinds of language that conveyed Respect (or lack thereof). Apologizing, expressing gratitude, offering reassurances, showing concern for a motorist's personal safety and addressing drivers as "sir" or "ma'am" all contributed to a perception of Respect, among

others. On the other hand, officers racked up negative scores for Respect by using informal titles ("my man") or asking drivers to keep their hands on the steering wheel, to name a few examples.

Once the model had been "tuned" on the 414 exchanges, the researchers tested it on the entire sample of 36,738 utterances. The results revealed that officers conveyed more Respect when speaking to drivers who were white than with drivers who were black.

That disparity was apparent within the first 5% of an interaction between officer and driver, the researchers reported. Then it kept growing, since the amount of Respect shown to drivers grew over the course of a traffic stop, but it grew more quickly for white drivers than black ones.

The difference was so stark that in two-thirds of the cases, it was possible to predict whether the motorist was black or white based solely on the words used by officers.

The model gave researchers a chance to test out various theories about why the police treated black citizens less respectfully than white citizens. For instance:

- Was it because black drivers were pulled over for more serious offenses than white drivers? No.
- Was it a consequence of officers speaking more formally with white motorists and more colloquially with black motorists? No.
- Could the actions of a few "bad apple" officers account for the overall trend? No.
- Did this discrepancy arise only in cases that resulted in a citation or a ticket, but not in "everyday" interactions? No.

"We have found that police officers' interactions with blacks tend to be more fraught ... even when no arrest is made and no use of force occurs," the study authors concluded. "The racial disparities in officer respect are clear and consistent, yet the causes of these disparities are less clear."

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Language from police body camera footage shows racial disparities in officer respect

Rob Voigt^{a,1}, Nicholas P. Camp^b, Vinodkumar Prabhakaran^c, William L. Hamilton^c, Rebecca C. Hetey^b, Camilla M. Griffiths^b, David Jurgens^c, Dan Jurafsky^{a,c}, and Jennifer L. Eberhardt^{b,1}

^aDepartment of Linguistics, Stanford University, Stanford, CA 94305; ^bDepartment of Psychology, Stanford University, Stanford, CA 94305; and ^cDepartment of Computer Science, Stanford University, Stanford, CA 94305

Contributed by Jennifer L. Eberhardt, March 26, 2017 (sent for review February 14, 2017; reviewed by James Pennebaker and Tom Tyler)

Using footage from body-worn cameras, we analyze the respectfulness of police officer language toward white and black community members during routine traffic stops. We develop computational linguistic methods that extract levels of respect automatically from transcripts, informed by a thin-slicing study of participant ratings of officer utterances. We find that officers speak with consistently less respect toward black versus white community members, even after controlling for the race of the officer, the severity of the infraction, the location of the stop, and the outcome of the stop. Such disparities in common, everyday interactions between police and the communities they serve have important implications for procedural justice and the building of police-community trust.

racial disparities | natural language processing | procedural justice | traffic stops | policing

or ver the last several years, our nation has been rocked by an onslaught of incidents captured on video involving police officers' use of force with black suspects. The images from these cases are disturbing, both exposing and igniting police-community conflict all over the country: in New York, Missouri, Ohio, South Carolina, Maryland, Illinois, Wisconsin, Louisiana, Oklahoma, and North Carolina. These images have renewed conversations about modern-day race relations and have led many to question how far we have come (1). In an effort to increase accountability and transparency, law enforcement agencies are adopting body-worn cameras at an extremely rapid pace (2, 3).

Despite the rapid proliferation of body-worn cameras, no law enforcement agency has systematically analyzed the massive amounts of footage these cameras produce. Instead, the public and agencies alike tend to focus on the fraction of videos involving high-profile incidents, using footage as evidence of innocence or guilt in individual encounters.

Left unexamined are the common, everyday interactions between the police and the communities they serve. By best estimates, more than one quarter of the public (ages 16 y and over) comes into contact with the police during the course of a year, most frequently as the result of a police-initiated traffic stop (4, 5). Here, we examine body-worn camera footage of routine traffic stops in the large, racially diverse city of Oakland, CA.

Routine traffic stops are not only common, they are consequential, each an opportunity to build or erode public trust in the police. Being treated with respect builds trust in the fairness of an officer's behavior, whereas rude or disrespectful treatment can erode trust (6, 7). Moreover, a person's experiences of respect or disrespect in personal interactions with police officers play a central role in their judgments of how procedurally fair the police are as an institution, as well as their willingness to support or cooperate with the police (8, 9).

Blacks report more negative experiences in their interactions with the police than other groups (10). Across numerous studies, for example, blacks report being treated less fairly and respectfully in their contacts with the police than whites (6, 11). Indeed,

some have argued that racial disparities in perceived treatment during routine encounters help fuel the mistrust of police in the controversial officer-involved shootings that have received such great attention. However, do officers treat white community members with a greater degree of respect than they afford to blacks?

We address this question by analyzing officers' language during vehicle stops of white and black community members. Although many factors may shape these interactions, an officer's words are undoubtedly critical: Through them, the officer can communicate respect and understanding of a citizer's perspective, or contempt and disregard for their voice. Furthermore, the language of those in positions of institutional power (police officers, judges, work superiors) has greater influence over the course of the interaction than the language used by those with less power (12–16). Measuring officer language thus provides a quantitative lens on one key aspect of the quality or tone of police–community interactions, and offers new opportunities for advancing police training.

Previous research on police-community interactions has relied on citizens' recollection of past interactions (10) or researcher observation of officer behavior (17–20) to assess procedural fairness. Although these methods are invaluable, they offer an indirect view of officer behavior and are limited to a small number of interactions. Furthermore, the very presence of researchers may influence the police behavior those researchers seek to measure (21).

Significance

Police officers speak significantly less respectfully to black than to white community members in everyday traffic stops, even after controlling for officer race, infraction severity, stop location, and stop outcome. This paper presents a systematic analysis of officer body-worn camera footage, using computational linguistic techniques to automatically measure the respect level that officers display to community members. This work demonstrates that body camera footage can be used as a rich source of data rather than merely archival evidence, and paves the way for developing powerful language-based tools for studying and potentially improving police-community relations.

Author contributions: R.V., N.P.C., D. Jurafsky, and J.L.E. designed research; R.V. and N.P.C., performed research; V.P., W.L.H., R.C.H., C.M.G., and D. Jurgens contributed new reagents/analytic tools; R.V. and N.P.C. analyzed data; R.V., N.P.C., D. Jurafsky, and J.L.E. wrote the paper; and D. Jurafsky and J.L.E. served as PI on this project.

Reviewers: J.P., University of Texas at Austin; and T.T., Yale Law School.

Conflict of interest statement: J.L.E. was invited by a federal judge and monitor to serve as a Subject Matter Expert to assist with the Oakland Police Department's reform efforts. The assignment began prior to the studies reported here.

Freely available online through the PNAS open access option

¹To whom correspondence may be addressed. Email: robvoigt@stanford.edu or jleberhardt@stanford.edu.

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In study 1, human participants rated officer utterances on several overlapping dimensions of respect. With a high degree of agreement, participants inferred these dimensions from officer language. Even though they were not told the race of the stopped driver, participants judged officer language directed toward black motorists to be less respectful than language directed toward whites. In study 2, we build statistical models capable of predicting aspects of respect based on linguistic features derived from theories of politeness, power, and social distance. We discuss the linguistic features that contribute to each model, finding that particular forms of politeness are implicated in perceptions of respect. In study 3, we apply these models to all vehicle stop interactions between officers of the Oakland Police Department and black/white community members during the month of April 2014. We find strong evidence that utterances spoken to white community members are consistently more respectful, even after controlling for contextual factors such as the severity of the offense or the outcome of the stop.

Data

Our dataset consists of transcribed body camera footage from vehicle stops of white and black community members conducted by the Oakland Police Department during the month of April 2014. We examined 981 stops of black (N=682) and white (N=299) drivers from this period, 68.1% of the 1,440 stops of white and black drivers in this period. These 981 stops were conducted by 245 different officers (see *SI Appendix, Data Sampling Process* for inclusion criteria). Per Oakland Police Department policy, officers turn on their cameras before making contact with the driver and record for the duration of the stop. From the 183 h of footage in these interactions, we obtain 36,738 usable officer utterances for our analysis.

Study 1: Perceptions of Officer Treatment from Language. We first test whether human raters can reliably judge respect from officers' language, and whether these judgments reveal differences in officer respect toward black versus white community members.

Respect is a complex and gradient perception, incorporating elements of a number of correlated constructs like friendliness and formality. Therefore, in this study, we ask participants to rate transcribed utterances spoken by officers along five conceptually overlapping folk notions related to respect and officer treatment. We randomly sampled 414 unique officer utterances (1.1% of all usable utterances in the dataset) directed toward black (N=312) or white (N=102) community members. On each trial, participants viewed the text of an officer utterance, along with the driver's utterance that immediately preceded it. All proper names and places were anonymized, and participants were not told the race or gender of the driver. Participants indicated on four-point Likert scales how respectful, polite, friendly, formal, and impartial the officer was in each exchange. Each utterance was rated by at least 10 participants.

Could participants reliably glean these qualities from such brief exchanges? Previous work has demonstrated that different perceivers can arrive at similar judgments from "thin slices" of behavior (22). In a similar vein, participants showed consistency in their perceptions of officer language, with reliability for each item ranging from moderate (Cronbach's $\alpha=0.73$) to high ($\alpha=0.91$) agreement (see SI Appendix, Annotator Agreement). These results demonstrate that transcribed language provides a sufficient and consensual signal of officer communication, enough to gain a picture of the dynamics of an interaction at a given point in time.

To test whether participant ratings uncovered racial group differences, we averaged scores across raters to calculate a single rating on each dimension for each utterance, then built a linear mixed-effects regression model to estimate the fixed effect of community member race across interactions, controlling for variance of a random effect at the interaction level. Officer utterances directed toward black drivers were perceived as less respectful [b=-0.23, 95% confidence interval (-0.34, -0.11)], polite [b=-0.23 (-0.35, -0.12)], friendly [b=-0.24 (-0.36, -0.12)], formal [b=-0.16 (-0.30, -0.03)], and impartial [b=-0.26 (-0.39, -0.12)] than language directed toward white drivers (Fig. 1). These differences persisted even when controlling for the age and sex of the driver (see SI Appendix, Model Outputs for Each Rated Dimension).

Given the expected conceptual overlap in the five perceptual categories we presented to the participants, we used principal component analysis to decompose the ratings into their underlying components. Two principal components explained 93.2% of the variance in the data (see SI Appendix, Principal Component Analysis (PCA) Loadings for loadings). The first component, explaining 71.3% of the variance and composed of positive loadings on the impartial, respectful, friendly, and polite dimensions with some loading on the formal dimension, we characterize as Respect, broadly construed. The second, explaining 21.9% of the variance and composed primarily of a very high positive loading on the formal dimension and a weak negative loading on the friendly dimension, we characterize as Formality. This component captures formality as distinct from respect more generally, and is likely related to social distance.

Standardizing these factor scores as outcome variables in mixed-effects models, we find that officers were equal in Formality with white and black drivers [$\beta = -0.01 \, (-0.19, 0.16)$], but higher in Respect with white drivers [$\beta = 0.17 \, (0.00, 0.33)$] (Fig. 1).

Study 1 demonstrates that key features of police treatment can be reliably gleaned from officer speech. Participant ratings from thin slices of police–community interactions reveal racial disparities in how respectful, impartial, polite, friendly, and formal officers' language to community members was perceived. Such differences were driven by differences in the Respect officers communicated toward drivers rather than the Formality with which officers addressed them.

Study 2: Linguistic Correlates of Respect. The methods of study 1 (human coding of 414 individual utterances), although effective at discovering racial disparities in officer respect toward community members in our dataset, cannot offer a general solution to the analysis of body camera data. One problem is scale: Each year, on the order of 26 million vehicle stops are made (5). Furthermore, using only a small sample of individual utterances makes it impossible to study how police treatment varies over officers, or how the interaction progresses across time in each stop.

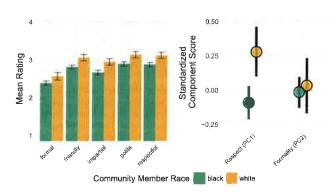


Fig. 1. (Left) Differences in raw participant ratings between interactions with black and white community members. (Right) When collapsed to two uncorrelated components, Respect and Formality, we find a significant difference for Respect but none for Formality. Error bars represent 95% confidence intervals. PC, principal component.

In this study, we therefore develop computational linguistic models of respect and formality and tune them on the 414 individual utterances; in study 3, we apply these models to our full dataset of 36,738 utterances. Our method is based on linguistic theories of respect that model how speakers use respectful language (apologizing, giving agency, softening of commands, etc.) to mitigate "face-threatening acts." We use computational linguistic methods (e.g., refs. 23–26) to extract features of the language of each officer utterance. The log-transformed counts of these features are then used as independent variables in two linear regression models predicting the perceptual ratings of Respect and Formality from study 1.

Our model-assigned ratings agree with the average human from study 1 about as well as humans agree with each other. Our model for Respect obtains an adjusted R^2 of 0.258 on the perceptual ratings obtained in study 1, and a root-mean-square error (RMSE) of 0.840, compared with an RMSE of 0.842 for the average rater relative to other raters. Our model for Formality obtains an adjusted R^2 of 0.190, and an RMSE of 0.882 compared with 0.764 for the average rater (see SI Appendix, Model Comparison to Annotators for more details on how these values were calculated). These results indicate that, despite the sophisticated social and psychological cues participants are likely drawing upon in rating officers' utterances, a constrained set of objectively measurable linguistic features can explain a meaningful portion of the variance in these ratings.

Fig. 2 lists the linguistic features that received significant weights in our model of Respect (arranged by their model coefficients). For example, apologizing, gratitude, and expressions of concern for citizen safety are all associated with respect. The bars on the right show the log-odds of the relative proportion of interactions in our dataset taken up by each feature, where negative numbers mean that a feature comprised a larger proportion of officers' speech in interactions with black community members and positive numbers mean the same for interactions

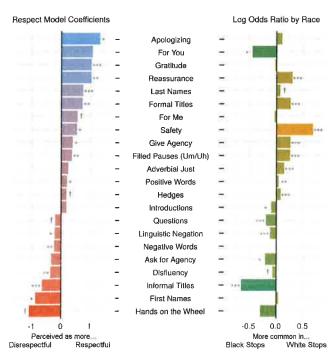


Fig. 2. (*Left*) Respect weights assigned by final model to linguistic features and (*Right*) the corresponding log-odds of those features occurring in officer speech directed toward black versus white community members, calculated using Fisher's exact test. $^{\dagger}P < 0.1$; $^{*}P < 0.05$; $^{**}P < 0.01$; $^{**}P < 0.01$.



Fig. 3. Sample sentences with automatically generated Respect scores. Features in blue have positive coefficients in the model and connote respect, such as offering reassurance ("no problem") or mentioning community member well-being ("drive safe"). Features in red have negative coefficients in the model and connote disrespect, like informal titles ("my man"), or disfluencies ("that-that's").

with white community members. Example utterances containing instances of the highest-weighted features for the Respect model are shown in Fig. 3. See SI Appendix, Study 2 for full regression outputs and more detailed discussion of particular linguistic findings

Study 3: Racial Disparities in Respect. Having demonstrated that people can reliably infer features of procedural justice from officer speech (study 1), and that these ratings can be reliably predicted from statistical models of linguistic features (study 2), we are now able to address our central question: Controlling for contextual factors of the interaction, is officers' language more respectful when speaking to white as opposed to black community members?

We apply our models from study 2 to the entire corpus of transcribed interactions to generate predicted scores for Respect and Formality for each of the 36,738 utterances in our dataset. We then build linear mixed-effects models for Respect and Formality over these utterances. We include, as covariates in our primary model, community member race, age, and gender; officer race; whether a search was conducted; and the result of the stop (warning, citation, or arrest). We include random intercepts for interactions nested within officers.

Controlling for these contextual factors, utterances spoken by officers to white community members score higher in Respect $[\beta=0.05\ (0.03,\ 0.08)]$. Officer utterances were also higher in

Respect when spoken to older [$\beta = 0.07$ (0.05, 0.09)] community members and when a citation was issued [$\beta = 0.04$ (0.02, 0.06)]; Respect was lower in stops where a search was conducted [$\beta = -0.08$ (-0.11, -0.05)]. Officer race did not contribute a significant effect. Furthermore, in an additional model on 965 stops for which geographic information was available, neither the crime rate nor density of businesses in the area of the stop were significant, although a higher crime rate was indicative of increased Formality [$\beta = 0.03$ (0.01, 0.05)].

One might consider the hypothesis that officers were less respectful when pulling over community members for more severe offenses. We tested this by running another model on a subset of 869 interactions for which we obtained ratings of offense severity on a four-point Likert scale from Oakland Police Department officers, including these ratings as a covariate in addition to those mentioned above. We found that the offense severity was not predictive of officer respect levels, and did not substantially change the results described above.

To consider whether this disparity persists in the most "every-day" interactions, we also reran our analyses on the subset of interactions that did not involve arrests or searches (N = 781), and found the results from our earlier models were fundamentally unchanged. Full regression tables for all models described above are given in SI Appendix, Study 3.

Another hypothesis is that the racial disparities might have been caused by officers being more formal to white community members, and more informal or colloquial to black community members. However, we found that race was not associated with the formality of officers' utterances. Instead, utterances were higher in Formality in interactions with older [$\beta = 0.05$ (0.03, 0.07)] and female [$\beta = 0.02$ (0.00, 0.04)] community members.

Are the racial disparities in the respectfulness of officer speech we observe driven by a small number of officers? We calculated the officer-level difference between white and black stops for every officer (N = 90) in the dataset who had interactions with both blacks and whites (Fig. 4). We find a roughly normal distribution of these deltas for officers of all races. This contrasts with the case of stop-and-frisk, where individual outlier officers account for a substantial proportion of racial disparities (27); the disparities we observe here cannot be explained by a small number of extreme officers.

Because our model is able to generate scores across all utterances in our dataset, we can also consider aspects of the trajectory of interactions beyond the mean level of respect (Fig. 5). Growth-curve analyses revealed that officers spoke with greater Respect $[b=0.35\ (0.29,0.40)]$ and reduced Formality $[b=-0.57\ (-0.62,-0.53)]$ as interactions progressed. However, these trajectories varied by community member race: Although stops of white and black drivers converged in the Formality expressed during the interaction $[b=-0.09\ (-0.13,-0.05)]$, the gap in Respect increased over time $[b=0.10\ (0.05,0.15)]$. That is, offi-

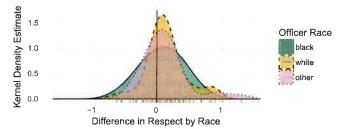


Fig. 4. Kernel density estimate of individual officer-level differences in Respect when talking to white as opposed to black community members, for the 90 officers in our dataset who have interactions with both blacks and whites. More positive numbers on the *x* axis represent a greater positive shift in Respect toward white community members.

cer Respect increased more quickly in interactions with white drivers [b = 0.45 (0.38, 0.54)] than in interactions with black drivers [b = 0.24 (0.19, 0.29)].

Discussion. Despite the formative role officer respect plays in establishing or eroding police legitimacy (7), it has been impossible to measure how police officers communicate with the public, let alone gauge racial disparities in officer respect. However, body-worn cameras capture such interactions every day. Computational linguistic techniques let us examine police-community contacts in a manner powerful enough to scale to any number of interactions, but sensitive enough to capture the interpersonal qualities that matter to the police and public alike.

In doing so, we first showed that people make consistent judgments about such interactions from officers' language, and we identified two underlying, uncorrelated constructs perceived by participants: Respect and Formality. We then built computational linguistic models of these constructs, identifying crucial positive and negative politeness strategies in the police-community interactional context. Applying these models to an entire month of vehicle stops, we showed strong evidence for racial disparities in Respect, but not in Formality: Officers' language is less respectful when speaking to black community members.

Indeed, we find that white community members are 57% more likely to hear an officer say one of the most respectful utterances in our dataset, whereas black community members are 61% more likely to hear an officer say one of the least respectful utterances in our dataset. (Here we define the top 10% of utterances to be most respectful and the bottom 10% to be least respectful.)

This work demonstrates the power of body camera footage as an important source of data, not just as evidence, addressing limitations with methodologies that rely on citizens' recollection of past interactions (10) or direct researcher observation of police behavior (17–20). However, studying body camera footage presents numerous hurdles, including privacy concerns and the raw scale of the data. The computational linguistic models presented here offer a path toward addressing both these concerns, allowing for the analysis of transcribed datasets of any size, and generating reliable ratings of respect automatically. These models have the potential to allow for useful information about an interaction to be extracted while maintaining officer and community member privacy.

The racial disparities in officer respect are clear and consistent, yet the causes of these disparities are less clear. It is certainly possible that some of these disparities are prompted by the language and behavior of the community members themselves, particularly as historical tensions in Oakland and preexisting beliefs about the legitimacy of the police may induce fear, anger, or stereotype threat. However, community member speech cannot be the sole cause of these disparities. Study 1 found racial disparities in police language even when annotators judged that language in the context of the community member's utterances. We observe racial disparities in officer respect even in police utterances from the initial 5% of an interaction, suggesting that officers speak differently to community members of different races even before the driver has had the opportunity to say much at all.

Regardless of cause, we have found that police officers' interactions with blacks tend to be more fraught, not only in terms of disproportionate outcomes (as previous work has shown) but also interpersonally, even when no arrest is made and no use of force occurs. These disparities could have adverse downstream effects, as experiences of respect or disrespect in personal interactions with police officers play a central role in community members' judgments of how procedurally fair the police are as an institution, as well as the community's willingness to support or cooperate with the police (8, 9).

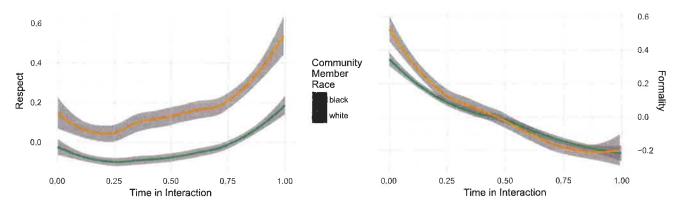


Fig. 5. Loess-smoothed estimates of the (Left) Respect and (Right) Formality of officers' utterances relative to the point in an interaction at which they occur. Respect tends to start low and increase over an interaction, whereas the opposite is true for Formality. The race discrepancy in Respect is consistent throughout the interactions in our dataset.

We now have a method for quantifying these troubled interactions. Although the circumstances of any particular stop can vary dramatically, our approach allows us to measure aggregate department-level trends, revealing disparities across hundreds of interactions. These disparities are part of a constellation of differences in officer language spoken toward black versus white community members; a simple classifier trained on only the words used by officers is able to correctly predict the race of the community member in over two thirds of the interactions (see SI Appendix, Linguistic Classification Accuracy of Race).

Future research could expand body camera analysis beyond text to include information from the audio such as speech intonation and emotional prosody, and video, such as the citizen's facial expressions and body movement, offering even more insight into how interactions progress and can sometimes go awry. In addition, footage analysis could help us better understand what linguistic acts lead interactions to go well, which can inform police training and quantify its impacts over time.

The studies presented here open a path toward these future opportunities and represent an important area of research for the study of policing: Computational, large-scale analyses of language give us a way to examine and improve police-community interaction that we have never had before.

Materials and Methods

Data and Processing. The video for each traffic stop was transcribed into text by professional transcribers, who transcribed while listening to audio and watching the video. Extensive measures were taken to preserve privacy; data were kept on a central server, and transcribers (as well as all researchers) underwent background checks with the Oakland Police Department. Transcribers also "diarized" the text (labeling who was speaking at each time point). We used the diarization to automatically remove all officer speech to the dispatcher or to other officers, leaving only speech from the officer directed toward the community member. After transcription, transcripts were manually cleaned up, heuristically fixing transcriber diarization errors, and correcting typographical errors involving utterance timing so that all transcripts were automatically readable. Every utterance in the dataset was processed with Stanford CoreNLP 3.4.1 (28) to generate sentence and word segmentation, part-of-speech tags, and dependency parses used for feature extraction and analysis.

The raw video footage associated with this paper was available for our research purposes with the cooperation of the Oakland Police Department, and naturally cannot be publicly distributed. However, we make available deidentified data frames for each study described here, so that other researchers can replicate our results. We also release all of the code for the computational linguistic models, as well as pretrained models that can be run on arbitrary text.

Human Annotation of Utterances. A subset of 420 exchanges, consisting of one officer utterance (defined as a "turn" of one or more sentences by tran-

scribers) and, if applicable, the immediately preceding community member utterance were sampled from the corpus for annotation. Utterances were sampled with the constraint that at least 15 words were spoken between the two speakers, and that at least five words were spoken by the officer. These utterances were grouped into seven "batches" of 60 utterances apiece. Due to a data error, six duplicate utterances were annotated, but were excluded from subsequent analyses, resulting in 414 unique utterances toward black (N = 312) and white (N = 102) community members.

Each of 70 participants (39 female, $M_{age} = 25.3$) rated a batch of 60 of these utterances, such that each utterance was rated by at least 10 participants. On each trial, participants viewed the text of an exchange between a police officer and a community member: the text of the officer utterance, as well as the text of the community member utterance that immediately preceded it, if there was one. They then indicated, on four-point bipolar Likert scales, how respectful, polite, friendly, formal, and impartial the officer was in each exchange. Participants were allowed to indicate that they could not rate an utterance on a particular dimension, but were encouraged to nonetheless indicate their best guess. Participants had no other information about the interaction besides the officer's utterance and the immediately preceding community member utterance.

All research was approved by the Stanford University Institutional Review Board, and written informed consent was obtained from all raters before their participation.

Computational Annotation of Utterances. Our model draws on linguistic theories of politeness; the technical term "politeness" refers to how concepts like respect, formality, and social distance take shape in language. These theories suggest that speakers use polite or respectful language to mitigate face-threatening acts (29–31).

Negative politeness is used to mitigate direct commands or other impositions that limit the freedom of action of the listener, for example, by minimizing the imposition or emphasizing the agency of the interlocutor. Such strategies are central to police–community interactions because of the inherently coercive nature of a traffic stop. For instance, the use of the word "please" can soften requests and provide a sense of agency or choice; apologizing ("sorry," "excuse me") can admit regret on the part of the officer that some request is necessary; the use of hedges ("may," "kinda," "probably") may reduce the perception of imposition.

Positive politeness is used to show that the speaker values the inter-locutor and their interests, or to minimize the impact of actions that could damage such a perception. Positive politeness strategies are also crucial for police-community interactions, where the inherently unequal social roles at play may necessitate a particular sensitivity to the community member's positive face. For instance, greetings and introductions can establish a friendly context at the beginning of an interaction and convey openness. Expressions of reassurance ("no big deal," "don't worry") seek to assuage the community member's potential concerns in tense circumstances, and expressions of gratitude ("thank you") serve to reduce the perceived power differential by deferring to the actions of the community member. Mentions of safety ("Drive safely now") explicitly acknowledge concern for the community member's personal well-being. Referring expressions are another important component of positive politeness;

formal titles ("sir," "ma'am," "Mr.," "Ms.") and surnames may convey a contrast with informal titles ("dude," "bro," "bud") and first names (31 - 33).

We also include features we expect to capture officer anxiety, such as speech disfluencies ("w- well") and commands to keep "hands on the wheel," which may contribute to a community member's perception of disrespect. These are of a different character than the politeness strategies discussed above, but we found that all analyses presented here hold true even if these features are not included.

We use standard techniques to automatically extract features from the text of each utterance (23-26). These features include lexicons (lists of words). For example, to detect informal titles, we used an augmented version of a word list from ref. 34. We also used regular expressions, such as for detecting tag questions ("do that for me, will you?"), and syntactic parse

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features, such as a feature that detects when "just" is used in constructions as an adverbial modifier.

Features were modeled as log-transformed counts in each utterance, and were used as independent variables in two linear regression models predicting the human perceptual ratings of respect and formality obtained in study 1. They were introduced into the regression using stepwise forward selection by R² to remove features that don't substantially contribute to the model's accuracy.

ACKNOWLEDGMENTS. This research was supported by the John D. and Catherine T. MacArthur Foundation, with additional support from the Stanford Institute for Research in the Social Sciences, the Stanford School of Humanities and Sciences, and the Stanford Data Science Initiative. We also thank the City of Oakland and the Oakland Police Department for their support and cooperation.

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Chris Clubine <chris.clubine@como.gov>

Fwd: FW: Racial Profiling Legislation, Moving Forward. My concerns.

1 message

Michael Matthes <michael.matthes@como.gov>

To: Chris Clubine <chris.clubine@como.gov>, Kacy Hall <kacy.hall@como.gov>

Wed, Jul 5, 2017 at 11:48 AM

Please add the following to our racial profiling file.

Regards,

Mike Matthes City Manager Columbia, Missouri



----- Forwarded message ------

From: lan Thomas <ian@ianfor4th.com> Date: Sun, May 14, 2017 at 10:17 AM

Subject: FW: Racial Profiling Legislation, Moving Forward. My concerns.

To: Mike Trapp <ward2@gocolumbiamo.com>, Laura Nauser <lauranauser@hotmail.com>, Andrew Grabau

<a href="mailto:AGrolyn Sullivan < carolyn@newchaptercoach.com, Nikki McGruder

<nmcgruder@dapstl.org>, Mike Matthes <mematthe@gocolumbiamo.com>

Dear Andrew, Carolyn, Nikki, Laura, Mike and Mike:

This is very interesting and important conversation with regard to our "Community Engagement Process about Policing." It's focused on Empower Missouri's "Fourth Amendment Affirmation Act" - proposed state legislation to improve and update the Attorney general's tracking of disproportionate police contact statistics and make it a more effective training and education tool.

The thread diverged at a certain point, so I will be sending one more email, in which only the top 3 or 4 postings will be new.

Cheers, lan

From: Donald Love <dmaclove1@gmail.com>

Date: Thursday, May 11, 2017 at 7:42 PM

To: "T.R. Warne-Griggs" <twgmom71@gmail.com>, Traci Wilson-Kleekamp <tracilizzette@gmail.com> Cc: 'Mustafa Abdullah' <mabdullah@aclu-mo.org>, 'Diane Burkholder' <diane.burkholder@gmail.com>, 'Elizabeth Fuchs' <elizabeth@promoonline.org>, 'Alice Chamberlain' <chamberlain.alice@gmail.com>, 'John Chasnoff' < johnchasnoff@cs.com>, 'Jeanette Mott Oxford' < jeanette@empowermissouri.org>, Chip Cooper <cooper.chip@gmail.com>, <rbax@moddcouncil.org>, CW Dawson <searchlight 4@hotmail.com>, 'Kristian Blackmon' < kristian@mojwj.org>, 'Lynn Maloney' < lynnmaloney11@gmail.com>, "'Griffin, Beth'"
<bethgriffin2012@gmail.com>, 'Jake Olson' <jake@seiumo.org>, 'U McKeown' <lj.mckeown@yahoo.com>, 'Derek Wetherell' <dwetherell@paraquad.org>, 'Lora McDonald' <loramore2@yahoo.com>, Grace Vega <vegagrace2015@gmail.com>, 'Marie-Aimée Abizera' <aimee@mira-mo.org>, 'Sara Baker' <sbaker@aclumo.org>, 'Phillip Weeks' <pbweeks@mac.com>, Rachel Taylor <rachel.haverstick@gmail.com>, 'Susan Sneed' <susan@mcustl.com>, 'Reale Justice' <realejustice17@gmail.com>, "'Cc: Ebony Williams'" <ebony@obsstl.org>, Ian Thomas <ian@ianfor4th.com>, "'Marco A. Tapia'" <mtapia@centralmethodist.edu> Subject: RE: Racial Profiling Legislation, Moving Forward. My concerns.

I wasn't intending to nail 14 theses to the cathedral door, but I'm grateful for the responses. I like the energy, conviction, diversity.

I actually had in mind potential agenda items for the call Sara suggested for next week.

We've had some prioritizing. We need to keep the horror of racism continually in mind as we figure out what needs to be done and how to do it.

As John and Marco observed, email discussions can get hard to follow. We need to combine the sorts of exchanges possible in text with those only possible face to face. With a far flung coalition, face-to-face can't be the only option.

I like text. My scattered brain likes to have something to focus on. But I like the spontaneity of dialogue too.

Face to face, it may be easier to assure each other that we are all understand the horror of racism. Many of us have never met each other.

Bottom line: this statewide coalition is making progress on legislation that would make it easier for local advocates to convince their law enforcement agencies to make changes. Right now, at the end of the legislative session and before the June 1 release of the new VSR, is a prime time to take a fresh look at where we are and reach a new consensus on what to do next.

In my 14 Theses, I didn't include a summary of the processes intended by the FAAA, which would have been useful for those of you who haven't been involved. Simplifying greatly:

Objective facts about officer performance need to be available as a starting place for dialogue.

The agency needs to explain what is causing disproportions, if not bias.

If the agency cannot find alternative legitimate factors, then it needs to figure out what's going wrong with its policies, supervision and training.

There needs to be closure: a dialogue needs to progress in which the community comes to accept the changes the agency is making as establishing the legitimacy of what the officers are doing.

If you haven't been involved in the coalition and want to be, let us know. City council members welcome.

You don't have to be participants in the coalition to do the sorts of community organizing Traci mentions, but the coalition would like to know what's working locally.

ACLU has been doing canvassing in St. Louis. St. Louis Metropolitan Congregations United (did I get that right, Susan?) has been establishing dialogue between local congregation members and chiefs. That would be Theses Number 16. Working my way to 95.

From: T.R. Warne-Griggs [mailto:twgmom71@gmail.com]

Sent: Thursday, May 11, 2017 6:43 PM

To: Traci Wilson-Kleekamp <tracilizzette@gmail.com>

Marco A. Tapia <mtapia@centralmethodist.edu>

Cc: Mustafa Abdullah <mabdullah@aclu-mo.org>; Diane Burkholder <diane.burkholder@gmail.com>; Elizabeth Fuchs <elizabeth@promoonline.org>; Don Love <dmaclove1@gmail.com>; Alice Chamberlain <chamberlain.alice@gmail.com>; John Chasnoff <johnchasnoff@cs.com>; Jeanette Mott Oxford <ieanette@empowermissouri.org>: Chip Cooper <cooper.chip@gmail.com>: rbax@moddcouncil.org; Clanton Dawson <searchlight 4@hotmail.com>; Kristian Blackmon <kristian@mojwj.org>; Lynn Maloney <lynnmaloney11@gmail.com>; Griffin, Beth <bethqriffin2012@gmail.com>; Jake Olson <jake@seiumo.org>; LJ McKeown < lj.mckeown@yahoo.com>; Derek Wetherell < dwetherell@paraquad.org>; Lora McDonald <loramore2@yahoo.com>; Grace Vega <vegagrace2015@gmail.com>; Marie-Aimée Abizera <aimee@mira- mo.org>; Sara Baker <sbaker@aclu-mo.org>; Phillip Weeks <pbweeks@mac.com>; Rachel Taylor <rachel.haverstick@gmail.com>; Susan Sneed <susan@mcustl.com>; Reale Justice <realejustice17@gmail.com>; Cc: Ebony Williams <ebony@obs-stl.org>; lan Thomas <ian@ianfor4th.com>;

Subject: Re: Racial Profiling Legislation, Moving Forward. My concerns.

I agree with Traci on this one. I can't say it any better so I won't.

I would add that while we need a more diverse elected leadership, It is on White people to take on the behavior and false assumptions of other Whites.

White officers don't get a pass because they have hard and dangerous jobs. I too have relatives in law enforcement. The people doing the training and recruiting must impress upon their officers that the standards for them are higher. HIGHER, because they carry weapons and hold the "legitimate monopoly of violence."

Tara

On May 11, 2017 6:28 PM, "Traci Wilson-Kleekamp" <tracilizzette@gmail.com> wrote:

Jeanette

I lied. I must respond to this:

I hope when we all get together we will discuss your response -- because this is what I am told repeatedly. My counter is: what about the impact to those who are the victims of disproportionate treatment by police (i.e racial profiling -- another phrase to protect calling out oppression behavior)? The data doesn't show police are the ones being brutalized and not going home at the end of the day. Of course, some have been hurt and lost their lives. But, your response/argument is not only specious -- but it creates a crooked room whereby white privilege still stands first in line and the experiences of people of color are negated. There is something ethically wrong with this kind of equation if the ultimate goal is racial equity and social justice. It's like saying All Lives Matters in response to Black Lives Matter, and We all have Implicit Bias, therefore, Blue Lives Matter. The problem is there is a deep disparity in whose lives are lost and valued. So language matters.

They know that on any given day, they may not get home safely - and they have been at the funerals of co-workers to impress that deeply in them. This makes it difficult to convince them to accept an invitation to enter into deep reflection on the lies we have been taught about our race and the uncomfortable acknowledgement of either internalized privilege or internalized oppression.

Traci

On Thu, May 11, 2017 at 12:00 PM, Jeanette Mott Oxford <jeanette@empowermissouri.org> wrote:

Traci,

We at Empower Missouri certainly agree that more tools need to be in the toolbox than implicit bias training. The improvement of the VSR data for Blue Springs hinges not just on implicit bias training, but on an African American mayor who has a vision for his City in which Black Lives Matter. When we have diverse leadership and people with power who have personally experienced being targeted for a human characteristic like skin tone, it makes a major difference.

Police officers live in a pressure cooker. (My nephew is one.) They know that on any given day, they may not get home safely - and they have been at the funerals of co-workers to impress that deeply in them. This makes it difficult to convince them to accept an invitation to enter into deep reflection on the lies we have been taught about our race and the uncomfortable acknowledgement of either internalized privilege or internalized oppression.

The intersectionality in our lives also has to be acknowledged - a white officer may have grown up desperately poor or gay or part of a religious minority, giving them a window into the targeted status of others if they will use that lens. We as humans often use stories from our experiences of disadvantage as a claim to exception - "I am not like those people." Yet individuals live within systems; privilege gets granted by society even when we do not try to claim it. Can we spot it when that is happening? It takes "waking up" to make that happen.

JMO

Jeanette Mott Oxford, Executive Director

Empower Missouri

308 E. High Street, Suite 100

Jefferson City, MO 65101

573-634-2901 x 301 office; 314-775-3261 cell

On Thu, May 11, 2017 at 11:44 AM, Traci Wilson-Kleekamp <tracilizzette@gmail.com> wrote:

Don

I want to say that I APPRECIATE THE WORK YOU ARE DOING. However, I must note that I am responding to the deep resistance we are experiencing in Columbia by all leadership and the national discourse (like that jackass attorney general J. Sessions) etc.

All that said, Columbia is poised to have a series of community engagement meetings. Last night at our RMF meeting, we did some mind-mapping drawings about policing. We are trying to craft a presentation to take on the road to the community (in the form of deep-canvassing) and develop constructivist questions as participants in the community dialogues. In our meeting with the chief a month ago, he still says he does not believe his VSR data; and that if Black people think they are profiled -- it's a myth. We challenged his language -- but the approach of not challenging (glossing over, neutralizing etc) these denials or avoidance about how police associate black people and crime is pretty ridiculous.

I know Fridell is very concerned about officers' being "perceived" as racist -- and wants her curriculum to counteract their disgruntlement at the perception so they aren't defensive. I don't understand why police officers must receive an exemption from getting their feelings hurt or being uncomfortable because that's where learning takes place. In doing so, the curriculum (IMHO) discounts the experiences of POC. Police need to experience disequilibrium and the rubric for who should be police officers needs to be revisited. Otherwise, these FAAA changes are superficial.

I need to see more than anecdotal evidence that implicit bias training is the way to go. More tools need to be on the table to triage what ails 21st policing.

Ok. This is my last note.

Happy Thursday.

Traci

On Thu, May 11, 2017 at 11:08 AM, Traci Wilson-Kleekamp <tracilizzette@gmail.com> wrote:

Thanks Marco

Since it has to come from Missouri (how about a MidWest perspective about police recruits)

Racial Attitudes of Police Recruits in the United States Midwest Police Academy: A Quantitative Examination Michael D. Schlosser1 University of Illinois Police Training Institute, USA (see attached)

By the way, Race Matters Friends attended the public "training" of Fridell's FIP curriculum. Our response to it was largely negative -- and our concerns were echoed via the City's equity trainers and the Diversity Awareness partnership.

I also spent some time speaking to a former Black police chief who implemented community policing in two departments. What POC perceive as effective and meaningful "training" certainly don't match up "typically" with our white colleagues. I have encouraged Chief Burton to speak to Black police chiefs and the organization of black police officers. I want him to seek professional perspectives from people of color outside of his worldview -- but he refuses, resists and otherwise wants to be neutral and sit on the fence.

I believe Burton's ideology is the norm -- however, I recognize there are great outliers DOING. THE. WORK.

Happy and welcome an opportunity to meet face to face.

Traci Wilson-Kleekamp

Race Matters, Friends

573/239-0858

tracilizzette@gmail.com

racemattersfriendscomo@gmail.com

On Thu, May 11, 2017 at 11:01 AM, Marco A. Tapia mtapia@centralmethodist.edu wrote:

John,

I certainly concur about a face-to-face meeting. In my opinion, this venue really sucks for a meaningful exchange of information. One point I would like to add is that even though sources like Fridell and Glaser may add to the collective conversation, the ultimate solution for our racial profiling issues, will need to come from Missouri...from us and others!

Great conversation and I would certainly support a meeting on this subject. Matter of fact, I would suggest we organize a community-based "Round Table" discussion focused on the issue of bias in policing. Once we open this conversation to the community, it becomes more difficult for the issue to be ignored.

If anyone else has more to add...

MARCO A. TAPIA, M.S.

Adjunct Professor

CENTRAL METHODIST UNIVERSITY

Voice: (573) 239-9449

Email: mtapia@centralmethodist.edu

"SUMMUM BONUM"

On May 11, 2017, at 10:42 AM, John Chasnoff <johnchasnoff@cs.com> wrote:

I think it would be most valuable to sit down in one room this summer and sort this out. With some short readings from Fridell and Glaser to lay the groundwork.

I know that I have more thoughts about this than I care to squeeze into an email, especially since I don't find this format very conducive to better understanding. Among other things, I've taken Fridell's training and find it more nuanced than the training materials might indicate. I certainly didn't come away feeling like we had avoided the topic of race. I would have been most distressed if we had. I also think that the issue of officer discretion is very complex.

So I would love to have an extended back-and-forth conversation rather than trying to sort through these extended emails.

Do others agree?

John Chasnoff

314-413-0454

johnchasnoff@cs.com

On 5/11/2017 10:09 AM, Don Love wrote:

I did a word search of my piece on high crime rates. "Racism" does not occur. When I refer to "racial stereotypes," I just say "stereotype." I say "implicit bias," not "implicit racial bias." I'll look for some places to remind readers that I'm talking about elephants.

I often rehearse our heritage of racism, slavery, Jim Crow, lynching, segregation, red-lining, vote denial, biased policing, biased sentencing and so on-and the necessity of deliberately refuting it. I'll stick that paragraph in.

It's not so much that I'm uncomfortable using racism or any of these other terms. And I don't mind making other people uncomfortable. I take great pleasure in making people uncomfortable. But I don't want them so uncomfortable that they close up. It's not an elephant; it's a camel getting its nose in the tent.

City of Columbia, MO Mail - Fwd: FW: Racial Profiling Legislation, Moving Forward. My concerns.

Fridell doesn't say "racism" very often, if at all. She doesn't use the word in Producing Bias-Free Policing. She does use the term "race-based policing; it's in the title of an earlier book.

Race-based policing is racism. Racism is what she's going after when she explains why it is wrong for officers to treat individuals differently because of the group they belong to. Her line of thinking is one of the best opportunities to get people to realize how they are subtly influenced by implicit racial biases—in situations in which they think they are being objective and reasonable.

I had to piece that line of thinking together from different sections of her books. She has agreed to see if I have interpreted her correctly. If she says I got it right, I'll encourage her to write her own version.

The rest of 13 says that it's the combination of bad policies and implicit biases that have been so disastrous. If officers are well trained on the necessity of having facts about an individual then they are much less likely to find themselves victims of their own implicit biases. If they are well trained on use of force, then they will look first for a weapon, not skin color, so that their implicit bias that African Americans are dangerous won't have such pull.

Welcome, Columbians to this discussion by the coalition of groups that support reform of the 2000 racial profiling law. We made substantial progress in building support for the Fourth Amendment Affirmation Act in this session. FAAA also soft-pedals racism; it focuses on the things agencies need to be doing to mitigate racism. Traci was responding to my list of things I think we need to be doing to pass the reform next year. You are part of the plan. Your help is appreciated.

Don Love

Empower Missouri

Human Rights Task Force Co-Chair

573 230 6446

From: Traci Wilson-Kleekamp [mailto:tracilizzette@gmail.com]

Sent: Thursday, May 11, 2017 8:34 AM To: Don Love <dmaclove1@gmail.com>

Cc: Sara Baker <sbaker@aclu-mo.org>; Marco A. Tapia

<mtapia@centralmethodist.edu>; Jeanette Mott

<jeanette@empowermissouri.org>; Kristian Blackmon

<kristian@mojwj.org>; Cc: Ebony Williams <ebony@obs-stl.org>; Tara Warne-Griggs <twgmom71@gmail.com>; Griffin, Beth <bethgriffin2012@gmail.com>; Derek Wetherell <dwetherell@paraquad.org>; Reale Justice <realejustice17@gmail.com>; Jake Olson <jake@seiumo.org>; Susan Sneed <susan@mcustl.com>; Diane Burkholder <diane.burkholder@gmail.com>; Marie-Aimée Abizera <aimee@mira-mo.org>; Lora McDonald <loramore2@yahoo.com>; Mustafa Abdullah <mabdullah@aclu-mo.org>; Elizabeth Fuchs <elizabeth@promoonline.org>; Phillip Weeks <pbweeks@mac.com>; John Chasnoff <johnchasnoff@cs.com>; rbax@moddcouncil.org; Lynn Maloney <lynnmaloney11@gmail.com>; Clanton Dawson <searchlight 4@hotmail.com>; Rachel Taylor <rachel.haverstick@gmail.com>; Grace Vega <vegagrace2015@gmail.com>; Alice Chamberlain <chamberlain.alice@gmail.com>; Chip Cooper <cooper.chip@gmail.com>; lan Thomas <ian@ianfor4th.com>; LJ McKeown Ij.mckeown@yahoo.com> **Subject:** Racial Profiling Legislation, Moving Forward. My concerns.

Nice long note Don. I probably need to map all your points so I can remember the key points.

The problem for me based on our correspondence:

The data shows racist beliefs underlie implicit bias.

I will object to Fridell as long as race is left out of the conversation and is NOT acknowledged as an underlying and major factor.

Item #13:

Fridell has sketched out an explanation of how officers' perceptions that high group crime rates justify stricter enforcement, but that these practices are examples of implicit bias resulting in discriminatory enforcement. This is a tough case to present, but it

From my point of view: Fridell does not want to explicitly deal with race. You all know why. Don -- you have written an entire missive walking around race in a way that makes me think you are equally uncomfortable. IMHO, your response is speaking in circles with a flair of neutrality and generalization that avoids the elephant in the middle of the room. I shall not be party to such avoidance and interest convergence to protect officers and their organization from having to delve much more deeply into their beliefs that have been shaped by our racist society. You can't focus on implicit bias and SKIP the race conversation. This will not work. It must be more that one tool -- and implicit bias training is NOT the strongest tool in the shed, in fact, it is the weakest. Fridell I know is the easier and lowest hanging fruit to access. If you must persist with citing her, I must insist that you also cite and include people like Glaser who offer other more meaningful policy solutions related to reducing officer discretion.

I repeat: Implicit bias training without addressing policing's worldviews on race and other identities leave officers without any pressure or opportunity to self-reflect on their personal ideology.

I have reviewed Fridell's training materials and even when she lists the kinds of stereotypes that exist -- she leaves out race -- INTENTIONALLY.

I disagree that implicit bias training in the panacea that she's been selling to PDs across the country -- because she has absolutely NO DATA to evaluate or support the effectiveness of her program. Don't be hoodwinked because she invokes the words "science-based" and evidence. This is bullshit. You all should be pressuring her to provide meaningful assessment and evidence about the effectiveness of her programming. Otherwise, you are all complicit via interest convergence (Critical Race Theory) of maintaining white supremacy.

Talk me down.

Traci Wilson-Kleekamp

Race Matters, Friends

On Thu, May 11, 2017 at 7:55 AM, Don Love <dmaclove1@gmail.com> wrote:

Here are some things to talk about.

- 1. I expect to be involved with Columbia's community policing task force this summer. It has good support from city council members. The officer union is supposed to be participating. I hope it will reach a consensus along the lines of what FAAA proposes and that city officials will find they can endorse it. There may be an opportunity to bring Chuck Epp, Pulled Over coauthor, to speak. Sara and I have schemed about getting Caleb Rowden involved.
- 2. Much needs to be done with contacts with other agencies, such as the ones developed by Congregations United.
- 3. Senator Dixon suggested we work on conservative churches to support FAAA. He may be able to help with connections.
- 4. I expect to turn out another alternative analysis of the VSR data shortly after June 1. The foundation of the FAAA process is data; data is the objective correlative which everyone needs as a foundation for discussion of concerns.
 - a. The Empower Missouri analysis is a model for what FAAA will provide.
 - b. Summary statistics (total stops) are sometimes good for shock value, but it's the subcategories that reveal disproportions that need to be investigated and fixed.

- c. Post-stop disproportions are the most reliable indicator that officers' actions are disproportionately affecting minorities.
- d. We can give communities the opportunity to propose better benchmarks for stops, which we can plug into reports.
- e. No one has ever taken the Empower Missouri analysis seriously. Part of the problem is that the AG's report and our alternative analysis are overwhelming amounts of data, so we need to figure out ways to effectively explain the significance.
- f. "Significant disproportions" will be an important part of FAAA because a disproportion more than 125% of the state disproportion in a category will trigger agency response. Our rankings spreadsheet is pretty dramatic. It shows some agencies are able to keep disproportions low but in some jurisdictions minorities suffer huge disproportions.
- g. It would be helpful to get a few agencies to explain situations in which "alternative legitimate factors" explain disproportions. It's crucial that agencies understand that the FAAA reports will give them opportunities to show that officers are fair. Or to show that they are responding to problems.
- 5. Sara has been cultivating a relationship with a member of the AG's staff. He has been responsive. Perhaps the AG will see our approach as a way to win the support of law enforcement types and also of minorities.
 - a. Even for the 2016 VSR coming out June 1, the AG could issue alternative reports, or show some support for ours. For 2017, the AG could use the flexibility in the 2000 law to call for some different data to be reported (hits per search category) and some different analysis to be done.
 - b. The text of the Executive Summary has remained mostly unchanged for years. Hawley could explain how agencies can use disproportions to begin a community dialogue.
 - c. The most helpful thing the AG could do would be to set up a pilot program in which a sample of willing agencies discuss best practices and try them out. MPCA has already given tacit approval to the FAAA process as a reflection of best practices.
- 6. If the AG does not want to set up a pilot program, one may still may possible. Some agencies may be willing to participate on their own. MPCA might be willing to sponsor it.
- 7. POST upgraded continuing education requirements for officers last year. I think the requirements are probably ok as far as hours and distributions are concerned, but the real question is how effective the curricula and instructors are. Programs are much better than they were in 2010, but they aren't good enough, and agencies don't have a clue about how to evaluate them on their own. We need to keep after POST. Perhaps a symposium on implicit bias training would be a good way to start.
- 8. Agencies have similar problems knowing what data analysis programs work. Suppliers help them with programs that pinpoint where crimes are committed, but they don't have a clue about using data to pinpoint situations in which officers' actions are disproportionately affecting minorities. Perhaps a symposium on data analysis would help. POST needs to offer data analysis training.

- 9. Data analysis will be affected by the development of a federal reporting system that is incident based—it will be more closely tied to what officers are doing. We need to research opportunities to streamline data collection for the AG's reports, so that officers and agencies are not duplicating efforts. MSHP seems to know the most about this.
- 10. We need the support, or at least the cooperation, of the Executive branch, especially the Department of Public Safety so we can work with MSHP and POST.
- 11. A good bit of the sections on policy and data collection and analysis are based on Fridell. Fridell is well respected among law enforcement people because she has worked out commonsense policies for years. Lineback bragged on MPCA inviting her to speak. We need to get her endorsement.
- 12. Other experts—Chuck Epp, Jack Glaser, David Harris, Rich Rosenfeld, etc.—are substantially in agreement; we need their
- 13. Fridell has sketched out an explanation of how officers' perceptions that high group crime rates justify stricter enforcement, but that these practices are examples of implicit bias resulting in discriminatory enforcement. This is a tough case to present, but it is our best opportunity to explain how it is that officers are made vulnerable to implicit biases by mistaken policies, even when they are approved by the Supreme Court.
- 14. We now know a lot more about what the FAAA needs to say. Before we start negotiating with other stakeholders we need to refresh our proposed legislation.

Don Love

Empower Missouri

Human Rights Task Force Co-Chair

573 230 6446



Chris Clubine <chris.clubine@como.gov>

Fwd: [CMO]: FW: Using the VSR to promote community dialogue

1 message

Michael Matthes <michael.matthes@como.gov>

Wed, Jul 5, 2017 at 12:40 PM

To: Chris Clubine <chris.clubine@como.gov>, Kacy Hall <kacy.hall@como.gov>

More to add to the racial profiling file.

Regards,

Mike Matthes City Manager Columbia, Missouri



----- Forwarded message ------

From: Don Love <dmaclove1@gmail.com>

Date: Wed, Jun 7, 2017 at 7:35 AM

Subject: [CMO]: FW: Using the VSR to promote community dialogue

To: "Matthes, Mike" <cmo@como.gov>

I should have included you in this yesterday,

Are there census estimates that take into account Columbia's growth since 2000? If there are, I could run a report that uses them for benchmarks. It would be best if they were for people 16 and older.

Don Love

573 230 6446

From: Donald Love <dmaclove1@gmail.com> Date: Tuesday, June 6, 2017 at 9:28 AM

To: 'Ken Burton' <ken.burton@como.gov>, lan Thomas <ward4@gocolumbiamo.com>, 'City of COlumbia Mayor'

<mayor@como.gov>

Cc: "Oxford, Jeanette Mott: Jeanette@empowermissouri.org" <jeanette@empowermissouri.org>,

<Jerry.East@como.gov>

Subject: Using the VSR to promote community dialogue

We've posted VSR resources on our webpage: Empower Missouri VSR Resources. Here are what some of them contain:

2016 VSR Guide is a general explanation of what the VSR is and how to use it as the foundation for community dialogue.

2016 Post Stop Values is a spreadsheet that uses the compete VSR data set to find ratios of disparity (our measure of disproportion) for all post-stop categories for all agencies. The strength of post-stop analysis is that disproportions in specific situations can be isolated and analyzed without relying on census estimates of group driver proportions, which are sometimes inaccurate. The information can be sorted and filtered to find situations in which agencies need to investigate themselves to see if bias is one of the factors contributing to disproportions and then take necessary actions.

2016 Group Driver Estimates Values uses the data set to present disparity indexes and ratios of disparity based on estimates of the group proportions of drivers for all stop categories for all agencies. It also presents rates of searches, hits and arrests based on stops. The strength of using census estimates of group driver proportions is that disproportions in stops can be assessed. The disproportions for stop categories include whatever disproportion in rates that occurs in the initial stops plus whatever disproportion in rates that occurs in the secondary officer actions, such as deciding whether to issue a citation or a warning.

Comparisons by Year of Selected Agencies presents disproportions for 2001, 2009, 2013, 2014, 2015 and 2016.

Comments on Stop Categories discusses what the categories are that officers identify as they record stops: reason for stop, stop outcome, gender, age location, number of searches, authority for search, etc. The ways in which agencies apply these categories is not uniform so it's important that residents ask for explanations. (The posted file is actually Comments on Select Stop Categories; if you want the complete document, let me know.)

Rankings for Press Conference 6 5 17 contains examples I used to illustrate how the spreadsheets can be filtered to investigate specific situations. One sheet shows all the agencies with at least 30 consent searches and disproportions under 1.10; it shows the overall statewide disproportion has become low and a number of agencies appear to be cotrolling the use of consent searches. The next sheet shows agencies with disproportions over 2.00 and at least 20 consent searches; a number of agencies should either explain alternative factors or take steps to address bias. The last sheet does the same thing for resisting arrest charges.

The complete-data spreadsheets have pages that explain how to use filters to see selected information. If you need help with any of this, let me know.

Columbia is one of the agencies in Comparisons by Year. This uses post-stop data in the situations we think are most likely to be good indicators of problems. Columbia shows a trend toward lower disproportions, and the statistics aren't so far from statewide results.

Our recommendation is for all agencies to look closely at any situation that is flagged by a high disproportion—125% of the statewide disproportion is a reasonable standard. Then the agency needs to see if factors other than bias account for the disproportion; a disproportion in outstanding warrant arrests can probably be explained by socio-economic factors. Any disproportion might be explained by a group violating laws more frequently, but an agency would have to cite convincing information that officers were acting on the basis of facts concerning the behavior of the individual, not on suspicions based on group stereotypes. If the disproportion cannot be accounted for by alternative factors, the agency needs to look at officer performance and take steps to improve policies, supervision and training.

Columbia PD needs to be more proactive in this, in my view. Columbia is doing many of the right things and should take credit for it. For instance, the work we did together on consent searches and the improved policy that came out of that should be reported.

I wonder why the disproportions based on estimates of group driver proportions are up. Is it because of increased efforts to address violent crime? The best long-term solution to violent crime problems is better investigation of individuals who

are committing the crimes, but this requires more resident cooperation and you don't get more cooperation by stopping more people on pretexts. This needs to be explained to the public.

I wonder too whether population growth is behind this. Have the group population proportions changed since 2000? Has there been an influx of African Americans? It there's been more of an influx of Caucasians, that would tend to make the disproportions look smaller.

