


April 10, 2017

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Through: Deputy Chief Cheryl Hunt
Support and Administrative Services Division

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From: Sergeant Jill Mannebach
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Subject: Toledo Police Department 2016 Bias Free Policing Administrative Review

Bias Free Policing Administrative Review

Introduction

It is the policy of the Toledo Police Department that biased-based racial, ethnic, and gender profiling is an unacceptable behavior and shall not be tolerated. The Toledo Police Department shall utilize various management tools to ensure that racial, ethnic and/or gender profiling does not occur. Bias-based profiling is defined as the “stopping, questioning, detention, arrest, or other disparate treatment of any person based solely on their race, ethnicity, gender, gender identity or sexual orientation.”

There are several procedures in place to ensure that racial, ethnic, and/or gender characteristics are not being used by officers as a basis for traffic stops and/or suspect stops. The first of these procedures is training department personnel on bias-based policing issues in the academy and during annual in-service training. The bias-based training includes topics that ensure all citizens receive fair and equal treatment and that officers are making traffic stops, field contacts, or any other formal actions on the basis of probable cause or reasonable suspicion. Secondly, officers who have had bias-based or discrimination complaints sustained against them are subject to remedial training and the disciplinary process. Finally, it is important to note that there is an ongoing effort to identify potential training and policy issues related to ensuring fair and impartial policing, followed by an annual review of the department’s bias-based profiling policy and practices.

Police Department Training

The Toledo Police Academy conducts bias-based profiling training to all trainees during the “Stops and Approaches” portion of academy training. Additionally, the Toledo Police Department Manual requires that all department personnel receive training annually on bias-

based policing. This training was conducted as part of a spring in-service training for all sworn officers from March 7, 2016 to May 19, 2016.

Police Department Policy

Department Manual Directive 103.10, entitled, “Biased-Based Profiling” was written to be in compliance with CALEA standard 1.2.9. The directive covers all aspects of bias-based profiling: definitions, prohibitions against bias-based profiling, bias-based profiling training, corrective measures, and an annual administrative review. The directive is in the Toledo Police Department Manual, which is issued to all sworn officers and is also available to officers through the Toledo Police Intranet.

Bias-Based Citizen Complaints

All allegations of bias-based profiling by citizens are thoroughly investigated by the Internal Affairs Section of the Toledo Police Department. In 2013, the Internal Affairs Section began to specifically track all bias-based complaints in the Administrative Investigative Management system. Additionally, the department uses video recording systems in marked police vehicles and body worn video cameras to assist in the investigation of alleged bias-based profiling by officers. The Toledo Police Internal Affairs Section reports that there were no citizen complaints that alleged bias-based actions in 2016.

Analysis of Traffic Stop and Field Interview Data

The Toledo Police Department collects data from traffic stops by recording the disposition codes given by officers at the conclusion of the interaction. These disposition codes denote the perceived race and gender of the driver of the involved vehicle once contact is made with the vehicle’s operator, as well as the actual disposition of the traffic stop (arrest, citation, or warning). In the past, yearly totals for traffic stop data would be obtained and compared to the census figures for the City of Toledo. However, aggregate percentages do not reflect racial or ethnic population density for geographical areas. Many neighborhoods are predominantly made up of one race or ethnicity. Consequently, the numbers of traffic stops conducted in these neighborhoods appear skewed when compared with the aggregate census data.¹ Additionally, police departments distribute personnel based on, calls for service, the amount of crime that has occurred in an area, and population density. If a higher percentage of police officers are assigned to an area where the residents and drivers are predominantly one race or ethnicity, consequently there will be a higher rate of traffic stops for persons of that race or ethnicity. Therefore, additional data has been compiled for this analysis in an effort to complete a more thorough evaluation of the traffic stop/suspect stop data for the City of Toledo.

In this analysis, UCR crime rates, calls for service, distribution of personnel, and demographic data will be collected and divided by police beat. This data will then be used to determine which beats (or sectors) are likely to have the highest rates of proactive

¹ Racial Profiling: “What does the data mean?” Practitioner’s Guide to Data Collection & Analysis

Crime Rates

Toledo Police
Department 2016 UCR
Part 1-Violent Crimes

	Beat	Aggravated Assault	Murder	Rape	Robbery	Beat Total	Sector Total
Sector 1	110	50	0	7	25	82	
	120	90	4	17	64	175	257
Sector 2	210	110	3	17	51	181	
	220	117	2	28	45	192	373
Sector 3	310	150	5	20	57	232	
	320	96	2	13	74	185	417
Sector 4	410	111	2	20	60	193	
	420	139	2	28	49	218	411
Sector 5	510	63	2	12	36	113	
	520	71	0	10	52	133	246
Sector 6	610	83	3	19	42	147	
	620	154	2	12	58	226	373
Sector 7	710	159	3	9	55	226	
	720	114	3	23	46	186	412
Sector 8	820	84	1	15	45	145	
	830	99	2	20	10	131	276

The above data was collected by the Criminal Intelligence Section. This table displays 2016 U.C.R. part 1 violent crimes for the City of Toledo. The greatest percentage of violent crime occurred in Beats 310, reporting 8.4% of the total violent crime within the city, and 620 and 710 both responsible for 8.2% of the violent crime city wide. Conversely, the least number of incidents were found in Beat 110, which accounted for only 2.9% of the total number of incidents of violent crime, followed by Beat 510 with 4.1% and Beat 830 with 4.7%. Though not included in the table above, it should be noted that the total number of crimes increased by 427 incidents from 2015 to 2016. The number of reported crimes increased the most in Beats 320, 120, and 410 but decreased the most in Beats 220, 830, and 110. The number of murders in the city increased from 24 in 2015 to 36 in 2016. Beat 310 had the highest number of shootings with five followed by Beat 120 with four.

