

Demographic Disparity Analysis

Richfield Police Department

November 2022

Bob Scales
Police Strategies LLC



BOB SCALES

CHIEF EXECUTIVE OFFICER

Bob is a former King County deputy prosecutor and Special Assistant United States Attorney for the Western District of Washington. He worked for 14 years for the City of Seattle as a public safety policy advisor to three Mayors. Bob represented the Seattle Police Department during the 2011 DOJ pattern or practice investigation and served as the Compliance Coordinator under the federal Consent Decree.



KATHRYN OLSON

PARTNER

Kathryn served as an EEOC attorney and the Director of the Office of Professional for the Seattle Police Department. She is a past-president of the National Association for Civilian Oversight of Law Enforcement Officers.



CHIEF MIKE SANFORD

PARTNER

Mike has over 30 years of law enforcement experience serving as Assistant Chief for the Seattle Police Department and Chief of Police for the cities of Wapato and Algona Washington. Mike was a patrol tactics trainer for the Washington State Criminal Justice Training Commission.



PROFESSOR MATT HICKMAN

DIRECTOR OF RESEARCH

Matt is Chair of the Criminal Justice Department at Seattle University and has an active research agenda focused primarily on issues in policing, quantitative research methodology, and the impact of forensic sciences on the administration of justice.

Bob Scales

- Deputy Prosecutor & Special Assistant US Attorney
 - Vertical Prosecution Project & Armed Career Criminal
- Public Safety Policy Advisor
 - Homeless Encampments, Drug Crime, Chronic Inebriates, Gun Trafficking & Racial Profiling
- Seattle PD Compliance Coordinator
 - DOJ Consent Decree & Police Reform
- Police Strategies LLC
 - Data Collection, Analysis & Dashboards

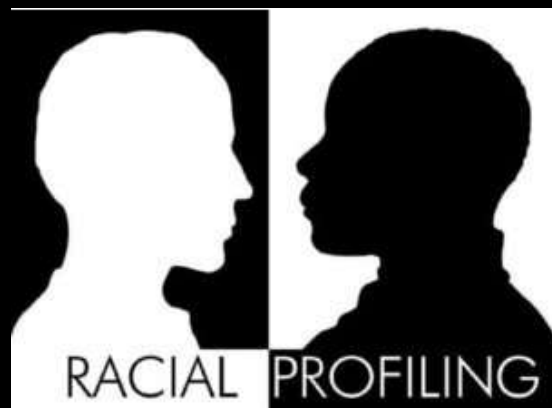
California Racial and Identity Profiling Act (RIPA)

Goals & Objectives

- 1) Eliminate racial and identity profiling
- 2) Improve diversity and racial and identity sensitivity in law enforcement



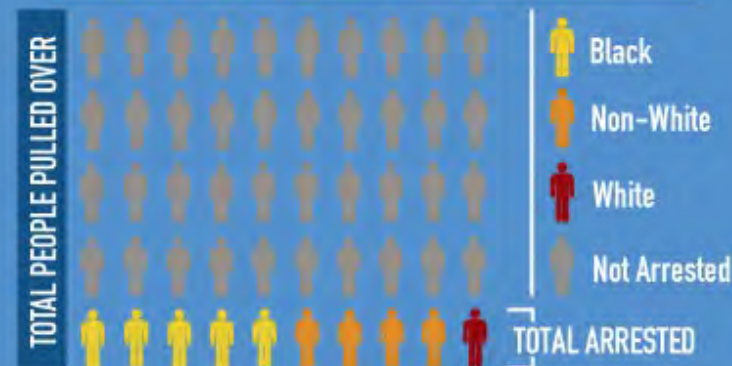
Did you know
California has a
Racial and Identity
Profiling Act?



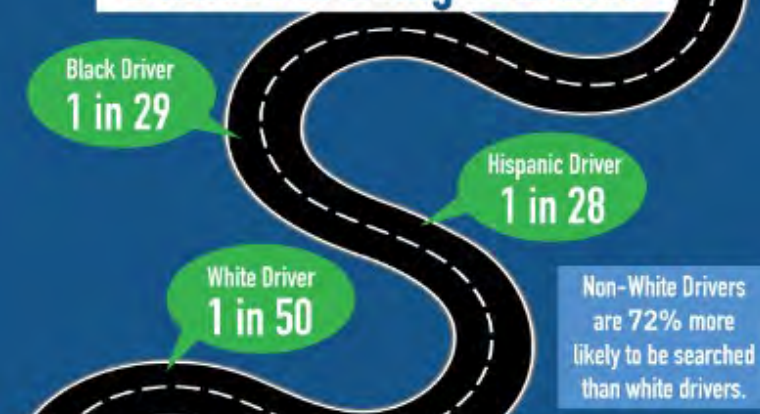
From 2002-2013, **171** complaints about racial profiling were filed.

0 complaints had any action taken against the officer.

CUSTODIAL ARRESTS VS TICKETS



Chances of Being Searched



Source: "Traffic Stops in Nebraska - A Report to the Governor and Legislature on Data Submitted by Law Enforcement" (April 2014) - Nebraska Crime Commission

ACLU

Questions for California Police Chiefs

**Does your agency condone
or allow racial profiling or
biased policing?**

**Do your officers engage
in racial profiling or
biased policing?**

**Do you have any data to
support your answer?**

Racial Disparity Data Assumptions

- 1) Officers are always truthful
- 2) Officers accurately perceive race and gender identity.
- 3) All demographic groups (sex, age, race) drive the same amount, violate laws at the same rates and are equally likely of coming into contact with police.
- 4) Officers are deployed randomly around the city and should stop every violation they see.
- 5) Police officers have the time to racially profile.
- 6) Only cause of racial disparities is racial bias by officers.

RIPA Data Analysis Methodology

RIPA data compared to population benchmarks

- Overrepresentation in stops is evidence of officer bias.
- Lack of disparity or underrepresentation does not mean anything.

Correlation \neq Causation

Racial Disparity \neq Racial Bias

R I P A | R A C I A L A N D I D E N T I T Y P R O F I L I N G A D V I S O R Y B O A R D

2022 REPORT QUICK FACTS

Racial/Ethnic Disparities

Search Rates (pp. 52-56)

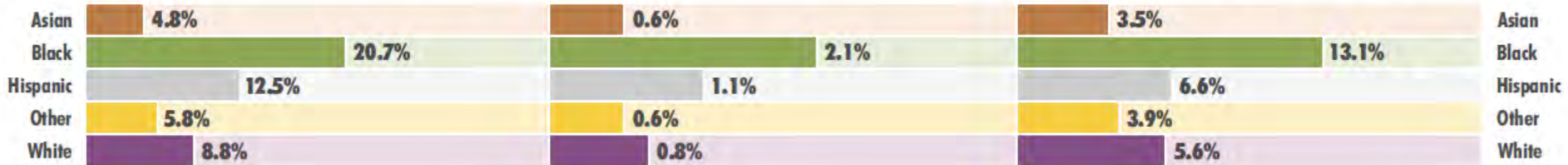
The search rate of Black individuals was 2.4 times the search rate of White individuals. Officers searched 18,777 more Black individuals than White individuals.

Use of Force Rates (pp. 58-61)

Officers used force against Black individuals at 2.6 times the rate of White individuals.

Result of Stop: No Action (pp. 43-48)

In responding to the question "Result of Stop," officers must report the outcome of the stop (for example, no action taken, warning or citation given, or arrest). Officers reported "no action taken" for Black individuals 2.3 times as often as they did for White individuals, indicating those stopped Black individuals were not engaged in criminal activity.

