



RACIAL/BIAS BASED POLICING REPORT

2016

This report complies with Beaverton Police Department Policy 401 regarding racial- or bias-based profiling and provides an overview including public concerns and formal complaints to the Department. This report does not contain any identifying information regarding any specific complaint, citizen or officer. It is reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

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Introduction

The Beaverton Police Department recognizes the importance of maintaining strong ties with all segments of our community. According to the IACP National Policy Summit on Community-Police Relations: Advancing a Culture of Cohesion and Community Trust report published in January 2015, "Strong communication is critical to building relationships with the community. Transparency in all areas is key. Open, accessible reporting of statistics, arrest information, and any other law enforcement data is expected, even when the information provided does not paint the best picture. Internally, education and training should consistently promote community inclusion at all levels and ranks. Open communication tells the community that there is nothing to hide." The completion of this report is one effort to ensure open and transparent communication with our community.

This report will provide statistical data regarding 2016 disparate treatment complaints (2), a summary of 2016 training efforts, 2016 traffic stop data, a copy of the Beaverton Police Department policy which provides guidance on these matters, and other activities the Police Department has been involved in to lower concerns and to help build better relationships with our communities.

The Beaverton Police Department Mission Statement is:

To protect with courage. To serve with compassion. To lead with integrity.

The Beaverton Police Department Vision Statement is:

The Beaverton Police Department will provide a safe city, serving citizens with compassion and respect. We are fully invested in leading our profession with integrity, building and retaining a highly trained, well equipped, progressive, motivated and cohesive team. We will strive to be recognized and respected as a leading agency in the law enforcement community.

The Beaverton Police Department Core Values are:

Altruism — We will continue our deliberate pursuit of unselfish and compassionate concern for the welfare of others.

Courage — We will have the strength to respond to situations when it is difficult or risky.

Integrity — Our actions will be moral, ethical, legal and consistent.

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2016 Complaint Summary

The Beaverton Police Department serviced over 77,000 calls for service (both self-initiated and dispatched) in 2016. The Beaverton Police Department conducted 44 professional standards investigations in 2016, including two formal complaints specifically categorized as Disparate Treatment:

2016 DISPARATE TREATMENT COMPLAINTS

INTERNAL AFFAIRS TRACKING NUMBER	ASSOCIATED CASE	DISPOSITION
2016-IA-003	15-3530085	Unfounded
2016-CC-006	16-530958	Unfounded

Beaverton Police Department Policy 1010 addresses complaint procedures and disposition of complaints:

- 1010.4.1 ACCEPTANCE OF COMPLAINTS
 - A complaint may be filed in person, in writing, or by telephoning the Department. Although it is not required, every effort should be made to have the complainant appear in person. The following should be considered before taking a complaint:
 - (a) Complaints shall not be prepared unless the alleged misconduct or job performance is of a nature which, if true, would normally result in disciplinary action.
 - (b) A complaint need not be taken when the complainant is satisfied with the explanation, given by an uninvolved supervisor or the division manager, of the department policy or the procedures governing the incident and agrees that no further action is required.
 - (c) When the complainant appears to be under the influence of alcohol or drugs to the point where his/her credibility appears to be unreliable, identifying information should be obtained and the person should be encouraged to file their complaint at a later date.
 - (d) Depending on the urgency and seriousness of the allegations involved, complaints from juveniles should generally be taken only with the juvenile's parents or guardians present and after the parents or guardians have been informed of the circumstances prompting the complaint.

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- 1010.6.6 DISPOSITIONS (OF PERSONNEL COMPLAINTS)
 - Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.
 - Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.
 - Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.
 - Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.
 - Policy issue - When everything in the complaint is determined to be accurate, including the member's actions, but the issue appears to require a modification of policy the finding for the member should be exonerated. The need for potential policy modification shall be immediately directed to the Chief of Police for action.
 - If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

Most complaints are typically resolved at the supervisory level in an informal manner through an explanation of police actions or coaching with the involved employee. More serious complaints may be investigated by personnel from the department's Professional Standards Division or assigned to supervisory personnel. In all cases, complainants should be contacted with the resolution of the complaint. Specific personnel actions are confidential matters and generally not publicly disclosed.

