

OAKLAND POLICE DEPARTMENT
Office of Chief of Police



Stop Data Annual Report
January 1, 2015 to December 31, 2015

CITY OF OAKLAND

Memorandum

TO: Office of Chief of Police
ATTN: Chief Sean Whent
FROM: Assistant Chief Paul J. Figueroa
DATE: 12 May 16

RE: 2015 Stop Data Annual Report

The Oakland Police Department (OPD) is committed to reducing crime and to serving the community through fair, quality policing. The OPD is dedicated to ensuring that all stops, searches, and seizures meet constitutional and departmental standards. OPD General Order M-19 expressly prohibits racial profiling and other biased policing.

To these ends, when an officer exercises his or her discretion to stop someone, the officer must complete a detailed form documenting the legal basis for the stop. These forms are called Field Interview and Stop Data Reports (FI/SDRs). The forms capture data that allows the Department to constantly assess our effectiveness and to identify potentially biased conduct. In the final section of this report, I explain in detail our efforts to address implicit bias and greater contact with certain groups.

This report contains Stop Data information collected from January 1, 2015 to December 31, 2015. The data covers the following categories:

- Race and Gender
- Stop Reasons by Race
- Search Percentages by Race
- Search Recovery Percentages by Race
- Search Types by Race
- Search Type Recovery Percentages by Race
- Stop Results by Race

This is a complex issue, and we recognize that Stop Data comes with many challenges and responsibilities. Many different factors can influence stop patterns; such as demographics, crime trends, deployment patterns, police staffing, traffic levels, and transit patterns within the City.

Stop Race and Gender

In 2015, officers filled out 37,963 FI/SDRs. Of all the people stopped, 59 percent were African American, 20 percent were Hispanic, and 11 percent were White. Asians accounted for 7 percent of the stop population and Other for 3 percent.

Seventy-five percent of stops involved men; Twenty-five percent involved women.

Table 1 - Stop Race

Race	Stops	Percent
Afr American	22,503	59%
Asian	2,484	7%
Hispanic	7,498	20%
White	4,329	11%
Other	1,149	3%
Grand Total	37,963	100%

Table 2 - Stop Gender

Gender	Count	Percent
Male	28,574	75%
Female	9,356	25%
Unknown	33	0%
Grand Total	37,963	100%

Stop Reasons by Race

Traffic violations were the legal basis for 79 percent of stops, followed by probable cause at 12 percent and reasonable suspicion at 5 percent (See Table 3). Stops of people who officers knew were on parole or probation accounted for 2 percent of all stops. Consensual encounters—a category that covers consensual encounters that turn into detentions—also accounted for 2 percent.

African Americans were stopped based on probable cause 14 percent of the time and reasonable suspicion 6 percent of the time. Compared to other groups, they had the highest percentage of stops in those categories. All other groups were stopped based on probable cause 8 to 10 percent of the time and reasonable suspicion 2 to 4 percent of the time. African Americans had the lowest percentage of stops for traffic violations at 75 percent, compared to all other groups who were stopped for traffic violations 83 to 86 percent of the time.

Table 3 - Stop Reason

Race	Consensual Encounter		Reasonable Suspicion		Probable Cause		Probation/Parole		Traffic Violation		Total
	#	%	#	%	#	%	#	%	#	%	
Afr American	651	3%	1,272	6%	3,142	14%	512	2%	16,926	75%	22,503
Asian	34	1%	60	2%	251	10%	29	1%	2,110	85%	2,484
Hispanic	142	2%	314	4%	686	9%	121	2%	6,235	83%	7,498
White	101	2%	153	4%	420	10%	26	1%	3,629	84%	4,329
Other	19	2%	43	4%	90	8%	8	1%	989	86%	1,149
Total	947	2%	1,842	5%	4,589	12%	696	2%	29,889	79%	37,963

Searches & Search Recovery Percentages by Race

African Americans and Hispanics were searched 37 and 26 percent of the time that they were stopped (See Table 4). Whites, people categorized as Other, and Asians were searched 14 to 16 percent of the time. The overall search percentage was 30 percent.

Table 4 - Search Percentage

Race	Searched	Not Searched	Total	Percent
Afr American	8,371	14,132	22,503	37%
Asian	406	2,078	2,484	16%
Hispanic	1,953	5,545	7,498	26%
White	607	3,722	4,329	14%
Other	183	966	1,149	16%
Total	11,520	26,443	37,963	30%

Asians had the highest search recovery percentage at 52 percent (See Table 5). The search recovery percentage for all other groups ranged from 39 to 44 percent. The overall search recovery percentage was 42 percent.

