

## INTRADEPARTMENTAL CORRESPONDENCE

September 14, 2021  
1.13

**TO:** Chief of Staff

**FROM:** Assistant Commanding Officer, Professional Standards Bureau

**SUBJECT:** SUMMARY OF BIASED POLICING DATA FOR BOARD OF POLICE COMMISSIONERS

Professional Standards Bureau (PSB) has prepared the following statistics for your transmittal to the Board of Police Commissioners.

### COMPLAINT TRENDS

Statistical analysis of Biased Policing (BP) Complaints for the first 6 months of this year compared to 2019 and 2020:

- New complaints of all types are about the same as they were midway through both 2019 and 2020. [Table 1]
  - (2021: 1,874 by July 1st or 312 avg/mo, 2020: 3,671 or 305 avg, 2019: 3,741 or 311 avg)
  - (Past 7 yrs range of a low in 2017: 3,189 266/mo to a high in 2014: 3,773 or 314/mo).
- However, new Biased Policing complaints are UP. [Table 1a]
  - [(2021 closed CFs: 2021 (14), 2020 (244), 2019 (114), 2018 (1), 2016 (1)=374)]
  - [(2019 CFs closed from 2019-2021 (538 or 45/mo)]
  - From Jan to Jun, we have received 342 new BP complaints.
  - That's an average of 57 new BP complaints per month compared to an average of 35 per month for 2019 and 2020.
  - This increase is likely due to an increase in concerns about Law Enforcement actions nationwide.
  - It is also due in part to some social media publishers who make BP complaints after either observing the police interaction in-person or by watching a video of a police encounter on social media.
  - One social media publisher alone has made 55 new complaints so far this year.

### ADJUDICATION

- From Jan to June, we completed and closed 374 BP investigations:  
(764 allegations vs 394 BP Complaints with 720 allegations in 2020) [Table 2]
  - 82% were Unfounded [590 vs 76% for 2020 (580)]
  - 9% Mediated [61 vs 11% for 2020 (80)]
  - 4% Demonstrably False [30 vs 7% for 2020 (54)]
  - 4% Insufficient Evidence to Adjudicate [25 vs 3% for 2020 (20)]
  - And none were SUSTAINED (also none in 2020)

- The difficulty with Biased Policing investigations is that when Biased Policing does occur, it is likely to be hidden in the accused officer's beliefs rather than being an overt act. Although we have not sustained any BP Allegations, it's important to understand that with each Biased Policing complaint, there are additional associated BP allegations for actions which are overt, and some of those associated BP allegations have been sustained.
- Some of these associated BP allegations were made by the public and some were added by the investigator.
- In the first half of this year, in addition to the 720 BP allegations, there have been an additional 974 associated BP allegations of which 29 were SUSTAINED (vs 35 in 2020) and 36 Actions Could Have Been Different (ACHBD) (vs 48 in 2020) [Table 4]
  - 207 of these associated allegations involved Neglect of Duty: (vs 230 in 2020)
    - 14 SUSTAINED (vs 25) and 17 ACHBD (vs 31) [Tables 3-5]
  - Discourtesy: 160 allegations (vs 212 in 2020)
    - 9 SUSTAINED (vs 1) and 3 ACHBD (vs 11)
  - Unbecoming Conduct: 227 allegations (vs 149 in 2020)
    - 3 ACHBD (vs 1)
  - Unauthorized Force: 158 allegations (vs 162 for 2020)
    - 1 SUSTAINED (vs 0 in 2020)
  - BWV Violations: 15 allegations (vs 11)
    - 4 SUSTAINED (vs 3) and 6 ACHBD (vs 5)
  - Detention Violations: 74 (vs 82), None SUSTAINED (vs 0)
  - Search Violations: 69 (vs 58), None SUSTAINED (vs 1 SUSTAINED).

#### NON-SUSTAINED ADJUDICATIONS (of the 974 Associated Allegations) [Table 4]

- UNFOUNDED: 670 (vs 616 in 2020)
- NO MISCONDUCT: 38 (vs 55)
- IETA: 50 (vs 37)
- EXONERATED: 22 (vs 12)
- DEMONSTRABLY FALSE: 121 (vs 140)
- NOT RESOLVED: 5 (vs 6).

#### ANALYSIS OF BP COMPLAINTS [Table 9]

What type of initial police contact is involved in most BP complaints?

- 64% are a result of officer-initiated activities (237 vs 273 in 2020...down 13%)
  - 50% from a Traffic Stop (185 vs 199 in 2020)
  - 14% from a Pedestrian Stop (52 vs 74)
- 24% from a Radio Call (90 vs 75)
- 12% from some other Police Contact (47 vs 46) {Citizen Flag Down, Private Person's Arrest, etc}.

