

OAKLAND POLICE DEPARTMENT
Office of Chief of Police



Stop Data Annual Report
July 1, 2013 to June 30, 2014

CITY OF OAKLAND

Memorandum

TO: Office of Chief of Police
ATTN: Chief Sean Whent
FROM: Assistant Chief Paul J. Figueroa
DATE: 15 Sep 14

RE: Stop Data Annual Report

The Oakland Police Department (OPD) is committed to ensuring that all stops, searches, and seizures are constitutional and performed within Departmental policy. Oakland Police Departmental General Order M-19 explicitly prohibits racial profiling and other bias-based policing. In order to fulfill our obligation to provide the Oakland community with public safety services in a fair and equitable manner, staff collects Stop Data information. 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 a twelve-month reporting period from July 1, 2013 to June 30, 2014. It provides an overview of data collected and is the Department's second statistical report since improved data collection procedures were implemented in early 2013. This report presents the following Stop Data categories:

- Race and Gender
- Stop Reasons by Race
- Search Percentages by Race
- Search Recovery Percentages by Race (Including and Excluding Incident to Arrest Searches)
- Search Types by Race
- Stop Results by Race

The Department recognizes the complexities, challenges, and responsibilities associated with the presentation of Stop Data statistics. Stop activity can be influenced by variables such as 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 (July 1, 2013 to June 30, 2014).
- 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.

In the Independent Monitor's Eighteenth Quarterly Report (released July 29, 2014), the

Monitor found that 96% of stops audited had a corresponding FI/SDR. The Monitor also found the Department in compliance with Negotiated Settlement Agreement (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 audits of FI/SDRs to verify that stops are justified and relative Stop Data fields marked are consistent with information contained in each FI/SDR narrative, such as the stop reason and the type of contraband recovered.

Stop Race and Gender

During this review period, staff collected 27,991 FI/SDRs. African Americans composed the largest percentage of those stopped at 59%, followed by Hispanics at 17% and Whites at 14%. Those classified as Other and Asians comprised the lowest percentage of those stopped at 3% and 7%, respectively. Seventy-five percent of stops involved men and 25% involved women.

Table 1 - Stop Race

Race	Stops	%
Afr American	16,542	59%
Asian	1,905	7%
Hispanic	4,839	17%
White	3,801	14%
Other	904	3%
Grand Total	27,991	100%

Table 2 - Stop Gender

Gender	Count	%
Male	20,870	75%
Female	7,112	25%
Unknown	9	0%
Grand Total	27,991	100%

Stop Reason by Race

Traffic Violations were the legal basis for 67% of all stops, followed by Probable Cause (19%) and Reasonable Suspicion (8%) (see Table 3). Subsequently, Consensual Encounters (4%), and stops conducted of individuals known to be on Probation or Parole (2%), accounted for the lowest percentages. Compared to other races, African Americans had the highest percentage of stops based on Probable Cause (23%) or Reasonable Suspicion (10%), and the lowest percentage of stops for Traffic Violations at 60% (9,888 out of 16,542 stops). The other four race categories were stopped for Traffic Violations 76-78% of the time.

Table 3 - Stop Reason by Race

Race	Consensual Encounter		Reasonable Suspicion		Probable Cause		Probation/ Parole		Traffic Violation		Grand Total
	#	%	#	%	#	%	#	%	#	%	
Afr American	778	5%	1,636	10%	3,794	23%	446	3%	9,888	60%	16,542
Asian	51	3%	94	5%	254	13%	25	1%	1,481	78%	1,905
Hispanic	155	3%	289	6%	669	14%	69	1%	3,657	76%	4,839
White	113	3%	164	4%	570	15%	29	1%	2,925	77%	3,801
Other	28	3%	37	4%	126	14%	9	1%	704	78%	904
Grand Total	1,125	4%	2,220	8%	5,413	19%	578	2%	18,655	67%	27,991

Searches & Recovery Percentages by Race

African Americans and Hispanics were searched most frequently at 39% and 25%, respectively (see Table 4). Whites, those classified as Other and Asians were searched 13% to 15% of the time.

Table 4 - Search Percentage By Race

Race	Searched	Not Searched	Grand Total	Search %
Afr American	6,461	10,081	16,542	39%
Asian	288	1,617	1,905	15%
Hispanic	1,226	3,613	4,839	25%
White	486	3,315	3,801	13%
Other	126	778	904	14%
Grand Total	8,587	19,404	27,991	31%

Those classified as Other had the highest recovery rate at 32%, with very few searches overall (see Table 5). African Americans and Asians had the second highest search recovery rate at 28%. Hispanics and Whites had recovery rates of 26% to 27%. The overall recovery rate for all searches was 28%.