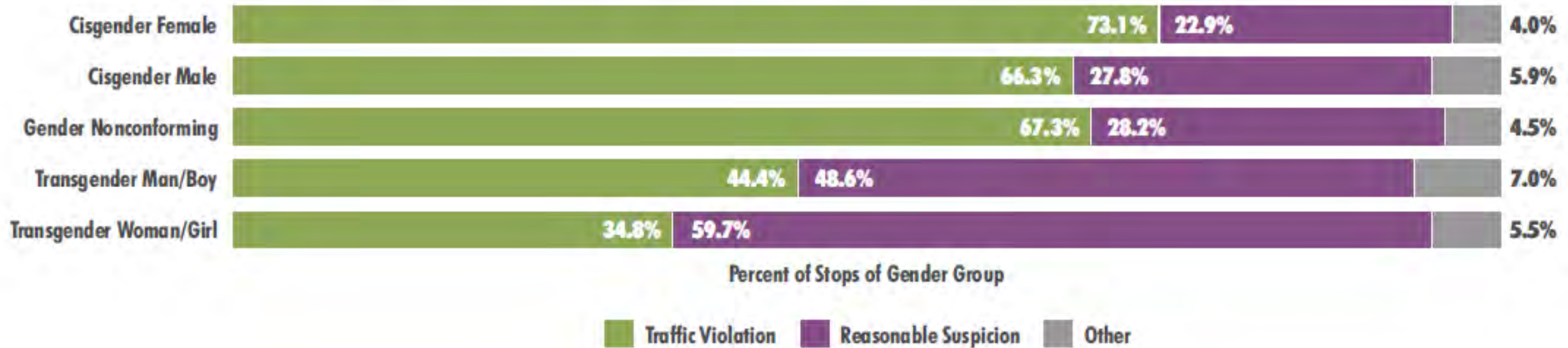


R I P A | R A C I A L A N D I D E N T I T Y P R O F I L I N G A D V I S O R Y B O A R D

2022 REPORT QUICK FACTS

Reason For Stop by Gender

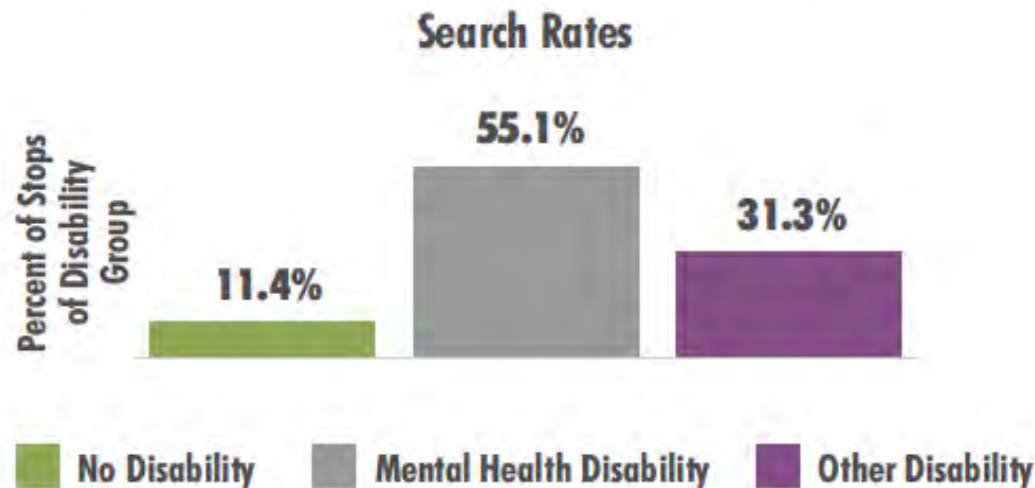
A substantially higher proportion of cisgender individuals were stopped for traffic violations while transgender individuals had a higher proportion of stops reported as reasonable suspicion stops.



Disability Disparities (Report pages 83–89)

Search and Discovery Rates by Disability

Overall, individuals perceived to have a mental health disability were searched at **4.8 times** the rate at which officers searched individuals perceived not to have a disability. Individuals with other disabilities were searched at **2.7 times** the rate at which officers searched individuals perceived not to have a disability. Despite large differences in search rates, individuals with mental health disabilities and other disabilities had lower discovery rates than individuals perceived not to have a disability.

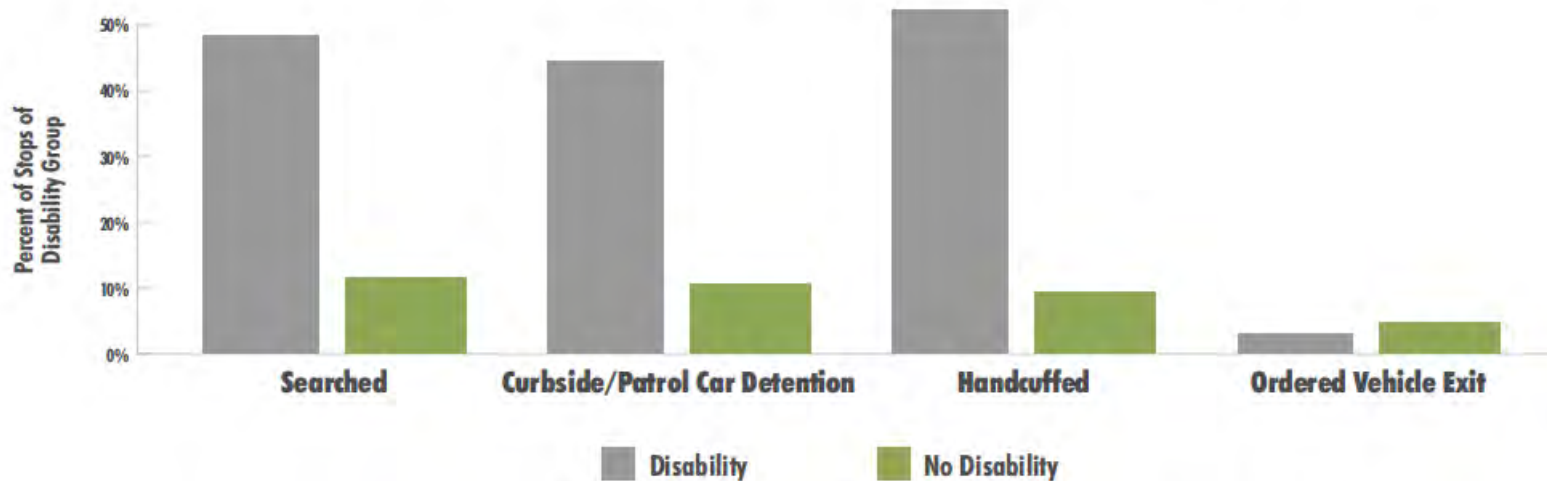


R I P A | R A C I A L A N D I D E N T I T Y P R O F I L I N G A D V I S O R Y B O A R D

2022 REPORT QUICK FACTS

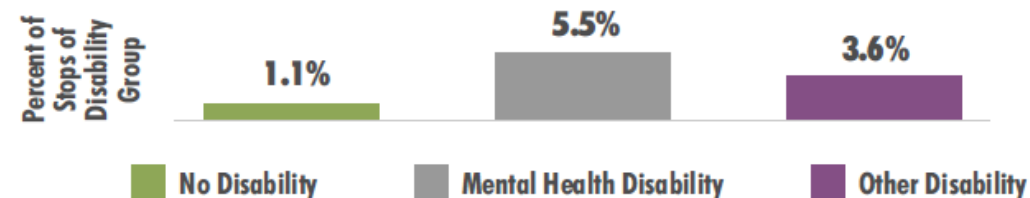
Actions Taken During Stops

Stopped individuals whom officers perceived to have a disability were searched, detained on the curb or in a patrol car, and handcuffed over 4 times the rate at which officers took those actions toward individuals perceived not to have a disability.



Use of Force Rates by Disability

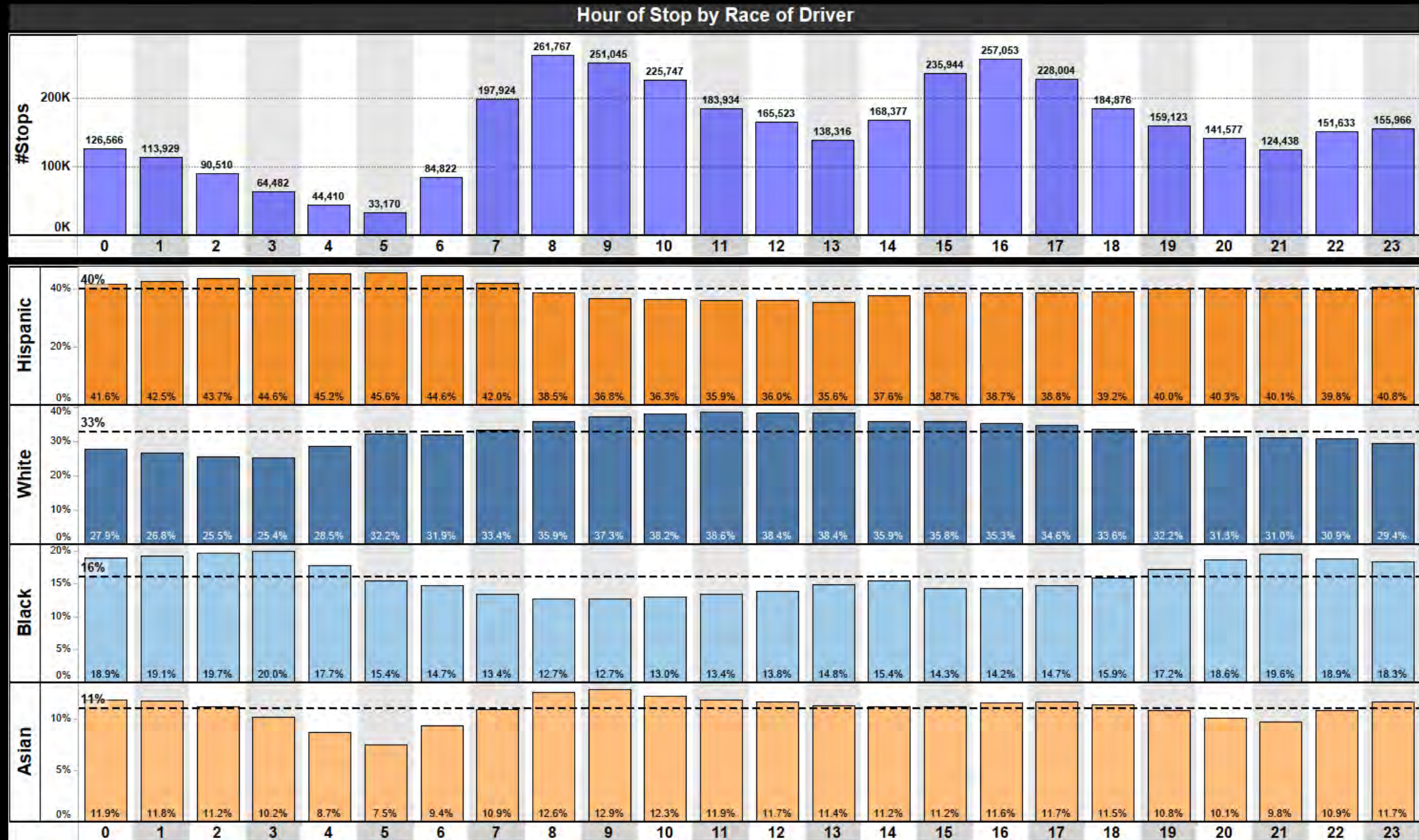
Officers used force against individuals with disabilities more often than individuals perceived not to have a disability; force was used 5.2 times more often against individuals with mental health disabilities and 3.3 times more often for individuals with other disabilities.



