TO:       HONORABLE CITY COUNCIL

FROM:   CITY MANAGER   DEPARTMENT:   POLICE

DATE: JUNE 20, 2005       CMR:298:05

SUBJECT: ANALYSIS OF DEMOGRAPHIC DATA FROM THE THIRD QUARTER OF
          FISCAL YEAR 2004-2005

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

BACKGROUND

Since July 1, 2000, the Police Department has been proactively collecting demographic data on all
enforcement contacts. On September 10, 2001, the Police Department submitted its first quarterly report
on this data to Council (CMR:350:01). Since then, eight additional informational reports have been
484-04 and CMR:173:05). This is the first report using the new data collection format. One of the
reasons foregoing to this new format is for ease of benchmarking with other agencies. While this report
does not include comparisons to other agencies as staff is awaiting more current information, the fourth
quarter report will include that comparison.

The collection of demographic data is just one part of a comprehensive approach that the City of Palo
Alto Police Department has undertaken to enhance police-community relations and ensure policing
activities are conducted without racial bias. Staff continues in efforts to improve relations with members
of the minority community.

DISCUSSION

Description of Data Collected

This quarter represents a change in the type of demographic data that is now being collected by the
Department. On January 1, 2005, the Police Department began capturing demographic information on
those individuals contacted during self-initiated contacts by police officers during vehicle, pedestrian and
bicycle stops. By focusing the efforts on gathering specific information that is consistent with that
captured by other law enforcement agencies, the Department will now have data that can be more readily
analyzed and benchmarked both internally and against other law enforcement agencies.
Collection Process

During this quarter, the Department made significant modifications to its Records Management System (RMS) in an effort to fully automate the process, streamline demographic data collection, standardize the data through the creation of consistent categories and criteria that are measurable, and ensure the data entered into the system can be retrieved at a later time and evaluated in a relational database. The RMS now captures the following information provided by officers on all related field contacts: race, age, gender, location of stop, reason for the contact, action taken by the officer (disposition of stop), city of residence for the individual contacted and whether or not a search of the individual was conducted. If a search is conducted, the officer also notes the reason and outcome of the search.

The Department has one final phase remaining in automating the data collection process. This entails extending the new format to the officers in the field via computers whereby officers will have forced choice responses that are entered directly into the database. Coordinating the selection of mobile data computer hardware and the new mobile audio video equipment is important to ensure both systems have functionality that will complement and support the other. The Department anticipates having full automation of this process at the beginning of the new fiscal year, 2005-06.

Since the California Department of Motor Vehicles does not keep racial/ethnic information about licensed drivers, an officer must make a reasonable determination of the individual’s race/ethnicity during the contact in lieu of asking the person their race. The following race categories are being used for data collection purposes:

- White
- African American / Black
- Hispanic
- Asian (Includes Other Asian, Chinese, Cambodian, Filipino, Japanese, Korean, Laotian, and Vietnamese)
- Other (Includes Guamanian, American Indian, Mid-Eastern, Pacific Islander, Samoan, Hawaiian and Unknown).

In this report, staff has begun to provide comparative analysis of the statistical data. Although the Department has provided some initial benchmark comparative information with outside law enforcement agencies, staff intends to provide significantly more comparative analysis in future reports as additional outside agency information is received.

The Department did experience both technical challenges and training issues with the change in demographic data collection. As a result, officers did not provide demographic information in five percent of the related contacts (115 vehicle, pedestrian or bicycle stops). Although the Department will attempt to capture all of this information in the future, there could be an instance where data is lost or compromised or the officer immediately clears their contact responding to another emergency call. Regrettably, the missing information was not discovered until late in the second quarter, thus the delay in getting this informational report to Council in a timely manner. The Department did attempt to gather the
information through comparison of the original contact information and information from discussions with the involved officer. However, staff felt it prudent not to have officers “guesstimate” the information and instead has opted to report 95 percent of the reportable information.

Traffic, Person and Bicycle Stops

A total of 2,209 self-initiated contacts related to vehicle, pedestrian and bicycle stops during the second quarter. Of those contacts the Department is reporting demographic information on 95 percent of the contacts (2,090).

Race – Table 1 below provides the summary by race for each of the 2,090 contacts made during this quarter.

