

April 17, 2018

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Subject: Toledo Police Department 2017 Bias Free Policing Administrative Review

Bias Free Policing Administrative Review

Introduction

It is the policy of the Toledo Police Department that police services are delivered equitably, respectfully and free of bias in a manner that promotes broad community engagement, trust and confidence. Bias-based profiling is defined as the “stopping, questioning, detention, arrest, or other disparate treatment of any person based solely on their race, ethnicity, national origin, age, gender, gender expression or identity, sexual orientation, disability, religion, economic status, cultural group, limited English proficiency or any other identifiable group.” The Toledo Police Department does not tolerate biased-based profiling and shall utilize various management tools to ensure that it does not occur.

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 subject 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 department's internal 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 which is followed by an annual review of the department's bias-based profiling policy and practices which is completed by the Accreditation Unit.

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 in 2017 as part of the Continuing Professional Training (CPT) Procedural Justice and Police Legitimacy.

Police Department Policy

Department Manual Directive 103.10, entitled, "Biased-Based Profiling" was written to be in compliance with the Commission on Accreditation for Law Enforcement Agencies (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. The Internal Affairs Section specifically tracks all bias-based complaints through 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 reported that there were three citizen complaints of biased-based profiling in 2017. Two cases had a finding of non-sustained, unable to find sufficient evidence to prove or disprove the allegation, and one of the cases had a finding of unfounded, investigation proved conclusively that the alleged act did not occur and/or the accused officer did not commit the act or there was no credible evidence to support complaint.

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 an 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 number of traffic stops conducted in these neighborhoods appears skewed when compared with the aggregate census data.¹ Additionally, police departments distribute personnel based on: calls for service to 911, 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, NIBRS crime rates, calls for service, Action–Response incidents, distribution of personnel, shootings, 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 enforcement. Once these areas of proactive enforcement are identified, the census data will be used to determine the demographic groups residing in the beats, and therefore most likely to be stopped. This data will then be compared with the actual traffic stop and field interview data (by beat/sector) in order to determine if those findings are similar to what could reasonably be expected, given the information provided.

Toledo Police Beats

The Toledo Police Department divides the city of Toledo into beats, as can be seen from the map below. The majority of the information discussed in this analysis is broken down by either beats or sectors. Each sector is highlighted in a different color and then broken up into two different beats. For example, Beat 510 and Beat 520 (both blue), make up 5 Sector.

¹ Racial Profiling: "What does the data mean?" Practitioner's Guide to Data Collection & Analysis (2007)

Department. From the provided data, we can see that the beats where the greatest percentage of violent crime incidents occurred were Beat 620, which accounted for 8.5% of the total number of incidents of violent crime, followed by Beat 710 with 8.2% and Beat 220 with 7.8%. Conversely, the beats with the lowest percentage of violent crime incidents were found in Beat 110, which accounted for only 3.4% of the total number of incidents of violent crime, followed by Beat 510 with 4.3% and Beat 520 with 4.8%.

For purposes of this analysis, 2016 crime rates will not be compared with 2017 since two different reporting methods were used during those years. However, it is important to note that the beats where the greatest percentage of violent crime incidents occurred remained similar to 2016, as did the beats with the lowest percentage of violent crime incidents.

Toledo Police Department						
2017 NIBRS Violent Crimes						
SECTOR	BEAT	AGGRAVATED ASSAULT	HOMICIDE	RAPE	ROBBERY	TOTAL
Sector 1	110	31	0	8	48	87
	120	59	3	23	72	157
		90	3	31	120	244
Sector 2	210	65	1	21	66	153
	220	108	1	18	73	200
		173	2	39	139	353
Sector 3	310	95	6	14	79	194
	320	77	3	14	73	167
		172	9	28	152	361
Sector 4	410	71	1	19	81	172
	420	87	5	15	71	178
		158	6	34	152	350
Sector 5	510	44	1	6	59	110
	520	40	3	16	65	124
		84	4	22	124	234
Sector 6	610	47	0	26	69	142
	620	109	4	13	93	219
		156	4	39	162	361
Sector 7	710	122	3	7	80	212
	720	88	5	13	71	177
		210	8	20	151	389
Sector 8	820	50	2	7	72	131
	830	65	0	21	71	157
		115	2	28	143	288

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 620, 710, 220, and 310. The department would also likely deploy a greater number of officers to these areas to carry out the proactive policing activities.

Calls for Service

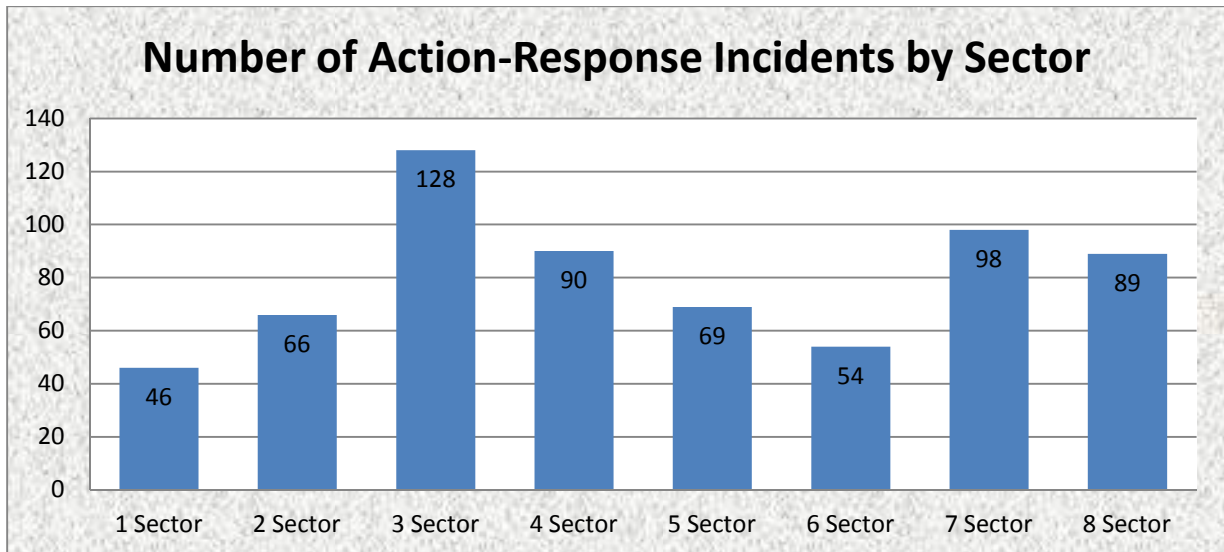
<i>Total Calls for Service</i>		
Beat	Calls	Total by Sector
110	8,112	21,980
120	13,868	
210	8,641	20,532
220	11,891	
310	12,050	25,830
320	13,780	
410	11,621	23,737
420	12,116	
510	10,938	22,139
520	11,201	
610	13,196	24,064
620	10,868	
710	9,628	20,723
720	11,095	
820	13,132	27,269
830	14,137	