Traffic Stops – Veil of Darkness Test

- If racial profiling is occurring, Black drivers would be more likely to be pulled over during the day when officers are better able to identify their race when making the stop than at night.
- Assumptions
 - Officers can always see drivers' race during the day and can never see it at night
 - Driving behavior of all races of drivers is the same during the day and at night

PPI Veil of Darkness Test Failed to Show Needed Disparities



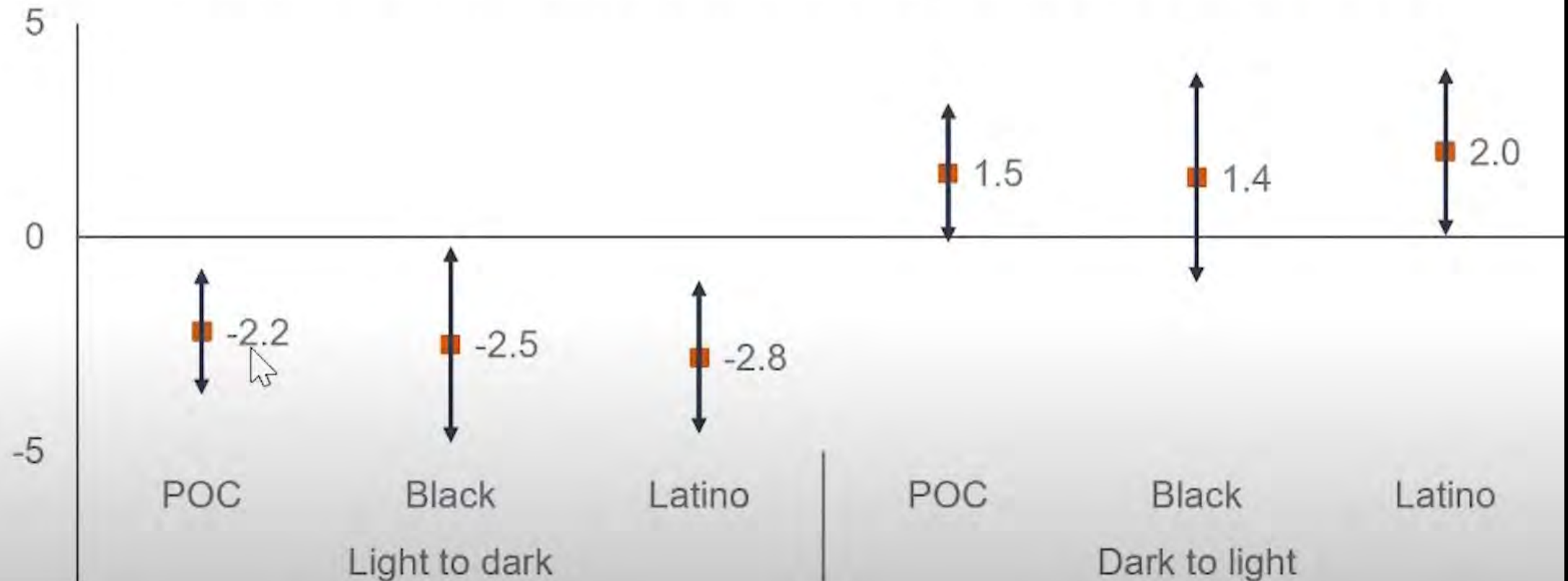
Public Policy Institute of California

Daylight Savings Time Analysis – 2 Weeks

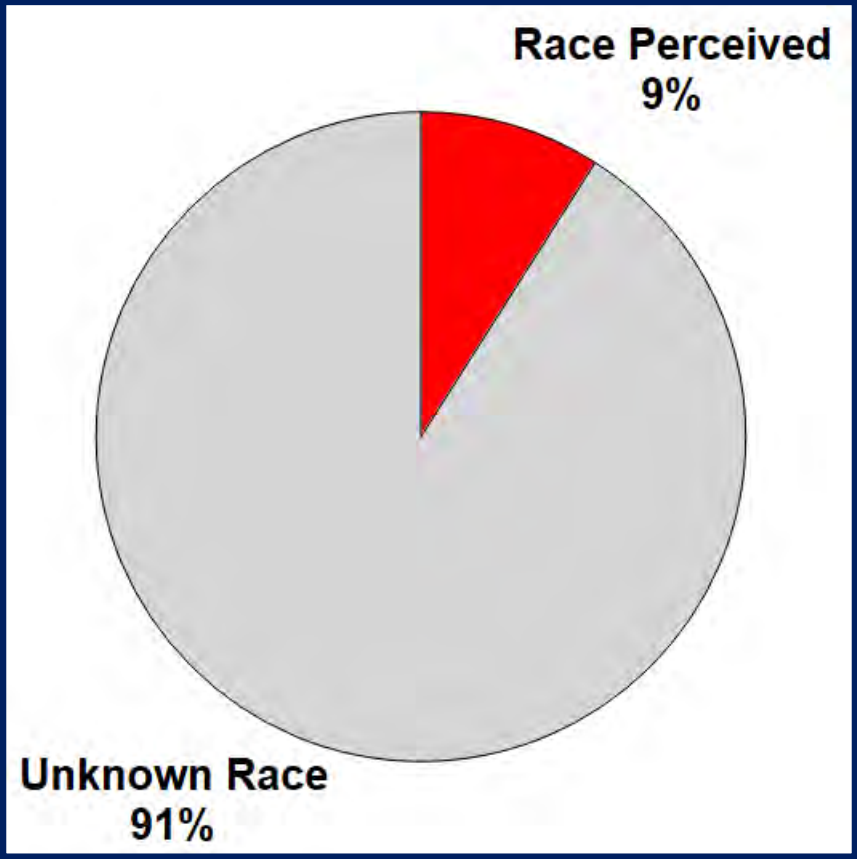
Our findings show some evidence of racial bias in stop decisions among local law enforcement



Estimated % point change in share of drivers stopped by local law enforcement



Pleasanton PD - Race Perceived Prior to the Stop



	White	Asian	Hispanic	Black	Other
Race Perceived	56%	21%	16%	7%	0%
Unknown Race	40%	29%	21%	8%	1%
	0%20%40%60%	0%20%40%60%	0%20%40%60%	0%20%40%60%	0%20%40%60%