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2016 Training Efforts

INITIAL OFFICER TRAINING

All sworn personnel, to include our 5 newly hired officers in 2016, must successfully complete a Field Training Program and the Basic Police Academy prior to passing their employment probation. During the Field Training Program, the following topics are addressed:

- 1.17.2: The officer understands the verbal factors that could contribute to a negative response from the public.
 - Profanity
 - Derogatory language
 - Ethnically offensive terminology
- 1.17.3: The officer understands the non-verbal factors that could contribute to a negative response from the public.
 - Officious and disrespectful attitude
 - Improper use of body language
 - Improper cultural response
 - Other
- 1.17.4: The officer communicates properly with the following, but not limited to, persons:
 - Hostile
 - Drunk
 - Very young
 - Angry
 - Individuals with mental illness
 - Elderly
 - Hysterical
 - Intellectually disabled
 - Ill
 - Racist
 - In shock
 - Depressed
 - Culturally different
 - Recipient of death notification
 - Hearing impaired/deaf
 - Military personnel/veterans
 - Non-English speaking individuals

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During the Department of Public Safety Standards and Training Basic Police Academy, the following courses are included in the curriculum:

- Cultural Diversity and Awareness (4 Hours)
- History of the Law Enforcement Profession (2 hours)
- Ethics and Professionalism I (2 Hours)
- Civil Liability and Civil Rights Violations (4 Hours)
- Ethics and Professionalism II (2 Hours)
- Ethics and Professionalism III (4 Hours)
- Community Policing and Problem Solving 1 (4 Hours)
- Mental Health and Disabilities 1 (4 Hours)
- Mental Health and Disabilities 2 (4 Hours)
- Cultural Awareness and Diversity Scenario 1 (2 Hours)
- Cultural Awareness and Tactical Communications Scenario 2 (4 Hours)
- Mental Health Scenario (4 Hours)
- Mental Health/Veterans (3 Hours)
- Community Policing and Problem Solving 2 (1 Hour)
- Community Policing and Problem Solving 3 (3 hours)
- Ethics and Professionalism IV (2 Hours)

ON-GOING TRAINING

In 2016, Training Bulletin 16-04 was issued to all personnel and covered bias based policing policy. Excerpts from the bulletin includes the following:

PURPOSE AND SCOPE

- This policy provides guidance to department members and establishes appropriate controls to ensure that employees of the Beaverton Police Department do not engage in racial- or bias-based profiling or violate any related laws while serving the community.

POLICY

- The Beaverton Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly and without discrimination toward any individual or group. Race, ethnicity or nationality, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or the enforcement of the law.

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MEMBER RESPONSIBILITY

- Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any known instances of racial- or bias-based profiling to a supervisor.

FUTURE TRAINING AND ACTIONS

- A Training Bulletin regarding bias-based policing will be issued to all personnel in 2017.
- The Department is working with the City of Beaverton Diversity, Equity and Inclusion coordinator to continue to improve training efforts to officers in these areas.
- The Department will continue to hold the monthly Chief's Breakfast with diverse communities.
- The Department will continue to collect traffic stop data regarding race and gender to look at stop data patterns.
- The Department will continue to maintain a citizen complaint process to ensure accessibility to the complaint process.
- The Department is implementing the use of body worn cameras as a tool to increase transparency of its public interactions/contacts and cameras should be assigned to officers during the summer of 2017.
- The Department participated in several cultural events throughout 2016 to increase public interactions – Beaverton Bold training, Seminars and Forums at the MET (Muslim Education Trust) in Tigard, and several others community awareness events.

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2016 Traffic Stop Data

Beaverton Police Department policy requires that each time an officer makes a traffic stop, the officer shall report:

- (a) The reason for the stop or other contact.
- (b) The officer's perception of the race, color or national origin of the individual involved in the contact.
- (c) The individual's gender.
- (d) The individual's age (adult/juvenile).
- (e) Whether a search was conducted in connection with the contact, and, if so, what resulted from the search.
- (f) The disposition of the enforcement action, if any, resulting from the contact.
- (g) Additional data as recommended by the Law Enforcement Contacts Policy and Data Review.

