Portland Police Bureau

Plan to Address Racial Profiling

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Executive Summary

Since at least 1999, the Portland Police Bureau has been actively working with the community to address racial profiling. In 2006, under the leadership of Chief Rosanne M. Sizer, the Bureau participated in five community Listening Sessions on racial profiling held by Mayor Tom Potter and Oregon Action. About 45 Portland police officers and 267 community members participated, and dozens of recommendations were made. Afterward, the Mayor established the Racial Profiling Committee, which Chief Sizer co-chaired with Joanne Bowman of Oregon Action.

One recommendation made at the Listening Sessions was that the Police Bureau should draft a plan to address racial profiling. The Chief quickly developed the basic elements of such a plan, and shared them with the Racial Profiling Committee in March 2007. These elements were discussed in detail in meetings of the Committee in February, March, and April of 2008. This document is the result. It is entirely consistent with the Bureau's mission, vision, and values, and it is the culmination of the Listening Sessions and the efforts of the Racial Profiling Committee. The Committee's feedback and dedicated work helped shape the result.

Racial Profiling: a Definition

The Chief has elected to honor the community's experience and adopt the definition of "racial profiling" used in the Listening Sessions and by the Racial Profiling Committee, although the Bureau uses the term "bias-based policing" in its policy. The definition used in the Listening Sessions was:

> The *inappropriate reliance on race* as a factor in deciding to stop and/or search an individual.

The Business Case for Addressing Racial Profiling

- Officers are safer out on the street. By addressing the issue, the Bureau can begin to heal old wounds and build trust. And officers should find it easier and safer to do their jobs.

- It's the Right Thing to Do. Open discussion about race helps the entire city begin to change long-standing beliefs and heal from experiences and actions that helped create current conditions in race relations.

- Less risk of expensive litigation. By working to reduce any inappropriate and disparate impact of police activities on individuals of color, the Bureau should reduce the City's vulnerability to criminal and civil litigation over selective enforcement.

- Law enforcement can be more effective. By analyzing its search and seizure data, the Bureau can become more efficient at identifying individuals of all races whose behavior truly indicates illegal activity.

- Reflect a Changing City. Portland's racial and ethnic demographics are changing fast. To keep the city safe and livable, the Bureau can redouble its efforts to hire officers from diverse communities and provide training in cultural competence.

What the Research Can Tell Us

Over the past ten years, data collected by police agencies across the country on the race or ethnicity of people stopped by officers seems to show that people of color are stopped out of proportion to their numbers in the population. However, researchers have shown that comparisons using Census data as a benchmark are not conclusive, for a variety of reasons.

Nevertheless, the evidence that people of color are treated disparately *after* they are stopped is much stronger, and the Portland Police Bureau's 2007 data bears out the finding that minority drivers who are searched tend to possess contraband at lower rates than White drivers.

Still, researchers have not been able to determine *why* the disparities in stop data and "hit rate" for contraband occur among various racial and ethnic groups.

Overview of the Plan to Address Racial Profiling

It may take years before racial profiling is fully understood. In the mean time, the Police Bureau is committed to moving forward, and offers this plan to address racial profiling as a next step in its comprehensive attempt to eliminate inappropriate and adverse impact of law enforcement on communities of color.

The complete strategic plan to address racial profiling appears in Section D. Below is a summary of the plan's four priorities and some highlights. Throughout the plan, readers will note strategies where the Bureau has already begun work.

> Strategy 1: Create a Bureau that reflects the city's diversity. By diversifying its workforce, the Bureau seeks to improve mutual understanding between the Bureau's officers and the communities they serve.
>
> While its workforce is more diverse than it has been in the past, more needs to be done. Recruitment and hiring policies and practices are being changed that have historically been barriers to qualified people of color. For example, a college degree used to be a requirement for new applicants. Now, the education and experience requirements for new officers have been broadened, in keeping with

research that shows that certain kinds of experience are as good or better than college in preparing an individual for a career in law enforcement.

Along the same lines, the Bureau has changed its recruiting strategy. Rather than rely on a single officer to recruit new applicants, it is now drawing upon a network of individuals to identify new recruits, to ensure applicants are drawn from as many different communities as possible. Also, it will make greater use of its Cadet and Reserve programs to obtain new recruits.

The hiring process – which has been quite lengthy, rigorous, and impersonal – was recently evaluated by a consultant. As a result, the Bureau has streamlined the process to remove unnecessary bureaucratic hurdles. For example, it now offers its written exam three to four times a year instead of only twice, and applicants will be asked to supply only eight primary references instead of twelve. Also, prospective candidates can now use the Bureau's website to gain more information about the hiring process, email questions to background investigators, and obtain updated recruitment information.

Finally, in order to find out if these changes are having the intended effect, the Bureau proposes to hire a staff person to analyze hiring and recruitment data.

Strategy 2: Give officers concrete skills to help them on the streets. Everyone wants Bureau officers to consistently interact with community members in a fair and respectful manner. But more can be done to help officers accomplish this.

Although most police work involves interpersonal communication, officers receive little training in the issues of race, class, and politics that can affect how they are perceived and their ability to do their jobs respectfully and safely. So the Bureau is committed to training its staff on how race affects interpersonal relationships; on the history, past and current, of race relations and the police in Portland; and on providing good "customer service" to the public.

To improve customer service, new officers now receive more training scenarios involving interpersonal communication; all current officers received training on customer service in 2007 and 2008; and traffic stops were redesigned in 2007 to assure that officers give more information in a more personable way. The Bureau plans to evaluate the impact of these changes on reducing complaints about officer courtesy.

Beginning in 2009, officers will be directed to hand out business cards on traffic and pedestrian stops, as well as a warning or ticket identifying the reason for the stop. The sergeants and officers assigned to the Bureau's patrol branch received Crisis Intervention Team training in 2007 and 2008 to assist them in interacting with people in crisis. All patrol sergeants and officers were trained by 2009.

Because the Bureau recognizes that it is in the midst of a significant organizational change, it plans to learn from other organizations that have transformed themselves to address the disproportionate impact of public safety services on communities of color.

Specifically, the Bureau will obtain technical assistance from leaders in the field, such as the Multnomah County Department of Community Justice and the Denver Police Department, and explore a partnership with a university to research the impact of its change effort.