“Calls for Service” data was collected from the Communications Bureau. The sector with the most calls for service in 2017 was 8 Sector. The sector with the least amount of calls for service was 2 Sector. The next three busiest districts for calls for service were 3 Sector, 6 Sector, and 4 Sector. The ranking of the sectors with regard to calls for service remained consistent with 2016.

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 120, 220, 320, 420, 610, and 830. However, it is important to note that 8 Sector 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 NIBRS crime rate is likely a more significant factor in the number of officers assigned to a specific beat.

Action – Response Incidents

Each and every time an officer uses physical control techniques to take a subject into custody, to contain a situation, to affect an arrest that is beyond the mere taking control of a subject or to protect persons or property; it must be documented on a departmental Action–Response form. The following graph is a breakdown of those incidents by sector. Three Sector had the highest total with 128 action-response incidents, followed by 7 Sector with 98. The sectors with the lowest totals were 1 Sector with 46, followed by 6 Sector with 54. The department would most likely deploy a greater number of officers to the beats in 3 Sector and 7 Sector to reduce chances of injury to both the officers and the subjects since these areas have a higher chance of officers going hands on with a subject.

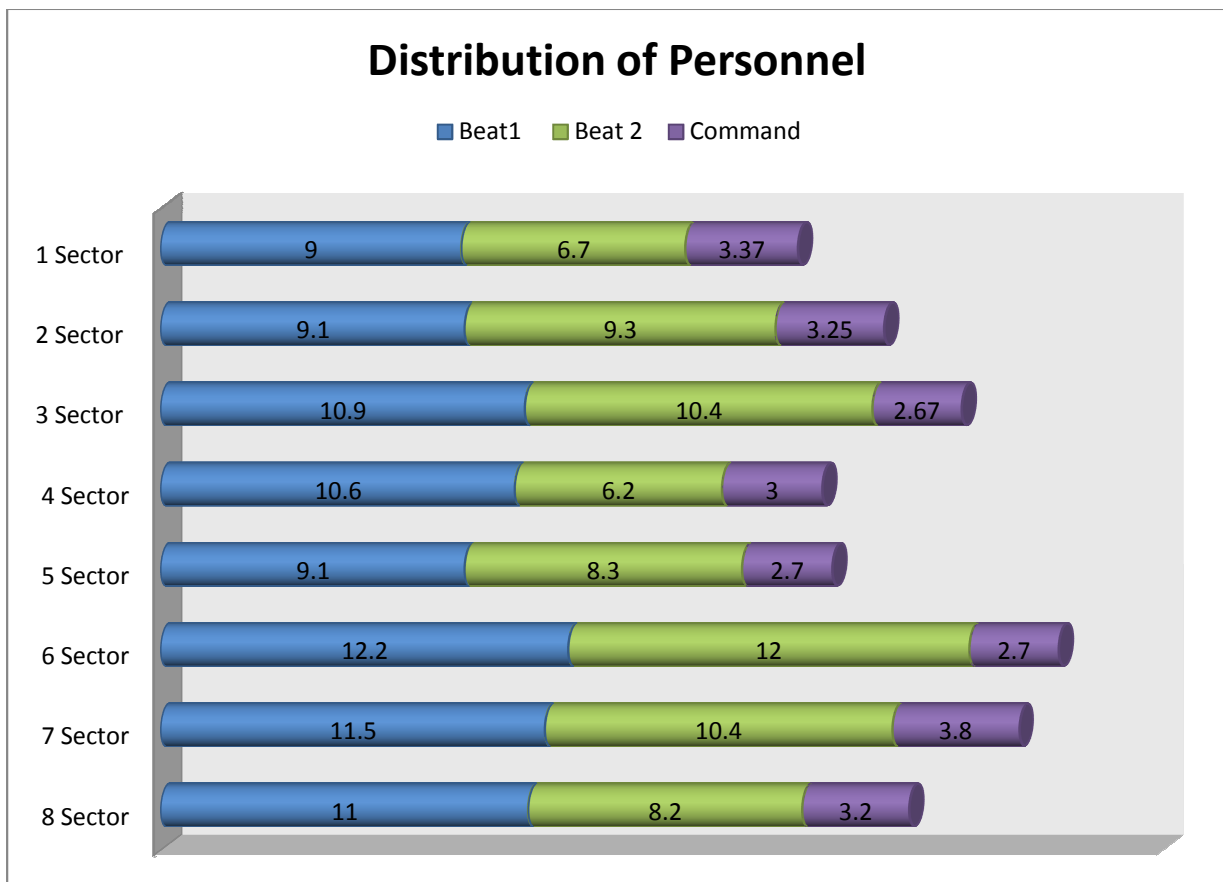


Distribution of Personnel

The following graph shows the distribution of personnel over a 24-hour time period for the Toledo Police Department in 2017. The information was gathered from the Communications Bureau and is an average from an entire month. The number of officers assigned every day for a month was collected from all shifts. A count was taken of each officer by beat, and that number was then divided to determine the average number of officers present for an entire 24-hour work period; only personnel in field operations were accounted for.