Table 5 - Search Recovery Percentage By Race

Race	Yes	None	Grand Total	Recovery %
Afr American	1,839	4,622	6,461	28%
Asian	81	207	288	28%
Hispanic	317	909	1,226	26%
White	130	356	486	27%
Other	40	86	126	32%
Grand Total	2,407	6,180	8,587	28%

Searches made incident to arrest are non-discretionary warrantless searches made after a person is lawfully arrested and taken into custody. When these mandatory searches are excluded from the overall search recovery totals, those classified as Other still had the highest search recovery rate at 37%. All other race categories had recovery rates of 23% to 24%. 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 6 - Search Recovery Percentages (Excluding Incident To Arrest Searches)

Race	Yes	None	Grand Total	Recovery %
Afr American	1,053	3,327	4,380	24%
Asian	44	145	189	23%
Hispanic	207	659	866	24%
White	64	213	277	23%
Other	27	46	73	37%
Grand Total	1,395	4,390	5,785	24%

Search Types by Race

Searches conducted incident to arrest made up the highest percentage of searches at 33% (see Table 7). Forty three percent of searches of Whites were made incident to arrest. Probation and parole searches made up 32% of all searches. African Americans were searched for probation or parole 35% of the time. All the other race categories had probation or parole searches conducted 24% to 25% of the time.

Table 7 - Search Types By Race

Race	Incident to Arrest		Prob./Parole		Weapons		P/C		Consent		Inventory		Grand Total
	#	%	#	%	#	%	#	%	#	%	#	%	
Afr American	2,081	32%	2,243	35%	1,043	16%	846	13%	170	3%	78	1%	6,461
Asian	99	34%	68	24%	71	25%	34	12%	13	5%	3	1%	288
Hispanic	360	29%	295	24%	268	22%	215	18%	59	5%	29	2%	1,226
White	209	43%	119	24%	81	17%	49	10%	22	5%	6	1%	486
Other	53	42%	32	25%	21	17%	17	13%	1	1%	2	2%	126
Grand Total	2,802	33%	2,757	32%	1,484	17%	1,161	14%	265	3%	118	1%	8,587

Stop Results by Race

Compared to other races, African Americans had the highest percentage of Felony Arrests and Field Investigation Reports at 12% and 36%, respectively; and the lowest overall percentage of Citations at 34% (see Table 8). Hispanics and those classified as Other, were cited the most at 52% and 53%, respectively. Asians and Whites had the highest percentage of warnings at 14% and 17%, respectively. Hispanics, African Americans, and those classified as Other, received warnings 11% to 12% of the time.

Table 8 - Stop Results By Race

Race	Felony Arrest		Misd Arrest		Citation		FI Report		Report Taken-No Action		Warning		Grand Total
	#	%	#	%	#	%	#	%	#	%	#	%	
Afr American	1,990	12%	771	5%	5,679	34%	5,948	36%	100	1%	2,054	12%	16,542
Asian	90	5%	47	2%	924	49%	566	30%	6	0%	272	14%	1,905
Hispanic	295	6%	174	4%	2,493	52%	1,327	27%	10	0%	540	11%	4,839
White	136	4%	124	3%	1,755	46%	1,127	30%	16	0%	643	17%	3,801
Other	31	3%	33	4%	479	53%	248	27%	4	0%	109	12%	904
Grand Total	2,542	9%	1,149	4%	11,330	40%	9,216	33%	136	0%	3,618	13%	27,991

Conclusion

Stop Data information is used at monthly Risk Management Meetings to identify statistical disparities between the five police Areas and with squads assigned within each police Area. Commanders are responsible for conducting audits and reporting back when disparities are seen. This method has resulted in excellent discussions regarding staff practices. As the amount of Stop Data information collected grows, the Department will be able to draw stronger comparisons, draw possible conclusions, and make recommendations to further improve our practices.

In June 2014, Stanford University Professor Jennifer Eberhardt was contracted by the Oakland Police Department to administer a Stop Data analysis project, designed to identify and address tensions between the Oakland Police Department and the Oakland Community. The project will last at least a year.

Professor Eberhardt's analysis will be conducted city-wide and for each of the five police Areas. The Professor's analysis will follow industry standards using a variety of different benchmarks and variables including, but not limited to, racial demographics and crime rates. The analysis will consider, measure and compare the following factors:

- Differences in stop rates, relative to the race of the persons stopped.
- Differences in search rates and types of searches relative to the race of the persons searched.
- Differences in recovery rates relative to the race of the persons searched.
- Stop results relative the race of the persons stopped.

The Professor will analyze decision-making leading to the initiation of stops and actions during stops, as reported on Stop Data forms, other reports and audio/video recordings. Additionally, the expert analysis will consider variables such as officer race, experience and squad diversity.

On July 10, 2014, staff met with community members to gather input and perspectives about policing issues and concerns prevalent in Oakland. The initial preliminary Stop Data

Analysis Report, released on February 5, 2014, was reviewed and discussed. Staff received valuable feedback from the community members regarding aspects of the data collection process and the anticipated end result of our efforts. Attendees included members of the Citizens Police Review Board, the American Civil Liberties Union (ACLU), Youth Uprising, People United for a Better Oakland (PUEBLO), Men of Valor and Acts Gospel Church. At the conclusion of the meeting, attendees agreed to participate in an ongoing Stop Data Community Advisory Board.

Additionally, we continue to work with the Federal Monitoring Team, who provide technical assistance and suggested guidance. As a government organization entrusted with vital responsibilities, our goal is to use this information and promote 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 large, sweeping flourish above the name.

Paul J. Figueroa
Assistant Chief of Police
Oakland Police Department