Based on this information, the department would be expected to conduct proactive police activities in the areas with the highest rates of violent crime. Therefore, the number of traffic stops and suspect stops would be expected to be higher in beats 310, 620, 710, 420, and 220. The department would also likely deploy a greater number of officers to these areas to carry out the proactive police activities.

Calls for Service

<u>Total Calls for Service</u>		
Beat	Calls	Total by Sector
110	7,069	19,816
120	12,747	
210	8,948	20,499
220	11,551	
310	11,091	25,024
320	13,933	
410	10,857	22,686
420	11,829	
510	9,987	21,260
520	11,273	
610	13,019	22,464
620	9,445	
710	10,187	20,432
720	10,245	
820	13,132	27,269
830	14,137	

“Calls for Service” data was collected from the Communications Bureau. The sector with the most calls for service in 2016 was 8 Sector. The sector with the least amount of calls for service was 1 Sector. The next three busiest districts for calls for service were 3 Sector, 4 Sector, and 6 Sector. The ranking of the sectors with regard to calls for service remained consistent with 2015.

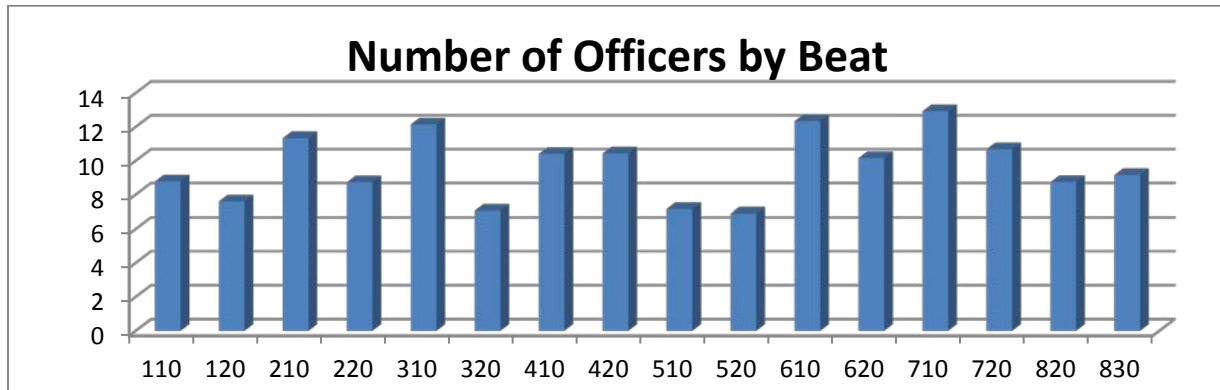
One factor used to determine personnel allocation is to measure calls for service by sector. Based on the information in this table, it would be expected that more officers would be assigned to beats 830, 320, 820, 610, 120, and 420. However, it is important to note that Sector 8 covers a much larger geographical area than the other sectors and therefore would generate more calls for service. Also noteworthy is the fact that the department’s first priority is to respond to, and reduce the rate, of violent crime. Therefore, the UCR rate is likely a more significant factor in the number of officers assigned to a specific beat.

Distribution of Personnel

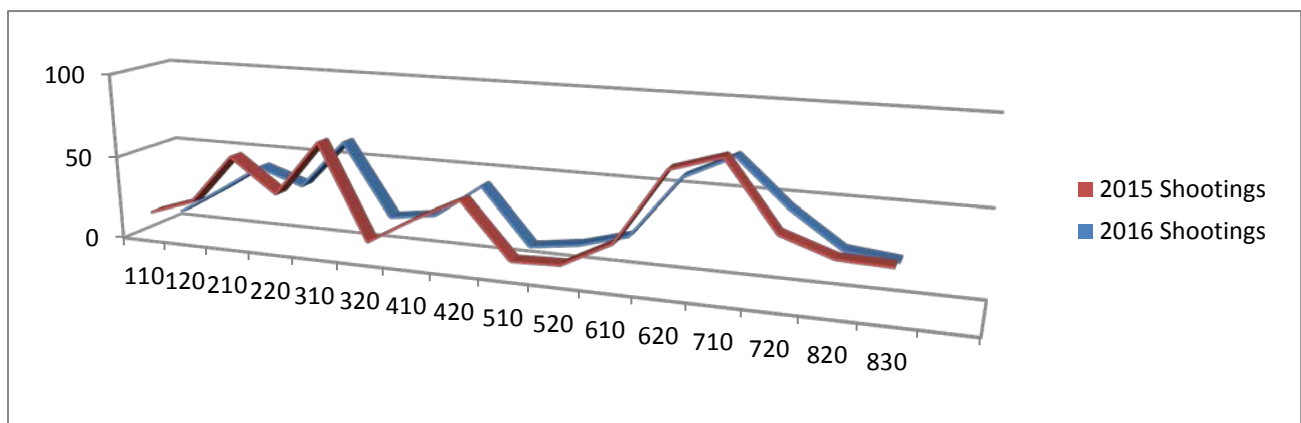
The following graph shows the distribution of personnel for the Toledo Police Department in 2016, over a 24-hour time period. The information was gathered from the Communications Bureau and is an average from the month of December. This information is only saved for three months in the Computer Aided Dispatch (CAD) System; therefore at the time of my request December was the only full month that was available. For future analysis this information will be collected earlier. The number of officers assigned for each day in December was collected from all shifts. A count was taken of each officer by beat, and that number was then divided to get the average number of officers present for an entire 24-hour work period; only personnel in field operations were accounted for. The command officers assigned to a sector were accounted for under the first beat of that sector.

