TO:         HONORABLE CITY COUNCIL

FROM:       CITY MANAGER                     DEPARTMENT: POLICE

DATE:       AUGUST 9, 2004                      CMR:387:04

SUBJECT:    ANALYSIS OF DEMOGRAPHIC DATA FROM THE FOURTH QUARTER
OF FISCAL YEAR 2003-2004

This is an informational report. No Council action is required.

BACKGROUND

Since July 1, 2000, the Police Department has been voluntarily collecting demographic data on all
enforcement contacts. On September 10, 2001, the Police Department submitted its first quarterly
report on this data to Council. Since then six reports have been submitted (CMR:350:01,

Staff has continued to conduct a detailed review of not only the demographic data (with a focus on
the number and reason for searches associated with arrests), but also on the collection process.

DISCUSSION

Description of Data Collected

Demographic data has been collected from all enforcement-related contacts made by police officers.
These contacts include officer-initiated activity such as traffic stops, consensual contacts and
contacts made by officers who witness criminal activity. Data is also collected from contacts that are
a result of the officers responding to calls-for-service from the public such as suspicious persons,
disturbances and shoplifters placed under citizen’s arrest. When a crime report, field interview card
or citation is generated from the contact, the demographic data is retrieved from these documents. If
a document or report is not generated, the officer captures the demographic data on a specially
designed Demographic Data Collection Card (DDCC). It is important to note that officers do not
ask the people they contact what their race or ethnicity is. Therefore, the numbers associated with
each group are based upon officers’ best guess unless they obtain the information from a document
such as a driver’s license.
Analysis of Data

Contacts – A total of 2,715 contacts were made during the quarter. Attachment A provides the detailed numbers. Attachment B provides comparison information with previous reports. Percentages of contacts for the different races are fairly consistent with previous reports. When compared to the 2000 census data outlined in CMR 231:04, Attachment C, contacts with African-Americans (12.1 percent of total contacts for the quarter) continue to be somewhat higher than the 11.6 average percentage population for African-Americans in the four Bay Area counties. Staff evaluated all police contacts made with African-Americans to clearly determine why these individuals were contacted. Staff has broken down all contacts into the two categories mentioned above: officer-initiated contacts and calls for service from the public. The matrix below indicates that vehicle code violations represented the majority of contacts with African Americans.

All African-American Contacts

<table>
<thead>
<tr>
<th>Nature of Contact</th>
<th>Number of Officer-Initiated Contacts</th>
<th>Number of Contacts from Calls for Service from the Public</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wanted Bulletins</td>
<td>1</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>Consensual Contacts</td>
<td>9</td>
<td>2</td>
<td>11</td>
</tr>
<tr>
<td>Municipal Code Violations</td>
<td>19</td>
<td>5</td>
<td>24</td>
</tr>
<tr>
<td>Penal Code or Health and Safety Code Violations</td>
<td>25</td>
<td>56</td>
<td>81</td>
</tr>
<tr>
<td>Suspicious Activity</td>
<td>9</td>
<td>4</td>
<td>13</td>
</tr>
<tr>
<td>Vehicle Code Violations</td>
<td>187</td>
<td>6</td>
<td>193</td>
</tr>
<tr>
<td>Totals</td>
<td>250</td>
<td>78</td>
<td>328</td>
</tr>
</tbody>
</table>

Staff analyzed the 187 contacts from vehicle code violations. These contacts represent 9.1 percent of the total 2,050 officer-initiated contacts as a result of vehicle code violations. One hundred African-Americans were stopped and issued citations this quarter.

A detailed analysis was conducted on all citations issued to African-Americans, Hispanics and Whites to determine the actual reason why subjects were stopped and cited. There are basically two types of violations: movers and equipment. Movers include violations such as speeding, red light, stop signs, illegal turns, seat belt, etc. Equipment or mechanical violations include violations such as no taillight, expired registration, cracked windshield, etc. Staff determined that of the 100 citations issued to African-Americans last quarter, 25 were for mechanical violations and 75 were for moving violations. Hispanics were cited a total of 254 times with 34 (13.3 percent) for mechanical violations and 220 (86.6 percent) for moving violations. Whites were cited a total of 812 times with 90 citations (11.1 percent) for mechanical violations and 722 citations (88.9
percent) for moving violations.