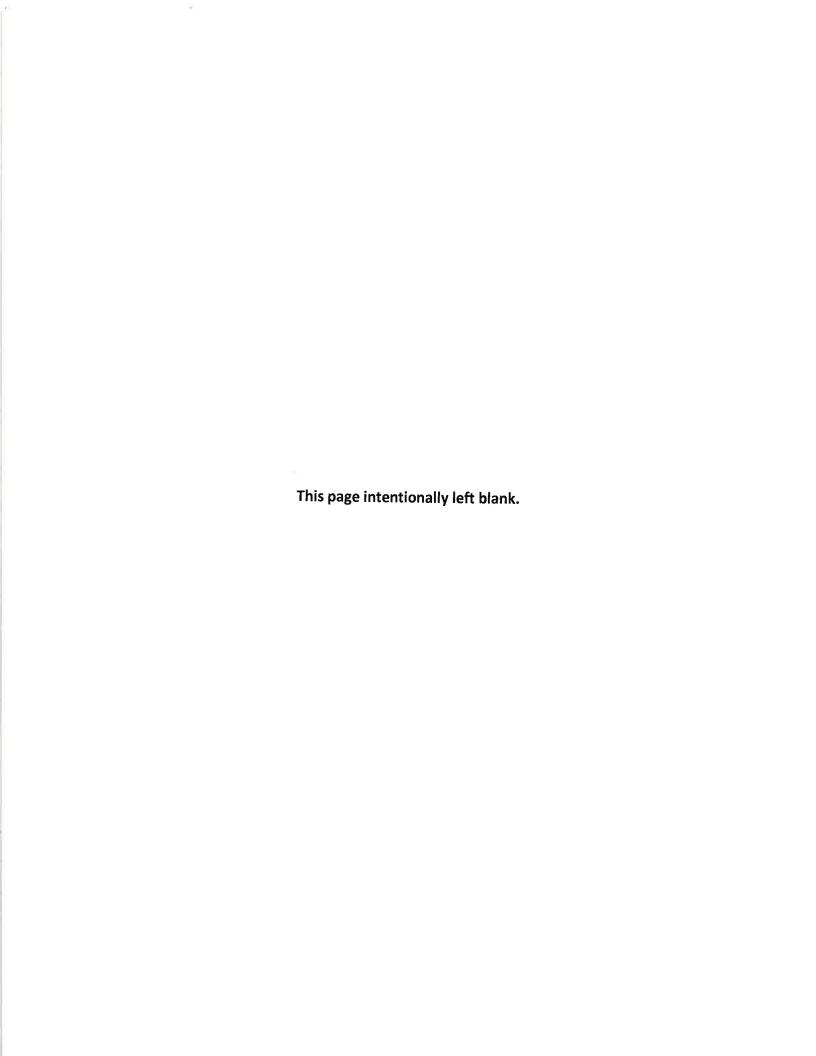
I'm in and out of Columbia. Heading to Akers later today, but I can be reached by phone most of the time. Or email's fine.

Don Love

Empower Missouri

Human Rights Task Force Co-Chair

573 230 6446





Chris Clubine <chris.clubine@como.gov>

"Veil of Darkness" studies

1 message

Jill Schlude <jill.schlude@como.gov>

Tue, Jul 18, 2017 at 9:21 AM

To: Chris Clubine <chris.clubine@como.gov>, Kacy Hall <kacy.hall@como.gov>

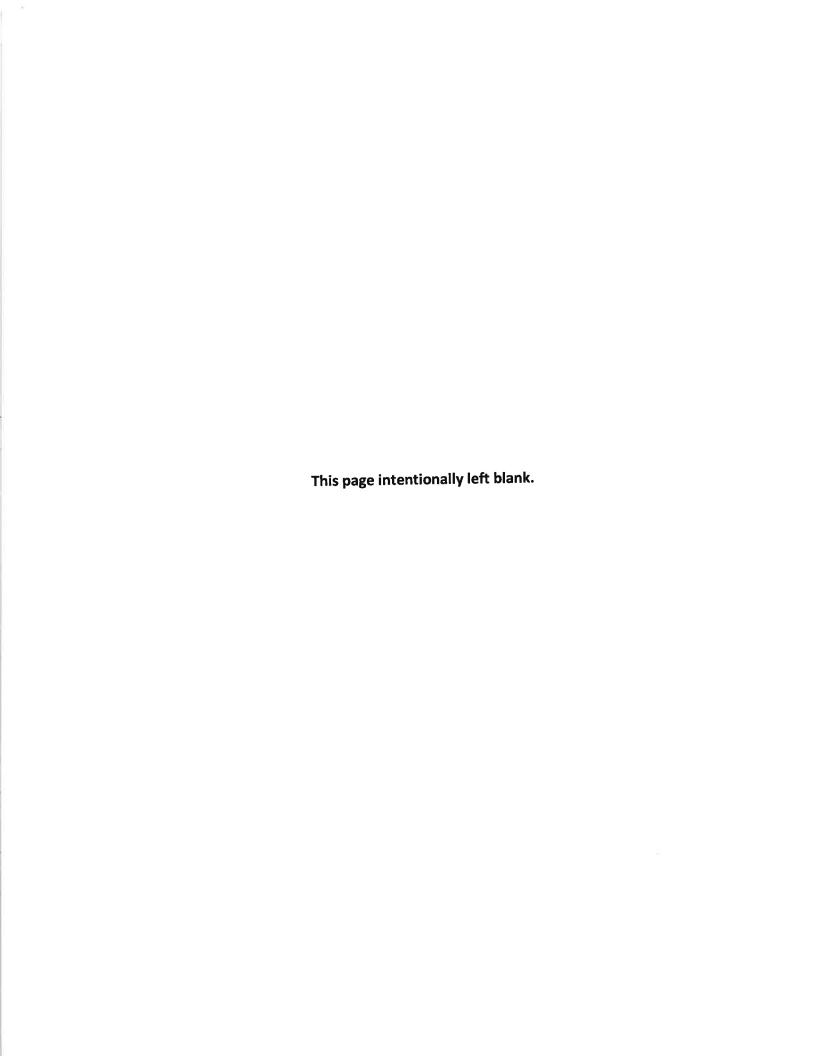
Sorry don't know why this didn't send during our meeting last week. Found it in my drafts!

http://www.bullcityrising.com/2016/03/veil-of-darkness-rti-study-shows-racial-bias-in-durham-police-heat-unit-trafficstops.html

http://www.academia.edu/3129189/Testing for Racial Profiling with the Veil-of-Darkness_Method

Jill Schlude

Deputy Chief of Police Columbia, Missouri Police Department (573) 874-7421 office (573) 777-2575 mobile



Testing for Racial Profiling With the Veil-of-Darkness Method

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Robert E. Worden^{1,2}, Sarah J. McLean², and Andrew P. Wheeler^{1,2}

Abstract

The "veil-of-darkness" method is an innovative and low-cost approach that circumvents many of the benchmarking issues that arise in testing for racial profiling. Changes in natural lighting are used to establish a presumptively more race-neutral benchmark on the assumption that after dark, police suffer an impaired ability to detect motorists' race. Applying the veil-of-darkness method to vehicle stops by the Syracuse (NY) police between 2006 and 2009 and examining differences among officers assigned to specialized traffic units and crime-suppression units, we found that African Americans were no more likely to be stopped during daylight than during darkness, indicating no racial bias.

Keywords

stops, racial profiling, benchmark, veil-of-darkness

Introduction

Innumerable state and local police agencies collect data on the traffic stops that their officers make, as part of an effort to address public concerns about racial profiling. Analyses of those data, for the purpose of drawing inferences about the nature and source(s) of any racial disparities, confront thorny challenges. Ideally, clues about racial bias would emerge from a comparison of the characteristics of the people stopped by the police with the characteristics of the people who could have been legitimately stopped; discrepancies between the former and the latter might suggest that police stops were influenced by factors other than the behavior of the citizens

Corresponding Author:

Robert E. Worden, School of Criminal Justice, University at Albany, SUNY, 135 Western Avenue, Albany, NY 12222, USA Email: rworden@albany.edu

University at Albany, SUNY, NY, USA

²The John F. Finn Institute for Public Safety, Inc., Albany, NY, USA

involved. Unfortunately, however, satisfactorily valid information on the latter population, which represents a suitable "benchmark," is at best difficult and costly to come by; this is the widely discussed benchmarking problem in analyses of racial bias in police stops.

The "veil-of-darkness" method, devised by Grogger and Ridgeway (2006), is an innovative and low-cost approach to resolving many of these issues. The basic idea is to use changes in natural lighting to establish a benchmark, on the assumption that after dark, police officers suffer a degraded ability to detect motorists' race; the pattern of stops during darkness represents the presumptively more race-neutral benchmark, against which the pattern of stops during daytime can be compared. The comparison is limited to stops that occur "near the boundary of daylight and darkness," in what has been called the "intertwilight" period, lest the analysis confound differences in officers' decisions to stop with changes in the composition of the driving (and violator) population across the hours of the day. To our knowledge, this method has been applied in analyses of stops in only three cities: Oakland (Grogger & Ridgeway, 2006; Oakland Police Department, 2004, pp. 40-43), Cincinnati (Ridgeway, 2009), and Minneapolis (Ritter & Bael, 2009). It may be useful in many sites that seek answers to questions about racial profiling by police, and we believe that it should be considered as one—or the—approach in cities and departments that are examining patterns of vehicle stops by police. The potential utility of the method would be enhanced by the accumulation of the analytical results that its application yields, and so in this article we report the results of our application of the veil-of-darkness method to data on vehicle stops by the Syracuse (NY) police.

Tillyer, Engel, and Wooldredge (2008) observe that "[w]hile there is some consensus in the research community that residential census populations are the least reliable of the benchmarks available, there is no such consensus regarding the validity of other techniques" (p. 143). If a consensus is to form, it will likely take shape only with the execution and dissemination of individual studies like this one. No one study can by itself establish a sufficient base of knowledge to support assertions about valid (and invalid) benchmarks, and so as in the past, further advances in our knowledge about racial profiling and the analysis of racial profiling will turn mainly on the incremental accumulation of findings across individual studies.

Public concern about racial profiling by Syracuse police prompted the collection of data on stops in that city, beginning in 2001. We examine stops conducted and recorded between 2006 and 2009, inclusive. First we review the development and previous applications of the veil-of-darkness method. Then, we describe stops by Syracuse police: the temporal and spatial distributions of the stops, the assignments of the officers who made the stops, the reasons for the stops, and the characteristics of the people who are stopped. Then we present the veil-of-darkness analysis of Syracuse stops.

The Veil-of-Darkness Method

Noting the costs of many benchmarking techniques, such as observations of vehicular traffic, and their inevitable flaws (see Engel, Calnon, & Bernard, 2002, pp. 256-258;

also see Engel & Calnon, 2004; Tillyer, Engel, & Cherkauskas, 2010), Grogger and Ridgeway propose a fairly simple test based primarily on a simple and plausible assumption: If police are more prone to stop African American drivers, evidence of their bias will be more pronounced among stops made in daylight, when drivers' race can be more readily detected. They stress that the method need not presume that race is completely obscured without natural light (or that race is completely visible with it), but rather only that officers' ability to discern drivers' race is impaired in darkness; that is, the race neutrality of nighttime stops is relative, not absolute. This is an assumption that has intuitive appeal, and it is also consistent with the experiences of several researchers who, for the construction of benchmarks, sought to detect and record the race of drivers. As Ridgeway (2009, p. 12) reports, Greenwald (2001) abandoned plans to conduct nighttime observations of traffic on learning that the race of only 6% of drivers could be determined around dusk, and Lamberth's (2003) traffic survey required auxiliary lighting for nighttime observations. Likewise, Lange, Johnson, and Voas (2005, pp. 201-202) used two large strobe lights in taking high-resolution photographs of vehicles on the New Jersey Turnpike.

It would be difficult to overstate the importance of valid, credible benchmarks in analyzing data on police stops for evidence of racial bias. A host of factors other than racial bias—some organizational, such as the allocation of patrol resources across police beats, and some individual—may affect the number of stops conducted by police and their distribution across social space (Engel et al., 2002; Stroshine, Alpert, & Dunham, 2008). Plausibly eliminating those other factors as explanations for racial disparities is the analytical burden borne by any analysis of stops. Moreover, any racial bias would affect officers' behavior (consciously and deliberately or unconsciously and stereotypically) at the margin, net of (or contingent on) other factors, such as the seriousness of violations (see, for example, Fyfe, 1988; Smith, Visher, & Davidson, 1984; Worden, 1995; more generally see National Research Council, 2004, pp. 122-126); even with a perfect calibration of any racial bias, then, we would not in most cases expect it to be very large in magnitude. Against this analytical backdrop, the shortcomings of the benchmarks used in previous analyses are thrown into stark relief. Some analyses of police stops compare the racial composition of those who are stopped with the racial composition of the residential population, even though it is typically acknowledged that the comparison is liable to be misleading for several reasons.² A number of studies have conducted field research in an effort to form a benchmark for comparison that more plausibly captures the characteristics of the violator population, sampling times and places at which the race of passing motorists is tabulated, and even providing for the use of radar or "rolling surveys" to tabulate violators' race. These approaches provide benchmarks that are superior to census data on the residential population, but none of them captures all of the legitimate reasons for police stops, and most may be better suited to highway traffic enforcement than to city policing. Worse still, the costs of constructing these benchmarks can be considerable.

The veil-of-darkness method may offer a solution as simple as it is inexpensive, but as Grogger and Ridgeway caution, some additional assumptions or controls are necessary. One is to limit the analysis to the "intertwilight" period: Depending on the time

of year, stops made at any point during this time frame may have been initiated in darkness or during daylight, but in this delimited period of time during each day, we might presume that the driving population does not change dramatically. In addition, however, they impose additional controls for changes in the driving population across times of the day as well as seasons of the year. In particular, Ridgeway (2009) takes advantage of the semiannual changes to and from Daylight Savings Time (DST), which allows an analyst to still more effectively hold time of day constant—and with it, presumably, patterns of driving—as natural lighting abruptly shifts. This DST-focused analysis, delimited to 30 days before and after the switches to and from DST, sacrifices a large degree of statistical power, but it may be advantageous in controlling for seasonal variation in driving patterns. Grogger and Ridgeway also provide for statistical controls for clock time and for geographic areas across which police deployments can vary, in analyzing intertwilight stops across the entire year. Furthermore, the analysis may be confined to stops for moving violations, given that some kinds of equipment violations (e.g., malfunctioning headlights) are uniquely nighttime violations, and it is conceivable that the incidence of such equipment violations is also correlated with drivers' race.4

To our knowledge, the veil-of-darkness method has been applied previously only in Oakland, Cincinnati, and Minneapolis. The RAND corporation analyzed stop data collected in Oakland from June through December, 2003 (Oakland Police Department, 2004). During that time, Oakland police recorded information on 7,607 stops, though with substantial underreporting. The analysis focused on stops for moving violations in Oakland's intertwilight period, from 5:19 p.m. to 9:06 p.m. Stops between sunset and the end of civil twilight were excluded, inasmuch as the visibility at that time of day was ambiguous. In all, 976 stops were subjected to analysis. To control for potential changes in the driving population within the intertwilight period, additional analysis focused on 1 hour before and after the end of civil twilight. To control for seasonal changes in the driving population during intertwilight hours, another analysis focused on only stops during October and November. In each analysis, Blacks were somewhat *less* likely to be stopped during the day, contrary to the pattern that would be observed if officers engaged in racial profiling.

Grogger and Ridgeway (2006) analyzed the same Oakland stop data. From the 7,607 stops, Grogger and Ridgeway excluded 329 that were made pursuant to a criminal investigation, and an additional 776 with missing data. From among the remaining, usable stops, they focused mainly on 1,130 made in the intertwilight period, including stops for nonmoving (equipment or registration) violations. They note, however, that their results were insensitive to the inclusion or exclusion of stops for nonmoving violations, which they suggest would generally comprise a small proportion of all stops (p. 886). They too found no evidence of racial bias.

Ridgeway (2009) analyzed vehicle stops by Cincinnati police, including those in 2008 and those in the 2003-2008 period. His analysis of 2008 stops focused primarily on 598 stops for moving violations in the intertwilight period—5:50 p.m. to 8:06 p.m.—and within 30 days of the spring and fall switches to and from DST.

Additional analysis examined 5,036 stops for moving violations in the intertwilight period across the entire year, which represented about 14% of the stops for moving violations at any time of the day and about 9% of the vehicle stops. Ridgeway's analysis of 2003-2008 stops included 3,726 stops within 30 days of a DST switch and 28,927 across all seasons of the 6 years. None of these analyses yielded evidence of racial profiling, and in 2008, Blacks were less likely to be stopped during the daytime.

Ritter and Bael (2009) analyzed data on 53,559 stops by the Minneapolis police in 2002. The "official report" on Minneapolis (Council on Crime and Justice and Institute on Race and Poverty, 2003), which relied on comparisons of the racial composition of the drivers who were stopped with that of the (approximated) driving population, concluded that Blacks and Latinos were stopped with disproportionate frequency. Noting the respects in which the benchmark failed to eliminate alternative explanations for racial disparities, Ritter and Bael applied the veil-of-darkness method to the same data. Focusing on intertwilight stops and controlling statistically for the time of day, they report substantively and statistically significant differences in the probabilities with which Blacks and Latinos are stopped in daylight rather than darkness, and the differences are uniformly consistent with the racial profiling proposition.

Looking for Bias in All the Right Places

We might expect that evidence of racial profiling would be most likely to emerge among officers whose assignments are the most crime focused. Anecdotal accounts of profiling attest to its crime-detection emphasis. One type of situation is a driver or passengers who do not "match" the vehicle—for example, a BMW with an African American driver. Another type of situation is a person of color traveling through predominantly White neighborhoods, stopped by police because they do not "belong" there and may be engaged in criminal activity. More generally, "[p]olice departments often use traffic-stops as a means of ferreting out illicit drugs and weapons," and "[t]he escalating pressure from the war on drugs has led some police officers to target people of color whom police believe to be disproportionally involved in drug use and trafficking" (Ramirez, McDevitt, & Farrell, 2000, pp. 9-10). Insofar as race is (an inappropriate) part of an offender profile, we would expect that its use would be most prevalent among officers with a specialized crime-suppression mission. By contrast, officers assigned to traffic units have, in the policing context, fairly unambiguous operational objectives: issuing tickets for traffic violations. Some of their work is supported by grant funding that reinforces the mission focus. We would therefore expect that racial profiling would be least prevalent among traffic officers. Other things being equal, then, we would expect that the officers with specialized crime-focused assignments would be most likely, and traffic officers the least likely, to exhibit a disparity between daylight and darkness in the percentages of minority drivers stopped patterns that would be attenuated in the aggregate. Hence we conduct separate analysis of the stops made by officers with these specialized assignments and by patrol officers, respectively.

Stops by Syracuse Police

Located in central New York, Syracuse is a city of 25 sq. miles and nearly 150,000 people (based on the 2000 census), one quarter of whom were Black, and nearly two thirds of whom were White, 5% were Hispanic. Syracuse is the urban center of a metropolitan county of more than 450,000 people, and both north—south and east—west limited-access highways intersect near the geographic center of the city. Syracuse is served by a police department of nearly 500 sworn officers.

We replicate Ridgeway's (2009) veil-of-darkness analysis of Cincinnati stops, albeit in a city with a substantially longer intertwilight period, during which (proportionally) much larger numbers of stops were made. The Syracuse Police Department (SPD) provided data on stops conducted in a 4-year period, from 2006 through 2009. Information about these stops is drawn from two sources: citizen contact forms, which are completed by Syracuse police when they have enforcement-related contacts with citizens that do not eventuate in an arrest and arrest reports for "on-view" arrests (i.e., arrests made in incidents that officers initiated rather than pursuant to a dispatch). The citizen contact forms include much of the information that is needed for analysis of the kind normally performed on this subject, though these records lack some information about searches, particularly the reason for the search. Moreover, the arrest records do not capture information about the reasons for stops, nor do they contain information about searches. Hence we examine stops but not poststop outcomes.

In addition, we examine the differences among officers assigned to different units, including specialized traffic units and crime-suppression units. SPD personnel manually coded information on officers' assignments for 1 of the 4 years (2009), identifying those assigned to either the traffic division or to the Crime Reduction Team (CRT), so that we could examine patterns by officers in each of these units separately. The traffic division is responsible for proactive enforcement of state vehicle and traffic laws and vehicle-related city ordinances. The CRT focuses on reducing violent and other crime, is deployed mainly to high-crime areas, and uses proactive patrol tactics.

We have confined our focus to vehicle stops, on the presumption that the veil-of-darkness method does not apply plausibly to pedestrian stops. Syracuse police made more than 50,000 vehicle stops in the 4 years examined here, 87% of which were documented on a citizen contact form. Table 1 shows the distribution of stops across times of the day, overall and, for 2009, by officer assignment. We would of course expect that the numbers of vehicle stops would fluctuate with both the volume of vehicular traffic and the deployment of police, and so it is no surprise that stops are most numerous during the afternoon commuting hours and the evening hours. Stops in the intertwilight period comprise about one third of the stops in Syracuse.

To some degree the numbers and the mix of vehicle stops vary across the hours of the day with the deployment of different units. CRT officers make virtually all of their stops between 3 p.m. and 3 a.m., with 80% of them between 3 p.m. and 11 p.m., although CRT stops represent only 15.3% of all of the vehicle stops. Most of the vehicle stops by traffic officers are made between 3 p.m. and 3 a.m. Between 3 a.m. and 3 p.m., the

Time of	Total 2006-2009		Traffic 2009		CRT 2009		Other 2009		Total 2009	
day 2009	Frequency	%	Frequency	%	Frequency	%	Frequency	%	Frequency	%
7:00 a.m 10:59 a.m.	4,162	8.2	398	4.8	0	0	602	11.2	1,000	6.7
11:00 a.m 2:59 p.m.	5,698	11.3	1,161	14.0	25	1.9	580	10.8	1,766	11.8
3:00 p.m 6:59 p.m.	13,099	26.0	2,032	24.6	327	24.3	1,099	20.5	3,458	23.1
7:00 p.m 10:59 p.m.	14,349	28.4	2,969	35.9	749	55.6	864	16.1	4,582	30.6
11:00 p.m 2:59 a.m.	10,887	21.6	1,662	20.1	246	18.3	1,642	30.6	3,550	23.7
3:00 a.m 6:59 a.m.	2,259	4.5	51	0.6	0	0	572	10.7	623	4.2
Total	50,454		8,273		1,347		5,359		14,979	
Intertwilight	17,254	34.2	3,055	36.9	774	57.5	1,235	23.0	5,064	33.8

Table 1. Vehicle Stops by Time of Day (2006-2009) and by Officer Assignment (2009)

Note: CRT = Crime Reduction Team.

majority of vehicle stops—52%—are made by officers who are not assigned to one of these specialized units. Stops in the intertwilight period are disproportionately made by traffic and CRT officers, compared with other times of the day.

We also note that vehicle stops are widely distributed spatially, but they are more densely concentrated in the central parts of the city, and especially along major traffic arterials. When the spatial distribution is disaggregated by officers' assignments, they exhibit differences that are consistent with the units' respective missions. Stops by CRT officers are more concentrated spatially, and in areas that tend to have higher rates of crime. Stops by traffic officers are more widely dispersed and tend to be congruent with major traffic arterials. Stops by officers with neither of these assignments are also rather widely dispersed but appear to cluster more in higher crime areas than the traffic officers' stops do, which may reflect deployment patterns.

Intertwilight Stops

Our analytic focus, in testing for evidence of racial bias in stops, is on the stops made during the intertwilight period. The intertwilight period is marked by the earliest time at which civil twilight ends during the year—in Syracuse, that is 5:02 p.m. in December—and the latest time at which civil twilight ends—in Syracuse, 9:23 p.m. in June. (Vehicle stops during the morning intertwilight period—approximately 5 a.m. to 7 a.m. in Syracuse—are far less numerous, and we do not include them in our veil-of-darkness analysis.) The driving population might change some over this period of time, as we discuss below, but not as much as the population would be expected to change across

all of the hours of the day, and so to a degree, the focus on the intertwilight period serves to control for officers' opportunities to make stops. Here, we briefly describe these stops: the reasons for the stops, the assignments of the officers who make them, and the characteristics of the people who are stopped. One would be properly concerned about the degree to which stops during the intertwilight period resemble those made during the other hours of the day, so these comparisons set an important context for interpreting the results of the veil-of-darkness analysis.

Table 2 displays the reasons for the stops, as officers recorded them, across all 4 years and for 2009 for officers with different assignments; intertwilight stops are shown in each cell with the corresponding numbers and percentages of all stops, regardless of time of day, appearing within parentheses. The reasons for stops during the intertwilight period mirror those for stops more generally: at least three quarters of the stops were made for traffic violations, and the proportion is probably higher still, assuming that a fraction of the stops ending in arrests began as stops for traffic violations and through investigation (e.g., warrant checks or searches) officers established probable cause for arrest. Fewer suspicion stops are made in the intertwilight period than at other times of the day, but they are few in number generally.

When the reasons for stops are disaggregated by officers' assignments, we likewise find that the stops during the intertwilight period display a pattern that resembles that of stops more generally (see Table 2), and also that the stops made by traffic officers, CRT officers, and all other officers, respectively, exhibit somewhat different patterns that are consistent with their respective missions. Overall (across all hours of the day), approximately 55% of the stops were made by officers assigned to the traffic division, and all but very small fractions of the stops made by traffic officers were, as expected, for traffic violations. A larger proportion of the stops made by CRT officers either end in arrest or are of suspicious vehicles or people; given the nature of these officers' assignments, this too is as expected. We infer that other officers (mainly patrol officers) also make, proportionally, fewer stops merely for traffic violations than traffic division officers do, and compared with CRT officers, a smaller fraction of these stops resulted in arrest.

The people stopped during the intertwilight period differ somewhat, as a group, from the larger population of those who are stopped. ¹⁴ A slim majority of the people stopped in this period are African American, and compared with the stopped population as a whole, they are disproportionately African American, as well as disproportionately younger and male (see Table 3). However, these differences are not large in magnitude.

The composition of the stopped population differs some for officers with different assignments. A majority of the people stopped by traffic division officers are White; compared with the people stopped by other police units, a somewhat smaller proportion of those stopped by the traffic division are men, and the distribution of ages is more nearly even. The people stopped by CRT officers are disproportionately African American, male, and young, as one would expect given their unit's mission: These

Table 2. Reasons for Intertwilight Vehicle Stops, Overall (2006-2009) and by Officer Assignment (2009)

	Total 2006-2009		Traffic		CRT		Other		Total	
Reason for stops	Frequency	%	Frequency	%	Frequency	%	Frequency	%	Frequency	%
Traffic violation	14,211 (42,084)	82.4 (83.4)	2,999 (7,922)	98.2 (95.7)	666 (1,149)	86.0 (85.3)	1,088 (4,545)	88.1 (84.8)	4,753 (13,616)	93.9 (90.9)
Other unknown— On-view arrest	2,645 (6,493)	15.3 (12.9)	50 (333)	1.6 (4.0)	79 (149)	10.2 (11.1)	83 (351)	6.7 (6.5)	212 (833)	4.2 (5.6)
Suspicious person/ vehicle	` 166 [´] (1,151)	1.0 (2.3)	I (8)	0.0 (0.1)	13 (20)	1.7 (1.5)	32 (325)	2.6 (6.1)	46 (353)	0.9 (2.4)
Other	232 (728)	1.3 (1.4)	5 (11)	0.2 (0.1)	0 (29)	0 (2.2)	32 (138)	2.6 (2.6)	53 (178)	1.0 (1.2)
Total	17,254 (50,546)		3,055 (8,274)		774 (1,347)		1,235 (5,359)		5,064 (14,980)	

Note: Total numbers of stops at any time of day shown in parenthesis. CRT = Crime Reduction Team.

 Table 3. Characteristics of People Stopped in Intertwilight Period

	2006-2009		2009		Traffic		CRT		Other	
Characteristics	Frequency	%	Frequency	%	Frequency	%	Frequency	%	Frequency	%
African American	10,342 (28,514)	51.5 (47.8)	3,135 (8,712)	51.8 (48.2)	1,444 (3,410)	44.4 (38.9)	858 (1,539)	70.5 (72.6)	833 (3,763)	52.5 (52.3)
White	9,152 (29,148)	45.6 (48.9)	2,741 (8,708)	45.3 (48.1)	1,704 (5,012)	52.4 (57.1)	340 (553)	27.9 (26.1)	697´ (3,143)	43.9 (43.7)
Male	14,191 (42,046)	70.7 (70.5)	4,200 (12,599)	69.4 (69.6)	2,138 (5,851)	65.8 (66.7)	961 (1,662)	79.0 (78.4)	1,101 (5,086)	69.4 (70.6)
16-24 years old	7,657 (22,362)	38.1 (37.5)	2,226 (6,541)	36.8 (36.2)	1,028 (2,793)	31.6 (31.8)	581 (1,045)	47.7 (49.3)	617 (2,703)	38.9 (37.5)
25-35 years old	6,170 (17,746)	30.7 (29.7)	1,812 (5,402)	29.9 (29.9)	990 (2,686)	30.5 (30.6)	408 (663)	33.5 (31.3)	414 (2,053)	26.1 (28.5)
36-55 years old	5,021 (15,481)	25.0 (26.0)	1,661 (5,030)	27.4 (27.8)	1,015 (2,694)	31.2 (30.7)	206 (371)	16.9 (17.5)	440 (1,965)	27.7 (27.3)
Total	20,086 (59,656)		6,053 (18,093)		3,249 (8,774)		1,217 (2,119)		1,587 (7,200)	

Note: Total numbers of stops at any time of day shown in parenthesis. CRT = Crime Reduction Team.

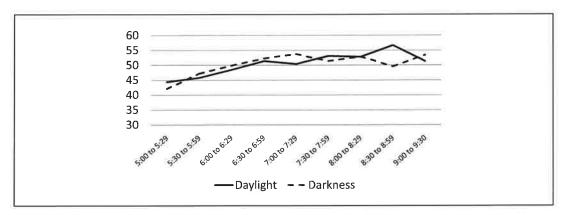


Figure 1. Percent stops of African Americans, daylight and darkness

officers work mainly in higher crime areas, which tend to have a greater residential representation of minorities, and offenders are disproportionately young men.

Testing for Racial Bias in Stops

The simplest application of the veil-of-darkness method is to compare two proportions: of those who are stopped during daylight, the proportion who are African American; and of those who are stopped during darkness, the proportion who are African American. If police are biased against African Americans in making stops, then the former proportion will be larger than the latter. Figure 1 displays these proportions as a line graph. For each half hour interval between 5 p.m. and 9:30 p.m., the solid line represents the percentage of stops in daylight that involved at least one Black occupant, whereas the dashed line represents the percentage of stops in darkness that involved at least one Black occupant, with the scale of percentages on the left axis.

Two facts are immediately apparent from the line graph. First, the proportion of stops involving a Black occupant varies some across the intertwilight period, increasing from 5:00 until about 7:00, and then holding roughly steady. We attribute this pattern mainly to a changing composition of the driving population, though it could be partly a function of police deployment. Second, and more importantly, the proportions of stops involving Black occupants during daylight and darkness, respectively, are in the main quite similar during each clock-time interval, with the possible exception of the 8:30-8:59 interval, when 50% of the nighttime stops, and 57% of the daytime stops, involved one or more African Americans. The daytime—nighttime disparity in the 8:30-8:59 interval is consistent with a pattern of racial bias, but otherwise the disparities are small and several are in the opposite direction, leading us to infer that this one larger difference is a statistical anomaly.

A more analytically powerful—but less visually intuitive—approach is to statistically control for variation in time and place, so that we can better isolate the effect of

Table 4. Comparison of the Odds of African American Versus Other Occupants Being Stopped Between Daylight and Dark

		Full year		Within 30 days of DST				
Year	Odds ratio (p value)	95% confidence interval	Number of stops	Odds ratio (p value)	95% confidence interval	Number of stops		
All	0.963 (.319)	[0.894, 1.037]	17,172	1.076 (.432)	[0.897, 1.290]	5,470		
2006	0.890 (.102)	[0.775, 1.023]	4,707	1.012 (.934)	[0.761, 1.346]	1,606		
2007	0.969 (.703)	[0.822, 1.142]	3,494	0.818 (.287)	[0.565, 1.184]	1,059		
2008	1.062 (.466)	[0.904, 1.247]	3,908	1.541 (.019)	[1.075, 2.211]	1,210		
2009	1.023 (.753)	[0.886, 1.023]	5,063	1.175 (.325)	[0.852, 1.621]	1,595		

Note: DST = Daylight Savings Time.

daylight on the probability that an African American will be stopped. We use the technique of logistic regression to hold clock time (in 15-minute intervals), day of week, and police beat constant. From the regression results, we compute an odds ratio that indicates how many times more likely it is that daylight stops involved an African American citizen, compared with nighttime stops. An odds ratio of 1.0 tells us that African Americans were no more (and no less) likely to be stopped during daylight than in darkness. An odds ratio greater than 1.0 is consistent with an inference of racial bias, signifying that African Americans were more likely to be stopped during daylight than in darkness. An odds ratio of less than 1.0 signifies that African Americans were less likely to be stopped during daylight than in darkness, a pattern contrary to the proposition that stops are racially biased. We conduct this analysis for each year and for all 4 years together, with the relevant results displayed in Table 4. ¹⁶

The odds ratios neither for the individual years nor for the entire 4-year period indicate that African Americans are more likely to be stopped during daylight than during darkness. ¹⁷ The overall odds ratio and the odds ratios for 2 of the 4 years are all less than 1.0, contrary to the proposition that police target African Americans for stops, though none of them can be reliably distinguished from 1.0. The odds ratios for the remaining 2 years are both greater than 1.0, but the difference is small substantively and, again, neither odds ratio can be reliably distinguished from 1.0 statistically. ¹⁸ These results are, then, consistent with the conclusion that Syracuse police have not exhibited racial bias in making vehicle stops. ¹⁹

DST-Focused Analysis

When we delimit the analysis to stops conducted in the 30 days before and after the switch to or from DST, thereby controlling for seasonal differences in the driving population, we find for the most part similar patterns, with one exception; see the columns on the right of Table 4. Overall and for 3 of the 4 years, the odds ratios

		7 8			
Officer assignment	Main effect—Odds ratio (p value)	Daylight effect— Odds ratio (p value)	95% confidence interval	Number of stops	
Traffic	0.677 (.000)	0.993 (.943)	[0.817, 1.207]	3,055	
CRT	2.087 (.000)	1.376 (.130)	[0.910, 2.079]	774	
Other	reference	1.164 (.330)	[0.858, 1.578]	1,234	

Table 5. Comparison of the Odds of African American Versus Other Occupants Being Stopped, by Officer Assignment and Between Daylight and Dark

Note: CRT = Crime Reduction Team.

are all well within a 95% confidence interval around 1.0, and while that fact does not prove the null hypothesis of no racial bias, we would take the point estimates to signify no more than a small difference between day and night in the likelihood that an African American would be stopped. For 2008, however, the odds ratio is substantially and statistically greater than 1.0, consistent with an inference of racial bias. We are aware of no police operations or other events that might have coincided with the transition from or to DST in 2008, and neither are the SPD command staff with whom we discussed this finding. We can offer no substantive explanation why such a pattern would emerge in 1 year and in none of the others, before and since, and this isolated result prompts us to doubt whether this reflects a larger pattern of police behavior.²⁰

Patterns by Officer Assignment

As we noted above, CRT officers' stops tend to be concentrated in high-crime areas, whereas traffic officers' stops are more spatially dispersed but clustered along major traffic arterials. With these differences in the nature of the areas and the roads on which they make stops, we might expect to find some differences in the characteristics of the people whom they stop, which was observed in Table 3, above. These differences remain with controls for police beat in a logistic regression: CRT officers are twice as likely to stop a Black motorist as other (mainly patrol) officers are, whereas traffic officers are two-thirds as likely to stop a Black motorist.²¹ When we conduct separate analyses of CRT, traffic, and other officers, respectively, we find that the odds ratios conform with our a priori expectations; see Table 5. The odds ratio for CRT officers is not only larger than 1.0, but also substantively large (1.376) and greater than those for other officers; the odds ratio for traffic officers is the smallest of the three. All of the odds ratios, however, are within a 90% confidence interval of 1.0 and of one another. We can reject neither the null hypothesis of race-neutral stops for any of these three groups nor the null hypothesis that officers with different assignments exhibit the same pattern of stops, but in view of the estimated odds ratios, Ns, and confidence intervals, we cannot conclude that all three sets of officers are unbiased in their stops.

Conclusions

Addressing the reality and the perceptions of biased policing calls for serious efforts to detect patterns of racially biased police practices, determine the origins of any bias that is detected, and establish fair and equitable practices. But detecting bias in police practice is subject to daunting analytic challenges in discriminating biases—subtle biases—from systematic but legitimate influences as well as stochastic effects. Policing is a complex set of tasks, with ambiguous and even conflicting goals. Information about police-citizen encounters is never as rich as the events are nuanced, and analysis requires simplifying assumptions that can sometimes yield misleading results. Erroneous findings could eventuate in unwarranted and unproductive-even counterproductivepolicy interventions or in inaction that leaves serious concerns unresolved. Social scientists have made herculean efforts over the past decade to identify the analytical pitfalls of racial profiling research and devise methods that avoid those pitfalls, and even with good faith efforts by cities and researchers to fund and implement those methods, the research seldom if ever supports definitive conclusions. Firm conclusions are inevitably elusive, given the inability of any analyst to establish indisputably valid benchmarks. Moreover, the best benchmarks are not inexpensive to form. A more economical approach that promises to generate equally (or more) credible results is needed, one that can be applied even in cash-strapped municipalities whose concern about racial profiling by police outstrips their ability to pay for benchmarking data collection.

The veil-of-darkness method might be that approach. It may be as close to a strong quasi-experiment as research on racial profiling can come, minimizing the variables that should be measured and statistically controlled; economical studies of racial profiling cannot measure and analyze all or even most of the factors that affect officers' decisions to stop (Engel et al., 2002; Stroshine et al., 2008). In our judgment, the veil-of-darkness approach affords the most useful, cost-effective benchmark yet devised. Although no analysis of data, of the kind examined here, can definitively establish that officers' decisions to stop citizens are—or are not—influenced by racial bias, the preponderantly null finding yielded by the veil-of-darkness analysis of Syracuse stops is, we believe, fairly persuasive evidence of racial neutrality by Syracuse police in making traffic stops. By themselves, these findings are of particular interest mainly to the people of Syracuse, but like the findings of other analyses of individual cities, they are also of value to the field more generally, as our knowledge of policing practices and methods of analysis deepens with the accumulation of studies like this one.²²

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Notes

- 1. Discrepancies could also arise from differences in exposure to law enforcement and the risk of detection and enforcement action associated with the violation.
- 2. See Farrell, Rumminger, and McDevitt, 2004, chap. 2; Fridell, 2004; Tillyer et al., 2010, pp. 77-83. A benchmark should approximate the racial composition of the population that could be legitimately stopped by police, given their deployment patterns and race neutrality in stopping vehicles. Data on the residential population are readily available in the U.S. Census, but they provide a poor approximation. The residential population includes people who do not drive, and the driving population in many places includes people who are not residents. Among those who do drive, one can find variation in how much they drive and, perhaps more importantly, in their commission of traffic violations or other acts that make them legitimately susceptible to police intervention.
- 3. For example, a recent analysis of stops by Cleveland police provided for 557 hours of observation of traffic and traffic violations in order to form a benchmark; observations were done by pairs of trained observers who recorded data on 41,257 vehicles, their drivers, and moving violations across ten selected locations in the city. Only 10 locations could be observed "due to budgetary limitations" (Engel, Frank, Tillyer, & Klahm, 2006, p. x); we would conservatively estimate that the time of the observers alone would cost at least US\$14,000, and the associated costs of instrumentation, sample selection, training and supervision, data entry, and analysis would double or triple the costs of an observation-based benchmark.
- 4. Although we believe that it would be best to always test for racial bias both with and without nonmoving violations in the analysis, we suppose neither that such violations are typically the reason for only a small proportion of stops (e.g., they comprised 22,351 of 56,609 vehicle stops in Cincinnati) nor that they should presumptively be removed from the analysis. Nonmoving violations are a heterogeneous category of infractions whose rates of commission and/or detection can be expected to vary across daylight and darkness. Headlight and taillight malfunctions are uniquely nighttime violations, and if race is correlated with these violations, then the assumption that the at-risk population is the same at any given time whether it is daylight or dark is violated. But many nonmoving violations, for example, expired registrations or inspections, are detectable mainly in daylight. Furthermore, emerging technology, such as automated license plate readers, enables

police to readily detect registration and inspection violations in darkness, despite the lack of visibility.

- 5. We are grateful to two reviewers who drew our attention to the Minneapolis study.
- 6. The RAND study of Oakland also included self-reports by officers of their ability to detect drivers' race, as the stop data collection form included the question: "Could you determine prior to the stop whether the person was of color?" (Oakland Police Department, 2004, p. 37). The construction of this item would seem to be suboptimal, and the report concludes that the use of these self-reports was "problematic" (2004, p. 39).
- 7. Without forming hypotheses about the factors that might predispose some officers to disproportionately stop minority drivers, some researchers have conducted analyses of individual officers' stop patterns, consistent with Walker's (2001) proposal to construct an "internal" benchmark. Ridgeway (2009) conducted such an analysis of Cincinnati stops, and Ridgeway (2007) also conducted an analysis of this kind of NYPD stop, question, and frisk encounters. The rationale can be succinctly stated: "racial profiling resembles other forms of police misconduct and will therefore be particularly acute among a small number of officers in any given agency" (Walker, 2001, p. 84). (But see Fagan's [2010] critique of Ridgeway's [2007] analysis.) The statistical results do not by themselves indicate that any officer's stops are influenced by a racial bias, however, and in Syracuse, few officers make a sufficient number of stops to generate the statistical power needed to detect differences (Ridgeway used 50 as the minimum number of stops).
- 8. These data included some duplicate records of individual events, which were removed prior to our analysis. In addition, we note here that for some stops the data on time or place were invalid, and as a consequence, these stops were eliminated from analysis that required data on time and place.
- 9. We would also note, more generally, that many on-view arrests are not "stops" of the sort that arouse concern about racial profiling. The literature does not offer a widely accepted definition of a stop, but in general, stops are based either on an officer's observation of a traffic or other minor violation, or on reasonable suspicion. Officer-initiated arrests based on probable cause—for example, pursuant to an investigation—do not fit the description of a stop. See, for example, the NYPD policy governing the completion of stop, question, and frisk (UF250) forms: "arrests that occur directly from a level-4 encounter . . . [in which an officer has probable cause to believe that an individual was involved in a crime] should not be documented on a UF250" (Ridgeway, 2007, p. 2).
- 10. The numbers of on-view arrests that were recorded as vehicle stops declined substantially and sharply between 2007 and 2008, because during the summer of 2007, the Onondaga County 911 Center discontinued its use of the source code that identifies traffic stops (personal communication with Captain Richard Trudell, March 5, 2010). We have, consequently, made use of some additional information about the arrests that characterizes the nature of the incident. From among the codes in this information field, we identified three that we believe are reliably indicative of a vehicle stop: "stop"; "suspicious vehicle"; and "DWI." We treat as a vehicle stop any on-view arrest in any of the 4 years that was entered as a "traffic stop" in the source field, or as one of these three incident types. We suppose that we have undercounted stops among the arrests in 2008 and 2009, but we believe that

- if we were to include arrests with other incident-type codes, we would likely capture not only additional vehicle stops but also arrests that did not stem from vehicle stops, thereby introducing a different kind of distortion into the analysis.
- 11. Syracuse police effected nearly 4,000 pedestrian stops that did not end in arrest and an unknown number that did end in arrest. The findings that we report in this article do not speak to the existence of any bias in pedestrian stops, which are not amenable to analysis using the veil-of-darkness method. We suppose that pedestrian stops are prompted by crime-related objectives more consistently than vehicle stops are, and thus they may exhibit a different pattern, if we were able to describe that pattern in terms of a suitable benchmark. This may represent a more circumscribed analytical challenge, subject to different solution, but not one that has been devised to date; see Ridgeway's analysis of NYPD stop, question, and frisk encounters (Ridgeway, 2007).
- 12. Maps of stops are available from the authors on request.
- 13. We examine only 2009 for the sake of economy; the retrieval of information on officers' assignments was done manually by SPD personnel for this purpose.
- 14. We included in these tabulations everyone involved in a stop, and not only the drivers, because arrest data do not allow us to differentiate drivers from passengers.
- 15. Such variation in the composition of the driving population would not be unique to Syracuse. See, for example, Smith et al. (2003) and Oakland Police Department (2004, p. 32).
- 16. We include measures of statistical significance, even though we analyze the entire population of stops and not only a sample, because stops are subject to a number of stochastic or random elements, including at any given time the "available" population on the street, the volume of calls for service, the numbers of police units on duty, and the deployment of "details" or special operations that might augment or detract from the time that police have at their disposal to engage in proactive police work. However, we are mindful of the logic of null hypothesis significance testing, which is sometimes twisted in criminal justice research (Weisburd, Lum, & Yang, 2003; Bushway & Sweeten, 2006), and we would submit that a Type II error is as important as a Type I error in analyses of racial profiling.
- 17. Note that if the exclusion of stops ending in arrests distorts the pattern, it is not evident in the year-by-year results, at least within a margin of error. The odds ratios for years (2008 and 2009) in which we presumably underrepresent arrests are somewhat higher, but none is statistically distinguishable from 1.0.
- 18. A post hoc power analysis shows that, with 17,172 intertwilight stops and a .05 alpha level, we would detect a 3% difference between the daytime and nighttime probabilities that an African American would be stopped 91 times out of 100. (The power analysis was conducted with G*Power 3 software [Faul, Erdfelder, Lang, & Buchner, 2007], with the conditional probability of an African American being stopped during daylight 53%, the probability of a stop occurring in the daytime set to 54.5%, and the R^2 of other predictors set to .3, all based on the observed sample characteristics of the full sample. We note that post hoc power analysis is controversial; see Hoenig & Heisey, 2001.)
 - Be that as it may, taking careful account of the values of the odds ratios, and applying unconventionally large alpha values (see Schneider & Darcy, 1984), we infer from these results that overall, Syracuse police have not been biased in making stops.

19. These results are insensitive to the inclusion or exclusion of stops made between sunset and the end of civil twilight, when visibility is ambiguous (see Grogger & Ridgeway, 2006, p. 883). In addition, we found in separate analysis of stops for moving violations no evidence of racial bias.

- 20. We would note that the confidence interval nearly encompasses a value of 1.0. We might further note that across the 10 p values reported in Table 4, there is a 40% chance that one p value would be less than .05 even if all of the true odds ratios are 1.0.
- 21. These results are not shown in tabular form but are available from the authors on request.
- 22. A direct comparison of the veil-of-darkness method with other benchmarking approaches, which we were unable to perform, would be a useful step in future research.

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Bios

Robert E. Worden is associate professor of criminal justice and public policy at the University at Albany, State University of New York, and the director of the John F. Finn Institute. He holds a PhD in political science from the University of North Carolina at Chapel Hill. He previously served on the faculties of the University of Georgia and Michigan State University. His scholarship has appeared in a number of academic journals, and his research has been funded by the National Institute of Justice, the Bureau of Justice Assistance, the New York State Division of Criminal Justice Services, and other sponsors.

Sarah J. McLean is the associate director and the director of research and technical assistance at the John F. Finn Institute. She holds a PhD in criminal justice from the University at Albany, State University of New York, with a specialization in policy and process. At the Finn Institute, she participates in research that examines the effectiveness of strategic and programmatic crime reduction initiatives. She previously worked as a research associate at the Hindelang Criminal Justice Research Center of the University at Albany and prior to that as a research associate at the National Center for Mental Health and Juvenile Justice (NCMHJJ).

Andrew P. Wheeler is a doctoral student in the School of Criminal Justice at the University of Albany, State University of New York, and an analyst at the John F. Finn Institute. His general research interests include aftercare and reintegration, proactive police deterrence, and spatial analytical techniques.



Chris Clubine <chris.clubine@como.gov>

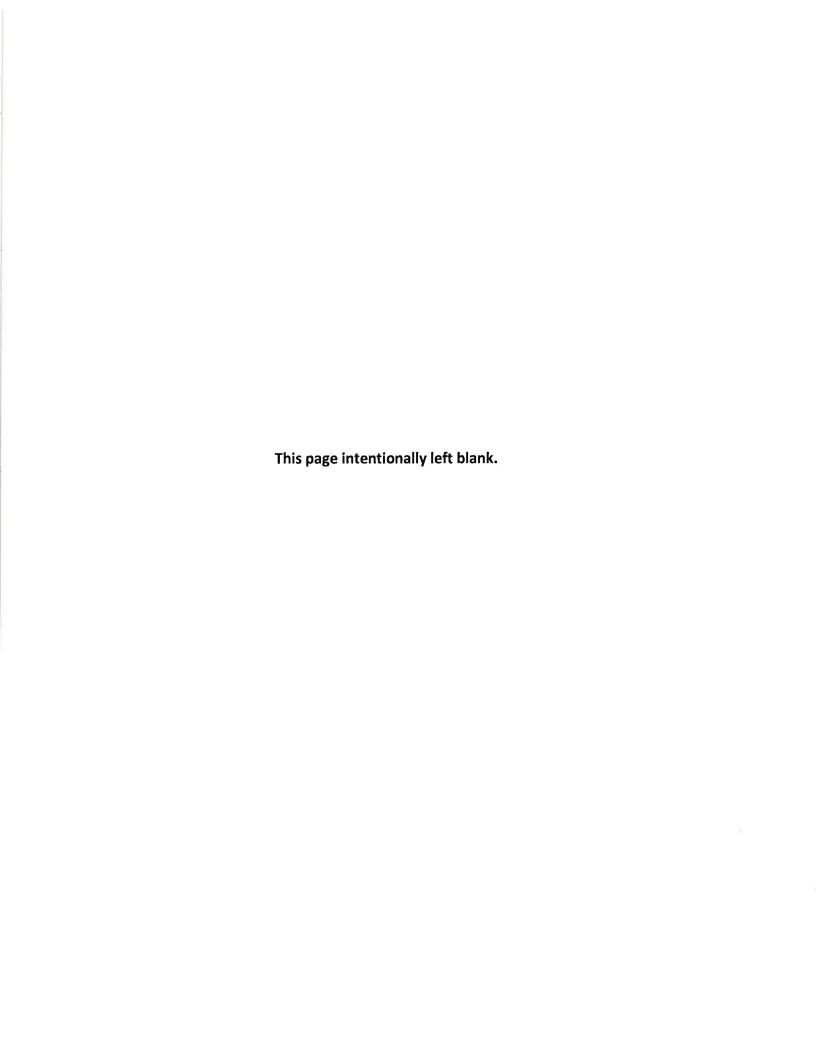
A different take on Stanford study

Toni Messina <toni.messina@como.gov> To: Chris Clubine <chris.clubine@como.gov> Tue, Aug 8, 2017 at 8:18 AM

https://www.city-journal.org/html/conjuring-disrespect-15339.html

Author wrote "The War on Cops."

Toni Messina, Civic Relations Officer City of Columbia 701 W. Broadway Columbia, MO 65201 573-874-7660 Toni.Messina@como.gov





FROM THE MAGAZINE

Conjuring Disrespect

A much-touted study of Oakland police shows researchers' determination to find racism, not cops' bias.

Heather Mac Donald

The attempt to find systemic police bias has come to this: the difference between an officer saying "uh" and saying "that, that's." According to Stanford University researchers, police officers in Oakland, California, use one of those verbal tics more often with white drivers and the other more often with black drivers. If you can guess which tic conveys "respect" and which "disrespect," you may have a career ahead of you in the exploding field of bias psychology.

In June, a team of nine Stanford psychologists, linguists, and computer scientists released a paper purporting to show that Oakland police treat black drivers less respectfully than white ones. The study, published in the *Proceedings of the National Academy of Sciences*, elicited a huzzah from the press. The *Washington Post*, the *New York Times*, and *Science*, among many other outlets, gave it prominent play. "Police officers are significantly less respectful and consistently ruder toward black motorists during routine traffic stops than they are toward white drivers," gloated the *New York Times*.

Reading the coverage, one expected reports of cops cursing at black drivers, say, or peremptorily ordering them around, or using the N-word. Instead, the most "disrespectful" officer utterance that the researchers presented was: "Steve, can I see that driver's license again? It, it's showing suspended. Is that—that's you?" The second most "disrespectful" was: "All right, my man. Do me a favor. Just keep your hands on the steering wheel real quick."

The researchers themselves undoubtedly expected more dramatic results. Undaunted by the lackluster findings, they packaged them in the conventional bias narrative anyway, opening their study by invoking the "onslaught of incidents" involving

officers' use of force with black suspects that have "rocked" the nation. A cofounder of the Black Lives Matter movement helpfully commented in the *San Francisco Chronicle* that the study goes beyond individual racism to highlight a "systemic set of practices that has impacts on people's lives."

The study is worth examining in some detail as an example of the enormous scientific machinery being brought to bear on a problem of ever-diminishing scope, whether in police departments or in American society generally. The most cutting-edge research designs, computer algorithms, and statistical tools, such as Fisher's exact tests, Cronbach's alpha, and Kernel density estimates, are now deployed in the increasingly desperate hunt for crippling white racism, while a more pressing problem—inner-city dysfunction—gets minimal academic attention.

Lead researcher Jennifer Eberhardt, a Stanford psychology professor, specializes in implicit bias, the idea that nearly everyone approaches allegedly disfavored groups with unconscious prejudice. The Oakland Police Department has given Eberhardt virtually unlimited access to its policing data as part of a federal consent decree governing the department's operations. Her first study of the department—on racial profiling in police stops—managed to run nearly 400 pages without ever disclosing black and white crime rates in Oakland. (Hint: they are vastly disparate.)

This latest study analyzed officer body-camera footage from 981 car stops that Oakland officers made during April 2014. Blacks were 682 of the drivers in those stops, whites 299. The resulting officer-driver conversations yielded 36,738 discrete officer utterances. In the first phase of the study, college students rated 414 of those officer utterances (1.1 percent of the total) for levels of respect. The students were shown what, if anything, the driver said immediately preceding each officer statement but were not shown any more of the earlier interaction between officer and driver. They were not told the race of the driver or officer or anything else about the stop. The students rated police utterances to white drivers as somewhat more respectful than those to black drivers, though the officers were equally "formal," as the researchers defined it, with drivers of both races.

In the second phase of the study, the linguisticians tried to tease out which features of the 414 officer utterances had generated the student ratings. They came up with 22 categories of speech that seemed most determinative. On the positive scale were, inter alia, officer apologies, the use of surnames, the use of "um" and "uh" (known in linguistics as "filled pauses"), use of the word "just," and what is referred to as "giving agency" (saying "you can," "you may," or "you could"). The eight negative categories

included asking a question, "asking for agency" (phrases such as "do me a favor," "allow me," "may I," "should I"), "disfluency" (a repeated word such as "that, that"), informal titles ("bro," "my man"), first names, and, most disrespectful, the phrase "hands on the wheel." If some of those distinctions seem arbitrary—"could I" is disrespectful, "you could" is respectful; "um" is respectful," a word repetition is not—they are. More important, they are minute and innocuous. The 22 categories each received a score allegedly capturing their degree of respect or disrespect, with apologizing at the top of the respect scale and "hands on the wheel" at the bottom. There were no categories for swear words or even for unsoftened commands, presumably because officers never engaged in those forms of speech.

Finally, in phase three, the researchers turned their computers loose on all 36,738 officer utterances, using the 22-category rating system. They found that officers' utterances toward white drivers scored somewhat higher in respect than utterances toward black drivers, even after controlling for whether the stop resulted in a search, citation, arrest, or warning. (The sample size for white arrests and searches was quite small, however: one arrest and two searches; black drivers were 15 times more likely to be arrested than whites.) Black officers scored the same as white officers in respect toward black and white drivers. White drivers were 57 percent more likely than black drivers to hear something from the top 10 percent of the respect categories, and black drivers were 61 percent more likely to hear something from the bottom 10 percent of the disrespect categories.

There is plenty to criticize in the study's methodology and assumptions. Doing so, however, risks implying that the substantive claims are significant. They are not. Nevertheless, if it were the case that we should worry about whether an officer says "you can" (good) or "can I" (bad) to black drivers, the study leaves out critical components of officer-civilian interactions. The most disrespectful phrase in the disrespect scale is "hands on the wheel." Black drivers are 29 percent more likely to hear those words than white drivers. Why might an officer ask a driver to put his hands on the wheel? Perhaps because the driver was not complying with an officer's initial requests or was otherwise belligerent. Yet nothing about driver behavior is included in phase three's regression analyses—not drivers' words, demeanor, or actions.

Moreover, given crime rates in Oakland, a black driver is far more likely than a white driver to be on parole or probation, a fact that will show up when an officer runs his plates or his license. In 2013, blacks committed 83 percent of homicides, attempted homicides, robberies, assaults with firearms, and assaults with weapons other than

firearms in Oakland, according to Oakland PD data shared with *San Francisco Chronicle* columnist Chip Johnson, even though blacks are only 28 percent of Oakland's population. Whites were 1 percent of robbery suspects, 1 percent of firearm assault suspects, and an even lower percent of homicide suspects, even though they are about 34 percent of the city's population. (The roadways draw on a population beyond Oakland, but Oakland's crime disparities are repeated in neighboring towns.) Being on parole or probation could contribute to an officer's hands-on-the-wheel request, but drivers' criminal history is not included in the study's models.

The authors claim to have controlled for the severity of any underlying offense that may have triggered the stop, but they do not show whether offense severity differed between blacks and whites. The proportion of male drivers in the black sample was higher than in the white sample, which will also skew the results toward a more crime-prone population. Males were 67 percent of all black drivers but only 59 percent of white drivers.

The study's much-cited statistic that black drivers are about 60 percent more likely to hear a phrase from the bottom 10 percent of the disrespect scale is entirely accounted for by the "hands on the wheel" phrase, since there are only eight items on the disrespect list. The next two items on the disrespect list are first names and informal titles. Whites were 4 percent more likely to have a first name used with them, and blacks were 65 percent more likely to have an informal title used with them, by far the greatest discrepancy on the eight-item disrespect scale. An officer who uses "my man" or "bro" with a black driver in Oakland is likely trying to establish rapport through the use of street vernacular, hardly an invidious impulse; black officers were as likely to use such informal titles as white officers. The white drivers stopped were, on average, three years older than the black drivers. Though age had a greater effect on respect and formality than race in the regression models, the study did not test the connection between age and race. Given the socioeconomic profile of the Bay Area's white population, class differences, too, could explain why officers are less likely to use "man" and "bro" with white drivers.