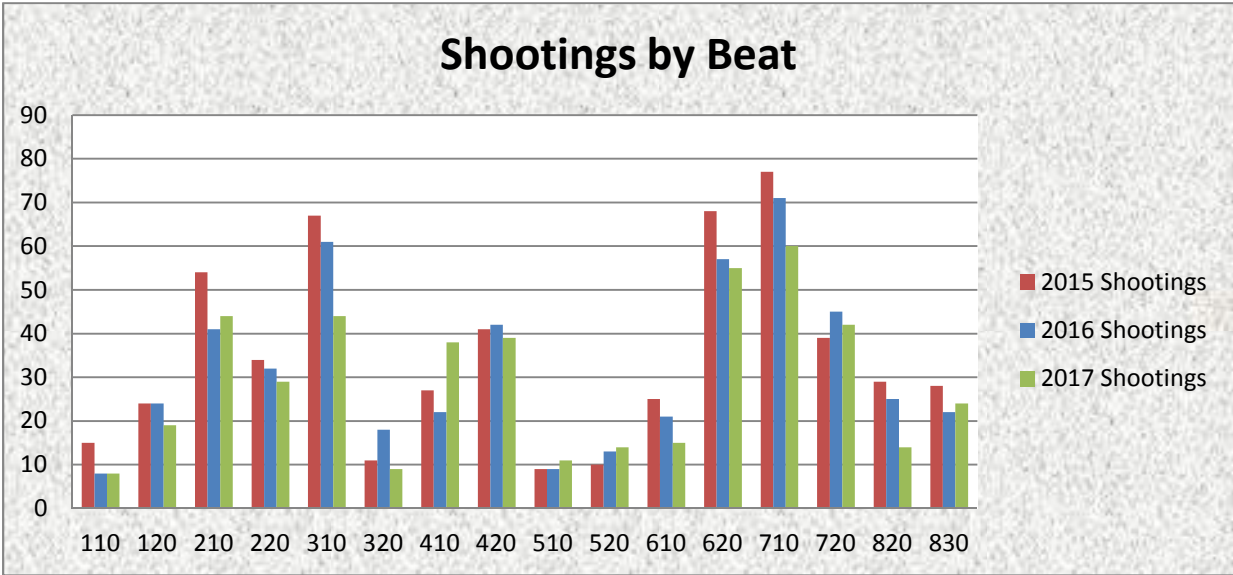
Every Toledo Police Sector is divided into two beats. The average number of officers assigned to each beat is shown below. In addition to the officers assigned to the individual beats, the chart also displays the number of command officers who were assigned to that sector. Command officers are not assigned to individual beats, but to sectors.

Six Sector had the highest number of officers assigned with Beat 610 having 12.2 and Beat 620 having 12. Seven Sector was the next highest with Beat 710 having 11.5 and Beat 720 having 10.4. The lowest average was found in 1 sector with Beat 110 having 9 and Beat 120 having 6.7 officers per day.



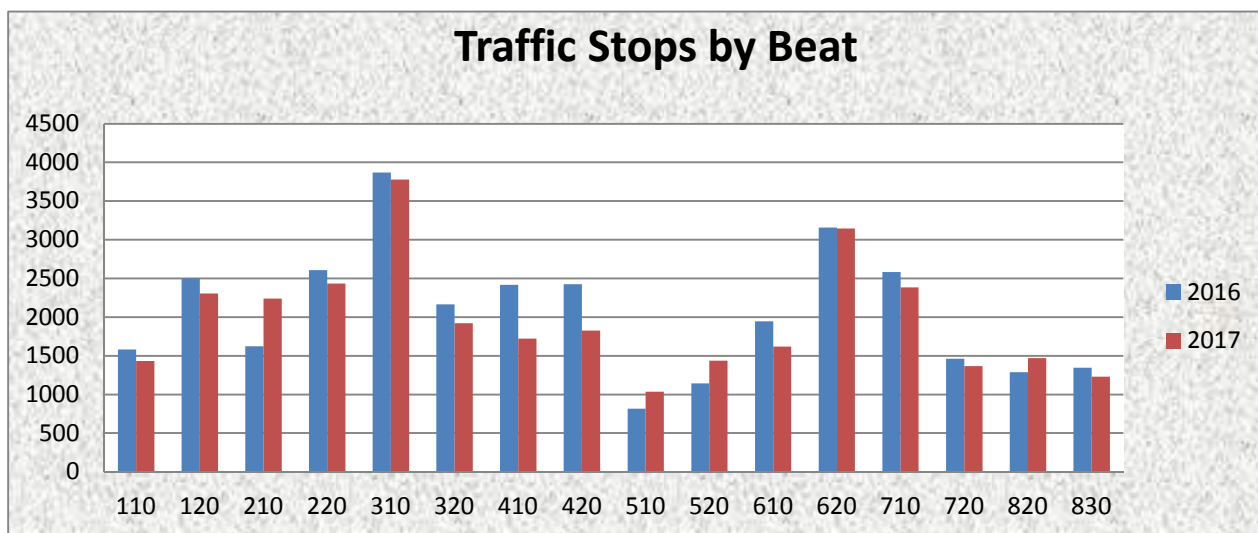
In addition to these officers, the department continues to expand its use of data analyzed by the Criminal Intelligence Section. In doing so, the practice of “intelligence led policing” is used to identify “hot spots” within the city where criminal activity is used to predict future incidents of possible 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, 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. Concentrating on high crime areas allows officers to accomplish more with less, which is exactly what the Toledo Police Department had been doing. 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 areas of the city with the highest predicted rates of violent crime. The majority of this activity has focused on Beats 210, 310, 620, and 710.