Furthermore, it will work with contractors to: train policymakers and training staff on cultural competency and issues of fairness; survey Bureau staff to determine their training interests and needs in areas related to racial profiling; and evaluate the Bureau's field training program as it pertains to issues of race and racial profiling.

Strategy 3: Reach out to the community to build mutual trust and understanding. Years of poor relationships with the police have left communities of color distrustful and skeptical. This is dangerous for everyone. By consciously reaching out to organizations and communities most affected by police activity – especially in times of relative calm – the Bureau can build crucial ties and mutual understanding that will help alleviate suspicion and increase the possibility of constructive problem-solving.

To accomplish this, liaison officers from the Bureau will continue to be provided to community groups, officer time will be regularly scheduled for drop-ins on youth events in schools and at community-based organizations, and peace-building events and "living room conversations" with various communities of color will continue.

Strategy 4: Collect and analyze the right data on police stops. The Bureau will continue to collect, analyze, and share its traffic and pedestrian stop data with the community. The goal is to collect the right data on police stops to aid efforts to address racial profiling, by obtaining an accurate picture of the current situation, progress being made, and to drive policy change as needed.

In its work with the Racial Profiling Committee, the Bureau identified several possible ways to refine the data officers collect when they make a stop, to allow more effective analysis. These changes are currently on hold, while the City purchases and implements a new computer system, but will be implemented once the new system is installed.

Going forward, the Bureau will also tap analysts from the Office of Accountability and Professional Standards to provide expert assistance in identifying the right data to collect.

Top Priorities for 2009

The Bureau's plan is comprehensive and ambitious, and should be viewed as a framework for strategic action. For 2009, the Chief has chosen to emphasize the following strategic priorities:

- Work with the Human Rights Commission and Office of Human Relations, among others, to create opportunities for officers to engage with communities of color (see Section D, strategy 3.3).

- Develop a plan to reduce the number of unsuccessful searches by improving officers' ability to accurately identify individuals likely to carry weapons and/or contraband (i.e., improving their "hit" rate on searches) – thereby reducing disparate treatment among Caucasians, African Americans, and Latinos (see Section D, strategy 2.7).

- Inventory the Bureau's training and supervision on issues of professionalism and respect, with the goal of improving customer service (see Section D, strategy 2.5).

- Develop and improve partnerships with other agencies engaged in reducing racial disparities in our work (see Section D, strategy 2.1).

While the Bureau plans to move ahead on many of the other priorities listed in the plan, it will use the priorities listed above as its primary benchmarks for measuring its progress in 2009. (These priorities have the benefit of being easy to measure – an important consideration, since the Bureau does not possess evaluation staff.) At the end of the year, the Bureau will, with community input, review its progress and set new targets for 2010.

From the Chief: an Introduction to the Plan to Address Racial Profiling

I'm proud to present the Portland Police Bureau's *Plan to Address Racial Profiling* to the communities of Portland.

When I first became Chief of Police, I committed to two things that I think are critical to addressing the problem of racial profiling:

1. Building better relationships between the Police Bureau and the community. Bureau officers cannot be effective or do their jobs safely if they do not have the trust of the community.
2. Developing and mentoring our personnel. Bureau staff is highly-skilled, conscientious, and motivated by a sincere desire to help the community. We need to make sure that their good work is recognized, and provide them with the skills they need to do a very difficult job professionally, fairly, and with respect.

Shortly after I was appointed interim Chief, I renewed the Bureau's commitment to partnering with several community organizations on a series of Community Listening Sessions on racial profiling. The Listening Sessions, held in 2006, were a valuable opportunity to hear community members talk openly with Bureau staff about their experiences, and their ideas for making things better. Since that time, I have also co-chaired the Racial Profiling Committee with JoAnn Bowman of Oregon Action.

This strategic plan is entirely consistent with the Bureau's mission, vision, and values. It is the culmination of the Listening Sessions and the efforts of the Racial Profiling Committee to identify effective solutions to the problem. The Committee's feedback and dedicated work helped shape the plan you hold in your hands.

Maintaining Perspective

As pleased as I am to offer this plan to the community, I must acknowledge that fully implementing it during a season of shrinking budgets will be difficult. The good news, however, is that much can be done without new resources. I welcome ideas about how to maximize our ability to make needed changes.

Also, I should note that although police work disproportionately impacts communities of color, crime does so as well. As a result, the Bureau must constantly strive to balance its responsibility to fight crime and victimization in the community with working to build community trust. Maintaining that balance is more art than science and requires the commitment of the community to partner with the Bureau on problem-solving and prevention strategies.

Racial Profiling: a Definition

The Portland Police Bureau's policy directive on bias-based policing (344.05) states that officers are "prohibited from taking any police-initiated action that relies on the race, ethnicity, or national origin rather than the behavior of an individual or information that leads the police to a particular individual who has been identified as being, or having been, engaged in criminal activity." This definition was originally put forward by the U.S. Department of Justice in 2000.[1]

However, I prefer to define racial profiling in this plan as "the ***inappropriate reliance on race*** as a factor in deciding to stop and/or search an individual." This definition was used in the report on the community Listening Sessions on racial profiling.[2]

Why Isn't it Called "Bias-based Policing"?

The Bureau's *Manual of Policy and Procedure* makes no mention of "racial profiling." Instead it uses the term, "bias-based policing." This term has a few advantages. For example:

- "Bias-based policing" covers a broader range of possible biases – not just those related to race. The term "racial profiling" focuses solely on race or ethnicity.
- The term "bias-based policing" tends to make officers feel less defensive and more willing to engage in difficult discussions about the impact of their work on a variety of communities.

Yet I decided to use the term "racial profiling" in this plan for two very strong reasons:

- National research seems to support community claims that individuals of color are searched at rates out of proportion to their numbers in the population. The Portland Police Bureau's (PPB) own traffic stop data corroborates this as well.

  Although we may debate the reasons for it (which range from bias, to crime statistics, to socio-economic factors), the fact that people of color are disparately impacted by police activity is undeniable.