Whether a young black male in Oakland would feel affirmatively disrespected by "my man" is nowhere demonstrated. Eberhardt claimed in an e-mail exchange that black and white DMV patrons in a replication effort also rated utterances from the study's phase one as "more respectful" toward white drivers, from which she concluded that "the use of urban vernacular by officers is not seen as more respectful by black citizens." The question is, however: Are such street terms affirmatively experienced as *disrespectful*?

None of these methodological objections really matters, though, because the substantive results are so innocuous. Consider again the most disrespectful utterance provided by the researchers: "Steve, can I see that driver's license again? It, it's showing suspended. Is that—that's you?" In no possible universe with any minimal connection to common sense should that utterance be deemed disrespectful. Why does it get that rating? A first name is used, which is the second most disrespectful item on the researchers' disrespect scale. "Can I see" is "asking for agency," the fifth most disrespectful thing an officer can say. Worse, "can I see" is part of a question, and questions are the eighth most disrespectful term on the list. If "can I see that driver's license?" is now deemed racially disrespectful, it's hard to see how police officers can do their jobs.

More demerits follow from "It, it's showing." The repeated "it" counts as a "disfluency," fourth on the disrespect scale. The chance that a driver is even aware of such verbal tics is almost zero. The chance that he would distinguish a disfluency from a so-called filled pause ("um" or "uh") and experience the one as disrespectful and the other as respectful is less than zero. The word "suspended" generates another strike because it is "negative." Again, it is hard to see how officers can conduct traffic stops if such "negative words" are off-limits. The final sentence also racks up two demerits: "Is that—that's you?" is a disfluency and a question. The question may have been asked to soften the fact that the driver is operating with a suspended license.

This is madness. In their franker moments, the researchers all but admit that their study makes a mountain of a molehill. "To be clear," Dan Jurafsky, a linguistics and computer science professor told *Science*, "these were well-behaved officers." The "differences are subtle," Eberhardt said to *Science*. The language used with blacks was not "really disrespectful," she added. No kidding. But the authors cannot resist pumping up their results to fit the conventional policing narrative. "We have found that police officers' interactions with blacks tend to be more fraught," they write at the end. They have found no such thing. Even if the professors had actually measured drivers' reactions to the 36,738 officer utterances, rather than simply running those utterances through a computer algorithm, a de minimis difference on the respect scale is not tantamount to a finding of "fraughtness." Nevertheless, Eberhardt repeated the "fraughtness" claim in numerous interviews. The study goes on to conclude that "we now have a method of quantifying these troubled interactions." But the authors also did not measure whether the interactions were "troubled" from the driver's perspective. Their method recalls campus-rape surveys that never ask alleged victims if *they* think they have been raped.

The authors titled their study "Language from police body camera footage shows racial disparities in officer respect." A more accurate title would have been: "Language from police body camera footage shows that officers treat all drivers courteously but are more colloquial with young black drivers."

In 2015, the last year for which full data are available, Oakland's violent-crime rate was nearly four times the national average: 1,442 violent crimes per 100,000 residents, compared with 372 violent crimes per 100,000 residents nationwide. Oakland's violent crime rate was 14 times higher than Palo Alto's and twice as high as San Francisco's. If police training starts insisting that officers refer to everyone as Mr. and Ms. and scrupulously avoid street appellations, there would be no loss. But it is the disparity in criminal offending and victimization that should concern race researchers, not whether police officers are more likely to repeat words or use "my man" with black drivers.

Heather Mac Donald is the Thomas W. Smith Fellow at the Manhattan Institute, a contributing editor of City Journal, and the author of the New York Times bestseller The War on Cops.

Photo by Joe Raedle/Getty Images

52 Vanderbilt AvenueNew York, NY 10017 | (212) 599-7000



Chris Clubine <chris.clubine@como.gov>

Fwd: Workshop on CPD data

1 message

Steven Sapp <steven.sapp@como.gov>

Sat, Aug 26, 2017 at 8:20 PM

To: Chris Clubine <chris.clubine@como.gov>, Kacy Hall <kacy.hall@como.gov>

In case you didn't know...

----- Forwarded message ------

From: "Don Love" <dmaclove1@gmail.com>

Date: Aug 25, 2017 12:09 PM Subject: Workshop on CPD data

To: "City of Columbia Mayor" <mayor@como.gov>, "Heather Cole" <heather.cole@como.gov>, "lan Thomas" <ward4@como.gov>, "Matt Pitzer" <ward5@como.gov>, "Matthes, Mike" <cmo@como.gov>, "Michael Trapp" <ward2@como.gov>, "Peters, Betsy" <ward6@como.gov>, "Rose Wibbenmeyer" <rose.wibbenmeyer@como.gov>, "Ruffin Clyde" < Ward1@como.gov>, "Skala, Karl" < ward3@como.gov>, "Steven Sapp" < steven.sapp@como.gov> Cc: "Oxford, Jeanette Mott: Jeanette@empowermissouri.org" <jeanette@empowermissouri.org>

Chief Burton expressed skepticism about data at the recent NAACP event, according to the Tribune: Residents plead with Columbia Police Department for better communication

Skepticism is appropriate; data can't prove policing is biased. When a racial or ethnic group is disproportionately affected by officer actions, the officers may be acting for legitimate reasons, as Dr. Lorie Fridell explains in By the Numbers. For instance, a disproportion in investigative stops may be caused by reports of suspicious activity coming from the public, not by suspicions the officers have.

Whenever a racial disproportion occurs in an agency's data, that agency must explain the legitimate factors from its internal data if it can. No one else has access to this information. If legitimate factors don't explain the disproportions, then illegitimate factors must be explored—and the agency must take steps to improve policies, supervision and training.

For instance, CPD consent search disproportions have been high. In 2014 officers conducted these searches on black drivers at a rate over four times the rate for white drivers, based on group proportions of drivers stopped. But the disproportion was down to 2.01 in 2015 and 1.45 in 2016.

Internal 2015 data provided by Chief Burton (with all personal references removed) show that hit rates for consent searches of black drivers was about half that for white drivers; black drivers get twice the searches and officers find contraband half as often. Chief Burton responded by beginning to implement new consent search policies in September 2016.

I've been curious whether the final three months of 2016, after the new consent search policies, would show a decline in disproportions. The other day, I discovered CPD had posted the internal data for 2016 on the Columbia website. For October through December, the disproportion for black drivers was 1.26. See the attached spreadsheet.

I take this decline to be in line with Empower Missouri expectations that when officers are required to act only on specific facts about the individual they are better able to resist the urge to act on suspicions based on stereotypes. Of course, this data does not prove that officers are becoming better able to treat everyone equally; we must remain skeptical, but the decline is encouraging.

The importance of data analysis is that it gives everyone an objective starting point for dialogue aimed at reaching a consensus on how law enforcement should be provided so that public safety is guaranteed, everyone is treated equally, and officers enjoy public support.

An obstacle to dialogue has been that too many people have simply dismissed the data. More people need to become familiar with the data and how it can be used to document disproportions which can then be examined for legitimate factors.

I will lead a workshop 9 am, Friday, September 1, at the Council Office Conference room in City Hall. You will can get a taste of how useful the CPD data is. Bring your computer; I'll provide the spreadsheet I use. The emphasis will be on how to work with the data. We won't be proving or disproving officer bias. Different people will no doubt notice different things in the data, but we'll get a better idea of what sorts of situations need attention—and what sorts seem to be handled well by officers.

Please RSVP to dmaclove1@gmail.com. I'll share some things you can get started on.

If there's interest, I'll repeat the workshop at times that work for more people.

Don Love

Empower Missouri

Human Rights Task Force Co-Chair

573 230 6446



2016 CPD Consent Search Hits by Race and Age 8 23 17.xlsx 56K



Chris Clubine <chris.clubine@como.gov>

Fwd: definitions, data and transparency

Steven Sapp <steven.sapp@como.gov>

Mon, Aug 28, 2017 at 11:12 AM

To: Chris Clubine <chris.clubine@como.gov>, Kacy Hall <kacy.hall@como.gov>

To keep the thread intact..

Regards,

Steven Sapp **Director of Community Relations** City of Columbia Missouri | 701 E Broadway - 2nd floor | Columbia, MO 65201 (573) 874-7257 - office

Contact Center - (573) 874-2489 | Web - CoMo.gov ComoGOV Open Records Portal - Como.gov Facebook City of Columbia, Missouri (Gov't, Page) | Twitter - @CoMoGov City Meetings Calendar - http://meetings.como.gov/Calendar.aspx Share your ideas with us at www.SpeakupCoMo.com

> Our vision - Columbia is the best place for everyone to live, work, learn and play. Our mission - To serve the public through democratic, transparent and efficient government.

----- Forwarded message ------

From: Traci Wilson-Kleekamp <tracilizzette@gmail.com>

Date: Mon, Aug 28, 2017 at 10:02 AM

Subject: Re: definitions, data and transparency

To: Don Love <dmaclove1@gmail.com>

Cc: City of Columbia Mayor <mayor@como.gov>, Heather Cole <heather.cole@como.gov>, lan Thomas <ward4@como.gov>, Matt Pitzer <ward5@como.gov>, "Matthes, Mike" <cmo@como.gov>, Michael Trapp <ward2@como.gov>, "Peters, Betsy" <ward6@como.gov>, Rose Wibbenmeyer <rose.wibbenmeyer@como.gov>, Ruffin Clyde <Ward1@como.gov>, "Skala, Karl" <ward3@como.gov>, Steven Sapp <steven.sapp@como.gov>, Ken Burton <ken.burton@como.gov>, "dsmith.cprb" <dsmith.cprb@gmail.com>, "Oxford, Jeanette Mott: Jeanette@empowermissouri.org" < jeanette@empowermissouri.org>, mary ratliff < maryratliff40@yahoo.com>, Dan Viets <DanViets@gmail.com>, "Gordon, Rev. Molly Housh" <minister@uuchurch.net>, Chip Cooper <cooper.chip@gmail.com>, Sara Baker <sbaker@aclu-mo.org>, Lynn Maloney <lynnmaloney11@gmail.com>, Rachel Taylor <rachel.haverstick@gmail.com>, Grace Vega <vegagrace2015@gmail.com>, Peggy <pplacier@centurylink.net>, Tara Warne-Griggs <twgmom71@gmail.com>, John Chasnoff <johnchasnoff@cs.com>, Reale Justice

All,

I am not sure how much meaningful education is going on with the council etc, but since the inception of reporting vehicle stop data in 2000 -- CPD's disparities in every category have increased.

<realejustice17@gmail.com>, Susan Sneed <susan@mcustl.com>, "Marco A. Tapia" <mtapia@centralmethodist.edu>

The consent search data is what happens AFTER the stop not before and CPD is profiling in their saturation efforts. So we still aren't dealing with the stop issue, therefore Mr. Love is offering both a distraction and a conundrum for which policymakers have not offered meaningful debate or solutions.

Playing the linguistics game with Chief Burton's denials are problematic on many levels, because in my view he is denying the experiences of Black drivers. Further, Chief Burton doesn't need Don Love's white man splaining. We've had guite enough of that thank you Mr. Love.

The truth of the matter is that there is not a single acceptable reason for our police department to be retrieving DOS based data out of their system. Second, since the disparities have markedly increased under Burton's leadership, the council really should be directing the manager to produce tangible policy solutions.

So far, in my view, the council has not held the city manager or the chief accountable for the disparities in CPD's contact with minority drivers.

There is a new book out called "Policing the Black Man" edited by Angela J. Davis. The paper: Racial Profiling: The Law, the Policy and the Practice by Renee McDonald Hutchins builds more critically beyond Mr. Love's explanations. We have encouraged the council to embrace reading Charles Epps' book Pulled Over and John Ray's very helping book: Rethinking Community Policing. We are asking that you meaningfully get down to brass tacks on this subject. This isn't about stroking Burton's ego, his genius isn't public policy but his resilient insistence on defending his status quo responses.

The question I have is this: does the council care about the impact these disparities have on public trust and how the cascade of these outcomes perpetuate oppressive policing?

Traci Wilson-Kleekamp

On Mon, Aug 28, 2017 at 9:20 AM, Don Love <dmaclove1@gmail.com> wrote:

Following up on the NAACP event, attached are some thoughts on the importance of agreeing on basic definitions and data before starting a serious community dialogue.

There's lots of work to be done but I'm optimistic that we'll find common ground for improved policing.

I'm out of town a lot so I can't always participate in meetings but I'll help however I can.

I've received a few RSVPs for my 9 am Friday data workshop at city hall. If there's interest, I'll be glad to repeat. I know there are a lot of people out there who are more advanced in data analysis than I am so I'll probably learn some things. We won't go into a lot of interpretation; I just want people to see what is available so they can begin making connections between the data and their personal experiences.

Share this email with anyone you think might be interested.

Don Love

Empower Missouri

Human Rights Task Force Co-Chair

573 230 6446

Racial Profiling, Traffic Stop Data and Transparency in Columbia

A key aspect of discussions of racial profiling is that law enforcement professionals use the term in a specialized way which differs from the common public understanding. This is what Chief Ken Burton was getting at when he said, according to the <u>Tribune</u>, public education was needed to "make it clear to people what racial profiling actually is."

Court rulings, especially Brignoni-Ponce and Whren v. United States, have told officers that race cannot be the sole factor in a stop, so officers define racial profiling as a stop or other action in which race is the sole factor. As long as someone has committed a minor violation of law, officers are allowed to make a stop, and it makes no difference if part of their motivation is the race of the driver—it just can't be the sole motivation.

In the Whren decision Justice Scalia wrote that the constitution guarantees equal treatment based on race, but that courts have no way to take officer intentions into account. A stop based on a minor violation is not racial profiling even if the officers made it because of the race of the driver.

Most people would say that any officer action motivated by race is profiling. But the term goes back to an important police practice, according to David Harris, a national expert on good police practices:

A profile I simply a set of characteristics—physical, behavioral, or psychological. In criminal profiling, law enforcement personnel use characteristics associated with either a particular crime or group of crimes to develop a profile of someone likely to engage in illicit behavior. ...Profiles enable the police to create portraits of criminals using facts instead of gut instinct or wishful thinking.¹

We at Empower Missouri usually avoid the term "profiling" because of conflicting definitions. We prefer to talk about bias-free policing or to avoid the issue by saying officers must always be acting on the basis of facts about the individual indicating criminal behavior, not on the basis of race.

Representative Paul Curtman, Republican from Washington, sponsored a version of the reform of the 2000 racial profiling law Empower Missouri supports, the Fourth Amendment Affirmation Act (FAAA). He favors avoiding any mention of bias. He prefers that the law just say officers are prohibited from acting on anything other than facts about the individual. We and other members of the coalition working on the legislation are open to this approach.

The 1968 Terry v. Ohio decision is usually summarized as allowing officers to use reasonable suspicion to perform a brief search for a weapon—a stop and frisk. But the term "reasonable suspicion" occurs only in the dissent by Justice Abe Fortas, in which he wrote it is better to insist on probable cause.

The problem with reasonable suspicions is that we all think our suspicions are reasonable. It is hard to see that suspicions are based on generalizations of the experiences we have had, including the stereotypes common in our culture. Suspicions play a significant role in keeping us safe by alerting us to possible dangers but we must be careful to make sure they apply in a specific situation. Because of our history of slavery, Jim Crow laws, segregation and so on, we must be especially careful to examine suspicions involving race.

¹ Harris, David A. (2002) *Profiles in Injustice: why racial profiling cannot work.* The New Press. New York. Page 16

In the majority opinion, Chief Justice Earl Warren wrote:

...the police officer must be able to point to specific and articulable facts which, taken together with rational inferences from those facts, reasonably warrant that intrusion.²

So facts are what justify even a search done without probable cause, not reasonable suspicions.³ Empower Missouri believes that when officer actions result in large disproportions against People of Color, they must be held accountable for pointing to the facts. This is the backbone of the FAAA, that agencies will show how the facts officers knew explain disproportions or take steps to improve policies.

Unfortunately, "reasonable suspicions" have become the dominant way of thinking about the standard officers must follow. For instance, officers record Vehicle Stops Report (VSR) information on a form that provides a check-off for "reasonable suspicion-weapon" searches. We believe officers should be trained to forget about reasonable suspicions and always think in terms of looking for specific and articulable facts.

Perhaps Chief Burton is thinking of other definitions of racial profiling. The <u>2000 Missouri Racial Profiling Law</u>, which mandates the VSR, does not actually define racial profiling. The closest it gets is to say agencies must have policies against race-based policing:

- 5. Each law enforcement agency shall adopt a policy on race-based traffic stops that:
- 1) Prohibits the practice of routinely stopping members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law.

The law is inadequate because it covers only stops, it is limited to routine practices (not specific acts which are discriminatory), and it says an officer must be purposefully investigating crimes other than the violation that caused the stop.

CPD has a policy on "racial/bias-based profiling," Section 402. It says,

It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly and without discrimination toward any individual or group.

It goes on to say "racial/bias-based policing is strictly prohibited."

So, profiling is not really defined in the CPD policy, except, perhaps, as the opposite of "equally, fairly and without discrimination." The policy does, however, go on to say,

Officers detaining a person shall be prepared to articulate sufficient reasonable suspicion to justify the detention independent of the individual's membership in a protected class.

If "reasonable suspicion" in this context were defined as justified by trustworthy facts, the policy would come close to meeting Empower Missouri's expectations, but overall, we would prefer something clearer. The policy must leave officers with no doubt that they must act only on facts about the individual. The policy must be clear enough that officers can be disciplined for violating it.

² Terry v Ohio, page 21. The race of the defendants is not mentioned in the opinion but Warren mentions the "wholesale harassment by certain elements of the police community, of which minority groups, particularly Negroes, frequently complain," and goes on, "courts still retain their traditional responsibility to guard against police conduct which is overbearing or harassing, or which trenches upon personal security without the objective evidentiary justification which the Constitution requires." Page 14-15.

³ David Harris (2002) traces the expansion of the Terry decision to give officers more and more discretion in their use of suspicion. Pages 39-41.

As Chief Burton indicated, agreeing on terms is necessary for a meaningful dialogue. Perhaps these reflections on profiling and reasonable suspicion in court precedents and on Missouri law and current CPD policies aren't what he has in mind. One way or another we must be transparent with each other.

Perhaps a preliminary step to community dialogue should be a meeting to agree on basic terms.

The Tribune article also says Chief Burton questioned analysis of VSR data. Skepticism about data is perfectly acceptable. The official agency reports from the Attorney General's office are often flawed by inaccurate estimates of the group proportions of drivers, and these are the benchmarks necessary to measure disproportions in stops.

Since we at Empower Missouri (then named Missouri Association for Social Welfare) brought David Harris to speak in Columbia in 2010, we have been following his advice to look at the actions officers take after a stop, because then the group proportions of drivers stopped can be used as benchmarks. We also concentrate on actions which involved a high degree of officer discretion and in which officers might be subject to suspicions based on racial stereotypes.

We had been suggesting for years that CPD look at hit rates for actions such as consent, drug-dog alert, drug/alcohol odor and reasonable suspicion-weapon searches.

Dr. Lorie Fridell, the criminal justice professor who provides the Fair and Impartial Policing training used by CPD, wrote in her 2017 book, *Producing Bias-Free Policing*, that the Austin, Texas, police chief faced complaints about racial disproportions in consent searches. He could find no indication of bias in his officers, but he decided to see what the hit rate was. He thought that if it was at least 20% officers were probably using them correctly. The hit rate was much lower, Fridell reports, and the chief changed his policies.⁴

Last fall, Chief Burton released the spreadsheet CPD uses to generate the data reported to the AG. It's an extract from the overall agency database, including just traffic stops and excluding personal information about drivers and officers. This is the data that CPD uses to analyze crime in order to tell how best to deploy officers. It is just as useful in determining how groups are affected by officer actions in order to ensure bias-free policing.

The data shows that black drivers were twice as likely to be subjected to consent searches as white drivers, but white drivers were almost twice as likely to have contraband. The hit rate for black drivers was about 10%--officers found contraband in one out of every 10 consent searches.

Disproportions such as these must be looked at skeptically. The problem with them, as Dr. Fridell warns, is that officers often are acting on "alternative legitimate factors," not on any form of bias. For instance, detectives might be conducting a serious investigation of a suspect and have substantial evidence of criminal behavior but not be ready to make an arrest. They ask officers to be alert for the individual and take advantage of opportunities, such as consent searches, to learn more.

Chief Burton decided the disproportions were high enough to justify changed policies, so he began implementing procedures in which officers tell drivers of their rights and obtain signed consent.

⁴ Fridell, Lorie. (2017) Producing Bias-Free Policing: a science-based approach. Springer, Switzerland. Pages 81-82.

⁵ Ibid. page 66 and several other locations.

We've been encouraging CPD to do a similar analysis of 2016 data. We discovered the other day that CPD had posted this data on the city <u>website</u>. I repeated my analysis, which is attached, along with the 2015 analysis.

In 2016 consent search disproportions declined significantly. Most of the improvement occurred after the Chief changed policies. In 2015, the disproportion was 2.01: black drivers were affected at a rate twice that for white drivers. In October through December 2016, the disproportion was 1.26.

There's still room for improvement in consent searches and in other situations for which there are high disproportions, but this improvement is consistent with our assumption that if officers become aware of how their actions disproportionately affect non-white drivers and if they are more careful to act only on facts about the individual, disproportions will decline, law enforcement will be more effective, and officers will receive more cooperation.

Columbia PD has had high post-stop disproportions in VSR data since 2001. Agencies don't like to see disproportions, but when they are measured on the basis of group proportions of drivers stopped they are as accurate as the data recorded by officers. Many disproportions can be explained for "alternative legitimate factors." Agencies owe it to themselves, their officers and the public to do this when possible. And when they cannot find legitimate factors, illegitimate factors are all that are left and must be addressed by improving policies, supervision and training.

But the disproportions can be good news to, as they are for consent searches in Columbia. The initial disproportions suggested a problem. Chief Burton improved policies. The disproportion declined.

Several agencies have had similar successes. The clearest example is Ladue, an affluent St. Louis County municipality. Chief Rich Wooten noticed that his officers had disproportions only on actions that allowed officers a high degree of discretion, such as consent searches and stops for minor infractions. So he told them to concentrate on violations that were a significant threat to public safety—where they had clear facts about the individual that made race irrelevant.

One of the hallmarks of community policing is transparency. Release of internal data by Chief Burton is a significant act of transparency. Because Chief Burton shared the data and listened to community feedback in this case, a policy was improved, officer behavior changed and a disproportion declined. We must repeat this process on an ongoing basis.

Don Love Empower Missouri Human Rights Task Force Co-chair 573-230-6446 Dmaclove1@gmail.com

⁶ We have a spreadsheet that shows disproportions for selected years going back to 2001 for the forty or so largest agencies in the state.



Chris Clubine <chris.clubine@como.gov>

Workshop Plan

1 message

Don Love <dmaclove1@gmail.com>

Thu, Aug 31, 2017 at 7:11 AM

To: dsmith.cprb@gmail.com, kacy.hall@como.gov, kptowne@gmail.com, ward1@gocolumbiamo.com, steven.sapp@como.gov, rmille2000@yahoo.com, twgmom71@gmail.com, namdhf@mail.missouri.edu, warren44sapp@gmail.com, chris.clubine@como.gov, ward6@como.gov, lan Thomas <ward4@como.gov>, Michael Trapp <ward2@como.gov>, Kari Utterback <kari.utterback@como.gov> Cc: "Oxford, Jeanette Mott: Jeanette@empowermissouri.org" <jeanette@empowermissouri.org>

Here's an outline of what I'm thinking of covering tomorrow—9 am, September 1, City Hall, Council Conference Room 1B, just east of Council Chambers.

I'll start by showing you the analysis we do of the complete Vehicle Stops Report data set. I'll send the extra files later today, when I'm back in Columbia.

Bring along anyone who is interested.

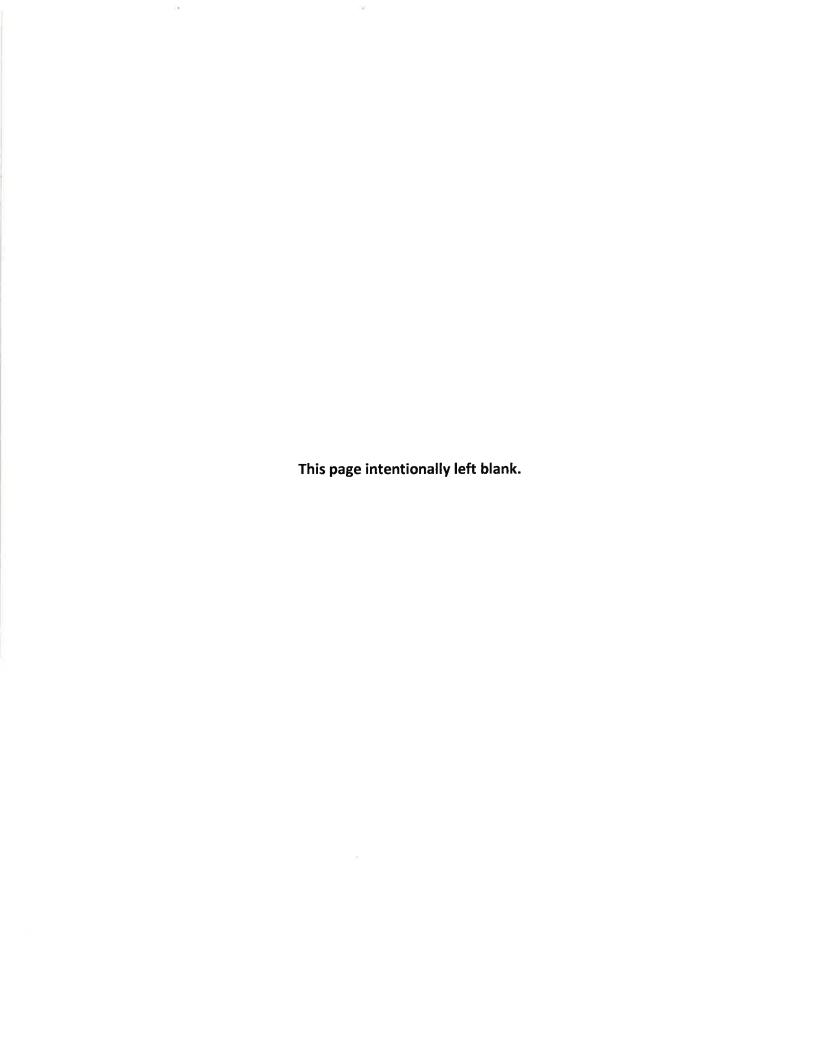
Don Love

Empower Missouri

Human Rights Task Force Co-Chair

573 230 6446





Comments on Stop Categories

Introduction

Officers record stops in more than fifty categories: moving violation, equipment defect, location, driver age and so on, by what they perceive to be the race or ethnicity of the driver. Many of the categories are straightforward enough but some of them will be a mystery to most members of the public. What's involved in an inventory search, for example? What constitutes an investigatory stop? Black audiences always know what a consent search is, but white audiences need them explained.

One of the main aspects of public discussion should be **people asking officers about the categories**. How do officers decide when to write a citation and when to make an arrest? What is reasonable suspicion of a weapon? Why don't officers need probable cause to do some things but not others? What constitutes resistance in resisting arrest? What are the "Other" stop outcomes?

This list introduces what's involved in the categories; officers may be able to give better. Please send us improvements: HumanRights@EmpowerMissouri.org.

Some categories involve officers deciding to make a stop--and related information, such as age, gender, race, location, etc. The first step in evaluating these stops is to determine **the rate for each group** (group incidents per group driver). The VSR does this by dividing the percentage of incidents for each group by an estimate of the percentage of group drivers based on jurisdiction census reports. These estimates of group driver proportions are not reliable because, in part, drivers often do not live where they are driving and access to cars is likely to vary by group. Better estimates can be created but the process is complicated and can be expensive. See Empower Missouri's other documents, VSR Guide and Benchmarks.

Some categories involve decisions officers make after a stop and are therefore useful for screening for bias because a disproportion can be determined based on **the group rates for drivers stopped**, for instance, black citations per black stops. This benchmark is empirical fact, not an estimate. An officer, for instance, decides to issue a citation or give a warning after the stop has been made and has been face to face with the driver. Consent, drug-dog alert, drug/alcohol odor and reasonable suspicion of a weapon searches, length of search and resisting arrest charges can be useful indicators in post-stop analysis because officers exercise considerable discretion in them.

Post-stop analysis is also useful when evaluating the performance of individual officers. If an officer is assigned an area with a high number of People of Color (POC) drivers, it should not be a surprise that POC drivers are stopped disproportionately. It may be difficult or impossible to determine what the group proportions of drivers are that an officer encounters. But if, for instance, an officer conducts consent searches on 25% of the white drivers she stops but 50% of the black drivers, the officer's supervisor should make sure drivers are not being treated differently because of race—that the officer is acting on facts about the individual driver clearly distinct from race.

Other categories (moving violation, location, driver age and gender, etc.) describe features of the stop rather than post-stop officer actions but can still be analyzed based on the group proportions of drivers who have been stopped, although the meaning is slightly different.

The rates for these subcategories can be thought of as how they are distributed for a group.¹ For instance, 40% of stops for black drivers might occur on an interstate highway while only 10% of their stops occur on city streets. A disproportion would exist if 20% of stops of white drivers occur on the interstate. The disproportion might indicate black drivers aren't on city streets but are just traveling through the jurisdiction, or other factors might be involved.

Or 70% of the searches for black drivers might be of males and 30% of females. If 55% of the searches for white drivers are of males, there's a disproportion; 70/55=1.27. Does that mean that officers are targeting black male drivers, or that more males drive than females when comparing black to white drivers? Questions such as these are interesting but can't be answered with just the VSR data.

VSR data might indicate no disproportion in stops for young black drivers, but it could be that young people don't have equal access to cars.² It could be that there is actually a high disproportion in terms of the young black drivers on the streets. It might be possible in some communities to estimate the group proportions of young drivers by counting them as they park for high school.

The categories are not complete. The most significant omission is hits—the times contraband is found—for each category of search. A record of when consent for a search is refused would allow more accurate analysis. Whenever an agency records a large number of "Other" incidents or high disproportions of them, another category would be useful.

The categories are not fully searchable in the data reported to the AG. For instance, it would be helpful to know if a disproportion exists for consent searches of young black drivers, but those three categories cannot be queried together. Agencies with databases should be able to perform queries like this. Agencies not big enough to have sophisticated databases probably have few enough incidents that manual searches can be performed.

Empower Missouri tables rely on **Ratios of Disparity** as the measure of disproportion. When we refer to a "disproportion" we usually mean a ratio of disparity. It is the rate for a POC group divided by the rate for white drives. It expresses the data in the form, "black drivers are affected at rate x times the rate of white drivers."

A high disproportion does not prove officer bias because factors other than bias can be contributing to the disproportion. When a high disproportion occurs, an agency should look for factors other than bias contributing to the disproportion. Then they should examine individual officer performance to see if explicit or implicit bias might be a factor. If other factors do not account for the disproportion, systemic bias should be assumed to be a factor and policies, supervision and training improved.

Empower Missouri presents the VSR data both in terms of rates based on the VSR's estimates of the group proportions of drivers and in terms of rates based on the group proportions of drivers stopped. See our VSR Guide for an explanation.

Race and Ethnicity:

¹ For more details on how this works, see The Mathematics of Disproportions: Comparing Distributions versus Comparing Rates.

² The VSR uses one set of percentages for groups, not different percentages depending on age.

Choices are based on the perception of the officer, not self-identification by the driver. The Code of State Regulations, which implements the racial profiling law gives no instructions.³ Appearance is probably the main factor but surnames might be involved. Officers might perceive a biracial driver several ways, including Other. Middle Eastern drivers are probably categorized as Other. Some drivers are no doubt difficult to categorize. In general, the Other category may be assumed to represent People of Color— "Other" probably means "other minority" to most officers.

The rates at which agencies record Other drivers should be monitored. Urban areas and areas near military bases may have high Other rates. Rates for Other drivers are not a concern unless disproportions are high.

White Black Hispanic Asian Native American Other

Key Indicators:

The VSR emphasizes disproportions based on totals of categories, but many officer actions involve little officer discretion. Many situations are influenced by economic factors; individuals with low incomes are more likely to let license plates expire, and African Americans have low incomes at twice the rate for European Americans. We prefer to look at subcategories, and focus on those with the highest level of officer discretion.

Total Stops: Officers can mark more than one reason for a stop. According to the Code of State Regulations, Total Stops should not include multiple reasons for stops or include investigative stops, but some agencies seem not to follow this procedure.⁴ Or perhaps when officers have more than one reason for a stop they record just the principle reason.

For all 600 agencies in 2015 and 2016, Total Stops equals the sum of male and female drivers stopped, so agencies appear to be including investigative stops in total stops.

For a sizeable number of agencies in 2015, including the Missouri State Highway Patrol, Total Stops equals the sum of moving violation, equipment, license and investigative stops, so investigative stops are included and officers seem to be recording just one reason.

If some agencies are not including investigative stops in Total Stops, their disproportions will appear to be lower than the disproportions for agencies that do include them. We haven't noticed this to have occurred.

Empower Missouri favors figuring disproportions for each category, so this does not affect our analysis so much.

Total Searches: The officers' form asks, "Was a search initiated?" They check yes or no. For all agencies, the total of searches equals the sum of the searches they categorize by length.

³ Code of State Regulations: http://www.sos.mo.gov/cmsimages/adrules/csr/current/15csr/15c60-10.pdf

⁴ CSR links: http://www.sos.mo.gov/adrules/csr/current/15csr/15csr CSR document: http://www.sos.mo.gov/cmsimages/adrules/csr/current/15csr/15c60-10.pdf The law was changed in 2004 to include stops for any reason, including investigative stops; the CSR has not been updated since 2001.

For a number of agencies, the total of searches equals the sum of the categories of searches, so the officers never check more than one authority for a search, which is possible but seems unlikely. For instance, some drug-dog alert searches probably occur after another search has been completed.

Disproportions for subcategories of searches are more useful.

The VRS computes the rate as total group searches divided by total group stops, so estimates of group driver proportions are not used.

Hit Rate for all Searches: hit rates for subcategories would be more useful, but hits are not reported for categories of searches so these cannot be computed from the VSR data. For instance, it would help to know how often consent searches are successful.

Total Arrests: The officers' form asks, "Was driver arrested?" They check yes or no. These are intended to be numbers of drivers arrested, not the number of arrest charges filed. For some agencies, the number of arrest charges equals total arrests. Perhaps these agencies are only filing one charge per arrest, or perhaps officers only record the principle charge.

Disproportions for subcategories of arrests are more useful.

The VRS computes the rate as total group arrests divided by total group stops, so estimates of group driver proportions are not used.

Reason for Stop:

Officers may record more than one reason for a stop; for instance, a driver might be speeding and also fail to signal a lane change.

When establishing disproportions based on group proportions of drivers, rates for different types of stops are straightforward: events per driver.

When establishing disproportions based on group proportions of stops, rates don't mean quite the same thing. Since each reason for a stop is a type of stop, the rate comes out being stops per stop—for instance, moving violation stops of black drivers per total stops of black drivers. The rates are most useful for determining that, for instance, black drivers experience a higher proportion of equipment stops than white drivers do. It is more important to know the rate at which groups are being stopped, which must be based on estimates of group driver proportions.⁵

Moving: The VSR form officers use to check off their actions includes subcategories of moving violation stops (see below). These are not included in the VSR agency reports, but they are included in the statewide data set, so we include them in our analysis.

Equipment: Stops for equipment violations are probably influenced by the economic status of the drivers. Drivers of older cars are probably stopped more frequently. Black drivers are more likely to have low incomes than white drivers, so a disproportion in Equipment Stop rates may not indicate officer bias.

Equipment stops could be made as a pretext to find out more about a driver. Pretext stops aren't automatically unfair to POC drivers but they can be misused. See more below on investigative stops.

License: Officers are surprisingly good at spotting expired license plates. Officers sometimes enter the licenses of vehicles they see when stopped at a light. Some patrol cars are equipped with license plate scanners which can access data on the car and its owner. Stops for expired license plates are probably influenced by economic status so disproportions do not necessarily indicate officer bias. Officers are

⁵ Empower Missouri's post-stop analyses for agencies present disproportions for officer actions that occur after the stop is made but the distribution of percentages of subcategories for groups is available.

unlikely to make a stop for an invalid license unless the license is really expired or invalid for some other reason, but officers could easily ignore license violations for some drivers, creating a disproportion.

Investigative Stops: This category was added to the racial profiling law and the VSR in 2004. The Code of State Regulations (CSR) does not make them clear. No instructions are given for recording them. Chiefs describe them as stops officers make when they see something suspicious, stops officers make because of an ongoing agency investigation (as for gang activity) and stops made in response to resident complaints. Perhaps a stop made because a license plate scanner identifies the owner of a car as having an outstanding warrant would be categorized as an investigative stop.

The CSR (15 CSR 60-10.010) defines "Terry Stops" as:

...a stop of an individual where specific and articulable facts, together with all rational inferences, suggest that the driver is involved in criminal activity. A Terry stop is an investigatory stop that is not an arrest and can be justified by less than the probable cause necessary for an arrest.

The VSR forms officers fill out, however, identify Terry Stops not as investigative stops but as the authority to conduct a search for a weapon without probable cause. The CSR also defines "Terry frisks" and "Terry searches." A Terry search seems to be a better term for a search conducted on the authority of a reasonable suspicion of a weapon than for a stop. The key element of a Terry search is the danger to the officer and the public of a weapon.

Still, the defining feature of an investigative stop seems to be that the officer does not have probable cause of a violation or crime but acts instead on "...specific and articulable facts, together with all rational inferences."

The net result, nationwide and in Missouri, of Terry Stops (named for a 1968 Supreme Court decision) has been disproportionate stops and searches of People of Color (POC). Officers have been taught to expect POC to be involved with illegal drugs and have therefore targeted them, resulting in crime rates higher than those for whites. An articulable fact relied upon by some officers seems to be that a group has a high crime rate.

A stop because a random license plate scan reveals an outstanding warrant is not likely to involve officer bias, as long as the scan is really random. A stop because detectives are investigating gang activity is likely to involve substantiated reasonable suspicion. If a stop made because of a complaint is biased, it's the caller's bias. A stop because an officer decides a driver in a neighborhood late at night should be investigated could involve bias.

It would be helpful to have Investigative Stops broken into subcategories: scans, tips, agency investigations, spontaneous officer investigations. When there are high disproportions, agencies need to be prepared to explain what is being investigated and why POC are disproportionately affected. Agencies can consult internal data in order to explain disproportions, by, for instance, identifying the number of calls for service.

Spontaneous officer investigations are known as "pretext" stops, in which a traffic violation was observed but the stop would not have been made except the officer suspected criminal activity. Dr. Lorie Fridell, nationally recognized expert on fair and impartial policing, accepts a "crude estimate" of pretext stops being 25% of all traffic stops, based on responses from officers in San Jose.⁶ "Pretext" is a pejorative term, but officers view the stops as an important tool. Officers need to be careful that they are using them appropriately—not in a biased manner. Perhaps the VSR form should include a pretext check off under investigative stops they would identify the violation that was a pretext but also check "pretext."

Each pretext stop is a situation in which officer bias could be a factor—more of a factor than in a straightforward stop of a car going 80 mph in a school zone. This situation complicates analysis of

⁶ Lori Fridell, <u>By the Numbers</u>, page 207

disproportions for academics because available data do not provide information this detailed. For practical efforts to improve fairness, it's just a case in which a disproportion should be reviewed by the agency: How many lane violations are actually pretext stops and is the race of the driver a factor when it should not be?

A stop outcome not related to the reason for the stop could indicate a pretext stop. For instance, a consent search indicates officer suspicion could have been a factor in the stop. Agencies could check to see if consent searches tend to follow stops for minor violations. When an officer takes "no action," the stop could have been a pretext to see what the driver was up to. Some agencies may have officers indicate pretext stops in internal records. Officers could, for instance, be instructed to check "failure to signal," moving violation, and pretext stop when they use a minor violation as a pretext.

Categories of Moving Violations:

Officers record this information but it is not included in the VSR. Officers sometimes decide what to charge a driver with after the stop has been made, so there's some justification in thinking of these as post-stop officer actions. These categories include violations that are serious public safety concerns (80 mph in a school zone) and violations that the officer could easily ignore. If a group disproportion exists it's important to know whether it is the result of a serious violation or the result of officers' decisions to stop members of some groups disproportionately for minor violations.

Moving Violation: speed

Moving Violation: lane violation
Moving Violation: follow too close

Moving Violation: **commercial vehicle enforcement.** There are high statewide disproportions based on group driver estimates and on stops for Hispanic drivers. Some agencies have even higher disproportions. Are officers stopping international trucks to check for papers or drugs?

Moving Violation: fail to signal

Moving Violation: other. Seat belts? Cell phone use? Use of wipers and lights? Failure to yield? Accident

related?

Stop Outcome:

Another set of conditions applies after officers make a stop and have seen the driver face to face. Sometimes, officers have little discretion in what they do; for instance, if a driver has an Outstanding Warrant, the officer must make an arrest (although some agencies are now making exceptions for warrants for minor crimes). At other times, officers exercise considerable discretion; for instance, in deciding whether to write a citation or give a warning.

Arrests and searches are outcomes listed separately in the VSR.

Citations: Statewide in 2016, officers wrote citations for black drivers at a rate more than twice that of white drivers. Ratios of disproportion for other POC groups are near or below 1.00, meaning they are affected less than white drivers.

Affluent drivers make deals with prosecutors to change charges, for instance, from a moving violation to a parking violation, in order to avoid points and insurance increases. White individuals are affluent at a greater rate than blacks, so citations of white drivers that make it to court may be considerably lower than those written by officers. Lawyers advertise this service in jurisdictions where prosecutors are willing to make deals.

Citations of low income drivers tend to result in outstanding warrants because the drivers fail to appear in court of pay fines. African Americans have low incomes at a greater rate than whites, so their rates for outstanding warrant arrests are high.

Warnings: Drivers would rather have a Warning than a Citation, so a higher rate of Warnings is usually good from the point of view of drivers. A high disproportion for warnings could suggest that officers are favoring the group involved or that the stop was unnecessary.

No Action: Sometimes the numbers seem to favor POC drivers when officers take no action, but this disproportion may indicate the officer had nothing to warn the driver about.

Other: Officers categorize some outcomes as Other. This category is not included in the VSR, but it is in the statewide data set. Whenever there is a high disproportion for an "Other" category, the agency needs explain what the other action is that affects POC drivers disproportionately. Officers may use this category for outcomes that aren't related to traffic stops, such as a call for service.

Location of Stop:

These generally contribute to an understanding of the situations with which officers have to deal in a jurisdiction. Officers might concentrate on patrolling some locations more than others for a variety of reasons—for instance, increasing safety on an Interstate or watching for crime in a neighborhood. POC drivers can be disproportionately affected because of driving patterns—for instance, if black drivers drive through a jurisdiction on an Interstate to get to jobs.

Note that an officer does not make a decision to stop a driver on an Interstate instead of a city street, but agency decisions about where officers patrol affect the disproportions.

The rates for groups based on stops—for instance stops of black drivers on a city street per total stops of black drivers-- can be interpreted as a breakdown of the percentages of where they are stopped. For instance, for a group, 10% of stops may be on an Interstate, 40% on a US Hwy, 20% on a State Hwy and 30% on city streets—totaling 100%.

Interstate Hwy: An interstate raises the possibility that officers are encountering an influx of drivers that may not reflect local racial and ethnic proportions. Some agencies like to have officers patrol the interstate; others leave this work to MSHP troopers. Officers often cannot see a driver before making a stop.

US Hwy: These can resemble Interstates or be just busy city streets or busy two-lane country roads. They, too, are likely to bring an influx of non-resident drivers.

State Hwy: These include numbered state routes and state-maintained roads designated with letters. They tend to be used for local travel.

County Road: These are smaller roads maintained by counties for local travel.

City Streets: City police departments generally take responsibility for streets and roads within their jurisdictions. A sheriff's department will usually leave patrols of city streets to city officers.

Other: Presumably these include places like parking lots, parks, and college campuses. A few agencies include a surprisingly large number for stops in Other locations. Such categorization raises concerns only when disproportions exist.

Stops Involving Searches:

Officers have little discretion in some categories of searches, so it is better to look at the categories of searches.

If good estimates of group driver proportions are available, it makes sense to measure disproportions as searches per group driver in the jurisdiction. Otherwise, the most reliable information is in terms of searches per group stop.

What is searched: Searches involve some combination of driver, car, and property. Statewide, most searches are of driver, car and property. Officers always search a driver who has been arrested, but they may decide not to search the car.

Driver
Car/property
Driver/car/property

Authority for Search:

Again, these can be treated as rates based on group driver proportions or as rates based on group driver stops.

Consent Searches: To justify a search, officers are required to have probable cause for searches, or, under special circumstances, at least reasonable suspicions based on articulable facts. Courts have ruled they may still ask for a driver's consent when they do not have probable cause or even reasonable suspicion. The authority for the search becomes the consent granted by the driver.

Consent Searches can be a valuable law enforcement tool, but Empower Missouri is concerned that their overuse damages the public's trust in officers because an element of coercion is always involved. Pulled Over, a study of interviews with Kansas City area drivers and officers, reports that officers are instructed how to obtain consent:

Officers cannot legally ask drivers for consent to search while they are detained, but Remsberg suggests that officers keep up a casual conversation while handing back the driver's documents, the point at which the driver is free to go. "With a 'seamless' transition" at this critical point "the suspect is less likely to register the fact that his status has officially changed" to being free to leave.⁷

Consent searches are unacceptable if officers use them based on the perceived race of the driver, whether consciously or unconsciously.

In 2009 Black drivers were affected by consent searches at a rate 1.45 times the White rate.⁸ The disproportion was 1.90 for Hispanic drivers. Agencies can no doubt document that in many cases officers had valid reasons to ask for consent, but the disproportions need to be carefully examined.

Good news in the 2016 VSR is that this disproportion fell to 1.09 for both Black and Hispanic drivers—approaching equivalence. Many agencies have reduced their disproportions. But the bad news is that many agencies still have high disproportions. We are confident that if they carefully evaluate officer performance and improve policies, supervision and training, they will see reductions.

Some prosecutors encourage officers to get consent even when they have probable cause because probable cause can be challenged in court and consent cannot be challenged so easily. Empower Missouri believes this practice violates the intent of the Fourth Amendment to protect individuals from unfair searches.

Officers sometimes use consent searches when they do not want to reveal the source of a tip or the tip does not establish probable cause.

An officer might see from a computer check that a driver has been convicted of a gun violation. This is not probable cause for a search, but it would justify increased care on the part of the officer and might be accepted by residents of the jurisdiction as justification for a request for consent.

The rate at which officers find contraband might also validate the officers' decisions to ask for consent. The VSR provides hits based on contraband found, but hits cannot be computed from the data

⁷ Epp, Charles R.; Maynard-Moody, Steven; Haider-Markel, Donald P.. <u>Pulled Over</u>: How Police Stops Define Race and Citizenship (Chicago Series in Law and Society) (Kindle Locations 937-954). University of Chicago Press. Kindle Edition. The book cited is Remsberg, Charles. *Tactics for Criminal Patrol: Vehicle Stops, Drug Discovery and Officer Survival*. Northbrook, IL: Calibre Press, 1995.

⁸ The disproportion can also be expressed as, "Black drivers are affected 45% more frequently than White drivers."

based on type of search. The FAAA calls for this statistic to be added to the VSR. Agencies should delve into internal date to compute hit rates.

Officers record when they conduct a search but not when they ask for consent and it is refused. Groups may be refusing consent at different rates. It would be best to be able to compute disproportions on the rates at which officers ask group members for consent. When agencies cannot explain a disproportion by factors other than bias, they should act on the possibility that bias is a factor.

Lorie Fridell recommends that rates of consent for all groups be above 95% in order to produce dependable statistics. If an agency has officers record when consent is requested and refused, it may be able demonstrate the disproportion is not as high as VSR data suggests. When agencies cannot explain a disproportion by factors other than bias, they should assume bias is a factor.

A **hit rate** (the rate at which officers find contraband while conducting consent searches) would help establish whether officers are being guided by facts and observed behavior or by stereotypes of POC behavior. Hit rates for categories of searches cannot be computed from VSR data but agencies can compute them from internal data.

Lorie Fridell recounts that the Austin, Texas, police chief was receiving complaints about racial bias in consent searches. He could not detect bias in the performance of officers so decided to check on hit rates. He thought that rates in the range of 20 hits per 100 consent searches—20%-- would justify the agency's use of them, but he found hit rates were much lower, substantiating the complaints.¹⁰

Columbia Police Department gave Empower Missouri internal data for 2015 in the spreadsheet it used to generate the data submitted to the AG's office. We used the data to see if hit rates validated officer decisions to ask for consent. We found Black drivers were affected by consent searches at twice the rate for white drivers but officers found black drivers with contraband at half the rate for white drivers.

The hit rate for white drivers was about 20% and about 10% for black drivers. Black drivers 40 and older were subjected to consent searches at a rate 2.66 times the rate for white drivers. In 50 consent searches, contraband was found 2 times, 4% of the time. White drivers were found with contraband at a rate 5.56 times the black rate.

Empower Missouri generally recommends the next step in a situation such as this one to be looking for alternative legitimate factors, but the chief decided to change policies, requiring officers to inform drivers of their rights and obtain recorded consent. We expect this action will help but more changes may prove to be necessary.

The best way to address consent search disproportions is to have policies that require officers to have facts about the individual. Even if an agency has a good policy on biased policing, it may need to be clarified so that officers know that even in consent searches they are not allowed to act on suspicions based on racial stereotypes—that they must always have facts about the individual.

If data on refusals are available, agencies have more questions to answer. Are drivers refusing consent now that officers are telling them they can and then asking for signed consent? Do different groups refuse at different rates? Do officers ask for consent less frequently now that they have to explain consent searches may be refused?¹¹

Inventory Searches: Officers must search a car if they have it impounded, even if no arrest has occurred. For instance, a stolen car would be searched and impounded.

⁹ Fridell, By the Numbers, page 289

¹⁰ Fridell, *Producing Bias-Free Policing: a science-based approach*, 2017, page 82.

¹¹ The Fourth Amendment Affirmation Act, a reform of the 2000 racial profiling law, will require that officers explain the right to refuse and record when they ask for consent and when it is refused.

Drug/Alcohol Odor: The odor of drugs and alcohol is probable cause for a search. If there is a high disproportion, it could be that POC are using drugs and alcohol more frequently than white drivers, but that is not what national and state data have reported. The 2016 Post-stop disproportion for these searches is 2.93 for black drivers and 1.65 for Hispanic drivers. The state disproportions for drug violation arrests are much lower: 1.29 and 1.02. The state disproportions for DWI arrests are 0.69 and 1.93, so except for Hispanic DWIs, the disproportions suggest officers may not be interpreting odors correctly.

Agencies with high disproportions should be able to present collaborating evidence from their internal data. Was the driver driving in a way that suggested impairment? Did a sobriety test confirm alcohol use? Was a DWI charge filed, or was alcohol at least detected? Were drugs or alcohol found during the search? Did the agency receive complaints that officers smelled drugs and alcohol when none was present?

Incident to Arrest: Officers search everyone they take into custody. They may also search the car. Statewide officers report these searches are made after about 50% of the arrests. These searches would be made if the officer had not already made a search for another reason. For instance, the officer may find that the driver has an outstanding warrant, make an arrest and then conduct an incident to arrest search. Many searches are made because of Outstanding Warrant Arrests, which are usually not subject to officer discretion. Outstanding warrant can be for serious crimes but they are often for failing to settle minor infractions. Officers are usually not conducting the searches because they suspect contraband so a hit rate would probably be low. Agencies can use internal data to compute disproportions for each category of arrest.

Plain View Contraband: Being able to see contraband is probable cause. Presumably, these have a high hit rate and do not involve a high degree of officer discretion; if the contraband can be seen, the search is made. It is possible that officers tend to ignore contraband for some groups, but that could not be determined from the data. It is also possible that officers scrutinize vehicles of POC group members to a greater extent than they do vehicles of white drivers.

Reasonable Suspicion-Weapon Search. On the form officers use, these are labeled "Terry stops." If an officer does not have probable cause but can cite an "articulable fact," a restricted search just for a weapon is allowed since the danger to officers and the public could be great. There is a possibility of officers being influenced by stereotypes of group behavior. A hit rate for these searches could justify officer actions or could indicate that officers need to learn to be guided by driver behavior, not driver skin color.

Drug-dog Alert: Officers are allowed to call for a Drug-Dog Alert if they suspect drugs but do not have probable cause. The situation is similar to a Consent Search. Officers presumably report when they call for a dog, the dog alerts and they make a search based on the alert. This procedure leaves out incidents in which an officer calls for a dog but it does not alert. Or perhaps they do not report when the call for a dog but it does not alert; this would ignore the times a driver has to wait for an initial search and then wait for the dog search, all with no contraband found. This statistic should be collected for the VSR. Agencies should use internal data to compute disproportions for when officers call for a dog but it doesn't alert. If a group disproportion exists, the agency should investigate to confirm that the officers was acting on facts, not on suspicions prompted by stereotypes.

Other: The Other category should be looked at more closely whenever there is a significant disproportion: What are the circumstances in which a POC driver is disproportionately affected?

Duration of Search:

Disproportions can be based on rates per group driver, which gives a better sense of the experience drivers have, or on the basis of group driver stops.

Disproportions can also be based on the percentages of each duration. Hispanic drivers sometimes experience a higher percentage of long searches. In one agency, 6.67% of Hispanic stops are at least 31 minutes. Long searches are 2.14% of white searches, so there is a disproportion of 3.12.

0-15 minutes

16-30 minutes

Searches lasting 31+ minutes: Officers need to explain high disproportions for Hispanic drivers when they occur. What behavior results in their long searches? Are formal investigations involved? Is immigration status a factor? Is there a language barrier? Are drug-dogs being called? Agencies need to be able to document alternative legitimate factors or take steps to improve policies, supervision and training to help officers avoid treating members of groups differently.

Type of Contraband Found:

When officers are exercising discretion, their success in finding contraband validates their suspicions. Disproportions based on group proportions of searches for black and Hispanic drivers are generally low for total searches. The low disproportions could be the result of the high number of searches for Outstanding Warrant Arrests, in which officers generally have no reason to suspect contraband. **Drugs/alcohol**: A breakdown of varieties might be useful. Do officers have enough hits to account for the times they should have found contraband, for instance, after a Plain View Contraband search? For some agencies, it is possible to see that the total hits for drugs and alcohol do not account for the number of times Plain View was recorded.

Currency: Disproportions are sometimes high for Hispanic drivers. In 2016 the disproportion was 3.12 over 34 incidents. Does their behavior differ so much from white drivers? Or are officers handling similar situations differently? Is the currency actually part of criminal activity, or do the drivers have cash for legal reasons?

Weapon: The interests of public safety demand that officers be watchful for weapons but race should not be a determining factor in a search; probable cause must be present, or at least reasonable suspicion that the individual is dangerous (see Terry Searches under Investigative Searches). A high disproportion may result from officers patrolling high crime areas more heavily than other areas. Of course, officers may not be looking for weapons when they find them, in which case officer suspicions about group behavior are irrelevant.

Stolen Property: The detection of stolen property raises the question of crime rates for racial and ethnic groups, outside of traffic stops. One chief points out that Uniform Crime Reporting Program data indicate black males are disproportionately involved in stealing. On the other hand, a group may have a high rate because officers are examining that group more closely.¹²

Other: What contraband does not fit the established categories? Why are POC affected disproportionately?

Total of Drivers Arrested:

The Code of State Regulations says that officers are to record traffic violation arrests separate from search arrests, but the form officers use does not seem to make this possible. More than one arrest charge may be filed.

Arrest Charge:

Breaking down arrests into categories allows situations to be sorted out in which officers have more or less discretion and are therefore more or less likely to be influenced by unconscious bias.

¹² See Fridell, By the Numbers, 205ff.

Just as affluent drivers can have citations fixed, they probably avoid prosecution and conviction at a greater rate than low income drivers, so arrests recorded by officers are not the final story. Disproportions in court outcomes may be higher for POC drivers than the disproportions in VSR data. **Outstanding Warrant**: Outstanding Warrants are often the result of minor legal problems the driver has not been able to resolve because of limited financial resources. They can also involve serious crimes. OWAs are automatic; officers have little opportunity to discriminate when they make them. If there is bias, it would probably be in the form of not checking to see if there is a warrant for members of some groups.

Officers may sometimes detect an outstanding warrant because a license plate scanner identifies the owner of the vehicle as having an outstanding warrant; that makes OWAs a stop category. Otherwise the OWA would be post-stop category; the officer would make a stop, enter driver information in the computer and find out about the warrant.

Black drivers are more likely to have lower incomes and are therefore more likely to be vulnerable to situations in which Outstanding Warrants arise. Due to higher rates of stops, black drivers are also more likely to have had other issues with the police that might not have been dealt with completely.

Subtracting OWAs from other Arrests produces a Disproportion for Total Arrests that is a better indicator.

Outstanding Warrants usually result in suspended licenses, one chief says, so his officers make both an OWA and a Traffic Violation Arrest. This situation does not seem to be the case for all agencies. It is sometimes possible to see that the total number of arrest charges is not high enough to allow the double charges.

It might be possible to determine the rates at which different groups experience outstanding warrants and then use this rate as a benchmark. If black drivers are issued outstanding warrants at a rate 2.00 times the rate for white drivers, then their arrests for outstanding warrants occurring at the same disproportion would support that officers are even handed.

Members of some jurisdictions may demand this documentation; members of other jurisdictions may accept the explanation based on group income. The community would have to decide how to use its resources. Is it better to spend money on documentation or to spend it making sure officers are performing correctly? Or better still, the community might decide to reform court practices so that it is easier for all individuals with limited budgets to meet their obligations.

The other side of the coin is that affluent drivers can pay to have speeding tickets changed to parking violations or to have charges reduced. Problems throughout the criminal justice system need to be addressed.