Although data is often compared to census data for the City of Beaverton, the demographics of the motoring public is arguably different than the residential demographics of the City of Beaverton. The City of Beaverton estimates the daytime population of the City is about 125,000 people compared to Beaverton's 2016 estimated population of 95,385.

2016 and 2015 traffic stop data is included on the following pages:

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Preliminary BEAVERTON Traffic Stop Data 1/1/2016 - 12/31/2016

2016 TRAFFIC STOP SUMMARY TABLE	Asian	Black	Hispanic	NativeAm	Other	White	Total
Proportion of population from American Community Survey 2010 - 2014 (5-year survey estimate)	12.6%	5.8%	15.8%	0.5%	0.1%	65.2%	100.0%
Number of stops ⁽²⁾	1,134	1,056	2,673	0	440	10,441	15,744
Number of searches (excluding incident to arrest/inventory searches) ⁽³⁾	6	13	30	0	2	146	197
Search with contraband found	1	3	4	0	0	46	54
Search with contraband found with no enforcement	0	2	0	0	0	12	14
Percent of all stops	7%	7%	17%	0%	3%	66%	100%
Percent searched ("odds of a search")	1%	1%	1%	0%	0%	1%	1%
Percent of searches where contraband found	17%	23%	13%	0%	0%	32%	27%
Percent of searches with no enforcement	0%	67%	0%	0%	0%	26%	26%
Warnings	711	625	1,629	0	243	5,745	8,953
Citations	408	388	970	0	194	4,433	6,393
Custodies	12	24	52	0	0	154	242
Total	1,134	1,056	2,673	0	440	10,441	15,744
Ratio of Warnings to Cites	1.7	1.6	1.7	0.0	1.3	1.3	1.4
Warnings: percent of stops	63%	59%	61%	0%	55%	55%	57%
Citations: percent of stops	36%	37%	36%	0%	44%	42%	41%
Custodies: percent of stops	1%	2%	2%	0%	0%	1%	2%
¹ Estimates derived from the American Community Survey Public Use Microdata Samples for the years 2010 through 2014: Asian includes Native Hawaiians and Pacific Islanders, Black includes Black as a single race and Black and any other race together, Hispanic includes all Hispanics of any race, Native American includes Alaska Natives, Other includes other mixed races, and White includes only Non-Hispanic Whites. Note that these categories may differ from an officer's perception of race recorded at the time of the stop, as well as the race or ethnicity assigned during the booking process following a custody arrest.							
² Excludes 342 stops where race was not recorded or could not be determined from other data.							
³ Excludes 917 stops where search results were not recorded.							

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Preliminary BEAVERTON Traffic Stop Data 4/1/2015 - 12/31/2015

(Data was only pulled during this time frame due to the RegJIN conversion)

2015 TRAFFIC STOP SUMMARY TABLE	Asian	Black	Hispanic	NativeAm	Other	White	Total
Proportion of population from American Community Survey - 2013 (Beaverton Area population 16 years old and over) 2011	12%	3%	12%	0%	2%	71%	100%
Number of stops ⁽²⁾	832	821	2,047	10	475	8,679	12,864
Number of searches (excluding incident to arrest/inventory searches) ⁽³⁾	4	22	56	0	0	170	252
Search with contraband found	3	10	19	0	0	62	94
Search with contraband found with no enforcement	1	3	4	0	0	9	17
Percent of all stops	6%	6%	16%	0%	4%	67%	100%
Percent searched ("odds of a search")	0%	3%	3%	0%	0%	2%	2%
Percent of searches where contraband found	75%	45%	34%	0%	0%	36%	37%
Percent of searches with no enforcement	33%	30%	21%	0%	0%	15%	18%
Warnings	519	472	1,227	10	258	4,886	7,372
Citations	306	301	735	0	213	3,534	5,089
Custodies	4	31	66	0	1	183	285
Total	832	821	2,047	10	475	8,679	12,864
Ratio of Warnings to Cites	1.7	1.6	1.7	0.0	1.2	1.4	1.4
Warnings: percent of stops	62%	57%	60%	100%	54%	56%	57%
Citations: percent of stops	37%	37%	36%	0%	45%	41%	40%
Custodies: percent of stops	0%	4%	3%	0%	0%	2%	2%
¹ Estimates derived from the American Community Survey Public Use Microdata Samples for the years 2011 through 2013: Asian includes Native Hawaiians and Pacific Islanders, Black includes Black as a single race and Black and any other race together, Hispanic includes all Hispanics of any race, Native American includes Alaska Natives, Other includes other mixed races, and White includes only Non-Hispanic Whites. Note that these categories may differ from an officer's perception of race recorded at the time of the stop, as well as the race or ethnicity assigned during the booking process following a custody arrest.							
² Excludes 1,638 stops where race was not recorded or could not be determined from other data.							
³ Excludes 672 stops where search results were not recorded.							

