

CITY OF OAKLAND

Memorandum

TO: Office of the Chief of Police
ATTN: Interim Chief Sean Whent
FROM: Interim Assistant Chief Paul J. Figueroa
DATE: 05 Feb 14

RE: **Preliminary Stop Data Analysis Report**

In order to fulfill our obligation to provide the Oakland community with public safety services in a fair and equitable manner, staff continues to collect Stop Data information. Oakland Police Departmental General Order M-19 explicitly prohibits racial profiling and other bias-based policing. The Oakland Police Department (OPD) is committed to ensuring that all stops, searches, and seizures are constitutional and performed within Departmental policy. To that end, OPD requires officers to complete detailed Field Interview and Stop Data Reports (FI/SDRs) documenting and listing the reasons for actions taken during an encounter. The OPD Stop Data program increases transparency and allows the Department to assess effectiveness and identify potentially biased behaviors.

The following report contains Stop Data information collected for an eight-month reporting period, from April to November 2013. It provides an overview of data collected and the categories used in the Department's first statistical report since the new revisions and data collection procedures have been implemented. The Department recognizes the complexities, challenges, and responsibilities associated with the presentation of Stop Data statistics. Stop activity can be influenced by variables of beat demographics, crime trends, deployment patterns, Department staffing, traffic levels, and transit patterns in the City.

This report is not an attempt at an academic or research level analysis of the data, nor is it intended to establish any benchmarks. Rather, it has three goals:

- To present Stop Data statistics for the period (April 1 to November 30, 2013)
- To create transparency regarding stops, including the racial/ethnic identity of those stopped by officers
- To build a solid foundation for ongoing analysis and discussion.

All Stop Data information gathered is reviewed at Risk Management meetings to determine if there are any disparities requiring additional review by commanders and supervisors.

In March 2013, we revised the Stop Data Collection program to incorporate enhancements to the data collection process. Policies and procedures were updated and revised to ensure that FI/SDRs are completed for all self-initiated stops and for each person detained during multiple person stops. Additionally, the FI/SDR captures the legal basis for the initiation of each stop in five categories: Consensual Encounter, Reasonable Suspicion, Probable Cause, Traffic Violation, and Probation/Parole.

In the Independent Monitor's Fifteenth Quarterly Report (released October 25, 2013), the Monitor found that 97% of stops audited had a corresponding FI/SDR. The Monitor also found the Department in compliance with NSA requirements for the documentation and justification for each stop.

Numerous checks and review processes are in place to protect the accuracy and quality of Stop Data reports. The FI/SDR is an electronic data collection form that requires the completion of all Stop Data fields mandated by OPD policy prior to FI/SDR finalization. All FI/SDRs are reviewed and approved by a supervisor. Additionally, staff conducts biweekly audits of FI/SDRs to verify that stops were justified and Stop Data fields marked were consistent with information contained in each FI/SDR narrative, such as reason for stop and the type of contraband recovered.

Stop Race

During this review period, a total of 14,591 FI/SDRs were collected. African Americans composed the largest percentage of those stopped at 62%, followed by Hispanics at 17% and Whites at 12% (see Table 1). Asians and those classified as Other comprised the lowest percentage of those stopped at 6% and 3%, respectively.

Table 1 - Stop Race

Race	Stops	%
Asian	889	6%
African American	9,034	62%
Hispanic	2,524	17%
White	1,711	12%
Other	433	3%
Grand Total	14,591	100%

Stop Reason by Race

Traffic Violations were the legal basis for 61% of all stops, followed by Probable Cause (23%) and Reasonable Suspicion (10%) (see Table 2). Subsequently, Consensual Encounters (5%), and stops conducted of individuals known to be on Probation or Parole (1%), accounted for the lowest percentages. Compared to other races, African Americans had the highest percentage of stops based on Probable Cause (27%) or Reasonable Suspicion (12%), yet the lowest percentage of stops for Traffic Violations at 54% (4,870 out of 9,034 stops). Asians were stopped for Traffic Violations 76% of the time (680 out of 889 stops). Ongoing and regular reviews of this category are conducted by staff to ensure there is sufficient cause for the stop.