Drug Violation: Officers may have more suspicions that POC drivers have drugs, but the arrests themselves are likely to be free of bias; either the drug is there or it is not. Officers could ignore or not look for drugs in the possession of a group. Officers need to be concerned that they are trusted to conduct fair searches.

Resisting Arrest: Black frustration, fear or indignation—alienation stemming from feelings of violation that *Pulled Over* documented-- could be contributing factors for high disproportions for black drivers when they resist arrest. The statewide disproportion is 2.03 (1.61 for Hispanic drivers).

But the disproportions may also be occurring because officers are escalating situations or do not have the skills to defuse confrontations. Or incidents could simply be the result of criminal behavior. The data does not tell us, so agencies must consult internal records and offer explanations.

In 2016, Empower Missouri pointed out a high disproportion in resisting arrest charges to a chief. There were only 12 incidents so he was able to quickly review the circumstances and report that in all but one incident drivers had been fleeing the scene of a crime, so officers had no opportunity to deescalate.

This is how we see the review process working, except it should be the local community asking the questions and responding to the agency's explanations.

The number of incidents may be too small to document a strong pattern for many agencies but review of the incidents is still appropriate. One case of biased policing is serious, especially when officers need to resort to force.

There were 501 incidents statewide, for a rate of 18 resisting arrest charges for every 10,000 stops of black drivers. It is instructive to compare agency rates to the state rates. In an agency with a low rate officers are probably skilled at non-confrontational techniques.

Resisting arrest is the one documentation of use of force in the data collected for the VSR. Fixing disproportions related to bias in traffic stops will not necessarily fix disproportions in the use of force. For traffic stops, where there is usually no immediate danger for officers, they have time to reflect on whether they are acting on the basis of facts about the individual or whether they are allowing themselves to be influenced by implicit biases about POC. In a resisting arrest situation, officers may have to respond instantaneously.

Agencies with high disproportions should review their resisting arrest incidents, determine whether officers would benefit from better de-escalation skills and report to the public the actions they have taken.

Body and dashboard cameras could be useful in evaluating officer performance.

Offense Against Person: Testimony by the victim could validate officer performance.

Traffic Violation: Perhaps POC drivers are doing things that call for arrests, but are POC drivers arrested in situations in which white drivers are given citations or even warnings? Could it be that some of the group disproportion is actually a disproportion based on economic status—such as an arrest for a suspended license linked to an outstanding warrant? Some chiefs report that lack of a driver license and other identification is a common reason for a traffic arrest; they don't like to release someone without being able to run a record check. A separate category on the VSR for lack of a valid driver license would be helpful.

DWI/BAC: Officers may be more suspicious of POC drivers using alcohol or drugs, but the tests officers use should be objective. Are field tests verified by medical tests? Do officers use the same standards for evaluating all drivers?

Property Offense: Documentation of property damage could validate officer performance.

Other: If there are disproportions, agencies should check to see what arrests officers are categorizing as Other and then investigate the possibility of bias.

Driver Age:

These disproportions are computed by, for instance, dividing Under-18 black driver stops by total black driver stops to find the proportion of Under-18 black drivers, and then dividing that proportion by the similar proportion for white drivers.

One of the problems for analyzing data based on the group proportions of drivers is that groups do not have the same driving patterns. The very rich have chauffeurs. Low income individuals take the bus. People of color tend to have lower incomes so they are probably not driving in the same proportions as their representation in census data.

Information is not reported to the AG in a way that permits disproportions to be measured for, for instance, consent searches for black drivers under the age of 18. Some agencies may be able to make this sort of computation from internal data.

The rates for each group may be interpreted as giving the percentages incidents for each age group; totals should equal 100%.

Under 18: In so far as people of color tend to have lower incomes, the children of these families are less likely to have vehicles available. They will tend to share rides. Observations could be made of the drivers entering high school parking lots.

18 to 29 30 to 39 40 and up

Driver Gender:

These disproportions are similar to those for Driver Age. Again, it would be interesting to know how gender affects disproportions in other officer actions besides stops, but internal data would have to be used.

The rates for each group may be interpreted as giving the percentages incidents for each gender; totals should equal 100%.

Male:

Female:

V 8/1/17



Chris Clubine <chris.clubine@como.gov>

Updates on CPD Data Workshop

1 message

Don Love <dmaclove1@gmail.com>

Fri, Sep 1, 2017 at 6:48 AM

To: dsmith.cprb@gmail.com, kacy.hall@como.gov, kptowne@gmail.com, ward1@gocolumbiamo.com, steven.sapp@como.gov, rmille2000@yahoo.com, twgmom71@gmail.com, namdhf@mail.missouri.edu, warren44sapp@gmail.com, chris.clubine@como.gov, ward6@como.gov, brian.adkisson@como.gov, lan Thomas <ward4@como.gov>, Michael Trapp <ward2@como.gov>

Cc: "Oxford, Jeanette Mott: Jeanette@empowermissouri.org" <jeanette@empowermissouri.org>

I found a few things that didn't work right in the spreadsheet so I fixed them—new version attached.

I also updated the workshop plan. Let me know if there are other things I should cover.

Don Love

Empower Missouri

Human Rights Task Force Co-Chair

573 230 6446

From: Don Love [mailto:dmaclove1@gmail.com] Sent: Thursday, August 31, 2017 5:28 PM

To: dsmith.cprb@gmail.com; kacy.hall@como.gov; kptowne@gmail.com; ward1@gocolumbiamo.com; steven.sapp@como.gov; rmille2000@yahoo.com; twgmom71@gmail.com; namdhf@mail.missouri.edu; warren44sapp@gmail.com; chris.clubine@como.gov; ward6@como.gov; brian.adkisson@como.gov; lan Thomas <ward4@como.gov>; Michael Trapp <ward2@como.gov>

Subject: Columbia, Boone County and the State

And here's Boone County and Columbia, and a compilation of disproportions for large agencies going back to 2001.

Don Love

Empower Missouri

Human Rights Task Force Co-Chair

573 230 6446

2 attachments



2016 CPD menu 9 1 17.xlsx 2213K



Empower Missouri CPD Data Workshop 9 1 17c.docx

Empower Missouri CPD Data Workshop

Vehicle Stops Report Data

In 2000 the Missouri legislature listened to complaints from People of Color that they were unfairly targeted by law enforcement. Were there really disproportions? The 2000 Racial Profiling Law mandated the Vehicle Stops Report (VSR) to find out. On a statewide basis, the answer is clear: Black and Hispanic drivers are disproportionately stopped. In 2016 Black drivers were stopped at a rate 76% higher than White Drivers.

The VSR, however, does not provide disproportions for anything other than the total stops and it does not have a reliable method for estimating the group proportions of drivers so disproportions in individual law enforcement agencies.

The extra analysis Empower Missouri does of VSR data delivers dependable disproportions on things officers do after they make a stop, because the group proportions of drivers stopped is used as the basis of rates: group incidents per group stops. And Empower Missouri provides disproportions for all the categories of officer action documented by the data.

Empower Missouri believes an agency should investigate any large disproportion¹ to see if it can be explained by some factor other than bias and if no "alternative legitimate factor" can be found, look for needed improvements in policies, supervision and training.

Let's look at:

2016 Post-Stop Analysis: all agencies, disproportions for all post-stop actions.

2016 Boone County/Columbia/State Post Stop Analysis: an easier to read version.

Post Stop Large Agency Annual Comparisons: How do agencies compare, going back to 2001? Look at disproportions for consent searches of black and Hispanic drivers. Are there Alternative Legitimate Factors?

Columbia Police Department Data

CPD uses a data base to keep track of all officer actions. It is used to map where crimes occur. It generates reports mandated by the federal government, for instance, the Uniform Crime Report. A simplified data set produces the VSR data. It just covers traffic stops. The names of officers and drivers stopped are omitted. Extra information is included, such as time of day, day of week, date, and so on.

Empower Missouri puts the data in a spreadsheet that delivers disproportions for sets of factors chosen by the user. People of Color say they feel violated because officers stop them for minor violations and then ask for consent. Do disproportions in the data back this up?

¹ Empower Missouri expresses disproportions as the non-white rate divided by the white rate. A disproportion of 1.50 means the non-white group is affected at a rate 1.50 times the white rate. A disproportion of 0.50 means the non-white group is affected at a rate half that of the white group. Using the inverse, white drivers are affected at twice the rate of the non-white group. A large disproportion can be defined in various ways, for instance, 25% more than the state disproportion.

² A term used by Lorie Fridell, a national expert on policing and the author of the Fair and Impartial Policing training program used by CPD.

Set the menu for Total Stops, Consent, Hits Total, All Outcomes, All Charges. What do you notice?

CPD has also supplied 2015 data; compare the two years.³

To see if it makes a difference what kind of stop occurred, set the Total Stops dropdown to Equipment.

What happens with different categories of searches: Drug-dog Alert, Plain-View Contraband, Reasonable Suspicion-Weapon, Drug/Alcohol Odor and so on?

How Can We Work Together to Improve Policing?

The VSR data as analyzed by Empower Missouri already helps community members decide what questions they should ask their agency. Once the VSR is improved by new legislation, the official analysis will be much more helpful.

The internal data released by CPD provides much more information than is ever likely to be available through the VSR. The release is an act of unusual transparency. We should accept the CPD's invitation to inform ourselves about how law enforcement is conducted in Columbia and ask good questions.

This is the basic process Empower Missouri envisions:

- 1. The VSR or CPD provides dependable data producing dependable disproportions.
- 2. The community asks for more information on officer actions with high disproportions, and CPD provides it.
- 3. CPD explains alternative legitimate factors behind the disproportions—factors other than bias that are responsible for the disproportions.
- 4. The community accepts the explanations or asks CPD to strengthen policies, supervision and training to address illegitimate factors.
- 5. CPD informs the community about the improvements it makes.
- 6. Ongoing dialogue between officers and community members results in increased mutual respect and cooperation.

Keep in mind that high disproportions do not prove bias. There can be numerous legitimate reasons for a disproportion. If officers and their agency cannot explain a disproportion by legitimate factors, then no officer is proven to have been intentionally discriminating against individuals based on race, but a strong presumption is created that some form of bias is involved. A common form of systemic bias is a policy that does not clearly tell officers that they are to base their actions on convincing facts about the individual, without considering the individual's group. Officers can also be affected by implicit bias, but a policy telling them to act on facts, not suspicions, helps them protect themselves.

Don Love, Human Rights Task Force Co-Chair Dmaclove1@gmail.com

³ The 2015 data includes Uniform Crime Report codes for the specific infraction the driver committed. These can be very useful in determining whether public safety was involved or the infraction was something minor that the officer might have ignored. CPD can go much further in investigating the data because it has access to more details like these. It can compute disproportions for individual officers. It can compare the performance of two officers with similar assignments.



Chris Clubine <chris.clubine@como.gov>

CPD data workshop follow up

7 messages

Don Love <dmaclove1@gmail.com>

Sat, Sep 2, 2017 at 2:41 PM

To: dsmith.cprb@gmail.com, kacy.hall@como.gov, kptowne@gmail.com, ward1@gocolumbiamo.com, steven.sapp@como.gov, rmille2000@yahoo.com, ward4@como.gov, ward2@como.gov, twgmom71@gmail.com, namdhf@mail.missouri.edu, warren44sapp@gmail.com, chris.clubine@como.gov, ward6@como.gov, brian.adkisson@como.gov, maryratliff40@yahoo.com

Cc: City of Columbia Mayor <mayor@como.gov>, Heather Cole <heather.cole@como.gov>, Matt Pitzer <ward5@como.gov>, "Matthes, Mike" <cmo@como.gov>, Rose Wibbenmeyer <rose.wibbenmeyer@como.gov>, "Skala, Karl" <ward3@como.gov>, Steven Sapp <steven.sapp@como.gov>, "Oxford, Jeanette Mott: Jeanette@empowermissouri.org" <jeanette@empowermissouri.org>, DanViets@gmail.com, Sara Baker <sbaker@aclu-mo.org>, "Wilson-Kleekamp, Traci" <tracilizzette@gmail.com>, "Chapel, Rod" <rod.chapel@gmail.com>, "Reed, Katherine" <reedkath@missouri.edu>

We made some great progress. Without a basic level of confidence that the data provide true indications of People of Color being treated disproportionately by officers it's difficult to get a meaningful discussion underway. Let me know if you want access to the resources Empower Missouri has prepared. I would be glad to do this sort of workshop again.

Always keep in mind that even large disproportions can sometimes be explained by factors other than bias. If alternative legitimate factors are involved, we need CPD to identify them see know bias is not involved.

One problem is that the personal experience of officers tells them they stop, ask for consent, and so on much more frequently for white drivers than black drivers. And for most of them that's true. There are so many more white drivers on the roads that an officer might just stop an occasional black driver, but if that black driver were the only one in her patrol area that day, the disproportion would be astronomical. It's only by accepting the disproportions in the data that officers can begin to see what's happening from the perspective of POC.

We also need to have a shared understanding of what constitutes bias-free (or bias-based) policing. Using different definitions of racial profiling dooms us to frustration. Everyone needs to understand that the courts have told law enforcement that officer actions can be based on race as long as some infraction, no matter how minor, has occurred. But just because courts say this sort of racial profiling is legal, doesn't mean that it's effective—or acceptable—policing. The CPD racial profiling policy needs to be rewritten so that officers receive clear instructions that they must cite convincing facts about the individual even when they act on less than probable cause.

One thing we didn't talk much about was how to get the officers to the table. We need to hear their concerns; we need to hear everyone's concerns in order to reach a consensus that everyone buys into. Since CPOA seems satisfied with recent contract negotiations, maybe this is a good time to reach out.

Lorie Fridell has spent her career preparing officers to conduct law enforcement in ways that will be most effective in protecting public safety and yet be fair everyone, so that no one becomes alienated and refuses to cooperate with officers. Currently, she stresses the importance of teaching officers to understand how implicit bias is likely to affect them and how they can guard against its hidden influence. Addressing implicit bias gives her a way to raise the issue of bias without making racism the central issue, but officers often still feel as though they are being treated as racists.

A good way to get around this reaction would be to involve officers in the diversity training all other city employees receive. That way they are not the only ones being singled out for antiracist training—because it clearly benefits everyone. Plus a significant limitation of the training Fridell supplies to CPD is that it's a one-time thing. It's ok as a basic exposure to what implicit bias is, but in order to begin to overcome implicit bias. ongoing exposure to counter-stereotypes

is necessary. Participating in the city program would help with this—and not add much in the way of expenses. Just add a couple of officers to each session.

Implicit bias training is just the starting point for Fridell. In her most recent book, Producing Bias-Free Policing (2017), she says officers need to be given policies that make them focus on facts about the individual, they need to have limits on high-discretionary actions, they need to interact with community members, they need to invest in serious investigations of criminals and not rely on high rates of stops of individuals committing minor traffic violations, and so on.

Fridell is not alone in this broad approach to bias-free policing—to community policing. David Harris, who led a 2010 panel discussion in Columbia, was saying the same things in his 2002 Profiles in Injustice. For instance, he points out that blacks tend to have high rates for street crimes, but this is because it's easy to make a traffic stop; if enough of them are made, officers just need to get lucky once in a while. But this approach misses the sorts of crimes which offices don't detect because it is difficult to build a case based on probable cause.

Chuck Epp and his co-authors make the same points in Pulled Over, a study of interviews with 3000 drivers and officers in the KC area. Jack Glazer, who spoke at MU recently, says implicit bias training needs to be backed up with exposure to counter-stereotypes and officer discretion needs to be limited.

If officers discipline themselves to look for facts, then implicit biases do not have the opportunity to raise unfounded suspicions. If officers cite the facts they acted on, then they can justify any disproportions that may occur. If officers are seen to be addressing public safety issues, they will receive respect and cooperation.

Columbia has made advances in many of these areas. Release of the internal data is an act of remarkable transparency. (I'll be great when the new software is online!) Let's work together to finish the job.

Don Love

Empower Missouri

Human Rights Task Force Co-Chair

573 230 6446

T.R. Warne-Griggs <twgmom71@gmail.com>

Sat, Sep 2, 2017 at 3:18 PM

To: Don Love <dmaclove1@gmail.com>

Cc: warren44sapp@gmail.com, Michael Trapp <ward2@como.gov>, steven.sapp@como.gov, "Matthes, Mike" <cmo@como.gov>, "Oxford, Jeanette Mott: Jeanette@empowermissouri.org" <jeanette@empowermissouri.org>, ward1@gocolumbiamo.com, maryratliff40@yahoo.com, namdhf@mail.missouri.edu, kacy.hall@como.gov, "Skala, Karl" <ward3@como.gov>, ward6@como.gov, chris.clubine@como.gov, DanViets@gmail.com, Heather Cole <heather.cole@como.gov>, Matt Pitzer <ward5@como.gov>, City of Columbia Mayor <mayor@como.gov>, ward4@como.gov, "Chapel, Rod" <rod.chapel@gmail.com>, rmille2000@yahoo.com, Rose Wibbenmeyer <rose.wibbenmeyer@como.gov>, Sara Baker <sbaker@aclu-mo.org>, dsmith.cprb@gmail.com, brian.adkisson@como.gov, kptowne@gmail.com, "Wilson-Kleekamp, Traci" <tracilizzette@gmail.com>, "Reed, Katherine" <reedkath@missouri.edu>

Don.

I don't have time this afternoon to unpack your email completely. I appreciate your taking the time to provide stakeholders an introduction to some of the issues related to the stop data.

I think at this point we need to stop giving our law enforcement agencies the out that the the disproportions are legitimate. They may well be permissable under the law. That doesn't mean they are racially based or have impacts that seriously harm communities of color.

I get that you want to understand the officer perspective but law enforcement perspective is ALWAYS given primacy over the experiences of people of color.

Your approach is explicitly incremental and deferential to police. I understand why that might seem a wise but people of color shouldn't have to wait any longer.

Tara

[Quoted text hidden]

Don Love <dmaclove1@gmail.com>

Tue, Sep 5, 2017 at 9:31 AM

To: "T.R. Warne-Griggs" <twgmom71@gmail.com>

Cc: warren44sapp@gmail.com, Michael Trapp <ward2@como.gov>, steven.sapp@como.gov, "Matthes, Mike" <cmo@como.gov>, "Oxford, Jeanette Mott: Jeanette@empowermissouri.org" <jeanette@empowermissouri.org>, ward1@gocolumbiamo.com, maryratliff40@yahoo.com, namdhf@mail.missouri.edu, kacy.hall@como.gov, "Skala, Karl" <ward3@como.gov>, ward6@como.gov, chris.clubine@como.gov, DanViets@gmail.com, Heather Cole <heather.cole@como.gov>, Matt Pitzer <ward5@como.gov>, City of Columbia Mayor <mayor@como.gov>, ward4@como.gov, "Chapel, Rod" <rod.chapel@gmail.com>, rmille2000@yahoo.com, Rose Wibbenmeyer <rose.wibbenmeyer@como.gov>, Sara Baker <sbaker@aclu-mo.org>, dsmith.cprb@gmail.com, brian.adkisson@como.gov, kptowne@gmail.com, "Wilson-Kleekamp, Traci" <tracilizzette@gmail.com>, "Reed, Katherine" <reedkath@missouri.edu>, Ken Burton <ken.burton@como.gov>

Thanks, Tara.

Empower Missouri starts with the fact that POC are disproportionately affected by officer actions and that in many situations some form of bias is a factor that must be addressed with improvements in policies, supervision and training.

In some cases, however, the disproportions are caused by legitimate factors. If activists do not acknowledge this, we will be dismissed by law enforcement supporters as acting on defective evidence.

A strong case can be made for a disproportion in Outstanding Warrant Arrests being caused by economic factors, not officer bias. A disproportion in Plain-View Contraband searches might be explained by a high hit rate: officers really were seeing contraband. A disproportion in Resisting Arrest charges might be explained by videos showing that officers were doing everything they could to deescalate the situation. These are among the sorts of "alternative legitimate factors" that must be considered before all stakeholders can come together to discuss the disproportions that cannot be explained by legitimate factors—and are, therefore, caused by illegitimate factors.

Most cases aren't so clear. If legitimate factors are involved in a disproportion, the public needs the agency to make a convincing case that this is so. Perhaps officers always had reasons for conducting an investigative stop that were strong enough to convince the public that they were not being influenced by racial stereotypes.

POC should not have to wait for agencies to start explaining the legitimate factors behind disproportions. And once the explanations are offered, we should not wait to have a public discussion about whether the explanations are adequate and what to do about the disproportions that have not been explained.

At the workshop, I raised the question of what might be acceptable as a legitimate reason for asking for consent—a reason strong enough to convince the public that the officer was not influenced by stereotypes. Would it be enough that the officer knew from a computer records check that the driver had a conviction for a weapons violation? The conviction is not probable cause for a search. Courts have ruled that officers can ask for consent anytime they want to. But when officers end up with a racial disproportion in whom they are suspicious enough of to ask for consent, they need to be held accountable for convincing the public that race was not the cause.

I'm not sure about the weapons conviction as an acceptable reason for asking for consent. Mary said she would have to think about it. I would want to hear what POC and officers have to say. The authors of Pulled Over say that officers should not do a records check before asking for consent; maybe, but I don't know about that either. This is the sort of thing that is best addressed by civic engagement.

I'm more confident in the Empower Missouri position that officers must always be acting on facts about the individual facts strong enough that they overrule any stereotypes that may be prompting the officer. This needs to be the foundation of what is permissible under the law.

We have several documents that address these sorts of concerns. See the basic document, attached.

Don Love

Empower Missouri

Human Rights Task Force Co-Chair

573 230 6446

From: T.R. Warne-Griggs [mailto:twgmom71@gmail.com]

Sent: Saturday, September 2, 2017 3:18 PM To: Don Love <dmaclove1@gmail.com>

Cc: warren44sapp@gmail.com; Michael Trapp <ward2@como.gov>; steven.sapp@como.gov; Matthes, Mike <cmo@como.gov>; Oxford, Jeanette Mott: Jeanette@empowermissouri.org <jeanette@empowermissouri.org>; ward1@gocolumbiamo.com; maryratliff40@yahoo.com; namdhf@mail.missouri.edu; kacy.hall@como.gov; Skala, Karl <ward3@como.gov>; ward6@como.gov; chris.clubine@como.gov; DanViets@gmail.com; Heather Cole <heather.cole@como.gov>; Matt Pitzer <ward5@como.gov>; City of Columbia Mayor <mayor@como.gov>; ward4@como.gov; Chapel, Rod <rod.chapel@gmail.com>; rmille2000@yahoo.com; Rose Wibbenmeyer <rose.wibbenmeyer@como.gov>; Sara Baker <sbaker@aclu-mo.org>; dsmith.cprb@gmail.com; brian.adkisson@como.gov; kptowne@gmail.com; Wilson-Kleekamp, Traci <tracilizzette@gmail.com>; Reed, Katherine <reedkath@missouri.edu>

Subject: Re: CPD data workshop follow up

Don.

I don't have time this afternoon to unpack your email completely. I appreciate your taking the time to provide stakeholders an introduction to some of the issues related to the stop data.

I think at this point we need to stop giving our law enforcement agencies the out that the the disproportions are legitimate. They may well be permissable under the law. That doesn't mean they are (not) racially based or have impacts that seriously harm communities of color.

I get that you want to understand the officer perspective but law enforcement perspective is ALWAYS given primacy over the experiences of people of color.

Your approach is explicitly incremental and deferential to police. I understand why that might seem a wise but people of color shouldn't have to wait any longer.

Tara

On Sep 2, 2017 2:44 PM, "Don Love" <dmaclove1@gmail.com> wrote:

We made some great progress. Without a basic level of confidence that the data provide true indications of People of Color being treated disproportionately by officers it's difficult to get a meaningful discussion underway. Let me know if you want access to the resources Empower Missouri has prepared. I would be glad to do this sort of workshop again.

Always keep in mind that even large disproportions can sometimes be explained by factors other than bias. If alternative legitimate factors are involved, we need CPD to identify them see know bias is not involved.

One problem is that the personal experience of officers tells them they stop, ask for consent, and so on much more frequently for white drivers than black drivers. And for most of them that's true. There are so many more white drivers on the roads that an officer might just stop an occasional black driver, but if that black driver were the only one in her patrol area that day, the disproportion would be astronomical. It's only by accepting the disproportions in the data that officers can begin to see what's happening from the perspective of POC.

We also need to have a shared understanding of what constitutes bias-free (or bias-based) policing. Using different definitions of racial profiling dooms us to frustration. Everyone needs to understand that the courts have told law enforcement that officer actions can be based on race as long as some infraction, no matter how minor, has occurred. But just because courts say this sort of racial profiling is legal, doesn't mean that it's effective—or acceptable—policing. The CPD racial profiling policy needs to be rewritten so that officers receive clear instructions that they must cite convincing facts about the individual even when they act on less than probable cause.

One thing we didn't talk much about was how to get the officers to the table. We need to hear their concerns; we need to hear everyone's concerns in order to reach a consensus that everyone buys into. Since CPOA seems satisfied with recent contract negotiations, maybe this is a good time to reach out.

Lorie Fridell has spent her career preparing officers to conduct law enforcement in ways that will be most effective in protecting public safety and yet be fair everyone, so that no one becomes alienated and refuses to cooperate with officers. Currently, she stresses the importance of teaching officers to understand how implicit bias is likely to affect them and how they can guard against its hidden influence. Addressing implicit bias gives her a way to raise the issue of bias without making racism the central issue, but officers often still feel as though they are being treated as racists.

A good way to get around this reaction would be to involve officers in the diversity training all other city employees receive. That way they are not the only ones being singled out for antiracist training—because it clearly benefits everyone. Plus a significant limitation of the training Fridell supplies to CPD is that it's a one-time thing. It's ok as a basic exposure to what implicit bias is, but in order to begin to overcome implicit bias, ongoing exposure to counterstereotypes is necessary. Participating in the city program would help with this—and not add much in the way of expenses. Just add a couple of officers to each session.

Implicit bias training is just the starting point for Fridell. In her most recent book, Producing Bias-Free Policing (2017), she says officers need to be given policies that make them focus on facts about the individual, they need to have limits on high-discretionary actions, they need to interact with community members, they need to invest in serious

investigations of criminals and not rely on high rates of stops of individuals committing minor traffic violations, and so on.

Fridell is not alone in this broad approach to bias-free policing—to community policing. David Harris, who led a 2010 panel discussion in Columbia, was saying the same things in his 2002 *Profiles in Injustice*. For instance, he points out that blacks tend to have high rates for street crimes, but this is because it's easy to make a traffic stop; if enough of them are made, officers just need to get lucky once in a while. But this approach misses the sorts of crimes which offices don't detect because it is difficult to build a case based on probable cause.

Chuck Epp and his co-authors make the same points in *Pulled Over*, a study of interviews with 3000 drivers and officers in the KC area. Jack Glazer, who spoke at MU recently, says implicit bias training needs to be backed up with exposure to counter-stereotypes and officer discretion needs to be limited.

If officers discipline themselves to look for facts, then implicit biases do not have the opportunity to raise unfounded suspicions. If officers cite the facts they acted on, then they can justify any disproportions that may occur. If officers are seen to be addressing public safety issues, they will receive respect and cooperation.

Columbia has made advances in many of these areas. Release of the internal data is an act of remarkable transparency. (I'll be great when the new software is online!) Let's work together to finish the job.

Don Love

Empower Missouri

Human Rights Task Force Co-Chair

573 230 6446



2016 VSR Guide 9 5 17.docx 68K

Jeanette Mott Oxford < jeanette@empowermissouri.org>

To: Don Love <dmaclove1@gmail.com>

Tue, Sep 5, 2017 at 9:41 AM

Cc: "T.R. Warne-Griggs" <twgmom71@gmail.com>, warren44sapp@gmail.com, Michael Trapp <ward2@como.gov>, steven.sapp@como.gov, "Matthes, Mike" <cmo@como.gov>, ward1@gocolumbiamo.com, mary ratliff <maryratliff40@yahoo.com>, namdhf@mail.missouri.edu, kacy.hall@como.gov, "Skala, Karl" <ward3@como.gov>, ward6@como.gov, chris.clubine@como.gov, Dan Viets <DanViets@gmail.com>, Heather Cole <heather.cole@como.gov>, Matt Pitzer <ward5@como.gov>, City of Columbia Mayor <mayor@como.gov>, ward4@como.gov, "Chapel, Rod" <rod.chapel@gmail.com>, rmille2000@yahoo.com, Rose Wibbenmeyer <rose.wibbenmeyer@como.gov>, Sara Baker <sbaker@aclu-mo.org>, dsmith.cprb@gmail.com, brian.adkisson@como.gov, kptowne@gmail.com, "Wilson-Kleekamp, Traci" <tracilizzette@gmail.com>, "Reed, Katherine" <reedkath@missouri.edu>, Ken Burton <ken.burton@como.gov>

I think it's also important that we raise the issue of how race intersects with economic factors. I did this on a radio show recently when asked about vehicle stops. I mentioned that not having license plates renewed or a brake light fixed may be the reason for a stop, but that we have to acknowledge the higher poverty rate for People of Color in the US and in MO and that racism is involved in that. I pointed out research during the last decade that showed resumes for persons with African/African American sounding names (Tobari, Imani, Eboni, etc.) did not lead to a call for an interview even if the education and job experiences on that resume were identical to ones for John or Diane. I also described the study in which pre-school teachers were asked to watch for incidents on a playground that signaled that trouble was about to start. The cameras tracking their eyes noted that they watched the pre-school aged Black boy much more than the other

children. We have to acknowledge that racism is a factor in school failure, in unemployment and underempllyment, and ALL of us must address this instead of leaving it up to POC alone.

JMO

Jeanette Mott Oxford, Executive Director Empower Missouri 308 E. High Street, Suite 100 Jefferson City, MO 65101 573-634-2901 x 301 office; 314-775-3261 cell

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Don Love <dmaclove1@gmail.com>

Tue, Sep 5, 2017 at 10:30 AM

To: Jeanette Mott Oxford <jeanette@empowermissouri.org> Cc: "T.R. Warne-Griggs" <twgmom71@gmail.com>, warren44sapp@gmail.com, Michael Trapp <ward2@como.gov>, steven.sapp@como.gov, "Matthes, Mike" <cmo@como.gov>, ward1@gocolumbiamo.com, mary ratliff

<maryratliff40@yahoo.com>, namdhf@mail.missouri.edu, kacy.hall@como.gov, "Skala, Karl" <ward3@como.gov>, ward6@como.gov, chris.clubine@como.gov, Dan Viets <DanViets@gmail.com>, Heather Cole <heather.cole@como.gov>, Matt Pitzer <ward5@como.gov>, City of Columbia Mayor <mayor@como.gov>, ward4@como.gov, "Chapel, Rod" <rod.chapel@gmail.com>, rmille2000@yahoo.com, Rose Wibbenmeyer <rose.wibbenmeyer@como.gov>, Sara Baker <sbaker@aclu-mo.org>, dsmith.cprb@gmail.com, brian.adkisson@como.gov, kptowne@gmail.com, "Wilson-Kleekamp, Traci" <tracilizzette@gmail.com>, "Reed, Katherine" <reedkath@missouri.edu>, Ken Burton <ken.burton@como.gov>

Yes. OWAs indicate that municipal courts should be doing more to make it easy for everyone to fulfill their obligations to the law. I believe this is happening in Columbia.

It would be interesting to know if there is a disproportion in the way moving violations are handled by prosecutors. Some prosecutors are willing to change a moviig violation to something like a parking violation at a lawyer's request. My brother did this for me once in St Louis County. I don't know if local prosecutors allow this practice.

It could easily end up that a person with a low income and a high-income person commit the same speeding violation. The low-income person can't make the court date or can't pay the find and ends up with an OWA and another charge to face. The high-income person just writes a check, which saves her money in the long run because she doesn't get points on her license.

We need to work together to end all unfair practices.

From: Jeanette Mott Oxford [mailto:jeanette@empowermissouri

Cc: T.R. Warne-Griggs <twgmom71@gmail.com>; warren44sapp@gmail.com; Michael Trapp <ward2@como.gov>; steven.sapp@como.gov; Matthes, Mike <cmo@como.gov>; ward1@gocolumbiamo.com; mary ratliff <maryratliff40@yahoo.com>; namdhf@mail.missouri.edu; kacy.hall@como.gov; Skala, Karl <ward3@como.gov>; ward6@como.gov; chris.clubine@como.gov; Dan Viets <DanViets@gmail.com>; Heather Cole <heather.cole@como.gov>; Matt Pitzer <ward5@como.gov>; City of Columbia Mayor <mayor@como.gov>; ward4@como.gov; Chapel, Rod <rod.chapel@gmail.com>; rmille2000@yahoo.com; Rose Wibbenmeyer <rose.wibbenmeyer@como.gov>; Sara Baker <sbaker@aclu-mo.org>; dsmith.cprb@gmail.com; brian.adkisson@como.gov; kptowne@gmail.com; Wilson-Kleekamp, Traci <tracilizzette@gmail.com>; Reed, Katherine <reedkath@missouri.edu>; Ken Burton <ken.burton@como.gov>

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T.R. Warne-Griggs <twgmom71@gmail.com> To: Don Love <dmaclove1@gmail.com>

Tue, Sep 5, 2017 at 11:59 AM

<ward2@como.gov>, Steven Sapp <steven.sapp@como.gov>, "Matthes, Mike" <cmo@como.gov>, City Of Columbia Ward1 <ward1@gocolumbiamo.com>, mary ratliff <maryratliff40@yahoo.com>, namdhf@mail.missouri.edu, Kacy Hall <kacy.hall@como.gov>, "Skala, Karl" <ward3@como.gov>, ward6@como.gov, Chris Clubine <chris.clubine@como.gov>, Dan Viets <DanViets@gmail.com>, Heather Cole <heather.cole@como.gov>, Matt Pitzer <ward5@como.gov>, City of Columbia Mayor <mayor@como.gov>, lan Thomas <ward4@como.gov>, "Chapel, Rod" <rod.chapel@gmail.com>, ruth milledge <rmille2000@yahoo.com>, Rose Wibbenmeyer <rose.wibbenmeyer@como.gov>, Sara Baker <sbaker@aclumo.org>, dsmith.cprb@gmail.com, brian.adkisson@como.gov, Katelynn Towne <kptowne@gmail.com>, "Wilson-Kleekamp, Traci" <tracilizzette@gmail.com>, "Reed, Katherine" <reedkath@missouri.edu>, Ken Burton <ken.burton@como.gov>

I agree that we need to have a much better sense of the entire pipeline from vehicle stop to incarceration. I am working on a process map--but haven't had time to get it from notebook to Lucid charts. I will send it to everyone once I complete it. We definitely need to work on issues in the municipal courts as well.

Don, there may be legitimate reasons for disproportions in stops and in post stop outcomes, but there is not nearly enough pressure on law enforcement to justify those disparities. They repeatedly (at least locally) deny that they should be accountable for disparities and for explaining why they occur. It is their job to explain disparate outcomes to the public. Assertions of legitimacy are insufficient when they come from institutions whose historical and current practices have contributed to and exacerbated mass incarceration, family destruction, and poverty. They don't get to use the "just trust us" rationale because the department and the profession (not linking this to any individual officer) have not acted in good faith with the public or with those who are over-policed.

I understand completely that you are trying to keep law enforcement at the table. I really do. But the tactics you are using do not seem effective at producing change. When there is no willingness on the part of public agencies to act in good faith, pressure is the only thing that produces change. And no, no one likes the hammer or the prybar that makes public institutions change when they don't want to.

If CPD or other law enforcement agencies would show even a shred of curiosity and reflectiveness about their VSR disparities, I would work lovingly with them to identify the places in their processes that yield those results and to figure out what changes they and the public could make to reduce them--and I would be happy to do it without any judgment about any individual's underlying racism or implicit bias. But they won't --so I will keep swinging the hammer.

Tara

[Quoted text hidden]

Warren Sapp <warren44sapp@gmail.com>

Tue, Sep 5, 2017 at 12:51 PM

To: Don Love <dmaclove1@gmail.com>, "T.R. Warne-Griggs" <twgmom71@gmail.com> Cc: "Chapel, Rod" <rod.chapel@gmail.com>, Chris Clubine <chris.clubine@como.gov>, City Of Columbia Ward1 <ward1@gocolumbiamo.com>, City of Columbia Mayor <mayor@como.gov>, Dan Viets <DanViets@gmail.com>, Heather Kacy Hall , Katelynn Towne , Ken Burton , Matt Pitzer <ward5@como.gov>, "Matthes, Mike" <cmo@como.gov>, Michael Trapp <ward2@como.gov>, "Reed, Katherine" <reedkath@missouri.edu>, Rose Wibbenmeyer <rose.wibbenmeyer@como.gov>, Sara Baker <sbaker@aclu-mo.org>, "Skala, Karl" <ward3@como.gov>, Steven Sapp <steven.sapp@como.gov>, "Wilson-Kleekamp, Traci" <tracilizzette@gmail.com>, brian.adkisson@como.gov, dsmith.cprb@gmail.com, mary ratliff <maryratliff40@yahoo.com>, namdhf@mail.missouri.edu, ruth milledge <rmille2000@yahoo.com>, ward6@como.gov

Thank you Tara. You're speaking my perspective better than I could. [Quoted text hidden]



Chris Clubine <chris.clubine@como.gov>

racial profiling policy discussion

4 messages

Don Love <dmaclove1@gmail.com>

Mon, Sep 11, 2017 at 8:43 AM

To: dsmith.cprb@gmail.com, kacy.hall@como.gov, kptowne@gmail.com, ward1@gocolumbiamo.com, steven.sapp@como.gov, rmille2000@yahoo.com, ward4@como.gov, ward2@como.gov, twgmom71@gmail.com, namdhf@mail.missouri.edu, warren44sapp@gmail.com, chris.clubine@como.gov, ward6@como.gov, brian.adkisson@como.gov, maryratliff40@yahoo.com, carolb5@socket.net

(This event is similar to the data workshop in that it's intended to give people the background information they need to understand the issues at hand and begin a discussion based on common concerns. Any new thoughts about the data? Any questions I can help with?)

The Mid-Missouri Civil Liberties Association and Empower Missouri are cosponsoring an event that addresses the racial profiling policies Missouri law enforcement agencies have, with a focus on the Columbia PD policy.

Dan Viets and I are working on an explanation of what these polices are, how they evolved, their weaknesses and what can be done to make them effective. We'll use the statement as background information for participants in the event. We don't mind including points of view other our own. The draft is attached and on google docs: Comparison of Profiling Policies

Many of these policies say officers shall not stop drivers solely because of race. Court precedents have told officers stops cannot be made solely because of race, so that's what the policies say, but the fine print of the rulings says that it makes no difference that the officer acted because of race as long as some violation was committed.

Dr. Lorie Fridell says that as long as agency do not receive better guidance from the courts and lawmakers, they need to write better policies for themselves—ones that clearly require officers to act on facts about the individual, not on racial stereotypes.

Fridell has conducted a campaign against these "solely" policies. Various legislative efforts have been directed at establishing a better standard for stops, including the reform of the 2000 racial profiling law that a coalition of groups has been working on for years.

The Columbia event is tentatively scheduled for October 4 or 5. We expect to open the event with the input we have developed, hear responses from a panel of stakeholders and then have a Q and A. Our goal is to move closer to a consensus on how officers are allowed to use race, which will eventually become policy.

We will be inviting Columbia groups and individuals to participate. CPD, CPOA, NAACP, RMF, CPRB and so on.

This is an issue that affects every jurisdiction in Missouri. What is the policy that directs officers in their use of race in decisions they make? Does the policy adequately protect vulnerable individuals from discrimination? Does the policy adequately protect officers from acting on suspicions they think are reasonable but which are the result of racial stereotypes?

I would be glad to talk to any individual or group about this issue ahead of the event.

Don Love

Empower Missouri

Human Rights Task Force Co-Chair

573 230 6446



Comparison of Profiling Policies 9 11 17.docx

Steven Sapp <steven.sapp@como.gov>

Mon, Sep 11, 2017 at 8:51 AM

To: Chris Clubine <chris.clubine@como.gov>, Kacy Hall <kacy.hall@como.gov>

FYI

Regards,

Steven Sapp
Director of Community Relations
City of Columbia Missouri | 701 E Broadway - 2nd floor | Columbia, MO 65201 (573) 874-7257 - office

Contact Center - (573) 874-2489 | Web - CoMo.gov ComoGOV Open Records Portal - Como.gov Facebook City of Columbia, Missouri (Gov't. Page) | Twitter - @CoMoGov City Meetings Calendar - http://meetings.como.gov/Calendar.aspx Share your ideas with us at www.SpeakupCoMo.com

Our vision - Columbia is the best place for everyone to live, work, learn and play.

Our mission - To serve the public through democratic, transparent and efficient government.

----- Forwarded message -----

From: **Don Love** <dmaclove1@gmail.com> Date: Mon, Sep 11, 2017 at 8:33 AM

Subject: racial profiling policy discussion

To: City of Columbia Mayor <mayor@como.gov>, Heather Cole <heather.cole@como.gov>, Ian Thomas <ward4@como.gov>, Matt Pitzer <ward5@como.gov>, "Matthes, Mike" <cmo@como.gov>, Michael Trapp

<ward2@como.gov>, "Peters, Betsy" <ward6@como.gov>, Rose Wibbenmeyer <rose.wibbenmeyer@como.gov>, Ruffin Clyde <Ward1@como.gov>, "Skala, Karl" <ward3@como.gov>, Steven Sapp <steven.sapp@como.gov>, Ken Burton

<ken.burton@como.gov>

Cc: DanViets@gmail.com, "Oxford, Jeanette Mott: Jeanette@empowermissouri.org" <jeanette@empowermissouri.org>

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Many of these policies say officers shall not stop drivers solely because of race. Court precedents have told officers stops cannot be made solely because of race, so that's what the policies say, but the fine print of the rulings says that it makes no difference that the officer acted because of race as long as some violation was committed.

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I would be glad to talk to any individual or group about this issue ahead of the event.

Don Love

Empower Missouri

Human Rights Task Force Co-Chair

573 230 6446



Comparison of Profiling Policies 9 11 17.docx 43K

T.R. Warne-Griggs <twgmom71@gmail.com>

To: Don Love <dmaclove1@gmail.com>

Mon, Sep 11, 2017 at 10:12 AM

Cc: dsmith.cprb@gmail.com, Kacy Hall <kacy.hall@como.gov>, Katelynn Towne <kptowne@gmail.com>, City Of Columbia Ward1 <ward1@gocolumbiamo.com>, Steven Sapp <steven.sapp@como.gov>, ruth milledge <rmille2000@yahoo.com>, lan Thomas <ward4@como.gov>, Michael Trapp <ward2@como.gov>, namdhf@mail.missouri.edu, Warren Sapp <warren44sapp@gmail.com>, Chris Clubine <chris.clubine@como.gov>, ward6@como.gov, brian.adkisson@como.gov, mary ratliff <maryratliff40@yahoo.com>, cb <carolb5@socket.net>

I will take a look tonight.

I like the idea alot.

Tara

[Quoted text hidden]

T.R. Warne-Griggs <twgmom71@gmail.com>

Tue, Sep 12, 2017 at 2:00 PM

To: Don Love <dmaclove1@gmail.com>

Cc: dsmith.cprb@gmail.com, Kacy Hall <kacy.hall@como.gov>, Katelynn Towne <kptowne@gmail.com>, City Of Columbia Ward1 <ward1@gocolumbiamo.com>, Steven Sapp <steven.sapp@como.gov>, ruth milledge <rmille2000@yahoo.com>, lan Thomas <ward4@como.gov>, Michael Trapp <ward2@como.gov>, namdhf@mail.missouri.edu, Warren Sapp <warren44sapp@gmail.com>, Chris Clubine <chris.clubine@como.gov>, ward6@como.gov, brian.adkisson@como.gov, mary ratliff <maryratliff40@yahoo.com>, cb <carolb5@socket.net>

I like the inclusion of the court cases as context. I do think there should be more discussion of investigative stops, which CPD uses extensively--at least as of the last conversation RMF had with command staff last spring.

I've attached a really good and new article by Epp and his writing partners. [Quoted text hidden]



Beyond Profiling Epp et al 2016 PAR.pdf 224K

Racial Profiling Policies and Shortsighted Court Precedents

The courts have made rulings that in many situations allow officers to base their actions on suspicion, which has resulted in disproportionate impact on People of Color. As long as a driver has committed a minor violation a judge will not declare a stop invalid, even if the officer had been motivated by the race of the driver. But law enforcement agencies and the communities they serve can set higher standards for officer behavior--that they do not allow themselves to be influenced by race and instead focus on facts about individual behavior.

Ozark Police Department Policy

Springfield NAACP President Cheryl Clay said August 15 that People of Color avoid some area law enforcement jurisdictions because they believe they will not be treated fairly. KSPR reported comments from chiefs of departments named:

The Ozark Chief of Police¹ responded in a statement saying the following:

The Ozark Police Department has policies in place that strictly prohibit the practice of stopping any individual solely on the basis of race, color, religion, sex, national origin, ethnic group, sexual orientation, age, social or economic status, marital status, physical or mental disability, or any other characteristic protected by law for violations of vehicle laws and/or other violations of laws as a "pretext/excuse" for investigating other crimes. Along with this the Ozark Police Department goes above and beyond in educating our staff and in holding our staff accountable for any policy violations.²

The Ozark PD policy sounds effective. Isn't it saying officers may not base their actions on race? It looked good to me until Lorie Fridell explained its fallacy.

The Chief went on to explain to KSPR all the training and supervision that supports the policy by directing officers to treat everyone equally. There is a problem, however, in the policy. The word "solely," which seems to emphasize the prohibition of biased policing, actually opens a door. The word should be left out or "at all" should be inserted somewhere if the intent is for officers to treat individuals equally regardless of race.

Under the Ozark policy, if an officer were accused of bias-based policing, he or she could say, "My action was not based on race. I made the stop because the driver did not signal a lane change." The defense would work because the action was not based solely on race, and the Supreme Court has given its approval.

Dr. Lorie Fridell, a national expert on free and impartial policing explains why policies using "solely" are flawed:

There are several policy models in use in North America. Some popular ones do not provide clear and reasonable guidance to personnel; some are quite bad. One

¹ Tim Clothier, according to Attorney General resources.

² http://www.kspr.com/content/news/Springfield-NAACP-speaks-out-on-Missouri-travel-advisory-440637283.html

example of the latter is the common "solely" policy model. Although the wording may vary, the essence of such a policy is that officers are prohibited from using race, ethnicity, and so forth as the "sole" basis for making a decision (such as a decision to arrest, a decision to request consent to search). This definition is wholly inadvisable because it defines the problem of biased policing right out of existence; it defines a very narrow swath of decisions that are prohibited. First of all, it references the very rare circumstance when police make a decision based on a single factor; most decisions by police are based on a confluence of factors, not on a single factor. But pursuant to a "solely" policy, an officer is only violating the policy when she makes a decision based on a single factor and that factor is race or ethnicity (or another demographics listed in the policy). A hypothetical helps to highlight the weakness of this policy model. Consider an officer who is monitoring a controlled intersection. Many people run the stop sign, but this officer only tickets young, Hispanic males because they are young, Hispanic males for their violations and lets everyone else go ticket-free. Most people would consider this biased policing, but this officer has not violated a "solely" policy. He did not make his decision based on a single factor, such as race; he made his decision to ticket based on age, gender, and race (and arguably, age, gender, race, and the traffic violation). It appears that "solely" policies are still the most common. Many of them were adopted in the late 1990s or early 2000s when agency leaders had little guidance and few models existed for their consideration.3

"Solely" is not just an unintentional error. The background of these "solely" policies is the 1975 Supreme Court ruling in <u>United States v Brignoni-Ponce</u> in which border patrol officers stopped a car without observing any traffic violation:

In this case the officers relied on a single factor to justify stopping respondent's car: the apparent Mexican ancestry of the occupants. We cannot conclude that this furnished reasonable grounds to believe that the three occupants were aliens. At best the officers had only a fleeting glimpse of the persons in the moving car, illuminated by headlights. Even if they saw enough to think that the occupants were of Mexican descent, this factor alone would justify neither a reasonable belief that they were aliens, nor a reasonable belief that the car concealed other aliens who were illegally in the country. Large numbers of native-born and naturalized citizens have the physical characteristics identified with Mexican ancestry, and even in the border area a relatively small proportion of them are aliens. The likelihood that any given person of Mexican ancestry is an alien is high enough to make Mexican appearance a relevant factor, but standing alone it does not justify stopping all Mexican-Americans to ask if they are aliens.

"Solely" occurs in the concurrence of Justice William Douglas:

I join in the affirmance of the judgment. The stopping of respondent's automobile solely because its occupants appeared to be of Mexican ancestry was a patent violation of the Fourth Amendment.

³ Fridell, L. (2017). Producing Bias-Free Policing: a science-based approach. SpringerBriefs in Translational Criminology. Pages 34-5.

⁴ United States v Brignoni-Ponce

According to Charles Epp, Steven Maynard-Moody and Donald Haider-Markel in *Pulled Over: How Police Stops Define Race and Citizenship*, not until 1996 did the Supreme Court rule in Whren v. United States that any minor violation was enough to justify a stop, even if race was the primary reason for the stop:

A unanimous Supreme Court ruled that stops are legitimate if based on any objective violation of the law, no matter how minor, and officers may use minor violations as pretexts to seek evidence of more serious criminal wrongdoing. Although the court acknowledged the significance of Whren's allegation of racial bias, the justices suggested that a traffic stop would be unconstitutionally discriminatory only if the defendant could show that officers had intentionally used race as the primary reason for selecting him for a stop.⁵

Justice Scalia wrote in the opinion for the unanimous Whren decision:

We of course agree with petitioners that the Constitution prohibits selective enforcement of the law based on considerations such as race. But the constitutional basis for objecting to intentionally discriminatory application of laws is the Equal Protection Clause, not the Fourth Amendment. Subjective intentions play no role in ordinary, probable cause <u>Fourth Amendment</u> analysis. ⁶

In practically the same breath, he says the constitution does not permit officers to discriminate on the basis of race but "subjective intentions," even if they involve race—are permissible.

In The New Jim Crow, Michelle Alexander observes:

The Court's quiet blessing of race-based traffic stops has led to something of an Orwellian public discourse regarding racial profiling. Police departments and highway patrol agencies frequently declare, "We do not engage in racial profiling," even though their officers routinely use race as a factor when making decisions regarding whom to stop and search. The justification for the implicit doublespeak—"we do not racial-profile; we just stop people based on race"—can be explained in part by the Supreme Court's jurisprudence. Because the Supreme Court has authorized the police to use race as a factor when making decisions regarding whom to stop and search, police departments believe that racial profiling exists only when race is the sole factor. Thus, if race is one factor but not the only factor, then it doesn't really count as a factor at all. The absurdity of this logic is evidenced by the fact that police almost never stop anyone solely because of race."

The authors of *Pulled Over* make a similar point:

Proving intentional discrimination requires in practice that officers admit in court what is unspeakable and what no socially attuned officer will ever say: that their primary reason for stopping a car was the race of the driver. *Police Chief* magazine immediately reported that Whren "preserve[s] officers' ability to use traffic stops to uncover other criminal activities." Enrollments in Operation Pipeline grew rapidly, and a California Highway Patrol training officer crowed, "After Whren the game was over. We won." In key follow-up cases, the Supreme Court expanded police powers to use traffic stops for investigations. Knowles v. Iowa (1998) authorized officers to conduct pat-down searches of the occupants of a vehicle and the areas

⁵ Epp, Charles R.; Maynard-Moody, Steven; Haider-Markel, Donald P.. 2014. *Pulled Over: How Police Stops Define Race and Citizenship* (Chicago Series in Law and Society) Chicago: University of Chicago Press. Kindle Edition. (Pages 34-35, Kindle Locations 859-862).

⁶ Whren v. United States

⁷ Alexander, Michelle. (2012) *The New Jim Crow: mass incarceration in the age of colorblindness.* The New Press. New York. Kindle Edition. Kindle location: 2761. Page 131.

within their reach so long as the officer justifies these searches as necessary to guard against a perceived risk of attack. United States v. Arvizu (2002) authorized officers to stop and search a vehicle if the "totality of the circumstances" supported reasonable suspicion of criminal activity, even if no single element of those circumstances rose to the level of probable cause to justify the stop. After this string of decisions it is difficult to identify what sorts of police stop-and-searches are not constitutionally legitimate. The line between illegal and legal is reduced to little more than whether or not the officer "articulates" a set of plausibly suspicious driver behaviors as the justification for a stop and search.⁸

Springfield Police Department Policy

Ozark is not the only police department with a "solely" policy. The Commission on Accreditation for Law Enforcement Agencies (CALEA) provides (or provided) agencies with a model policy using "solely." In a 2013 press release regarding the Vehicle Stops Report (VSR), the Springfield Police Department said:

The SPD has long prohibited the use of race as the sole factor in conducting traffic stops, a practice termed as racial profiling. "Springfield police officers shall never choose to conduct a traffic stop or other enforcement contact based solely on the racial, gender, or socioeconomic characteristics of the driver or subject. Use of racial profiling or enforcement techniques is prohibited. Officers may use behavioral or vehicle descriptors as elements in a profile but the use of ethnicity, gender, or socioeconomic status of the occupant/subjects are forbidden and will not be tolerated." - SPD Standard Operating Guideline (SOG) 103.1, Code of Conduct, Section 4.5.1

Many Missouri police chiefs seem to sincerely think their "solely" policies are sufficient to protect the public from race-based policing. What Ozark and Springfield say about their policies indicates that they believe the "solely" policies are an important part of their overall effort to be free of bias. Perhaps they do not understand the significance of "solely" within Supreme Court precedents. But policies must be written so that an agency can hold officers accountable and the public can hold agencies accountable.

Fridell's First-Circle Policy

"When, in the context of police decision-making, is it legitimate NOT TO treat members of all demographic groups the same?" Fridell asks. "The answer is: when there is actionable intelligence that justifies differential treatment." Court precedents or agency policies that try to get around this simple requirement, stated by Justice Warren as pointing to specific and articulable facts, run the risk of inviting racial discrimination.

Fridell supplies a model policy that agencies can use. Fridell's "first-circle" or "suspect specific" policy against biased policing says:

Personnel shall not consider actual or perceived race, ethnicity, national origin, gender, gender identity, sexual orientation, socioeconomic status, religion and/or age in carrying out their duties, except when seeking one or more specific individuals who have been identified or

⁸ Epp, Charles R.; Maynard-Moody, Steven; Haider-Markel, Donald P.. Pulled Over: How Police Stops Define Race and Citizenship (Chicago Series in Law and Society) University of Chicago Press. Kindle Edition. Kindle Locations 853-883: pages 34-5.

⁹ Fridell (2017). Page 35

described in part by any of the above listed characteristics. In those circumstances, personnel may rely on these characteristics only in combination with other appropriate factors.¹⁰

Fridell lobbied CALEA to change its "solely" model policy, and reports in her 2017 book, "As of this writing, CALEA is revisiting this standard and removing the 'solely' language from it." 11

Fridell also supplies a "second-circle policy" that allows for more latitude for including racial characteristics in a suspect description when an individual is not specified. She says:

It still limits the use of demographics to those situations where suspect descriptions provide intelligence, but it does not limit the use of demographics to only those situations wherein police have a full description of an individual.¹²

The second-circle policy reads:

Personnel may not consider race, ethnicity, national origin, gender, gender identity, sexual orientation, socioeconomic status, religion, and/or age except when credible, timely intelligence relevant to the locality links a person or people of a specific race, ethnicity, national origin, gender, gender identity, sexual orientation, socioeconomic status, religion, and/or age to a specific unlawful incident, or to specific unlawful incidents, criminal patterns or schemes. In those circumstances, personnel may rely on these characteristics only in combination with other appropriate factors.¹³

Fridell states clearly in another context that stereotypes about a group must not be allowed to affect the officer's decision to act. She, for instance, explains why a group's high crime rate is unacceptable as an "appropriate factor":

The police could be conducting the pretext stops based on an expectation that minorities are more likely to be criminal. That is, the police could pull over more minorities for pretext stops (which, by definition, are justified on their face by a traffic violation, not by reasonable suspicion that criminal activity is afoot) because they think that minorities commit more crime. If they are using this stereotype as the basis for their decisions, they are engaging in racially biased policing. (One definition of racial profiling is stopping minorities more than nonminorities because of a belief that they are more likely to commit a crime.)¹⁴

It is not clear that Fridell's second circle policy rules out officer actions based on the stereotype of high group crime rates.

2000 Missouri Racial Profiling Law Required Policies

The <u>2000 Missouri Racial Profiling Law</u>, which mandates the VSR, requires agencies have a policy on the role of race in traffic stops:

590.650.5. Each law enforcement agency shall adopt a policy on race-based traffic stops that:

1) Prohibits the practice of routinely stopping members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law.

¹⁰ Fridell (2017). Page 36.

¹¹ Ibid. Footnote page 34. She was writing in 2016.

¹² Fridell (2017) Page 36.

¹³ Fridell (2017) Page 36.

¹⁴ Fridell, Lorie. 2004 <u>By the Numbers:</u> A Guide for Analyzing Race Data from Vehicle Stops, Washington, D.C. 20036: Police Executive Research Forum. Page 206.

No one monitors the policies agencies put in place. Agencies seem to have decided that their "solely" policies satisfy this law, although the net effect of them is to allow race-based stops as long as some other factor was also involved.

The Missouri law is inadequate because it covers only vehicle stops; it does not apply to what officers do after a stop and it does not cover other officer actions, such as pedestrian stops. It is limited to routine practices (whatever routine means); it does not cover specific acts which are discriminatory. And it says an officer must be purposefully investigating crimes other than the violation that caused the stop; so if the officer is just making a stop, bias is acceptable.

Agencies are also to have a policy of reviewing the VSR to

(2)(a) Determine whether any peace officers of the law enforcement agency have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the law enforcement agency

The VSR is not actually adequate for determining patterns in officer behavior. The VSR data can document an agency pattern, but the agency has to research internal data to see what individual officers are doing. The reference to minority drivers traveling through the jurisdiction indicates that the agency is responsible for determining the proportions of group members on jurisdiction streets. The VSR estimates these proportions based on state proportions and on proportions in jurisdiction census reports. Agencies often just say VSR disproportions are flawed instead of doing the work required.