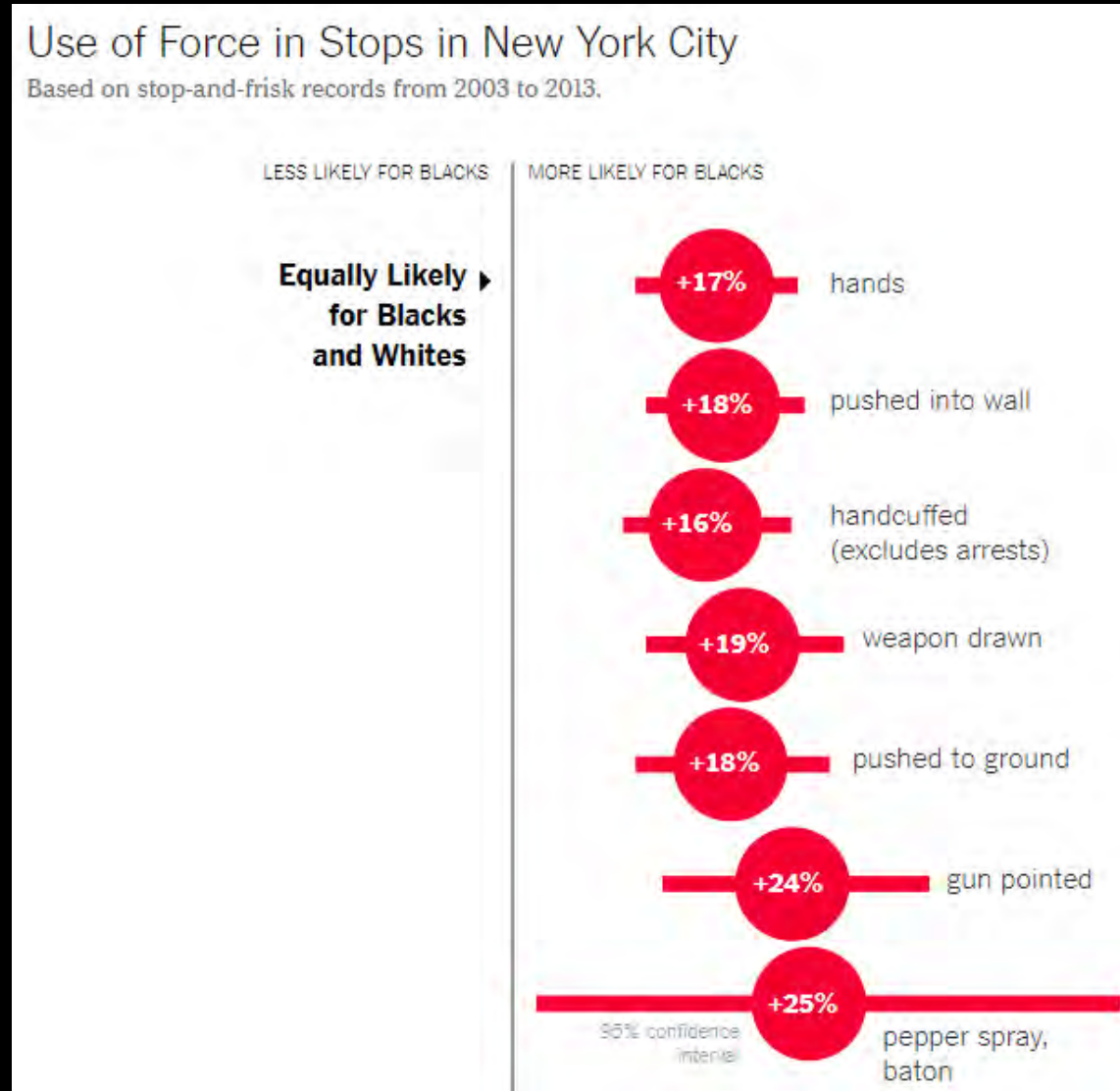
California sheriff's office stops Black drivers five times more often than white people, data shows

A new report says sheriffs' patrols spend more time conducting racially biased stops than they do responding to calls for help



Harvard Economics Professor Roland Fryer

New York City PD – Stop and Frisk Data

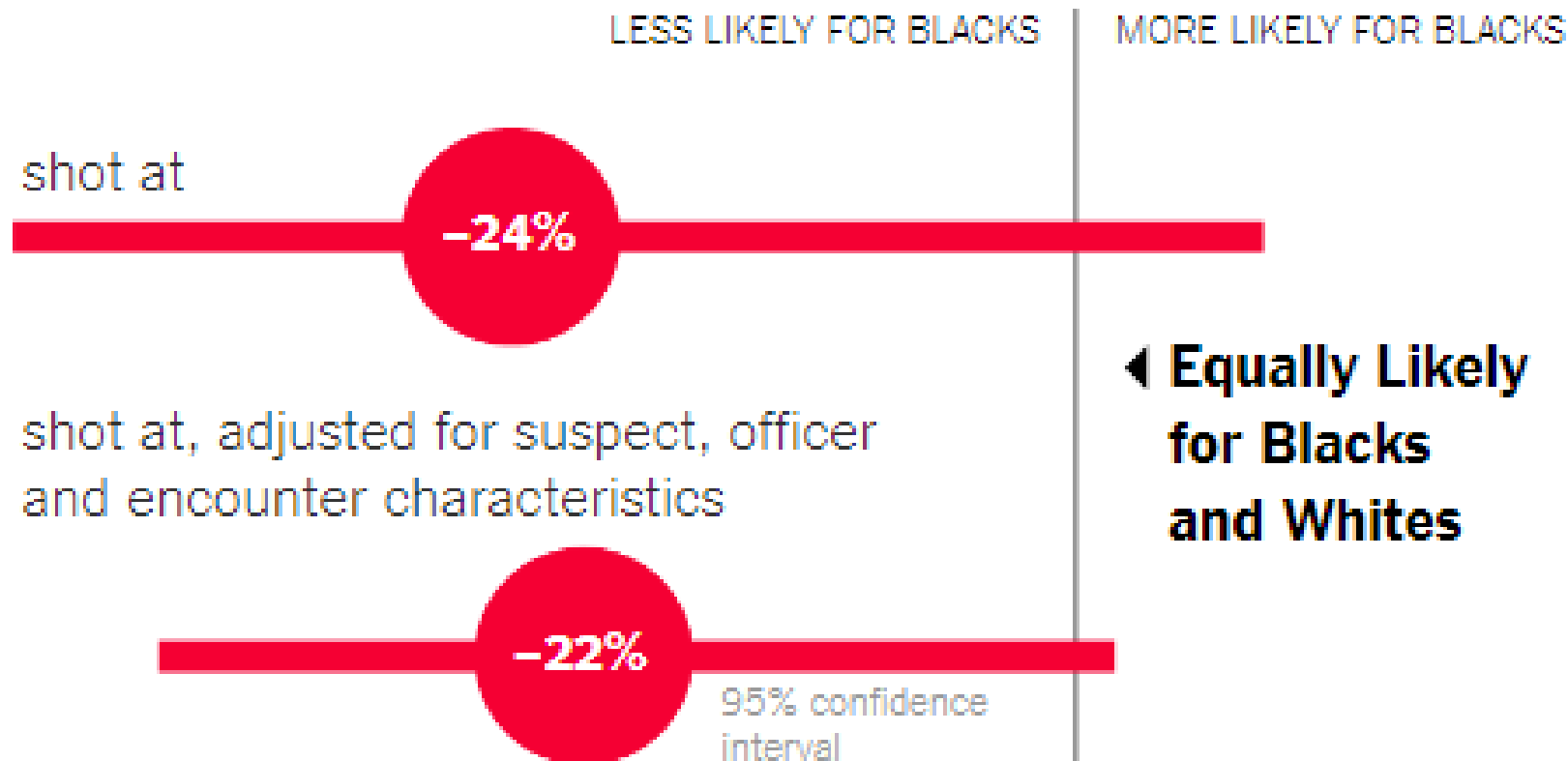


Harvard Economics Professor Roland Fryer

Houston PD – Officer Involved Shootings

Lethal Force in Houston

In different sets of encounters when police might plausibly have fired their weapons.



Harvard Economics Professor Roland Fryer



Racial Disparities in the Criminal Justice System

Why Do We Have Traffic Laws?

- 1) Traffic Safety
- 2) Licensing Compliance (Driver & Vehicle)
- 3) Insurance and Liability
- 4) Revenue – Maintain Road Infrastructure

Why Do We Have Police Departments?

1) Enforce laws passed by the legislature

2) Respond to community calls for service

What is the Role of Police Officers?

- 1) Arrest criminal suspects
- 2) Protect and assist victims of crime
- 3) Ensure public safety & quality of life

How to Reduce Racial Disparities in the Criminal Justice System

- 1) Selective Enforcement – Racial Quotas - Illegal
- 2) Decriminalize/Legalize Conduct with High Racial Disparities
- 3) Reduce Criminal Behavior and Traffic Violations

Selective Enforcement

- Government officials (police officers, prosecutors, or regulators) exercise enforcement discretion, which is the power to choose whether or how to punish a person who has violated the law.
- **Examples:**
 - Marijuana <40g is Lowest Priority for Law Enforcement
 - Plea Bargaining Felony Drug Cases to Misdemeanors
 - DUI Emphasis Patrols
 - Gang Task Force
 - Racial Profiling or Racial Quotas

Should We Defund the Police?



OPINION | SEATTLE TIMES OP-EDS

June 24, 2022 at 1:03 pm

Invest in underserved communities before cutting police budgets | Op-Ed

A recent Washington State Supreme Court decision actually will do more harm than good at decreasing racial disparities in the legal system.

