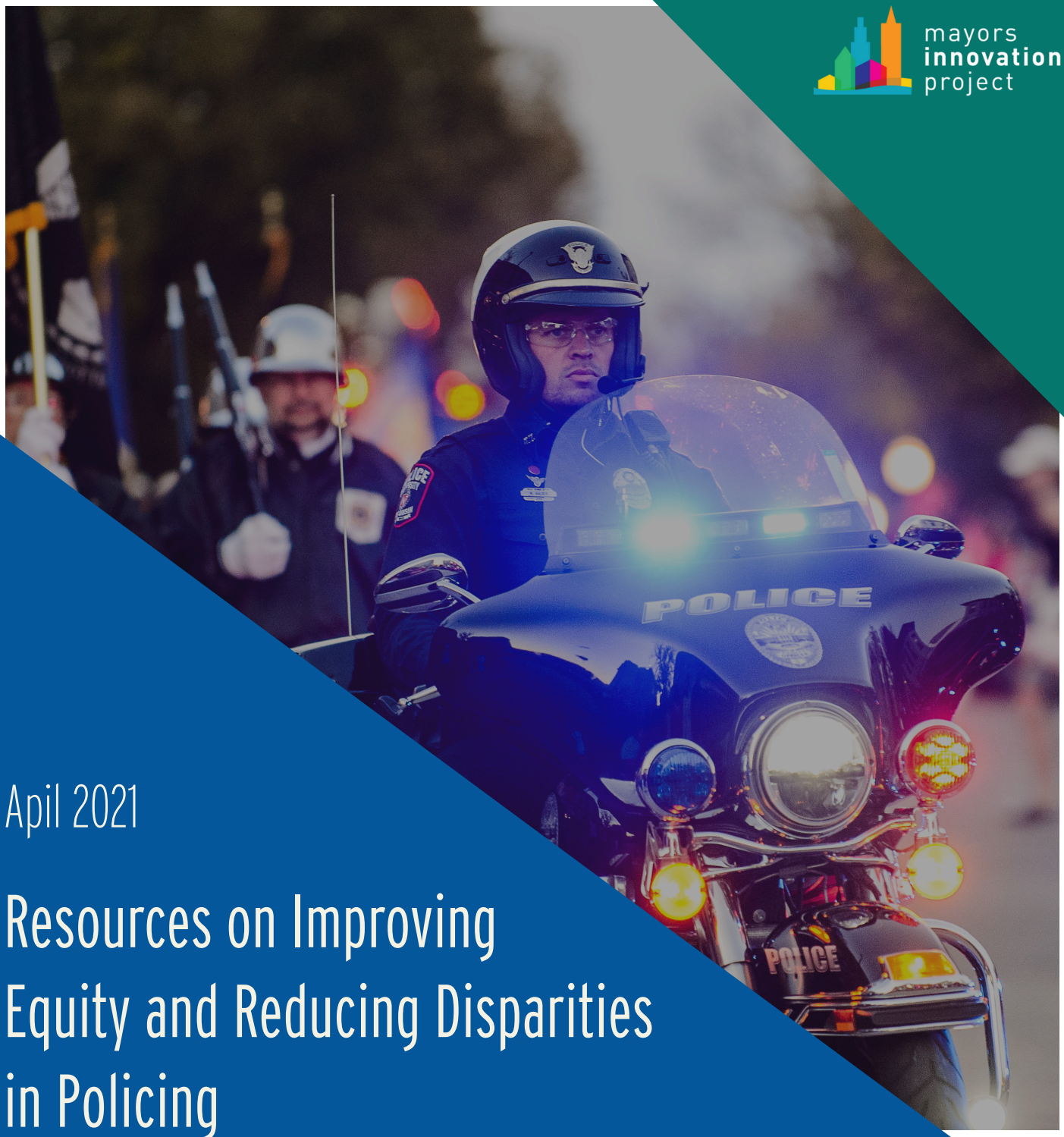
mayors innovation project



Apil 2021

Resources on Improving Equity and Reducing Disparities in Policing

Katya Spear



POLICING IN AMERICA

Our nation continues to face the ongoing legacy of racism through police violence and bias, which has led to the tragic and disturbing deaths of people of color as well as unarmed and individuals experiencing mental health crises. Mayors alone cannot reduce police violence and bias, but they do play a key role. Many cities and police departments around the country are actively working on long overdue reforms to reduce police bias and increase accountability and transparency, but there is so much to be done. This brief offers strategies for local policymakers and police departments to reduce racial disparities in traffic stops and arrests, efficiently collect and analyze data, and ensure the safety and well-being of citizens and police officers.

Benchmarking Traffic Stops: Norms and Considerations

There is great variation in how cities track and report data related to traffic stops. Uniformly collecting, analyzing, and reporting this data can help cities understand their unique challenges and identify opportunities to reduce police bias and violence. There are two basic statistical approaches to understanding equity and racial profiling in police interactions. One creates a benchmark by comparing stop rates for people of different races or ethnicities to the general population. The most common data used for this is the US Census, which brings its own limitations; essentially, especially in big cities, census data is not representative of who might be driving on/along highways (in terms of both residency and race of driving age population) and throughways at a given time of day, and census data does not account for the fact that more officers are usually assigned to high crime areas. Another common data point looks at the percentage of searches that lead to the discovery of weapons, drugs, etc. (e.g., the "hit rate").

There is additional data about perceptions and location that some cities are using to enhance the accuracy and usability of this data. This includes things like perceptions of the police officer (of the person being stopped) prior to confirming data and data about incident location and commuting patterns, etc. that can help cities understand whether there are other factors that may impact the racial makeup of the surroundings at the time of the incident.