When it comes to supervision of officers, the law switches its concern to race-based policing. Agencies are to have a policy that:

(3) Provides for appropriate counseling and training of any peace officer found to have engaged in race-based traffic stops within ninety days of the review.

"Race-based policing" would have been a better focus throughout the law.

NAACP Born Suspect Model Policy

In 2014, NAACP released a report on biased policing, Born Suspect. It includes model legislation with sections addressing discriminatory policing practices: Section 2 (a) Definitions....

4. "Profiling/discriminatory policing practices" means any law enforcement action against an individual by a law enforcement officer that relies, to any degree, on actual or perceived race, color, ethnicity, religion, national origin, gender identity or expression, sexual orientation, immigration or citizenship status, language, disability (including HIV status), housing status, occupation, or socioeconomic status in initiating law enforcement action against an individual, rather than any law enforcement action that relies on a specific suspect description-based notification, an individual's behavior or other trustworthy information or circumstances, relevant to the locality and timeframe, that links a person or persons to suspected unlawful activity.

[Section 2] (b) Prohibition. 1. Every member of the law enforcement agency (including other law enforcement officers, civilian employees, and parties contracted by the law enforcement agency) shall be prohibited from engaging in profiling/unlawful discriminatory practices as defined in Section[2] (c)(3).15

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¹⁵ Born Suspect Model Legislation

The NAACP model clearly prohibits enforcement that relies on race or the other protected categories. It requires identification of a specific individual. Officers must act on facts about the behavior of specific individuals or other trustworthy information about the individual.

The phrase, "circumstances, relevant to the locality and timeframe," may, however, allow officers too much leeway. As *Pulled Over* summarizes court precedents, officers are allowed to stretch circumstances:

United States v. Arvizu (2002) authorized officers to stop and search a vehicle if the "totality of the circumstances" supported reasonable suspicion of criminal activity, even if no single element of those circumstances rose to the level of probable cause to justify the stop. 16

A high crime rate for a racial group might, for instance, be considered part of the totality of circumstances.

End Racial Profiling Act Policy

In 1997, Representative John Conyers introduced the first anti-profiling legislation. He introduced the End Racial Profiling Act yet again in 2017. The act defines and prohibits racial profiling:

H. R. 1498: To eliminate racial profiling by law enforcement, and for other purposes. March 10, 2017 Page 2. 6 **SEC. 2. DEFINITIONS.**

7 In this Act:

Page 4. 18 (7) RACIAL PROFILING.—The term "racial

19 profiling" means the practice of a law enforcement

20 agent or agency relying, to any degree, on actual or

21 perceived race, ethnicity, national origin, religion,

22 gender, gender identity, or sexual orientation in se-

23 lecting which individual to subject to routine or

24 spontaneous investigatory activities or in deciding

25 upon the scope and substance of law enforcement ac-

Page 5. 1 tivity following the initial investigatory procedure,

2 except when there is trustworthy information, rel-

3 evant to the locality and timeframe, that links a per

4 son with a particular characteristic described in this

5 paragraph to an identified criminal incident or 6 scheme.

Page 7. 11 TITLE I—PROHIBITION OF

12 RACIAL PROFILING

13 SEC. 101. PROHIBITION.

14 No law enforcement agent or law enforcement agency

15 shall engage in racial profiling.

"Routine or spontaneous law enforcement investigations" are defined to include a broad range of "law enforcement encounters" (page 6, line 4).

¹⁶ Epp et al. Page 35.

¹⁷ https://www.govtrack.us/congress/bills/115/hr1498/text

The phrase "relevant to the locality and timeframe" (page 5, line 2-3) unnecessarily introduces complications. What would this information be if not a physical description of the individual? It opens the door to consideration of things like group crime rates.

Kansas City Police Department Policy

The Department of Justice has cited the Kansas City policy as a model.

The policy states a clear purpose:

It is the policy of the Kansas City, Missouri Police Department to respect and protect the rights of individuals while pledging to treat everyone fairly and without favoritism.

It defines bias-based policing as involving:

circumstances where the police actions of a member were substantially based on the race, ethnicity, gender, age, sexual orientation, religious beliefs, disabilities, or national origin of a person, rather than upon lawful and appropriate police procedures.

The word "substantially" introduces unnecessary ambiguity. When is a little bit of discrimination acceptable? If the point is to allow race to be part of a physical description, the policy should say so.

It defines reasonable suspicion as:

specific and articulable facts which lead an officer to believe criminal activity might be occurring. The officer must be able to point to specific facts which warrant the stop. Reasonable suspicion can be based on the officer's experience and personal observation, facts learned by the officer investigating a crime, subject being in the vicinity of a crime, flight when at or near the scene of a crime scene, odors, information broadcast by the police dispatcher.

The definition seems to be in line with court precedents. Emphasis on pointing to specific facts is good. By this definition, however, an officer could conclude from personal experience that a high crime rate for a group is a fact that can be used to treat members of that group differently. The facts must be about a specific individual.

Say the dispatcher radios officers to watch for a tall African American wearing a red jacket who was reported to have robbed a convenience store. An officer stops a 5 foot 5 African American wearing a red jacket because personal experience has taught him African Americans are tall. This is ridiculous, but no more ridiculous than believing that all African Americans commit crimes.

David A. Harris, University of Pittsburgh School of Law, points out that evasion by an innocent person in a high-crime area is common sense. Officer use of this definition of reasonable suspicion leads to a "vicious circle":

The experience of being stopped and frisked in these areas is nearly universal among blacks and Latinos. They know that these encounters with the police can be unpleasant, upsetting, embarrassing, and sometimes even physically dangerous. Their response is to avoid such encounters whenever possible. In turn, this evasive (though perfectly legal) behavior in high-crime neighborhoods serves as a legal basis for further stops and frisks. And as this continues,

year in and year out, each of these stops and frisks is done at a cost—a cost paid in anger, in fear, in resentment, and in distrust and dislike of the police.¹⁸

Fourth Amendment Affirmation Act Policy

Empower Missouri is a member of a coalition proposing reform of the 2000 racial profiling law. The NAACP model law was an important source but many refinements have been made. The most recent version, the Fourth Amendment Affirmation Act passed out of committee in 2017. The FAAA sets up a process in which the VSR provides reliable disproportions, the agency identifies where possible causes of the disproportions that are not linked to bias, and then improves policies, supervision and training to address unexplained disproportions.

Here are the most relevant sections:

590.650. 1.

(20) "Unlawful policing", occurs in circumstances in which the peace officer's 74 actions are based in whole or in part on the real or perceived race, ethnicity, religious 75 beliefs, gender, English language proficiency, status as a person with a disability, or 76 national origin of a person rather than upon lawful and appropriate law enforcement 77 procedures based on observed behavior or facts about the individual indicating criminal

78 activity. "Unlawful policing" does not include investigations of alleged crimes when law

79 enforcement must seek out suspects who match a specifically delineated description.

- Each law enforcement agency in this state shall adopt a policy prohibiting
 unlawful policing that provides for appropriate counseling and training of any peace officer
- 130 found to have engaged in unlawful
- 131 policing. The course or courses of instruction and the guidelines shall stress understanding and
- 132 respect for racial and cultural differences, and development of effective, noncombative methods
- 133 of carrying out law enforcement duties in a racially and culturally diverse environment.
- 4. Each member of a law enforcement agency in this state, including any civilian 144 employee or party contracted by the law enforcement agency, is prohibited from engaging

145 in unlawful policing.¹⁹

¹⁸ Harris, David A. 200.3 *Profiles in Injustice: why racial profiling cannot work.* New York, the New Press. Page 47

¹⁹Here is the final text of HB1213/1214 that was voted out of committee.

The FAAA explicitly prohibits any actions based on race or the other protected categories. Instead, it explicitly requires officers to act on observed behavior or facts about the individual.

This return to facts is based on Terry v. Ohio, the 1968 Supreme Court ruling which allowed officers to do a quick search for a weapon. The judges interpreted the Fourth Amendment as saying in some circumstances officers needed to have a warrant backed up by probable cause but in other circumstances reasonable stops and searches were permitted. In this case, it was reasonable for an officer to do a quick search for a weapon.

The precedent is often paraphrased as allowing officers to use "reasonable suspicion" instead of probable cause in some situations, but reasonable suspicion is mentioned only in the dissenting opinion of Justice Abe Fortas, when he points out the unintended consequences of the ruling: officers will use the extra powers conferred by the ruling to act on suspicion alone.

In the majority opinion, Chief Justice Earl Warren found that the most important point in the case was whether officers had acted on facts about the suspect:

There is no ready test for determining reasonableness other than by balancing the need to search [or seize] against the invasion which the search [or seizure] entails. ... And, in justifying the particular intrusion, the police officer must be able to point to specific and articulable facts which, taken together with rational inferences from those facts, reasonably warrant that intrusion.²⁰

An individual's suspicions always appear reasonable to the individual, but they are easily influenced by stereotypes. Telling officers they can act on reasonable suspicion amounts to telling them they can act on racial stereotypes, and this is not what the court had it mind.

To guard against racial stereotypes in situations in which racial disproportions have been documented it is necessary to require officers to actually point to specific and articulable facts, because it is the act of consciously identifying the facts that protects them from the undue influence of stereotypes.

In fact, the FAAA could avoid references to race entirely and still provide agencies and officers with the direction they need to avoid bias-based policing. Act on facts and race won't be a problem.

Columbia Police Department Policy

Columbia Police Department has a policy on "racial/bias-based profiling," Section 402. It says:

²⁰ Terry v Ohio, page 21. The race of the defendants is not mentioned in the opinion but Warren mentions the "wholesale harassment by certain elements of the police community, of which minority groups, particularly Negroes, frequently complain," and goes on, "courts still retain their traditional responsibility to guard against police conduct which is overbearing or harassing, or which trenches upon personal security without the objective evidentiary justification which the Constitution requires." Page 14-15.

It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly and without discrimination toward any individual or group.

It goes on to say (402.3), "racial/bias-based policing is strictly prohibited," but it does not define racial/bias-based policing. Perhaps it is intended to be understood as the opposite of policing "equally, fairly and without discrimination."

402.3 continues:

However nothing in this policy is intended to prohibit an officer from considering factors such as race or ethnicity in combination with other legitimate factors to establish reasonable suspicion or probable cause (e.g., suspect description is limited to a specific race or group).

Is the intent here to allow racial characteristics to be used in physical descriptions, as height and weight are used? Or is the intent to allow "the totality of circumstances" to be taken into account. It is legitimate, the Supreme Court has ruled, that race be a factor as long as the individual has committed some violation of the law, so this sentence would have the same effect as "solely" has in other policies.

The policy does, however, go on to say (402.4.1),

Officers detaining a person shall be prepared to articulate sufficient reasonable suspicion to justify the detention independent of the individual's membership in a protected class. If "reasonable suspicion" in this context were replaced by "specific and articulable facts," the policy would come close to meeting Empower Missouri's expectations, but overall, we would prefer something clearer. The policy must leave officers with no doubt that they must act only on facts about the individual, not on racial stereotypes. The policy must be clear enough that officers can be disciplined for violating it and the public can be confident that the agency reflect community standards.

Conclusion

A number of agencies, such as Ozark Police Department, seem to be making conscientious efforts to achieve bias-free policing. That they think "solely" policies will help is troubling. Thanks to the efforts of Dr. Fridell, these policies will be replaced by others that direct officers to act on facts, not skin color. But the overall lesson is that members of the public need to keep a skeptical eye on agency policies. To a point, law enforcement professionals do a good job of following best practices, but our history of slavery, Jim Crow Laws, segregation and so on, make bias-free policing a difficult challenge for even conscientious officers. They need our attention.

Our conceptual framework for thinking about more reasonable limits on the use of demographics for police work starts with the following concept: We must treat all demographic groups the same unless there is a legitimate reason not to. So that concept then begs the question: When, in the context of police decision-making, is it legitimate NOT TO treat members of all demographic groups the same? The answer is: when there is actionable intelligence that justifies differential treatment. There





Charles R. Epp Steven Maynard-Moody **Donald Haider-Markel** University of Kansas

Beyond Profiling: The Institutional Sources of Racial Disparities in Policing

Charles R. Epp is University Distinguished Professor in the School of Public Affairs and Administration at the University of Kansas. He is author of three books published by the University of Chicago Press, including Making Rights Real (2009) on police reform and Pulled Over: How Police Stops Define Race and Citizenship (2014), with the coauthors of this article, on racial disparities in police stons

E-mail: chuckepp@ku.edu

Steven Maynard-Moody is professor in the School of Public Affairs and Administration and director of the Institute for Policy and Social Research at the University of Kansas. He is coauthor, with Charles Epp and Donald Haider-Markel, of Pulled Over: How Police Stops Define Race and Citizenship (University of Chicago. 2014). With Michael Musheno, his current research and writing extends the theoretical frame first expressed in their book Cops. Teachers, Counselors: Stories from the Front Lines of Public Service (University of Michigan Press, 2003) E-mail: smm@ku.edu

Donald Haider-Markel is professor and chair of political science at the University of Kansas, His research and teaching is focused on the representation of interests in the policy process and the dynamics between public opinion, political behavior, and public policy. E-mail: prex@ku.edu

Abstract: American policing faces a crisis of legitimacy. A key source of this crisis is a widespread police practice commonly endorsed by police leaders to fight crime. This is the investigatory stop, used to check out people who seem suspicious and to seize illegal drugs and guns and make arrests. Using data from an original scientific survey of drivers in the Kansas City metropolitan area, the authors show that racial disparities in police stops are concentrated in investigatory vehicle stops. In these stops, but not others, officers disproportionately stop African Americans and question and search them. The overwhelming majority of people stopped in this way are innocent, and the experience causes psychological harm and erodes trust in and cooperation with the police. Many of the most controversial police shootings during the past two years occurred in these stops. Reforming this practice is an essential step toward restoring trust in the police.

Practitioner Points

- Although evidence of their effectiveness is not clear, investigatory police stops (commonly using minor violations as a pretext for a more searching inquiry) are widely used by local police departments as a crimefighting tactic.
- Most people stopped in investigatory stops are innocent, yet they are subjected to intrusive questioning (e.g., "Why are you in the neighborhood?") and searches, leading to feelings of fear and of being "violated."
- Overuse of investigatory police stops erodes trust in, and cooperation with, the police, especially among African Americans, who are especially likely to be stopped.
- There is insufficient oversight of the practice, as many investigatory stops yield no citation and so are not presently recorded or reported.
- To enable oversight of this practice, law enforcement agencies should require officers to record and report all stops they make, including the race and ethnicity of the driver and whether a warning or citation is issued; these data should be analyzed to check for patterns of racial disparity. Surveys of satisfaction with police services should include questions regarding residents' experiences in police stops, including stops for minor violations.

olicing in the United States is in crisis, a "perfect storm" of popular protest and media coverage of egregious violations (Weitzer 2015, 475). Since the protests in Ferguson, Missouri, over the shooting death of Michael Brown on August 9, 2014, protests have erupted in Baltimore, Charlotte, Cincinnati, Chicago, Cleveland, Los Angeles, Madison, Minneapolis-St. Paul, New York City, Oakland, St. Louis, Tulsa, and such smaller places as Hempstead, Texas; North Charleston, South Carolina; Pasco, Washington; and Stonewall, Mississippi. The relationship between the police and these communities, so essential to public safety and the rights and dignity of members of the public, is strained, if not broken. Nor is the problem isolated locally. A recent national survey found that 84 percent of African Americans believe that

blacks are treated less fairly by the police than whites (Stepler 2016).

Official mechanisms of police accountability have been mobilized. Eighteen individual officers were criminally indicted for police killings in 2015, the last year for which data are available, roughly triple the number in past years (Babwin 2015; Wing 2015). The U.S. Department of Justice has conducted formal investigations in Ferguson, Baltimore, and Chicago, on top of several others begun before the events in Ferguson. Several prominent police chiefs, including Baltimore police commissioner Anthony Batts, Chicago police superintendent Garry McCarthy, and San Francisco police chief Gregory P. Suhr, as well as a series of chiefs in Oakland, have been fired. The Barack Obama administration convened a high-level

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task force to suggest reforms of the problems of police violence and police-community conflict (President's Task Force on 21st Century Policing 2015). In all, police departments, and the local governments they represent, are under mounting pressure to do something.

But what is the problem, and what should be done about it? Answers to these questions cluster into two broad types. One is that these tensions reflect the persistence of racist attitudes (whether intentional or implicit) among too many individual police officers. These individual-level biases, it is said, lead some officers to unfairly stop African American drivers or unnecessarily escalate the use of force when dealing with African American suspects. Locating the problem in individual beliefs or attitudes leads to reforms aimed at training officers away from acting on these beliefs or attitudes. This perspective is supported by a large body of psychological research and expressed in the efforts of major U.S. police professional associations and the Obama administration's Task Force on 21st Century Policing to favor better training and control of individual frontline officers (President's Task Force on 21st Century Policing 2015).

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simply, the problem is not errant individual officers alone but official policy and practice more broadly. In this article, we focus on these policies and practices and how they contribute to racial disparities in who is stopped, searched, and arrested. In doing so, we join a growing body of scholarship on the institutional sources of racial disparities (Ward and Rivera 2014). Thus, there is growing research on how institutionalized practices in education contribute to racial disparities

in educational outcomes (see, e.g., Lucas 1999, 2001). Health care research reveals that racial disparities in health outcomes grow not only from economic and geographic variations in access to health care but also from institutionalized practices related to diagnosis and treatment (see, e.g., Smedley, Stith, and Nelson 2002). We will argue that the current crisis in American policing is caused as much by standard police enforcement practices at the institutional level as by individual-level deviations from accepted standards.

Specifically, we argue that the investigatory police stop is a key source of racial disparities in police enforcement and a key source of African Americans' distrust of the police. An investigatory stop is a stop of a driver (or pedestrian) that is made not to enforce traffic laws, vehicle codes, or the laws governing pedestrian activity but to check out people (or vehicles) who look suspicious. Is this driver carrying a gun or illegal drugs? What is he up to? Why is he in this neighborhood? Is there a warrant for his arrest? Stops for these purposes are made "proactively," meaning they are made not on the basis of an observed violation but on a more inchoate suspicion: officers are to stop people to find out whether they are doing something wrong.

We will show that investigatory stops are a deep source of frustration and indignation among those who are stopped. We will also argue that the practice of investigatory stops has become so frequently employed and so widespread that it is now a significant source of distrust in the police, especially among African Americans. We will further argue that recognizing these facts offers promise of a more effective reform program than the psychological explanation alone. The psychological approach to police reform views the problem as the "manner" by which officers carry out investigatory stops, meaning how politely they carry them out, not that they carry them out so frequently (Stuntz 2002, 2174, reflecting the research of Tyler 2001; see esp. Tyler and Wakslak 2004). The psychological approach thus favors reforms aimed at training officers to improve their manners: to be more respectful in carrying out these stops. Although people who are stopped by the police appreciate being treated respectfully, our data reveal that people who are stopped for investigatory purposes resent the experience even if the officer is impeccably polite.

The problem, in other words, is the investigatory stop itself, not (only) officers who are carrying it out improperly; it is an institutional problem, not merely an individual problem. In recent decades, investigatory stops have become one of professional policing's leading crime-fighting tactics, widely and frequently deployed in communities across the country. Yet, as we will show, this tactic harms the people who are stopped even when the officers

> who do it follow the best training protocols. This harm and the distrust it produces falls disproportionately on racial minorities, as most of the people stopped in this way are African Americans and Latinos.

Presently, many police departments encourage their officers to make investigatory stops to fight crime yet carry out little oversight of whether these stops have the harmful effects we document here. As the Justice

Department's report on the Baltimore Police Department observed, the likelihood of constitutional violations and harm to good policecommunity relations is greater where, as in Baltimore, a police department "does not collect reliable data on stops and searches, has no mechanism for identifying patterns or trends in its officers' stops, searches, and arrests, and conducts little substantive review of officers' reasons for taking particular enforcement actions" (2016, 26-27).

Thus, a final implication of our analysis is that evaluating police performance only in relation to crime rates and crime-clearance rates is shortsighted in that public trust in the police is affected as much by people's experiences in police stops. These stops are often people's most direct (and often viscerally powerful) experience of the police. Police departments should gather data on them, and city governments should exercise oversight of the practice. When city governments survey their constituents about their perceptions of police services (see Alfred Tat-Kai Ho and Wonhyuk Cho in this issue) without asking about experiences in police stops, they are likely to miss the single most substantial influence on these attitudes.

We proceed as follows: We first summarize the social scientific literature on investigatory stops. We then summarize our research on how, in the 1980s and 1990s, police leaders developed and refined the practice of investigatory stops and how this practice has been widely adopted by police departments as a key crime-fighting tactic. Then we summarize our data, reported elsewhere (Epp, Maynard-Moody, and Haider-Markel 2014), showing that investigatory stops are *the* key source of racial disparities in who is stopped by the police, who is subjected to intrusive questioning and searches during stops, and in people's trust in the police.

This article builds on our analysis of these issues in Pulled Over:

How Police Stops Define Race and Citizenship (2014). Here, we go beyond our analysis in that book by arguing that widespread investigatory stops of African Americans and Latinos contribute directly to the present crisis in American policing. Until the police accept this basic truth and rein in this practice, the current crisis is unlikely to be fully resolved.

Widespread investigatory stops of African Americans and Latinos contribute directly to the present crisis in American policing.

Past Studies of Investigatory Police Stops

Past studies of investigatory stops typically have focused on one or the other of two types of these stops: stops of pedestrians ("stop-and-frisks") and stops of vehicles. Pedestrian stop-and-frisks were authorized by the U.S. Supreme Court in *Terry v. Ohio* (392 U.S. 1 [1968]) and are inherently investigatory, meaning that their essential purpose is to see whether the person who is stopped is engaged in criminality. As John A. Eterno, Christine S. Barrow, and Eli B. Silverman (in this issue) observe, these stops provoke widespread frustration among the people subjected to them. Although *Floyd v. New York* (959 F. Supp. 2d 540 [2013]) struck down that city's widespread use of stop-and-frisk as racially discriminatory, *Terry*'s central holding remains valid law—and stop-and-frisks are still widely used throughout the country.

If stop-and-frisks are inherently investigatory, vehicle stops, by contrast, include both standard stops to enforce traffic safety, which are generally not aimed at criminal investigation, and investigatory stops, which, like stop-and-frisks, are to check out the driver for criminal activity. Both types of vehicle stops are based on state statutes governing driving and the condition of vehicles. The U.S. Supreme Court in *Whren v. U.S.* (517 U.S. 806 [1996]) ruled that stops justified by minor traffic violations may be used as a pretext for a criminal investigation.

Although major U.S. police departments require officers to report stop-and-frisks as a distinct activity, they typically do not do so regarding investigatory vehicle stops, treating them instead as simply a vehicle stop like any other. Thus, while there are administrative data on *pedestrian* stop-and-frisks, only rarely are investigatory *vehicle* stops specifically identified in administrative data. This difference in reporting requirements may reflect the legal differences between pedestrian and vehicle stops.

These dissimilarities in law and administrative data have led to differences in how scholars have studied these two types of stops (of pedestrians versus of vehicles). With widely available administrative data on stop-and-frisks, there are excellent studies of racial bias in these stops (see, e.g., Gelman, Fagan, and Kiss 2007). By contrast, the vast majority of studies of racial bias in vehicle stops have not

conceptualized investigatory stops as a distinct type of vehicle stop (see, e.g., Lundman and Kaufman 2003; Petrocelli, Piquero, and Smith 2002; Smith and Petrocelli 2001; Tillyer and Engel 2013). As a consequence, most studies of vehicle stops implicitly view racial disparities in these stops not as a product of a police policy to encourage investigatory stops but as the result of individual officers' discretionary choices about whom to stop. For example, Tillyer and Engel (2013) advance a "social conditioning" (i.e., psychological) model of the sources of racial disparities in vehicle stops.

These differences between the studies of pedestrian versus vehicle stops also have led to somewhat diverse estimates of the depth of racial disparities in the two types of stops. Substantial racial disparities are found in administrative data on pedestrian stop-and-frisks. Thus, Gelman, Fagan, and Kiss (2007, 819–20), studying pedestrian stops in New York City and controlling for precinct-level

variations in racial demographics and crime rates, found that African Americans and Hispanics were stopped 2.5 times and 1.9 times, respectively, more than whites when the officer was investigating a violent crime and 1.8 and 1.6 times, respectively, more than whites when the officer was investigating a weapons violation.

By contrast, past studies of vehicle stops have reported racial disparities that, while significant, are in our view muddled by the difficulty of using administrative data to distinguish investigatory vehicle stops from other types of vehicle stops. For example, Tillyer and Engel (2013), studying all vehicle stops made by a large Ohio police agency, found that young black men were 1.3 times more likely than all other drivers to be issued a warning but somewhat less likely to be issued a citation. This difference is consistent with the hypothesis that stops of young black men are more likely to be made to investigate the driver for serious criminality (and then to release them with a warning for a minor violation) than to sanction him for a more serious traffic violation. Still, the degree of racial disparity is markedly less than found in studies of pedestrian stops in which the investigatory stop-and-frisk is sharply delineated in the administrative data. As we will show, clearly distinguishing investigatory and traffic safety stops yields estimates of the racial disparity in investigatory stops that are remarkably similar to those found in studies of pedestrian stop-and-frisks.

Our Contribution: Investigatory Stops as an Institutionalized Practice

Our research goes beyond earlier studies by conceptualizing investigatory stops as a distinct type of vehicle stop, by developing a measure of its prevalence, and then by studying the effects of this type of stop on the attitudes of the people who are stopped in this way. Central to these advances is our conceptualization of investigatory vehicle stops as a distinct *institutionalized practice*. By this we mean that the investigatory stop has become a commonly structured police practice that, while not required by any specific official policy, is supported and legitimated by rules, training, and law and has spread widely to become a commonly accepted activity.

We developed the concept of an institutionalized practice to help make sense of why police departments widely deploy investigatory

vehicle stops even though there is no common federal mandate to do so and police departments are governed locally. The structure of U.S. policing is generally thought to ensure variation from department to department rather than commonality: the police are divided among tens of thousands of local agencies and dozens of state agencies. These myriad agencies operate under no common legal regime other than the constitutional law of criminal procedure. In spite of this common overarching legal regime, local political control is said to pull police departments in widely varying directions.

Nonetheless, police departments increasingly have adopted common organizational policies and practices (Epp 2009; Walker 1993), and we believe the investigatory stop is one such common practice. Our own research in the Kansas City metropolitan area documented the widespread deployment of investigatory stops among police agencies throughout that metropolitan area (Epp, Maynard-Moody, and Haider-Markel 2014). The police training manuals that we relied on in our book to illustrate this practice drew advice and guidance from police departments of virtually every size in all regions of the country (2014, 22-23). Recent ethnographic studies that follow up on our research observe investigatory stops in many jurisdictions in North Carolina (Coleman and Stuesse 2015) and in Nashville, Tennessee (Armenta 2016a, 2016b). The recent official report on problems in the Chicago police department observes high numbers of investigatory stops, especially of African Americans, in that city (Police Accountability Task Force 2016). Our analysis of official publications of the International Association of Chiefs of Police documents widespread support among police agencies for using investigatory vehicle stops as a crime-fighting tactic (Epp, Maynard-Moody, and Haider-Markel 2014, 36). In sum, there is considerable evidence of convergence among police agencies in training and directing their officers to carry out investigatory stops. We do not claim that every police department in the United States directs its officers to carry out investigatory stops. Rather, we claim that investigatory stops are widely deployed by many police departments of all sizes in all regions of the country and indeed are viewed as a "best practice," by which we mean that police leaders view this practice as professionally vetted and effective.

Our concept of institutionalized practices draws on neoinstitutional theory to explain such a convergence among diverse police agencies. Neoinstitutional theory helps explain how separate organizations operating in a shared institutional field like policing often come

to adopt common practices (DiMaggio and Powell 1983; Dobbin and Sutton 1998; Edelman 1992; March and Olsen 1984). The general lesson of these studies is that common institutionalized practices emerge from the sharing of ideas through professional networks rather than from official mandates. Over time, these practices take on "value beyond the

technical requirements of the task at hand" (Selznick 1957, 17). Put another way, institutionalized practices come to be viewed not only as effective but as professionally right, proper, and lawful. Through these processes of institutionalization, many diverse organizations in different legal jurisdictions come to have similar organizational structures and foster similar practices (DiMaggio and Powell 1983; Epp 2009; Garrow and Grusky 2012; Maynard-Moody and Musheno 2015).

Evidence of the widespread use of investigatory stops dates to the landmark studies of policing conducted in the wake of the 1960s urban riots. The Kerner Commission, appointed by President Lyndon B. Johnson, reported that the riots grew out of urban poverty and residents' intense resentment of police stops and searches (National Advisory Commission on Civil Disorders 1968). The commission reported that investigatory police stops and searches were widely used in the cities that experienced riots and that resentment over these stops triggered many of the riots. Thus, the San Diego police had conducted from 20,000 to 40,000 stop-and-frisks per month, particularly in African American neighborhoods (Lohman and Misner 1966, 127-34). A survey of citizens in 15 cities that had experienced riots found that while 6 percent of whites reported that police had frisked or searched them without a good reason, 22 percent of African Americans reported this experience (Campbell and Schuman 1969, table IV).

The riots of the 1960s were, in part, uprisings against the practice of aggressive police stops. Many police departments certainly viewed them in this way and responded by backing away from their official commitment to aggressive stops. In the wake of that shift, studies of policing in urban neighborhoods in the 1970s described random police patrols—but without the widespread aggressive stops of the 1960s (Anderson 1978; Williams 1992).

Investigatory stops were reinvented after 1978 in a remarkable burst of activity. It began with James Q. Wilson and Barbara Boland's call for police departments to revive what they termed "aggressive patrol": "maximize[ing] the number of interventions in and observations of the community," or, in other words, stopping and searching as many drivers as possible, "especially suspicious ones" (1978, 370-73). The federal government's "war on drugs" brought this recommendation to fruition. Operation Pipeline, a key initiative of the Drug Enforcement Agency in the 1980s, trained state and local police nationwide to use pretextual traffic stops as a means to question and search large numbers of drivers for illegal drugs (Harris 2002; Webb 1999). Training films identified Hispanics and African Americans as more likely to be carrying drugs (Webb 1999). By the late 1990s, the DEA reportedly had trained some 27,000 state and local police officers in the practice of pretextual stops, and many of these officers went on to train others (Allen-Bell 1997; Harris 2002, 48-51). In the 1990s, the police stop methods honed in the war on drugs

> expanded into an effort to get guns off the street (Sherman and Rogan 1995; Sherman, Shaw, and Rogan 1995; Wilson 1994). In "hot spots" policing, another initiative of the 1990s, police were taught to focus their proactive stops on high-crime locations (Clarke and Weisburd 1994; Sherman, Buerger, and Gartin 1989; Sherman, Gartin,

and Buerger 1989; Weisburd and Mazerolle 2000). Around the same time, the National Highway Traffic Safety Administration (NHTSA) (1995) began encouraging police departments to use traffic stops as an all-purpose crime-control tool. NHTSA's ongoing DDACTS program—Data-Driven Approaches to Crime and Traffic Safety—is the current instantiation of the agency's long-standing support for using investigatory stops to suppress crime (NHTSA 2014).

Institutionalized practices come to be viewed not only as effective but as professionally right, proper, and lawful.

The U.S. Supreme Court has lent constitutional legitimacy to the practice. Its landmark decision in Terry v. Ohio (1968) upheld stop-and-frisks of pedestrians. In 1996, in another landmark case, Whren v. U.S., the Court unanimously upheld the practice of pretextual vehicle stops made for the purpose of questioning a driver or searching a vehicle, so long as the officer has a legal justification for stopping the vehicle. The Court's only caveat was that officers may not use a driver's perceived race as the sole basis for making an investigatory stop, a prohibition that is technically important but practically meaningless as it is virtually impossible to enforce. In the wake of Whren, the Court extended police powers to stop and search vehicles in a series of key decisions (Knowles v. Iowa, 525 U.S. 113 [1998]; Wyoming v. Houghton, 526 U.S. 295 [1999]; United States v. Arvizu, 534 U.S. 266 [2002]).

The legal and policy commitments favoring investigatory stops are translated into practice through training, and this has become systematic, enthusiastic, and detailed. In the authoritative and widely used Tactics for Criminal Patrol, Charles Remsberg teaches officers to use traffic stops "to maximize the number of citizen contacts in vehicle stops during each shift and, through specific investigative techniques, to explore the full arrest potential of each" (1995, 9). The text guides officers through a series of sequential steps that form what Remsberg (1995, 9) called the "Criminal Patrol Pyramid," summarized in table 1. As a federal judge observed in Ligon v. City of New York (S.D.N.Y., Index No. 12 CIV 2274 [2013], 131), the New York police department's training in how to conduct stop-and-frisks "has taught officers the following lesson: Stop and question first, develop reasonable suspicion later."

In sum, investigatory stops are an institutionalized practice. Although not required by any common statute, many of the country's myriad local police departments have come to favor this practice. It is taught and propagated by formal police training, favored in educational materials, extolled by national police professional associations and the shared norms of professional policing, and constitutionally legitimated by the Supreme Court. In fact, the shared professional commitment to this practice has deepened in recent decades. Once maligned as a trigger for the urban riots of the 1960s, by the 1990s the investigatory stop was hailed by police leaders as a best practice, as among professional policing's most effective "crime-fighting tools" (Georges 2000, 53).

Table 1 Charles Remsberg's "Criminal Patrol Pyramid"

Steps in the Investigatory Stop

- 1. Develop suspicion (or, typically, merely curiosity) about a driver.
- Discover a legal justification to stop the driver (typically this justification is some minor violation of the traffic laws or vehicle code) and make the stop.
- Decide, after making the stop, whether to seek to search the vehicle based on the close observation of the vehicle and its visible contents and dialogue with the driver (and passengers), Officers use this dialogue to assess the truthfulness of the driver.
- 4. Search the vehicle ("usually by consent").
- Discover contraband or weapons.
- Make an arrest.
- Seek "bonus benefits" (forfeiture of vehicle, cash, etc.; information about additional criminal offenses).

How Institutional Policy Interacts with Psychological Attitudes

Our data, as we will describe later, reveal that racial disparities in who is stopped are concentrated in investigatory stops. There is no significant racial disparity in other types of stops. This pattern of no significant racial disparity in traffic safety stops but wide disparity in investigatory stops suggests that racial disparities in policing cannot be explained by individual officers' choices alone; if so, we should find racial disparities in both kinds of police activity. The problem is thus an institutional phenomenon. Institutions are enacted by individuals, however (Maynard-Moody and Musheno 2012). The key question is how and why officers disproportionately select African American drivers for investigatory stops but not for traffic safety stops. Further, because the professional guidance regarding investigatory stops is racially neutral, and because few, if any, police departments are likely to direct their officers mainly to stop racial minorities in investigatory stops, we need to explain how a policy that is racially neutral in its formal terms nonetheless produces deep racial discrimination in practice.

Our answer is that officers, when directed by their superiors to stop people on the basis of suspicion of criminal activity, are likely to make choices about whom to stop on the basis of implicit racial stereotypes of black criminality. Department leaders are also likely to choose where to deploy investigatory stops on the basis of these stereotypes (Beckett, Nyrop, and Pfingst 2004; Beckett et al. 2005). (It is also likely that some officers are deliberately racist and intentionally choose to stop more African Americans, but our argument is not dependent on this assumption.) Although overt expression of racial bias arguably has declined since the 1960s (Bobo and Fox 2003), implicit negative stereotypes of African Americans persist. David Hamilton and Tina K. Trolier define "stereotype" as a "cognitive structure that contains the perceiver's knowledge, beliefs, and expectations about human groups" (1986, 133). Patricia Devine observes that "ethnic attitudes and stereotypes are part of the social heritage of a society and no one can escape learning the prevailing attitudes and stereotypes assigned to major ethnic groups" (1989, 5). The stereotypes of African Americans are long-standing (Muhammad 2010) and generally negative: they are seen, especially by whites, as lazy and prone to violence and crime (Bobo 2004).

These individual attitudes on race matter. But our institutionalized practices thesis provides a more comprehensive explanation of racial disparities in police stops than the psychological explanation alone. That is because our institutionalized practices thesis predicts that racial disparities in police stops are likely to be concentrated in stops in which officers decide whom to stop on the basis of inchoate suspicion (rather than observed legal violations)—investigatory stops. In these settings, officers make quick decisions about whom to stop in a context of limited time and nonspecific information, encouraging what psychologists call "automatic" mental processes (Blair 2001; Devine 1986, 6; Greenwald et al. 2009). Unlike "controlled" thinking processes, such as deliberate problem solving, automatic processes are spontaneous and unintentional. They do not require conscious effort and are activated by environmental cues. Automatic or snap judgments are more likely to encourage the expression of embedded racial stereotypes (Blair 2001; Devine 1986, 6; Greenwald et al. 2009). Even individuals who express

little overt prejudice—and indeed may consider racial prejudice morally wrong—may still respond on a gut level to racially biased stereotypes (Brodish and Devine 2005, 58; Lepore and Brown 1997). For example, implicit stereotypes may contribute directly to such things as a police officer's suspicion that a young black man seems out of place or poses a risk, to a decision to stop him to ask where he's going, and so forth, even if the officer is professionally and morally committed to unbiased policing.

In sum, our theory of the institutionalized practice of investigatory stops predicts that racial disparities in police stops are likely to be concentrated in stops made on the basis of suspicion to proactively investigate the driver rather than on the basis of observed violation of traffic safety laws.

Methods and Data

Our data were obtained from an original survey of drivers in the Kansas City metropolitan area. We designed this survey to overcome many of the methodological limitations of past studies of racial disparities in police stops, and so it is useful to summarize past studies' methods before introducing our own. Most studies have relied on administrative data on traffic citations or stop-and-frisk reports. While these sources provide rich data about who is subjected to stop-and-frisks or issued traffic citations, they are plagued by what scholars call the "baseline problem," or the absence of data necessary to establish a baseline against which to compare rates of stops or citations (Walker 2001; see also Ward 2002). As Gelman, Fagan, and Kiss observe, "causal claims about discrimination would require far more information about such baselines than the typical administrative (observational) data sets can supply" (2007, 815). For example, ideally, researchers would be able to compare stop rates among white and black drivers not only against the number of white and black drivers in the jurisdiction but also against a measure of how much time these different groups spend driving, how much they tend to violate traffic laws, and how much their vehicles have violations of the vehicle code. Yet researchers generally lack data on these measures and so are forced to rely for a baseline on simple totals of African Americans and whites in a jurisdiction.

Official administrative data on vehicle stops have two other key limitations. First, the vast majority of investigatory stops are never recorded because they end in no official citation or warning (but see Police Accountability Task Force 2016 for data on Chicago). Administrative data thus are likely to yield significant underestimates of the extent of racial disparities in stops. Second, administrative data contain no information about how the person who was stopped evaluated the stop or how the stop affected the individual's attitude toward the police.

An alternative method, a survey of drivers, overcomes these limitations. The National Institute of Justice has conducted several national surveys of people's contacts with the police, and the data provide a somewhat fuller set of control (baseline) variables (e.g., Engel and Calnon 2004; Lundman and Kaufman 2003). Still, even these otherwise excellent studies are confined to the rather limited range of data gathered in these official surveys.

Our study exploited the advantages of the survey method but asked a broader range of questions than in past surveys. Our questions were informed by focus groups that we conducted with officers from area departments. We asked drivers whether they had been stopped by the police in the past year and, if so, how often; the reason given for the stop; and whether a citation or warning was given and, if so, what violations were charged. Importantly, we asked about stops that yielded no citation as well as those that did. We also asked how both the driver and the officer spoke and acted during the stop and how the driver evaluated the stop and the drivers' level of trust in the police and in local government. We asked drivers to report their race (both their self-identification and how their racial identity would be perceived by somebody meeting them for the first time),1 gender, age, and income. We also asked a host of questions that provided data relevant to the development of a baseline (and to test alternative nonracial explanations of who is stopped), among them how much time the respondent spends driving per day and week, the condition of their vehicle, the type of clothes they typically wear, the extent to which they commit traffic violations, and so forth. This wide range of questions allowed us to test for racial bias in who is stopped and to assess the influence of police stops on people's attitudes in a much fuller and more theoretically satisfying manner than in previous studies that did not include baseline measures and attitudinal indicators.

We surveyed a stratified random sample of the driving population in the Kansas City metropolitan area (spanning the Missouri-Kansas border), yielding responses from 2,329 drivers (for a full description of our survey methodology, see the methodological appendix in Epp, Maynard-Moody, and Haider-Markel 2014). We followed up the survey with in-depth interviews of a systematic subsample of drivers who reported being stopped; the interviews gathered stories of these stops in drivers' own words and thus provided narrative data that reveal how police stops are carried out from start to finish.

Evidence of the Discriminatory Effects of Investigatory Stops

Our analysis rests on empirically distinguishing investigatory vehicle stops from other stops. Our measure of investigatory stops is based on drivers' responses to a survey question about the justification the officer gave for the stop upon approaching the driver. We classified investigatory stops as those in which the officer provided a de minimis justification for making the stop (e.g., driving two miles per hour over the posted limit) or provided no justification. All other stops we classify as traffic safety stops. These include, for example, stops made speeding (at seven or more miles over the limit), driving through a red light or stop sign, reckless driving, and suspicion of driving under the influence. (For a more detailed discussion of how we distinguished de minimis from other justifications, see Epp,

> Maynard-Moody, and Haider-Markel 2014, 59-64.)

Racial Disparities in Who Is Stopped and Searched

Our basic observation is that racial disparities are concentrated in investigatory stops. When the police are enforcing traffic safety laws, such as stopping drivers for speeding at seven or more miles per hour over the limit

Whatever the psychological and cultural sources of racial disparities are in police stops, these forces do not express themselves in traffic safety enforcement, the most common street-level activity of police officers.

or running a red light, they are *not* significantly more likely to stop black drivers (Epp, Maynard-Moody, and Haider-Markel 2014, 64–66). Whatever the psychological and cultural sources of racial disparities are in police stops, these forces do not express themselves in traffic safety enforcement, the most common street-level activity of police officers.

When the police are carrying out investigatory stops, they are significantly more likely to stop black drivers. Controlling for a wide range of alternative explanations, African Americans were 2.7 times more likely than whites to experience an investigatory stop (see

Epp, Maynard-Moody, and Haider-Markel 2014, 65, table 3.1). Simply put, investigatory stops of vehicles especially target minority communities and people of color. Most whites, at least those over age 25, never experience this form of police stop (176). Put another way, in speeding stops, the most important influence on who is stopped is how fast you drive. In investigatory stops, the most important influence on who is stopped is not what you do but who you are: young black men are by far the most likely to be stopped.

These observations are based on multivariate logistic regression models that control for every conceivably significant alternative explanation for who is stopped: the driver's age, gender, and other demographic characteristics; how much time the driver spends driving; the vehicle's make, model, year, and other characteristics; the location of the stop; and so forth.

Likewise, inquisitive intrusions, for example, invasive questioning and searches, are not randomly scattered across all types of stops. They are concentrated in investigatory stops, and officers are much more likely to pursue these intrusions of African Americans than whites. Our data reveal that among drivers stopped for excessive speeding, African Americans are *not* significantly more likely to be questioned or searched. Intrusive questions and searches are concentrated in investigatory stops, and in these stops, African Americans are more than *five times* more likely than whites to be searched (Epp, Maynard-Moody, and Haider-Markel 2014, 81–84, 103–5). This disparity in searches occurs even though officers are considerably less likely to discover contraband or weapons in searches of African Americans than whites (105).

Harms to the Individuals Who Are Stopped

Our analysis revealed as well that these two types of stops have profoundly different psychological and social consequences for individuals and communities. The consequences of investigatory stops are especially harmful, akin to the costs to individual, family, and community caused by racial discrimination, as described by Feagin and McKinney (2002). Our data show that while white drivers' experience of predictable, reasonable traffic safety stops contributes to their perception of their equal status in a rule-governed democracy, African Americans' common experience of investigatory stops contributes to their perception that they are *not* regarded by the police as full and equal members of society (Epp, Maynard-Moody, and Haider-Markel 2014, 134–51). Investigatory stops, we find, are significantly more likely to foster the perception that the police are "out to get people like me," and they render people significantly more likely to carefully select the clothes they wear and avoid driving in

some areas for fear of how the police might treat them (145–46). For example, *two-thirds* of African American men under age 30 (compared with 40 percent of white men this age) say they avoid driving in some areas of the city for fear of how the police may treat them. Even for those ages 40 to 49, nearly *half* of African Americans of both sexes,

Investigatory stops—but not

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compared with 17 percent of white men and 8 percent of white women, say they avoid some areas for fear of the police. Stunningly, our data show that investigatory stops—but not traffic safety stops—even make people less comfortable with calling the police for help. (An earlier study observed this effect for police stops in general but, unlike our study, was not

able to distinguish the effects of traffic safety and investigatory stops; see Gibson et al. 2010). These are deep psychological costs. They contribute to the ongoing recreation of racial segregation.

Another cost of investigatory stops is deep, palpable fear of the police. Investigatory stops, our data demonstrate, sometimes produce dramatic escalations of tension between the officer and the person stopped (Epp, Maynard-Moody, and Haider-Markel 2014, 74-92). These tensions reflect the fact that people who are subjected to intrusive investigations on the pretext of a minor violation, such as a burned-out taillight, think that this is unfair and unjust, and they fear what the officer may do next. Thus, if an officer can handcuff you and search your car when all you did was forget to fix that little light, what is to stop him from doing far worse? Where is this stop heading? People subjected to these stops told us of feeling deeply fearful and resentful, of feeling "violated" (1). Police officers, too, recognize that the people who are stopped and searched under these circumstances are resentful and tense, and so officers are also tense and ready to act forcefully to keep control of the interaction. Our interviews reveal that both police officers and African Americans who experience investigatory stops realize that escalations are possible and try hard to avoid it.

Sometimes tensions escalate, however, confirming African American drivers' fear that these stops may spiral out of control into violence. Billy, a black man, told us he once asked an officer, "Why are you stopping me, because I'm a poor man in a ragged car?" Billy said the officer responded by yelling, "Show me your hands, show me your hands." "He had his pistol pulled out," Billy said, "and I didn't even turn my head, but I could see it out of the peripheral vision of my eye, its barrel, and he pointed it right at my head, you know. That was pretty frightening" (Epp, Maynard-Moody, and Haider-Markel 2014, 90–91). Even when the driver is let go from such an experience with no physical harm, psychological pain endures.

Sometimes these inevitable tensions escalate to violence. In fact, several of the most controversial police shootings since that of Michael Brown in Ferguson, Missouri, have occurred in precisely such a context. These include the shootings of Walter Scott in North Charleston, South Carolina; Samuel DuBose in Cincinnati, Ohio; and Philando Castile in Minnesota, which occurred in vehicle stops that bear all of the markings of investigatory stops and in which tensions between the officer and the driver escalated (Apuzzo and Williams 2015; Pérez-Peña 2015; Stahl 2016). The arrest of Sandra Bland, who died in a Texas jail, likewise was made in the midst of escalating tensions in such a stop (Lai et al. 2015).

Harms to Community and Society

The costs of investigatory stops include social and community costs (Feagin and McKinney 2002). We have already noted how investigatory stops contribute to the ongoing racial segregation of our urban areas. Another key cost is to the police themselves: our data reveal that investigatory stops powerfully erode trust in the police among the people subjected to these stops. We measured trust in the police with a range of standard questions concerning this trust as well as questions unique to our survey. We combined these questions into an index of trust in the police ($\alpha = .91$). Our data reveal that the experience of an investigatory stop significantly erodes trust in the police; in fact, the experience of such a stop erodes trust as much as being stopped by an officer acting with extreme rudeness and disrespect (put more technically, the effect of an investigatory stop is as great as experiencing an average stop carried out by an officer in the top 25th percentile on our scale of officer rudeness) (Epp, Maynard-Moody, and Haider-Markel 2014, 143-44). The experience of a traffic safety stop, by contrast, has no significant effect on trust in the police. This contrast is consistent with our thesis that the investigatory stop is a distinct practice with distinct, deleterious effects, including the loss of legitimacy of the police themselves. This erosion in trust in the police surely is part of the explanation for the current crisis in policing.

One other social effect deserves brief mention. Our data suggest that the investigatory stop shapes people's perceptions of race and racial identities. "Race," of course, is a cultural construction (see, e.g., American Anthropological Association 1998)—and it is also increasingly clear that some government policies and practices contribute to racial divisions and identities (Gomez 2010). We find that the experience of an investigatory stop among African Americans is significantly associated with an increase in people's identification with, and loyalty to, African Americans as a group. Strikingly, we find that the experience of an investigatory stop has the opposite effect among whites, reducing their identification with the white race. These results remain statistically significant when controlling for a wide range of known influences on racial identification. The effects of investigatory stops on racial identification are consistent with a growing body of evidence (see, e.g., Lerman and Weaver 2014) that the experience of intrusive police stops is a defining element of what is called a sense of "linked fate" among African Americans, or the belief that being black in American society is a powerful source of shared experiences of discrimination and solidarity (Dawson 1994).

Discussion

Investigatory stops are an institutionally supported practice that causes harm both to the people who are stopped and to police legitimacy. This practice sacrifices the liberty and dignity of large numbers of innocent people who are disproportionately racial minorities in pursuit of a small number who are dangerous or carrying contraband (Harcourt 2007). The innocent victims of this practice rightly feel that their status as free and equal members of society has been diminished, and they resent this implication and the police for enforcing this message. The victims of this practice have learned from their experiences to distrust the police. Many now are demanding fundamental police reforms.

Leaders of professional policing occasionally have acknowledged these deeper truths and recognize how investigatory stops contribute to the crisis they face. Thus, two police leaders (Milazzo and Hansen 1999) observed,

Despite the constitutionality of the practice [of investigatory stops], motorists understand that they are being stopped for a different reason than the one provided and are angered by the inference needed to make the stop. The resulting anger could escalate hostility and risk greater physical danger for both the officer and motorist. The anger continues after the stop and is shared within the motorist's peer group. As more anecdotal stories circulate about such stops, the long-term effect on race relations must be balanced against the short-term effect on drug enforcement. Police managers may legitimately weigh race relations as more important than the potential arrest of a drug user or street level dealer.

The Police Executives Research Forum (PERF) similarly has acknowledged the harms caused by investigatory stops. A PERFpublished report on racially biased policing urged departments to train officers away from using race as a key factor in deciding whom to stop and search. Yet the report also acknowledged that the "conventional police strategy," that "numerous stops, searches, citations, and arrests will yield reductions in crime, disorder and accidents," is itself a key source of racial disparities in stops (Fridell et al. 2001, 93). The report concluded, "oftentimes, intensive criminal and traffic enforcement falls short of the desired effects, and instead, only worsens the relationship between police and the minority community" (93).

These observations, made more than 15 years ago, now seem prescient. In the brief time since the police shooting of Michael Brown in Ferguson, a broad movement for police reform has revealed how little many members of our society trust that the police are engaged in fair and impartial law enforcement. This perception is not simply a legacy of the past. Our data demonstrate that investigatory police stops contribute to it daily: investigatory stops fuel distrust in the police.

The problem, put simply, is not only the occasional errant, racist officer who violates police policy and training but the "best practice" of investigatory stops itself. This practice is deeply institutionalized in contemporary policing. The police have not acted alone in developing this policy, however. Support for the so-called war on crime is long-standing and shared across the political spectrum (Simon 2007). Americans ask our police departments to reduce crime. Professional policing responded by developing "proactive" crime-fighting tactics, chief among them the investigatory stop. To those favoring investigatory stops, the experience of such a stop seems a minor inconvenience for the innocent, a fair price to pay for getting drugs and guns off the streets.

The evidence that investigatory stops help fight crime is surprisingly weak. Although an old study suggested that investigatory stops might help reduce crime (Sherman and Rogan 1995; Sherman, Shaw, and Rogan 1995), more recent studies conclude that there is no clear evidence that investigatory stops help reduce crime (see, e.g., Cohen and Ludwig 2003; Koper and Mayo-Wilson 2006; McGarrell et al. 2001; Zimring 2011). Supporters of investigatory stops seem unaware of this fact.

Nor do they recognize the considerable costs of investigatory stops to individual dignity, the community and police-community relations. Scattershot investigatory stops, even if ostensibly focused on those who look suspicious, mainly target innocent community residents for highly invasive intrusions. Many people who experience these stops describe them as akin to "incarcerations." Like people everywhere, they appreciate police protection, but they also value fair treatment and freedom from arbitrary intrusion: they, like everyone, resent being treated like criminals. Stopped in this way, people begin to avoid driving in some areas for fear of how the police may treat them; they begin to fear calling the police for help and therefore decrease the likelihood of cooperation with police. Investigatory stops thus erode individuals' basic liberties and dignity. These harms extend to the police and society itself. Investigatory stops erode the trust in police so necessary for police legitimacy. They also diminish community empowerment (Rosenbaum 2006) and what Robert Sampson and Stephen Raudenbush (1999) call "collective efficacy," the fundamental community social asset that helps to reduce crime. Investigatory stops may yield some seizures of drugs and guns and a few arrests of criminals, but the long-term cost in the erosion of trust between the police and community reduces the ability of the police and residents to prevent and solve crime over the longer term.

Consider the social and community costs of erosion in the willingness of people to call the police for help, one of the effects of experiencing an investigatory police stop. What options are open to somebody who has been the victim of a crime but who distrusts the police and so is unwilling to call them for help? Such a person may decide to do nothing and simply try to go on with life as best he (or she) can after the crime. Or he may decide to take matters into his own hands and seek retribution (Gibson et al. 2010). Both represent fundamental violations of the equal protection of the law. They also

contribute to *more* crime, further erosion of lawful norms, and continuing degradation of the quality of life in some communities. In these ways, investigatory police stops are deeply counterproductive.

Investigatory police stops are deeply counterproductive.

What, then, is to be done? Ending investigatory stops, except when compellingly justified by clear and particular cause, would contribute directly to improved police-community relations. The leading approaches to police reform in the wake of Ferguson, as we noted earlier, focus on better training and control of individual officers, especially training to improve officer respectfulness. Our data confirm that drivers evaluate stops more positively the more the officer is polite and respectful. But our data also demonstrate that this is hardly enough. African American drivers commonly experience investigatory stops and resent the practice; our data show that they evaluate these stops more negatively than traffic safety stops no matter how polite and respectful is the officer. In fact, among these drivers the corrosive effect of an investigatory stop (compared with a traffic safety stop) on a driver's evaluation of the stop is as substantial as the effect of being stopped by an officer whose behavior is at the 25th percentile (compared with the 75th percentile) on our scale of officer politeness/impoliteness (Epp, Maynard-Moody, and Haider-Markel 2014, 129-33). Put simply, investigatory stops are as poisonous to drivers' evaluations of the stop as being

stopped by a deeply rude and disrespectful officer. Strikingly, African Americans who experience a traffic safety stop by a polite officer evaluate the experience no differently than a white driver in a similar stop. The larger lesson is clear: to improve African Americans' perceptions of the police, rein in the practice of investigatory stops.

Steps in this direction would include requiring officers to record and report the race, gender, and age of all persons stopped, including stops in which no warning or citation is issued. Currently, many investigatory stops are not recorded. This lack of reporting limits the capacity of command-level officers to monitor the actions of their officers and look for patterns of racial disparity. It also limits oversight by city managers and elected officials. Additionally, surveys of city residents regarding satisfaction with police services should include questions about experiences in police stops, including stops for minor violations.

Conclusion

When confronted with new evidence of racial disparities in police stops, most discussions turn, yet again, to denials that it is a widespread problem or claims that it is the product of a few bad apples. In fact, as our research demonstrates, the unjust disparities in police stops are widespread and the result of deeply institutionalized practices that are supported by law and policy and refined and engrained by training and socialization. Although formally color blind, investigatory stops encourage the expression of powerful, deeply ingrained negative stereotypes of black and brown Americans. This police practice thus actively recreates our society's racial divide. It reconstructs the meaning of rights, citizenship, and race in contemporary America, contributing to racial inequality rather than equality (Ward and Rivera 2014).

Reforming investigatory stops will not be easy. The practice is viewed by many in policing not as a problem but as a good thing. In many places, doing investigatory stops is part of what it means to be a good

cop. Still, although institutionalized practices resist change they are not unchangeable. If the professional leaders of our cities and police departments are willing to learn about the immense costs of the investigatory stop practice, and are willing to confront the fact that it is this practice, and not only the actions of a few bad apples, that has so eroded public support for the police, then the door may open to real institutional reform. Police agencies should replace this "scattershot, stop-lots-of-people-in-the hope-of-catching-a-few" practice (Forman and Stutz 2012) with police—community collaboration. The leadership of American policing should recognize that widespread investigatory stops are counterproductive and morally repugnant. They should define this institutionalized practice as unprofessional and train and evaluate officers in alternative, community-based approaches.

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Note

1. For each of these questions, we allowed drivers to select more than one of the standard ethnoracial categories. Virtually all drivers selected one primary racial category, and there was extremely little difference between drivers' selfidentification and their estimate of another person's first impression of their racial identity. In the present analysis, we use the self-identification measure.

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Chris Clubine <chris.clubine@como.gov>

FW: Bias-free/Racial Profiling Policy Reform

Don Love <dmaclove1@gmail.com>

Tue, Sep 19, 2017 at 10:31 AM

To: kacy.hall@como.gov, kptowne@gmail.com, rmille2000@yahoo.com, namdhf@mail.missouri.edu, warren44sapp@gmail.com, chris.clubine@como.gov, ward6@como.gov, brian.adkisson@como.gov

From: Don Love [mailto:dmaclove1@gmail.com] Sent: Tuesday, September 19, 2017 10:27 AM

To: 'City of Columbia Mayor' <mayor@como.gov>; 'Heather Cole' <heather.cole@como.gov>; lan Thomas <ward4@como.gov>; Matt Pitzer <ward5@como.gov>; Matthes, Mike <cmo@como.gov>; Michael Trapp

<ward2@como.gov>; Peters, Betsy <ward6@como.gov>; Rose Wibbenmeyer <rose.wibbenmeyer@como.gov>; Ruffin Clyde <Ward1@como.gov>; Skala, Karl <ward3@como.gov>; 'Steven Sapp' <steven.sapp@como.gov>; 'Ken Burton'

<ken.burton@como.gov>

Cc: 'mary ratliff' <maryratliff40@yahoo.com>; Wilson-Kleekamp, Traci <tracilizzette@gmail.com>; dsmith.cprb <dsmith.cprb@gmail.com>; DanViets@gmail.com; Oxford, Jeanette Mott: Jeanette@empowermissouri.org <jeanette@empowermissouri.org>; 'Reed, Katherine' <reedkath@missouri.edu>

Subject: Bias-free/Racial Profiling Policy Reform

Chief Ken Burton called me last week to say that he saw no reason not to adopt a policy on bias-free policing along the lines suggested by Lorie Fridell. I think this is a significant step forward.