- We can argue endlessly about officers' intent when they stop or search community members, but a crucial step to rebuilding the community's trust in the Bureau is to honor the community's experience. And in this case, communities of color prefer the term "racial profiling" because it is consistent with their perception that they are regularly stopped because of their race or ethnicity. Many

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[1] Portland Police Bureau, "Manual of Policy and Procedure," electronic version, January 2007, http://www.portlandonline.com/shared/cfm/image.cfm?id=32482.

[2] Oregon Action, Center for Intercultural Organizing, the Northwest Constitutional Rights Center, Portland Police Bureau, and the Northwest Federation of Community Organizations, "Listening Sessions Report: a Community and Police Partnership to Eliminate Racial Profiling," September 2006, http://www.interculturalorganizing.org/listeningsessionsreport.pdf.

> people of color dislike the term “bias-based policing” because it minimizes the role of race when the topic is discussed, and perpetuates a disinclination to talk about race in a straightforward way.

For these reasons, I have chosen to refer to the issue as one of “racial profiling.” Whatever you call it, however, I think most people would agree that what we want is for officers to behave professionally, fairly, and respectfully in their contacts with the public.

Bureau officers meet that standard every day, sometimes in incredibly trying circumstances. I know, however, that we can always improve. The better we get at our work – exemplifying fairness, transparency, and a willingness to face our greatest challenges – then the safer the city will be and the greater the public trust in us.

Sincerely,

Rosanne M. Sizer
Chief of Police

A. The Business Case for Addressing Racial Profiling

Forward-looking police agencies across the United States, including the Portland Police Bureau, have chosen to address racial profiling by collecting stop data and working with their communities in a proactive way.

But why?

Here are five reasons why it's crucial to address racial profiling:

- Officers are safer out on the street. The Bureau operates best when it has the goodwill and trust of the community. Tensions are likely to be lower when the police interact with people on the street. Witnesses are more willing to cooperate. A general baseline of mutual respect means that police can do their jobs with the support of the community.

  And it's a safe assumption that Portland is no different from other cities in the United States, where the perception that police unfairly target people of color is common and has been documented:

  > "A 1999 Gallup poll of citizens found that 59 percent of Americans believed that race-based profiling was widespread. Consistent with national polls, qualitative assessments found that citizens believed that racial profiling occurs on a fairly widespread basis. In one study, Weitzer and Tuch found that 80 percent of Blacks believed that profiling was pervasive in their own city, and 90 percent believed that racial profiling was widespread in the United States. In addition, they found that 59 percent of Hispanics felt that racial profiling was pervasive in their city, while 77 percent believed it was widespread in the United States. Only a third of Whites thought that racial profiling was pervasive in their city."[3]

  This kind of perception is damaging to the police profession and its important work. By addressing the issue, and "walking its talk" with the community, the Bureau can begin to heal old wounds and build trust. And officers should find it easier and safer to do their jobs.

- It's the Right Thing to Do. Talking about race is hard work. But ignoring the way communities of color feel about their history of relations with the police is not productive. Open discussion helps the entire city take steps to change long-standing beliefs and heal from experiences and actions that helped create current conditions in race relations. As a result, Bureau officers can perform their duties in an environment of greater mutual trust.

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[3] Michael L. Birzer and Gwynne Harris Birzer, "Race matters: A critical look at racial profiling, it's a matter for the courts," *Journal of Criminal Justice*, 34 (2006): 643–651.

- Less risk of expensive litigation. The Bureau can be a leader by working with communities of color to address the causes of racial profiling. A comprehensive effort should reduce any disparate impact of police activities on individuals of color, and help refute concerns that Bureau officers are selectively enforcing the law. This should also reduce the City's vulnerability to litigation over selective enforcement. At the very least, the Bureau's work on the issue will put it in a much better position to understand the problem and how it can be addressed.

- Law enforcement can be more effective. As noted above, when the Bureau enjoys the trust and goodwill of the community, its officers can build stronger bonds in the neighborhoods they patrol. This translates into increased cooperation from community members in investigations and crime prevention activities.

- Reflect a Changing City. As has been documented in Census data and the media, Portland's demographics are changing rapidly. To be effective, the Bureau should work to recruit and hire officers from diverse communities and address issues of cultural, racial, and ethnic competence in its practices so that members of all communities trust their neighborhoods will be safe and livable.

B. Background and Work to Date

In recent years, the Portland Police Bureau has worked extensively with the community and outside consultants to improve its policies and training on use of force and critical incidents. Well over a hundred recommendations for changes were made in 2003 by the Police Assessment Resource Center (PARC), the Albina Ministerial Alliance, and the Community Police Organizational Review Team.

Many of these recommendations were adopted, and the work is paying off. The Independent Police Review Division's 2007 annual report shows that:

- there were 48% fewer shootings in the past five years compared to the preceding six years;
- the number of force complaints per thousand police contacts has dropped 34% since 2004; and
- citizens reported increased satisfaction with the fairness of the outcomes of their complaints.[4]

The Bureau has also taken numerous steps to address racial profiling. Some highlights: [5]

- In 1999, in response to national efforts to define and address the problem, the Police Bureau, along with the metro area Chiefs and Sheriffs and the Superintendent of the State Police, joined together with their union and labor representatives to sign the Law Enforcement Non-discrimination Resolution. This resolution strongly opposes race-based profiling or other discrimination in daily police work.

- In 2000, then-Chief of Police Mark Kroeker convened the Blue Ribbon Panel on Racial Profiling,[6] which recommended changes in Bureau recruitment, promotion and retention; communication; training; data collection; and accountability. The panel was made up of individuals from the Bureau and the community. One result was that the Bureau began collecting data on traffic and person stops in 2001.

- In April, 2002, the Bureau adopted directive 344.05, prohibiting bias-based policing.[7]

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[4] Independent Police Review Division, "Annual Report 2007," City of Portland, Office of the City Auditor, http://www.portlandonline.com/shared/cfm/image.cfm?id=211207.
[5] Portland Police Bureau, "Traffic Stop Data Collection," http://www.portlandonline.com/police/index.cfm?c=42284. The historical summary presented here is based on the section titled, "What Portland Has Done."
[6] Portland Police Bureau, "Blue Ribbon Panel on Racial Profiling," 2000, http://www.portlandonline.com/police/index.cfm?c=cjiha&a=dcdib.
[7] Portland Police Bureau, "Manual of Policy and Procedure," electronic version, released July 24, 2002, http://www.portlandonline.com/shared/cfm/image.cfm?id=112802.