Stanford has a great tutorial on calculating these statistics, and caveats about the benchmark test, here. In 2016, Stanford researchers developed a new measurement, called the threshold test, to account for some of the concerns above. The test analyzes the race of the driver, department of officer making the stop, if the stop resulted in a search, and if illegal contraband was found. It is designed to offer a "snapshot of the officer's threshold of suspicion before searching a person of a given race."

Another team of researchers have proposed a method called intrapopulation comparison as an alternative to benchmarking and a method of tracking racial profiling. This examines police behaviors at a more individual level by assigning each officer a score based on their behavior, and looking at how their behavior deviates from the average score over time. This more closely aligns with efforts to use predictive policing on the police department. The Charlotte-Mecklenburg Police Department developed an algorithm to help identify officers at risk for an adverse event to create an early intervention system that would help them provide additional training or support to these officers. We include more on this example later in this brief.

Benchmarking Arrests and Use of Force

Most cities benchmark rates of arrests and use of force in a similar way to traffic stop rates, by looking at the rate of minorities who live in the community, versus the rate of minorities arrested by police. There have been efforts to go further than this standard benchmark, for example The Center for Policing Equity (CPE) analyzed data from Austin about UOF in a way that accounted for community characteristics, including crime and poverty rates.

Austin's 2020 report includes some background and example of this type of data collection, and how the city plans to use it to further its efforts to reduce racial profiling and race-based police incident outcomes. Austin calculates disproportionality in arrests by tracking "Motor Vehicle Stops Resulting in Arrests by Race/Ethnicity Versus 2010 City of Austin Voting Age Population." This same report offers other examples of how Austin tracks outcome data from stops, including warnings, citations, and hit rates.

Oakland measures stops as the rate of *discretionary* stops per 1,000 people in Oakland by race/ethnicity. Beginning in 2016-2017, their Stop Data Report includes data by race/ethnicity on reasons for stops, whether a search was conducted, and whether anything was recovered; they started collecting this data to begin learning more about the disparities indicated by stop data. Oakland also tracks UOF data, calculating the use of force on subjects per 100,000 people in Oakland by race/ethnicity.

Additionally, the Boulder, CO Police Department reports and analyzes stops, arrests and citation data, available here, pp. 18-24.