- *In Seattle, Black household median net worth is \$23,000, which is only 5% of white household median net worth (\$456,000).*

How to Increase Racial Disparities in the Criminal Justice System

Prioritize violent
felonies and serious
traffic offenses and
reduce enforcement
of minor offenses
and infractions

New traffic-stop policy aims to reduce racial disparities, Mecklenburg sheriff says

BY KALLIE COX

SEPTEMBER 29, 2022 4:47 PM



Seattle PD – Jail Overcrowding in 2000

- Driving While License Suspended 3° - Unpaid tickets
- DWLS made up 33% of jail bookings
- 46% DWLS arrests Black drivers but only 8% population
- High recidivism rates – Low relicensing rates

Seattle City Council Legislation

Operation Impound – “Jail the Car Not the Driver”

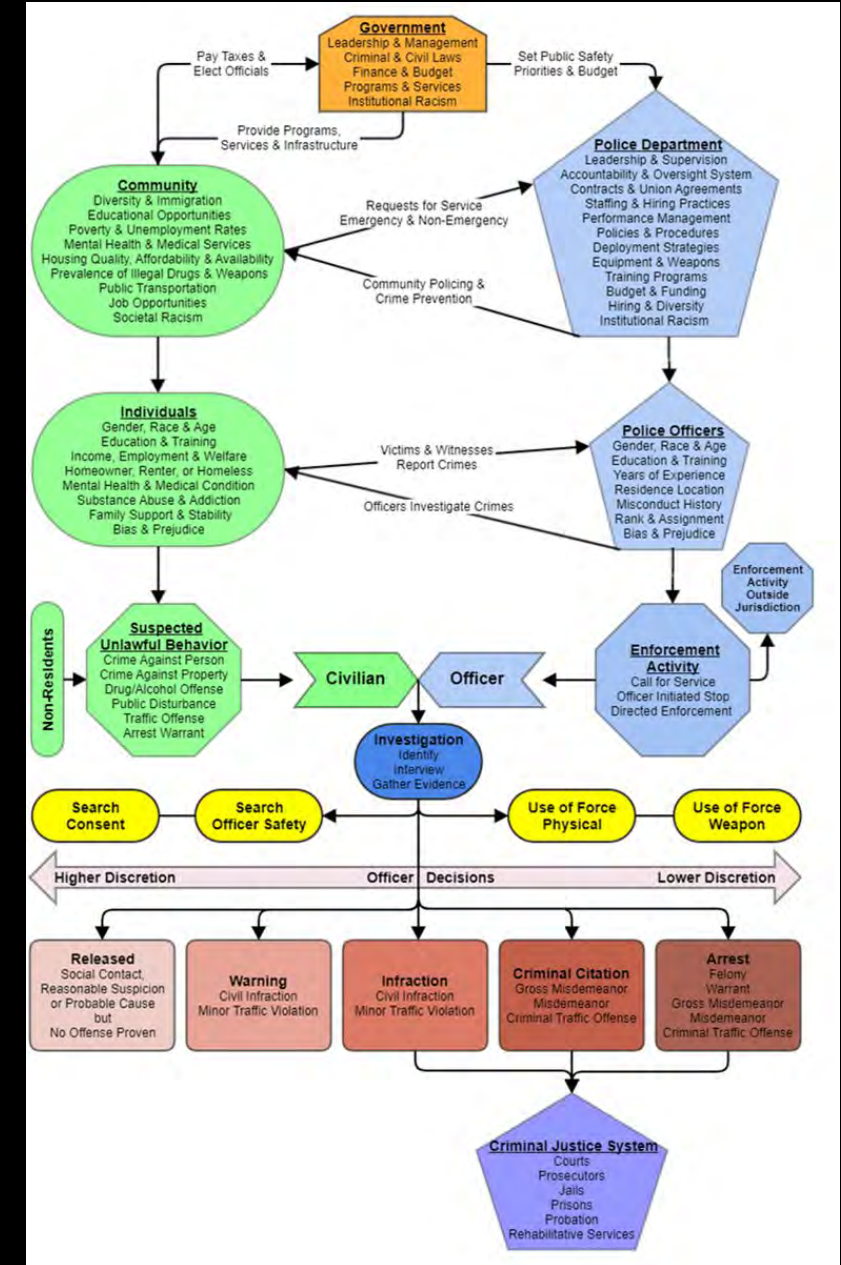
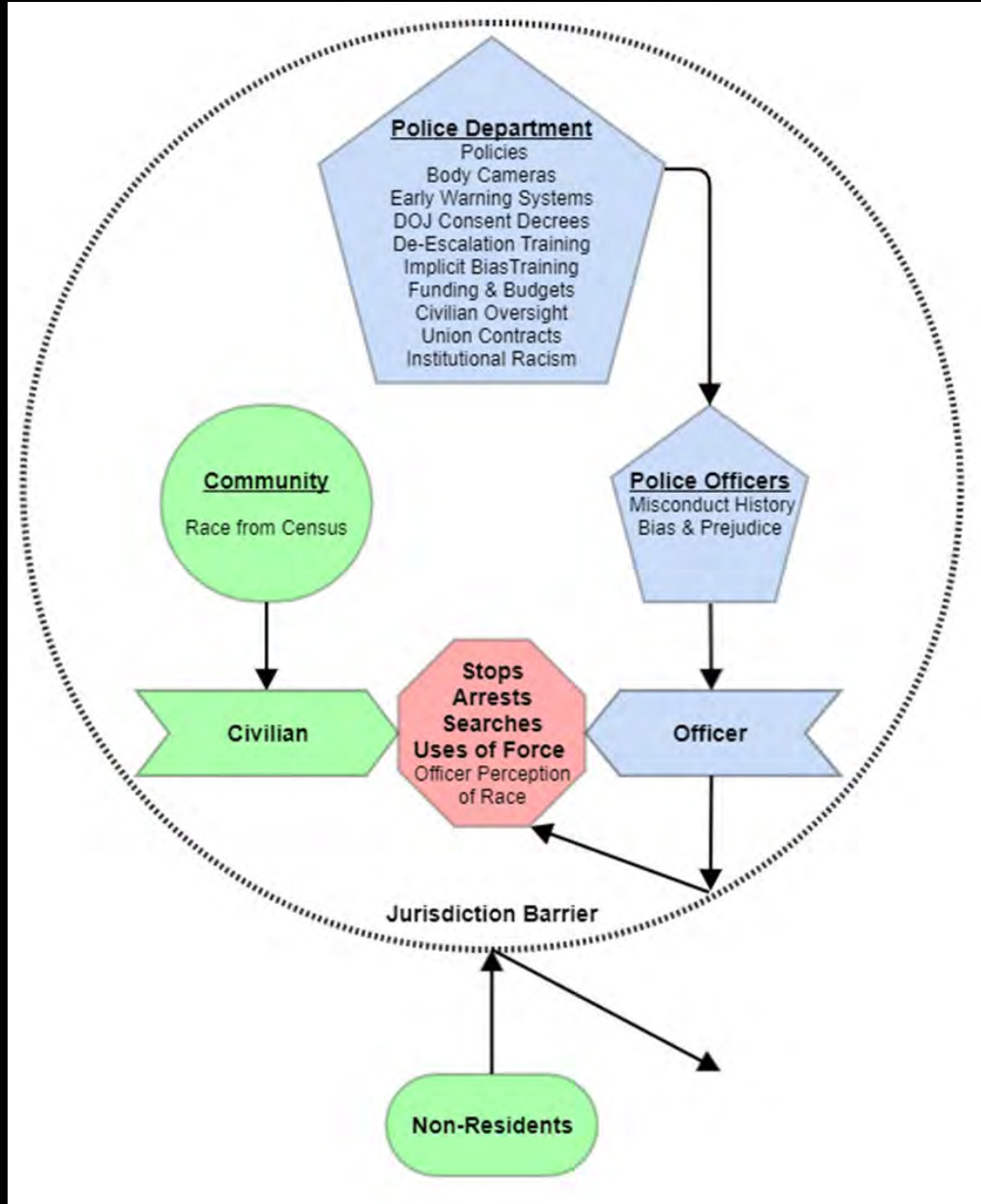
- Owner/Loaner Impound – Reduced car availability
- Relicensing Clinics – Reduced recidivism
- Municipal Court – Time payment plans
- Car Recovery Clinic – Protect car owner’s rights
- Reduced jail bookings by 25%
- Reduced racial disparities in jail by 50%
- Legislation Repealed After One Year of Proven Success
 - “Inhumane to take cars away from poor people”