The larger percentage of African-Americans being stopped and cited for mechanical violations and the concerns and perceptions that are associated with that information is something staff will be focusing on this next quarter. While most of the time officers cannot determine the sex of a driver in a vehicle they are stopping until after they approach the vehicle and make contact, staff will examine what decision-making processes are being considered when officers stop vehicles for mechanical violations. Staff will report findings in subsequent reports.

Currently the officers do not provide information on DDCCs that reflect the reason for vehicle stops that do not result in a citation. Effective immediately, the specific vehicle code section will be noted on all DDCCs and FI cards so that staff can better determine the reason subjects are being stopped. Staff will assess appropriate training or changes in policy and document these findings in the next report to Council.

Searches – Similar to the last report (CMR:231:04), staff’s focus for the fourth quarter was on the number of Hispanic and African-American individuals searched by police officers. Attachment D provides a summary of search information for the quarter. Staff analyzed every search conducted with special attention to searches not associated with an arrest. A total of 441 individuals/vehicles were searched during the quarter. Due to the higher percentage of searches of Hispanics and African-Americans, staff conducted further analysis in efforts to determine the reasons for the searches.

Staff again divided all searches into two categories: 1) searches associated with arrests, and 2) searches not associated with arrests. Searches associated with arrests accounted for 83 percent of all searches. As with previous reports, these searches were conducted either incident to the arrest or as a result of conditions of parole/probation, and all made according to Department policies and procedures.

Four consent searches led to arrests. Officers stopped one Hispanic subject at 3:00 a.m. in an apartment complex that had been experiencing a rash of burglaries. Consent was requested to search the subject for possible burglary tools. Burglary tools were located and the subject was arrested. Another Hispanic was contacted as a suspicious person in the area of a recent commercial burglary. A consent search was requested for stolen items and drugs were located. One White subject was stopped for a Vehicle Code violation. The officer suspected illegal drug use. Consent was requested to search the subject for drugs. Drugs were located and the subject was arrested. One juvenile was seen smoking a cigarette as he talked with other juveniles in public. Officers contacted the group and asked to search each of the juveniles for cigarettes. One White 15-year-old consented and was found to be in possession of marijuana.

Seventy-five (17 percent) searches were conducted that were not associated with arrests compared to 172 (16.3 percent) for the previous two quarters. The percentage of Asians and African-Americans who were searched but not arrested decreased significantly from the previous two quarters while the percentage of Whites, Hispanics, and those in the Other category increased slightly. The majority of
these searches (27) were the result of Department-required inventories of vehicles being impounded. Most of these impounds were associated with unlicensed drivers.

Twenty-one searches were the result of conditions of parole/probation not leading to an arrest. This means that during the contacts, officers learned that these individuals were on probation or parole and search clauses were included in the terms of their probation or parole. Searches of these people were conducted, but no contraband was located.

Eighteen of the searches not associated with arrests were the result of consent searches: two African-Americans, nine Hispanics, two in the Other category, and five Whites. Out of the two African-Americans, one was contacted as the result of officers suspecting him of drinking alcohol in public in violation of the Municipal Code. This subject was asked for consent to search his belongings for open containers of alcohol. The second incident involved officers that were dispatched to a report of subjects involved in suspected drug activity. Upon contact with the subjects involved, one African-American, one Hispanic and one White individual were all asked for consent to search for drug related items. In all of these cases neither evidence nor contraband were found during the searches, no arrests resulted and the subjects were released.

Nine Hispanics were asked for consent to conduct searches. Two searches were a result of drug-related calls for service, including the incident mentioned above; the second was an unrelated report of subjects involved in drug activity. Two searches were the result of officers stopping two subjects reportedly running away from the scene of a robbery that had just occurred. The subjects were asked for consent to search for weapons and items taken in the robbery. One subject was located hiding in the back seat of a vehicle by officers checking the area of a robbery that had just been reported. In two other cases, officers contacted subjects reported to be associated with thefts from vehicles. The subjects were asked for consent to search for the items taken. The last two subjects were reported to be involved in a fight with a knife. Responding officers asked both subjects for consent search for the weapon. In all of these cases neither evidence nor contraband were found during the searches, no arrests resulted and the subjects were released.