- Between 2003 and 2005, the Police Bureau:
    - met with community organizations and its own advisory councils about racial profiling;
    - invited a national expert on stops data and collection to speak with Bureau command staff, the nine police advisory committees, and the metro area Chiefs and Sheriffs on stops data collection, analysis and racial profiling;
    - trained officers on cultural competency, conflict resolution, and crisis intervention as well as ethical decision-making, which encouraged officers to be introspective about unconscious biases that may factor in their decision-making;
    - launched a new recruitment campaign aimed at attracting a diverse pool of applicants; and
    - surveyed citizens for the first time on their perceptions of police stops.[8]

In 2006, Mayor Potter and Oregon Action convened five community "Listening Sessions," in conjunction with the Police Bureau, the Center for Intercultural Organizing, the Northwest Constitutional Rights Center, and the Northwest Federation of Community Organizations. About 45 Portland police officers and 267 community members participated, and dozens of recommendations were made, including two for the Bureau:[9]

- Starting immediately, the Portland Police Bureau should collect and analyze data on individual officers' traffic and pedestrian stops to determine the extent to which racial profiling occurs institutionally. The goal was to use the data to determine if a few "bad apples" were responsible for racially-biased policing. Work on this recommendation has hit a roadblock. The Racial Profiling Committee and the Bureau desire to collect data at the level of individual officers, but to do so anonymously. The purpose is to address the decisions and practices of individual police officers, but to do so in a way that avoids their public humiliation and possible errors in analysis by the press.[10]

  However, under current law, the names of individual officers collected in the Police Bureau's Contact Data Collection system are a matter of public record and cannot be withheld. If the Bureau collected the data as requested, the names of officers would be subject to public records requests by the public, and could potentially be broadcast in the media. While the Bureau believes that public records laws serve the public good, it is concerned in this instance that releasing

[8] For the survey, see Campbell DeLong Resources, Inc., "Portland Police Bureau: 2005 Community Assessment Survey," http://www.portlandonline.com/police/index.cfm?c=cjige.
[9] "Listening Sessions Report," http://www.interculturalorganizing.org/listeningsessionsreport.pdf.
[10] Racial Profiling Committee, September 18, 2008 meeting notes (draft).

the names of officers might lead to consequences such as unintended reductions in police service in communities of color, as has been seen in other agencies.

In any case, releasing their names would also undermine officer support for data tracking efforts to address racial profiling – no one wants to be made a scapegoat. It might also interfere with their ability to keep the city safe, as they might not make legitimate stops of motorists and pedestrians, in the interest of avoiding the media spotlight.

The Bureau has explored the possibility of exempting the names of officers from public records law in order to allow it to collect this data. This would require a change in legislation. The Bureau is pursuing the formation of a coalition to work with it on this effort.

- No later than January 2007, the Portland Police Bureau should develop a written plan, with community stakeholder input, to eliminate racial profiling. In March 2007, Chief Rosanne M. Sizer delivered an early version of the Bureau's plan to the Racial Profiling Committee (RPC), a panel of community organizations and police officers formed by Mayor Tom Potter in January 2007. Because the committee had other business to address, the plan was not discussed in detail until the spring of 2008. The final plan is based on the Committee's feedback.

C. What the Research Can Tell Us

In the past ten years, racial profiling has received great scrutiny from law enforcement agencies, community members, and researchers. Basic data collected by police agencies across the country on the race or ethnicity of people stopped by officers seems to show that people of color are stopped out of proportion to their numbers in the population.

Portland's 2007 data supports this in the case of African-American drivers, though not for Hispanic/Latino drivers (who have been overrepresented in past years), or Asian drivers.

Table 1
2007 Citywide Traffic Stops and Portland Population by Race/Ethnicity[11]

	Race/Ethnicity - % of general population (U.S. Census)		**Perceived Race/Ethnicity of Persons Stopped (Police Bureau)**	
	Number	Percent	Number	Percent
African-American	34,224	6%	9,370	14%
Asian	34,820	6%	2,703	4%
Hispanic/Latino	46,836	9%	6,133	9%
Native American	2,865	1%	169	<1%
Native Hawaiian or Pacific Islander*	2,896	<1%	N/A	N/A
Multi-racial*	18,393	3%	N/A	N/A
White	409,564	74%	41,940	63%
Unknown/other	1,197	<1%	6,754	10%
Total	550,795	99%	67,069	100%

*The Bureau report does not include these categories.

However, researchers have shown that comparisons using Census data as a benchmark are not conclusive. For example, it's possible that Census data – drawn from area residents – may not match the population of people who drive. Nor does Census data account for the allocation of more police resources in higher-crime neighborhoods, which are often poor and disproportionately inhabited by minorities. Census data includes children and others who do not drive, while stop data includes people who do not live in the area. And the Census only counts a person once, whereas stop data can include a single person involved in multiple stops during a particular time period.

[11] Traffic stop data from Portland Police Bureau, "2007 Citywide Traffic and Pedestrian/Bicycle Stops Data Report," July 1, 2008, http://www.portlandonline.com/shared/cfm/image.cfm?id=204143. Portland population estimate from U.S. Census, 2007 American Community Survey, http://tinyurl.com/zonmk.

Nevertheless, the evidence that people of color are treated disparately *after* they are stopped is much stronger. For example, a recent study of traffic stops made by state highway patrols in 12 U.S. communities found a "higher propensity to search minority drivers" despite the fact that "they are less likely than Caucasians to be found in possession of illegal contraband."[12]

The Portland Police Bureau's 2007 data bears out the finding that minority drivers who are searched tend to possess contraband at lower rates than White drivers (see Table 2.)