Analyzing Racial Disparities in Policing Data

Population Methodology

Risk Adjusted Methodology



Population-Based Benchmarks

VS

Risk Adjusted Activity-Based Benchmarks

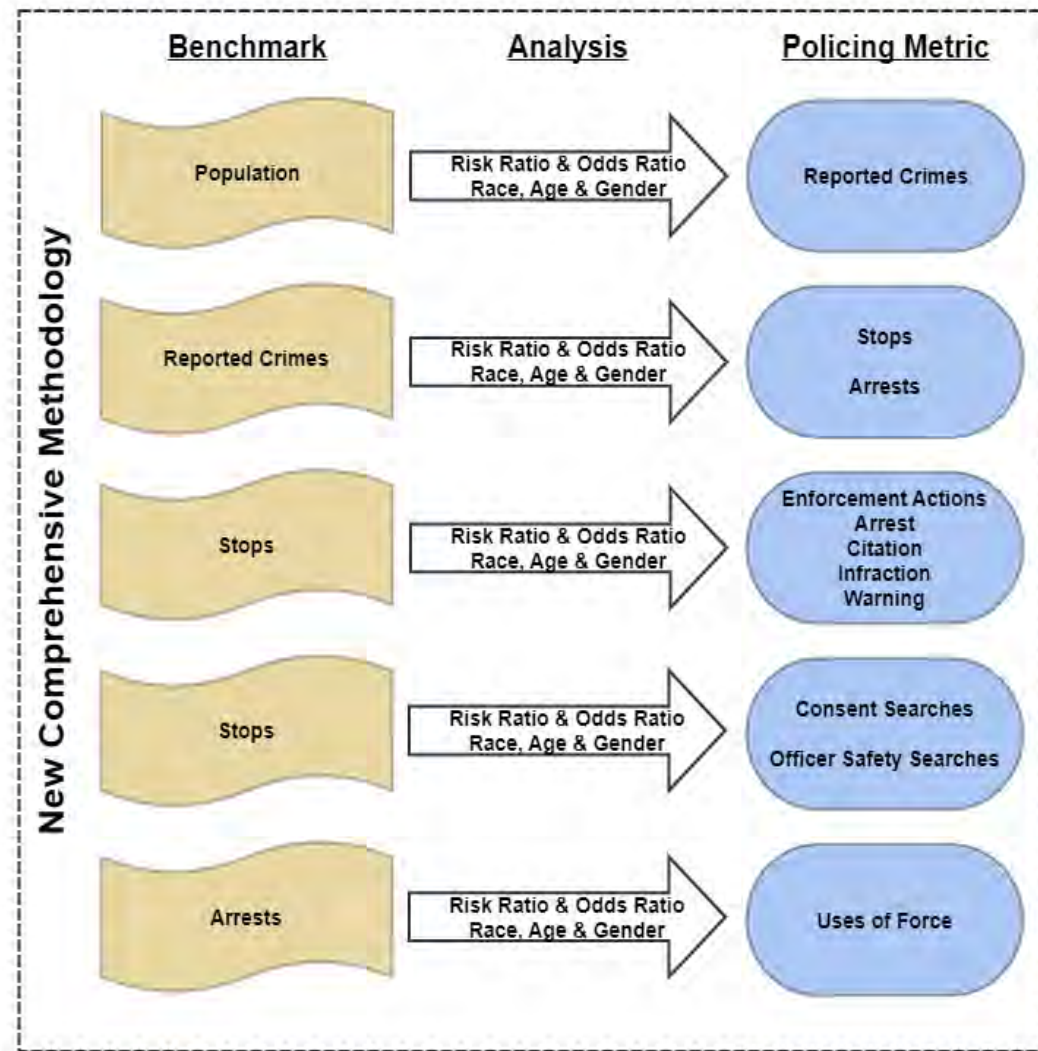
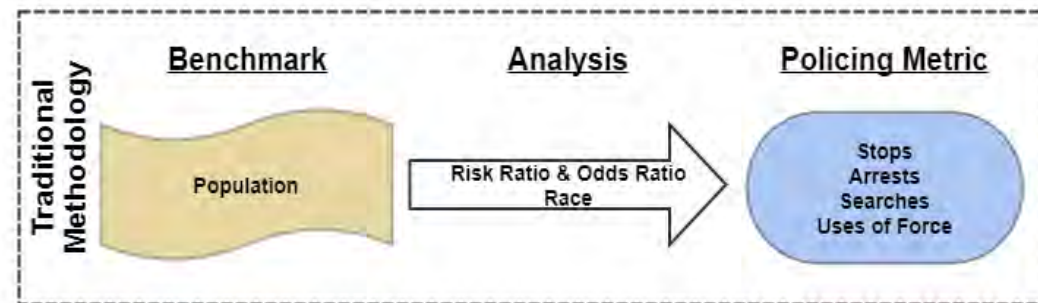


Table 1: Disparity Matrix for Hypothetical Agency Engaged in Racial Profiling of Black Drivers

		Police Actions			
		Stops	Arrests	Searches	Uses of Force
Risk Ratio		Stops / Suspects	Arrests / Stops	Searches / Stops	UOF / Arrests
Race	White	0	0	0	0
	Black	++	++	++	++
	Nat Amer	0	0	0	0
	Asian	0	0	0	0
	Hispanic	0	0	0	0

Symbol	Disparity	Risk Ratio
++	Positive	> +50%
+	Positive	+25% to +50%
0	None	-25% to +25%
-	Negative	-25% to -100%

Richfield PD Disparity Analysis

Population-Based Benchmarks

		Population	Reported Offenders	Arrests	Uses of Force
Sex	Female	49.4%	0.5	0.5	0.4
	Male	50.6%	1.5	1.4	1.6
Race	White	58.4%	0.6	0.6	0.6
	Hispanic	18.5%	0.6	0.7	0.8
	Black	12.7%	3.6	3.4	3.5
	Asian	7.8%	0.3	0.3	0.1
	Nat Amer	2.6%	1.5	1.7	1.4
Age	0-17	19.2%	0.4	0.3	0.5
	18-29	17.6%	2.2	2.3	2.5
	30-39	17.3%	1.7	1.7	1.6
	40-49	12.7%	1.1	1.1	0.9
	50+	33.2%	0.3	0.3	0.2

Risk Adjusted Activity-Based Benchmarks

		Population	Reported Offenders	Arrests	Uses of Force
Benchmark		Population	Offenders	Arrests	
Sex	Female	49.4%	0.5	1.0	0.7
	Male	50.6%	1.5	1.0	1.1
Race	White	58.4%	0.6	1.0	0.9
	Hispanic	18.5%	0.6	1.0	1.2
	Black	12.7%	3.6	0.9	1.1
	Asian	7.8%	0.3	1.0	0.5
	Nat Amer	2.6%	1.5	1.2	0.8
Age	0-17	19.2%	0.4	0.8	1.5
	18-29	17.6%	2.2	1.0	1.1
	30-39	17.3%	1.7	1.0	1.0
	40-49	12.7%	1.1	1.0	0.8
	50+	33.2%	0.3	1.0	0.7

Richfield PD Disparity Analysis

Population-Based Benchmarks

		Population	Reported Offenders	Arrests	Uses of Force
Sex	Female	49.4%	-	-	-
	Male	50.6%	+	+	++
Race	White	58.4%	-	-	-
	Hispanic	18.5%	-	-	-
	Black	12.7%	++	++	++
	Asian	7.8%	-	-	-
	Nat Amer	2.6%	+	++	+
Age	0-17	19.2%	-	-	-
	18-29	17.6%	++	++	++
	30-39	17.3%	++	++	++
	40-49	12.7%	0	0	0
	50+	33.2%	-	-	-

Risk Adjusted Activity-Based Benchmarks

		Population	Reported Offenders	Arrests	Uses of Force
Benchmark		Population	Offenders	Arrests	
Sex	Female	49.4%	-	0	-
	Male	50.6%	+	0	0
Race	White	58.4%	-	0	0
	Hispanic	18.5%	-	0	0
	Black	12.7%	++	0	0
	Asian	7.8%	-	0	-
	Nat Amer	2.6%	+	0	0
Age	0-17	19.2%	-	0	++
	18-29	17.6%	++	0	0
	30-39	17.3%	++	0	0
	40-49	12.7%	0	0	0
	50+	33.2%	-	0	-

Table 8: FBI Uniform Crime Reports for 25 Largest Cities in Minnesota – 2019

			FBI Part I Uniform Crime Reports (UCR) for 2019					
City Size Rank	City	Population	Violent Crimes	Property Crimes	Violent Crime Rate per 10,000	Property Crime Rate per 10,000	Violent Crime Rank	Property Crime Rank
1	Minneapolis	431,016	3,990	19,469	93	452	1	3
2	St. Paul	310,263	1,752	11,208	56	361	2	5
3	Rochester	118,267	254	2,225	21	188	10	16
4	Bloomington	85,902	203	3,079	24	358	8	6
5	Duluth	85,846	292	3,670	34	428	6	4
6	Brooklyn Park	81,211	299	2,760	37	340	5	9
7	Plymouth	80,616	37	938	5	116	25	23
8	Maple Grove	73,170	58	1,107	8	151	19	21
9	Woodbury	72,527	45	1,264	6	174	22	19
10	St. Cloud	68,311	298	2,443	44	358	3	7
11	Lakeville	67,206	45	564	7	84	21	25
12	Eagan	66,824	39	1,294	6	194	23	15
13	Blaine	66,260	61	1,586	9	239	16	12
14	Eden Prairie	64,777	52	700	8	108	18	24
15	Burnsville	61,306	103	1,621	17	264	14	11
16	Apple Valley	54,779	51	1,062	9	194	15	14
17	Minnetonka	54,497	30	772	6	142	24	22
18	Edina	53,076	47	983	9	185	17	17
19	St. Louis Park	49,535	89	1,396	18	282	13	10
20	Mankato	42,955	110	1,462	26	340	7	8
21	Shakopee	41,892	81	745	19	178	12	18
22	Maplewood	41,341	158	2,080	38	503	4	2
23	Cottage Grove	37,534	29	590	8	157	20	20
24	Roseville	36,750	83	2,164	23	589	9	1
25	Richfield	36,100	73	850	20	235	11	13
All MN Cities			10,963	98,928	28	254		

National Incident Based Reporting System (NIBRS)

Violent Crimes - 393 Minnesota Agencies - 2020

		Reported Violent Crimes		
Demographics	Minnesota Population	Reported Offenders	Risk Ratio	Odds Ratio