Fridell's policy and her explanation of it in Producing Bias-Free Policing boils down to saying officers must act on facts about the individual, which is the essence of good policing.

In the context of concerns about the possibility of officers being influenced by our history of racial subjugation, this means officers learn to ignore stereotypes by disciplining themselves to look for facts clearly independent of race and acting only if they find probable cause or, in cases in which they are permitted more discretion, compelling indications of criminal behavior.

Since Chief Burton has decided to go in this direction, I suggest:

- 1. Interested stakeholders (CPD, CPOA, NAACP, RMF, MOCLA, Columbia officials and staff, CPRB, and so on) gather to plan a process to study policy options and reach a consensus on what will work best in Columbia.
- 2. As part of this process, the stakeholders plan a public meeting at which some knowledgeable person can explain policy options, a panel of stakeholders responds, and members of the public have opportunities to comment and ask questions. Chief Burton says the end of November would be a good time for him to participate. Katherine Reed, Missourian, has offered to make J School resources available.
- 3. Perhaps CPRB would be a good entity to draft a policy based on input from stakeholders. City Council could make the final draft official.

Just a suggestion. But let's seize this opportunity to achieve a consensus on how to win more respect and cooperation for officers and to ensure that all individuals are treated fairly.

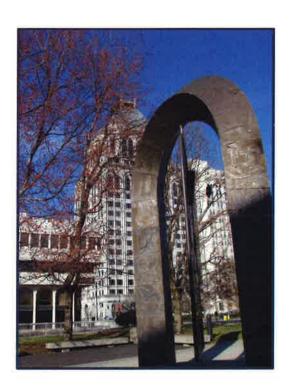
10/5/2017

Don Love

Cell 573 230 6446

Akers 573 858 3347

Analysis of Traffic Stop and Search Data



Greensboro Police Department

With contributions by:

Dr. Eleazer Hunt

Dr. Karen Jackson

Dr. Jan Rychtar

Dr. Rahul Singh

Foreword

This report examines statistical data regarding racial disparities in traffic stops and searches within the City of Greensboro. It is the culmination of several years' worth of research by the Greensboro Police Department (GPD) and academic researchers.

GPD does not contest the fact that the data shows racial disparities with respect to traffic stops and searches. Data from Greensboro and across the nation shows that black motorists are more frequently pulled over and searched than white motorists. Recently, some researchers, reporters, and members of the public have asserted that these disparities are due to racial bias by the police. This explanation must be contextualized, however, because of the many alternative, nuanced, and complicated factors that contribute to these statistics.

This report discusses research that has examined racial disparities in traffic stops and searches, here and elsewhere, and the complexities of trying to determine the underlying causes of these disparities. By reviewing existing research, we know that these disparities — and the challenges associated with them — are neither new nor unique to Greensboro.

This report also examines the many factors that contribute to how, when, why, and where traffic stops and subsequent searches occur in Greensboro. By describing policing methods, we hope to provide a better understanding of who is likely to be affected by them and why. GPD is striving to continue the work that needs to be done to ensure that the public is treated fairly, and that the work of the Police Department is better understood, in order to build safer communities.

Differences and limitations in data collection are also factors discussed in this report. The report identifies and discusses data collection issues and their impact on the ability to analyze traffic stop and search data.

Finally, this report describes actions GPD is taking regarding traffic stops and searches. There is no single "fix" for the issues underlying racial disparities in traffic stops or searches. It is a complex phenomenon that deserves thoughtful solutions.

There is more work to be done in Greensboro, throughout the state, and across the country. We hope that this report provides data that will assist in furthering the important dialogue on this topic, result in change that benefits Greensboro and its citizens, and serve as a model for other communities to better understand and address similar issues.

Acknowledgements

This report draws upon the work of a number of individuals and institutions, identified in the References section at the end of the report. The agency appreciates the work of the outside researchers who prepared reports that are appended to this report:

- Dr. Karen Jackson, Adjunct Faculty in the Department of Leadership Studies, North Carolina
 Agricultural and Technical State University. Dr. Jackson met with the project team numerous
 times to discuss the data and analytical methods. Several of the meetings included additional
 faculty from the Department of Leadership Studies, including Professor Okpala, Professor Toms,
 and Professor Ross Baber. These individuals contributed input and ideas that guided the
 direction of the research.
- Dr. Jan Rychtar, Associate Professor in the Department of Mathematics and Statistics, University
 of North Carolina at Greensboro. Dr. Rychtar and an undergraduate research assistant, Jay Saini,
 met with the research team several times to discuss the research methodology.
- Dr. Rahul Singh, Associate Professor in the Bryan School of Business and Economics at UNCG and a graduate assistant, Amir Najafi, provided additional analysis into the topic of traffic stops and data.

The statistical analysis and impartial points of view contributed by Dr. Jackson, Dr. Rychtar, Dr. Singh, Jay Saini, and Amir Najafi greatly contributed to the research.

The agency also appreciates the work of Professor Frank R. Baumgartner, Professor of Political Science, and his colleagues at the University of North Carolina at Chapel Hill. Although this report highlights some issues with the data set used by Prof. Baumgartner, and disagrees with some of his conclusions, it is important to acknowledge that his work in this area has informed this report and has contributed to the discussion of racial disparities in traffic stops and searches in Greensboro and across the state. Dr. Deborah Lamm Weisel, of North Carolina Central University, has also analyzed relevant data and made a helpful contribution to the discussions in North Carolina. Her work is also discussed in this report.

Members of the Crime Analysis Unit within the Greensboro Police Department provided significant resources in completing this project. Numerous individuals within the Greensboro Police Department and several other police agencies across the state provided information, ideas, and context related to traffic stops. Within GPD, members of the Training Academy, Traffic Unit, and Patrol Training Officers provided information related to traffic stops. The North Carolina Department of Justice provided clarification regarding the traffic stop data it maintains.

Finally, Dr. Eleazer Hunt, Manager of Information Services for the Greensboro Police Department and Adjunct Faculty in the Department of Geography at UNCG identified the research protocol, directed project activities, and organized the outside researchers and the writing of the report.

Executive Summary

This report examines the statistical data regarding racial disparities in traffic stops and searches in the City of Greensboro. It is the culmination of several years' worth of research by the Greensboro Police Department (GPD). It also includes recent perspectives from academic researchers contracted by the department to analyze traffic stop and search data.

GPD does not contest the fact that the data shows racial disparities with respect to traffic stops and searches. Data from Greensboro and across the nation shows that black motorists are more frequently pulled over and searched than white motorists. Recently, some researchers, reporters, and members of the public have asserted that these disparities are due to racial bias by the police. This explanation must be contextualized, however, because of the many factors that contribute to these statistics.

Researchers who have studied this topic for decades have consistently found inconclusive evidence of institutional or individual racism as the reason for the racial disparity in traffic stops and searches. Many factors – besides the race or ethnicity of the driver – are involved in the decision to stop a vehicle, and these factors must be accounted for in any analysis of traffic stops. Ultimately, the data that is currently collected by local and state entities is not sufficient to prove that racial bias is a reason why GPD officers stop and search vehicles. This is true of the data that the State of North Carolina and the City of Greensboro collect.

To assist the Greensboro Police Department in analyzing this issue, researchers from the North Carolina Agricultural and Technical State University (NC A&T) and the University of North Carolina at Greensboro (UNCG) were contracted to analyze data supplied by the North Carolina Department of Justice and data maintained by the Greensboro Police Department. UNCG replicated analyses from previous studies and conducted statistical analyses using a methodology designed to test bias with traffic stops. NC A&T conducted exploratory and descriptive analyses of traffic stop records and traffic stops associated with census block groups. In addition, GPD's Crime Analysis Unit examined the Department's traffic stop data reporting procedures, identified issues in data collection, and conducted a detailed analysis of the Department's traffic stop and search data.

The research conducted by the researchers at NC A&T, UNCG, and the GPD Crime Analysis Unit finds no evidence supporting the claim that the disparities observed in the City of Greensboro are the result of racism. The findings of the research are:

- For traffic stops of black and white drivers, black drivers make up 55% of stops, and whites comprise 45% of stops.
- Following a traffic stop, black drivers were slightly more than twice as likely (102%) to be searched as white drivers.
- Following a search during a traffic stop, white drivers were 9% more likely to have contraband found than black drivers.
- There is a geographic correlation (or association) between the number of traffic stops and concentrations of quality of life crimes.

- Despite the observed disparities in traffic stops and searches, institutional or individual bias cannot be identified in the data.
- Limitations in the accuracy and uniformity of data collected impede the use of some analytical methodologies on the existing traffic stop and search data, which impacts the conclusions that can be made. These limitations occur at both the state and local levels.

Some of the data limitations arise at the local level. For example, the Traffic Data Module used by GPD officers to complete traffic stop reports does not allow officers to record all of the necessary details about why a stop occurred, what transpired during the stop, why a search occurred, and the outcome of the stop. There has also been inconsistent training in how to utilize the Traffic Data Module to complete a report. At the state level, this research has identified a number of data processing errors that occur when the North Carolina Department of Justice (NC-DOJ) collects data generated locally. As a result, there are a number of errors in the data provided by NC-DOJ to the public and researchers, which can affect the results of analyses of that data.

How and where policing efforts are conducted in Greensboro depends on a number of circumstances, including: where officers are needed to respond to citizens' calls for service; localized and broader crime trends; the use of proactive efforts to reduce crime and/or identify offenders in the community; and efforts to address citizens' concerns about quality of life issues. Due in large part to these factors and associated social issues, a direct correlation between bias and enforcement actions cannot be made.

An officer's decision to conduct a traffic stop is based on a number of factors, such as: responding to neighborhood complaints of speeding; criminal alerts; observed driving behaviors; and observed vehicle condition. Using various methodologies, the research discussed in this report did not identify a pattern of bias in traffic stops by GPD officers.

Members of the Greensboro Police Department recognize that the existence of racial disparities in traffic stops and searches is an important issue. There is no simple solution to ending the disparity, because there are no simple and discrete causes of the disparity. Understanding that, GPD has taken a holistic approach to addressing traffic stops and searches, in order to best serve the public. These actions include:

- Revising policies and carefully monitoring the effects of these policies through data collection and other methods. The policies that GPD will be implementing in the coming months include:
 - o Requiring the completion of a traffic stop report for all traffic stops.
 - Documenting a person's consent to search through either body-worn cameras or a
 Consent to Search Form, including reporting the reasons for seeking consent to search.
 - Additionally, GPD will continue for the time being to operate under the Special Order issued by Chief Scott in November, 2015, temporarily suspending patrol officers from conducting traffic stops based solely on vehicle equipment infractions.
- Continuing to implement Neighborhood Oriented Policing (NOP), which combines a philosophy
 of problem-solving with geographic ownership of defined areas. NOP affects when and where

- traffic stops are conducted by better focusing enforcement actions on areas where crimes are occurring and where key community stakeholders want a police presence.
- Enhancing training related to searches during a traffic stop, in order to address data limitations in the report process.
- Enhancing training on how to complete a traffic stop report, and the tools to recognize and mitigate implicit bias.
- Increasing transparency in our operations so residents can know when and where traffic safety or crime reduction campaigns will be occurring and the reason for the efforts.
- Making crime data more accessible to the public.
- Improving the data in order to better assess the disparity in traffic stops, discern bias, and provide greater transparency of police operations.
- Continuing the work associated with this research, including:
 - leading a regional effort to review state statutes and processes related to traffic stops and searches in order to recommend appropriate legislative changes
 - o looking for funding for further research
 - o creating portals for public access to data

There is no single "fix" for the issues underlying racial disparities in traffic stops or searches. Law enforcement, government leaders, community stakeholders, judicial representatives, and others have much work ahead of them in order to fully understand and address the issue. We hope that this report will further the dialogue on this topic, result in change that benefits Greensboro and its citizens, and serve as a model for other communities to better understand and address similar issues.

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Section I: Background on the Issue of Racial Disparities in Traffic Stops and Searches

The issue of racial profiling in traffic stops has been discussed for at least twenty five years (Fridell, 2001; 2004), and has often been tied to the "War on Drugs" (Tillyer, Engel, Wooldredge, 2008), which in turn has often been associated with minority and ethnic communities. This relationship has contributed to a belief from many within minority and ethnic communities that law enforcement is targeting those communities due to a perceived association with narcotics. These issues are sometimes described as "driving while black."

The national dialogue about traffic stops and racial profiling has resulted in several states passing laws requiring the collection of traffic stop data. In 1999, North Carolina was the first state to establish a law requiring the collection of information related to traffic stops — General Statute § 1438-903, *Collection of traffic law enforcement statistics* (Appendix A). Since 2002, most law enforcement agencies in North Carolina have submitted traffic stop data to the state. The collected data is available to the public via the NC–DOJ website, http://trafficstops.ncdoj.gov/Default.aspx.

Various groups have contributed to this dialogue. In 2009, the American Bar Association promoted the exploration of racial bias within the criminal justice system (law enforcement, courts, and prison/probation). The North Carolina Advocates for Justice (NCAJ) formed a Task Force on Racial and Ethnic Bias in 2010. It has produced several reports and position papers.

In February 2012, a report was submitted to the NCAJ Task Force on Racial and Ethnic Bias. The report, authored by Baumgartner and Epp (2012), focused on traffic stop data held by the North Carolina State Bureau of Investigation and provided various statistical analyses of the data. This data showed ratio differences of traffic stops, searches, and seized contraband by race, ethnicity, and gender. This was one of the first reports to conduct a statewide analysis of traffic stop data. Since the 2012 report, Baumgartner and various coauthors have published a series of reports on the topic of traffic stops in North Carolina. The reports and other resources related to traffic stops can be found at: http://www.unc.edu/~fbaum/traffic.htm.

In May 2014, the American Civil Liberties Union of North Carolina (ACLU-NC) released a report entitled *Road Work Ahead*. The report focused on data collection as a method to address possible bias in policing. The report provided an overview – historical, national, and state – of traffic stops and racial profiling. The report detailed the need for accurate data collection in order to develop sound conclusions and identify corrective actions. The report identified three areas that are needed to achieve the collection of better data: reporting the location of the stop; using a statewide unique identification number for each law enforcement officer; and training of law enforcement officers, via a standardized curriculum, on the importance of completing traffic stop reporting forms and collecting accurate data (American Civil Liberties Union of North Carolina, 2014).

The 2012 Baumgartner and Epp report did not go unnoticed by North Carolina law enforcement. Several agencies began evaluating and researching the data. In 2014, the North Carolina Association of Chiefs of Police and North Carolina Sheriff's Association contracted with Dr. Deborah Lamm Weisel, from North

Carolina Central University, to conduct a review and analysis of racial and ethnic disparities in North Carolina traffic stop data.

In 2011, GPD formed a committee to look into the issue of bias-based policing. In early 2013, GPD began an initial review of traffic stop data. This work focused on geographic patterns of traffic stops, police divisions within GPD, and completion rates (stops called in over the radio to traffic stop reports). The review was not finalized into a report at that time for several reasons. First, a shortage of analytical staff required secondary and tertiary projects to be suspended. Second, new crime analysis software was acquired and staff were dedicated to implementation and training. Third, a geographic digital warehouse was implemented, which consumed a significant amount of staff time. The warehouse provides geo-spatial analysis and increased accuracy and resolution of data. Fourth, analytical staff was involved in two large projects associated with Neighborhood Oriented Policing – patrol staffing analysis and geographic redistricting of patrol divisions.

In March 2015, Baumgartner and his colleagues released a report entitled: *Analysis of Black-White Differences in Traffic Stop and Searches in Greensboro, NC, 2002-2013.* In June 2015, Baumgartner and his colleagues released a report entitled: *Driving While Black: It's Getting Worse.* The first report examined data that GPD reported to the state. No conclusion or discussion of the data or interpretation was given; the report was simply a descriptive analysis of the data. The second report framed traffic stops within the existing national dialogue, provided historical context, discussed the US DOJ report on Ferguson, and presented updated analysis of North Carolina traffic stop data. The updated analysis of traffic stops took into account criticisms in the methodology used in prior reports (see Weisel, 2014).

Other Research

There is a substantial body of research related to traffic stops by law enforcement. Researchers have worked on this topic for more than twenty years and have produced a large set of results, analysis, and recommendations. Several best practices guides have been developed during this period. This report draws upon several of these guides to help understand the topic, guide the analysis, and form recommendations. The resources used include:

Fridell, Lorie, Robert Lunney, Drew Diamond, and Bruce Kubu (2001). *Racially Biased Policing: A Principled Response*. Washington, D.C.: Police Executive Research Forum

Fridell, Lorie (2004). By the Numbers: a guide for analyzing race data from vehicle stops. Washington, D.C.: Police Executive Research Forum.

Fridell, Lorie (2005). *Understanding Race Data from Vehicle Stops: A Stakeholder's Guide*. Washington, D.C.: Police Executive Research Forum.

McMahon, Joyce, Garner, Joel, Davis, Ronald and Kraus, Amanda (2002). *How to Correctly Collect and Analyze Racial Profiling Data: Your Reputation Depends On It!*. Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services.

Ridgeway, Greg. & Rand Center on Quality Policing & Rand Corporation (2009). *Cincinnati Police Department traffic stops: applying RAND's framework to analyze racial disparities*. Santa Monica, CA: RAND, Center on Quality Policing,

http://www.rand.org/pubs/monographs/2009/RAND MG914.pdf

In addition to these primary resources, additional literature was reviewed to provide a thorough understanding of issues related to traffic stop analysis. A recent publication summarizing traffic stop analysis in North Carolina is:

Weisel, D.L. (2014). Racial and Ethnic Disparity in Traffic Stops in North Carolina, 2000-2011: Examining the Evidence.

Researchers, residents, stakeholders, and government officials who want to know more about the process of analyzing traffic stop and search data are encouraged to review these references.

Several key points are stated by Fridell (2005) and are, for the purposes of this research, worth emphasizing:

- Racially biased policing is defined as: "the inappropriate consideration by law enforcement of race or ethnicity in deciding with whom and how to intervene in an enforcement capacity."
- Social science research and the methodology used have been thought by some to provide a
 conclusive determination of the existence of biased policing. This is an inappropriate conclusion.
 Research has identified many problems and variables that need to be taken into account when
 examining this issue, and researchers have made recommendations on data requirements,
 statistical procedures, and analytical procedures. The ability to draw definitive conclusions from
 statistical data that biased policing exists is very limited.
- Simple statistical disparities do not provide an appropriate basis to conclude that bias in traffic stops exist. Community groups, stakeholders, and others are urged not to use simple ratio proportions of disparity as a form of proof of the existence of bias.
- It is important to understand the limitations to being able to conduct analysis and draw conclusions from data.
- Any efforts to address the issue of bias requires all stakeholders (residents, officials, community groups, law enforcement) to work together and cooperate for the best interest of everyone.
- The collection and analysis of information related to traffic stops forms the basis for dialogue and discussions between law enforcement and residents. Collecting this data...demonstrates a commitment to monitor and investigate the issue (2005).

The Issue Locally

National, state, and local research and reports show that black drivers are stopped more frequently than white drivers, even though blacks do not comprise the majority of the population in most states and cities. Between 2002 and 2013 in Greensboro, black drivers were stopped in 50% of traffic stops, while white drivers were stopped in 46% of traffic stops (Baumgartner, 2015). This disparity occurred despite blacks comprising 41% of the total population in Greensboro, and whites comprising 48% of the

population (US Census: http://quickfacts.census.gov/qfd/states/37/3728000.html). In other words, black drivers were stopped within the city more often than white drivers, even though Greensboro has a larger percentage of whites living in the city. Figure 1 illustrates the distribution of black and white populations in the city of Greensboro, based on the 2010 U.S. Census.

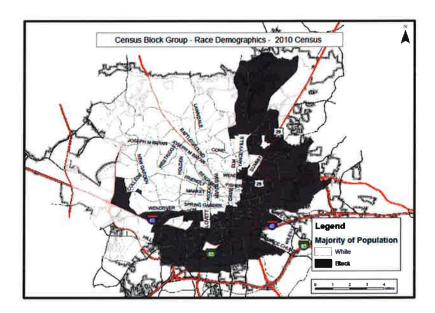


Figure 1: Census Block Group - Race Demographics - 2010 Census

A numerical disparity also exists with regards to searches. While less than 5% of traffic stops result in a search, blacks were searched within the city at slightly more than twice the rate (108%) of whites from 2002 to 2013. In all categories listed in the data set for a reason to stop a vehicle, save one (driving while impaired), blacks are searched within the city more than whites (Baumgartner, 2015).

GPD's leaders recognized the importance of better understanding this data. In mid-2013, members of the Crime Analysis Unit began gathering traffic stop data in order to analyze it. Their goal then, as remains today, was to determine underlying reasons for the disparity seen in the data. Due to the complexity of this effort, and the priority of transitioning GPD to Neighborhood Oriented Policing, which was itself a data-intensive task, this effort was not completed at that time.

The effort was renewed by Chief Scott upon his appointment in 2015. Baumgartner also published two more reports in 2015. At the same time, local print media interviewed police personnel and civic leaders on the topic and published several stories. Greensboro made national headlines when the New York Times published an article titled "The Disproportionate Risks of Driving While Black" on October 24, 2015. The article followed interviews with GPD staff and Chief Scott on August 12, 2015, and multiple requests for data and information. GPD willingly participated in the local and national media coverage in

order to provide reporters with an understanding of the complexities of police work and access to published cardinal works on the topic.

In an attempt to better understand the factors leading to traffic stops, Chief Scott issued a Special Order on November 10, 2015 temporarily suspending patrol officers from conducting traffic stops based solely on violations related to vehicle equipment infractions. In general, vehicle equipment infractions include those items normally checked during annual vehicle inspections. Instead, officers were to concentrate efforts on implementing Neighborhood Oriented Policing by increasing foot patrols in residential areas. Ninety days after the Special Order went into effect, the number of traffic stops and consent searches decreased; however, the disparity between black and white drivers remained for consent searches.

Despite the number of academic studies and media reports, the question still being asked locally and across the country is: why is there a disparity in traffic stops and searches? A sound answer has not yet been identified. A range of possible answers could include: officer bias, institutional bias, concentrations of crime and disorder, deployment patterns of police, the war on drugs, gang crackdowns, socioeconomic status, or the overall structure of the criminal justice system. Each of these possible answers is nuanced, complex, and requires detailed analysis and research.

Locally and across the nation, many people are quick to conclude that the explanation for the disparity is institutional bias or individual officer bias. The work of Baumgartner and numerous media stories have posited this position as the answer for the disparity. The Greensboro Police Department recognizes that some people, acting in good faith, view the disparity in traffic stops alone as some evidence of bias. GPD also recognizes that people are impacted when stopped by police. However, it is also important to recognize the difference between *disparity* and *discrimination*. Observed disparities may be the result of a wide range of factors, which does not necessarily include discrimination. All of these factors can interact with each other, making it difficult to pinpoint specific causes for the observed disparities.

Section II: The Challenges in Quantifying the Reasons for Traffic Stops and Searches

The traffic stop is probably the most common type of encounter people have with police. Nationwide, approximately 10% of all drivers are stopped by law enforcement at least once a year (Weisel 2014). Traffic stops are also one of the most frequent activities police officers perform. This interaction, more than many other police-citizen interactions, has come under increased scrutiny in recent years.

Although the vehicle stop is a fairly common occurrence, it is not routine. The officer must make several assessments and decisions before pulling over a vehicle and while engaging with the driver and any other occupants.

First, the officer must have a legitimate law enforcement reason for the stop. A stop may be initiated if an officer has probable cause or reasonable suspicion that a violation of motor vehicle law has occurred, or that criminal activity may be occurring. Probable cause and reasonable suspicion are two of the most important concepts in deciding if it is appropriate for police to stop a person for questioning, search for evidence, or make an arrest. Probable cause exists when facts or evidence are present that would lead a reasonable person to believe that a suspect has committed a crime. Reasonable suspicion is justification for an officer to stop and briefly detain a person if, based upon the officer's training and experience, there is reason to believe that the individual is engaging in criminal activity.

Second, after the traffic stop is initiated and the officer engages with the driver and other occupants, the officer has additional decisions to make based upon the information presented to him. This can include, but is not limited to:

- compliance with license, registration, and insurance requirements
- status of driver or passengers, e.g. warrants for arrest or missing persons reports
- evidence of criminal activity in plain view

Depending on these circumstances and many other variables, the officer may have reason to search the vehicle and/or its occupants. Searches of drivers, passengers, or vehicles occur in 5.2% of all traffic stops. (Appendix F contains a more detailed breakdown of traffic stop statistics.)

Finally, the officer must determine what course of action to take as a result of the vehicle stop. The three most common outcomes from a traffic stop are a verbal warning, a written warning, or a citation.

With all of these variables and possible outcomes, the biggest challenge in evaluating the data is determining whether there exists a cause-and-effect relationship between the race of a driver and the behavior of police when making the stop (Fridell, 2005). One approach to determining this relationship is the use of a "benchmark." As Fridell states:

In analyzing the data, researchers have attempted to develop comparison groups to produce a "benchmark" against which to measure their stop data. If an agency determines that, say, 25 percent of its vehicle stops are of racial/ethnic minorities, to what should this be compared? In other words, what percentage would indicate racially biased policing?

This is the question at the core of benchmarking. To determine an answer, researchers have compared the demographic profiles of people stopped by police to the demographic profiles of the residential population of the jurisdiction, to the demographic profiles of residents with a driver's license, and to the demographic profiles of people observed driving on jurisdiction roads—to name a few comparison groups. (2005)

The objective of benchmarking is to understand if there is a causal relationship between a characteristic of the driver (e.g., race, ethnicity, gender) and the decision by police to initiate a traffic stop. The most reliable benchmarks look to develop a profile of who should be stopped within a jurisdiction in the absence of any biased decision-making. Benchmarks vary in quality due to the quality of data and how well it represents the population being stopped. It is not as simple as determining the demographic makeup of the driving age population of a city, however. There are complicating factors, such as the fact that nonresidents may be stopped in the city, although they would not be included in the city's population. Thus, how well the data represents the population is related to knowing the driving and stop rates for nonresidents (commuters) who use jurisdiction roads, driving behaviors by various groups (e.g., racial, ethnic, gender, or age groups), and vehicle stops associated with increased police activity/operations.

To identify the existence of causal relationships, not only does the direct relationship of driver to stop need to be evaluated, but also the many other variables that can influence the decision to make a stop. An analysis of traffic stops can be undertaken using two approaches: a two-variable (bivariate) model and a multivariate model.

Bivariate Model



Figure 2: Bivariate Model (after Fridell 2004) Race or Ethnicity is the sole reason for conducting the traffic stop

A two-variable (bivariate) model is not sufficient to explain disparity in traffic stop data. Figure 2 illustrates this simple model: the race or ethnicity of a driver is the sole reason a vehicle is stopped by a police officer. This model assumes that there are no other variables that create the conditions for a traffic stop. It further assumes that within a given jurisdiction, drivers of different age, race, and sex are evenly distributed and stops should be proportional to the demographic makeup of the jurisdiction. This is referred to as the normative model (Engel, 2008). The bivariate model uses census data as a form of benchmark and compares profiles of drivers stopped to demographic profile of the jurisdiction. Using this kind of demographic proportional comparison, "...researchers can draw no definitive conclusions regarding racially biased policing" (Fridell, 2005).

Using the two-variable (bivariate) model to conclude that race is the primary factor for traffic stops is tenuous at best. The weakness in this approach can be shown by considering the gender of drivers and reaching a similar conclusion. Fridell states:

The reports of most jurisdictions regarding their police-citizen contact data state that men are stopped by police more than women. For instance, a jurisdiction may find that 65 percent of its vehicle stops by police are of male drivers and 35 percent are of female drivers. Does this indicate gender bias on the part of the police? It is unclear from these data, but most of us are disinclined to jump to that conclusion because factors other than police bias could account for the disproportionate stopping of male drivers. (2005)

In Greensboro, 60% of all traffic stops involve male drivers, although males comprise just 47% of the city's population. It is apparent that other explanations for why males are stopped more than females must be taken into account to explain the disparity in stops by gender. For example, males may drive more miles and spend more time on the road than females, thus increasing their chances of being stopped. Males may violate traffic laws at a higher rate than females. Males may drive in areas where greater concentrations of police are operating, and stopping rates are higher in these areas. Each of these alternative variables needs to be considered in any explanation of why males are stopped at higher rates. In the same way, many alternative variables beyond the race of the driver need to be considered in any explanation of why blacks are stopped at higher rates than whites in Greensboro.

Research has demonstrated other variables that can affect the rate of drivers stopped, such as driver age, proportion of the population that drives by demographic profile, driving behavior (e.g., aggressive driving or speeding), and maintenance of a vehicle to operate per state requirements. For example, younger drivers have been shown to speed more (Schmitt, 2002). Drivers near the poverty line may be more likely to have a vehicle that does not meet state requirements or less likely to have a valid driver's license or current registration. In Greensboro in 2013, 33% of blacks and 11% of whites were below the poverty line, which potentially increases the likelihood that a higher proportion of blacks have vehicles in violation of equipment or registration requirements (http://www.greensboro-nc.gov/modules/showdocument.aspx?documentid=26511). In 2014, the State of North Carolina combined the payment of the vehicle registration fee and local property taxes; both amounts are now due at the same time. It is possible that individuals near the poverty line are unable to afford registering their vehicles as an unintended result of this change, although more study of this question is needed.

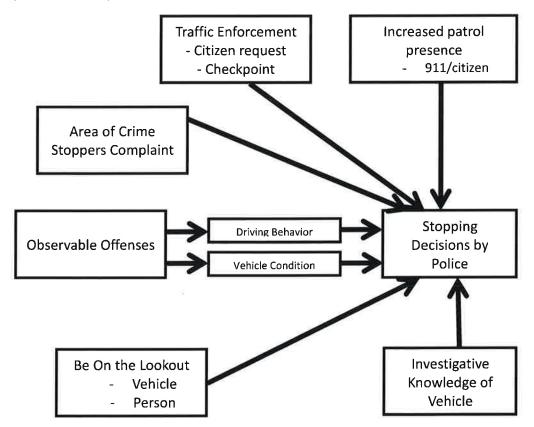
Multivariate Model

Figure 3 (opposite page) shows a different model, which incorporates several other variables that contribute to traffic stop decisions by police. This is known as the multivariate model. It is an alternative to the bivariate model, and GPD believes that the multivariate model more accurately reflects the many inputs into traffic stop decisions. These factors include: traffic enforcement, increased patrol presence in a geographic area, area of crime complaints, an alert to be on the lookout for a car or person, observable offenses, and investigative reasons. All of these counter the

normative approach, because each alternative increases police resources in specific areas of the city for short or long durations. For example:

- Speeding complaints by community members generate increased presence by traffic enforcement, patrol officers, and community resource officers in a given area.
- Alerts to be on the lookout for vehicles in specific areas of the city are a daily occurrence. These
 can be vehicles involved in a crime or that have been reported stolen. When a vehicle
 description is broadcast, officers will key on any vehicle matching the description until the alert
 is cancelled.
- Zones with increased calls for service through 911, crimes, or active crime patterns will receive additional policing resources. Additional patrol units, community resource officers, traffic officers, and vice/narcotics detectives may be deployed in these areas. The increased police presence in these areas will increase contacts with motorists.
- Crime Stoppers tips as to locations, persons, or vehicles are followed up by detectives and patrol
 officers.
- Investigations led by federal, state, and local law enforcement may provide advance knowledge of individuals in a vehicle or criminal activity associated with a vehicle.

The best practice guides indicate that all the alternatives must be reviewed and assessed, in the context of the multivariate model, before the bivariate model can be considered as an explanation for the statistical disparity in traffic stops. Even then, the bivariate model is, more often than not, insufficient as an explanation for disparities.



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Searches

There are two types of searches following a traffic stop: low discretion and high discretion. Low discretion searches are those when the officer has no choice under applicable policies/directives/laws but to conduct a search. Such searches include: searching the driver or passenger incident to arrest, a search of a vehicle after its seizure, or a pat down search to determine if weapons are accessible by a driver or passenger. Because low discretion searches are not based on an officer's evaluation of the facts or circumstances of a traffic stop, it is generally believed that they are not influenced by bias.

High discretion searches are those when the officer has latitude and is not required to conduct a search but, due to a variety of other factors, the officer determines a search is warranted. Just as there are various reasons for a traffic stop, there are also various factors that officers may consider when determining whether to conduct a search following a traffic stop. These include:

- Criminal history of the driver or other occupant
- Nervousness beyond what is expected for an interaction with police
- Sweating
- Evasiveness in answering questions, or providing false or conflicting information
- Inability to provide answers to simple questions
- No identification
- Driving someone else's car and cannot locate registration or paperwork for vehicle
- Impairment
- Excessively talkative or extremely quiet to the point of not answering questions
- Vehicle matches the description of a suspect vehicle
- · Observation of items in the vehicle that are consistent with contraband or tools of crime
- Vehicle stop is part of a response to drug complaints or Crime Stoppers tips in a specific area

This is not an exhaustive list. An officer's experience, training, and skills all contribute to his or her ability to assess the truthfulness and behaviors of drivers and passengers.

Researchers have identified high discretion searches as the area where bias could influence the decision to search (Engel 2008). By considering the search percentages and hit rates for all searches (the percent of searches in which contraband is located), across all officers and situations, it is not possible to separate out instances when officers may simply be following their training instead of engaging in biased decision-making. Several of the cues that police officers in the United States commonly evaluate to determine whether or not to conduct a search may be indirectly related to the race or cultural background of a vehicle occupant. Engel and Johnson summarize research on behavior, and find that black individuals are more likely to use verbal and nonverbal cues that police officers identify as suspicious. Generally, police officers in the United States are trained that people who fidget, avoid eye contact, or stutter may be hiding something. These behaviors are more common in black individuals than in whites (2006). As a result, typical police officer training may be inadvertently causing officers to incorrectly identify behaviors as suspicious more frequently in black drivers than in white drivers.

We know that searches after a traffic stop are of concern to residents and of interest to researchers (Fridell, 2005). However, the question of whether race or ethnicity impacts search decisions is difficult to answer. Much of the data collected by law enforcement is not sufficient to reach an answer using accepted statistical analyses. Two approaches have been used to assess bias related to searches: percent searched measure and search hit rates. Both have significant limitations that must be understood in order to draw appropriate conclusions from their application to a data set.

Percent Searched Measures

This approach seeks to identify potential bias by calculating the percentage of stopped drivers that are searched, broken into categories such as race, ethnicity, sex, or age. The relative proportions of such searches are "...often used erroneously to draw conclusions regarding racial bias" (Fridell, 2005). Fridell further states:

In many jurisdictions higher proportions of stopped minorities are searched than stopped Caucasians. Analysts, stakeholders, reporters, and even expert witnesses have mistakenly concluded that this disparity between the frequency of searches of minorities and searches of Caucasians necessarily indicates bias on the part of police. Such conclusions are not supported by "percent searched" information.

"Percent searched" information may show disparity, but it cannot identify the *cause* of disparity between searches of racial/ethnic groups or, relatedly, whether or not the disparity is justified. Not every person who is detained is at equal risk of being searched by police; there are very legitimate reasons why some persons are at greater risk of being searched than other persons. Indeed, the public should not expect equal search proportions across stopped groups. Virtually all agencies report that stopped men are searched in greater proportions than stopped women. Does this finding indicate police bias against men? Not necessarily. It could be that more men are at greater legitimate risk of being searched by police than women because men, more than women, manifest behaviors that provide legal grounds for a search. (2005)

Search Hit Rate

The Search Hit Rate method seeks to identify bias by determining the percentage of searches when an officer finds contraband (drugs, illegal weapons, alcohol, money, stolen property, or burglary tools). As Fridell states:

Lower hit rates for minorities than for Caucasians for certain categories of searches are cause for concern. These results are a warning signal or "red flag" requiring the serious attention of law enforcement agencies. They are, however, not *proof* of racially biased policing [emphasis original]. (2005)

Different hit rates demonstrate disparity in the productivity of searches. The issue is whether all drivers are being held to the same standard by police officers when determining if a search is warranted.

Limitations in Search Percents and Hit Rates

One of the ways researchers have attempted to identify bias is by examining the outcomes of traffic searches (Tomaskovic-Devey, Mason, & Zingraff, 2004). The theory is that if traffic searches are consistently unsuccessful with one group and not another, then officers may be unfairly targeting the first group for searches. Furthermore, regardless of the question of potential bias, search and hit rate disparities raise the question of whether law enforcement resources could be more efficiently used in other activities that were more consistently productive. GPD has looked at versions of these outcome tests with its data, both for whether or not a search was successful, and also for the enforcement actions that resulted from traffic stops and searches.

However, outcome tests have their own drawbacks. Engel outlines a number of problems with outcome tests, which essentially rely "on a number of underlying assumptions regarding police and citizen behaviors that do not coincide with what is known about decision-making during police-citizen encounters" (2008). These assumptions include differences in police discretion, racial and cultural differences in behavior, and differences in police and citizen behavior. According to Engel, these factors make it impossible for outcome tests to identify racial bias (Engel, 2008).

The large amount of data collected by the Greensboro Police Department can address some of the criticisms outlined by Engel. Although we still cannot use the data to show any potential police officer bias, we can continue to look at more pieces of this puzzle. While it is true that we are unable to identify potential racial bias in individual police officers, we can try to determine if the procedures and training that officers undergo are unintentionally leading to the disparities seen in the data. Whether or not the disparities that we observe in search rates are due to individual behavior or institutional behavior requires further research.

Benchmarking for Stops and Searches

Internal benchmarking is the primary method to determine if evidence of bias is present. Internal benchmarking is the analysis of traffic stops of an individual officer, with the officer being compared to officers in a similar situation (shift, geographic assignment, or traffic or investigative assignment). Internal benchmarking can be used to compare groups of officers to other groups of officers in a similar situation, if there is sufficient data available to conduct a reliable analysis (Fridell, 2005).

The Greensboro Police Department is unable to conduct an internal benchmark analysis at this time with any validity or reliability due to the following reasons:

- Movement of officers is frequent and does not allow squad by shift to be compared.
- As a result of the transition to Neighborhood Oriented Policing, GPD has recently and significantly updated geographic boundaries and officer assignments to new zones. As a result, there is less consistent and comparable data to use in an internal benchmark analysis. This transition is a priority for the Department, and GPD is using data it has collected to refine this ongoing project.
- Not enough officers have been employed for a sufficient number of years to provide reliable, individual data. Forty four (43.77%) percent of patrol officers have been employed for less than

- six years. Eighteen (18.18%) percent of patrol officers have been employed for less than three years.
- Traffic stop reports are not consistently being completed to ensure accuracy of the numbers to compare within and across squads and shifts.
- Officer IDs are not all accurately input in connection with traffic stop reports, resulting in errors in IDs that may coincidently be another officer's ID or not be a valid ID at all.

With improvements to the data collection processes and the gathering of more data over time, GPD should be in a better position in the future to conduct an internal benchmark analysis.

There are other benchmarking methods discussed by researchers. These methods rely on data from the Department of Motor Vehicles, red light cameras, traffic stops using radar, crime data, vehicle crash data, transportation data, and survey data (Fridell, 2005). These methods of analysis are not all possible or reliable, however, as the data needed is not available, and some are prohibitively time-consuming and/or expensive. For these reasons, GPD has not used these other methods in this report.

SECTION III: Gaps in Data Collection

In addition to the many variables that affect vehicle stops and their outcomes are gaps and inconsistencies in data collection both locally and at the state level. The three primary issues discussed herein are limitations in the traffic stop reporting software used by GPD and many other agencies in the state, consequences of the training received by officers, and errors introduced when NC-DOJ collects and processes data generated at the local level.

Once a traffic stop is concluded, the officer is usually required to complete administrative paperwork. Form SBI-122 *Traffic Stop Report* (Appendix B) is required by state statute. Officers can complete the form on their mobile computer terminals from their vehicles, and submit it electronically to the records management database. The software for this database was developed by a vendor to meet the reporting requirements of the state. It is during this step that errors in documenting the traffic stop can occur. These errors are generated in part due to limitations of the software application, which are discussed below. In general, the software does not sufficiently allow officers to record all permutations of a complex traffic stop. For example, from the resulting data, it is not always clear if multiple searches have been conducted during a stop or how contraband is associated with the stop/search (e.g., was it found on the driver, on a passenger, or elsewhere in the vehicle).

Variations in training GPD officers on how to use the software also contribute to inconsistencies in the data. The training process consists of training on the software during the Police Academy, followed by practical use during field training. Training officers vary in how they instruct the completion of the report. This variation affects the accuracy and completeness of the data reported.

To identify and correct some errors, employees from GPD's Records Division review the reports after they have been entered into the records management database. The review is intended to ensure that all the fields required by the state have been completed. The errors that often occur are missing age for the driver or passenger and if an individual was charged with an offense. The errors are identified via a review process within the records management system, and on average ten errors are identified and corrected each month. Once a month, the traffic stop data is electronically sent to NC-DOJ.

Traffic Stop Module

The Traffic Stop module of GPD's record management systems warrants further discussion because the information it captures sometimes paints an incomplete picture of traffic stops. Not all kinds of traffic stops are included, and the software cannot capture the complexity of events that occur within a traffic stop. An officer makes many decisions and performs many actions over the course of a traffic stop, and it is currently impossible to parse out each step that is taken with the present software. This affects the present ability to draw conclusions from the traffic stop data recorded by the software. Despite these limitations, we can still examine the data to identify themes and patterns, while acknowledging the existence of the flaws and evaluating methods to improve data gathering and reporting.

The Traffic Stop Module is comprised of four pages or screens, which most officers use to fill out the form. The four pages are: Stop, Search, Contraband/Property, and Misc.

Stop Page

The Stop Page is the first page an officer sees upon opening the Traffic Stop Module. Data captured here includes:

- Officer ID
- Date and time of stop
- Purpose of stop
- Enforcement action taken
- Physical resistance or injuries encountered

Officers are directed to input one purpose for the stop and one enforcement action as a result of the

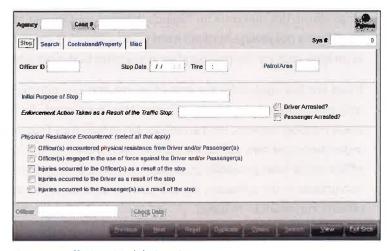


Figure 4. Traffic Stop Module Stop Page

stop. If a vehicle commits multiple violations before being stopped (e.g. having a broken brake light and running a red light), only one of these will be captured in a drop down menu. If multiple individuals are in the car and there are different enforcement actions taken against the individuals, not all of these may be captured by the form. For example, for a car with a driver and two passengers, it is possible that the driver could receive a citation, the first passenger could be issued a verbal warning, and the second passenger could be arrested. Not all of these enforcement actions would be reflected in the data captured by the software.

Search Page

The Search Page includes a number of checkboxes, including:

- Whether a search was conducted
- What type of search was conducted
- What was the basis for the search
- Who and what was searched
- In addition to these checkboxes, there are two non-functional fields related to consent searches. which can

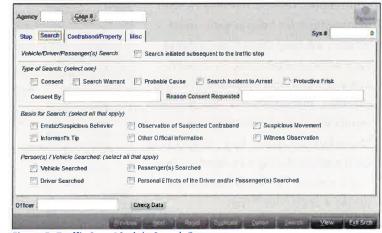


Figure 5. Traffic Stop Module Search Page

be used to identify the person giving consent and the reason the officer sought consent to search. These fields are currently not being used by GPD, and officers cannot enter information into these areas.

In theory, one should be able to count the number of searches that occur by simply counting all the stops where the checkbox for "Search initiated subsequent to traffic stop" is marked. In practice, this checkbox is not always marked, even when a search is conducted. This inconsistency makes it difficult to accurately capture the real number of searches that have been conducted at traffic stops.

There are five options for the type of search that is conducted. While the form tells officers to select only one option, the software actually allows for multiple boxes to be checked, and officers routinely check multiple options. We cannot say for certain how frequently officers adhere to the stated instructions and only select one option, even when multiple searches were conducted. For example, an officer could have probable cause but nonetheless request and receive consent to search. Following the instructions in the software, the officer may mark only "Consent" or "Probable Cause," while other officers may mark both boxes.

The Search Page acknowledges that multiple searches can occur at a single traffic stop; however, it has no way of differentiating the search types and bases for each search that is conducted. An officer may conduct a consent search of the driver and a protective frisk of a passenger. The bases for each of these searches may also differ. If multiple searches occurred, we cannot identify the type of search or basis for search for each search that occurred. This problem is compounded by the fact that officers may be filling this form out differently (based on whether or not they adhere to the stated instructions to only check a single box for the type of search).

Contraband/Property Page

The Contraband/Property Page shows the types of contraband that may be found during a search. Here, officers can identify whether drugs, alcohol, money, weapons, or other contraband was found, as well as

the amounts for each type of contraband. There are problems with inconsistent use here as well. Some officers will only check a contraband type without identifying an amount, and vice versa. In a stop with multiple searches, the software is also unable to report which kind of contraband was found by each search (e.g., drugs found on the driver during a consent search and a weapon found on a passenger during a protective frisk).

Case # Sys # Stop Search Contraband/Property Misc None 0.00 Drugs Gunces Pounds Dosages Ant \$0.00 Other Ant SO OD Property Seized: (select all that apply) Motor Vehicle Personal Property Cher Property Officer Cneck Cata

Additionally, on some rare occasions, contraband items are selected,

Figure 6. Traffic Stop Module Contraband/Property Page

indicating that a search took place, but no information is included on the Search Page that would identify the type and basis for the search.

Misc Page

The Misc Page includes information on the officer assignment, as well as persons included in the traffic stop (i.e. the driver and passengers, if applicable). Officers are not required to include information on passengers unless they are searched during the traffic stop. For this reason, it is impossible to know how many people occupy a car during each traffic stop.

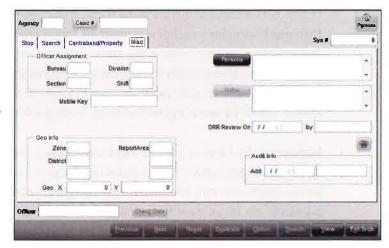


Figure 7. Traffic Stop Module Misc Page

Traffic Stop Report Completion Rate

The completion rate of Traffic Stop Reports for the Greensboro Police Department is not 100%. The analysis conducted in 2013 showed an overall completion rate of 78% for the agency. Variations in the completion percentages occur between different parts of the Department, such as Patrol, Traffic, Detectives, and Vice/Narcotics. Calculating the completion rate is not as simple as comparing the number of traffic stops to the number of traffic stop reports. Investigatory stops and traffic checkpoints have not historically required the completion of a traffic stop report. As a result, these kinds of traffic stops would need to be identified and excluded. Because of these limitations and the need for sound methods to calculate a completion rate, near-term calculations have not been conducted. This is a data need that is currently being researched.

Errors at the State Level

During the Department's review of state and local data and other researcher's work, it was discovered that a series of errors affecting the accuracy of the data are introduced as the North Carolina Department of Justice collects and processes the data generated by GPD and then posts it on its website. The data published by NC-DOJ is relied upon by the public and researchers (e.g., Baumgartner), and therefore it can affect public perceptions of GPD and other agencies. These errors include:

Limiting the reason for a search to only one category.

The state only requires one reason for a search, and the form states that only a single reason should be selected. Nonetheless, the software actually allows officers to select multiple reasons for a search. There are five types of searches:

- consent
- search warrant
- o probable cause
- search incident to arrest
- protective frisk

In 22% of searches conducted by GPD officers between January 1, 2009 and June 30, 2015, more than one reason for a search was selected. These multiple reasons were entered into the appropriate data base fields in the electronic form commonly used by most agencies in North Carolina. The state receives the data in a structured format and the information is imported into the state's database, with values assigned to specific fields. The state assigns one category for type of search by selecting the first field, reading left to right, that contains a value.

- Populating the fields in a left to right order skews the type reported by order.
 - With the current software application used in patrol vehicles, there is variation within and across agencies in how the search type category is completed. For example, some officers were trained to ask for consent to search even if the officer also had probable cause to search. This approach became a common practice after local District Attorneys promoted the benefit of having both grounds as a reason to search. Here, the officer may check the probable cause search type and the consent search type as well, since the officer had both consent and probable cause to search. If the officer marked both "Consent" and "Probable Cause" for a particular search, GPD's internal data will show both search types were selected, but the state's processing will result in the state-level data only showing "Consent," because that field comes before the "Probable Cause" field. As a result, the only reason reported by the state is consent, even though probable cause also existed. A user of the state data could then incorrectly assume that the officer lacked probable cause to conduct the search at issue. This issue calls into question the accuracy of the consent searches reported by NC-DOJ relative to other search types. The result is the over-reporting of consent as the basis for a search.
- Incorrectly reporting the weight or volume of contraband seized during a traffic stop.
 If the amount of drugs is reported to be less than .5 ounces, pounds, grams or kilos, the state rounds the amount down to zero when it processes the data. The number of searches would be reported correctly, but there would be no way, using the state data, to tally the amount of contraband or know which category of weight or volume is associated with the contraband.
 GPD's records management system maintains these amounts, which allows more detailed analysis to be conducted with this data. Similar analysis is not available using data published by the state.

Conflating the bases for searches.

There are six categories for basis of search: erratic/suspicious behavior, observation of suspected contraband, suspicious movement, informant's tip, other official information, and witness observation. The state's data processing introduces errors in three of the six categories. The count values that are reported under Suspicious Movement are assigned to and published by the state in the category Informant's Tip. Informant's Tip counts are ascribed to Other Official Information. Other Official Information counts are ascribed to Suspicious Movement. See Table 1 as an example of discrepancies between GPD's basis for search counts compared to the state data.

Basis for Search	GPD	NC DOJ
Erratic/Suspicious Behavior	3548	3475
Observation of Suspected Contraband	2861	2780
Other Official Information	2249	88
Suspicious Movement	1943	2201
Informant's Tip	92	1893
Witness Observation	116	113

Table 1. GPD and NC DOJ Traffic Stop Data Discrepancies, 1/1/2011 - 6/30/2015

Incorrect assumption about the reporting rate.

Users of the State's data may assume that figures reflect 100% of all vehicles stopped by an agency. GPD's analysis of its own data indicates that not all traffic stops have a corresponding traffic stop report. There are several reasons for this; and, these reasons can realistically be extended to other police departments as well. First, officers in specialized units may not have a mobile computer terminal in their vehicles and be unable to complete a traffic stop report. Second, according to a GPD directive, any traffic stop that is deemed investigatory has not required completion of a traffic stop report. Vice/Narcotics and detective units consider traffic stops they make to be investigative in nature, thus not requiring a traffic stop report. Patrol units may be asked to assist Vice/Narcotics or detectives in making these stops and, as a result, a traffic stop report may not be completed. Third, the officer may simply forget to complete the report or be unable to complete a timely report due to the occurrence of an intervening event. The absence of these reports affects the accuracy and completeness of the underlying data regarding traffic stop rates, search rates, and hit rates.

Users of the state traffic stop website should be aware of these data processing issues, and any conclusions drawn from these data should be appropriately qualified. As discussed later in this report, GPD is making its traffic stop data used for this report available, which will allow researchers and others to conduct further analyses without the effects of the data processing issues.

Section IV: Analysis of GPD's Data

For this report, we analyzed a large amount of data from a variety of sources. This section outlines the methods used to process and compile the data in order to best answer our research questions. For the purposes of this analysis, we are only analyzing stops for black and white drivers, and excluding stops for Native American, Asian, or Other drivers (as identified by the state traffic stop report form).

GIS Methodology

Traffic stops, crime, and other variables were analyzed to generate hotspot density maps and to examine correlations between variables. The date range for all of the queries used to export the data was between 1/1/2009 - 6/30/2015. Incidents, vehicle stops, and Crime Stoppers information was queried out of the GPD Records Management System (RMS). Call data was queried out of the GPD Computer Aided Dispatch (CAD) database.

Incident Variables - RMS

	Category	Detail
1.	Part 1 Crimes	Homicide, Rape, Robbery, Aggravated Assault, Burglary, Larceny, Motor Vehicle Theft
2.	Part 2 Crimes	Assault, Fraud, Forgery, Intimidation, Sex Crime, Family Offense, Other Offenses
3.	Part 1 Crimes – Violent crime categories	Homicide, Rape, Robbery, Aggravated Assault
4.	Part 1 Crimes – Property crime categories	Burglary, Larceny, Motor Vehicle Theft
5.	Part 1 Crimes – Property crime categories (excluding the Larceny-Shoplifting subcategory)	Burglary, Larceny (excluding Larceny-Shoplifting subcategory), Motor Vehicle Theft
6.	Quality of Life Crimes	Disorderly Conduct, Drugs, Fraud, Prostitution, Vandalism, Weapons

Traffic Stop Variables - RMS

- 1. All stops
- 2. Searches
- 3. Contraband Found
- 4. Black Drivers
- 5. White Drivers
- 6. Black Drivers Searched
- 7. White Drivers Searched

- 8. Black Drivers with Contraband Found
- 9. White Drivers with Contraband Found

Traffic Stop Variables by Type - RMS

- 1. Driving While Impaired
- 2. Investigation
- 3. Other Motor Vehicle Violation
- 4. Safe Movement Violation
- 5. Seat Belt Violation
- 6. Speed Limit Violation
- 7. Stop Light/Sign Violation
- 8. Vehicle Equipment Violation
- 9. Vehicle Regulatory Violation

Additional Variables

- 1. CAD Calls For Service
 - 1. Total Count: 1,638,799
 - 2. Police Headquarters/Substations: 42,134
 - 3. Geocoded CAD Calls for Service: 1,596,665
- 2. CAD Self Initiated
 - 1. Total Count: 636,790
 - 2. Police Headquarters/Substations: 39,470
 - 3. Geocoded CAD Self-Initiated Activity or Stops: 597,320
- 3. CAD Citizen Calls (E911, Phone, W911, Text)
 - 1. Total Count: 998,764
 - 2. Police Headquarters/Substations: 2,644
 - 3. Geocoded CAD Citizen Calls: 996,120
- 4. CAD BOLOs (Be On Look Out)
 - 1. Total Count: 55,983
 - 2. Missing Coordinates; 18,787
 - 3. Geocoded BOLOS: 37,196
- 5. Crime Stoppers
 - 1. Total Count: 6,009
 - 2. Missing Coordinates: 1,663
 - 3. Geocoded Crime Stoppers: 4,346

Technical Description

In short, GPD used the available data to create maps showing the concentrations of various kinds of traffic stops and searches throughout the city. A more technical description of this process follows.

All RMS and CAD variables were geocoded and loaded into ArcMap as point shapefiles. The *Kernel Density* tool in ArcGIS was then used to create density layers for each point. Environment settings were applied to standardize output results. The extent of analysis was set to the extent of the city limits (Top: 898162.951064, Bottom: 810852.440391, Right: 1816393.351119, Left: 1698510.675809) in the NAD

1983 State Plane North Carolina Fips 3200 Feet projection. The cell size for each density layer was set to 250 feet and the search radius was 2,400 feet. All density maps were symbolized with five equal interval classifications and displayed on a gray scale with ordinal values. Bilinear Interpolation and a transparency level of twenty percent were applied to each density layer to optimize the display of the data.

In order to examine correlations between density layers, the *Raster to Point* tool was used to convert the density layers for each variable from raster layers to points. The *Intersect* tool was then used to join all of the density point layers into one shapefile with all of the original cell density values. As a result, the vector layer represents the city as a grid of 250 by 250 points with each cell containing density values for all of the traffic stop and incident variables. The table was then exported as a .dbf and loaded into Microsoft Excel for further analysis. The Pearson's R correlation was executed for each variable combination and added to a correlation matrix. Possible results of correlative analysis included values ranging from -1 to 1.

Traffic Stop Module Data

In order to best analyze the traffic stop data, while accounting for the issues with the Traffic Stop Module described above, we made a number of decisions to refine the data. Based on the information we sought to analyze, we needed to identify a number of variables. First and foremost was to accurately count the number of traffic stops when a search was conducted. Additionally, we sought to examine several types of searches that were not immediately captured by the Traffic Stop Module. These included consent searches, searches due to suspicious actions, and low discretion searches.

Identifying Traffic Searches

To identify whether or not a search occurred, we used several variables from the Traffic Stop Module. A traffic stop was counted as having a search if one of the following criteria was met:

- Any checkbox was marked on the Search Page
- Any checkbox was marked on the Contraband/Property Page, or
- Any amount was filled out on the Contraband/Property Page

This method captures instances when the officer does not check the "Search initiated subsequent to the traffic stop" box, but does include additional information indicating a search was conducted.

Second, only drivers were counted for stops and searches. Information on passengers was excluded, because we cannot say for certain how many passengers were included in the entire traffic dataset. As discussed earlier, officers are not required to enter information regarding passengers into the Traffic Stop Module unless a passenger is searched. There are still potential issues with the data set, however, because we cannot say for certain in every instance whether a search that was conducted refers to a passenger or the driver.

Third, a search was deemed successful if any contraband box was checked, or if any amount of contraband was included.

Identifying Consent Searches

The Traffic Stop Module instructs officers to select only one search type, although some officers will nonetheless select multiple applicable search types (see the earlier discussion of the Search Page). Because of this, we cannot simply count the number of consent searches that occur. Officers may have probable cause to search a vehicle, but also ask for consent. Whether consent was subsequently given may or may not be reflected on the Traffic Stop Module.