Table 2
Citywide Traffic Search Results and Demographic Data[13]

	Race/Ethnicity in population (U.S. Census)	**Perceived Race/Ethnicity of Persons Searched (Police Bureau)**	**Percent found with contraband (Police Bureau)**
	Percent	Percent	Percent
African-American	6%	8%	29%
Asian	6%	3%	29%
Hispanic/Latino	9%	11%	25%
White	74%	4%	33%

Still, researchers have not been able to determine why the disparities in stop data and "hit rate" occur among various racial and ethnic groups. While it's tempting to assume that individual bias is the main cause, this cannot be proven at this time. As two experts stated in a 2006 article in the *Journal of Criminal Justice,* there is "currently no statistical method available … that can determine whether or not the racial and ethnic disparities observed in search and seizure rates are due to individual officer biases, or some other factors." [14]

[12] Robin S. Engel and Richard Johnson, "Toward a better understanding of racial and ethnic disparities in search and seizure rates," *Journal of Criminal Justice,* 34 (2006): 605–617.
[13] Population data from U.S. Census; search and contraband rates are from Portland Police Bureau's "2007 Citywide Traffic and Pedestrian/Bicycle Stops" report.
[14] Engel and Johnson, 2006.

D. The Strategic Plan to Address Racial Profiling

It may take years before racial profiling is fully understood. In the mean time, the Police Bureau is committed to moving forward, and offers this plan to address racial profiling as a next step in its comprehensive attempt to eliminate adverse impact of law enforcement on communities of color.

The plan is organized into the following four strategies:

> Strategy 1: Create a Bureau that reflects the city's diversity. This means changes to recruitment and hiring policies and practices that have been barriers to people of color in the past.
>
> Strategy 2: Give officers concrete skills to help them on the streets. Most police work involves interpersonal communication. Historically, however, police training has largely focused on law and tactics. Further, officers are expected to function effectively in a stew of race, class, politics, and history, for which they usually have little training. By helping officers understand the history of race relations in Portland, and by giving them specific training in "customer service" appropriate to law enforcement, the community should consistently experience their encounters with police as fair, respectful, and professional.
>
> Strategy 3: Reach out to the community to build mutual trust and understanding. Years of poor relationships with the police have left communities of color distrustful and skeptical. This is dangerous for everyone. By consciously reaching out to organizations and communities most affected by police activity – especially in times of relative calm – the Bureau can build crucial ties and mutual understanding that will help alleviate suspicion and increase the possibility of constructive problem-solving.
>
> Strategy 4: Collect and analyze the right data on police stops. The Bureau will continue to collect, analyze, and share its traffic and pedestrian stop data with the community. It will continually strive to collect only data that is meaningful, work with the community to interpret it, and adjust its enforcement strategies where feasible in order to reduce racial disparities in its work.

Throughout the plan, readers will note strategies where the Bureau has already begun work.

Top Priorities for 2009

The Bureau's plan is comprehensive and ambitious, and should be viewed as a framework for strategic action. For 2009, the Chief has chosen to emphasize the following strategic priorities:

- Work with the Human Rights Commission and Office of Human Relations, among others, to create opportunities for officers to engage with communities of color (see strategy 3.3).

- Develop a plan to reduce unnecessary searches -- and reduce disparate treatment among Caucasians, African Americans, and Latinos -- by improving officer "hit rate" for identifying individuals likely to carry weapons and/or contraband (see strategy 2.7).

- Inventory the Bureau's training and supervision on issues of professionalism and respect, with the goal of improving customer service (see strategy 2.5).

- Develop and improve partnerships with other agencies engaged in reducing racial disparities in our work (see strategy 2.1).

While the Bureau plans to move ahead on many of the other priorities listed in the plan, it will use the priorities listed above as its primary benchmarks for measuring its progress in 2009. (They have the benefit of being easy to measure – an important consideration, since the Bureau does not possess evaluation staff.)

At the end of the year, the Bureau will, with community input, review its progress and set new targets for 2010.

Strategy 1. Create a Bureau That Reflects the City's Diversity

Goal: Develop a workforce that more closely represents the city's diversity to improve mutual understanding between the Bureau's officers and the communities they serve.

Strategy 1.1: Review hiring standards and processes to eliminate those that unintentionally work against diversity, while maintaining appropriate screening standards.

- Broaden education requirement.
- Offer pre-hire education seminars and counseling.
- Improve timely processing of applications.
- Streamline background investigations to speed up application process and share information where possible with unsuccessful applicants about reasons for rejection.

Why it should impact racial profiling	Progress to date	2009 objectives	Person responsible
Education Requirement: Jobs in the Bureau will be more accessible to applicants of color. College has historically been less affordable for many people of color, and it's been shown that a variety of non-college experiences can be as good or better preparation for a career as a police officer.	Education Requirement: In 2007, the Bureau broadened the types of qualifying experience and education that applicants can have. (Revised standards can be accessed at http://www.portlandonline.com/police/index.cfm?c=29856.)Since college is not the only viable form of education, the Bureau now requires 2 years of any of the following: college, police/military service, experience as a city employee, Police Cadet, or Reserve volunteer.	• Increase number of minority and female officers hired in 2009 by 10%.	Police Human Resources Manager

Strategy 1.1, continued: Review hiring standards and processes to eliminate those that unintentionally work against diversity while maintaining appropriate screening standards.

Why it should impact racial profiling	**Progress to date**	**2009 objectives**	**Person responsible**
Pre-hire education seminars and counseling: Applicants should become more familiar with the hiring process.	Pre-hire seminars and counseling: Instituted in 2007.	• Increase number of minority and female officers hired in 2009 by 10%. • Survey candidates re: satisfaction with offered services.	Police Human Resource Manager
Timeliness & background investigations: The Bureau's hiring process has long been untimely and back-ground investigations have been both rigorous and impersonal. Communities of color have viewed these processes with suspicion. Where feasible, the Bureau needs to be more forthcoming about reasons for failure in the background phase to allay suspicion and build trust.	To improve the hiring process overall, the Bureau hired a consultant to review the process and make recommendations for change. The Bureau has adopted almost all of the recommendations and is implementing them. For example, the Bureau's written exam is no longer administered twice a year, but three to four times a year; the Bureau reduced the number of primary references required from candidates from twelve to eight and modified guidelines on past drug use, bringing the Bureau closer to industry standards; and oral interviews have been moved to the beginning of the process, thereby lessening the potential adverse impact of the testing process on minority applicants.	• Increase number of minority and female officers hired in 2009 by 10%. • Monitor change process regarding adverse impact on women and minorities.	Police Human Resource Manager