Sex	Female	50.2%	24.2%	0.5	1
	Male	49.8%	75.8%	1.5	3.2

Race	White	86.0%	48.3%	0.6	1
	Black	7.2%	43.9%	6	11
	Nat Amer	1.4%	5.8%	4	7
	Asian	5.4%	2.0%	0.4	0.7

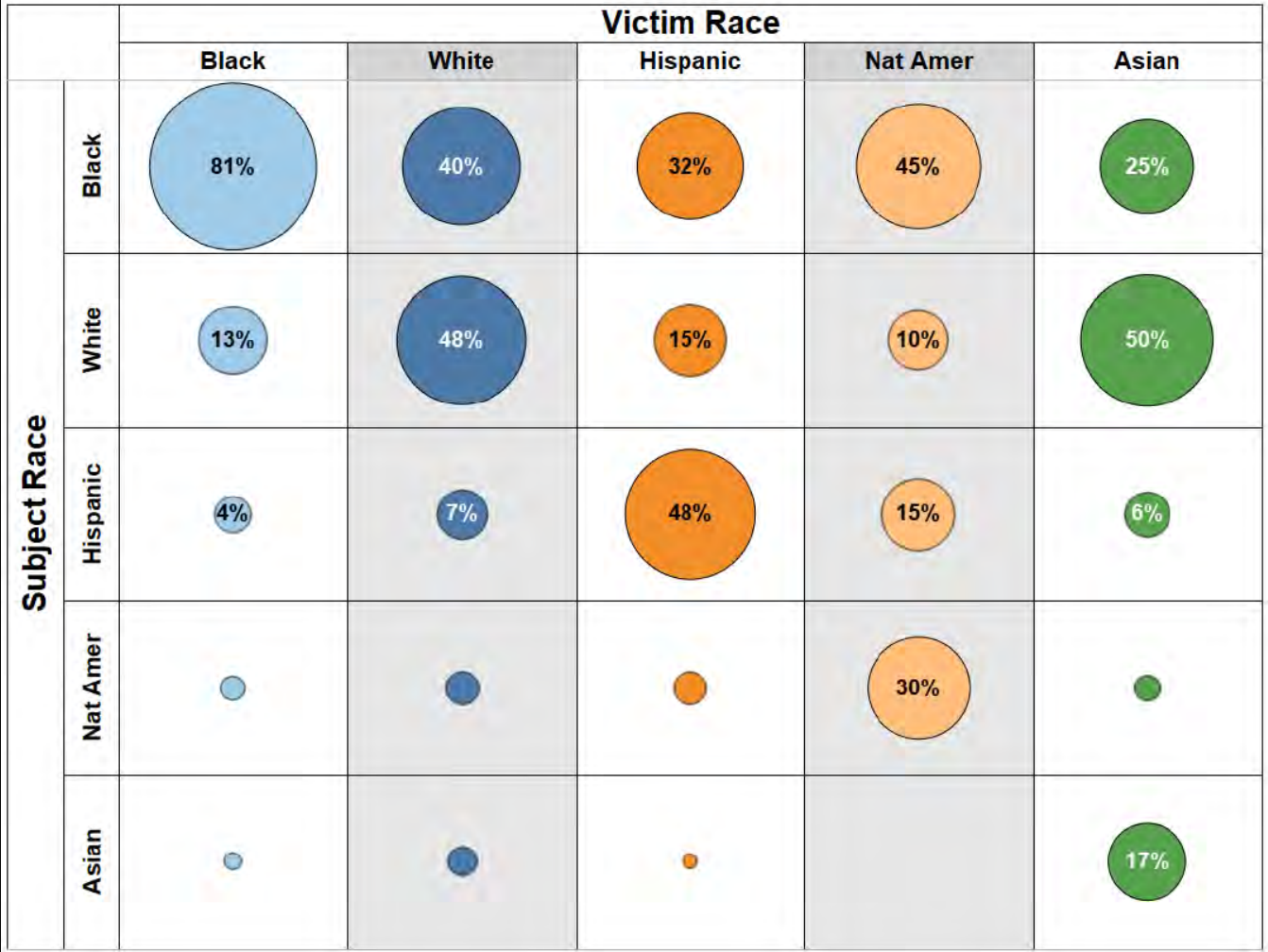
Age	0-17	23.1%	9.8%	0.4
	18-29	15.5%	34.4%	2.2
	30-39	13.7%	29.0%	2.1
	40-49	11.8%	14.8%	1.3
	50+	35.8%	12.0%	0.3

Richfield PD – Risk Ratios and Odds Ratios Victims and Offenders

			Risk Ratios	
			Victims	Offenders
Benchmark	Population	Population	Population	Population
Sex	Female	49.4%	1.2	0.5
	Male	50.6%	0.8	1.5
Race	White	58.4%	0.8	0.6
	Hispanic	18.5%	1.0	0.6
	Black	12.7%	2.4	3.6
	Asian	7.8%	0.4	0.3
	Nat Amer	2.6%	0.4	1.5
Age	0-17	19.2%		0.4
	18-29	17.6%		2.2
	30-39	17.3%		1.7
	40-49	12.7%		1.1
	50+	33.2%		0.3

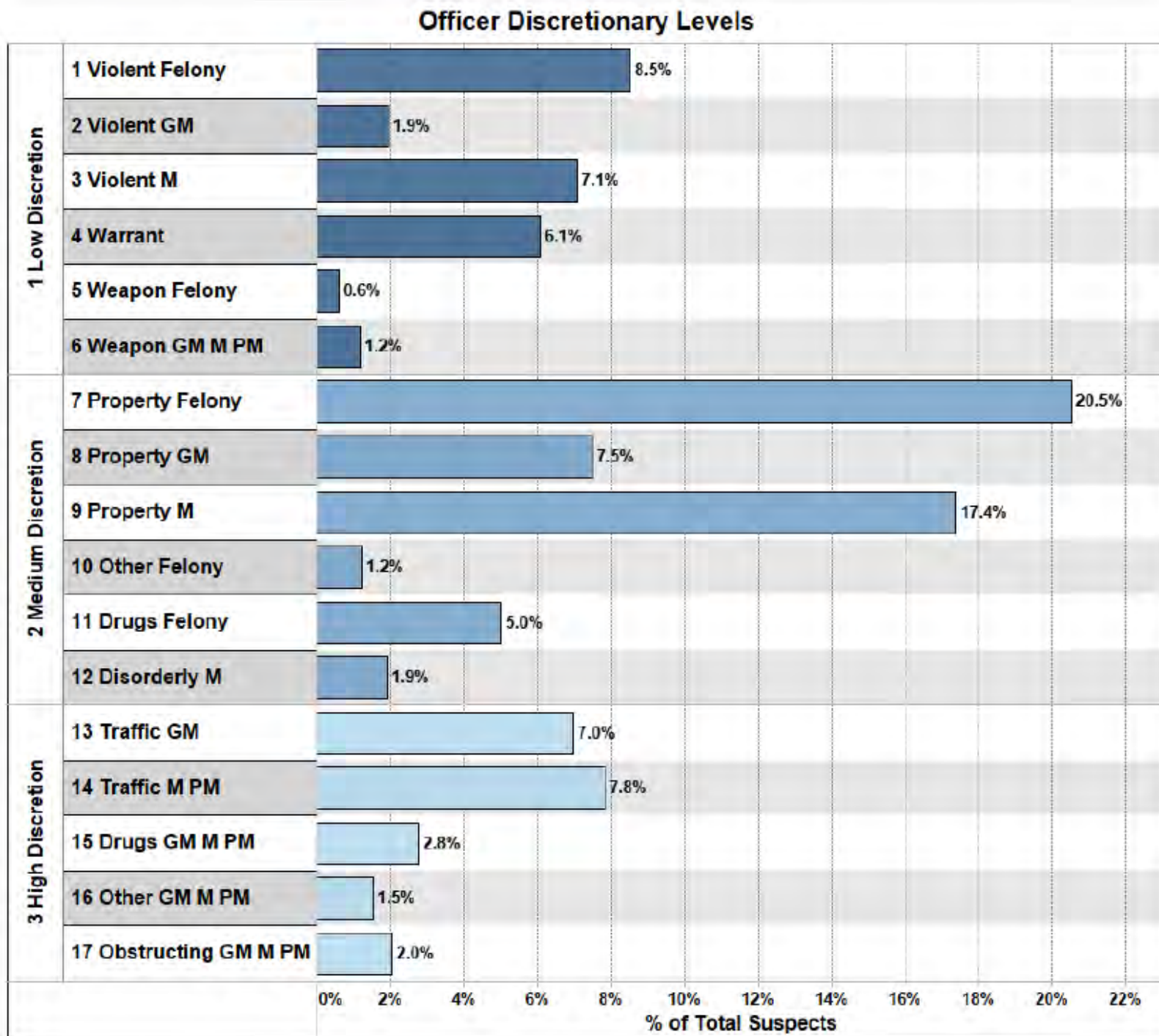
			Odds Ratios	
			Victims	Offenders
Benchmark	Population	Population	Population	Population
Sex	Female		1	1
	Male		0.7	2.7
Race	White		1	1
	Hispanic		1.2	1.0
	Black		2.9	5.8
	Asian		0.4	0.5
	Nat Amer		0.5	2.4