Of the five Whites asked for consent searches, one was the third subject involved in the drug-related call for service mentioned above. Two subjects were associated with a burglary shoplift investigation and asked for a consent search for stolen items. Another subject was stopped for driving away from the scene of a residential burglary. This subject was asked for consent search for items taken in the burglary. Finally, a subject was located in the area of an arson investigation and asked for consent search for arson-related items. In all of these cases neither evidence nor contraband were found during the searches, no arrests resulted and the subjects were released.

Nine searches not associated with arrests were made as a result of reasonable suspicion developed by the officers, officer safety, or plain view of possible contraband. These searches differ from the consent searches mentioned above because the officers had legal justification to conduct the search
even without the consent of the subject. One African-American was searched after an officer was
dispatched to a call of individuals fighting. The reporting party stated one subject had a gun so the
officer searched that subject for weapons. Another African-American was searched after he and two
White subjects were reported to be going into yards at night carrying burglary tools. Officers
searched all three for weapons. In all of these cases neither evidence nor contraband were found
during the searches, no arrests resulted and the subjects were released.

Of the remaining five White individuals searched using these criteria, one subject was stopped for
vehicle code violations and the officer detected an odor of marijuana in the vehicle. The vehicle was
searched. During another vehicle stop, suspected drug paraphernalia was observed in plain view in
the vehicle. The individual’s vehicle was searched for drugs. Three other subjects were reported as
suspicious in unrelated cases. In each case, officers feared for their safety given the nature of the
incidents and actions of the subjects, allowing the officers to conduct cursory searches for weapons
only. In all of these cases neither evidence nor contraband were found during the searches, no arrests
resulted and the subjects were released.

In all of these cases neither evidence nor contraband were found during the searches, no arrests
resulted and the subjects were released.

Last reporting period as staff reviewed the information on the searches not associated with arrests
that were made as a result of consent searches or probable cause, it was apparent that officers had not
been providing enough specific information on the DDCC and Field Interview (FI) cards to
conclusively determine the appropriateness of the searches. Staff provided additional training to all
officers, supervisors, managers and data entry personnel regarding the specific information that must
be included on each DDCC or FI card associated with each contact to ensure proper documentation
of each search. Supervisors and managers are being held accountable to ensure that the information
is included on all these cards. As a result, more detailed information has been obtained this quarter
and an explanation has been provided for each search.

In the last report, staff advised that additional work had been done on the forced choice format that
will be used by the officers on their vehicle computers in place of the manual completion of the
DDCC’s. Staff had anticipated that by the end of last fiscal year, the work would have been
completed which would result in more standardized, detailed information being entered directly into
the Department’s computer system for more expedient retrieval and analysis. However, additional
time has been needed to complete this project. While the new Mobile Data System has been rolled
out on a limited basis and is working well, the forced choice data entry format will not be
operational until late summer. Staff continues to work closely with the Computer Aided Dispatch
(CAD) vendor to design and build the necessary data entry screens necessary for the new forced
choice data entry system.

Update on Department’s Activities Improving Relations with Minorities
The quarterly diversity group meeting initiated by staff last year included line-level officers, command staff and members of the minority community. It held its fifth meeting this quarter. In addition to the regular diversity group members, an attempt was made to combine this group with another group that had been formed to assist in the development of a possible police/race relations community forum. However, very few of the second group attended the meeting and it was not productive.

Staff continues to pursue other outreach alternatives. Further attempts are being made to develop relationships, especially with African-American churches in Palo Alto and East Palo Alto.

On June 9, a meeting was held with a group of long-time African-American residents of both cities for the purpose of brainstorming ideas on how to break down stereotypes of police and African-Americans and to build trust between the two groups. The idea that surfaced was to hold small meetings in residents’ homes with a few officers and residents. With assistance from Reverend Jonathan Staples of the Jerusalem Baptist Church in Palo Alto and Councilmember LaDoris Cordell, staff hopes to start these meetings, called Coffee, Cops, and Community, the first part of September.