For the month of December, Beat 710 averaged the most officers present with 12.92. The next highest averages were found in beats 610 and 310, which averaged 12.24 officers per

day. The lowest average number of officers was found in Beat 520 with 6.89 officers per day and Beats 320 and Beats 510 with 7.10 officers per day.



In addition to these officers, the department continues to expand its use of data analyzed by the Criminal Intelligence Section. In doing so, the practice of “intelligence led policing” is used to identify “hot spots” within the city where criminal activity is used to predict future incidents of possible crimes. Departmental resources such as personnel from Field Operations, the Gang Task Force, the Special Intelligence Group, Vice, the Community Services Section, the Traffic Section, and task force partners are strategically deployed to those hot spots in an effort to disrupt the criminal activity. As part of their efforts, the officers increase the police presence by conducting traffic stops, suspect stops, surveillance, and community outreach as a means of preventing crime in these high crime areas. In addition to an increased number of officers, this approach has led to an increased number of traffic stops, citations, arrests, non- adversarial contacts, and neighborhood clean-ups in the areas of the city with the highest predicted rates of violent crime. The majority of this activity has focused on Beats 710, 310, 620, and 720. This is all in response to the high number of shooting incidents in these beats (as illustrated in the graph below).



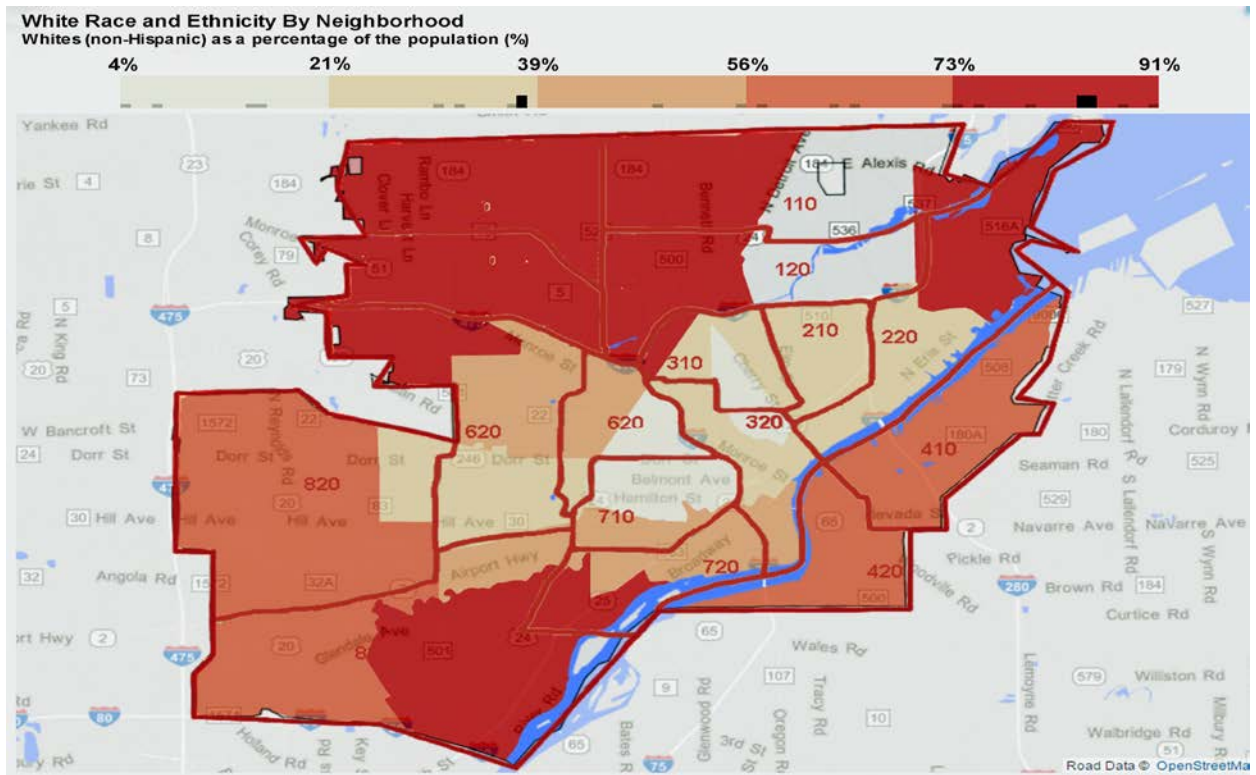
Therefore, a high percentage of traffic stops and field interviews would be expected in these beats in 2016.

Demographic Data

The demographic data which is shown below, while valuable, is displayed with some concern. The first issue is that the data is not current. The last census was completed in 2010, making this census data six years old. It is likely that the data has changed since these charts were completed.