Strategy 1.2: Identify and address barriers for members of the Police Cadet and Reserve Programs to get hired as police officers.			
Why it should impact racial profiling	**Progress to date**	**2009 objectives**	**Person responsible**
Police Cadet and Reserve programs can be mechanisms for getting young people and others from communities of color interested in the job.	The Bureau's new hiring standards, adopted in 2006-2007, have made the Cadet and Reserve programs viable avenues for broadening the diversity of the Bureau's workforce. The Cadet and Reserve programs were moved to the Personnel Division to improve timeliness of background investigations as well as awareness of and access to viable candidates from these programs.	Develop tracking mechanism for Cadet and Reserve programs. Identify target for 2010.	Police Human Resources Manager

Strategy 1.3: Develop more avenues for recruiting new officers by changing the recruitment program.			
Why it should impact racial profiling	**Progress to date**	**2009 objectives**	**Person responsible**
Responsibility for recruitment was assigned to a single officer in the past. Using more people to recruit new officers will increase the number and diversity of police applicants.	Revamped recruiter position to implement the Bureau's recruitment plan and to coordinate recruitment by background investigators, interested employees, and community liaisons. Recruitment coordinator hired as of September 4, 2008.	• Increase percentage of applicants of color by 10%. • Identify and train recruiters in the Bureau and the community.	Police Human Resources Manager

Strategy 1.4: Create staff position to analyze hiring and recruitment data.			
Why it should impact racial profiling	**Progress to date**	**2009 objectives**	**Person responsible**
Data analysis makes it possible to evaluate and improve the effectiveness of strategies designed to make the Bureau more diverse.	Budget requests were made to the City Council in FY 2007-2008 and 2008-2009.	• On hold. Budget cuts for FY 2009-2010 preclude another request at this time.	Assistant Chief of Services

Strategy 2. Give Officers Concrete Skills to Help Them on the Streets

Goal: Police Bureau officers consistently interact with community members in a fair and respectful manner.

Strategy 2.1: Learn from organizations that have undergone a change process to improve internal awareness and communication about issues of race and culture and address disproportionate impact of police services on communities of color. For example:

- obtain technical assistance from peer organizations (e.g., the Multnomah County Department of Community Justice and the Denver Police Department)
- explore partnering with a university to assist with data analysis and/or research the impact of change strategies adopted to address disparate impact of police services on communities of color
- hire a contractor to train the Bureau's Training Division and policymakers in the Chief's Office re: cultural competency and issues of fairness
- work with an evaluator to survey Bureau staff concerning racial profiling to get a barometer of their perspectives and strategies for addressing racial profiling, in order to determine their training needs/interests
- evaluate field training program as it pertains to issues of race and racial profiling

Why it should impact racial profiling	Progress to date	2009 objectives	Person responsible
The Bureau can accelerate its learning by consulting with organizations that have consciously worked to educate and dialogue with staff on issues of institutional racism and intercultural communication.	To be done.	• Meet with mentor organizations and university partners. • Hire contractor for training. • Complete training assessment. • Evaluate field training program.	Chief

Strategy 2.2: Facilitate attendance by 25-30 peer leaders, supervisors, and command personnel annually at "Tools for Tolerance" program at the Simon Wiesenthal Center in Los Angeles (when funds are available). "Tools for Tolerance" deals with issues of race and ethical decision-making as police officers, and is funded by the Center's Museum of Tolerance.

Why it should impact racial profiling	**Progress to date**	**2009 objectives**	**Person responsible**
Helping officers gain insight into their own decision-making processes reinforces the expectation that services will be provided in a fair and respectful manner.	About 40 Bureau staff have attended "Tools for Tolerance" to date; many attendees are line supervisors — the key position to effect change in the ranks. A two-day seminar was held in Portland during November 2008 for Bureau command staff and civilian managers, taught by lead instructors from the Simon Wiesenthal Center.	• 25 members attend "Tools for Tolerance" training (dependent on grant funding). • Initiate before/after survey to assess success.	Assistant Chief of Operations

Strategy 2.3: Develop curriculum for training officers on the history of race relations and the police in Portland, and impact on current relations. Pilot training with new officers, then evaluate and condense for all officers.

Why it should impact racial profiling	**Progress to date**	**2009 objectives**	**Person responsible**
Help officers understand the community context in which they will work, to reinforce expectation that services will be fair and respectful.	To be done.	• Identify lead trainer – develop curriculum. • Schedule training in next available in-service.	Training Division Commander

Strategy 2.4: Develop curriculum for training officers on interpersonal relationships and the issue of race. Pilot with new officers, then evaluate and condense for all officers.			
Why it should impact racial profiling	**Progress to date**	**2009 objectives**	**Person responsible**
Training scenarios have been traditionally tactical, yet most police work involves interpersonal communication. Officers do not receive enough training in the issues of race, class, and politics that can affect how they are perceived and their ability to do their jobs respectfully and safely.	Altered the Advanced Academy[15] curriculum in 2008. Without compromising tactical safety training, the curriculum now includes greater emphasis on interpersonal communications in scenario-based training throughout its 12-week length.	• Develop additional training modules on the issue of race. • Review course evaluations.	Training Division Commander and Advanced Academy Sergeant

[15] Advanced Academy supplements the Oregon Public Safety Academy curriculum, and is mandatory for all officers beginning their careers.

Strategy 2.5: Provide customer service training for all officers.

- **2.5.1** – Provide customer service training as it relates to Community Policing.
- **2.5.2** – Re-engineer traffic and pedestrian stops to provide information in a more personable way. Officers will hand out their business cards on stops.
- **2.5.3** – Reduce no-enforcement traffic stops by providing written warnings or uniform traffic citations (UTCs).
- **2.5.4** – Crisis Intervention Team to train all sergeants and officers in patrol branch on working with people in crisis.

Why it should impact racial profiling	**Progress to date**	**2009 objectives**	**Person responsible**
2.5.1 – Police services are best accepted when delivered professionally and with respect. Rude conduct can be received by communities of color as racially biased.	2.5.1 – Training provided to all officers in 2007 and 2008.	2.5.1 • Monitor City of Portland's Biennial Service, Efforts, and Accomplishments (SEA) survey; the Bureau Customer Service survey; and Internal Affairs Division (IAD) complaints involving courtesy. • Create Bureau work group with appointees from the Office of Human Relations to review the customer service curriculum, training progress to date, and recommend next steps.	2.5.1 –Training Division Commander and Office of Human Relations

Strategy 2.5 (continued): Provide customer service training for all officers.