Richfield PD – Sex & Race of Victims & Suspects



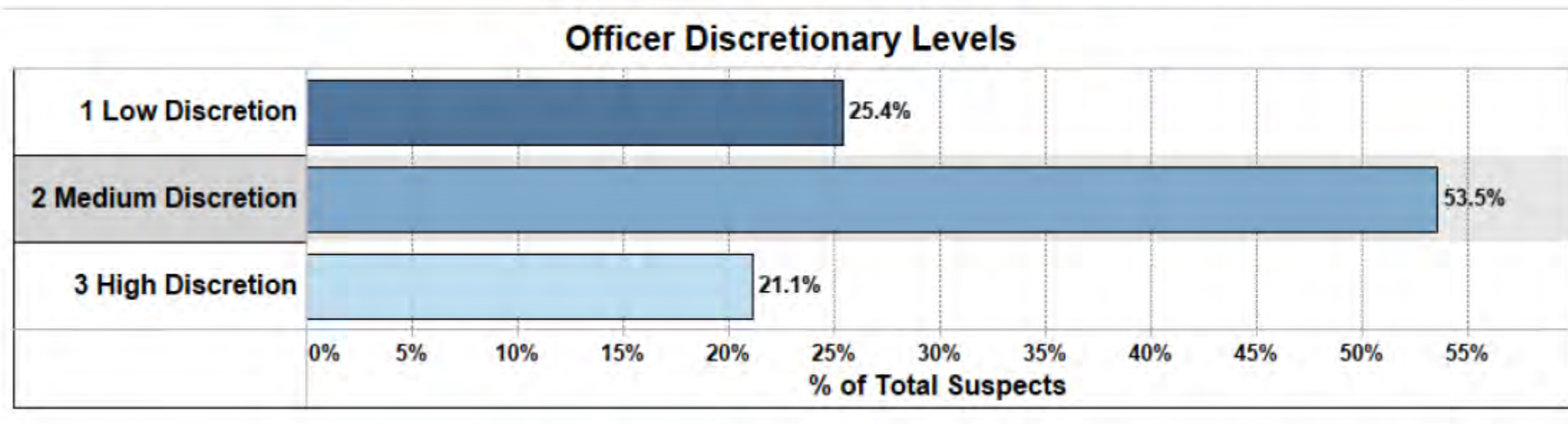
Victim Race	Suspect Race	% of All Suspects in Victim Group	% of Suspect Race in Population	Risk Ratio
White	White	47.7%	58.4%	0.8
Hispanic	Hispanic	48.4%	18.5%	2.6
Black	Black	80.5%	12.7%	6.3
Asian	Asian	17.3%	7.8%	2.2
Nat Amer	Nat Amer	30.0%	2.6%	12
White	Hispanic	7.1%	18.5%	0.4
White	Black	39.6%	12.7%	3.1
White	Asian	2.4%	7.8%	0.3
White	Nat Amer	3.2%	2.6%	1.2

Discretion vs Discrimination

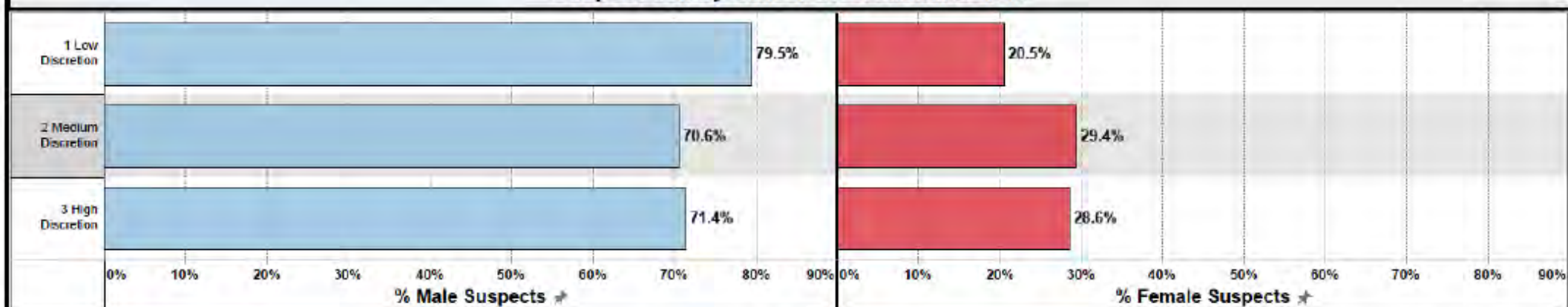


Discretion vs Discrimination

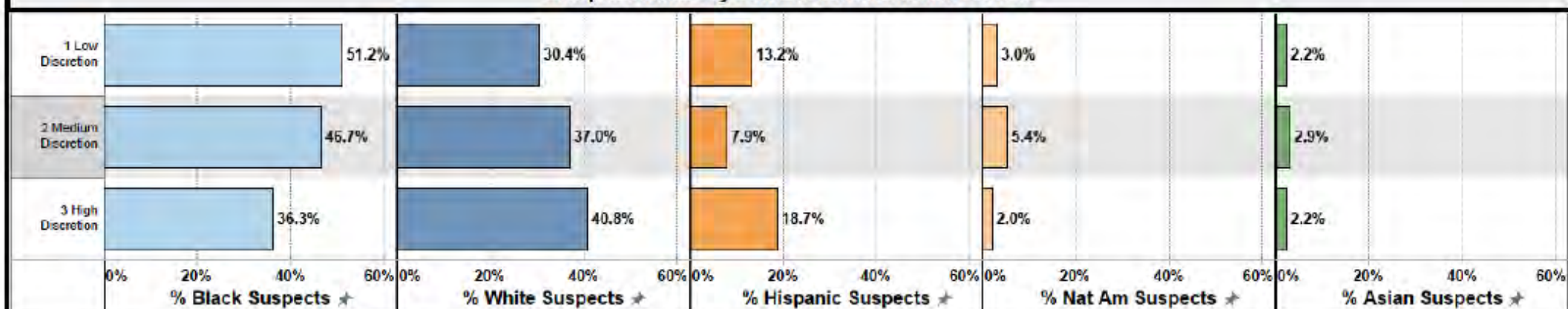
Table 31: Officer Discretionary Levels



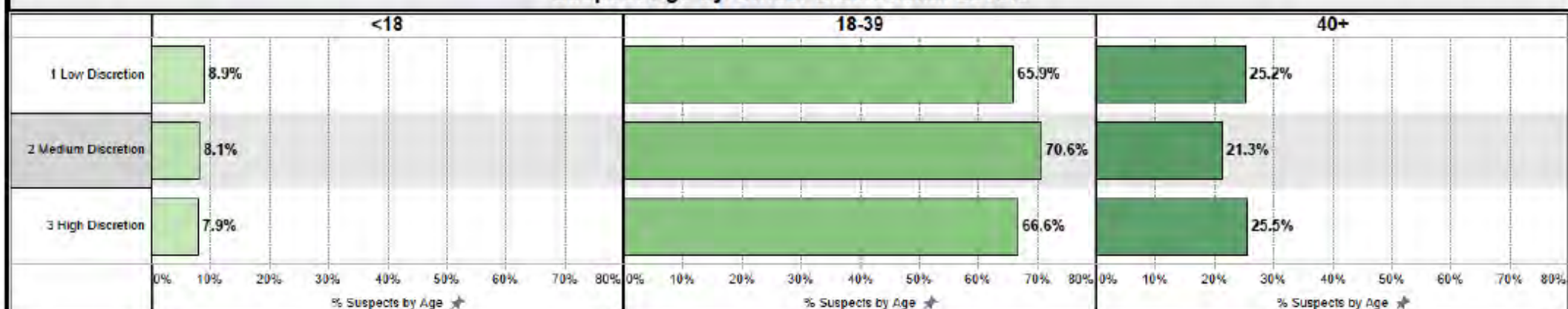
Suspect Sex by Officer Discretionary Levels



Suspect Race by Officer Discretionary Levels



Suspect Age by Officer Discretionary Levels



Disparity Matrix by Discretion Level

			Officer Discretionary Level		
		All Incidents	1 Low	2 Medium	3 High
Sex	Female	26.4%	0	0	0
	Male	73.6%	0	0	0
Race	Black	45.5%	0	0	0
	White	36.0%	0	0	0
	Hispanic	12.2%	0	-	++
	Nat Amer	3.9%	0	+	-
	Asian	2.4%	0	0	0
Age	0-17	9.1%	0	0	0
	18-29	38.7%	0	0	0
	30-39	28.1%	0	0	0
	40-49	13.5%	0	0	0
	50+	10.6%	0	0	0

Symbol	Disparity	Risk Ratio
++	Positive	> +50%
+	Positive	+25% to +50%
0	None	-25% to +25%
-	Negative	-25% to -100%

Questions?

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