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. From looking at the numbers, it appears the approach that the Toledo Police Department is using has been working because shootings are down over 16% compared to 2016.

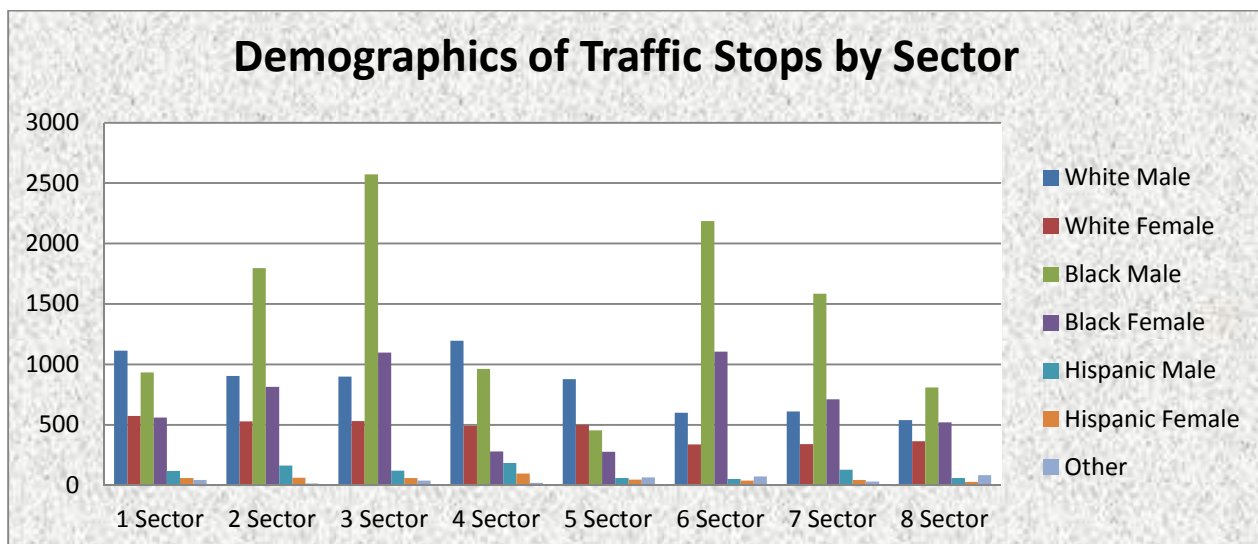


Traffic Stops

The below chart displays the number of traffic stops that have occurred in each Toledo Police Beat in 2016 and 2017. The largest number of traffic stops occurred in Beat 310 (3,779) followed by beats 620 (3,147) and 220 (2,436). The fewest number of traffic stops occurred in Beat 510 (1,035) and 830 (1,232). The totals for 2017 remained consistent with 2016 as well as previous years. As expected, beats 310, 220, and 620 each had a large percentage of the city's traffic stops. This is likely due to the additional proactive policing activity that occurred in these beats.



The next graph displays the demographics of traffic stops that have taken place in each sector. For example, of the 3,405 traffic stops that occurred in 1 Sector, 1,114 were of white males, 573 were of white females, and 935 were of black males.



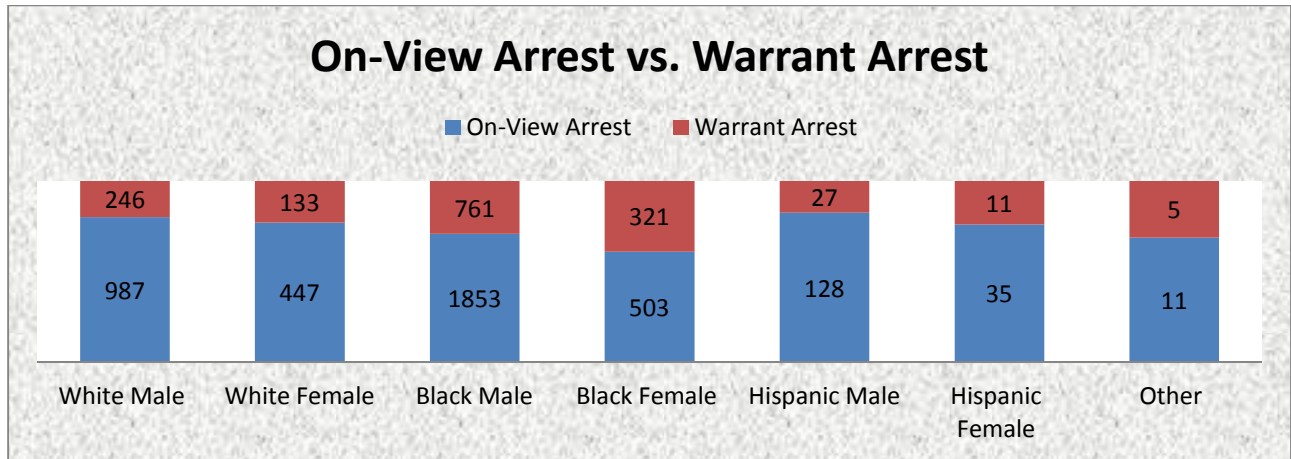
Result of Traffic Stop	Stops Resulting in Warnings		Stops Resulting in Citations		Stops Resulting in Arrest	
	2016	2017	2016	2017	2016	2017
White Male	51%	60%	31%	23%	18%	17%
White Female	50%	63%	36%	22%	14%	15%
Black Male	45%	51%	31%	27%	24%	22%
Black Female	52%	60%	32%	25%	16%	15%
Hispanic Male	54%	59%	28%	24%	18%	17%
Hispanic Female	54%	65%	31%	25%	15%	10%
Other	60%	74%	37%	22%	3%	4%

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 2017, 60% received a warning, 23% received a citation, and 17% were arrested.