What type of police action is involved in most BP complaints? [Table 11]

- 61% alleged the biased action was the initial detention (227 vs 251 in 2020)
- 9% alleged the officer was Discourteous (32 vs 38)
- 6% alleged a biased arrest (24 vs 36)
- Refused Police Services: 6% (24 vs 26)
- Searched: 1% (2 vs 0)
- Objectionable Remark: 1% (4 vs 3)
- Handcuffed: 1% (4 vs 9)

- Impounded Vehicle: 1% (4 vs 2)
- Some Other Police Action: 14% (53 vs 27).

Who initiates most of the BP complaints? [Table 12]

- 94% have been initiated by the offended person (351 vs 367 in 2020)
- 5% by an uninvolved 3rd Party (19 vs 19).

What type of Bias is alleged? [Table 10]

- 92% alleged bias based on Race [342 vs 93% (367 in 2020)]
- 2% based on Gender [same as 2020, 8 vs 2% (10)]
- Less than 6% for all other protected classes combined.  
(Age: 1, Physical Disability: 1, Mental Disability: 1, Religion: 2, Sexual Orientation: 3, Language-English: 3, Homeless: 3)

How many BP complaints were Adjudicated in-part based on BWV or DICV? [Table 8]

- 90% [(338 vs 80% in 2020 (315))
  - 77% by BWV (289 vs 261 in 2020)
  - 13% by DICV (49 vs 54 in 2020).

ANALYSIS OF BP COMPLAINANTS AND ACCUSED [Table 7]

What was the Gender and Race breakdown of the BP Complainants?

- 67% were Black
  - 52% Black males, 15% Black females
- 20% were Hispanic
  - 13% Hispanic males, 7% Hispanic females
- 4% were White
  - 2% White males, 2% White females.

What was the Gender and Race breakdown of the officers accused of Biased Policing? [Table 6a]

- 50% were Hispanic officers (51% of Department personnel)
  - 43% Hispanic males (41% of Dept), 7% Hispanic females (11% of Dept)
- 26% were White officers (29% of Dept)
  - 23% White males (24% of Dept), 3% White females (5% of Dept)
- 10% were male Asian officers (9% of Dept), none were Asian females (1% of Dept).
- 6% were male Black officers (8% of Dept), none were female Black officers (2% of Dept).
- Each of these race breakdowns are within 3 percentage points of the Department's racial breakdown.

Are the officers accused of Biased Policing veteran officers or the newer officers? [Table 6b]

- Our newer officers account for a higher percentage of BP complaints.
- 26% of our patrol officers have less than 4 years of service, but they account for 37% of BP complaints.
- 18%: 5-9 years
- 20%: 10-14 years
- 8%: 15-19 years
- 11%: 20+ years

#### ANALYSIS OF IA INVESTIGATORS [Table 16]

What is the Gender and Race breakdown of the Internal Affairs Investigators?

- 45% are Hispanic Investigators
  - 32% Hispanic males, 13% Hispanic females
- 35% are White
  - 24% White males, 11% White females
- 13% are Black
  - 8% Black males, 5% Black females, including the Commanding Officer of Internal Affairs who is a Black female.
- 7% are Asian males, including the Assistant Commanding Officer of Internal Affairs who is an Asian male.

#### LEVEL OF COOPERATION [Table 13]

Do BP Complainants cooperate with the investigation?

- 84% were cooperative (313 vs 318 in 2020)
- 13% could not be found or did not respond (47 vs 49 in 2020)
- 8% refused to cooperate (14 vs 27 in 2020)

#### MEDIATION [Table 15]

- Mediation...Not all BP complaints are eligible for Mediation.
- In the first half of the year, 53 or 14% have been eligible for Mediation. (vs 61 in 2020)
- That rate of eligibility is UP 56% compared to the last two years. (25/month vs 16/month)
- What this means is that less of the new BP complaints are related to arrests, unauthorized force, ethnic remarks, or other serious misconduct.
- BP complaints are not eligible for mediation if:
  - The complaint has an associated allegation of Unauthorized Force, an Ethnic Remark, if the CP was arrested, the incident involves a Lawsuit, a person was injured, property was damaged, there was a delay in reporting the allegations, or there were allegations of criminal misconduct.
  - The accused employee has two prior similar BP complaints.

Are BP Mediations UP or DOWN? [Table 15]

- In the first half of this year, we have completed 27 BP Mediations, an avg of 4.5 per month.
  - This is DOWN slightly compared to 2020 when our average was 6 per month
  - But it is the same as our average per month for 2019.

For BP complaints that were eligible for BP Mediation, how many involved officers and complainants declined to participate? [Table 15]

- Almost half, 47% (25 of 53) of the BP Complainants offered Mediation declined to participate.
  - This is a significant decrease in participation compared to only 20% (12) declining for all of 2020.
- 28% (21 of 74) of the accused officers offered Mediation declined to participate.
  - This is also a significant decrease in participation by officers compared to only 14% (23) declining for all of 2020.

Chief of Staff

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For any questions please contact me at (213) 996-2986.

A handwritten signature in blue ink, appearing to read "Timothy T. Nordquist", with a long horizontal flourish extending to the right.

TIMOTHY T. NORDQUIST, Commander  
Assistant Commanding Officer  
Professional Standards Bureau

Attachment