We chose to analyze only those searches for which the only reason for a search was the consent of either the driver or the passenger to search. In other words, we sought to count the searches in which an officer asked for consent to search as an exercise of the officer's discretion, based on training and experience, and did not search as a requirement of legal or departmental regulations. In order to count these consent searches, we identified any search that met the following three criteria:

- The Consent box was checked under Type of Search
- The Probable Cause box was NOT checked under Type of Search, and
- The Observation of Suspected Contraband box was NOT checked under Basis for Search

The rationale for removing all searches where there was no observation of suspected contraband was based on officers asking for consent when they already have probable cause. If officers observed contraband, they usually had probable cause to search. If they choose to ask for and receive consent, they may not check the Probable Cause box in the Traffic Stop Module.

There are limitations to this approach that arise from the limitations in the Traffic Stop Module. There may be scenarios when an officer has probable cause but receives consent to search first and does not identify the probable cause in the Traffic Stop Module. Additionally, there may be an instance when multiple searches are conducted, and a passenger submits to a consent search, but not the driver.

Identifying Searches as a Result of Suspicious Actions

The Traffic Stop Module includes two categories for suspicious actions as a basis for a search: erratic/suspicious behavior and suspicious movement. To examine whether or not there are differences in searches based on these suspicious actions, we isolated these two search bases. Due to the previously discussed limitations in the Traffic Stop Module, we cannot identify every search that was initially conducted due to suspicious actions. However, we can look at searches that have no other reasons listed for the basis of the search.

We counted searches based on suspicious activity when the following criteria were met:

- The Erratic/Suspicious Behavior box was checked for Basis for Search, or
- The Suspicious Movement box was checked for Basis of Search

Identifying Low Discretion Searches

In order to control for situations when formal procedure plays a greater role in guiding an officer's actions, we have attempted to identify searches that are best described as "low discretion." These are

searches when the police officer's decisions were guided by law or policy, such as the search of a driver or vehicle incident to arrest or a search based on probable cause.

We identified low discretion searches as any search when the following criteria were met:

- The Search Warrant box was checked under Type of Search, or
- The Probable Cause box was checked under Type of Search, or
- The Search Incident to Arrest box was checked under Type of Search.

Section V: Results

Analysis conducted by the Greensboro Police Department is based on the variables illustrated in Figure 3 (the multivariate model). These variables relate to patterning of context for crime, calls for service (e.g., 911 calls), be on the lookout, Crime Stoppers tips, vehicle crashes, traffic enforcement, and investigative (where the officers have information regarding wanted individuals or illegal contraband in the vehicle) traffic stops. In addition, maps showing the distribution of traffic stops, aggregated and specific categories, are included. For clarity, each map shows the major roads within the City of Greensboro and one specific variable. Due to the scale of the maps and cartographic limitations, overlaying two or more variables generates a map that is visually difficult to interpret. As a result, the reader is best served by comparing maps to one another. Each map includes a short narrative with additional details. Larger versions of the maps are in Appendix C. In addition, a series of correlations were run for the maps, using a geo-spatial correlation analysis, resulting in a correlation matrix.

The goal of this analysis is to determine whether the distribution of traffic stops and searches in Greensboro matches what would be predicted by the normative model. The normative model suggests, a priori, how things ought to be; that in the case of traffic stops, stops should reflect the percentage of the population by race, ethnicity, or sex and have randomness to it. Examining Greensboro's data in this way, we can seek to understand whether traffic stops, crime, calls for service, and other variables are randomly or uniformly distributed across the jurisdiction, or if instead there is patterning or clustering that would not be predicted by the normative model.

The source data used for this analysis are from traffic stops between 1/1/2009 and 6/30/2015. This timeframe was selected because it matched the range used in the RAND study, discussed in a later section, and it encompasses the period when the disparity in stops between black and white drivers increased (see Appendix F).

Due to the high counts for theft from shoplifting, a subcategory of larceny, the density maps for Part 1 Property crime categories have excluded shoplifting. If shoplifting crimes were included, the maps would simply highlight major shopping areas of Greensboro, because these areas have the highest numbers of shoplifting crimes. We omitted shoplifting crimes because they have negligible impact on evaluating or explaining the traffic stop and search data.

Maps

Figure 8 shows the density of all 911 Calls for Service initiated within Greensboro. 911 calls are most concentrated in commercial areas, high density housing, and along thoroughfares. Low and medium concentrations of 911 calls are mainly in residential areas.

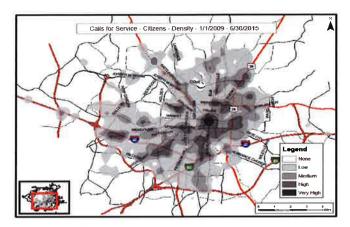


Figure 8. Calls for Service – Citizens – Density – 1/1/2009-6/30/2015

Figure 9 shows all reported property crime, excluding shoplifting. This provides the resolution to view the concentrations of burglaries, auto theft, and larcenies. While there is some association with commercial areas, much of the low to medium concentrations are in residential areas.

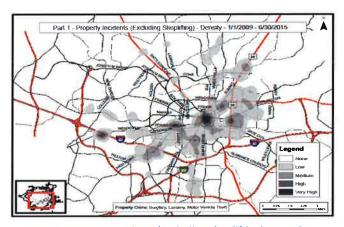


Figure 9. Property Incidents (Excluding Shoplifting) – Density – 1/1/2009 - 6/30/2015

Figure 10 shows the density of Part 1 violent crime. Violent crime has limited association with land use (primarily robbery), but low to medium densities are defused across the east and south of the city.

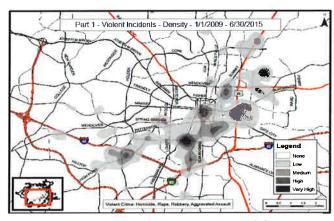


Figure 10. Part 1 – Violent Incidents – Density – 1/1/2009 – 6/30/2015

Figure 11 shows Part 2 crimes. Part 2 crimes are all the other categories of crimes not reported to the state or federal government. There are dozens of categories of crime that include violations of state statutes and city ordinances. Part 2 crimes include drug and weapons offenses, simple assault, domestic disputes, and vandalism, to list a few. The higher concentrations reflect commercial areas, major thoroughfares, and areas of residential and multifamily use.

Figure 12 shows quality of life crimes, such as disorderly conduct, drugs, fraud, prostitution, vandalism, and weapons. These are crimes that affect residents' sense of safety and security. These crime categories are often reported to law enforcement in the form of a 911 call, complaint, or Crime Stoppers tip.

Figure 13 shows the density of traffic stops. The higher concentrations of stops are associated with the central business district and major thoroughfares.

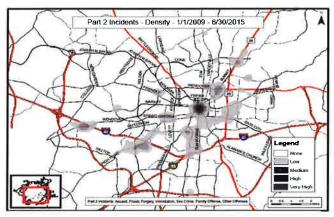


Figure 11. Part 2 Incidents - Density - 1/1/2009 - 6/30/2015

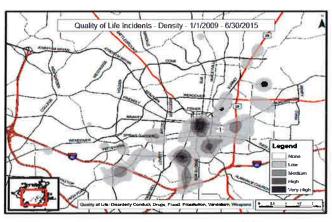


Figure 12. Quality of Life Incidents – Density – 1/1/2009 – 6/30/2015

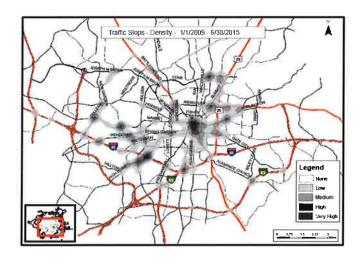


Figure 13. Traffic Stops – Density – 1/1/2009 – 6/30/2015

Figure 14 shows searches following traffic stops. The density of searches is associated with the central business district, thoroughfares, major intersections, and residential areas.

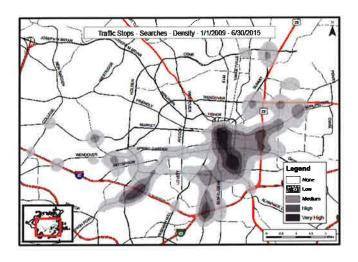


Figure 14. Traffic Stops – Searches – Density – 1/1/2009 – 6/30/2015

Figure 15 shows the density of contraband found during traffic stops for all races. The density of stops is associated with the central business district, thoroughfares, and some diffusion into residential and multifamily land use.

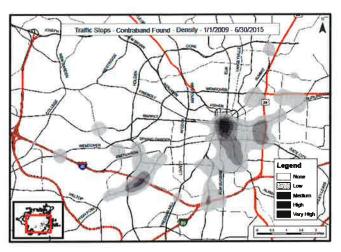


Figure 15. Traffic Stops – Contraband Found – Density – 1/1/2009 – 6/30/2015

Figure 16 shows the density of traffic stops of black drivers. The density of stops is associated with the central business district, thoroughfares, and some diffusion into residential and multifamily land use.

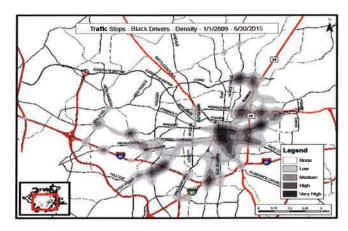


Figure 16. Traffic Stops –Black Drivers – Density – 1/1/2009 – 6/30/2015

Figure 17 shows the density of traffic stops of white drivers. The density of stops is associated with the central business district, thoroughfares, and some diffusion into residential and multifamily land use.

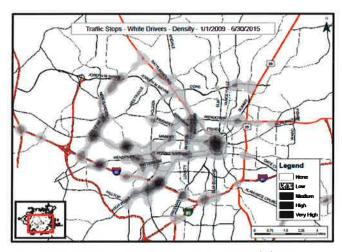


Figure 17. Traffic Stops –White Drivers – Density – 1/1/2009 – 6/30/2015

Figure 18 shows the density of searches conducted during traffic stops of black drivers. The density of searches is associated with thoroughfares, and some diffusion into residential and multifamily land use.

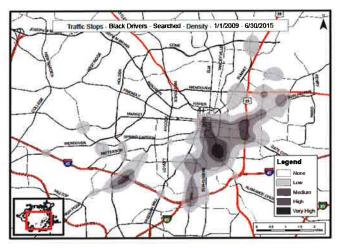


Figure 18. Traffic Stops – Searches – Black Drivers – Density – 1/1/2009 – 6/30/2015

Figure 19 shows the density of searches conducted during traffic stops of white drivers. The density of searches is associated with the central business district, thoroughfares, and some diffusion into residential and multifamily land use.

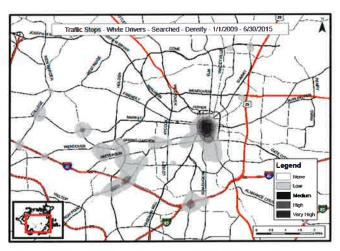


Figure 19. Traffic Stops – Searches – White Drivers – Density – 1/1/2009 – 6/30/2015

Figure 20 shows the density of contraband found during traffic stops of black drivers. The density of stops is associated with the central business district, thoroughfares, and some diffusion into residential and multifamily land use.

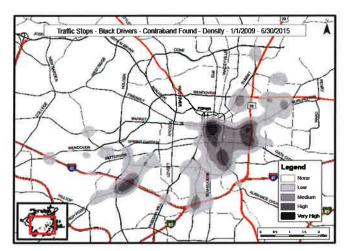


Figure 20. Traffic Stops – Contraband Found – Black Drivers – Density – 1/1/2009 – 6/30/2015

Figure 21 shows the density of contraband found during traffic stops of white drivers. The density of stops is associated with the central business district, thoroughfares, and some diffusion into residential and multifamily land use.

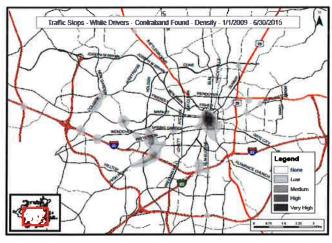


Figure 21. Traffic Stops –Contraband Found – White Drivers – Density – 1/1/2009 – 6/30/2015

Figure 22 shows the density of traffic stops due to driving while intoxicated. The density of driving while intoxicated stops is associated with the central business district, thoroughfares, and major intersections.

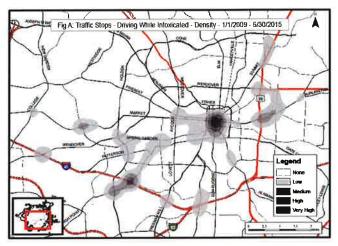


Figure 22. Traffic Stops – Driving While Intoxicated Stops – Density – 1/1/2009 – 6/30/2015

Figure 23 shows the density of all reported investigative traffic stops. An investigative stop is based on information that has been developed by or provided to law enforcement indicating that the vehicle or a person is associated with some infraction of the law. Investigative stops are concentrated near thoroughfares, and low to medium densities in residential areas. Note that because investigative stops are not required to have a traffic stop report completed, the data set and resulting map do not reflect all investigative stops in the city.

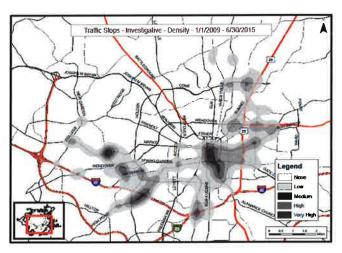


Figure 23. Traffic Stops – Investigative Stops – Density – 1/1/2009 – 6/30/2015

Figure 24 is a density of Other Motor Vehicle Violations. This is a category of stop that the state has included in its reporting requirements. The density of stops is associated with the central business district, thoroughfares, and some diffusion into residential and multifamily land use.

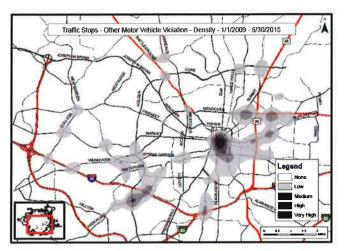


Figure 24. Traffic Stops – Other Motor Vehicle Violation Stops – Density – 1/1/2009 – 6/30/2015

Figure 25 shows the density of traffic stops due to safe movement violations, which include (but are not limited to) unsafe lane changes or unsafe turning. The density of safe movement stops is associated with the central business district, thoroughfares, and major intersections.

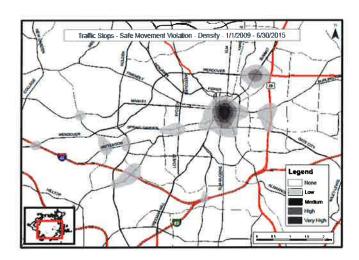


Figure 25. Traffic Stops –Safe Movement Violation Stops – Density – 1/1/2009 – 6/30/2015

Figure 26 shows the density associated with speed limit violations for all traffic stops. The density of speed limit violations is associated with thoroughfares and major intersections.

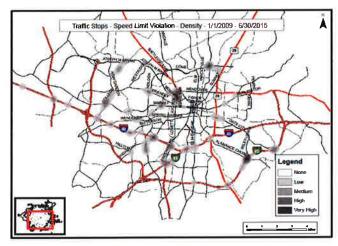


Figure 26. Traffic Stops – Speed Limit Violation Stops – Density – 1/1/2009 – 6/30/2015

Figure 27 shows the density associated with seat belt violations for all traffic stops. The density of seat belt violations is associated with thoroughfares and major intersections.

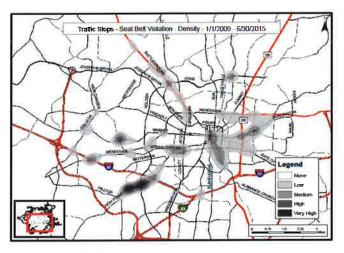


Figure 27. Traffic Stops – Seat Belt Violation Stops – Density – 1/1/2009 – 6/30/2015

Figure 28 shows the density associated with stop light/sign violations for all traffic stops. The density of violations is associated with the central business district, thoroughfares, and major intersections.

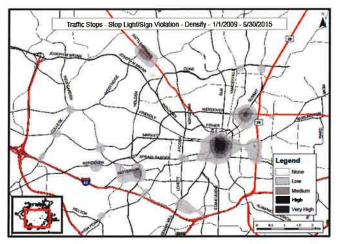


Figure 28. Traffic Stops – Stop Light/Sign Violation Stops – Density – 1/1/2009 – 6/30/2015

Figure 29 shows the density of vehicle equipment violations for all drivers. The density of violations is associated with the central business district, thoroughfares, major intersections, and limited residential areas.

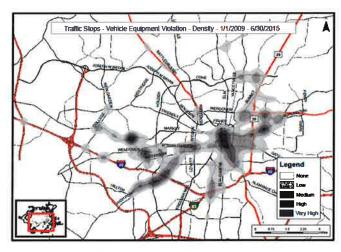


Figure 29. Traffic Stops – Vehicle Equipment Violation Stops – Density – 1/1/2009 – 6/30/2015

Figure 30 shows the density of vehicle regulatory violations for all traffic stops. Regulatory violations are registration, license, or insurance compliance related. The density of violations is associated with the central business district, thoroughfares, major intersections, and residential areas.

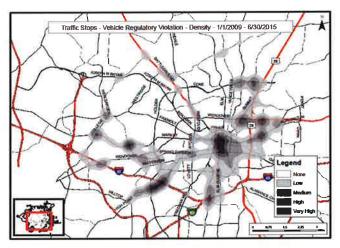


Figure 30. Traffic Stops – Vehicle Regulatory Violation Stops – Density – 1/1/2009 – 6/30/2015

Findings from Spatial Correlations

The full methodology has been described in the previous section, and Table 2 shows the results of the correlations. Table 3 shows the correlation ranges used to determine the strength of the relationship or interaction between the two variables. The significance value for the correlations was less than .001, indicating that there is a low likelihood of error in the statistical analysis. Table 2 contains the resulting correlation data and is discussed below.

	Total Crime	Part 1 Crime	Part 2 Crime	Quality of Life	Traffic Stops	Stops of Blacks	Stops of Whites	All Searches	Black Searches	White Searches	Contraband	Black Contraband	White Contraband
Total Crime	1.00	0.93	0.95	0.84	0.64	0.68	0.42	0.71	0.68	0.61	0.71	0.70	0.56
Part 1 Crime	0.93	1.00	0.78	0.60	0.46	0.48	0.31	0.48	0.46	0.42	0.48	0.47	0.39
Part 2 Crime	0.95	0.78	1.00	0.87	0.71	0.73	0.51	0.74	0.69	0.70	0.76	0.73	0.54
Quality of Life	0.84	0.60	0.87	1.00	0.69	0.78	0.39	0.88	0.86	0.70	0.86	0.86	0.63
Traffic Stops	0.64	0.46	0.71	0.69	1,00	0.94	0.85	0.83	0.75	0.85	0.85	0.79	0.82
Stops of Blacks	0.68	0.48	0.73	0.78	0.94	1.00	0.62	0.92	0.89	0:76	0.90	0.89	0.72
Stops of Whites	0.42	0.31	0.51	0.39	0.85	0.62	1.00	0,50	0,37	0.78	0.58	0.46	0.77
All Searches	0.71	0.48	0.74	0.88	0.83	0.92	0.50	1.00	0.98	0.80	0.96	0.96	0.72
Black Searches	0.68	0.46	0.69	0.86	0.75	0.89	0.37	0.98	1.00	0.67	0.92	0.96	0.60
White Searches	0.61	0.42	0.70	0.70	0.85	0.76	0.78	0.80	0.67	1.00	0.84	0.73	0.93
Contraband	0.71	0.48	0.76	0.86	0.85	0.90	0.58	0.96	0.92	0.84	1.00	0.98	0.81
Black Contraband	0.70	0.47	0.73	0.86	0.79	0.89	0.46	0.96	0.96	0.73	0.98	1.00	0.67
White Contraband	0.56	0.39	0.64	0.63	0.82	0.72	0.77	0.72	0.60	0.93	0.81	0.67	1.00

Table 2: Correlation matrix of spatial densities

Strength	Correlation (+-)
None	.0 < r < .1
Low	.1< r < .3
Moderate	.3 < r < .5
High	.5 < r < 1

Table 3: Correlation Strength Values

Key results of the analysis are:

- 1. Among the crime categories, traffic stops are most highly correlated with Part 2 crime (0.71) and quality of life crime (0.69). This means that traffic stops are more likely to occur in areas with a high incidence of Part 2 crimes and quality of life crimes because police focus their efforts where they are most needed to prevent victimization. Quality of life crimes include: disorderly conduct, drugs, fraud, prostitution, vandalism, and weapons.
- 2. Traffic stops of blacks are geographically correlated to areas with high numbers of quality of life crime (0.78). Conversely, stops of whites only have a moderate correlation to quality of life crimes (0.39).
- 3. When searches are conducted, quality of life crimes are strongly correlated to both searches of blacks (0.86) and whites (0.70). This means that searches are more likely to occur, for both black and white drivers, when a traffic stop occurs in an area with a high incidence of quality of life crimes.
- 4. Traffic stops for black and white drivers are correlated with each other (0.62). This means that black and white drivers are in large part stopped in the same areas of the city. However, this correlation is not as strong as others. Black drivers are more frequently stopped in the east and southeast areas of the city, and whites are more frequently stopped in west and southwest areas of the city. This pattern reflects census data for those areas.
- 5. Quality of life crimes are correlated with all contraband seized (0.86), contraband from black drivers (0.86), contraband from white drivers (0.63), and searches (0.88). This means that the seizure of contraband is more likely to occur in areas of the city with a high incidence of quality of life crimes. The primary types of contraband found are drugs and weapons.
- 6. In general terms, there is a greater association of traffic stops involving black drivers, searches, and contraband to areas with a higher incidence of crime. In other words, where there are higher densities of crime occurring, there is a corresponding increase in the number of traffic stops and searches of black drivers.
- 7. There is not a strong correlation between traffic stops or searches and Part 1 crime. This is a function of Part 1 crime being skewed due to the majority of crime falling into the category of larceny shoplifting and these areas are associated with several commercial locations in the city. In other words, the fact that an area has a higher incidence of Part 1 crime is not a strong predictor that the same area will have a higher concentration of traffic stops, searches, or seizures of contraband.
- 8. There is a geographic correlation (or association) between the number of traffic stops and concentrations of quality of life crimes.

Traffic Stop Tables

The following tables show a number of summary statistics from the Greensboro traffic stop data. The time frame for these tables is January 1, 2009 through June 30, 2015. Due to inconsistencies with the Traffic Stop Module, the numbers may differ from other reported sources such as Baumgartner and Weisel. A complete version of the traffic stop data will be made available for researchers to recreate these steps or to conduct their own analyses of the data. As noted earlier, we cannot conclude, from the available traffic stop data, that racial bias exists in police officers' traffic stop and search decisions. Every decision that an officer makes during a stop is predicated on information and circumstances that we cannot fully examine with the current dataset. However, because such a large amount of research has been conducted on this issue, we can use previous discussions to help guide our efforts to draw the most helpful conclusions possible from the available data.

Traffic Stops by Police Division

Differences in the racial disparities in traffic stops and search rates exist across the Division in the Department. While rates vary by Patrol officers, Traffic officers, and Vice/Narcotics officers, disparity stills exists.

Table 4 shows traffic stops by police division for the City of Greensboro, from January 1, 2009 through June 30, 2015. GPD is divided into a number of administrative units, bureaus, and divisions. The Patrol Bureau contains four geographically-oriented divisions (Division 1, Division 2, Division 3, Division 4). Patrol officers respond to calls for service, help deter and detect criminal activity, and work alongside citizens to improve quality of life and public safety. The Special Operations Division (SOD) is part of the Support Bureau. One of SOD's units is the Traffic Safety Unit, which is responsible for specific traffic enforcement activities and managing major roadway accidents. The Vice/Narcotics Division is part of the Investigative Bureau. It includes squads focused on investigating illegal narcotic and controlled substance sales, possession, and use, and investigating and enforcing vice laws (e.g., laws focused on activities such as gambling, prostitution, and liquor law violations).

Table 4 also shows the search rates, hit rates, and disparities for white and black drivers. For all officers, black drivers are searched at twice the rate of white drivers, and white drivers are 9% more likely to have contraband than black drivers when a search is conducted. For Vice/Narcotics officers, the search disparity and the hit rate disparity are the lowest. They search black drivers 46% more frequently than white drivers, and white drivers are only 3% more likely to have contraband than black drivers when a search is conducted.

The majority of traffic stops and searches are conducted by Patrol officers. Traffic officers (identified in the tables as SOD) stop a high number of cars, but rarely conduct searches. Vice/Narcotics officers do not stop a high number of vehicles, but will more frequently conduct a search after a stop.

	Black Drivers						vers			Á	Black:White	
	Traffic Stops	Searches Conducted	Search Rate	Contraband Found	Hit Rate	Traffic Stops	Searches Conducted	Search Rate	Contraband Found	Hit Rate	Search Disparity	Hit Rate Disparity
Patrol	111,010	6,719	6.05%	1,910	28.43%	74,741	2,516	3.37%	753	29.93%	1.80	0.95
SOD	29,471	229	0.78%	108	47.16%	39,291	145	0.37%	74	51.03%	2.11	0.92
Vice	1,994	376	18.86%	148	39.36%	2,230	288	12.91%	117	40.63%	1.46	0.97
Other	11,756	714	6.07%	161	22.55%	8,805	271	3.08%	71	26.20%	1.97	0.86
Total	154,231	8,038	5.21%	2,327	28.95%	125,067	3,220	2.57%	1,015	31.52%	2.02	0.92

Table 4. Traffic Stops by Police Division

Traffic Stops by Crime Area

One theory that may explain the disparity in traffic searches is related to the geographic context of the traffic stop. Searches are more likely to be conducted in higher crime areas, and high crime areas are correlated with higher concentrations of minority populations. Tables 5 - 7 examine disparity within low crime, medium crime, and high crime areas in Greensboro. Crime here is defined as Part 1 crime (violent and property crime categories, excluding shoplifting). This includes murder, rape, robbery, aggravated assault, burglary, larceny (except shoplifting), and auto theft.

After controlling for the level of crime, the disparity in searches does decrease; however, it does not vanish. Additionally, there is little change to the disparities in hit rates. Among all police stops in high crime areas, black drivers are 68% more likely to be searched than white drivers, and white drivers are 10% more likely than black drivers to have contraband when a search is conducted.

These results are similar for both Patrol and other police divisions. While non-Patrol police stops have higher rates of search disparity, these ratios are still associated with the level of crime in the area.

	Black Driv	ers				White Dri	vers				Black:Whi	te
Crime	Traffic Stops	Searches Conducted	Search Rate	Contraband Found	Hit Rate	Traffic Stops	Searches Conducted	Search Rate	Contraband Found	Hit Rate	Search Disparity	Hit Rate Disparity
Low	27,022	843	3.12%	237	28.11%	43,027	750	1.74%	234	31.20%	1.79	0.90
Medium	71,188	4,107	5.77%	1,161	28.27%	45,300	1,389	3.07%	408	29.37%	1.88	0.96
High	45,636	2,769	6.07%	819	29.58%	21,713	783	3.61%	255	32.57%	1.68	0.91
Total	143,846	7,719	5.37%	2,217	28.72%	110,040	2,922	2.66%	897	30.70%	2.02	0.94

Table 5. Traffic Stops By Crime Area - All Officers

	Black Drivers						ite Drivers					Black:White	
Crime	Traffic Stops	Searches Conducted	Search Rate	Contraband Found	Hit Rate	Traffic Stops	Searches Conducted	Search Rate	Contraband Found	Hit Rate	Search Disparity	Hit Rate Disparity	
Low	18,377	707	3.85%	189	26.73%	27,749	635	2.29%	189	29.76%	1.68	0.90	
Medium	52,899	3,482	6.58%	982	28.20%	28,089	1,132	4.03%	314	27.74%	1.63	1.02	
High	36,279	2,400	6.62%	710	29.58%	14,756	662	4.49%	219	33.08%	1.47	0.89	
Total	107,555	6,589	6.13%	1,881	28.55%	70,594	2,429	3.44%	722	29.72%	1.78	0.96	

Table 6. Traffic Stops By Crime Area - Patrol Officers

	Black Drivers						vers				Black:Whi	te
Crime	Traffic Stops	Searches Conducted	Search Rate	Contraband Found	Hit Rate	Traffic Stops	Searches Conducted	Search Rate	Contraband Found	Hit Rate	Search Disparity	Hit Rate Disparity
Low	8,645	136	1.57%	48	35.29%	15,278	115	0.75%	45	39.13%	2.09	0.90
Medium	18,289	625	3.42%	179	28.64%	17,211	257	1.49%	94	36.58%	2.29	0.78
High	9,357	369	3.94%	109	29.54%	6,957	121	1.74%	36	29.75%	2.27	0.99
Total	36,291	1,130	3.11%	336	29.73%	39,446	493	1.25%	175	35.50%	2.49	0.84

Table 7. Traffic Stops By Crime Area - All Non-Patrol Officers

Traffic Stops by Enforcement Action

Examining the actions taken by police as a result of traffic stops – also referred to as the outcome of the stop – provides another view of various disparities reflected in the data.

Table 8 shows the enforcement actions that resulted from traffic stops and searches in the City of Greensboro. As can be seen, the vast majority of traffic stops result in either a citation or a verbal warning (86.4% of stops of black drivers, 87.6% of stops of white drivers). An arrest is the least likely enforcement action of a traffic stop (1.75% of stops of black drivers, 1.10% of stops of white drivers).

However, following a traffic stop, black drivers are 58% more likely than white drivers to be arrested. Over the six-and-a-half year period we analyzed, 2,692 black drivers were arrested after traffic stops, while 1,379 white drivers were arrested. White drivers are 14% more likely than black drivers to receive a citation. Black drivers are 16% more likely than white drivers to receive a warning or to have no action taken after a traffic stop. This result can be interpreted in a number of different ways. If black drivers are more likely to receive a warning (or no action at all) instead of a citation, it raises the possibility that officers are initiating stops of black drivers in situations where a white driver might not be stopped. The data does not allow us to determine whether that possibility does in fact exist.

When a search is conducted, white drivers are 22% more likely to be arrested than black drivers. We know that black drivers are searched at higher rates than white drivers. If white drivers are more likely to be arrested after a search, this could suggest that white drivers are more likely to be engaged in serious criminal activity than black drivers when a search is conducted. Again, this raises the possibility that officers may be searching black drivers in situations where a white driver might not be searched.

	Black Driv	ers		White Drivers		
	Traffic Stops	Searches Conducted	Contraband Found	Traffic Stops	Searches Conducted	Contraband Found
Arrest	2,692	1,689	792	1,379	824	336
Citation	78,572	3,758	1,284	72,517	1,428	547
No Action	6,690	188	16	3,835	66	8
Verbal Warning	54,696	1,982	164	37,048	648	68
Written Warning	11,581	421	71	10,288	254	56
Total	154,231	8,038	2,327	125,067	3,220	1,015

	Black Driv	ers		White Drivers			Black:White	parities	
	Traffic Stops	Searches Conducted	Contraband Found	Traffic Stops	Searches Conducted	Contraband Found	Traffic Stops	Searches Conducted	Contraband Found
Arrest	1.75%	21.01%	34.04%	1.10%	25.59%	33.10%	1.58	0.82	1.03
Citation	50.94%	46.75%	55.18%	57.98%	44.35%	53.89%	0.88	1.05	1.02
No Action	4.34%	2.34%	0.69%	3.07%	2.05%	0.79%	1.41	1.14	0.87
Verbal Warning	35.46%	24.66%	7.05%	29.62%	20.12%	6.70%	1.20	1.23	1.05
Written Warning	7.51%	5.24%	3.05%	8.23%	7.89%	5.52%	0.91	0.66	0.55
Total	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%			

Table 8. Traffic Stops By Enforcement Action

Low Discretion Searches

One of Engel's critiques of the outcome test is that many searches are conducted by law (a "low discretion" search) as opposed to officer discretion (a "high discretion" search) (2008). Officers do not always have the discretion not to search a driver. For example, if illegal contraband is observed in a vehicle, the officer may have probable cause to search, and would be remiss in his or her duties to not initiate a search. Similarly, if a police officer arrests the driver, they will conduct a search of the driver as part of their protocol following an arrest. If a vehicle is seized, it will be searched as part of police protocol. These searches are based on officer training and legal requirements

Table 9 shows these "low discretion" searches and success rates for the City of Greensboro. For all officers, black drivers are 111% more likely to be the subject of a low discretion search than a white driver. White drivers were 2% more likely to have contraband following a low discretion search than black drivers.

For Patrol officers, who conducted almost 80% of low discretion searches, black drivers were 87% more likely to be the subject of a low discretion search, and were 7% more likely to have contraband following a low discretion search than white drivers. For all other officers (not Patrol), black drivers were 138% more likely to be the subject of a low discretion search, and white drivers were 23% more likely than black drivers to have contraband following a low discretion search.

These low discretion searches also have a relatively high degree of success. For all officers, low discretion searches were successful 44% of the time. As comparison, the success rate for all searches is around 30%.

	Black Drivers						hite Drivers				
	Traffic Stops	Searches Conducted	Search Rate	Contraband Found	Hit Rate	Traffic Stops	Searches Conducted	Search Rate	Contraband Found	Hit Rate	
Patrol	111,010	2,065	1.86%	871	42.18%	74,741	743	0.99%	292	39.30%	
Other	43,221	473	1.09%	233	49.26%	50,326	231	0.46%	140	60.61%	
Total	154,231	2,538	1.65%	1,104	43.50%	125,067	974	0.78%	432	44.35%	

	Black:Whit	Black:White						
	Search Disparity	Hit Rate Disparity						
Patrol	1.87	1.07						
Other	2.38	0.81						
Total	2.11	0.98						

Table 9. Low Discretion Traffic Searches

Suspicious Activity

An additional critique from Engel of outcome tests is that the behavioral cues that officers in the United States commonly use to identify suspicious behavior are not racially and culturally universal (2008). In other words, some groups may be more likely to act in ways that police officers in the United States have been trained to identify as suspicious. Officers throughout the country look for a variety of verbal and nonverbal cues to identify whether or not a civilian is hiding something. These behaviors include avoiding eye contact, stuttering, fidgeting, and others. Additionally, officers may evaluate situational cues such as driver behavior or whether or not the driver is the owner of the vehicle. Research has suggested that "a number of the clues that state troopers and other law enforcement officers are trained to look for are highly suspicious and probably accurate at indicating illegal activities, certain verbal and nonverbal behaviors and contextual information may be far less unusual for minority drivers, and have been shown to be inaccurate clues of criminal activity" (Engel and Johnson, 2006).

Table 10 shows the stops and searches when the reported search basis was some type of suspicious activity. Overall, black drivers were 73% more likely to be searched based on suspicious activity. Specifically, 1.8% of stops of black drivers resulted in such a search, as compared to 1.04% of stops of white drivers. White drivers were almost 10% more likely to have contraband following a search based on observed suspicious activity. Specifically, 17.85% of suspicious activity searches of white drivers yielded contraband, as compared to 16.28% of such searches of black drivers.

It is noteworthy that these hit rates for searches based on suspicious activity are relatively low. This raises the possibility that police officers may be misidentifying behaviors as suspicious regardless of the race of the driver. This warrants further evaluation to determine, among other things, whether changes to training and procedures may lead to more productive policing, in which officers would engage less often in searches that have a lower likelihood of yielding contraband.

	Black Driv	ers				White Dri	ivers			
	Traffic Stops	Searches Conducted	Search Rate	Contraband Found	Hit Rate	Traffic Stops	Searches Conducted	Search Rate	Contraband Found	Hit Rate
Patrol	111,010	2,325	2.09%	369	15.87%	74,741	1,024	1.37%	178	17.38%
Other	43,221	451	1.04%	83	18.40%	50,326	276	0.55%	54	19.57%
Total	154,231	2,776	1.80%	452	16.28%	125,067	1,300	1.04%	232	17.85%

	Black:Whi	Black:White						
	Search Disparity	Hit Rate Disparity						
Patrol	1.53	0.91						
Other	1.90	0.09						
Total	1.73	0.91						

Table 10. Suspicious Activity Traffic Searches

Traffic Stops by Consent Search

The last issue discussed in the preceding section — whether police activity can be conducted more efficiently or productively — is an important one, because conducting fewer searches may lead to improvements in police-community relations and public perceptions of law enforcement officers, by reducing the number of potentially (and unintentionally) negative interactions.

One of the purposes of searching people and vehicles during a traffic stop is to locate evidence of criminal activity. Seizing illegal contraband provides a benefit to the city and its citizens. However, there is a balance between security and privacy that can be unique to each community.

Table 11 shows the consent searches for the City of Greensboro. Consent searches accounted for about 43% of all searches during the time period we examined. As can be seen by comparing the totals in Table 4 (all searches, by police division) with Table 11 (consent searches only), the search rate disparity is actually lower for consent searches than for all searches (1.89 (Table 11) as compared to 2.02 (Table 4)). However, the hit rate disparity moves further from an equal distribution (0.76 (Table 11) as compared to 0.92 (Table 4)). In other words, black drivers were 89% more likely to be searched than white drivers, but following a search white drivers were 31% more like to have contraband than black drivers. This means that consent searches reveal a disparity, both for search rates and for success rates, that bears further close examination.

The rate of success for consent searches also warrants further discussion. For black drivers, 11.74% of consent searches are successful; for white drivers, 15.37% of consent searches are successful. These are low success rates, as compared to the overall success rate for all searches (28.95% for searches of black drivers, 31.52% for searches of white drivers, according to Table 11). This warrants continued evaluation of the law enforcement value of conducting consent searches, as compared to the effect on the community and on GPD's officers with respect to time, convenience, and other factors. In other words, GPD, like all law enforcement agencies, should continually evaluate whether there are more effective actions that police can take to maintain public safety without damaging the relationship that the police have with the public, and make appropriate refinements to policies. This is not to say that consent searches do not have law enforcement value; they do. The question is whether consent searches are used in a manner that meets community expectations and legal requirements.

Finally, we note that, using the current Traffic Stop Module, we cannot tell when an officer requested a consent search but the driver refused. According to Engel, the rate at which civilians agree to a consent search at a traffic stop can differ based on the race of the driver (2008). It would be helpful to record when a driver refused a consent search, and whether or not the officer proceeded with a search for a different reason (e.g. probable cause). This issue may be addressed, at least in part, by new procedures being implemented with respect to the process for obtaining and documenting consent.

	Black Drivers					White Drivers					Black:White	
	Traffic Stops	Searches Conducted	Search Rate	Contraband Found	Hit Rate	Traffic Stops	Searches Conducted	Search Rate	Contraband Found	Hit Rate	Search Disparity	Hit Rate Disparity
Patrol	111,010	2,821	2.54%	336	11.91%	74,741	1,107	1.48%	162	14.63%	1.72	0.81
Other	43,221	536	1.24%	58	10.82%	50,326	331	0.66%	59	17.82%	1.89	0.61
Total	154,231	3,357	2.18%	394	11.74%	125,067	1,438	1.15%	221	15.37%	1.89	0.76

Table 11. Consent Searches

RAND Research

In 2009, the RAND Corporation Center on Quality Policing published a report entitled: *Cincinnati Police Department Traffic Stops: Applying RAND's Framework to Analyze Racial Disparities*. RAND Corporation was contracted to research and produce a series of reports on police-community relations in Cincinnati, Ohio. The work was part of an agreement between the U.S. Department of Justice and the City of Cincinnati, and followed a serious, violent confrontation with police and issues related to police practices (Ridgeway, 2009). The research report sought to answer three questions using Cincinnati's data:

- Is there a department-wide pattern of bias against black drivers in the decision to stop a vehicle?
- What fraction of officers disproportionally stop black drivers compared to other officers patrolling the same areas at the same time?
- Is there racial bias in post-stop outcomes, specifically stop duration, citation rates, and search rates?

RAND has developed and applied research methods to address these questions, and has done so for multiple agencies. The methodology is well developed and has been used by other researchers with data from other law enforcement agencies.

Of the three research tracks listed above, this report focuses on the first method. The decision to conduct research on the possibility of bias in relation to traffic stops is based on the data and time available. As discussed previously, an internal benchmark that would compare officers by patrol geography and time ranges (i.e., the second RAND method) cannot be conducted, because there has been little stability in personnel assignments over the past five years. This is due to the number of new officers and the redeployment of officers in conjunction with geographic redistricting of patrol districts. Data limitations and quality also prevented a complete analysis of post-stop outcomes (i.e. the third RAND method) at this time. There is other discussion in this report, however, regarding search rates and post-stop outcomes.

The RAND report reviews and describes the limitations of a traffic stop analysis, which are also outlined in this report. For example, using racial composition as a proxy for the population at risk of being stopped is not sufficient to prove that racial profiling is occurring (Ridgeway, 2009). Before a researcher can apply the bivariate model as shown in Figure 2, alternative variables that cause traffic stops, as shown in Figure 3, must be evaluated.

The RAND report discusses the range of alternative variables that need to be addressed (such as driving behavior and increased risk of being stopped, and the percentage of drivers who live within the jurisdiction versus outside the jurisdiction) and proposes the use of a different methodology for examining traffic stop data. The method is described as a natural experiment that involves analyzing traffic stops within the time period associated with daylight saving time. It takes advantage of twilight and darkness surrounding the change of times, assessing the distributions of the stops and comparing the racial distribution of the stops. This is also referred to as the "veil of darkness method," and it has

been used in prior research (Ridgeway, 2009). The RAND report describes the veil of darkness method this way:

In its basic form, our analysis compares the racial distribution of stops made during daylight to the racial distribution of stops made at night. If there were a practice of targeting black drivers, the effects of this profiling would be most pronounced during daylight, when the driver's race is most visible to the officer. While the race of some nighttime drivers might be visible, the rate of police knowing driver race in advance of the stop must be smaller at night than during daylight (Ridgeway, 2009).

The approach is straightforward, at least theoretically: the ability to discern the race of a driver will vary from daytime to nighttime. The ability to identify the race of a driver should, theoretically, be much smaller at night. However, there are many other variables that come into play in a simple comparison of stops during the night versus stops during the day. To limit the impact of other variables, the veil of darkness method compares stops in the shorter timeframe that is affected by the time change associated with daylight saving time (DST). Ridgeway describes the method:

[T]o assess bias in the decision to stop, we took advantage of a natural experiment, DST, comparing stops immediately before and immediately after changes to and from DST. Every spring and fall, Cincinnati switches between Eastern DST and Eastern standard time. Put simply, on one Monday, it is light at 6:30 p.m., while, on the following Monday (one week later, after DST goes into effect), it is dark at 6:30 p.m. During both of these periods (in the spring and fall), we hypothesize that the mix of black and nonblack drivers on the road would not drastically change, the kinds of drivers who commit offenses for which police make stops would not change, and the patterns of police allocation would not change. The major difference between these two periods is the officers' ability to identify race in advance of the stop. As a result, such a comparison does not require explicit information on the characteristics of drivers at risk of being stopped.

In this way, we can separate out the differential rates of offending and exposure to police ... and concentrate on whether we see racial bias in stops... Drivers at 7:00 p.m. are exposed to the same distribution of police on either side of the DST switch. While incidents will, from time to time, draw police to particular locations, according to CPD [Cincinnati Police Department], the allocation of police effort does not suddenly change following the time change. As a result, this method is not as prone to errors from differential police exposure. The drivers who are likely to offend during daylight are also likely to be the ones who offend at nighttime. At night, the overall rate of offending might decrease (e.g., speeding in poorly lit areas might decrease). However, we assume that there is not a differential change in relative offending rates by race as daylight moves into nighttime (2009).

Exploratory analysis of GPD Traffic Stop Data - Dr. Rychtar

Utilizing the RAND methodology, GPD evaluated traffic data with assistance from Dr. Jan Rychtar and colleagues from the Department of Mathematics and Statistics at the University of North

Carolina at Greensboro. Dr. Rychtar used data obtained from the NC DOJ database. This is the same data the state uses to report to the public via its website. (Note, therefore, that the data is affected by the processing issues discussed previously in this report.) The data provided was a subset of the state data, to only include those stops that occurred within the City of Greensboro conducted by the Greensboro Police Department. Dr. Rychtar was provided with data covering 2002 through 2013, but due to time constraints associated with organizing and preparing the data for analysis, only the years 2008 through 2013 could be analyzed, in one year intervals, within the timeframe. Appendix D contains Dr. Rychtar's complete report.

The statistical analysis conducted using the veil of darkness method "did not find any indication of a GPD department-level racial pattern in initiating vehicles stops during the years 2008-2013" (Rychtar and Saini, 2016). The analysis showed some variations from year to year, such as variation in time, or in certain days of the week that had a higher stop rate for whites. Given these variations the overall conclusion is that, statistically, there is no evidence of department-level racial bias in the traffic stop data.

Exploratory analysis of GPD Traffic Stop Data - Dr. Jackson

Two sets of data were analyzed by Dr. Karen Jackson and her colleagues at North Carolina Agricultural and Technical State University. Her report is located at Appendix E. These two sets of data were processed using geographic information systems to add additional attributes to the data. The first set of data is an excel table listing every traffic stop contained in GPD's records management system between the dates of 1 January 2009 and 30 June 2015. This set of data was extracted from GPD's records management system and therefore is not affected by the issues inadvertently introduced by NC DOJ; the data retains the amounts, counts, categories, and selections entered by the officer. For all 295,227 traffic stops, census information from the 2010 Census was appended to each record. Using the GIS point in polygon function, the values from the census block group were appended to each traffic stop record. This set of data allows for analysis of the traffic stop variables and census block group variables.

The second set of data is the reverse orientation of the first set of data. These two sets of data allow researchers to analyze traffic stops in association with geographic context. Individual or sets of traffic stop occurrences can be compared to census variables. Conversely, the count of traffic stops, crime, and calls for service are known for each census block group. These data sets are being made available to any individual or group that would like to conduct further analysis.

The research Dr. Jackson conducted was exploratory in nature, focused on descriptive and multivariate analysis, and generated several conclusions. Dr. Jackson's report summarizes the analysis, discusses implications, and makes recommendations for future research. Given the number of variables and complex nature of the data and linking it back to human behaviors related to each traffic stop, more time is needed to conduct a systematic analysis.

The first part of the report replicates the analysis conducted by Baumgartner, using GPD's data instead of NC-DOJ's data. Tables 1-6 in Dr. Jackson's report summarize: stops by race and gender, stops by

type of violation, searches conducted by race, searches by specific search type and race, searches by specific basis of search and race, and searches of person or vehicle by race. Key findings include:

- 59.3% of stops are of male drivers, and 40.7% of stops are of female drivers.
- 53.8% of stops are of black drivers, and 43.4% of stops are of white drivers.
- White drivers are stopped more than drivers from other racial/ethnic groups for driving under the influence (55.2%) and speed limit violations (51.3%).
- Black drivers are stopped more than drivers from other racial/ethnic groups for investigative (58.8%), other motor vehicle violation (54.3%), safe movement violation (52.7%), seat belt violation (54.4%), vehicle equipment violation (63.1%), and vehicle regulatory violation (60.4%).
- Traffic stops of black drivers account for 69.9% of all vehicle searches, and stops of white drivers account for 28.6% of all vehicle searches.
- Traffic stops of black drivers account for 70.2% of all driver searches, and stops of white drivers account for 28.3% of all driver searches.
- Consent searches are conducted on 1.82% of black drivers that are stopped and 0.77% of white drivers that are stopped.
- Probable cause searches are conducted on 1.23% on black drivers that are stopped and 0.45% of white that are stopped.
- For black drivers, the most frequent bases for a search are erratic/suspicious behavior, observation of suspected contraband, and other official information.

Dr. Jackson also used the census data to evaluate other aspects of the data. The analysis of census block groups and traffic stops (Table 7 for stops and Table 8 for searches in Dr. Jackson's report) show the following:

- Twelve census block groups each had more than 1.5% of the traffic stops occur within their boundaries representing 21.9% of all traffic stops. Subsequent analysis was conducted on these twelve census block groups.
- Twelve census block groups each had more than 1.5% of the searches occur. These are the same twelve census block groups as had the highest percentages of stops. 22.4% of all searches occur in these twelve census block groups.
- Of these twelve census block groups, four of the twelve census block groups are majority white and the other eight are majority black.
- Table 9 integrates the twelve census block groups with field interviews, crime counts, Part 1
 crime counts, calls for service, police initiated calls for service, and citizen initiated calls for
 service.
- Table 10 is an analysis of missing data. It notes that driver ethnicity was missing from 2.1% of
 the records, and officer ID was missing from other records. There is no way to determine if
 officers mis-keyed their ID number when completing the form.

Tables 11-14 in Dr. Jackson's report are a series of regression analyses. Regression analysis examines the relationship between two or more variables to determine if one or more variables are predictors. For

example, regression analysis can help determine whether race, location, or crime level – individually or in combination – is a predictor for traffic stops. A summary of Dr. Jackson's results indicate:

- Race is a positive indicator of traffic stops for blacks and a negative indicator for whites. This
 holds true when the age is over 18.
- Location, using the census block groups, is not an indicator of traffic stops.
- Calls for service initiated by police are a predictor for traffic stops of blacks over the age of 18.
- Calls for service initiated by citizens are a predictor for traffic stops of blacks over the age of 18.
- Race is a positive indicator of searches for blacks and a negative indicator of searches for whites.
- Location, using the census block groups, is not an indicator of searches.
- The number of field interviews, count of reported crime, and police initiated calls for service are positive indicators of traffic stop searches.

Tables 15-16 analyze census block group attributes against field interviews, crime counts, part 1 crime counts, all calls for service, calls for service police initiated, calls for service citizen initiated, traffic stops, and searches from traffic stops. These tables focus on percent of majority race and percent below the poverty level by census block group. There are significant proportions of poverty represented in the top three frequencies for crime count: 25.48%, 35.65%, and 41.11% respectively. This is suggestive of a relationship between poverty, crime, traffic stops, and traffic searches.

In the summary section of her report, Dr. Jackson discusses the topic of traffic stops in the larger context of policing, the criminal justice system, and historical issues of race and policing. The Greensboro Police Department operates within this larger context and Dr. Jackson advises that it should "continue in the work of examining organizational practices" (Jackson, 2016). The report concludes with a discussion of other factors that could contribute to traffic stops (such as demographics, driving behaviors, and socioeconomic factors), recommendations for future research, and additional questions to consider.

Section VI: Discussion

This report examined data on traffic stops and searches by GPD officers, in the context of considering whether the data contains evidence of racial bias. This data shows that Greensboro officers stop and search more black drivers than white drivers, compared to the proportions of the population in the City of Greensboro that are black and white. These conditions have raised a concern by the public that the Greensboro Police Department is either institutionally biased or has individual officers that are biased in how they identify, initiate, and conduct traffic stops and searches.

Existing traffic stop data cannot tell us whether or not police bias is occurring. Even without the data flaws that exist, the data cannot show all the detail that takes place at a traffic stop. We know that disparities exist in stop rates, search rates, and hit rates. Black drivers are stopped and searched more frequently, but white drivers are more likely than black drivers to have contraband when a search is conducted. This is evident in the correlation table (Table 2) and supported by the research conducted by Jackson (2015) and Rychter (2015).

The search disparity is partially explained by the level of crime in an area. But we cannot identify every reason for all of the disparity at this time and with this data. The possibility of police bias accounting for a portion of the observed disparity may exist. However, we cannot say for certain how much of the disparity, if any, is accounted for by bias.

A large part of the problem is that we cannot say for certain what police bias would look like in the data that we have. It is true that black drivers are searched to a much higher degree than white drivers, but the hit rate disparities are much closer to being even than the search rate disparity. It can be tempting to look at a single statistic to identify the presence or absence of bias, but unfortunately the data in this report can support no such claim. Police bias could theoretically exist even when search or hit rate disparities are equal between white and black drivers. Conversely, no bias may be occurring even in the presence of large search or hit rate disparities. For example, low discretion searches, when the officer conducts a search based on procedure and not discretion, result in a high search disparity between black and white drivers.

Our inability to completely answer the question of whether or not police bias exists with the data at hand should not deter us from taking thoughtful action to address the issue. By looking at outcomes in traffic stops, we can continue to see persistent patterns related to race. Outcomes are different for black and white drivers, based on how frequently they are cited, arrested, or warned. For searches that are based solely on perceived suspicious actions, or searches that are conducted only at the consent of the driver, we see larger differences in the rates of successful searches. Further, during a consent search, white drivers are over 30% more likely than black drivers to have contraband, even as black drivers are almost 90% more likely to be the subject of a consent search than white drivers.

We can also see where police actions may be creating a schism with the communities they serve. Traffic stops are considered by law enforcement to be a valuable tool in removing illegal contraband from the street. Weapons and drugs are routinely seized and destroyed as a direct result of traffic stops. However, searches usually do not yield any contraband. Overall, about 3 in 10 searches are successful.

With consent searches, that number drops to about 1 in 10. By focusing on specific types of searches, police officers may be able to conduct fewer searches with higher rates of success.

The police need to identify a balance of searches with community relations. Too many searches will damage the relationship that the police have with the community; too few searches will result in a greater availability of weapons and drugs in communities. Neither of these outcomes is desirable. This balance should be based on continued conversations with the public to determine an appropriate level of police contact, without compromising the safety and security of citizens.

This report has attempted to explain several points that are important to understanding the issues related to traffic stops. First, this is a complex issue that has been studied for decades by a multitude of organizations and researchers. Second, many reports containing best practices and recommendations have been published to assist state and local governments, residents, and law enforcement to address concerns related to traffic stops. These reports discuss data and analysis methods, and set expectations regarding the limitations inherent in attempting to determine if a law enforcement agency is biased with regards to traffic stops. Third, the methodologies and analyses used to complete this report follow these best practice guides as much as possible, and recognize the limitations in drawing evidence-based conclusions from the underlying data.

Key findings and conclusions from this research include:

- The data we analyzed provided no statistical proof of bias using generally accepted research
 methodologies. None of the analyses performed, including the RAND Corporation's "veil of
 darkness" methodology, identified a pattern of bias in traffic stops. Nonetheless, there are
 disparities in traffic stop and search rates, as discussed throughout this report.
- Searches for contraband are more frequently conducted in areas of the city with a higher incidence of quality of life crimes (drugs, fraud, vandalism, prostitution, weapons, disorderly conduct).
- Combining the search data with demographic data, the search disparity between black and
 white drivers is partially explained by the level of crime in an area. This does not explain all of
 the disparity seen in the data, however.
- The reallocation and redeployment of officers over the past five years, and other demographic factors within GPD, did not allow any reliable analysis to be undertaken with respect to potential bias in individual officers.
- The fact that low discretion searches result in a high search disparity would suggest that the overall search disparity may not be due to individual officer behavior. Najafi found that both black and white officers search black drivers more than twice as often as white drivers. In fact, the disparity was higher with black officers (who search black drivers 75.88% of the time and white drivers 24.12% of the time) than white officers (who search black drivers 67.98% of the

- time and white drivers 32.02% of the time). This analysis does not include drivers identified as Native American, Asian, or Other in the traffic stop reports. This data warrants further analysis.
- The general statistics and ratios of disparity reported by Baumgartner have been validated.
 Research conducted internally and by outside researchers has replicated and generally
 confirmed the study's statistical results of GPD's racial disparities. There are slight variations in
 proportions, due to the use of different time periods, but overall Baumgartner's statistical
 results are generally supported.
- Black drivers are more likely to be searched, and contraband is more likely to be found during the search of a white driver. Most searches do not yield any contraband. Overall, about 3 in 10 searches are successful in locating contraband. With consent searches, that number drops to about 1 in 10. Through a review of search policies and training, officers may be able to conduct fewer searches with higher rates of success and no negative impact on public safety. This would mean more effective policing, less disruption to the travelling public, and better resource allocation. These decisions may be informed by continued conversations with the public to determine an appropriate level of police contact, without compromising the safety and security of the community. This issue warrants further consideration.
- Limitations in the accuracy and uniformity of data collection impede a thorough analysis of traffic stops and searches, which in turn limits the conclusions that can be reached from the data. Some of these limitations arise at the local level, such as training and usage of the Traffic Stop Module, and inconsistencies in determining and recording the ethnicity of stopped drivers. Other limitations arise at the state level, such as the incorrect assumption that law enforcement agencies are submitting reports for *all* traffic stops conducted by the jurisdiction, error propagation of state data for three categories (reason for conducting a search, rounding down the reported weight of seized contraband, and conflating the basis for a search), and incorrect or duplicate locally-generated officer identification numbers that may be replicated across more than one agency. Any single limitation, or combination of limitations, affects the reported data from GPD or NC-DOJ and any subsequent analysis, including our own.
- GPD officers do not always complete a Traffic Stop Report for all vehicle stops. This can be due to human error, training inconsistencies, or requirements outlined in existing policies. These discrepancies contribute to incomplete data being generated locally and thereafter being published by the state, and limit the accuracy of any conclusions that are generated. Evaluating completion rates is difficult since there is no reliable method to cross-check the nature of a traffic stop when no report exists.

Members of the Greensboro Police Department recognize that the existence of racial disparities in traffic stops and searches is a complex issue. There is no simple solution to ending the disparity, because there are no simple and discrete causes of the disparity. Nor is there a simple solution to ensuring that GPD, NC-DOJ, and others have the most complete and accurate data with which conduct further

analyses. Understanding that, GPD has taken a holistic approach to addressing traffic stops and searches, in order to best serve the public.

Continue to Review and Revise Policies When Appropriate

GPD routinely reviews and updates its policies. Sometimes these reviews occur as part of a systematic cycle. Other reviews are triggered by specific events or the identification of potential improvements in the Department's practices. The on-going in-depth look at how we conduct and document traffic stops and searches has resulted in the following updates to policies:

- Require the completion of a traffic stop report for all traffic stops
- Document a person's consent to search through either body worn camera or a Consent to Search form, including reporting the reasons for seeking consent to search
- Keep the Special Order by Chief Scott eliminating vehicle stops solely on the basis for vehicle equipment infractions in place for the immediate future
- Implement training on procedural justice and additional bias awareness training as a part of Neighborhood Oriented Policing
- Increase training and standardization for officers in filling out traffic stop reports

Continue to Emphasize Neighborhood Oriented Policing in Greensboro

As society and law enforcement evolve, so must the Greensboro Police Department continue to evolve its methods and its organizational structure. As an organization dedicated to excellence, the Department continuously looks for and adopts emerging practices and law enforcement philosophies that work best for this city. The Department is taking steps to revise its approach to traffic stops. These efforts follow suggestions by Epp, Maynard-Moddy, and Haider-Markel to emphasize traffic stops related to criminal behavior, develop guidelines and oversight for the decision to conduct a traffic stop, and review the initiation of high discretion searches (Epp, Maynard-Moddy, and Haider-Markel, 2014). Several significant shifts in GPD's methods and organizational structure are already underway.