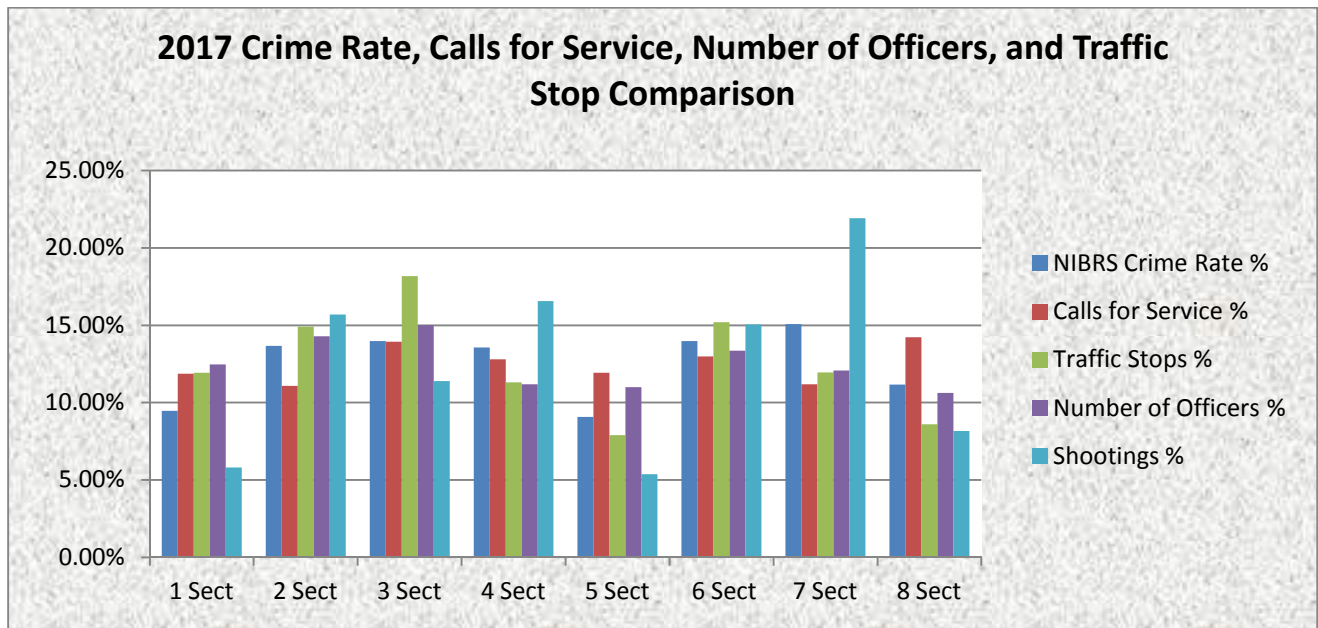
When you compare totals from 2016 to 2017, you can see that the number of warnings given increased for every race and gender. Not only did the warnings increase, but the citations decreased in every category. Police officers have discretion when it comes to issuing tickets to motorist and it appears that discretion is being used. The ultimate goal for police (especially when it comes to traffic enforcement) is that the general public voluntarily complies with the law. If this can be achieved by issuing a warning, but still notifying the motorist about what violation was committed, this will help improve police-community relations and encourage police legitimacy.

The arrest totals that occurred from traffic stops remained consistent with previous years. 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 receive 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 below 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. 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.