Staff has implemented a Community Action Line. Members of the quarterly diversity group developed the idea for this Community Action Line during their initial meetings. The purpose of the line is to provide an opportunity, especially people of color who may be hesitant to contact the Police Department, to share their feelings about interactions, issues or commendations associated with police officers. Staff believes the Community Access Line will at the very least provide the Police Department the opportunity to more accurately assess the numbers of people who may feel that they have been treated differently or unfairly. The callers can remain anonymous if they desire. If the caller provides a name and phone number, he/she is contacted by one of the Department’s command staff. A command staff person reviews the calls that come in on this line daily and takes action on each call as is appropriate. The outgoing message on the line is:

You have reached the Palo Alto Police Department’s Community Access Line. If this is an emergency, please hang up and dial 9-1-1. (Brief Pause) The Police Department has established this phone line to receive feedback from members of the public on police and community interactions within the City of Palo Alto. If you have information about a particular event or concern, please leave as much detail as possible, including the date/time and location of the occurrence; officer’s name if available; and the nature of the interaction. We encourage you to leave your name and phone number so that we may respond and provide you with information we determine based upon your call. However, this recording has been established to receive anonymous information as well. This recording will be checked daily during regular business hours. If you would like to speak to someone in person, please call the Watch Commander at 329-2142 or the Police Chief’s office at 329-2115. Thank you for calling.
Information about the Community Access line was advertised in a press release and can also be found on the Department’s Web site. Attachment F is a summary of the calls received to date on the line. Future call summaries will be included in the bi-annual citizen complaint reports provided to the City Council.

The Police Department is also continuing with its plan to purchase video cameras that will be installed in every patrol vehicle. New digital technology has allowed greater flexibility in use, reliability, and storage of the video images.

**RESOURCE IMPACT**

An hourly employee is retained to compile statistics at a cost of $200 per quarter. Additionally, over 60 hours of staff time has been spent on the in-depth analysis of the demographic data and arrest reports.

**POLICY IMPLICATIONS**

This policy is consistent with existing City policies.

**ATTACHMENTS**

Attachment A- Fourth Quarter Statistics 03-04
Attachment B- Comparison of Fourth Quarter to previous reports
Attachment C-CMR:231:04
Attachment D- Fourth Quarter Search Summary
Attachment E –Fourth Quarter Search comparison to previous reports
Attachment F- Summary of calls received on Community Access Line

**PREPARED BY:**

BRAD ZOOK
Police Captain

**DEPARTMENT HEAD:**

LYNNE JOHNSON
Police Chief
## ATTACHMENT B– CONTACT COMPARISONS

<table>
<thead>
<tr>
<th></th>
<th>TOTAL CONTACTS</th>
<th>ASIAN</th>
<th>AFRICAN-AMERICAN</th>
<th>HISPANIC</th>
<th>OTHER</th>
<th>WHITE</th>
</tr>
</thead>
<tbody>
<tr>
<td>00-01X</td>
<td>9,845</td>
<td>1,052 (10.7%)</td>
<td>1,174 (11.9%)</td>
<td>1,633 (16.5%)</td>
<td>857 (8.7%)</td>
<td>5,129</td>
</tr>
<tr>
<td>01-02XX</td>
<td>9,398</td>
<td>948 (10.1%)</td>
<td>1,153 (12.3%)</td>
<td>1,648 (17.5%)</td>
<td>962 (10.2%)</td>
<td>4,687</td>
</tr>
<tr>
<td>02-03</td>
<td>13,242</td>
<td>1,475 (11%)</td>
<td>1,557 (11.6%)</td>
<td>1,998 (15.1%)</td>
<td>1,462 (11%)</td>
<td>6,750</td>
</tr>
<tr>
<td>03-04XXX</td>
<td>8,927</td>
<td>1,055 (11.8%)</td>
<td>1,034 (11.6%)</td>
<td>1,247 (14%)</td>
<td>1,010 (11.3%)</td>
<td>4,581</td>
</tr>
<tr>
<td>03-04XXXX</td>
<td>2,715</td>
<td>323 (11.9%)</td>
<td>328 (12.1%)</td>
<td>421 (15.5%)</td>
<td>277 (10.2%)</td>
<td>1366</td>
</tr>
</tbody>
</table>