One of the most recent and significant initiatives shifting GPD's culture is the adoption of Neighborhood Oriented Policing (NOP). NOP combines a philosophy of problem-solving with geographic ownership by police units serving defined areas. NOP also includes focused crime analysis with structured accountability for problem-solving and crime reduction throughout the Department. It encourages officers to engage in more frequent and constructive communications with the public. This improved contact and better geographic alignment, in turn, will allow the Department to discover and address crime and public safety issues more rapidly through, among other things, decreased response times, increased time spent proactively, and increased and aligned deterrent presence. We believe that NOP will have an effect on when and where traffic stops are conducted by better focusing resources and enforcement actions on areas where crimes are occurring and where key community stakeholders want a police presence.

In fact, recent data (which is not included in the scope of this report's statistical analysis) shows that the overall number of traffic stops has been declining over the past year, as has the number of citations issued after traffic stops. This may be due to the transition to Neighborhood Oriented Policing and

accompanying redeployment of police resources. This warrants further study as more data is collected over time.

Continue to Improve Training

Training provides GPD's officers the opportunity for enhanced skills, greater self-awareness, and a common frame of reference for addressing emerging issues. GPD has a tradition of providing first-rate training on emerging best practices. Leaders in the Department also see opportunities to train when processes need to be strengthened. Based on the findings from the traffic stop data research, GPD is:

- Improving training on how to complete a traffic stop report as part of existing traffic stop
 training conducted during the Police Academy, field training, and in-service training. Doing so
 will provide consistency in how reports are completed.
- Developing further training on when to conduct "high discretion" searches. As discussed in this
 report, there is a relatively low success rate for locating contraband from a consent search. This
 suggests that training can be improved in this area so that law enforcement resources are
 utilized more efficiently.

Procedural Justice is another emerging best practice in law enforcement. Sometimes called procedural fairness or rightful policing, this philosophy of policing builds trust by providing officers with a technique for ensuring all points of view are understood during an interaction. GPD has developed a program of instruction on procedural justice, and is providing it to police recruits, sworn officers, and non-sworn employees. It will also be offered to members of the community. Research related to procedural justice has identified that people are often more concerned about the fairness of an interaction with law enforcement or the criminal justice system and their treatment than the outcome. "[S]omeone who receives a traffic ticket or 'loses' his case in court will rate the system favorably if he feels that the outcome is arrived at fairly" (Procedural Justice Curriculum, 2015). Using the Procedural Justice model during a traffic stop, an officer should introduce himself, explain the reason for the stop, listen to the driver, answer any questions, address any anxiety or issues on the part of the driver, and explain the process or steps for the remainder of the traffic stop. We believe that this type of dialogue between officers and motorists can be especially beneficial in allaying misperceptions of bias.

Additionally, GPD will continue to train all employees on Understanding Implicit Bias. Since 2013, every police employee has received this four-hour block of instruction. It has also been incorporated into the Police Academy curriculum. This training helps employees understand that all people have biases, bias has a human organizational basis, and biases are primarily subconscious or "implicit." These biases can influence thinking, actions, and decision-making. Everyone, including police officers, should strive to acknowledge and address bias, because it affects one's behavior and perceptions (Understanding the Science of Bias, 2014).

Continue to Increase Transparency

The men and women of the Greensboro Police Department believe that mutual understanding is a key to building community trust and strong partnerships. Communicating with each other and sharing

information are among the first steps in creating understanding. Specific to the topic of traffic stops, GPD is increasing transparency in the following ways:

- Making the traffic stop data analyzed in this report available to the public and researchers.
- Exploring participation in the White House Open Government Initiative. This initiative provides
 avenues to access data, reports, and information directly by residents through a web-based data
 portal being developed by the City of Greensboro.
- Publishing crime data more frequently on GPD's website.
- Promoting existing means for people to find out about crime trends in their neighborhood.
- Continuing to inform residents when and where traffic and crime reduction campaigns will be occurring and the reason for the effort.

Along the lines of the last two bulleted points above, the implementation of Neighborhood Oriented Policing carries with it increased opportunities for GPD to inform specific communities as to why police resources are being used in specific ways in specific areas.

Continue to Use and Improve Data Collection

Thorough and accurate data is needed in order to better assess a variety of issues affecting law enforcement, including the disparity in traffic stops and searches, and to provide greater transparency of police operations. GPD supports adopting the recommendations of Weisel (2014) for improving the quality of traffic stop reporting data for its own department and other agencies. These include:

- 1. Requirements for initial stop purpose should be reviewed.
- 2. The severity of the offense for which the driver was initially stopped should be documented; for example, the officer should document both the recorded speed and the posted speed.
- 3. Document location of stop. Traffic stop reports should include a place variable roadway, intersection, or other marker; when occurring within a municipality, this data should include the 100-block or nearest intersection.
- 4. Revisit documentation of race/ethnicity classification. Most data collection systems in the United States require officers to determine either the race or ethnicity of the driver, but not both. We recommend combining race and ethnicity into a single racial/ethnicity indicator for drivers, for reporting purposes, as recommended by Northeastern University.
- 5. Document home jurisdiction (city and county) of all drivers stopped.
- 6. Specify the arrest charge (highest charge if multiple) arising from the stop and document the factors that lead to the arrest, such as an outstanding warrant.
- 7. Document requests for consent searches and record if the request was declined. As discussed above, GPD is in the process of implementing a policy change that will require requests for consent to be documented through the use of body-worn cameras or a Consent to Search Form.
- 8. Audit data reported by law enforcement agencies to make sure it is accurate and that it is timely submitted.

9. Audit Traffic Stop Reports for accuracy and analyze data to shed light on variations between and within jurisdictions.

In addition to the above nine points, GPD recommends all departments adopt GPD's method of providing XY coordinates for every traffic stop. Knowing the location of traffic stops will allow a more thorough analysis of the data to be conducted. As demonstrated in this report, knowing the locations allows for augmenting analysis with geographic variables. This technique is also recommended by the ACLU, Baumgartner, and Weisel.

Continue the Work

The research associated with this report is preliminary, and should continue in order to gain a better understanding of this issue as GPD continues to gather more data over time. This is especially important because the implementation of new or revised policies (e.g., the Special Order regarding equipment violations, Neighborhood Oriented Policing, and the requirement to document consent) may lead to changes in traffic stop and search rates. Reviewing those kinds of trends in the data may provide helpful insight on the effectiveness of various policy changes. Several follow-on items include:

- Continuing to work with researchers on the datasets and conduct further analyses. This would
 include completing the range of analyses developed by the RAND Corporation, when sufficient
 data is available, integrating census data more thoroughly, and looking at aspects of economics
 and poverty.
- Obtaining data from NC DMV to further research into driver and driving behaviors.
- Ensuring Traffic Stop Reports are completed by developing procedures for compliance and audits.
- Conducting analysis related to traffic crash reports and traffic stops.
- Developing memorandums of understanding with universities and looking for grant opportunities to fund future research or develop cooperative research, such as using advanced data analytics for analyzing traffic stop data for outliers or indicators of bias.
- Developing data portals and automate reporting for public access.
- Developing analytical tools to review traffic stop data on an individual officer basis.
- Leading a regional effort to review state statutes and processes related to traffic stops and searches and data collection in order to recommend appropriate legislative changes. This includes a standardized statewide ID system for all law enforcement officers, consistent training, and expanded uniform data collection methods.
- Reviewing existing training curricula related directly or indirectly to traffic stops, to ensure it reflects the current best practice methods.

Section VII: References

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Appendices

Appendix A: General Statute § 143B-902, Collection of traffic law enforcement statistics

Appendix B: SBI Form 122 Traffic Stop Report

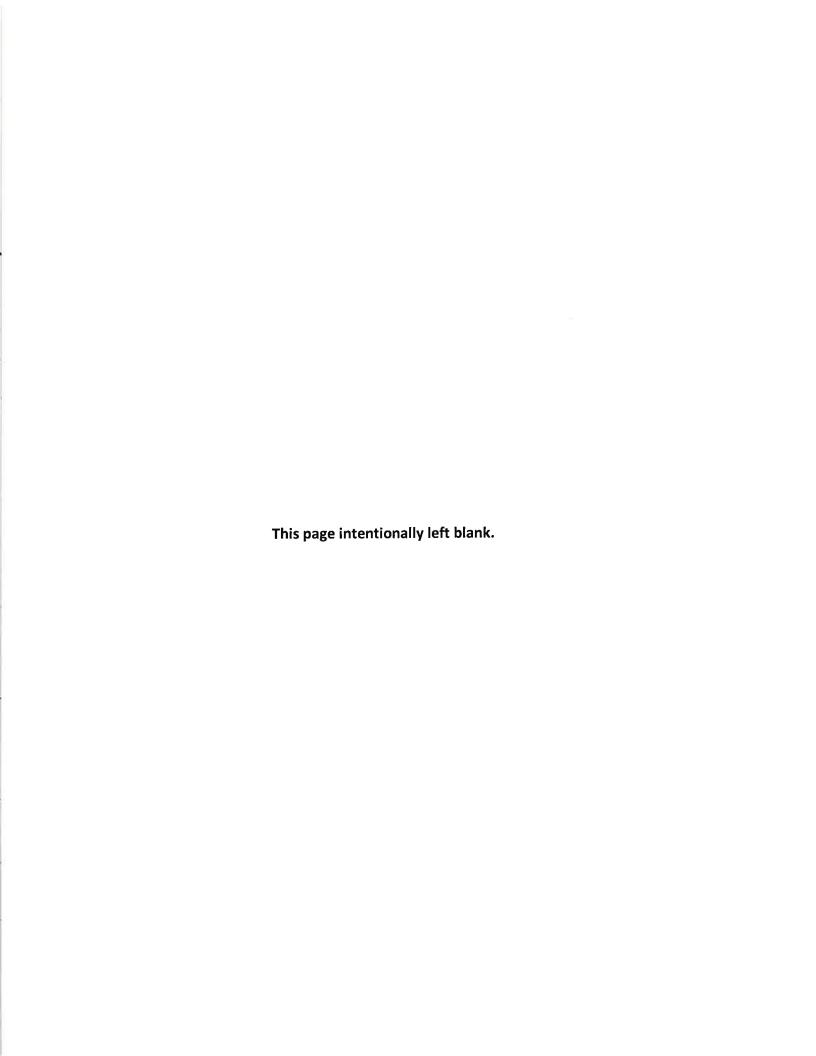
Appendix C: Set of Maps

Appendix D: Analysis of the GPD department-level racial pattern in initiating vehicle stops during the

years 2008-2013

Appendix E: Implicit Bias, Traffic Stops & Searches: Searching for Understanding: Report

Appendix F: Traffic Stop Analytics and Racial Profiling





Exploring Racial Disproportionality in Traffic Stops Conducted by the Durham Police Department

REPORT

Prepared for

Durham Police Department 505 W. Chapel Hill St. Durham, NC 27701

March 2016

Prepared by

Travis Taniguchi, PhD Josh Hendrix, PhD Brian Aagaard, MA Kevin Strom, PhD Alison Levin-Rector, MPH Stephanie Zimmer, PhD RTI International P.O. Box 12194 Research Triangle Park, NC 27709-2194 http://www.rti.org/

RTI Project Number 0290184.003.284



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Executive Summary

Recent research has generated questions regarding the Durham Police Department's (DPD) use of race as a proxy for criminal behavior. For example, Baumgartner and Epp's (2012) analysis of DPD traffic stop data suggested racial bias in traffic enforcement. Critically, Baumgartner and Epp used census population estimates to establish a benchmark for the driving population. Census estimates, however, demonstrate only where people reside and therefore serve as a poor proxy for the actual driving population.

The DPD, in an effort to promote transparency and achieve an improved understanding of its operations and their impact on the community, provided RTI International with access to 6 years of traffic stop data. In turn, RTI proposed a series of analyses that would address the methodological limitations noted above. This research was funded internally by RTI to serve the community and to contribute to a growing body of scientific research on this topic. The study was conducted independently, and the DPD provided no financial support for the project.

Data

We analyzed data from 151,701 traffic stops conducted by the DPD from January 2010 through October 2015. The stop data analyzed here were sourced directly from the DPD and included additional information (e.g., the unit assignment of the officer that conducted the stop) not routinely included in the traffic stop data submitted to the state. The data include traffic stops enforced by several different units, including traffic enforcement, patrol, High Enforcement Abatement Team (HEAT), and interdiction units.

Analytical Approach

To study the racial distribution of traffic stops in Durham, we used the "veil of darkness" (VOD) approach, which is based on the logic that police officers are less likely to be able to ascertain the race of a motorist after dark than they are during daylight (Grogger & Ridgeway, 2006). This method takes advantage of the fact that there is seasonal variation in the amount of daylight at certain times of the day. Using this method, the existence of racial disproportionality can be assessed by comparing the race of drivers stopped during daylight with the race of drivers stopped after dark during the intertwilight period (roughly between 5:30 p.m. and 9:30 p.m.). The analysis is limited to stops that occur in the late afternoon and early evening hours to reduce the variation in travel patterns that are dependent upon time of day.

Results

Results indicate that Black drivers are disproportionally stopped during daylight hours. Overall:

- The odds that a stopped driver was Black were 12% higher when the stop occurred during daylight hours than when it occurred in darkness. Put another way, at night, when officer visibility is limited, we predict 146 Black drivers stopped for every 100 White drivers. During daylight, when officer visibility is better, the predicted number of Black drivers stopped increases to 164.
- Among traffic stops involving male drivers, the odds that a stopped driver was Black were 20% higher when the traffic stop occurred during daylight than when it occurred in darkness. Put another way, for every 100 White males stopped during night hours, we predict 124 Black male drivers. This number increases to 149 Black males during daylight hours.
- No evidence of racial disproportionality was found when the analysis was restricted to traffics stops involving female drivers.

- The relationship between lighting and driver race was dependent upon the agency unit assignment. Black males in particular were overrepresented during daylight hours in the traffic stops conducted by the HEAT and patrol. For the HEAT, the odds that a stopped male driver was Black were 44% higher during daylight than in darkness. For the patrol unit, the odds that a stopped male driver was Black were 17% higher during daylight than in darkness. There was no evidence of overrepresentation among traffic stops conducted by the dedicated traffic unit.
- The relationship between lighting and driver race was also conditional upon year. Evidence suggests that racial disproportionality is decreasing over time. For the years 2014 and 2015, we found little evidence to suggest that Black drivers are overrepresented in traffic stops conducted by the DPD.

Discussion

We found evidence of racial disproportionality in traffic stops conducted by the DPD. However, the evidence further suggests that this effect is limited to male drivers, suggesting that there is a race-sex interaction and that it is Black males specifically who are more likely to be stopped during daylight, when race is more discernible. In addition, subsequent analyses found that the relationship between lighting and driver race was also conditional upon unit assignment. For instance, we did not find evidence of racial bias among traffic stops conducted by dedicated traffic units.

Introduction

Recent research has generated questions regarding the Durham Police Department's (DPD) use of race as a proxy for criminal behavior. Specifically, Baumgartner and Epp's (2012) analysis of DPD traffic stop data, and the reports that followed, strongly suggested racial bias in the traffic enforcement conducted by the DPD. This claim was based on two statistics: (1) a comparison between the percentages of Black motorists stopped in the city limits and the percentage of Black individuals who reside in the city and (2) the disproportionate number of Black individuals subjected to searches after having been stopped.

The results of these two comparisons have been used to suggest the existence of widespread racial bias in the DPD. The analyses conducted by Baumgartner and Epp (2012) are methodologically limited and provide insufficient information to fully understand the nature of disproportionate minority contact. Critically, Baumgartner and Epp employed census population estimates in an attempt to establish a suitable benchmark for the driving population. Census estimates, however, demonstrate only where people reside and, as such, may serve as a poor proxy for the actual driving population.

The DPD, in an effort to promote transparency and achieve a better understanding of its operations, provided access to its traffic stop data to RTI International to allow for an independent and objective analysis. In turn, RTI proposed a series of analyses that would address the methodological limitations noted above. This research was funded internally by RTI to serve the community and to contribute to a growing body of scientific research on this topic. The study was conducted independently, and the DPD provided no financial support for the project.

Various approaches have been developed to provide more reliable estimates of the impact of race on traffic stops. One such approach is the "veil of darkness" (VOD) method, which takes advantage of seasonal variation in the amount of daylight to examine whether the race of drivers stopped varies as a function of ambient lighting. The underlying assumption is that reduced lighting hinders the ability of officers to determine the race of drivers—and thus suggests the amount of racial bias, either implicit or explicit, in initiating the stop. This method compares the racial composition of traffic stops during the intertwilight period (a time of day when it is sometimes light and sometimes dark, depending upon the time of year) over the course of the year. Accordingly, the VOD method avoids the complex issue of controlling for the driver activity base rate.

Data

The analyses detailed below were performed on data describing 151,701 traffic stops conducted by the DPD from January 2010 through October 2015. State law requires law enforcement agencies to document the demographic characteristics, stop characteristics, and stop outcomes of all traffic stops. The stop data analyzed here were sourced directly from the DPD and included additional information (e.g., the unit assignment of the officer that conducted the stop) not typically provided in the traffic stop data submitted to the state.¹

¹ The North Carolina state legislature passed Senate Bill 76 in 1999 to require state law enforcement officers to collect traffic stop statistics. This requirement was later expanded to include local law enforcement officers. An amendment to the bill in 2009 specified that each law enforcement officer making a stop would be assigned an anonymous identification number by the officer's agency, and this number would be reported to the Division of Criminal Statistics along with other types of traffic stop data required by the bill.

Analytical Method

To study the racial distribution of traffic stops in Durham, we used the VOD approach, which is based on the logic that police officers are less capable of determining the race of a motorist after dark than they are during daylight. Using this method, the existence of racial bias can be assessed by comparing the race distribution of stops made during daylight to the race distribution of stops made after dark. The analysis is limited to stops that occur during the intertwilight period (between 5:29 p.m. and 9:07 p.m.) to reduce the variation in travel patterns that are conditional on time of day. *Figure 1* graphically depicts the intertwilight period.

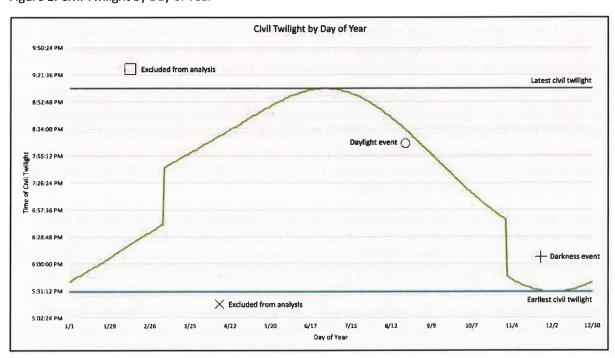


Figure 1: Civil Twilight by Day of Year

- Events above the black line occurred *after* the latest civil twilight—always in the dark. These events are excluded.
- X Events below the blue line occurred *before* the earliest civil twilight—always during daylight. These events are excluded.
- O Events between the blue and black lines occurred after the earliest civil twilight and before the latest civil twilight. Events under the green curve occurred before civil twilight of that day and are considered daylight events.
- + Events outside of the green curve occurred after civil twilight for that day and are considered darkness events.

The VOD method was developed and first employed by Jeffery Grogger and Greg Ridgeway in an analysis of traffic stops in Oakland, California, in 2006 (Grogger & Ridgeway, 2006) and Cincinnati, Ohio, in 2009 (Ridgeway et al., 2009). The method has also been used in studies focusing on the nature of traffic stops in Minneapolis, Minnesota (Ritter & Bael, 2009), Syracuse, New York (Worden, McLean, & Wheeler, 2010), San Diego, California (Burks, 2015), and a variety of jurisdictions in the state of Connecticut

(Pazniokas, 2015). Evidence of racial disproportionality was identified using this method in Minneapolis and for several jurisdictions in Connecticut.

Our models incorporate one enhancement from these previous studies: We use a random intercepts model to control for differences between officers. By doing so, we recognize that officers may have inherent differences in the percentages of Black motorists they are likely to encounter. These differences may be caused by factors such as geographic deployment, unit assignment, or individual characteristics (e.g., unique decision-making processes).

One benefit of the VOD approach is the simple interpretation of results. A statistically nonsignificant daylight indicator suggests that daylight was not associated with the race of the driver who was stopped. Alternatively, a statistically significant, positive daylight indicator suggests that Black motorists are more likely to be stopped during times when visibility is higher. Evidence of racial bias is present if minority drivers are over-represented during daylight hours compared with during times of darkness.

We processed the DPD's traffic stop data for 2010–2015 and incorporated information on civil twilight, collected from a public database maintained by the U.S. Naval Observatory. Using the VOD method, we explored four areas of interest:

- 1. The relationship between light visibility and race of the driver stopped
- 2. The relationship between light visibility and race of the driver stopped among female drivers only
- 3. The relationship between light visibility and race of the driver stopped among male drivers only
- 4. The relationship between light visibility and race of the driver stopped among different kinds of unit assignments (male motorists only)

Descriptive Statistics for Traffic Stops

This section describes the stop data used in this analysis. Descriptive statistics from all the stops in the time range (January 2010 through October 2015) are provided along with those for the subset of events that are used in the VOD analysis (intertwilight period).

Table 1 displays frequency distributions and percentages for the reasons for traffic stops. The first set of columns represents all 151,701 traffic stops that occurred in the time period studied. The shaded columns display frequency distributions and percentages for only the 19,801 traffic stops that occurred during the intertwilight period. Among the reasons for all traffic stops, the most likely was a speed limit violation (31% of all stops). Large percentages of stops were also identified for vehicle regulatory violations (23.3%) and vehicle equipment violations (13%). Perceptions of the driver's being impaired, seat belt violations, and checkpoints were less common reasons for traffic stops (<4% each). Similar patterns are observed during the intertwilight period. Specifically, speed limit violations, vehicle regulatory violations, and vehicle equipment violations were the top three reasons for stops. One noteworthy difference is that speed limit violations make up a smaller percentage of stops during the intertwilight period than they do for all stops, whereas vehicle equipment and regulatory violations make up larger percentages of stops during the intertwilight period.

Table 1: Reasons for Stop

	All stops (A	/ = 151,701)	ITP stops $(n = 19,801)$		
Reason	Frequency	Percent	Frequency	Percent	
Checkpoint	4,726	3.12	418	2.11	
DWI	439	0.29	34	0.17	
Investigation	11,757	7.75	1,481	7.48	
Other motor vehicle violation	4,974	3.28	650	3.28	
Safe movement violation	12,619	8.32	1,813	9.16	
Speed limit violation	47,027	31.00	4,536	22.91	
Seat belt violation	4,341	2.86	469	2.37	
Stoplight/sign violation	10,587	6.98	1,631	8.24	
Vehicle equipment violation	19,836	13.08	3,424	17.29	
Vehicle regulatory violation	35,395	23.33	5,345	26.99	
Total	151,701	100.00	19,801	100.00	

Notes: ITP = intertwilight period.

Table 2 shows descriptive statistics for reasons for the traffic stop by the officer's unit assignment. Shaded columns present results specifically during the intertwilight period. More than half (54%) of all stops were conducted by officers assigned to the patrol unit, and about a fifth (22%) were conducted by officers assigned to the traffic unit. Within the High Enforcement Abatement Team (HEAT) unit, vehicle regulatory and equipment violations and investigation were the most common reasons for stops, although safe movement and speed limit violations each accounted for 9% of all traffic stops conducted by the HEAT. Seventy percent of stops conducted by the traffic unit were related to the speed limit. Stops conducted by the patrol unit mostly pertained to equipment, regulatory, and speed limit violations. Highly similar patterns are observed for stops that occurred during the intertwilight period. Most (74%) stops during the intertwilight period were conducted by the patrol or traffic units. Within the HEAT, vehicle regulatory and equipment violations and investigation were the most common reasons for stops. Seventy percent of stops conducted by the traffic unit related to the speed limit, whereas stops conducted by the patrol unit mostly pertained to equipment and regulatory violations.

Table 2: Reasons for Stop by Officer Assignment

Reason for stop	HE	AT	Tra	ffic	Pat	rol	All e	lse	Tot	al
	All	ITP	All	ITP	All	ITP	All	ITP	All	ITP
Checkpoint	688	183	458	11	3,093	173	487	51	4,726	418
	(5%)	(7%)	(1%)	(0%)	(4%)	(2%)	(2%)	(2%)	(3%)	(2%)
DWI	16	2	100	8	285	22	38	2	439	34
	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)
Investigation	1,695	330	1,064	91	7,947	924	1,051	136	11,757	1,481
	(14%)	(12%)	(3%)	(2%)	(10%)	(8%)	(4%)	(6%)	(8%)	(7%)
Other motor vehicle violation	547	103	467	57	3,176	395	784	95	4,974	650
	(4%)	(4%)	(1%)	(2%)	(4%)	(4%)	(3%)	(4%)	(3%)	(3%)
Safe movement violation	1,161	204	1,046	142	7,195	1,150	3,217	317	12,619	1,813
	(9%)	(8%)	(3%)	(4%)	(9%)	(10%)	(13%)	(13%)	(8%)	(9%)
Speed limit violation	1,129	179	23,068	2,623	12,563	1,101	10,267	633	47,027	4,536
	(9%)	(7%)	(70%)	(70%)	(15%)	(10%)	(43%)	(26%)	(28%)	(23%)
Seat belt violation	333	74	2,051	142	1,375	170	582	83	4,341	469
	3%)	(3%)	(6%)	(4%)	(2%)	(2%)	(2%)	(3%)	(3%)	(2%)
Stoplight/sign violation	571	142	990	156	7,649	1,104	1,377	229	10,587	1,631
	(5%)	(5%)	(3%)	(4%)	(9%)	(10%)	(6%)	(9%)	(7%)	(8%)
Vehicle equipment violation	3,083	726	758	151	13,849	2,194	2,146	353	19,836	3,424
	(25%)	(27%)	(2%)	(4%)	(17%)	(20%)	(9%)	(14%)	(13%)	(17%)
Vehicle regulatory violation	3,270	702	2,898	371	25,068	3,726	4,159	546	35,395	5,345
·	(26%)	(27%)	(9%)	(10%)	(30%)	(34%)	(17%)	(22%)	(23%)	(27%)
Total	12,493	2,645	32,900	3,752	82,200	10,959	24,108	2,445	151,701	19,801
Percentage of total stops	8%	13%	22%	19%	54%	55%	16%	12%		

Notes: HEAT = High Enforcement Abatement Team; ITP = intertwilight period. N for all stops = 151,701; n for ITP stops = 19,801; approximate column percentages are in parentheses.

Table 3 displays reasons for traffic stops by the time of day for stops that occurred during the intertwilight period. Results show some variation in the number of stops that occurred during these 30-minute increments. For instance, 20% of stops occurred between 8:30 and 9:00 p.m., whereas only 3% occurred between 9:00 and 9:30 p.m. However, in general, each reason for stop typically makes up the same approximate percentage of all traffic stops in each time slot. For instance, speed limit violations made up about 23% of stops during each time period, and there were only minor fluctuations in the percentage of stops that were speed limit violations over time. Likewise, the percentages of stops that were stoplight/sign violations did not differ substantially throughout the overall time period, ranging from 7% to 9% of all stops in each time slot. One exception was vehicle equipment violations, which showed a small spike starting during the 8:00–9:30 timeslot (from approximately 14% of all stops before 8:00, to 20% of all stops during the 8:00–8:30 time slot, up to 24% of stops during the 8:30-9:30 time slot). The percentage of all stops that pertained to vehicle regulatory violations peaked between 6:30 and 7:00 p.m. at 32%, but dropped to 24% of all stops by 8:00–8:30.

Table 3: Reasons for Stop by Time of Day During Intertwilight Period

Reason for stop	5:30-	6:00-	6:30-	7:00-	7:30-	8:00-	8:30-	9:00-	Total
	6:00	6:30	7:00	7:30	8:00	8:30	9:00	9:30	
Checkpoint	97	42	29	39	63	65	70	13	418
	(5%)	(3%)	(1%)	(2%)	(2%)	(2%)	(2%)	(2%)	(2%)
DWI	0	2	2	2	6	8	13	1	34
	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)
Investigation	157	89	194	225	245	251	286	34	1,481
	(8%)	(6%)	(7%)	(9%)	(8%)	(8%)	(7%)	(6%)	(7%)
Other vehicle violation	75	61	84	75	108	105	130	12	650
	(4%)	(4%)	(3%)	(3%)	(3%)	(3%)	(3%)	(2%)	(3%)
Safe movement violation	217	164	255	227	249	298	353	50	1,813
	(11%)	(10%)	(10%)	(9%)	(8%)	(9%)	(9%)	(8%)	(9%)
Speed limit violation	493	409	541	609	714	800	828	142	4,536
	(25%)	(26%)	(21%)	(23%)	(23%)	(24%)	(21%)	(24%)	(23%)
Seat belt violation	67	70	81	84	70	52	38	7	469
	(3%)	(4%)	(3%)	(3%)	(2%)	(2%)	(1%)	(1%)	(2%)
Stoplight/sign violation	127	118	229	220	267	295	326	49	1,631
	(7%)	(7%)	(9%)	(8%)	(9%)	(9%)	(8%)	(8%)	(8%)
Equipment violation	199	206	372	354	521	661	971	140	3,424
	(10%)	(13%)	(14%)	(14%)	(17%)	(20%)	(24%)	(24%)	(17%)
Vehicle regulatory violation	521	416	850	758	874	790	991	145	5,345
	(27%)	(26%)	(32%)	(29%)	(28%)	(24%)	(25%)	(24%)	(27%)
Total	1,953	1,577	2,637	2,593	3,117	3,325	4,006	593	19,801
Percentage of total stops	(10%)	(8%)	(13%)	(13%)	(16%)	(17%)	(20%)	(3%)	

Notes: All times are in the afternoon and evening (p.m.). n = 19,801; approximate column percentages are in parentheses.

Table 4 presents frequencies for the purposes of stops by the race of the motorist. Races other than Black and White made up a very small percentage of the number of traffic stops. For instance, Asian, Native American, and motorists with an unknown race, combined, accounted for 3% of all stops, both overall and during the intertwilight period. For all stops, speed limit violations were the most common reason for the traffic stop for all racial groups, and vehicle regulatory violations were second. Although these patterns are generally true during the intertwilight period, we note a few exceptions. Particularly among Black drivers, vehicle equipment and regulatory violations each made up a larger percentage of all reasons for stops than did speed limit violations. Among Native American motorists, the most common reasons for the stop were speed limit and safe movement violations.

Table 4: Reasons for Stop by Race of Driver

Reason for stop	Asia	in	Blac	:k	Native Ar	nerican	Whi	te	Unkno	own	Tota	al
	All	ITP	All	ITP	All	ITP	All	ITP	All	ITP	All	ITP
Checkpoint	17	1	2,486	192	13	2	2,192	222	18	1	4,726	418
	(1%)	(0%)	(3%)	(2%)	(1%)	(2%)	(4%)	(3%)	(3%)	1%	(3%)	(2%)
DWI	2	0	156	14	3	0	277	20	1	0	439	34
	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)
Investigation	103	7	6,943	877	26	3	4,638	587	47	7	11,757	1,481
	(4%)	(2%)	(8%)	(7%)	(3%)	(3%)	(8%)	(8%)	(7%)	(10%)	(8%)	(7%)
Other motor vehicle violation	50	8	3,046	399	20	1	1,827	239	31	3	4,974	650
	(2%)	(2%)	(3%)	(3%)	(2%)	(1%)	(3%)	(3%)	(5%)	(4%)	(3%)	(3%)
Safe movement violation	283	48	7,170	1,003	101	23	4,981	729	84	10	12,619	1,813
	(11%)	(13%)	(8%)	(8%)	(11%)	(20%)	(9%)	(10%)	(13%)	(14%)	(8%)	(9%)
Speed limit violation	1,273	164	24,466	2,312	431	49	20,651	1,991	206	20	47,027	4,536
	(48%)	(44%)	(27%)	(19%)	(49%)	(43%)	(35%)	(27%)	(32%)	(28%)	(31%)	(23%)
Seat belt violation	39	2	2,909	347	19	4	1,347	115	27	1	4,341	469
	(1%)	(0%)	(3%)	(3%)	(2%)	(4%)	(2%)	(2%)	(4%)	(1%)	(3%)	(2%)
Stoplight/sign violation	278	45	5,824	933	95	15	4,329	633	61	5	10,587	1,631
	(11%)	(12%)	(7%)	(8%)	(11%)	(13%)	(7%)	(9%)	(9%)	(7%)	(7%)	(8%)
Vehicle equipment violation	220	47	13,865	2,355	65	8	5,623	1,004	63	10	19,836	3,424
	(8%)	(13%)	(16%)	(20%)	(7%)	(7%)	(10%)	(14%)	(10%)	(14%)	(13%)	(17%)
Vehicle regulatory violation	371	54	22,371	3,427	111	9	12,433	1,841	109	14	35,395	5,345
	(14%)	(14%)	(25%)	(29%)	(13%)	(8%)	(21%)	(25%)	(17%)	(20%)	(23%)	(27%)
Total	2,636	376	89,236	11,859	884	114	58,298	7,381	647	71	151,701	19,801
Percent of total stops	2%	2%	59%	60%	1%	1%	38%	37%	0%	0%	·	

Notes: ITP=intertwilight period; approximate column percentages are in parentheses. N for all stops = 151,701; n for ITP stops = 19,801.

Table 5 shows descriptive statistics for the sex and race of drivers for the overall sample and separately for stops that occurred during the intertwilight period. Traffic stops more commonly involved men than women in both the overall sample and in stops limited to the intertwilight period. The racial composition between all traffic stops and traffic stops occurring in the intertwilight period was relatively consistent. For instance, the majority of motorists in both samples were Black. As shown also in Table 4, Asian, Native American, and motorists of an unknown race were involved in only a small percentage of all traffic stops, both overall and those occurring during intertwilight.

Table 5: Race and Sex of People Stopped

Characteristic	Overall (N	= 151,701)	ITP stops $(n = 19,801)$		
	Frequency	%	Frequency	%	
Sex					
Male	93,486	61.63	12,516	63.21	
Female	58,215	38.37	7,285	36.79	
Total	151,701	100.00	19,801	100.00	
Race					
Asian	2,636	1.74	376	1.90	
Black	89,236	58.82	11,859	59.89	
Native American	884	0.58	114	.58	
Unknown	647	0.43	71	.36	
White	58,298	38.43	7,381	37.28	
Total	151,701	100.00	19,801	100.00	

Notes: ITP = intertwilight period.

There are a few differences between the reasons for stops for males and females (*Table 6*). For all stops, females were more likely to be stopped for speed limit violations (35% female and 29% male) and vehicle regulatory violations (25% female and 22% male). Females were stopped for most other reasons at lower rates than males were. These patterns are generally mirrored in the intertwilight period.

Table 6: Reason for Stop by Sex of Driver

Reason	Al	I stops ($N = 15$	1,701)		ITP stops $(n = 19,801)$			
		Frequency	/		Frequency			
	Male	Female	Total	Male	Female	Total		
Checkpoint	3,108	1,618	4,726	280	138	418		
	(3%)	(3%)	(3%)	(2%)	(2%)	(2%)		
DWI	368	71	439	30	4	34		
	(0%)	(0%)	(0%)	(0%)	(0%)	(0%)		
Investigation	8,248	3,509	11,757	1,061	420	1,481		
	(9%)	(6%)	(8%)	(8%)	(6%)	(7%)		
Other motor vehicle violation	3,370	1,604	4,974	440	210	650		
	(4%)	(3%)	(3%)	(4%)	(3%)	(3%)		
Safe movement violation	8,503	4,116	12,619	1,191	622	1,813		
	(9%)	(7%)	(8%)	(10%)	(9%)	(9%)		
Speed limit violation	26,720	20,307	47,027	2,824	1,712	4,536		
	(29%)	(35%)	(31%)	(23%)	(24%)	(23%)		
Seat belt violation	3,056	1,285	4,341	370	99	469		
	(3%)	(2%)	(3%)	(3%)	(1%)	(2%)		
Stoplight/sign violation	6,350	4,237	10,587	972	659	1,631		
	(7%)	(7%)	(7%)	(8%)	(9%)	(8%)		
Vehicle equipment violation	12,844	6,992	19,836	2,158	1,266	3,424		
	(14%)	(12%)	(13%)	(17%)	(17%)	(17%)		
Vehicle regulatory violation	20,919	14,476	35,395	3,190	2,155	5,345		
	(22%)	(25%)	(23%)	(25%)	(30%)	(27%)		
Total	93,486	58,215	151,701	12,516	7,285	19,801		
	(62%)	(38%)		(63%)	(37%)			

Notes: ITP = intertwilight period; approximate column percentages are in parentheses.

Veil of Darkness

The overall model suggests that daylight was significantly associated with driver race (*Table 7*). The odds of the driver's being Black were 12% higher when the stop occurred during daylight than when the stop occurred during darkness.²

Table 7: Overall Veil of Darkness Analysis

Model specification	n	Odds Ratio	
Model 1—All intertwilight stops	19,801	1.12***	

Notes: Results presented as odds ratios. Models also controlled for day of week, year, and time of stop as linear and quadratic terms. These coefficients are omitted for brevity. Models were specified as generalized linear mixed models where officer ID was treated as a random effect. ***p < 0.001.

² A likelihood ratio test was performed to test the time control-only model (day of week, year, and time of stop indicators) against the fully fitted model that added the dark/light indicators. Models including the day/light indicator resulted in a statistically significant improvement in model fit.

An assessment of the predicted probabilities for this model showed that stops conducted during daylight had a 62% chance of involving a Black motorist, whereas stops occurring during darkness had a 59% chance of involving a Black motorist.³ Put another way, we expect officers to stop 146 Black drivers for every 100 White drivers during night hours, when officers are less capable of determining driver race. During daylight hours, when visibility of the driver is higher, we expect officers to stop 164 Black drivers for every 100 White drivers. This increase in Black drivers stopped during daylight hours is indicative of racial disparity in traffic stops.

Race-Sex Interaction

Models were respecified to explore the effect of driver sex on the relationship between available lighting and driver race (*Table 8*). The VOD method was applied to the subsample for males only and for females only. In the male-only subsample, the odds of the driver's being Black were 20% higher when the traffic stop occurred during the daylight hours of the intertwilight period than when it occurred during the dark hours of the intertwilight period. We did not find a significant relationship between lighting and driver race among the female subsample.⁴

Table 8: Veil of Darkness Analysis Subset by Sex

Model specification	п	Odds Ratio
Model 2—Male only	12,516	1.20***
Model 3—Female only	7,285	0.988

Notes: Results presented as odds ratios. Models also controlled for day of week, year, and time of stop as linear and quadratic terms. These coefficients are omitted for brevity. Models were specified as generalized linear mixed models where officer ID was treated as a random effect. ***p < 0.001.

The predicted probabilities of this model suggest that during darkness there was a 55% chance that the motorist was a Black male. During daylight hours, this chance increased to 69%. Stated another way, we expect officers to stop 124 Black male drivers for every 100 White male drivers during dark hours. This figure increases to 149 Black male drivers during daylight hours.

Veil of Darkness Analysis by Unit Assignment

Separate analyses on traffic stops involving male drivers conducted by different unit assignments indicated evidence of racial disproportionality in stops by the HEAT and patrol units (*Table 9*). The relationship between lighting and race of driver was statistically nonsignificant for the traffic enforcement unit.

 $^{^3}$ This was calculated by taking 1/(1 - mean) for that condition. Odds were calculated using the LSMEANS command in SAS. All other model variables were set to their means.

⁴ The intraclass correlation for the male-only model was 10.3%.

Table 9: Veil of Darkness Analysis Subset by Unit Assignment, Male Drivers Only

Model Specification	n	Odds Ratio	
Model 4—HEAT	1,777	1.44**	
Model 5—Traffic	2,285	1.11	
Model 6—Patrol	6,824	1.17**	

Notes: Results presented as odds ratios. Models also controlled for day of week, year, and time of stop as linear and quadratic terms. These coefficients are omitted for brevity. Models were specified as generalized linear mixed models where officer ID was treated as a random effect. HEAT = High Enforcement Abatement Team. **p < 0.01.

For the HEAT, the odds of the motorist's being Black during daylight hours were 44% higher than the odds during darkness. An assessment of the predicted probabilities for this model shows that stops conducted by the HEAT during darkness had a 69% chance of involving a Black male motorist, compared with a 76% chance in daylight. On the basis of these results, for every 100 White male motorists stopped by the HEAT during darkness, we would predict 220 Black male motorists stopped; for every 100 White male motorists stopped during daylight, we would predict 319 Black male motorists stopped.⁵

Results from the subsample analysis of the patrol unit indicated that the odds of daylight stops' involving a Black male driver were 17% higher than the odds during darkness. More specifically, stops during darkness had a 55% chance of involving a Black male driver, compared with a 58% chance in daylight. Furthermore, during darkness, for every 100 White males stopped by the patrol unit, we would predict 120 Black males to be stopped; during daylight, for every 100 White males stopped, we would predict 141 Black males to be stopped.

Estimation of Long-Term Temporal Trends

In *Table 10* we explore the relationship between lighting and driver race over time. These models include an interaction term between lighting and year in addition to all other covariates specified in the models that were previously discussed. The interaction term was created by multiplying the indicator representing daylight by the year variable and is included to assess whether the effects of daylight on the odds of the motorist's being Black were stronger or weaker over time.

 $^{^{5}}$ The intraclass correlation for the HEAT was 16.6% and for patrol was 9.1%.

⁶ All predicted probabilities for the night/day indicator were calculated while holding the other variables in the model at their means

⁷ We explored how the impact of lighting changed when the outcome variable was specified as 1 = Black Male, 0 = everyone else rather than subsetting the analysis to males only. Results showed only small differences from those presented in Tables 8 and 9. For example, the point estimate for the night/day indicator when predicting the odds of the driver's being a Black male was 0.1821, and the odds ratio was 1.20.

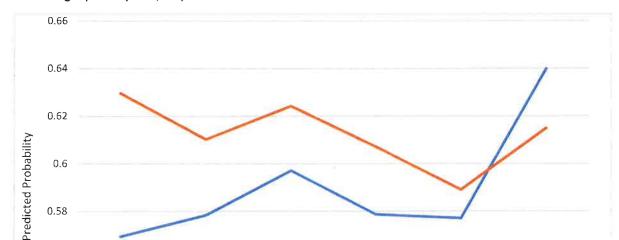
Table 10: Veil of Darkness Analysis With Year-Daylight Interaction

Model Specification	n	Odds Ratio
Model 7—Overall	12,516	
Daylight	5 2.7 .8	1.359***
Year	6 444 0	1.038*
Year-Daylight Interaction		0.944**
Model 8—Male only	7,285	
Daylight	, -	1.397***
Year	(ex)	1.055**
Year-Daylight Interaction	-	0.956 [†]

Notes: Results presented as odds ratios. Models also controlled for day of week and time of stop as linear and quadratic terms. These coefficients are omitted for brevity. Models were specified as generalized linear mixed models where officer ID was treated as a random effect. . \uparrow p<0.10; *p<0.05; **p<0.01; ***p<0.01.

The interaction term is statistically significant and negative in direction for the Model 7 (coefficient=-.057; odds ratio=.944), indicating that the relationship between daylight and the odds of the motorist's being Black was weaker over time. To better interpret the relationship between the year and daylight, we calculated predicted probabilities of the driver's being Black by year for light and dark times in the intertwilight period (*Figure 2*). In 2010, daylight stops had a 63% chance of involving a Black motorist, compared with a 57% chance in darkness. In 2011, daylight stops had a 61% chance of involving a Black driver, compared with just under 58% chance in darkness. Similar patterns are found in 2012 and 2013. The gap is considerably smaller in 2014, with only about a 1% difference in the predicted probabilities for daylight and darkness. The year 2015 is unique from previous years in that the percent chance of the driver's being Black during darkness was higher than the percent chance during daylight. Supplementary analysis was conducted to further understand how racial disproportionality in traffic stops has changed over time. Specifically, separate logistic regression models were run for each year of data (not shown). Results indicated that the relationship between daylight and the odds of the traffic stop's involving a Black driver was not statistically significant in 2014 and 2015.⁸

⁸ At the time of the analysis, RTI did not have complete data for traffic stops occurring in 2015 (traffic stops in November and December of 2015 had not yet occurred, representing approximately 1,000 traffic stops). Once complete data became available, all analyses were rerun. The results for all analyses showed only slight differences from the results presented here.



2012

Darkness

Year

2013

Daylight

2014

2015

2011

0.56

0.54

2010

Figure 2: Effect of lighting on the racial composition of drivers, over time for the overall sample in the intertwilight period (n=19,801)

Results from Model 8, which is restricted to traffic stops involving male drivers, show that the interactive term for year and daylight was statistically significant only at a relaxed p-value cutoff point of .10. Figure 3 displays predicted probabilities of the driver's being Black during daylight and darkness from 2010 to 2015. In 2010, there was a 59% chance that the traffic stop involved a Black male driver if the stop occurred during daylight, compared with a 53% chance during darkness. In 2011, there was a 58% chance the driver was a Black male during daylight, compared with a 54% chance during darkness. The disparity was largest in 2012; there was a 61% chance the driver was a Black male during daylight, compared with a 54% chance during darkness. The disparity between predicted probabilities during daylight and darkness in 2013 is very similar to that in 2011. As shown, in 2014, the chance of the driver's being Black during daylight was only about 1% higher than during darkness. Similar to the overall sample, although the predicted probability for the traffic stop involving a Black driver in daylight increased in 2015 (relative to 2014), so did the predicted probability for the traffic stop's involving a Black driver during darkness. Thus, much like 2014, the disparity between daylight and darkness stops is small (a 1% difference). Separate logistic regression models were also run for each year of data (not shown). Results indicated that the relationship between daylight and the odds of the traffic stop's involving a Black driver was not statistically significant in 2014 or 2015.

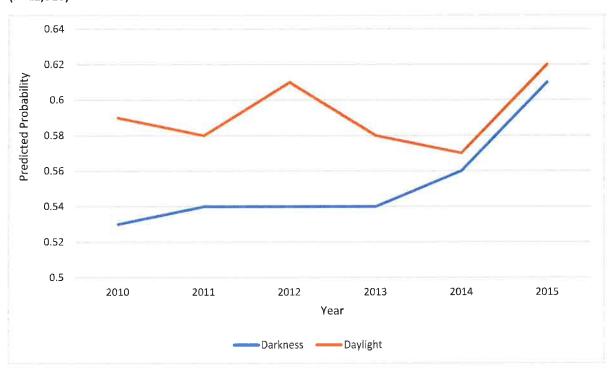


Figure 3: Effect of lighting on the racial composition of drivers, over time for traffic stops involving males (n=12,516)

Interagency Comparison

The DPD is not the only North Carolina agency at which claims of racial bias have been leveled. A recent *New York Times* article highlighted the racial disproportionality in traffic stops in both Greensboro and Fayetteville (LaFraniere & Lehren, 2015). That article is only the most recent in a long line of media claims that racial bias exists in traffic stops in these cities.

Racial bias has also been a long-running claim in Raleigh. News reports going back to 2000 claim racial bias in traffic stops, based on the difference between the racial composition of stopped motorists and the racial composition of the city (Associated Press, 2000). The problems with this method and the limitations of this comparison were previously noted.

Greensboro, Fayetteville, and Raleigh have socioeconomic and demographic characteristics that are similar to those of Durham. This makes them reasonable comparisons for understanding whether the relationships found in Durham hold in different jurisdictions. *Table 11* displays the demographic characteristics of comparison cities.

Table 11: Demographics of Comparison Cities

				Median Household
City	Population ^a	% Black ^b	% White ^b	Income ^c
Durham	251,893	41.0	42.5	\$49,585
Raleigh	439,896	29.3	57.5	\$54,581
Fayetteville	203,948	41.9	45.7	\$44,514
Greensboro	282,586	40.6	48.4	\$41,518

Notes: Sources: ^a 2014 census population estimates. ^b 2010 census summary file. ^c 2010–2014 American Community Survey 5-year estimates.

Analyses using the VOD approach were conducted on the state-sourced traffic stop data from these three cities; results are shown in *Table 12*. We controlled for time (day of week, year, and within-day) but omitted these variables from the tables.

Table 12: Comparison City Analysis

Model	Raleigh		Fayetteville		Greensboro				
	Ν	OR	N	OR	N	OR			
Model 9—Overall	52,114	1.025	30,733	1.015	37,125	0.988			
Model 10—Males only	32,248	1.028	18,133	1.024	21,796	1.051			
Model 11—Females only	19,866	1.016	12,600	1.002	15,329	0.891***			

Notes: Results presented as odds ratios. Models also controlled for day of week, year, and time of stop. Model fit tests for the analysis of traffic stops in Greensboro indicated a statistically significant improvement in model fit when a quadratic term for time of stop was also included in the model. Assessments for Raleigh and Fayetteville indicated that quadratic terms did not improve model fit and therefore those models controlled for time of stop as a linear term only. Coefficients for all control variables are omitted for brevity. Models were specified as generalized linear mixed models where officer ID was treated as a random effect. ***p < 0.001.

In the overall models, we did not find evidence of racial bias in Raleigh, Fayetteville, or Greensboro (Model 9). Given that the largest effect in Durham was for males, we reran the models, restricting the analysis to males only (Model 10) and females only (Model 11). In all but one instance, we did not find a statistically significant relationship between lighting and the race of the driver. The one exception was traffic stops involving female drivers in Greensboro, where the odds of the driver being black were 11% lower during daylight than in darkness.

Limitations

First, the VOD approach assumes that there are no seasonal differences in risk of drivers' being stopped that are conditional upon daylight or darkness. Certain conditions (e.g., large population changes based on a university schedule or large seasonal changes in population) may invalidate this assumption. To test this assumption, we modeled events that occurred within 30 days before and after the switch to Daylight Saving Time. These models, which are reported in Appendix 2, demonstrated no substantive differences from the results presented above.

Second, the VOD method is sensitive to factors that reduce the correlation between presumed visibility and darkness. Two situations are worth discussing. First, street lighting may alter the ability of officers to detect the race of drivers in darkness (Horrace & Rohlin, 2014). The extent to which this artificial lighting

enhances officers' abilities to detect driver race will negatively affect the assumptions underlying the model. Second, adverse weather conditions may make it darker earlier than indicated by the day's civil twilight. We note, however, that under both of these conditions, the exclusion of this ancillary information biases results toward null findings and that the inclusion of these ancillary data should *strengthen* the ability to detect a relationship between visibility and driver race. The results presented here are thus a *conservative* estimate of the impact of lighting on the race of driver stopped.

Third, the VOD addresses only the question of racial bias that may be occurring during the intertwilight period. Because the method requires variations in lighting during the same times, we are unable to assess racial bias in time periods when it is always day (e.g., 3:00 p.m.) or always dark (e.g., 11:30 p.m.). Although these results are suggestive, it would be inappropriate to extrapolate our findings to times outside of our analysis window.

Fourth, the VOD approach explores only the patterns of traffic stops and the racial composition of the drivers. We make no claims about the reasons, causes, or other factors that may influence the officer's decision to make a traffic stop. Relatedly, the VOD approach tells us nothing about other important stop characteristics, including the length of the stop, the outcome, or decisions to search. This approach also does not consider the impact of passengers on the decision to stop.

Finally, a lack of location information of the stop in the data for 2010–2014 prevented us from exploring the district-level variance in the relationship between lighting and driver race. Instead, we controlled for officer-level variance as a proxy for natural differences in the likelihood of stopping Black motorists that can be influenced by factors such as location and unit of assignment.

Discussion

The VOD approach to analyzing traffic stops is powerful because it does not need an external benchmark to model the driving population at risk. Instead, natural variation in lighting that occurs over time throughout the year is used to identify periods when it is dark at some times of the year and light during other times (e.g., 7:30 p.m. in July will be light, whereas 7:30 p.m. in December will be dark). This natural variation creates changes in the ability of officers to determine driver race, while avoiding the issue of comparing different times that may have different driving populations at risk. For these reasons, the VOD approach has received widespread and increasing acceptance in the criminal justice field in recent years.

The results of these analyses suggest that Black motorists are overrepresented in the Durham traffic stops that occurred between 5:29 p.m. and 9:07 p.m. during January 2010—October 2015. The overrepresentation of Black motorists in daylight traffic stops is confined to Black males. The analysis did not find a statistically significant relationship between lighting and Black female drivers. This suggests that there is a sex-race interaction. We find evidence that the overrepresentation of Black drivers is present in most, but not all, unit assignments. Most notably we found that the HEAT and patrol units stopped more Black males during daylight hours than during the hours when it was dark. Traffic stops made by the dedicated traffic unit, however, did *not* display evidence of racial disproportionality.

Overall, we predict that officers will stop 146 Black drivers for every 100 White drivers during night hours, when officers are less capable of determining driver race. During daylight hours, when visibility is higher, we predict that officers will stop 164 Black drivers for every 100 White drivers. When examining males

only, these numbers change to 124 Black drivers for every 100 White drivers during dark hours and 149 Black drivers for every 100 White drivers during daylight hours.

Further analysis of the impact of daylight on Black male motorists was done by analyzing the unit assignment of the officer making the stop. These subset analyses were conducted for the HEAT, patrol, and traffic units. For the HEAT, for every 100 White male motorists stopped at night, we predict that 220 Black male motorists will be stopped; for every 100 White male motorists stopped during the day, we predict that 319 Black male motorists will be stopped. For patrol, for every 100 White males stopped by the patrol unit, we would predict that 120 Black males will be stopped; during daylight, for every 100 White males stopped, we would predict that 141 Black males will be stopped.

Despite the consistency of these findings, we note that the traffic enforcement unit showed no evidence of racial disproportionality. We also note that the strength of the disproportionality varies considerably between units. More research is needed to understand the underlying factors that drive this variability.

There was also evidence of longer-term trends in the data. Racial disproportionality was larger in the earlier years of analysis. By 2014–2015 we saw a convergence of the predicted probabilities for light times and dark times. This suggests that there is little evidence of Black overrepresentation during these 2 years. The causes for this convergence are unknown and warrant further study.

Note that the proportion of Black drivers stopped during dark hours is not the key indicator of disproportionality. It is assumed that the lack of available lighting during the dark hours prevents officers from reliably determining the race of the driver before initiating the traffic stop. The overrepresentation of Black motorists during the dark hours may be driven by the natural differences in the driving population, differences in the driving population at risk of being stopped (i.e., differences in driving behaviors), or differences in police deployment strategies that influence risk of being stopped (e.g., officers being assigned to high-crime areas that correlate with larger minority populations). The differences between Black and non-Black driver risk during dark hours highlights why analyses that have focused on the difference between the racial compositions of those stopped and the racial compositions of the jurisdiction's population are highly problematic and potentially misleading.

We conducted similar analyses on other North Carolina cities that have also had claims of racial bias in traffic enforcement. Raleigh, Fayetteville, and Greensboro have each had long-term media attention on the racial composition of the motorists stopped by those departments. Our analyses of traffic stops in these other cities failed to identify evidence of racial bias. We note that media attention and benchmarks against census population are insufficient to reliably identify racial disparity in traffic stops.

The results of these analyses also demonstrate the importance of capturing additional contextual details in the traffic stop dataset. Our analyses demonstrate that organizational unit is a key factor in exploring racial bias. This information is not available in the state-level data. Without this information, we would have been unable to determine that the traffic unit shows no evidence of racial disproportionality in traffic stops. We also find the lack of location information in most traffic stop data to be problematic. Others have used this information to subset analyses by geography (Grogger & Ridgeway, 2006) or to control for features of the built environment (Horrace & Rohlin, 2014). This information could be used to better specify models and to control for potential spatial effects.

Appendix 1—References

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Appendix 2—Sensitivity Analysis

Several variations in the VOD methodology have the potential to alter findings (*Table 13*). These variations are more restrictive in the time ranges that are used in the analysis.

Table 13: Additional Model Specifications

Model Specification	Overall		Male		Female	
	n	OR	n	OR	n	OR
Model A—Exclude the period of sunset to intertwilight	17,414	1.125**	11,003	1.218***	6,411	0.971
Model B—Events within 30 days of switch to Daylight Saving Time, exclude sunset to intertwilight	6,015	1.245*	3,761	1.258*	2,254	1.209
Model C—Exclude drivers that were Hispanic, other than White/Black	16,578	1.166***	10,085	1.256***	6,493	1.015
Model D—Include controls for month	19,801	1.128*	12,516	1.221**	7,285	.935

Notes: Results presented as odds ratios. Models also controlled for day of week, year, and time of stop as linear and quadratic terms. These coefficients are omitted for brevity. Models were specified as generalized linear mixed models where officer ID was treated as a random effect. *p < 0.05; **p < 0.01; ***p < 0.001.

Model A recognizes that the time between sunset and intertwilight (roughly 30 minutes) is difficult to classify as light or dark. Therefore, Model A dropped events that occurred between sunset and intertwilight. Results were substantively the same.

Model B considers only events that occurred within 30 days before or after the switch to Daylight Saving Time. The switch causes a well-defined difference in available lighting at the same time of day and limits the amount of variance that could be caused by seasonal differences in traffic patterns. Furthermore, we excluded cases that occurred between sunset and intertwilight for the reasons discussed previously. Model B can be thought of as the strongest theoretical test of the effect of lighting. Although we dropped a substantial number of cases, the results were largely the same. There were minor changes in the odds ratios, but the overall findings were consistent with the less-restrictive models presented above.

Model C dropped events that involved drivers who were Hispanic, Asian, Native American, or of unknown race. Results were substantively the same.

Model D included dummy variable controls for month of year. The model also contained standard temporal controls (time of day, day of week, and year). No noteworthy changes were observed from the primary models (Models 1, 2, and 3).

An alternative scenario that may invalidate these findings is systematic underreporting of traffic stops that involve Black drivers. Given the lower confidence interval of the primary model (Model 1), DPD officers would have to systematically underreport stops of Black drivers by 4.54% during dark hours (for example, if officers reported 100% of traffic stops involving Black drivers during daylight, they would have to report 95.46% of stops involving Black drivers during dark hours). Given state laws mandating this reporting, and the DPD's internal audits and checks on stop data submission, this level of systematic underreporting by officers is unlikely.