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APPENDIX A: BPD Policy 401 – Racial/Bias-Based Policing

Racial or Bias-Based Profiling

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members and establishes appropriate controls to ensure that members of the Beaverton Police Department do not engage in racial or bias-based profiling or violate any related laws while serving the community (ORS 131.920).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Racial or bias-based profiling - An inappropriate reliance on factors such as race, ethnicity, color, national origin, language, religion, sex, sexual orientation, gender, gender identity, economic status, homelessness, age, cultural group, disability political affiliation or affiliation with any other similar identifiable group as a factor in deciding whether to take law enforcement action or to provide service (ORS 131.915).

401.2 POLICY

The Beaverton Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly and without discrimination toward any individual or group.

Race, color, ethnicity or nationality, religion, sex, sexual orientation, gender, gender identity, economic status, homelessness, age, cultural group, disability, political affiliation or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or the enforcement of the law.

401.3 RACIAL OR BIAS-BASED PROFILING PROHIBITED

Racial or bias-based profiling is strictly prohibited. However, nothing in this policy is intended to prohibit an officer from considering factors such as race or ethnicity in combination with other legitimate factors to establish reasonable suspicion or probable cause (e.g., suspect description is limited to a specific race or group).

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401.4 MEMBER RESPONSIBILITY

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any known instances of racial or bias-based profiling to a supervisor.

401.4.1 REASON FOR DETENTION

Officers detaining a person shall be prepared to articulate sufficient reasonable suspicion to justify a detention, independent of the individual's membership in a protected class.

To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved officer should include those facts giving rise to the officer's reasonable suspicion or probable cause for the detention, as applicable.

Nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.4.2 REPORTING TRAFFIC STOPS

Each time an officer makes a traffic stop, the officer shall report (ORS 131.906):

- (a) The reason for the stop or other contact.
- (b) The officer's perception of the race, color or national origin of the individual involved in the contact.
- (c) The individual's gender.
- (d) Whether the individual is an adult or juvenile.
- (e) Whether a search was conducted in connection with the contact, and, if so, what resulted from the search.
- (f) The disposition of the enforcement action, if any, resulting from the contact.
- (g) Additional data as recommended by the Law Enforcement Contacts Policy and Data Review Committee (LECC).

401.5 SUPERVISOR RESPONSIBILITY

Supervisors shall monitor those individuals under their command for any behavior that may conflict with the purpose of this policy and shall handle any alleged or observed violation of this policy in accordance with the Personnel Complaints Policy.

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- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
- (b) Supervisors should periodically review available resources used to document contact between officers and the public to ensure compliance with this policy.
 - 1. Supervisors should document these periodic reviews.
 - 2. Recordings that capture a potential instance of racial- or bias-based profiling should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should ensure that no retaliatory action is taken against any member of this department who discloses information concerning racial- or bias-based profiling.

401.6 STATE REPORTING

Professional Standards shall provide LECC (ORS 131.925):

- (a) Copies of profiling complaints that were made within 180 days of the alleged incident.
- (b) The final disposition of the profiling complaint.

401.7 ADMINISTRATION

Each year, the Administrative Bureau Captain shall review the efforts of the Department to prevent racial- or bias-based profiling and submit an overview, including public concerns and complaints to the Chief of Police. This report should not contain any identifying information regarding any specific complaint, citizen or officers. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors shall review the annual report and discuss the results with those they are assigned to supervise.

401.8 TRAINING

Training on racial- or bias-based profiling and review of this policy shall be conducted as directed by the Training Sergeant. In-service training shall be conducted annually on this policy.