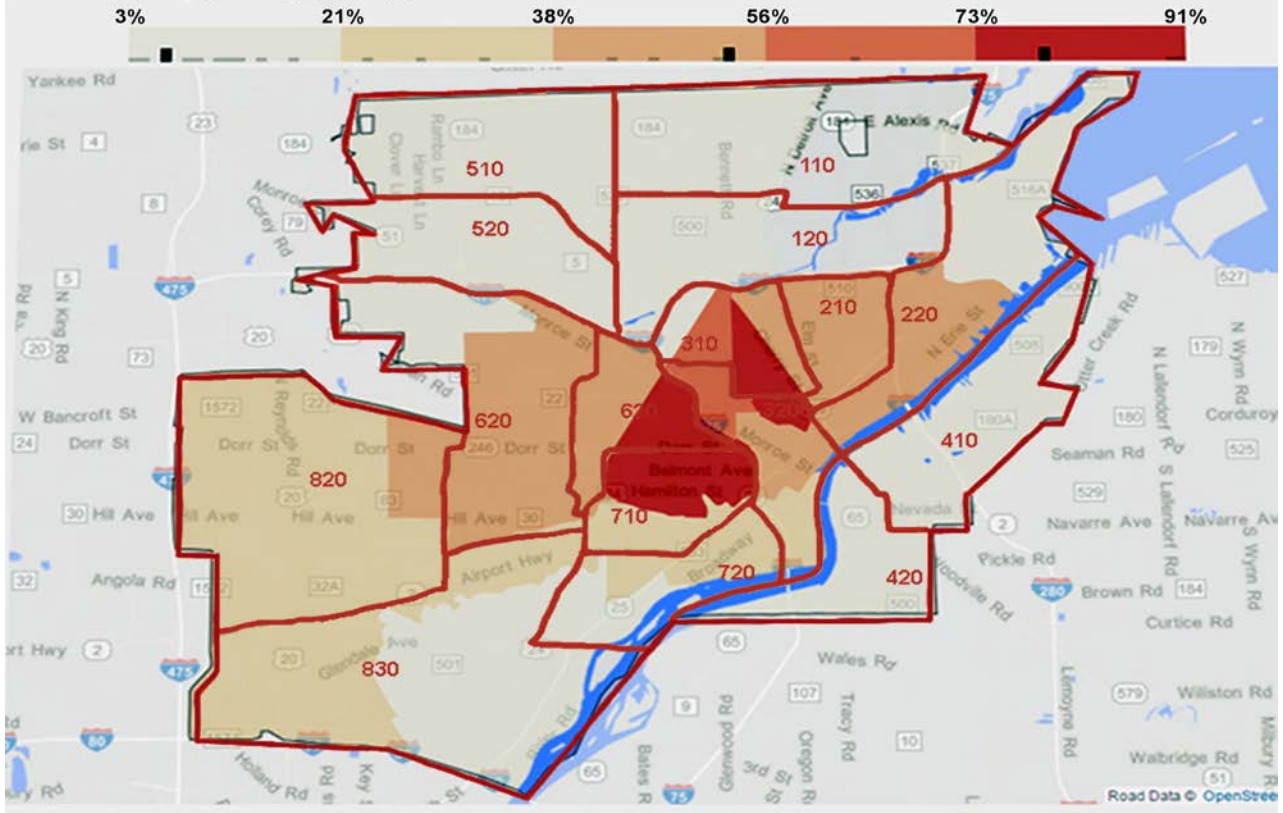
The second concern regarding this data is the effectiveness of using census data as a benchmark or baseline. Census data provides the actual number of residents in an area and not the demographics of the actual drivers in that location. Also, according to a report produced by the National Organization of Black Law Enforcement Executives entitled *Racial Profiling 'What Does the Data Mean'*, "The census is also known to have high 'miss' rates in the minority community, and like all statistical studies, the census also has an error rate." So, the possibility exists that actual demographic data in the areas most affected by this analysis may be underreported.

The below demographic maps were located on StatisticalAtlas.com² and represent the percentage of White, African-American, and Hispanic residents within the city of Toledo. On each map, an outline of the Toledo Police Department beat map was overlaid. The darker shades of red indicate a higher percentage of a particular race that lives in that location.