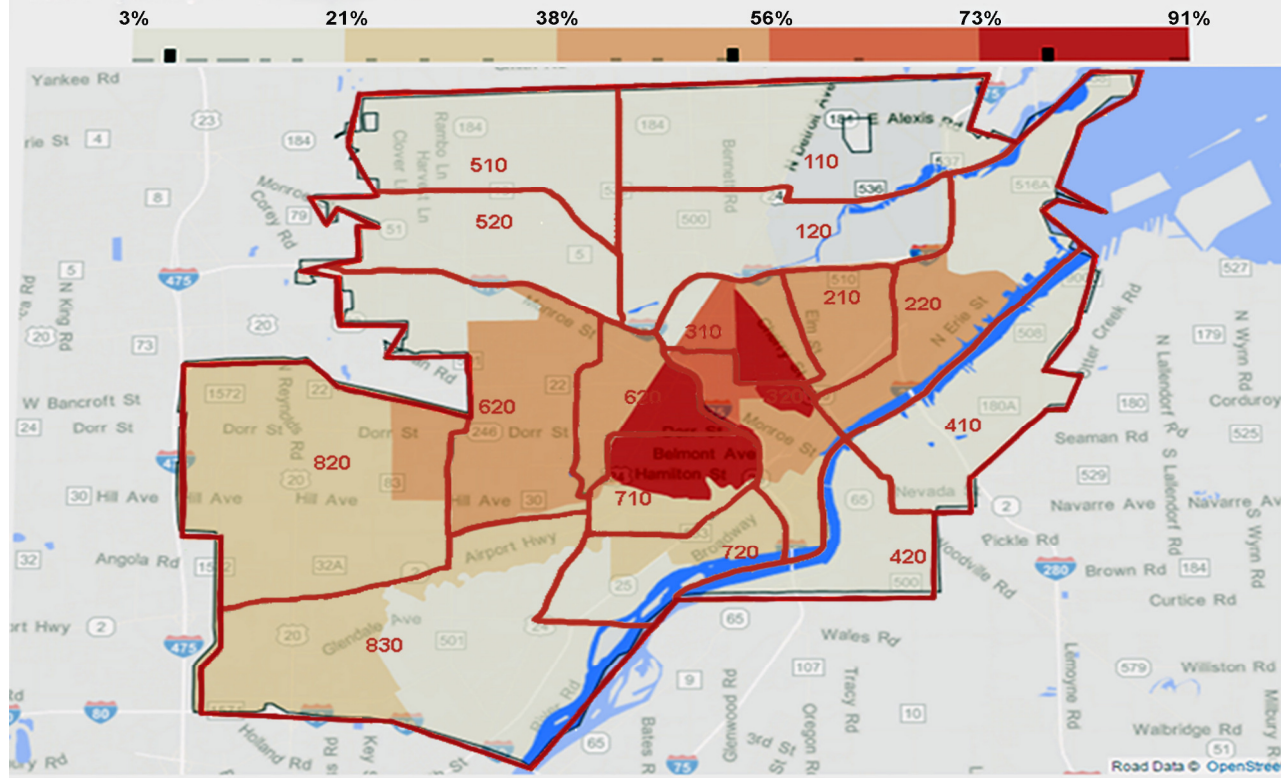
Comparison of Numbers



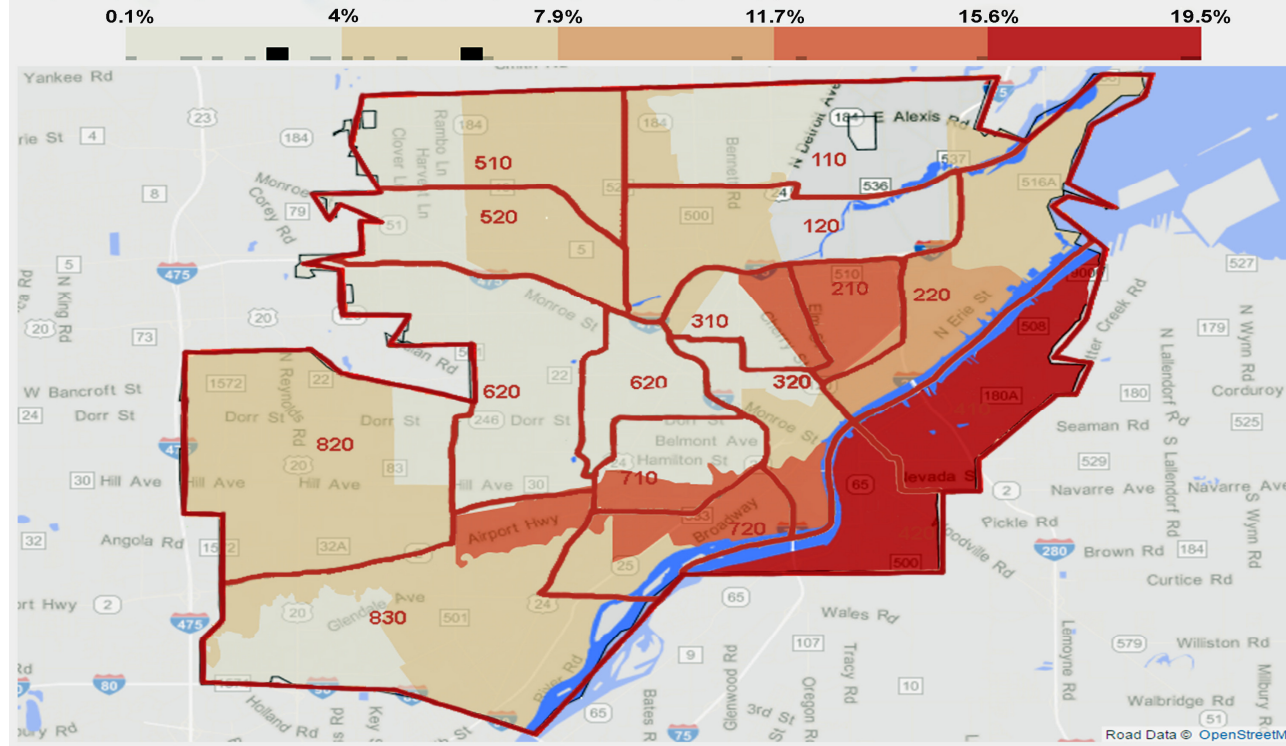
The above chart displays a comparison of the percentages of calls for service, traffic stops, violent crime rates, and shootings that occurred in each sector. For example, Sector 1 had 9.46% of the NIBRS violent crime rates, 11.86% of the calls for service, 11.93% of the traffic stops, 5.81% of Toledo’s shootings, and 10.59% of the officers assigned in the city for 2017.

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, shootings, and officers assigned would be similar by sector. In 2017, most of the percentages appear to be proportional. The percentage of traffic stops conducted in 3 Sector is higher than in the other sectors and the shootings in 7 Sector were higher than in the other sectors.

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 (%)