Table 5 - Search Recovery Percentage

Race	Yes	No	Grand Total	Percent
Afr American	3,477	4,894	8,371	42%
Asian	212	194	406	52%
Hispanic	863	1,090	1,953	44%
White	236	371	607	39%
Other	75	108	183	41%
Grand Total	4,863	6,657	11,520	42%

When excluding mandatory search categories—such as inventory searches and searches incident to arrest—Asians had the highest search recovery percentage at 61 percent. (See Table 6a). Hispanics had the second highest search recovery percentage at 48 followed by African Americans at 44 percent. The overall search recovery percentage, when the above exclusions were applied was 45 percent.

Table 6a - Search Recovery Percentage

Race	Yes	No	Grand Total	Percent
Afr American	2,743	3,556	6,299	44%
Asian	158	102	260	61%
Hispanic	687	731	1,418	48%
White	141	196	337	42%
Other	53	70	123	43%
Grand Total	3,782	4,655	8,437	45%

*Incident to Arrest & Inventory Searches Excluded

Search Types by Race

Probation and parole searches made up the highest percentage of searches at 33 percent, followed by incident to arrest searches at 24 percent (See Table 7). Probation and parole searches made up 37 percent of searches of African Americans, who represented 80 percent of all probation and parole searches (3,101 of 3,857). Individuals on parole or probation may have conditions placed on their release allowing law enforcement to conduct lawful searches without a warrant, probable cause, or reasonable suspicion. Weapons (pat down or cursory) searches consisted of 15 to 18 percent of searches for all groups. There were far fewer consent and inventory searches than the other search types.

Table 7 - Search Types

Race	Incident to Arrest		Probation/Parole		Weapons		Probable Cause		Consent		Inventory		Total
	#	%	#	%	#	%	#	%	#	%	#	%	
Afr American	1,872	22%	3,101	37%	1,249	15%	1,770	21%	179	2%	200	2%	8,371
Asian	141	35%	82	20%	66	16%	100	25%	12	3%	5	1%	406
Hispanic	461	24%	512	26%	342	18%	512	26%	52	3%	74	4%	1,953
White	254	42%	121	20%	106	17%	86	14%	24	4%	16	3%	607
Other	55	30%	41	22%	28	15%	40	22%	14	8%	5	3%	183
Total	2,783	24%	3,857	33%	1,791	16%	2,508	22%	281	2%	300	3%	11,520

Search Type Recovery Percentages by Race

Probable cause searches resulted in the highest recovery rate at 71 percent, followed by probation and parole searches at 39 percent (See Table 8). Incident to arrest searches had an overall search recovery percentage of 37 percent. The overall recovery percentage for weapons searches was 25 percent.

Table 8 - Search Type Recovery Percentages

Race	Incident to Arrest			Probation/Parole			Weapons			Probable Cause			Consent			Inventory			Total
	Yes	Total	%	Yes	Total	%	Yes	Total	%	Yes	Total	%	Yes	Total	%	Yes	Total	%	
Afr American	700	1,872	37%	1145	3,101	37%	299	1,249	24%	1248	1,770	71%	51	179	28%	34	200	17%	7,199
Asian	53	141	38%	50	82	61%	22	66	33%	79	100	79%	7	12	58%	1	5	20%	318
Hispanic	171	461	37%	229	512	45%	85	342	25%	358	512	70%	15	52	29%	5	74	7%	1,663
White	94	254	37%	48	121	40%	26	106	25%	61	86	71%	6	24	25%	1	16	6%	447
Other	21	55	38%	16	41	39%	9	28	32%	26	40	65%	2	14	14%	1	5	20%	149
Total	1,039	2,783	37%	1,488	3,857	39%	441	1,791	25%	1,772	2,508	71%	81	281	29%	42	300	14%	11,520

Stop Results by Race

Compared to other groups, African Americans had the highest percentage of felony arrests at 7 percent and the lowest percentage of citations issued at 36 percent. All other groups were arrested 3 to 4 percent of the time and cited 47 to 49 percent of the time. All groups received warnings 20 to 22 percent of the time.