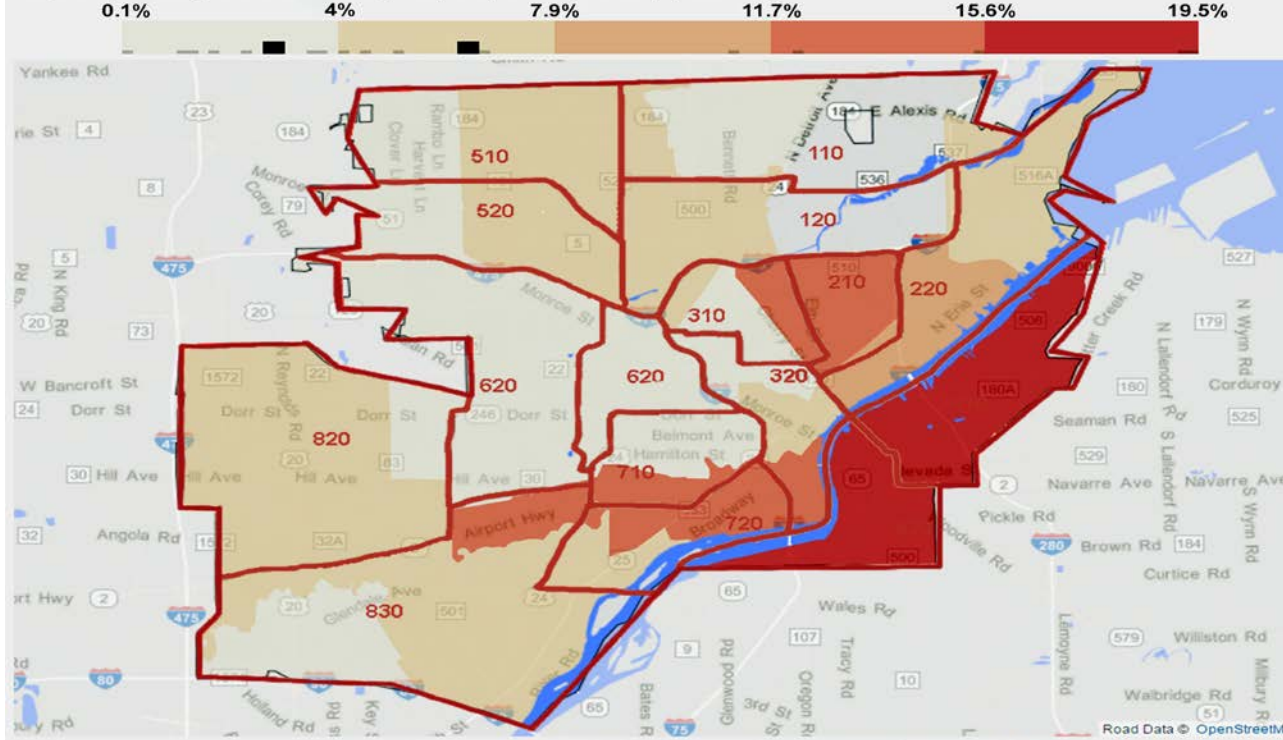


² StatisticalAtlas.com

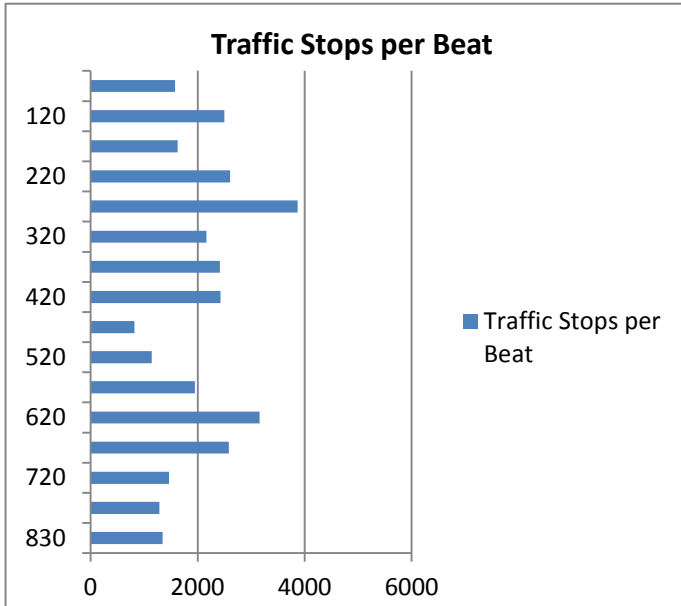
Black Race and Ethnicity By Neighborhood
Blacks as a percentage of the population (%)



Hispanic Race and Ethnicity By Neighborhood
Hispanics (excluding Black and Asian Hispanics) as a percentage of the population (%)

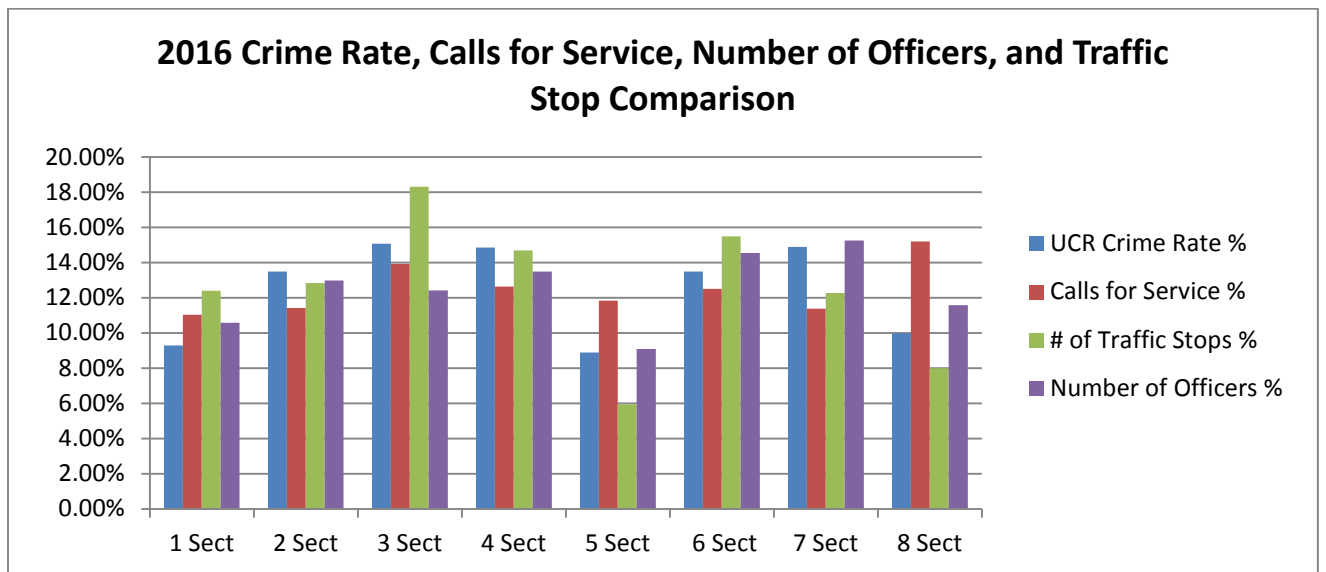


With the higher percentage of proactive police activities conducted in those beats in response to the U.C.R. data, along with “hot spots” developed by the Criminal Intelligence Section, it would be expected that a large percentage of residents in these areas would be represented in the city’s traffic stop data.