Field Interviews / Subject Stops

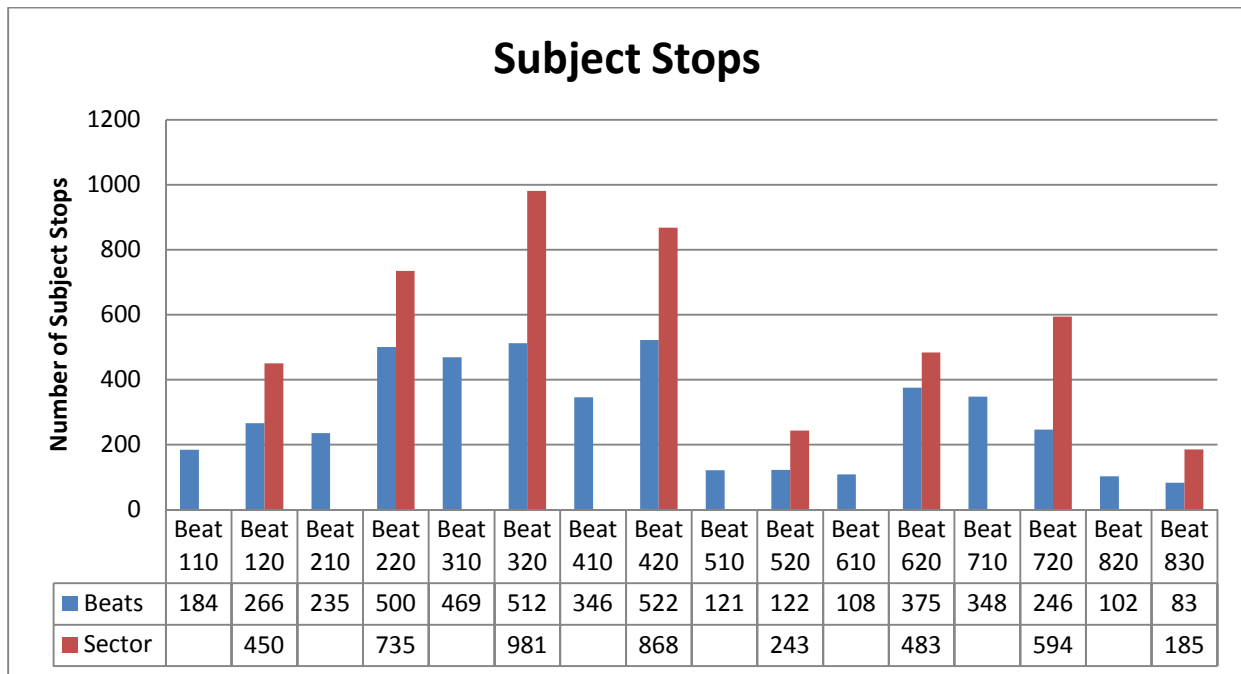
The below tables display data for subject stops and field interviews conducted by Toledo Police officers in 2017. A subject stop is when an officer stops an individual or a group of individuals while in a public place, but not in a moving vehicle. This can occur while on routine patrol or in response to a call. When an officer believes a person may have information pertaining to a crime, pattern of crimes and/or criminal suspects, or when an officer has reasonable suspicion to believe a person may have committed, may be committing, or may be about to commit a crime, they complete a Field interview report. It is important to note that subject stop data is collected from the Tri-Tech CAD system when an officer puts him/herself out on a subject stop. Field Interview data is collected from the actual Field Interview Reports that officers complete, therefore a subject stop and a field interview could be counted under both totals.

Though not represented in the table, there were 280 less Field Interview Reports completed by officers in 2017 than in 2016. The most Field Interview Reports were generated in Beat 510 and Beat 720 both with 103, followed by Beat 220 with 94. The fewest number of reports were generated in Beats 610, 710, and 820. Black males were the group that was recorded the most often on the reports totaling 553 (49%), followed by white males with 408 (36%). 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 activity*. *Suspected burglar/prowler/theft activity* was cited as the second most frequent reason for the interview.

2017 Field Interviews By Race/Gender

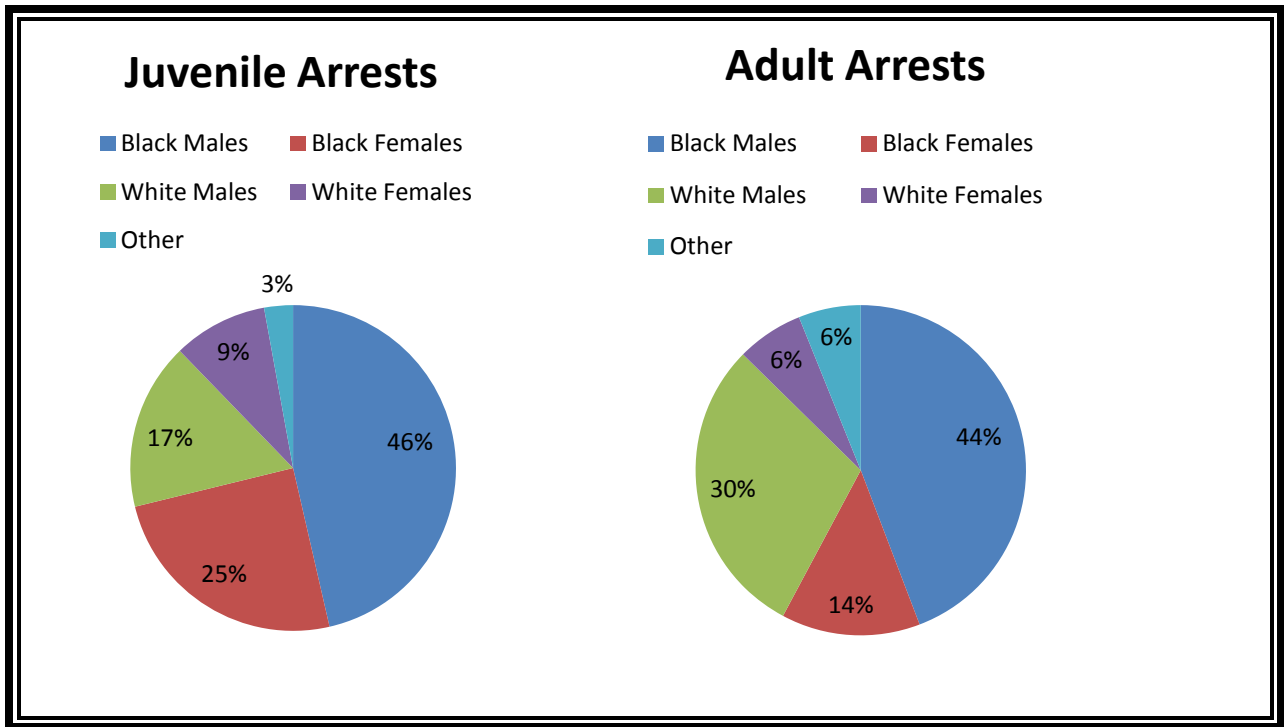
	110	120	210	220	310	320	410	420	510	520	610	620	710	720	820	830	Total
White Male	32	27	9	40	16	28	33	31	64	32	9	10	9	28	15	25	408
White Female	5	8	2	6	2	2	4	0	7	3	2	1	4	5	2	1	54
Black Male	10	44	35	38	39	59	40	36	27	26	25	42	27	57	26	22	553
Black Female	2	4	2	3	5	4	1	2	2	4	3	1	3	0	2	2	40
Hispanic Male	0	5	3	4	4	4	3	7	1	0	0	1	1	10	0	1	44
Hispanic Female	0	0	0	0	0	0	2	1	0	0	0	0	0	0	1	1	5
Other	1	2	0	3	0	0	1	1	2	0	1	2	0	3	0	5	21
Beat Total	50	90	51	94	66	97	84	78	103	65	40	57	44	103	46	57	
Sector Total		140		145		163		162		168		97		147		103	1125

