



Memorandum

**TO: PUBLIC SAFETY, FINANCE
AND STRATEGIC SUPPORT
COMMITTEE**

FROM: Christopher M. Moore

SUBJECT: Quarterly Status Report on Consortium
for Police Leadership in Equity (CPLE)

DATE: March 6, 2012

Approved

Date

3-6-12

Attached is the *Quarterly Status Report on Consortium for Police Leadership in Equity (CPLE)*. At the Committee's meeting on March 15, 2012, the Police Department will review the report and will be available for questions.

Christopher M. Moore
Chief of Police

On May 5, 2009, the San Jose City Council endorsed the partnership between the Consortium for Police Leadership in Equity (CPLE) and the San Jose Police Department regarding research designed to improve racial equity in policing. The Memorandum of Understanding (MOU), a legal document which lays out the scope of work to be undertaken by the CPLE, was officially signed and ratified by the University of California (serving as the academic and legal home of the CPLE) and the City of San Jose in August of 2009. Since this time, the CPLE has collaborated with the San Jose Police Department and San Jose City officials to carry out an ambitious research agenda.

The CPLE has continued to make significant progress on our research efforts since our last quarterly update in December. The CPLE is pleased to report the following updates regarding the projects with the San Jose Police Department: *Research Project Updates and Assessing Racial Disparities in Police Treatment*

Research Project Updates

The CPLE is conducting research intended to inform the SJPD with respect to ways in which SJPD might ensure the equitable delivery of police services to all members of the community. The CPLE is undertaking five distinct research projects to achieve these goals, involving a variety of methodologies and analysis techniques, across four institutions – University of California, Los Angeles (UCLA); University of California, Berkeley (Berkeley); Stanford University; and State University of New York, Stony Brook (SUNY, Stony Brook). While coordinating multiple research projects across various research institutions is normally a multi-year process, we are instituting an accelerated research timeline to provide San Jose with informative results as soon as possible. Below we highlight the progress made on each of CPLE's ongoing research initiatives.

Assessing Racial Disparities in Police Treatment

The CPLE is currently conducting a three pronged approach aimed at assessing potential disparities in police treatment. As we have reported previously, there is continued scholarly debate regarding the assessment of racial equity in law enforcement. Studying population benchmarking alone (i.e. the notion that stops of a racial group should be proportional to the racial group's representation in a given population) is a notoriously imprecise technique for measuring racial bias. To solve this problem, the CPLE is using a modified population-benchmarking analysis in combination with two other measures to measure the racial distribution of police stops and arrests. We will briefly outline those projects and update our progress below.

Population Benchmarking Analysis: The CPLE is currently conducting a population benchmarking analysis of arrests for different racial groups in San Jose over a 20 year period. Specifically, the CPLE is focusing on comparing arrest categories that community members find concerning (e.g. public intoxication arrests, resisting arrest, and disturbing the peace arrests) vs. arrest categories that are less concerning categories (e.g.

battery).

To further this analysis, the CPLE recommended and requested that the San Jose Police Department pair existing incident data with source of contact initiation data (i.e. Type I and Type II data). This breakdown indicates whether a police/suspect interaction resulted from a civilian call for service (Type 1) or an officer initiation (Type 2). This type of data is a way to gauge the relative effectiveness and equitable distribution of law enforcement services that stem from officers' instincts and training, as opposed to calls for service from the community. It may also be the case that collecting this data could serve as an early warning system on both equity-related issues, and a host of other concerns (e.g. excessive use of force and citizen complaints).

The CPLE has received this data from the San Jose Police Department for all cases in 2008 and 2009. Specifically, we received approximately 30,000 arrest incidents that were categorized by priorities with numbers ranging from 1 to 6. This breakdown indicates whether a police/suspect interaction resulted from a call for service (Priorities 1-4) or was officer initiation (Priorities 5 and 6). We currently have data on officer-initiated interactions and have hand coded the racial breakdown of the suspect in each case, as this information is not currently coded in the same system. For this time-intensive coding process, we worked closely with the San Jose Police's Crime Analysis Unit to first start with a sample of a couple hundred cases before proceeding with the full analysis. The Crime Analysis Unit is also working on an automated program to assist in coding the remaining cases.

Currently, we have coded a subsample of officer-initiated interactions with suspects and designed initial statistical models for analyses. However, we do not yet have all the data necessary to analyze incidents resulting from civilian-initiated calls for service and cannot, therefore, assess benchmarks. The Crime Analyses Unit is now working on gathering the data for calls for services (Priorities 1-4). Once this data has been collected we will begin the process of hand coding the data in order to begin further analyses.

