

Background Information on Columbia Police Department's 2022 Incident-Based Data

Vehicle stop data, such as Missouri's Vehicle Stop Report, set to be released for 2022 by June 1, include basic information about the facts officers knew during a stop and the actions they took. The information is gathered in checkoffs. Rates in categories of data and group disproportions among groups are computed. Disproportions high enough to raise concerns flag possible discrimination, but discrimination can only be determined by assessing that facts the officers knew when they took actions. Discrimination means officers are applying different standards to groups, in violation of the Fourteenth Amendment.

Proving the use of different standards is difficult in court, but communities and their law enforcement agencies can train officers to treat everyone according to the same standards and hold officers accountable for acting on adequate facts.

The strategy used by CPD's Bias-Free Policing Policy for controlling discrimination is to require officers to act on "credible, timely intelligence" and to record the facts they acted on so that their performance can be objectively reviewed.

Racial biases are likely to be involved in the United States because of its history of applying different laws to Blacks. Officers who intentionally treat protected categories of individuals differently must held accountable, to the extent of discipline and dismissal. But officers can learn to check the facts they know before acting, to be sure they are not being distracted by stereotypes.

Especially in situations in which disproportions flag possible discrimination, supervisors need to review the facts checked by officers and provide them with feedback--whether their facts support their actions or whether they have to be more careful to find stronger facts, facts clearly independent of racial stereotypes, before acting.

Missouri agencies are required by 650.590, the law that mandates the Vehicle Stops Report, to have officers check off information for the VSR. The AG's office then collects the data and performs basic analysis. CPD collects more information than required then uses it to guide officer performance.

Chief Geoff Jones recruited a volunteer Traffic Stop Committee to advise him on what information he needs to gather in order to tell whether officers are acting on "actionable facts" and to guide them to best performance.

Data collected in 2022 and now posted to the city website includes these new checkoffs. CPD has not released its analysis, but my accompanying report, Columbia Police Department Release of 2022 Incident-Based Traffic Stop Data, provides initial rates and disproportions for all categories and other descriptive summaries focusing on concerns.

The process used in this report is not heavy on statistics. Rates and disproportions are all that are needed, like comparing baseball batting averages. All that is needed of statistics is a way to screen for situations in which discrimination might be occurring. The next step is to switch to direct examination of what officers reported about what they knew and what they did.

For instance, an officer might report a stop made for a speeding violation. If the officer reports the driver was going 20 mph over the limit, the facts clearly support the action and are clearly independent of racial stereotypes.

But if the officer reports a stop for going 4 mph over the limit and disproportions have raised concerns about discrimination, then a supervisor needs to review the stop. Perhaps the officer also checked off that the driver was in a school zone and failed to signal a turn. An officer could not ignore those facts taken together; a stop would be made regardless of the driver.

The 2022 data continue high disproportions against Black drivers in many types of stops and post-stop actions. Black drivers are stopped at a rate per driver-age resident 4.81 times the rate for White drivers. Black drivers are subjected to odor searches at a rate per stop 4.05 times the White rate.

For Consent Searches, the Black disproportion declined to 1.13 times the White rate per search, but that's still 5.95 times the White rate per driver.

New information on types of investigations, categories of moving violations (such as speeding less than 5 mph over the limit), types of odors (alcohol or marijuana) and so on provide new insights but do not begin to account for disproportions. For instance, officers did not check off enough investigative stops to make a substantial difference in the Black stop disproportion. Even if every investigative stop was documented to be based on facts that are clearly independent of racial stereotypes, the disproportion for all other stops would continue to raise serious concerns.

Another possible factor behind the disproportions is how officers are assigned to perform patrols. They might be stopping more Black drivers because they patrol areas where they encounter more Black drivers. Information on locations has been limited, and I think CPD still cannot capture exact locations of where officers observe violations that lead to stops, but for the second year, CPD has indicated the Beats officers are assigned to.

One section in this report looks at consent searches as performed in Beats. Officers in one Beat made a substantial number of stops but conducted no consent searches and had no group disproportions. In other Beats, however, many consent searches were conducted and disproportions against Black drivers were much higher than the department average.

So, the data suggest that CPD could start by examining consent searches in these Beats. There are only about 60 consent searches, so the task isn't overwhelming. Supervisors would be given the data on the Consent Searches for their Beats, with access to other information, such as videos, voice recordings and paperwork. Supervisors would review the incidents with the officers. They would discuss what the officer knew and why consent was requested. Supervisor and officer would agree on whether the request for consent was reasonable or whether stronger facts were needed in the future.

Consent searches do not contribute to stop disproportions but the pattern is the same for all situations with disproportions: whenever disproportions flag possible discrimination, check the facts officers acted on.

You don't need to do any analysis to open the table of 5000 stops and apply filters to see just, for instance, pretext stops in Beat 70D, the District. Can you determine the facts the officer knew before using a minor violation as probable cause to justify an investigation? Do they convince you that the

officer was not distracted by racial stereotypes? What other information would a supervisor need to have to be able to tell the officer the action was based on convincing information, or that the officer must learn to look for stronger facts?

Anyone can download the Incident-Based Data from the city website and make similar investigations. What situations are you concerned about? Is there an area in the city you want to study? What extra information do you think is needed? What criteria for facts are sufficient for a consent search or a pretext stop?

This report is preliminary. First observations about the data are included. A few examples are discussed. Techniques for analyzing the data are demonstrated.

Comments and questions are welcome. I'm glad to work with anyone to find ways to continue dialogue on ways to use the objective facts in the data to improve law enforcement and increase trust and cooperation among all parties.

Don Love
573 230 6446
Dmaclove1@gmail.com
5/15/23
2022 IBD Intro 5 14 23