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>African American</th>
<th>Hispanic</th>
<th>White</th>
<th>Asian</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Percent of Total</td>
<td>2,090</td>
<td>100%</td>
<td>7.6%</td>
<td>13.4%</td>
<td>52.1%</td>
<td>13.4%</td>
</tr>
</tbody>
</table>

Reason for Stops – There are a number of reasons that an officer will make contact with a subject. For comparison purposes, officer contacts were based upon the following: Penal Code violations, equipment or other non-hazardous violations and pre-existing knowledge of information (e.g., warrant information, all-points bulletins for prior crimes that matched the suspect description), moving violations or related hazards, and other Code violations (Municipal, Health and Safety Code). All violations were observed by the officers. With traffic-related issues being one of the higher Council and community priorities, it is not surprising that more than 68 percent of all contacts are for moving violations or other traffic related hazards. Table 2 below provides a summary of race breakdown by the reason for the contact.
To better understand the statistical reference for Table 2, of the 2,090 total stops made by officers, 1,431 stops (68.5 percent) were for moving violations. Within that category, of the 1,431 moving violations stops, 125 subjects (8.7 percent) were African American, 151 subjects (10.6 percent) were Hispanic, 736 subjects (51.4 percent) were White and 211 subjects (14.7 percent) were Asian, and 208 (14.5 percent) were identified as Other.

Disposition of the Contact – Table 3 provides the summary disposition for each contact where demographic information was captured during the quarter. Clearly, citations issued (64 percent) represents the highest percentage of final action taken by officers following contacts. Of the 2,090 total stops, 1,341 stops (64.2 percent) resulted in a citation being issued by the officer. White drivers or pedestrians were 10.9 times more likely to be issued a citation than an African-American and 5.3 times more likely to be issued a citation than a Hispanic.
### Table 3

<table>
<thead>
<tr>
<th>Disposition</th>
<th>Total</th>
<th>African American</th>
<th>Hispanic</th>
<th>White</th>
<th>Asian</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arrest</td>
<td>29 (1.4%)</td>
<td>4 (13.8%)</td>
<td>8 (27.6%)</td>
<td>16 (55.2%)</td>
<td>0 (0.0%)</td>
<td>1 (3.4%)</td>
</tr>
<tr>
<td>Citation</td>
<td>1,341 (64.2%)</td>
<td>69 (5.1%)</td>
<td>142 (10.6%)</td>
<td>753 (56.2%)</td>
<td>208 (15.5%)</td>
<td>169 (12.6%)</td>
</tr>
<tr>
<td>No Action</td>
<td>396 (19.1%)</td>
<td>47 (11.9%)</td>
<td>81 (20.5%)</td>
<td>152 (38.4%)</td>
<td>36 (9.1%)</td>
<td>80 (20.2%)</td>
</tr>
<tr>
<td>Other *</td>
<td>22 (1.1%)</td>
<td>4 (18.2%)</td>
<td>3 (13.6%)</td>
<td>13 (59.1%)</td>
<td>1 (4.5%)</td>
<td>1 (4.5%)</td>
</tr>
<tr>
<td>Warning</td>
<td>302 (14.5%)</td>
<td>35 (11.6%)</td>
<td>45 (14.9%)</td>
<td>152 (50.3%)</td>
<td>36 (11.9%)</td>
<td>34 (11.3%)</td>
</tr>
<tr>
<td>Total</td>
<td>2,090 (100%)</td>
<td>159 (7.6%)</td>
<td>279 (13.3%)</td>
<td>1,086 (52.1%)</td>
<td>281 (13.4%)</td>
<td>285 (13.6%)</td>
</tr>
</tbody>
</table>

*Field Interview card, impounded vehicle with no arrest*

Of the 1,341 citations issued, 69 subjects (5.1 percent) were African American, 142 subjects (10.6 percent) were Hispanic, 753 subjects (56.2 percent) were White, 208 subjects (15.5 percent) were Asian, and 169 (12.6 percent) were Other.

Residence of Individual Contacted – Palo Alto serves as a destination point for many individuals traveling into/through the City to work, study (proximity to Stanford University) and for leisure activities. In an effort to quantify what percentage of individuals contacted reside in the City of Palo Alto, the Department has captured the city of residence as part of its demographic collection process. Table 4 provides a summary and comparison of those persons contacted who reside in Palo Alto, in other adjacent communities within Santa Clara County, those cities and county areas outside of Santa Clara County but within California, and those residences outside the state or county. During this quarter, only 28 percent of people contacted were Palo Alto residents while 52.5 percent were residents of cities outside of Santa Clara County.
Table 4