This chart displays the number of traffic stops that have occurred in each Toledo Police Beat in 2016. The largest number of traffic stops occurred in 310’s beat (3,869), followed by beats 620 (3,160) and 220 (2,608). The fewest number of traffic stops occurred in beats 510 (816) and 520 (1,142).

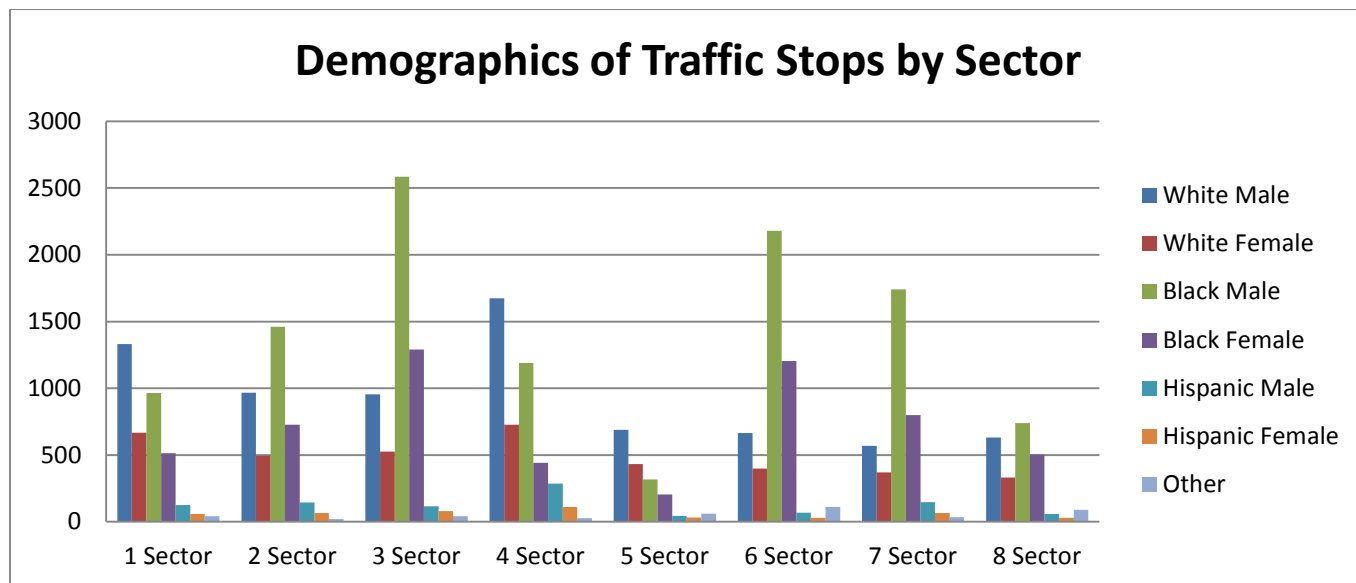
As expected, beats 310, 620, and 220 each had a large percentage of the city’s traffic stops. This is likely due to the additional proactive police activity that occurred in these beats.



The above chart displays a comparison of the percentages of the total UCR rates, Calls for Service, and Traffic Stops in each sector. For example, Sector 1 had 9.29% of the UCR crime, 11.05% of the Calls for Service, 12.40% of the traffic stops conducted, and 10.59% of the officers assigned in the city of Toledo for 2016.

Traditionally, it would be expected that the percentages displayed in the chart would be proportional, and the percentage of Calls for Service, Crime Rates, Number of Traffic Stops,

and Officers Assigned would be similar by sector. In 2016, most of the percentages appear to be proportional. The percentage of traffic stops conducted in 3 Sector is higher than in the other sectors; this is most likely related to 3 Sector having the highest UCR crime rates.



The graph above displays the demographics of traffic stops that have taken place in each sector. For example, of the 3,702 traffic stops that occurred in 1 Sector, 1,331 were of white males, 667 were of white females, and 964 were of black males.

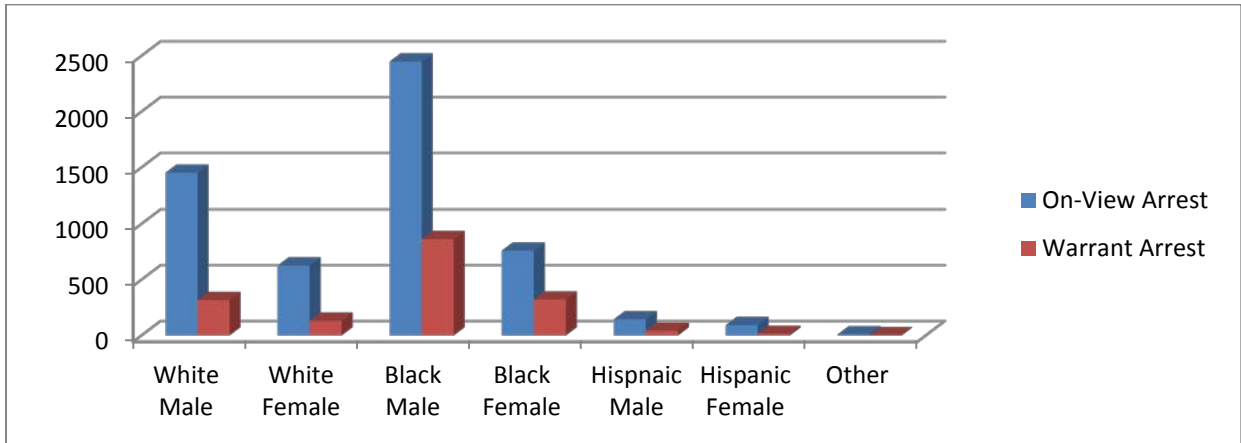
Another factor related to Bias-Based Policing is the detention or arrest of individuals based solely on that individual race, gender, or ethnicity once the stop has been initiated.