Some research-based analyses have benchmarked arrests and UOF differently. For example, this 2018 study looked at discretionary vs. mandatory (warrant-based) arrests by race, and at assaults on police and known characteristics of a suspect for use of force benchmarks.

CPE's 2016 report, *The Science of Justice: Race, Arrests, and Police Use of Force* has information on both standard benchmarking described here and alternatives. For example, from that report: "Population benchmarks provide only a crude method for estimating disproportionality. They allow for an inference that force is being used in a manner that is disproportionate to presence in the general population, but do not allow for a clear inference as to whether the force is disproportionate to presence in any particular area or to legitimately provocative behavior. A more direct, albeit still limited, proxy for level of provocative behavior would be actual offending. The closest available

index of offending is arrest rates. While arrest rates are confounded by racial bias in policing practices, they provide a closer approximation than simple resident population."

As far as what data city's should collect, when, and what insights the data can show, a great resource is the report *Collecting, Analyzing, and Responding to Stop Data: A Guidebook for Law Enforcement Agencies, Government, and Communities* released by The Center for Policing Equity and the Policing Project at NYU in 2020. This report does a great job, too, of going beyond standard benchmark data to offer a fuller picture of police interactions.

Tracking Progress Towards Equity in Policing Overtime



Many police departments are reporting metrics, and of these some issue annual reports about progress based on those metrics. The links below include open data portals/metric tracking systems.

Data scientist Sam Sinyangwe and his organization, Campaign Zero, has a ton of information on data-informed policies and tactics that work to reduce racial disparities in traffic stops, arrests, and use of force.

STRATEGIES FOR REDUCING RACIAL DISPARITIES IN TRAFFIC STOPS

- Training in implicit bias that is evaluated for performance/impact.
- Updating, clarifying, and tightening rules about what warrants a stop.
    - In February 2021, the Berkeley CA City Council unanimously approved a plan which, among other things, bans the stopping of drivers for offenses that are not safety related, such as a broken tail light.
    - A similar policy was enacted in Minneapolis following the murder of 20-year-old Daunte Wright resulting from a traffic stop instigated by expired plates. In a settlement with the Minnesota Department of Human Rights, Minneapolis police agreed to refrain from initiating traffic stops for minor offenses.

- A process in place for evaluating the reason for the stop prior to the stop.
    - As one example, Oakland officers experienced a 43% reduction in stops of African American individuals over a one-year period after being trained to note on an intake form whether a pending stop is "intelligence-led" e.g. do I have prior information to tie this particular person to a crime.

REDUCING RACIAL DISPARITIES IN OUTCOMES, ESPECIALLY VIOLENT OR LETHAL OUTCOMES

- Training in de-escalation that is evaluated for performance/impact.
- Significant updates to Use of Force policies, including a clear process in place to review use of force incidents and clear and enforceable consequences for violations of use of force. Campaign Zero has many specific recommendations here, with examples.
- Body cameras as a part of a broader suite of solutions.
    - For example, Charlotte has a randomized review protocol for body cam footage and uses these spot checks to offer feedback to officers on their behavior and for training and promotional videos; the point being that officers know these are being reviewed.
    - There is a wide disparity in outcomes from implementing body cameras; this seems to indicate that associated policies, such as those that dictate when officers are required to turn them on, greatly impact the efficacy of this intervention.
- Reducing use of armed officers in non-violent situations (traffic enforcement, homelessness, etc.) and/or shifting resources and/or roles away from the police department.
    - The city of Madison, WI has a Community Alternative Response Emergency Services (CARES) Program which shifts roles from the police department to a team of paramedics and crisis workers. The city is also looking into removing parking enforcement from the purview of the Police Department.
    - A number of cities (Cambridge MA, St. Louis Park MN, New York City) are looking at options to remove traffic stops from the purview of armed police officers.