<table>
<thead>
<tr>
<th></th>
<th>Asian</th>
<th>African American</th>
<th>Hispanic</th>
<th>White</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Palo Alto</td>
<td>94</td>
<td>28</td>
<td>29</td>
<td>376</td>
<td>66</td>
<td>693</td>
</tr>
<tr>
<td>Other Santa Clara County</td>
<td>73</td>
<td>16</td>
<td>56</td>
<td>190</td>
<td>35</td>
<td>370</td>
</tr>
<tr>
<td>CA-Outside SCC</td>
<td>109</td>
<td>113</td>
<td>194</td>
<td>498</td>
<td>184</td>
<td>1098</td>
</tr>
<tr>
<td>Out of State</td>
<td>5</td>
<td>2</td>
<td>0</td>
<td>22</td>
<td>0</td>
<td>29</td>
</tr>
<tr>
<td>Totals</td>
<td>281</td>
<td>159</td>
<td>279</td>
<td>1,086</td>
<td>285</td>
<td>2090</td>
</tr>
</tbody>
</table>

Suspect Description - As mentioned previously, officers will often make contact with individuals as a result of pre-existing information (they match the suspect description in a previous or recently reported crime). Table 5 outlines the race breakdown for suspects during the third quarter crime reports taken by officers. As indicated, of the 241 crime suspects during that time period, the majority of suspects were White (33.6 percent), 18.7 percent were African American, 15.4 percent Hispanic, 5.4 percent Asian, 7.9 percent Other and the remaining 19.1 percent had no suspect description available.

Although comparative data with other law enforcement agencies is not provided in this report (as the information is outdated and unavailable), the Department will be receiving that information and will be reporting comparative statistics on this issue in the future.
Searches

Of the 2,090 vehicle, pedestrian or bicycle stops, searches were conducted during only 3.0 percent or during 81 of the contacts. In those instances where a search was conducted, approximately 36 percent were as a direct result of an arrest made of the individual contacted. Additionally, 25 percent of the searches conducted were related to impounding the vehicle. It is Department policy that any vehicle impounded must be searched as part of a vehicle inventory log. Table 6 below provides a summary of search information by race for the quarter.
In addition, staff analyzed each search individually and paid particular attention to searches not associated with an arrest. Table 7 provides a summary of the criteria under which the search was conducted by an officer.
Table 7

<table>
<thead>
<tr>
<th>Reason for Search</th>
<th>Total Searches</th>
<th>African-American</th>
<th>Hispanic</th>
<th>White</th>
<th>Asian</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consent</td>
<td>6</td>
<td>2</td>
<td>0</td>
<td>4</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>7.4%</td>
<td>33.3%</td>
<td>0.0%</td>
<td>66.7%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Incident to Arrest</td>
<td>28</td>
<td>3</td>
<td>8</td>
<td>16</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>34.6%</td>
<td>10.7%</td>
<td>28.6%</td>
<td>57.1%</td>
<td>0.0%</td>
<td>3.6%</td>
</tr>
<tr>
<td>Parole/Probation</td>
<td>21</td>
<td>9</td>
<td>4</td>
<td>8</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>25.9%</td>
<td>42.9%</td>
<td>19.0%</td>
<td>38.1%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Probable Cause</td>
<td>6</td>
<td>0</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>7.4%</td>
<td>0.0%</td>
<td>50.0%</td>
<td>33.3%</td>
<td>16.7%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Vehicle Impound</td>
<td>20</td>
<td>15</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>24.7%</td>
<td>75.0%</td>
<td>10.0%</td>
<td>10.0%</td>
<td>5.0%</td>
<td>5.0%</td>
</tr>
<tr>
<td>Number of Searches</td>
<td>81</td>
<td>14</td>
<td>30</td>
<td>32</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>100%</td>
<td>17.3%</td>
<td>37.0%</td>
<td>39.5%</td>
<td>3.7%</td>
<td>2.5%</td>
</tr>
</tbody>
</table>

Of the 81 searches conducted, 28 searches (34.6 percent) were incident to arrest by the officer. Within the incident to arrest category, 3 subjects (10.7 percent) were African American, 8 subjects (28.6 percent) were Hispanic, 16 subjects (57.1 percent) were White, none of the subjects (0 percent) were Asian, and one of the subjects (3.6 percent) was listed as Other.

Searches related to Probation/Parole – Parole and probation searches occurred most frequently. Twenty-one searches (approximately 26 percent) were the result of conditions of parole/probation not leading to an arrest. This means that during the contacts, the individuals contacted by the officer were on court-assigned probation or parole. A search clause is a term of probation/parole status.