Result of Traffic Stop	Stops Resulting in Warnings	Stops Resulting in Citations	Stops Resulting in Arrest
White Male	51%	31%	18%
White Female	50%	36%	14%
Black Male	45%	31%	24%
Black Female	52%	32%	16%
Hispanic Male	54%	28%	18%
Hispanic Female	54%	31%	15%
Other	60%	37%	3%

The table above displays the dispositions of traffic stops divided by race and gender. For example, the first row shows of all white males subjected to traffic stops in 2016, 51% received a warning, 31% received a citation, and 18% were arrested.

In 2016, it appears the majority of disposition percentages are similar when compared with the other categories, with the exception of those stops resulting in arrest. Black males were arrested at a higher rate than other groups in this category. It is important to note that

“arrest” in this category does not necessarily indicate an individual being placed into custody and transported to the Lucas County Corrections Center. This usually occurs for arrest warrants involving some degree of violence and most on-view arrests. Instead, the majority of individuals arrested on outstanding warrants during a traffic stop receives a Recognizance Summons from officers and are released at the scene but are counted as “arrests”. These percentages are consistent with those found in previous analysis.



It should be noted that an officer’s discretion is removed in instances where the driver has a valid arrest warrant, thus, removing the opportunity for bias to occur. The table above displays the number of arrests from traffic stops broken down by those that had a valid arrest warrant versus an arrest stemming from the traffic stop. The department began differentiating between the two in the latter half of 2015; thus giving officers an adjustment period to make this information more reliable. It should also be noted that officers have to specifically state that the arrest was from a warrant; all others are counted as an on-view arrest, resulting in the appearance that the on-view is higher, while lowering the warrant arrest totals.

2016 Field Interviews By Race/Gender

	110	120	210	220	310	320	410	420	510	520	610	620	710	720	820	830	Total
White Male	45	38	25	32	12	77	36	43	33	30	13	7	15	21	40	24	491
White Female	5	5	10	2	3	5	5	2	3	4	2	2	0	3	4	4	59
Black Male	12	24	63	39	35	162	35	43	9	25	22	39	53	33	96	40	730
Black Female	2	4	2	3	7	9	2	4	2	2	1	4	4	3	5	1	55
Hispanic Male	0	1	1	4	1	5	7	7	1	0	1	1	4	3	3	2	41
Hispanic Female	0	0	0	0	0	0	4	1	0	0	0	0	0	1	0	0	6
Other	1	3	0	1	0	0	0	0	0	2	1	2	4	3	2	4	23
Beat Total	65	75	101	81	58	258	89	100	48	63	40	55	80	67	150	75	
Sector Total		140		182		316		189		111		95		147		225	1405

The table above displays the data for Field Interviews conducted by Toledo Police officers in 2016. Whether on routine patrol or in response to a call, a field interview report is completed; when an officer believes a person may have information pertaining to a crime, pattern of crimes and/or criminal suspects. When an officer has reasonable suspicion to believe a person may have committed, may be committing, or may be about to commit a crime.

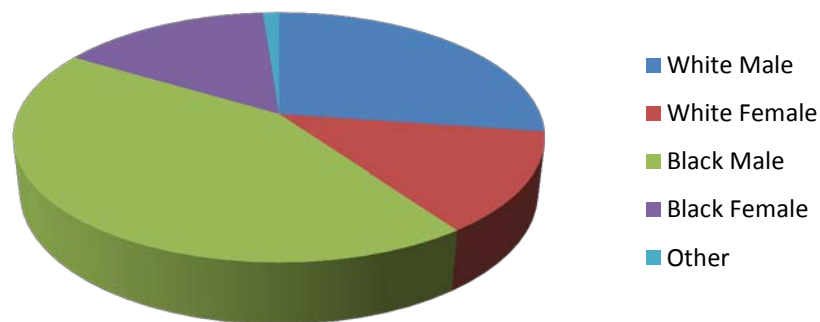
Though not represented in the table, there were 332 less Field Interview reports completed by officers in 2016 than in 2015. The most Field Interview reports were generated in 320's Beat (258), 820's Beat (150) and 210's Beat (101). The fewest number of reports were generated in Beats 610, 510, and 620. Black males were the group that was recorded the most often on the reports totaling 730 (52%), followed by white males with 491 (35%). Both of these figures are consistent with data that has been analyzed in previous years. The suspect's activity most often listed by officers on the report as the reason for the interview was *suspicious/gang activity*. *Suspected burglar/prowler/theft activity* was cited as the second most frequent reason for the interview.

After analyzing the data, race and gender do not appear to be factors in which individuals are stopped for Field Interviews by Toledo Police officers. Generally, sectors where the most Field Interviews were conducted mirror the areas of the city with the highest rates of violent crime and calls for service. As an overall strategy to reduce criminal activity, the department typically assigns more officers to patrol identified hot spots, areas with higher calls for services, and/or areas where crime trends have been identified. As a result, more field interviews are expected to be conducted in those areas.