- Increasing the gender and racial diversity of the police department
    - In writing this brief, the Mayors Innovation Project spoke with Maureen McGough, Chief of Staff from the Policing Project at NYU School of Law, who directs national police reform initiatives with a focus on increasing democratic accountability, community engagement, transparency, and sound policing for fair and equitable outcomes. Their strongest research-based conclusion has been that women use less force and less deadly force than their male counterparts. In the data they analyzed: men responding on the scene with women used less force; and female officers can often be more effective and cost-effective because they are perceived as more trustworthy, are associated with outcomes for gender-based violence, and are less costly to cities because they are named less in complaints and lawsuits.

Early intervention systems and predictive policing used on the police department help to gather, report, and regularly review information about specific officers. The Charlotte-Mecklenburg Police Department has been tracking officer data for over a decade. The Mayors Innovation Project spoke with the city's Public Safety Technology Director Crystal Cody, who shared these takeaways:

- Officer supervision is not enough; cities and police departments need other tools in place to hold people and departments accountable. Systems can help identify behaviors that are outside the norm and allow the city to intervene early with resources or training to avoid bad, more escalated behavior.
- To set up their system, Charlotte identified risk factors assigned to each officer - things that were highly predictive of future activities.
- One of the biggest predictors of future problematic behavior of officers was the number of times internal complaints filed against them. Treatment of colleagues was often found to be indicative of how they treated citizens.
- It is important to ensure the department has a good internal affairs system and policy surrounding adjudication of complaints. If the department does not have an electronic process or system to capture that, they need to do that in order to start to collect and analyze data or even to self-evaluate. Without a system to collect data, police departments are unable to participate in national use of force data collection opportunities and plans, to be able to compare agencies of similar size/city size, etc.
- Here are more data and examples (from Miami-Dade, Minneapolis, and New Orleans) on the promise of early intervention systems.

BEST PRACTICES FOR INCREASING EQUITY OVERALL, WITH A FOCUS ON CHANGING POLICE CULTURE:

Most of this information comes from conversations with Charlottesville Police Chief Dr. RaShall Brackney and Maureen McGough, Chief of Staff from the Policing Project at NYU School of Law.

- **Examine and revamp existing recruitment and hiring practices to increase representation and support of women and people of color.** In Charlottesville VA, Former Chief RaShall M. Brackney led an intentional shift in recruitment and hiring practices, creating new recruitment materials and videos that better reflect the job and the people that exist and working to get recruitment materials in front of a greater variety of people e.g., advertising outside of community centers, daycares, grocery stores. They no longer attend mass, large-scale employment fairs. Some departments have changed their criteria for hiring e.g., physical fitness tests that better reflect the job and place a greater emphasis on logic/critical thinking skills rather than brute strength.

- **Examine and revamp existing incentives and promotions policies to enable and encourage greater representation of women and people of color in leadership positions.** In Charlottesville, they added voluntary community outreach and volunteering efforts as factors that can contribute to promotion within the department. They are considered ways that promotional practices can mean a shift away from stable shifts, which also tend to disproportionately impact women and people of color, who are both more likely to be caregivers. McGough suggests also reassessing what kinds of tests and skills are required for promotions and title changes; for example, there is an FBI national academy training that is required in many departments to reach a certain position that requires four months away from home, which puts it out of reach for many.

- Another resource that may be helpful is this list of recommended and completed changes to recruitment and training at the Oakland Police Department.

- The NYC's Policing Project's 30X30 Initiative is looking to increase representation of women in police recruit classes to 30% by 2030. They are focusing on how changes in recruitment, micro barriers to entry, retention and promotion policies, and police culture can contribute to this goal.

- Former Mayor of Ithaca, NY, Svante Myrick, spoke to the Mayors Innovation Project about the city's ambitious plan to reimagine public safety. Speaking about the intent behind the effort to "reimagine," Myrick stressed that they were motivated by a history

of semi-effective incremental change and a desire to finally and get to the culture change needed to achieve lasting change. That is why their program eliminates the existing department and replaces it with a Community Solutions and Public Safety Department, with both armed and unarmed workers, both of whom will report to a civilian department head. The proposal unanimously passed the Ithaca City Council and was approved by the Tompkins County Legislature. Mayor Myrick credited the support of this effort to an intentional and robust focus on their extensive and evidence-informed report along with years of listening to and working with community groups and activists (including public forums and focus groups specifically conducted to inform this plan).