Table 2 - Stop Reason by Race

Race	Consensual Encounter		Reasonable Suspicion		Probable Cause		Traffic Violation		Probation/ Parole		Grand Total
	Total	%	Total	%	Total	%	Total	%	Total	%	
Asian	30	3%	43	5%	131	15%	680	76%	5	1%	889
African American	469	5%	1,057	12%	2,474	27%	4,870	54%	164	2%	9,034
Hispanic	90	4%	179	7%	435	17%	1,794	71%	26	1%	2,524
White	62	4%	120	7%	307	18%	1,205	70%	17	1%	1711
Other	23	5%	28	6%	76	18%	301	70%	5	1%	433
Grand Total	674	5%	1,427	10%	3,423	23%	8,850	61%	217	1%	14,591

Searches & Recovery Percentages by Race

African Americans and Hispanics were searched most frequently at 42% and 27%, respectively (see Table 3). Asians, Whites, and those classified as Other were searched 17% to 20% of the time.

Table 3 - Search Percentage By Race

Race	Searched	Not Searched	Total	% Searched
Asian	154	735	889	17%
African American	3784	5250	9034	42%
Hispanic	683	1841	2524	27%
White	289	1422	1711	17%
Other	88	345	433	20%
Grand Total	4998	9593	14591	34%

Whites had the highest search recovery rate at 28%. African Americans, Hispanics, and those classified as Other had a recovery rate of 27% (see Table 4). Asians had the lowest recovery rate at 25% with very few overall searches. The difference in these recovery rates is not statistically significant.

Table 4 - Search Recovery Percentages by Race

Race	Firearms, Narcotics, Evidence or Weapons	None	Grand Total	Recovery %
Asian	38	116	154	25%
African American	1033	2751	3784	27%
Hispanic	181	502	683	27%
White	80	209	289	28%
Other	24	64	88	27%
Grand Total	1356	3642	4998	27%

However, when searches made incident to arrest are excluded from the overall search totals, Hispanics had the highest search recovery rate at 26% (see Table 5). African Americans, Asians, and Whites had recovery rates of 22% to 23%. Those classified as Other had the lowest recovery rate at 15% with very few searches overall.

Although recovery percentages are consistent among population groups, we continue to conduct ongoing and regular reviews of this category because the Department recognizes the impact of searches on community members.

Table 5 - Search Recovery Percentages (Excluding Incident to Arrest Searches)

Race	Firearms, Narcotics, Evidence or Weapons	None	Grand Total	Recovery %
Asian	19	64	83	23%
African American	524	1878	2402	22%
Hispanic	110	314	424	26%
White	34	122	156	22%
Other	7	40	47	15%
Grand Total	694	2418	3112	22%

Stop Results by Race

Compared to other races, African Americans had the highest percentage of Felony Arrests and Field Investigation Reports at 14% and 37%, respectively, but the lowest overall percentage of Citations at 34% (see Table 6). Hispanics and Asians were cited the most at 52% and 51%, respectively.

Table 6 - Stop Results By Race

Race	Felony Arrest		Misdemeanor Arrest		Citation		FI Report		Warning		Report Taken-No Action		Grand Total
	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	
Asian	55	6%	38	4%	450	51%	241	27%	100	11%	5	1%	889
African American	1267	14%	536	6%	3032	34%	3315	37%	832	9%	52	1%	9034
Hispanic	181	7%	145	6%	1311	52%	661	26%	215	9%	11	0%	2524
White	85	5%	76	4%	780	46%	562	33%	199	12%	9	1%	1711
Other	26	6%	19	4%	218	50%	128	30%	41	9%	1	0%	433
Grand Total	1614	11%	814	6%	5791	40%	4907	34%	1387	10%	78	1%	14591

Conclusion

In March 2013, revisions were made to enhance the collection of Stop Data. This data is used in Risk Management Meetings to identify any disparities between the five policing Areas. This method has resulted in excellent discussions about staff practices. As the amount of Stop Data information grows, the Department will be able to draw stronger comparisons, draw possible conclusions, and make recommendations to further improve our

practices.

An internal workgroup has been formed to recommend department-wide training, conduct interpretation of the data, and recommend intervention strategies where appropriate. Additionally, we continue to work with the Federal Monitor, who provides technical assistance. As a government organization entrusted with vital responsibilities, our goal is to use this information and subsequent discussions to increase transparency. We must ensure that our practices protect the rights of all groups, reflect ethical policing strategies, and increase public safety.

A handwritten signature in black ink, appearing to read 'Paul J. Figueroa', with a stylized flourish extending to the right.

Paul J. Figueroa
Interim Assistant Chief of Police
Oakland Police Department