Consent and Probable Cause Searches – Six consent and six probable cause searches were conducted during this quarter. Probable cause searches were the result of reasonable suspicion developed by 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.

- A White male was stopped for a moving violation near Edgewood Plaza. Officers knew the subject had a history of drug use and asked for consent to search the subject for drugs. No contraband was located and no citation was issued.
- A White male was stopped for a moving violation in the 2500 block of Webster. A passenger in the vehicle was on probation for drug violations. The driver was asked for consent to search for drugs due to his association with the known drug offender. No drugs were located. The driver
was issued a citation for the moving violation.

- A White male was stopped for a moving violation on Park at Olive. When the officer contacted the subject, the subject was suspected of drug use. The officers asked for consent to search the subject for drugs. No drugs were located. No citation was issued.

- A White male was stopped for a moving violation on Oregon Expressway. During the stop the officer learned the driver was known to sell narcotics. Consent was requested to search for narcotics. No contraband was found. No citation was issued.

- A White male was stopped for a moving violation on Newell at Edgewood Drive. After contacting the driver, the officer could smell a strong odor of marijuana from inside the vehicle. The officer searched the vehicle for marijuana but could not locate a usable amount of contraband. The driver was issued a citation for the original moving violation.

- A White male was stopped for a moving violation on a bicycle in the 100 block of Alma late at night. The officer felt threatened by the subject’s actions and conducted a pat search for weapons to ensure his safety during the contact. No weapons were located and the subject was released with a warning.

- An African American was stopped for a mechanical violation outside Fry’s Electronics. The driver was not the registered owner of the vehicle, there appeared to be false registration tabs on the vehicle license plate and there were several large pairs of scissors on the front seat of the vehicle. Consent was requested to search the vehicle for additional registration information evidence of shoplifting. No contraband was found and no citation was issued.

- An African American was stopped at University and Cowper Street for a mechanical violation. When the officer contacted the subject, drug use was suspected and the officers asked for consent to search the subject for drugs. No drugs or contraband were located and no citation was issued.

- A Hispanic was stopped just off of University Avenue in East Palo Alto for a moving violation. After contacting the driver, the officer detected the smell of marijuana coming from inside the vehicle. The vehicle was searched for marijuana but no contraband was found. No citation was issued.

- A Hispanic was stopped for an equipment violation on Embarcadero Road. After contacting the driver, the officer could see a marijuana cigarette in plain view inside the vehicle. While processing the marijuana cigarette, officers found it contained a usable amount of crushed crack cocaine. The driver was arrested for possession of cocaine and marijuana.

- A Hispanic was stopped at University and Waverly for an equipment violation. After contacting the driver, the officer could see an open container of alcohol inside the vehicle. The officer searched the vehicle for additional alcohol and located marijuana. The drive was issued a citation for the violations.

- An Asian was stopped for a mechanical violation on Georgia Avenue. After contacting the driver, the officer suspected the subject of drug use seeing what they believed to be marijuana residue in the vehicle. The officer searched the vehicle for marijuana but nothing was found. No citation was issued.

Benchmarking
Staff is currently analyzing the guidelines set forth by the Police Executive Research Forum (PERF). PERF is a national membership organization of progressive police executives from the largest city, county and state law enforcement agencies. PERF defines racially biased policing as “inappropriate consideration by law enforcement of race / ethnicity in deciding with whom and how to interview in an enforcement capacity.” PERF works with a diverse group of law enforcement officials, community activists, civil rights leaders and academics to set their standards and policies. These include the U.S. Attorney General’s Office, National Organization of Black Law Enforcement Executives, American Civil Liberties Union (ACLU) of Northern California, ACLU of Maryland, International Union of Police Associations, Union Baptist Church, along with numerous law enforcement executives. In partnership with the U.S. Department of Justice Community Oriented Policing Services (COPS) Program. Staff will be obtaining more current information from other cities to be included in the fourth quarter report.

Update on Department’s Activities Improving Community Relations

Community Access Line – In 2004, staff implemented the Community Access Line to provide an opportunity for members of the public to voice their concerns with the Police Department. The line was translated into Spanish in the second quarter of this fiscal year. During this past quarter, members of community called the access line only five times to commend police personnel for their actions, report possible municipal ordinance violations and one caller expressed a concern for mountain lion reports. There were no reports on the Community Access Line of racial profiling or negative community interactions with police personnel. Staff continues efforts to advertise the existence of this access line and encourage members of the public to share its concerns and commendations regarding interactions with the Palo Alto Police Department.