Table 9 - Stop Results

Race	Felony Arrest		Misdemeanor Arrest		Citation		Field Interview Report		Warning		Report Taken-No Action		Total
	#	%	#	%	#	%	#	%	#	%	#	%	
Afr American	1,617	7%	1,156	5%	8,057	36%	6,813	30%	4,757	21%	103	0%	22,503
Asian	75	3%	107	4%	1,223	49%	524	21%	547	22%	8	0%	2,484
Hispanic	318	4%	337	4%	3,584	48%	1,712	23%	1,505	20%	42	1%	7,498
White	118	3%	192	4%	2,054	47%	1,023	24%	934	22%	8	0%	4,329
Other	33	3%	42	4%	542	47%	288	25%	241	21%	3	0%	1,149
Total	2,161	6%	1,834	5%	15,460	41%	10,360	27%	7,984	21%	164	0%	37,963

Conclusion

The Oakland Police Department is committed to providing quality service to our city in fair and equitable ways. The Department has been on a path to improving in critical areas. The Department's 2016 Strategic Plan moves the Department towards the vision outlined by President Obama's Task Force on 21st Century Policing.

The Department continues to move towards full implementation of intelligence-led policing. This philosophy directs officers to focus on individuals known specifically to be involved in criminal activity. This is in contrast to traditional policing methods, such as; focusing on general descriptions or more contemporary strategies such as hot-spot policing. Intelligence-led policing is less likely to create the kind of community concern associated with the racial profiling associated with other policing practices. Currently, much of the intelligence-led policing is focused on violent crime, but efforts are underway to apply this strategy to other types of crimes. Additionally, a team of Oakland Police commanders has been tasked with building a training plan to ensure these skills are taught in the academy and reinforced in the field training program.

The Department is committed to improving our Stop Data collection process as well as ensuring that data is accurate and consistent. We have hired a vendor to create a new form that streamlines data collection, reduces the time it takes to complete the form, and clarifies data collection for staff. The new form will also capture information about items that are temporarily seized by officers and returned when the enforcement stop is over. In addition, the Department recently completed training on properly documenting the recovery of contraband during multiple-person stops. We will monitor compliance with the new requirements and take corrective steps where needed.

The Department also recognizes the impact that enforcement decisions have on the community. To that end, Chief Whent made clear in a recent directive to all officers that the Department values quality over quantity. Chief Whent pointed out the low value of spending too much time on car equipment violations. That time, he said, could be better spent walking in neighborhoods or conducting more thorough preliminary investigations.

In addition, the Department continues to implement the principles of Procedural Justice, which emphasizes four key concepts to build legitimacy: voice, neutrality, respect, and trustworthiness. Research has shown focusing on these four principles in our daily interactions increases voluntary compliance with the law and increases legitimacy for the police. We continue to train the Department on Procedural Justice and incorporate its principles into our hiring and promotional processes. The Department fully believes that folding these principles into all that we do will improve police legitimacy in the community. Additionally, with a Federal Project Safe Neighborhoods grant, there is a focused effort to implement the principles at shooting and homicide scenes.

The Department continues to work closely with the Independent Monitor to ensure that Stop Data is used in a manner that promotes constitutional and effective policing. On a rotating basis, each of the five Patrol Areas presents Stop Data reports at Risk Management Meetings (RMM). RMMs are chaired by an executive commander or manager. The purpose

of the RMM is to critically examine performance, results, and data. This helps us gauge operational successes while identifying possible risks. Stop Data is analyzed along with operational data such as:

- Complaints of misconduct
- Vehicle pursuits
- Compliance with training and qualification mandates
- Use of force incidents
- Sick leave
- Evaluation of Area, squad, and officer data as reported by the Department's personnel assessment and early warning systems

Area Captains and Lieutenants are responsible for evaluating compliance, patterns, trends, anomalies, outliers and other behaviors as they relate to the Department's goals and expectations. By benchmarking squad data, commanders can quickly identify and highlight squads that are performing well and provide resources to those that need assistance. When their reviews show that guidance, training, intervention or corrective action is required, commanders are responsible for developing and implementing strategies.

The study of data related to implicit bias continues to emerge. There is no question that local and national research must expand and analyze disproportionate contact with certain groups, such as African Americans and Hispanics. On this front, the Oakland Police Department is fortunate to work with Professor Eberhardt and Stanford University. Professor Eberhardt and her team are conducting an in-depth analysis of stop data using a variety of information culminating in a published report. The Stanford report will serve as the foundation for the Department to advance further towards evidenced-based policy making and become an example of equitable and fair policing for all communities.

We anticipate the release of Professor Eberhardt's report in June 2016. The City has extended the contract with Professor Eberhardt into 2017 for continued guidance, analysis, training and advice. She has stressed her commitment to helping the Department well into the future. I am personally grateful for this commitment, as our continued partnership in this critical area of work is central to the Oakland community.



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