After analyzing the data, race and gender do not appear to be factors in which individuals are stopped or how field interviews are completed by Toledo Police officers. As an overall strategy to reduce criminal activity, the department typically assigns more officers to patrol identified hot spots, areas with higher calls for service, and/or areas where crime trends have been identified. As a result, more field interviews are expected to be conducted in those areas. Although property offenses are not discussed in this analysis, many of the crime series that are backed by statistical data from the Criminal Intelligence Section focuses on these types of crimes, for example burglaries in 2017 were down almost 4% from 2016. It is to be expected that when the Criminal Intelligence Section puts out a series that more field interviews will occur in that area, resulting in less crime and higher arrest.



There were 4,539 occurrences where subjects were stopped by a Toledo Police officer in 2017. Data from the subject stops is consistent with data from the traffic stops. Beat 420 had the most subject stops with 522 followed by beat 320 with 512. The beat with the lowest amount of subject stops was 830 with 83 followed by 820 with 102. One reason for this could be that 8 Sector has the highest total calls for service, thus limiting the time that officers have for proactive policing. Subject stops are not currently broken up by race and gender, but may be something that is looked at in the future.

Arrest Totals



There were a total of 21,124 arrests made in 2017. That number is down from 23,057 in 2016. The above graphs represent the arrests made in 2017 separated by juveniles and adults, and then by race and gender. Hispanic arrests are included in the "Other" category.

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.

Toledo Police officers initiated roughly 30,000 traffic stops in 2017. That number is similar to the number of traffic stops that were initiated in 2016. The beats that saw the highest number of traffic stops were Beat 310 and Beat 620. A high percentage of traffic stops that occurred resulted in the officer giving the citizen a warning; this was consistent across all demographics and genders. Black male drivers were stopped at a higher percentage than any other demographic group; a large percentage of those stops occurred in 3 Sector and 6 Sector. When you compare the demographics of the Toledo Police “beats” with the demographics of the traffic stops, the percentages appear consistent. While totals for black male drivers were higher, the outcome of the traffic stops whether it was a warning, citation, or arrest, was consistent with all other races and genders.

The number of field interviews conducted by officers decreased from 1,405 in 2016 to 1,125 in 2017. Beats 510 and 720 saw the highest percentages of field interviews followed by beats 320 and 220. Black males were the subject on 553 of the Field Interview Reports completed followed by white males who were the subject on 408. There were 4,539 subject stops that occurred in 2017, which is down from 5,448 in 2016, with a higher percentage of them occurring in beats 420 and 320. 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 proactive policing to deter crime and criminal activity by showing a police presence and engaging the community in order to learn their concerns. Methods that identify areas that could benefit from an increase in proactive policing measures should continue to be used as well. With a limited amount of resources available, it is important to utilize those resources in the most efficient way. It appears that certain beats/sectors within the city have higher violent crime rates. These beats/sectors could benefit from collaboration with other community groups. These partnerships could provide information to the residents on safety procedures and victimization as well as work on common public spaces and nuisance property that maybe attracting crime.

Transparency, transparency, transparency! This is, and should be, the ultimate goal of the Toledo Police Department. We live in such a data-driven age and police departments are no different. Just as we use data to help solve and predict crime, we can also use data to increase transparency and build trust within the community. The Toledo Police website provides a tremendous amount of information to the public. On the website you can use the crime map

to see what crime is occurring in your neighborhood or to report a crime anonymously. You can also find the department goals and objectives, analysis reports regarding use-of-force, pursuits and bias-free policing, Internal Affairs records and Equal Employment Opportunity (EEO) reports, community surveys, and much more. The flow of information and community outreach should remain a top priority for the Toledo Police Department.

The Toledo Police Department recently implemented a new hiring process where applicants apply and take the civil service tests online. The new hiring procedure was implemented in an attempt to attract a more diverse group of applicants by both simplifying the process and making it more accessible. The Toledo Police Department is constantly looking for new ways to recruit a diverse group of men and women that represent the make-up in our community. This should remain a high priority for the department because it is a vital step to building relationships and trust within the community.

While, there is no evidence of bias-based policing occurring within the department, the need to remain vigilant is important. The department should continue annual training on issues relating to bias-based profiling with respect to the law on topics such as field contacts, traffic stops, and search and seizures. The department should also educate officers on topics such as cultural diversity, implicit biases, and human relations and interpersonal communication skills. These types of training and educational topics are vital to an officer's successful performance in their law enforcement duties. Oversight is also important, if an officer begins to display explicitly discriminatory behavior, the issue can be quickly and effectively addressed by a supervisor, while backed up by clear policies that have been set in place. This type of oversight can be accomplished through systems that are already in place like the Early Intervention System, as well as through thoroughly investigating all citizen complaints.