Internal Affairs Investigations – The new Policy Manual took effect on May 31, 2005. While the Department has continually updated specific policies over the years as case law has resulted in different procedures, this new manual represents the first time that a comprehensive revision has been completed all at one time. All directives are consistent with police best practices, case law, and legislation. The Department has begun selection of a specially trained Internal Affairs Investigation Team to deal with complex internal investigations. This Team will operate in accordance with a newly developed Internal Affairs policy. Staff will present this new policy to the Human Relations Commission (HRC) for its review in August 2005. These investigations will be reviewed by the City Attorney, and as needed, outside counsel. A new process has been developed to review officers’ use of force incidents and a new directive has been issued that expressly prohibits racial profiling. Police personnel are currently reviewing these new policies and training is being conducted –These policies will be updated on an annual basis to stay current with changing laws and needs of both the community and the Department. All policies associated with community relations will be reviewed with the HRC for its feedback.

Video Cameras – The Police Department is making progress on purchasing in-car mobile audio video cameras for each patrol vehicle. During this quarter, staff extensively reviewed best practice policies from other law enforcement agencies and prepared a bid specification and new policy. Staff has been meeting the Palo Alto Police Officer Association (PAPOA) representatives through meet and confer
sessions, and has sought input on the program from the HRC on the new draft policy. A comparison analysis of Palo Alto’s proposed mobile audio policy and the recommended draft policy developed by the International Association of Chiefs of Police was prepared and presented to the HRC. The Department will award the contract in early August, if Council approves. Following approval by City Council, the Department will begin installation and testing. Full deployment is anticipated in September 2005.

Training – The FTO program audit was completed by an independent professional and recommended changes to the program are being finalized and implemented. The outcome of the audit will ensure the FTO program is better able address the changing needs in basic police training and place additional emphasis on problem solving and community relations. Along with changes in the FTO program, the Continued Professional Training (CPT) training sessions every officer must attend annually has been modified. An emphasis placed on communications skills, interacting with people and scenario-based interactions focusing on verbalization and de-escalation skills. This new course curriculum began in January 2005.

Stanford Project – Police command staff members participated in a Police-Community Relations workshop on February 18, 2005. The workshop was hosted by a professor and social psychologist from New York University and Stanford University. During the workshop, Palo Alto’s command staff members were paired up with Stanford students who had volunteered to participate in the session. Teams were run through a series of exercises focusing on communication, enhancing an awareness of each other’s roles and the study of human interactions and how these interactions create barriers and influence relations. The workshop was very valuable. This model is currently being incorporated into the Police Department’s Citizen Academy program. The use of the model is also being discussed for use between Police staff and community members.

Strategic Plan – The Police Department has begun efforts to develop its next five-year Strategic Plan. Recently public focus sessions seeking input from various segments of the community were completed, paying particular attention to meetings with the minority and spiritual community and the HRC. Additionally, a survey was included on the Department’s website in efforts to obtain general feedback by community members. Staff anticipates sharing the draft plan with the HRC in August.

Human Relations Commission Role

On February 7, 2005, the City Council referred to the Human Relations Commission (HRC) assumption of an expanded role with Police Department and the community to enhance the relationship. On April 7, 2005, the City Manager and Police Chief, during a special session with the HRC, provided an overview on what that role might entail, including:

- Review police policies affecting police-community interaction and provide feedback to the Police Chief and the City Manager. Examples include: use of force, racial profiling, and video cameras.
- Contribute to the Police Department’s new Five-Year Strategic Plan and monitor the Police Department’s progress in meeting key goals, especially those related to police-community relations.

- Encourage the use of the HRC to publicly air citizen complaints and concerns about the Police Department, with the Police Department providing feedback to the HRC.

- Through a public outreach and communications effort, community members would be encouraged to contact either police or HRC staff to indicate that they have a complaint or to share issues or concerns.

As a result, the HRC voted to accept this additional charge for a year. However, discussions for the purpose of clarifying roles is still ongoing.

**RESOURCE IMPACT**

Although the process has been streamlined, manual data entry and analysis of the demographic data is still required for this quarter and the next. In addition, in preparation for eliminating the hourly position that was previously completing the data entry tasks, these duties have been transitioned as a collateral assignment to the Police Records Unit. Along with the data entry efforts, approximately 120 hours of administrative staff time at an approximate cost of $5,000 has been spent reconciling the data and preparing analysis of the statistical information, review of the demographic cards, citations and arrest reports. Staff believes the time needed will be reduced in the future. Additionally, staff is attempting to obtain analysis assistance from representatives/students for Stanford University.

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