X = 3rd & 4th Quarters Only  
XX = 1st & 2nd Quarters Only  
XXX = 1st, 2nd & 3rd Quarters Only  
XXXX = 4th Quarter
# Attachment D – Fourth Quarter Search Summary

## 4th Qtr Fiscal Year 2003 - 2004 Apr - Jun

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Totals</th>
<th>Asian</th>
<th>African Am</th>
<th>Hispanic</th>
<th>Other</th>
<th>White</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Searches People and Vehicles</strong></td>
<td>441</td>
<td>31(7.0%)</td>
<td>96(21.7%)</td>
<td>96(21.7%)</td>
<td>31(7.0%)</td>
<td>187(42.4%)</td>
</tr>
<tr>
<td>Searches incident to arrest</td>
<td>359(81.4%)</td>
<td>30</td>
<td>83</td>
<td>60</td>
<td>28</td>
<td>158</td>
</tr>
<tr>
<td>Parole/Probation searches leading to arrest</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Consent Searches leading to arrest</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Probable Cause searches leading to arrest</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Searches not associated with an arrest</strong></td>
<td>75(17%)</td>
<td>1(3.2%)</td>
<td>13(13.5%)</td>
<td>32(33.3%)</td>
<td>3(9.6%)</td>
<td>26(13.9%)</td>
</tr>
<tr>
<td>Parole/Probation searches NOT leading to arrest</td>
<td>21</td>
<td>0</td>
<td>9</td>
<td>5</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Vehicle impound searches</td>
<td>27</td>
<td>1</td>
<td>0</td>
<td>18</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Consent Searches not leading to arrest</td>
<td>18</td>
<td>0</td>
<td>2</td>
<td>9</td>
<td>2</td>
<td>5</td>
</tr>
<tr>
<td>Reasonable cause/officer safety/plain view of possible contraband</td>
<td>9</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>7</td>
</tr>
<tr>
<td>Number</td>
<td>Date</td>
<td>Name</td>
<td>Caller Address</td>
<td>Telephone Number</td>
<td>Comments</td>
<td>Follow-up Action Taken (If Applicable)</td>
</tr>
<tr>
<td>--------</td>
<td>---------</td>
<td>----------</td>
<td>----------------</td>
<td>------------------</td>
<td>---------------------------------------------------------------------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>1</td>
<td>06/14/04</td>
<td>Not Provided</td>
<td>Not Provided</td>
<td>Not Provided</td>
<td>Angry over mountain lion incident</td>
<td>None</td>
</tr>
<tr>
<td>2</td>
<td>06/15/04</td>
<td>Provided</td>
<td>Provided</td>
<td>Provided</td>
<td>Upset about not being called back on a complaint that she filed.</td>
<td>Referred to Captain Zook, follow-up by Patrol Lieutenant, found to be a misunderstanding.</td>
</tr>
<tr>
<td>3</td>
<td>06/16/04</td>
<td>Not Provided</td>
<td>Not Provided</td>
<td>Not Provided</td>
<td>Wanted to let us know how happy she was with a male officer who responded to her house on a call for service. The officer was very good with her children and talked to them about the mountain lion incident. In general, very happy with the Police Department.</td>
<td>None</td>
</tr>
<tr>
<td>4</td>
<td>06/29/04</td>
<td>Not Provided</td>
<td>Not Provided</td>
<td>Not Provided</td>
<td>Complaining about the number of realtor signs in Barron Park for one house – beginning on</td>
<td>None</td>
</tr>
<tr>
<td>5</td>
<td>06/30/04</td>
<td>Not Provided</td>
<td>Not Provided</td>
<td>Not Provided</td>
<td>Same complaint regarding realtor signs in Barron Park. (Caller sounded like the caller in item #4 but was attempting to alter his voice.</td>
<td>None</td>
</tr>
</tbody>
</table>