- **2.5.2 -** Re-engineer traffic and pedestrian stops to provide information in a more personable way. Officers will hand out their business cards on stops.
- **2.5.3 –** Reduce no-enforcement stops by providing written warnings or uniform traffic citations (UTCs).

Why it should impact racial profiling	**Progress to date**	**2009 objectives**	**Person responsible**
2.5.2 – Officers may be less likely to stop motorists and pedestrians on the basis of race – or to contribute to the perception that they do this -- if they are expected to introduce themselves and be clear about the reason for the stop. By handing out business cards, officers display accountability and increase community trust.	2.5.2 – The Bureau's entire patrol force of officers and sergeants was trained in 2007.	2.5.2 • Evaluate impact on patrol performance. Survey sample set of officers to see if they are using the training • Analyze Internal Affairs Division data to see if complaints about officer courtesy have dropped. • Issue a directive to officers to provide a business card on stops.	2.5.2 – Police Chief, Training Division Commander
2.5.3 – Stops that do not result in action by the officer can feel like harassment, especially to people of color. Requiring officers to provide written documentation of the reason for the stop by means of a citation or written warning will address the perception.	2.5.3 – Written warnings and UTCs were discussed by the Racial Profiling Committee. The Committee did not come to consensus on how to proceed.	2.5.3 – • Issue a directive to officers to provide written warnings and UTCs when making a stop. • Evaluate stop data to assure that citations do not unintentionally increase. • Reduce number of no-enforcement stops.	2.5.3 – Police Chief, Director of the Office of Accountability and Professional Standards (OAPS), and Captain of Strategic Services

Strategy 2.5 (continued): Provide customer service training for all officers.

- **2.5.4** – Crisis Intervention Team to train all sergeants and officers in patrol branch on working with people in crisis.

Why it should impact racial profiling	Progress to date	2009 objectives	Person responsible
2.5.4 – Police services are best accepted when delivered professionally and with respect. Rude conduct can be received by communities of color as racially biased.	2.5.4 – Patrol branch trained by December 2008.	2.5.4 • Provide training as planned for new recruits and officers transferring in to patrol branch.	2.5.4 – Training Division Commander

Strategy 2.6: Review curricula that teach case law on "mere conversation"[16] to ensure that they do not encourage patrol officers to use "mere conversation" to request consent to search indiscriminately. The goal is to frame the training to balance explanations of what is legal with potential community impact if the technique is over-applied.

Why it should impact racial profiling	Progress to date	2009 objectives	Person responsible
Academy training in case law on search and seizures may inadvertently encourage officers to use "mere conversation" to search individuals without consideration for how the work may be perceived, especially by communities of color.	Initial audit of training completed in 2008.	• Audit training by March 2009 to ensure the message is framed correctly.	Assistant Chief of Services, Sergeant in charge of Advanced Academy training

[16] "Mere conversation" is a legal term used to describe one of a range of interventions that officers can employ when they suspect individuals of criminal activity, depending upon their level of proof. These interventions include arrest, making a stop, and "mere conversation" – arrest requires the most proof of criminal activity, and "mere conversation" none. When officers arrest someone, they have the legal authority to search that person. When officers make a "stop," they have the legal authority to detain the person stopped and make limited inquiries. When they engage in "mere conversation," they have no legal authority to detain the individual and must obtain consent in order to search him or her. When engaged by an officer in "mere conversation," the individual has the right to say no to a search.

Strategy 2.7: Reduce the number of searches performed, but increase the "hit rate" for finding weapons and/or contraband, by learning from officers with higher hit rates.			
Why it should impact racial profiling	**2009 objectives**	**Progress to date**	**Person responsible**
Improve community trust that officers are carrying out their duties impartially by reducing the number of searches that feel gratuitous because no weapons or contraband are found.	• By July 2009, identify officers with high success rates and learn from how they identify indicators of criminal behavior.	Leads for the work within the Bureau have been identified. They met with members of the Racial Profiling Committee in September 2008.	Asst. Chief of Investigations and committee of Bureau members and community members

Strategy 3. Reach Out to the Community to Build Mutual Trust and Understanding

Goal: Improved mutual trust and communication between police officers and communities of color affected by racial profiling.

Strategy 3.1: Identify liaison officer(s) for key persons and groups within minority communities.

Why it should impact racial profiling	Progress to date	2009 objectives	Person responsible
Bureau officers' relationship with the community is largely framed by 911 calls. If officers develop relationships with the community in situations not loaded with tension, it may reduce cynicism and stereotyping on both sides and make interactions with the community safer and mutually respectful.	In 2008, worked to provide liaison officers for community groups upon request. Now working with Native American Youth Association (NAYA), Immigrant and Refugee Community Organization, (IRCO), and Self-Enhancement, Inc. (SEI).	• Reach out to 10 new community groups for match with liaison officer.	Assistant Chief of Operations and Precinct Commanders

Strategy 3.2: Provide opportunities for officers to gain in-depth knowledge of the communities they serve.

- **3.2.1 –** Request mentors from the community for individuals within the Police Bureau, to broaden their knowledge of the community beyond 911 calls and improve their ability to work effectively within the community.
- **3.2.2 –** Place newly-hired officers awaiting training slots at the Police Academy in a one-week community immersion program with community agencies to learn their mission, develop relationships, and see how police are viewed by others.

Why it should impact racial profiling	**Progress to date**	**2009 objectives**	**Person responsible**
Bureau officers' relationship with the community is largely framed by 911 calls. If officers develop relationships with the community in situations not loaded with tension, it may reduce cynicism and stereotyping on both sides and make interactions with the community safer and mutually respectful. The goal is to have mentors educate officers on community strengths, challenges, and how officers are perceived.	3.2.1 – Progress halted due to community feedback that this strategy would be perceived as a request for "snitches."	3.2.1 – N/A	3.2.1 – N/A
	3.2.2 – Discussions with city and county partner agencies have been initiated.	3.2.2 • Survey participating officers and organizations at six months and one year to assess effectiveness.	3.2.2 – Training Division Commander

Strategy 3.3: Schedule officer time to meet with community members for discussion and relationship-building.