<i>Subject Stops</i>		
Beat	Calls	Total by Sector
110	164	
120	176	340
210	250	
220	512	762
310	510	
320	587	1097
410	379	
420	572	951
510	87	
520	160	247
610	206	
620	567	773
710	602	
720	353	955
820	202	
830	121	323

A subject stop is when an officer stops an individual or a group of individuals while in a public place, but not in a moving vehicle. Data from the subject stops is consistent with data from the traffic stops. Beat 710 had the most subject stops (602) followed by beat 320 (587). The beat with the lowest amount of subject stops was 510 (87) followed by 830 (121).

Total Arrest for 2016



The above graph represents all of the arrests made in 2016, including juveniles who accounted for 1,527 of the arrest. Although not displayed in the graph, there were fewer arrests made in 2016 (23,057) compared to 2015 (25,270). Hispanic arrests are included in the "Other" category.

This is the last year we will be reporting UCR numbers because the Toledo Police Department will be switching to NIBRS. Once the new numbers are collected, we will be attempting to break down the violent crimes by race and gender. Unfortunately, we do not have that information for this report; therefore total arrest numbers are being reported.

Conclusion

The Toledo Police Department is proactively combating bias-based policing issues through the use of department policy, training of officers, thorough investigation of complaints, analysis of traffic stop data, and the annual review of all topics relating to bias-based policing. The Toledo Police Department Manual clearly states; "bias-based policing will not be tolerated by officers." The consequences for officers found to be in violation of this policy are remedial training and/or disciplinary action. These issues are reviewed on an annual basis. All Toledo Police officers receive training on bias-based policing prior to graduation from the Toledo Police Academy, and receive additional training on an annual basis. All allegations of bias-based policing by officers are investigated by the Internal Affairs Section. Finally, analysis of traffic stop/suspect stop data is compared with the demographics, crime rates, calls for service, and any other pertinent data to ensure that any bias-based policing issues are identified and addressed immediately.

In the 2016 bias-free policing analysis, traffic stop data was compiled and analyzed. It is important to note that the traffic stop statistics gathered by the Toledo Police Department are compiled by recording the officer's perception of the vehicle driver's race/gender after a traffic stop has been completed, and not what the officer perceived the race/gender of the driver was prior to initiating the traffic stop. Therefore, it is difficult to ascertain if officers are

conducting traffic stops based on a driver's race/gender, when it is not known if the officer could determine the driver's race/gender prior to conducting a traffic stop.

In 2016, black male drivers were stopped 14% more often than any other group. This percentage is higher than last year but more consistent with previous years. Once stopped for a violation, drivers in the "Other" (Middle Eastern, Asian, and other applicable groups) were most likely to receive a citation, and black males were most likely to be arrested. Although, many of these citations and arrests may have been the result of following department policies relating to license violations and warrant arrests virtually eliminating officer discretion. This data is consistent with analysis from previous years.

Toledo Police Officers initiated over 30,000 traffic stops in 2016 while a large figure, that number is significantly lower than in 2015. There are several reasons for the decline; the first reason being the Toledo Police Department is operating with the lowest amount of personnel we have seen in the last 10 years. Also, the department purchased hand-held speed cameras, which traffic officers operate. The four hand-held devices generated over 42,000 tickets alone, but are not accounted for as traffic stops. The number of Field Interviews conducted by officers also decreased from 1,737 in 2015 to 1,405 in 2016.

As in previous years, the demographic percentages found in both the Traffic Stop data and Field Interview data remained consistent. Again, black male drivers were stopped at a greater rate than other demographic groups. However, when this data is compared to the demographics of Toledo Police "beats," and the distribution of officers in those "beats", no patterns of police conduct were detected to indicate the Toledo Police Department, or any of its police officers, are inappropriately using racial, ethnic, or gender characteristics while conducting traffic stops.

Recommendations

The Toledo Police Department should continue to take proactive measures to ensure that its officers equitably enforce laws and investigate criminal activity on the basis of probable cause or reasonable suspicion and not based solely on the race, ethnicity, or gender of the citizens they encounter. The department should continue to train officers that all citizens must receive fair and equal treatment, to thoroughly investigate all bias-based related complaints, and take immediate corrective action when required.

The Toledo Police Department is continuously trying to recruit a diverse group of men and women that represent the make-up of their jurisdiction; this practice should continue as a vital part of the hiring process. The face of the department should match the face of the community it serves.

Additionally, the department should continue its community programs. At this time there are currently over 10 different community programs that the Toledo Police Department is involved in. This is a great way to bring officers closer to the community, build trust, and give both the officer and the community the chance to better understand each other.

Lastly, although there is no evidence of bias-based policing occurring within the Toledo Police Department, ways to monitor it should be reviewed continually. The department is in the process of outfitting all of its Field Operations officers with body cameras. This not only helps protect both the officer and the citizen, it also aids in the investigation if any allegations of wrongdoing do occur.

¹It was discovered earlier this year that the traffic stop numbers we received from Lucas County Emergency Services 9-1-1 had some discrepancies. In the latter half of 2015 the Toledo Police Department attempted to collect race and gender information on subject stops and accidents. This information was inadvertently added to the traffic stop data, exaggerating the numbers. The problem has since been corrected and the numbers are accurate to the best of our knowledge.