It is worth noting that this form of analysis is not possible in a plurality of other police departments because of the way in which data is collected and because the police department lacks the executive will to conduct the research. That is, because data about whether or not an incident originates from an officer's instincts or a call for service is often kept separately from the ultimate disposition of a police contact (i.e. an arrest record), creating a database that permits racial comparisons of the kind outlined above requires time-intensive hand coding. No department in the nation has previously committed the necessary resources to permit this kind of analysis before San Jose.

Attitude/Behavior Matching: In addition to the population benchmarking analyses described above, which focus on aggregate trends, the CPLE is also conducting a more fine grained, individual level analysis in order to study racial equity in the behavior of individual officers. Specifically, the CPLE measured officers' psychological profiles, and is pairing officer profiles with their performance history. The goal is not to reveal any biases of individual officers, as officer identities will be kept confidential. Rather, the goal is to understand what relationship, if any, officer attitudes have on officer behavior. This method allows CPLE to study the connections between racial attitudes and policing behavior. That is, if prejudiced attitudes are associated with disproportionate stops of particular racial groups, then this reveals a problem for the SJPD to address.

The first CPLE officer data collection for this research initiative was conducted from April 9, 2010 through April 12, 2010. During this data collection, the CPLE collected attitude data from a significant number of San Jose police officers. Officers completed various computerized tasks and responded to a variety of survey measures. This attitude data collection represents the first step in the project. The second step of the process is to gather the behavioral data for the officers. The behavioral data was then matched with the results from the attitude assessment.

In September 2011, the CPLE reported the results of our analysis of racial disparities in officer use of force and in complaints received. To sum, our analyses revealed that younger officers are more likely to be biased in their use of force against Black and Hispanic suspects; officers who hold more racially prejudiced attitudes receive more general and sustained complaints about poor treatment, but do not use force disparately across race; concern with appearing biased is unrelated to complaints, but the more concern an officer feels, the more likely he/she is to use force against non-White suspects.

In December 2011, we reported results on officer-initiated stops. These analyses reveal that across offenses, prejudiced attitudes do not predict stops—a finding generally consistent with previous research. For lower level offenses, however, prejudice does appear to predict officer-initiated stops. These findings are troubling, as an association between racial bias and police behavior suggests that officers' behaviors are influenced by personal prejudices. There are two caveats to this finding. First, bias was a relatively weak predictor of police stops behavior, and second, we are still in the process of coding geo-spatial data. Subsequent analyses that include this information will provide a better "apples-to-apples" comparison. In addition to our findings on bias, there was another, more surprising pattern of results. Specifically, believing that racial experiences are similar across groups was the strongest predictor of racial disparities in police stops.

Since the December 2011 report, we have been conducting additional

analyses on the effect an officer's implicit bias has on Stops, Use of Force, and Complaints. While we previously found that explicit prejudice predicts complaints and stops, it does not predict racial disparities in force. It is an officer's concern with being seen as biased that predicts patterns in use of force. What we did find is that for those officers that are not high in explicit prejudice (the majority of officers), it is their implicit prejudice that predicts racial disparities in complaints. For example, an officer with low explicit prejudice and high implicit prejudice will have higher levels of complaints than an officer with low explicit and low implicit prejudice.

We have now conducted analyses on how explicit prejudice, implicit prejudice, and self-threats influence stops, complaints, and use of force. What we have been able to create is a picture of what creates different kinds of racial disparities. Variations in stops appears to be predicted by an officer's explicit prejudice, while variations in use of force is predicted by an officer's concern with being seen as biased (stereotype threat). The community perceptions of a department are created through interactions with officers, and perceptions that an officer is biased can occur when either explicit prejudice is high, or, when explicit prejudice is low but implicit prejudice high.

Though we have not yet received the final stops data, we have now completed a unique investigation of the various possible causes of racial disparities in police/community perceptions and behaviors. Consequently, as we complete the final stages of data collection and analysis, we look forward to transforming the completed analyses into concrete policy recommendations.

The CPLE would like to thank the San Jose Police Department for their assistance in organizing this intensive data collection. Members of the police department assisted with logistical concerns, officer recruitment, and general troubleshooting. We also thank the individual officers who consented to take part in the research project. CPLE researchers were responsible for all data collection.

The CPLE looks forward to its continued collaboration with the San Jose Police Department, the San Jose City Officials, and the San Jose Community members and will report back further updates on research progress during the next quarterly update meeting.