EXAMPLES OF DATA SHARING

Most of the examples below are collected and shared via open data portals.

- Chattanooga, TN Policing and Racial Equity Dashboard
- Boulder, CO Police Stop Data
- Minneapolis, MN Police Stop Data
- Long Beach, CA Police Stop Data
- Sacramento, CA Police Stop Data

Methods for Reducing Racial Disparity in Policing

Cities that have made and sustained progress.

San Jose: Data to reduce disparities and non-lethal use of force. Beginning in 2015, San Jose voluntarily contributed Use of Force data to a research study by the Department of Criminal Justice at Seattle University, which partnered with Police Strategies LLC, which analyses and relays information about such data. They can, for example, analyze use of force data from before and after de-escalation training to show its impact on officer behavior. The data analysis demonstrated when, why, and towards who San Jose officers used police of force. As a result, the department made changes to its officer training, placing a greater emphasis on using tasers (vs. hard objects) and de-escalation. From 2015-2019, San Jose's Police Department's use of force incidents dropped 13.4% and racial disparities in use of force also decreased. Read more about their efforts here and about the Police Strategies assessment process here.

Las Vegas: Updates to foot pursuit policy reduces use of force incidents. When the Las Vegas Police Department barred officers involved in a foot pursuit from handling suspects when the chase ends, they saw a 23% drop in use of force, along with an 11% reduction in officer injury and racial disparities in UOF data. This change was recommended by the Center for Policing Equity and is noted among other psychology-driven policy changes in this article. Read more about Las Vegas PD's efforts to document and reduce UOF in their report here.

Cities across the country: Sending mental health professionals to respond to mental health crises and non-violent calls. Denver's STAR program responded to approximately 750 calls in its first six months, none of which resulted in arrest or injury. The program is modeled on Eugene, OR's CAHOOTS program which has been in operation for more than three decades. Of 24,000 calls that CAHOOTS responded to in 2019, only 311 required police backup.

After the murder of George Floyd in 2020, 62% of the largest 50 cities in the United States formed at least one community response program. Programs like this not only result in less police confrontations and less violence toward citizens, they also free up uniformed officers to focus on the calls and situations where they are most needed. For more information on the programs mentioned above, check out these resources: CAHOOTS case study; STAR program 6 month evaluation.

This brief is part of a series of publications MIP has released that was originally researched and compiled as a technical assistance memo to a participating member city. This memo was written in 2021 in response to a specific research question submitted by that member city. To make this publicly available, we've removed references to the original request and any location-specific recommendations. MIP members are invited to please reach out to us at knspear@mayorsinnovation.org to request their own policy memo on this or other topics.

For context, the original research question that prompted this memo was: Disparity in traffic stop rates are usually benchmarked to the driving population; is there a way to benchmark arrests and use of force in a similar way? When other cities evaluate their arrests, do they compare them directly to the overall population, or is there a more direct way to understand whether and how much Black people are being over-arrested? In addition, how do police departments know they are making progress towards equity? Are other cities or departments tracking police metrics over time? Are there proven methods for reducing racial disparity in policing? Have cities found success, even broadly defined?

About Mayors Innovation Project

The Mayors Innovation Project is a learning network among American mayors committed to "high road" policy and governance: shared prosperity, environmental sustainability, and efficient democratic government. We are a project of High Road Strategy Center.

mayors innovation project

1180 OBSERVATORY DRIVE, SUITE 7122

UNIVERSITY OF WISCONSIN–MADISON

MADISON, WI 53706

INFO@MAYORSINNOVATION.ORG

MAYORSINNOVATION.ORG

@MAYORINNOVATION