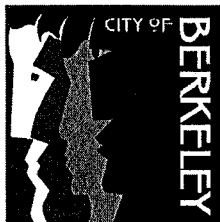


# COMPLAINT DEADLINES REPORT

INVESTIGATIONS										
NO.	Complainant	Filed Date	Incident Date	Notice of Allegations Due (20 Bus. Day)	Notice of Allegations Issued	BOI Packet (80 days)	BOI Packet Issued	BOI Findings Report Goal (105 days)	120 Days	STATUS
2418		05/10/17	Apr-17	06/07/17	05/17/17	07/28/17		08/23/17	09/07/17	Investigation
2419		06/14/17	Jun-17	07/12/17	06/19/17	09/01/17		09/27/17	10/12/17	Investigation
2420		07/07/17	May-17	08/04/17	07/11/17	09/25/17		10/20/17	11/03/17	Investigation
2421		07/10/17	Jun-17	08/07/17		09/28/17		10/23/17	11/07/17	Alleg due
2422		07/12/17	Jun-17	08/09/17		09/29/17		10/25/17	11/09/17	Alleg due



Police Department

July 6, 2017

To: D. Williams-Ridley, City Manager

From: A. Greenwood, Chief of Police

Re: Draft from Center for Policing Equity; 2015 Data Issues

This is in response to the request that I share our questions and concerns regarding the 2015 data and the Center for Policing Equity (CPE) draft interim report. Please convey this information to Council and the Police Review Commission

During our review of the Center for Policing Equity draft interim report, we became concerned over questions and issues regarding the analysis of 2015 stop data. These are the same concerns I shared with the Police Review Commission via email on May 10, May 18, and in person at the May 24 PRC meeting.

Our major concerns are: (1) CPE should specifically consider the "reason for stop" data in their analysis; and (2) is 2015 data missing relevant information that could undermine understanding and analysis?

In their draft, CPE makes a number of recommendations, including "We recommend that BPD track and analyze whether law enforcement actions are officer-initiated or respond to calls for service." This was problematic, as we believe we already did so in the data provided to CPE. We therefore wanted to clarify with CPE that they understood that such separation of data was already present within the data provided.

(We include in the data for each stop the subject's race, gender, age range, reason for stop, enforcement activity, and whether a search was conducted. On Jan. 26, 2015, we revised the previous field, "type of violation" into the current "reason for stop", and trained BPD personnel in using the revised criteria to report their stop data.)

We differentiate between five reasons that officers may stop someone, and we include those reasons in a portion of the stop data, i.e. the "reason for stop," and these include:

- Investigative: When they match the description of a suspect in a recent crime;
- Traffic: For a traffic violation not related to an investigation;

- Reasonable Suspicion: When there is a detention based on reasonable suspicion not related to an investigation, call for service, or traffic stop;
- Wanted: When the person is known to be wanted; or
- Probationer/Parolee: When the person is a known probationer or parolee.

Traffic and Reasonable suspicion stops are different than Investigative, Wanted, or Known probationer stops, in that officers are using their discretion to stop someone based on the immediate set of observations made just before the stop, e.g. when an officer observes a moving violation, and makes a stop based solely on that observation.

The “reason for stop” is a fundamentally important issue in the discussion about disparity and potential bias in stops. Community concerns about racial profiling further highlight the importance of understanding why an officer stops an individual. Racial Profiling is explicitly forbidden by law and by policy. Racial profiling is defined in the California Penal Code section 13519.4 as the practice of detaining a suspect based on a broad set of criteria which casts suspicion on an entire class of people *without any individualized suspicion* of the particular person being stopped. Stopping someone because they match the description in a recent, specific report of a crime, is not by definition, “racial profiling,” and this distinction is important to address in analysis.

Our second major concern—that of potentially problematic 2015 data—arose while we discussed the “reason for stop” issue during a subsequent conference call with CPE Staff and BPD Command Staff. During that call, a CPE analyst stated that 30% of the 2015 stop data did not contain “reason for stop” data elements. This has implications that had to be looked into before proceeding further.

It became evident these were not issues we could resolve in the timeline before the draft report would be finished, and presented to the Police Review Commission and the community.

Questions and issues relating to 2015 stop data:

- **“Reasons for stop” should be disaggregated and analyzed.**
- **Without disaggregating the data, how would the “reason for stop” data in the 2015 data be incorporated into discussion and analysis?**
- **Is it fair to officers to *not* consider the “reason for stop” in 2015 data in a discussion about disparities arising from officers’ individual decision-making processes? Is this fair to officers, or to community members who are seeking answers from the analysis?**
- **Is 30% of our stop data missing “reason for stop” data?**
  - **If so, we need to figure out why, so that we can ensure our systems are working.**

- If our systems were or are not working properly, we need to see if 2016 data is also flawed, and address any system issue that may exist.
- Are issues with “reason for stop” in the 2015 data related to the Jan. 26, 2015 change in reporting?
- If 30% of the data is incomplete in this important aspect, to what extent does this undermine the analysis and interpretation of 2015 data?
- Does looking at 2016 data help address concerns about potential problems with the 2015 data?
- How would comparison of 2015 data to 2016 data support our overall understanding of the data as it pertains to our *current* practices?
- What are the trends from 2015 to 2016?
  - Have disparities declined in 2016?
  - Have reasons for stops changed between 2015 and 2016?

Ultimately, we want to rely on solid data in a full and complete report that can be used to facilitate meaningful conversations between the community, the PRC and the police department. Anything less would undermine the integrity and legitimacy of subsequent discussions.

If you have any questions, please let me know.