- **3.3.1 –** Identify the best vehicles for peace-building with minority communities.
- **3.3.2** – Schedule officers to interact with youth outside of calls for service and enforcement activities.

Why it should impact racial profiling	**Progress to date**	**2009 objectives**	**Person responsible**
Bureau officers' relationship with the community is largely framed by 911 calls. If officers develop relationships with the community in situations not loaded with tension, it may reduce cynicism and stereotyping on both sides and make interactions with the community safer and mutually respectful.	3.3.1 – In 2008, PPB officers held a youth forum at Africa House at the request of the Immigrant and Refugee Community Organization, (IRCO); a community dinner at the Blazers' Boys and Girls' Club; "living room conversations" with members of the Latino community; and visits to mosques by precinct officers and sworn officers who sat on the Racial Profiling Committee.	3.3.1 • Work with the City Office of Human Relations and the Human Rights Commission to format and produce events. Appropriate forums will vary by community. • Obtain feedback from participants to help assess effectiveness.	3.3.1 – Assistant Chief of Operations
	3.3.2 – In 2007-2008, the Bureau scheduled officers to do drop-ins and attend events at Self-Enhancement Inc. (SEI) and Boys and Girls Clubs; also held youth forums in alternative and public schools throughout the city to educate youth about how to avoid escalation when in contact with police, and to address common questions about police work.	3.3.2 • Continue to program officer time for drop-ins and attending youth events. • Hold 10-15 annual youth forums. • Obtain feedback from officers, youth, and community.	3.3.2 – Assistant Chief of Operations and Precinct Commanders

Strategy 4. Collect and Analyze the Right Data on Police Stops

Goal: Collect the right data on police stops to aid efforts to address racial profiling by obtaining an accurate picture of the current situation, progress being made, and to drive policy change as needed.

Strategy 4.1: Analyze stop data on a regular basis and identify better data to collect for analysis.

Why it should impact racial profiling	Progress to date	2009 objectives	Person responsible
Improving the Bureau's data collection efforts and analyzing and reporting its data helps keep the Bureau accountable to the community and builds trust.	The Office of Accountability and Professional Standards (OAPS) produces the Bureau's annual reports on stop data and has advised the Chief on refinements to information gathered by officers in its Contact Data Collection (CDC) system.	• Publish annual report on stops. • Perform additional data analysis as needed. • Work with the state's Law Enforcement Contact Data Committee to identify better data and methods of analysis.	Director, Office of Accountability and Professional Standards

Strategy 4.2: Collect more specific traffic stop data to allow improved analysis and determine where disparities are occurring in order to drive policy change. In particular:

- **4.2.1**: Collect stop data by individual officer to identify possible patterns of individual bias (if data can be protected from public release).
  - **4.2.1a:** Draft language for legislation that would exempt Contact Data Collection (CDC) system data from public records laws to aid the analysis of traffic stop data at the level of individual officers.
  - **4.2.1b:** Develop a coalition to sponsor and advocate for the draft legislation exempting traffic stop data from public records law.
- **4.2.2:** Capture police officers' pre-stop perception of the race of the individuals they stop when they enter information on the Contact Data Collection (CDC) screen.
- **4.2.3:** Collect data on "consent" searches and "probable cause" searches separately.

Why it should impact racial profiling	Progress to date	2009 objectives	Person responsible
Drilling down to the officer level would provide a better basis for analysis, particularly if individual bias is affecting officer decision-making.	4.2.1– Plans to address this issue have hit a roadblock. See 4.2.1a and 4.2.1b, below. Because information collected for analysis from the Bureau's Contact Data Collection (CDC) system is a matter of public record, the names of all individual officers in the stop data would be available to the media. This would potentially invade their privacy, make them targets, and eliminate officers' support for the effort (especially if they could be scapegoated).	4.2.1 – On hold. But see 4.2.1b, below.	4.2.1 – N/A.
	4.2.1a – On hold. See 4.2.1b, below.	4.2.1a – On hold. See 4.2.1b, below.	4.2.1a – N/A
	4.2.1b – Some organizations, including the ACLU and the Portland Police Association, have been approached about possible support for legislation. Additional supporters are being sought.	4.2.1b • Build coalition to sponsor and advocate for the draft legislation.	4.2.1b – Chief

Strategy 4.2 (continued): Collect more specific traffic stop data to allow improved analysis and determine where disparities are occurring in order to drive policy change. In particular:

- **4.2.2:** Capture police officers' pre-stop perception of the race of the individuals they stop when they enter information on the Contact Data Collection (CDC) screen.
- **4.2.3:** Collect data on "consent" searches and "probable cause" searches separately.[17]

Why it should impact racial profiling	Progress to date	2009 objectives	Person responsible
4.2.2 – Collecting data on how officers perceive the race of individuals they choose to stop would make it possible to identify whether individual officers are profiling citizens based on race and if so, would make intervention by supervisors possible.	4.2.2 – On hold. The City is implementing a new, computer-aided dispatch (CAD) system, of which the CDC screen is a part. It should be implemented in 2010-2011. While the changeover is in progress, a moratorium has been placed on changes to the CAD system.	4.2.2 • Identify changes to CDC screen needed to capture pre-stop perceptions of race; prioritize, and prepare to implement in advance of implementation of CAD. (May not occur in 2009. Timeline depends on when new CAD system is adopted [anticipated 2009-2010]).	4.2.2 – Director, Office of Accountability & Professional Standards (OAPS); Captain of Strategic Services
4.2.3 – Improve capacity to analyze data to determine where racial bias may be at work. A greater level of detail looking at data will point to decision-points that could be unfairly impacted by racial bias.	4.2.3 – Discussed recommendations for some changes to Contact Data Collection (CDC) screen at the Racial Profiling Committee.	4.2.3 • Identify necessary changes to CDC screen and prioritize. Deadline will depend on timeline to adopt new CAD system (see 4.2.2).	4.2.3 – Captain of Strategic Services; Director, Office of Accounta-bility & Professional Standards (OAPS)

[17] When officers arrest an individual, they have the legal authority to search him or her without his/her consent. Without an arrest or probable cause along with exigency, officers who wish to search an individual must request consent for the search – so-called "consent" searches – but that person may refuse.