

Gus J. Solomon Inn of Court

FEBRUARY 17, 2015

Rock 'N' Roll: "Portland has a Hip-Hop Problem"*

*Thor Benson, Noisey.com <http://noisey.vice.com/blog/portland-has-a-hip-hop-problem>)

With a little googling one discovers a number of incidents suggesting that there are racist undertones associated with how city and state agencies deal with Portland's Hip-Hop clubs.

How does Portland's Hip-Hop problem fit in with the larger race issues in Oregon and the United States? These questions will be contemplated in February's CLE.

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I. PUTTING THE ISSUE IN CONTEXT

- A. A brief historical perspective.
- B. A glance into the stats regarding disparate arrest rates for African Americans. (How does Portland compare to Ferguson?)

Written Materials Attached:

- 1. Power-point slides
- 2. PPB Stops Data Collection, 2/13/14
- 3. PSU Report: Public Contact With & Perceptions Regarding Police in Portland Oregon

Links to articles and bills referenced/related to presentation:

“Racial Gap In U.S. Arrest Rates: ‘Staggering Disparity,’” Brad Heath, *U.S.A. Today* (November 19, 2014) <http://www.usatoday.com/story/news/nation/2014/11/18/ferguson-black-arrest-rates/19043207/>

Tool referenced in *U.S.A. Today* article:
<http://www.gannett-cdn.com/experiments/usatoday/2014/11/arrests-interactive/>

Articles of general interest:

http://www.oregonlive.com/data/2014/12/charting_the_racial_breakdown.html

<http://www.washingtonpost.com/news/the-watch/wp/2014/09/03/how-st-louis-county-missouri-profits-from-poverty>

Articles on why there aren’t more black people in Oregon:

<http://walidah.com/node/125>

http://walidah.com/files/hidden%20history%20section%20skin%20OR%20humanities%20magazine_0.pdf

II. OREGON (AND MULTNOMAH COUNTY'S) GRAND JURY PROCESS

- Given the attention the grand jury process has had in (seemingly) race-related arrests across the country, we thought it important that Inn members understand Oregon's process.

Written Materials Attached:

1. Power-point slides
2. Multnomah County District Attorney's Policy Handbook – Excerpt on Grand Jury Proceedings
3. Flyer on reforming Oregon law to record grand jury proceedings
4. Chart outlining grand jury laws in the 13 western United States

Links to articles and bills referenced/used in presentation:

<http://www.invw.org/article/grand-jury-reform-propell-1490>

<http://www.invw.org/article/map-grand-juries-recording-1492>

<http://www.statesmanjournal.com/story/news/2015/01/08/lawmaker-pushes-transparency-grand-jury-hearings/21456899/>

<http://registerguard.com/rg/opinion/32649911-78/oregon-law-falls-short-on-grand-jury-records.html.csp#>

<https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/HB2699/Introduced>

<https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/HB2701/Introduced>

<https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/HB2702/Introduced>

III. PORTLAND HAS A HIP-HOP PROBLEM

■ Guest speaker: **MIC CRENSHAW**

Mic Crenshaw is an independent Hip Hop artist, social justice activist and educator who combines his skills and passions into what is called Cultural Activism.

Crenshaw was a co-founder of Anti Racist Action in the late 80's and has toured Africa with the Afrikan Hip-hop Caravan as an artist and the Lead Organizer from the U.S.

Mic is the Station Co-Manager for KBOO Community Radio in Portland Oregon, the Political Director for Hip Hop Congress and co-founder of Global Fam and organization that partnered with Education Without Borders to establish a computer center in Burundi Central Africa.

- hiphopcaravan.net
- miccrenshaw.com
- globalfam.org

Written Materials Attached:

1. IPR Policy Review: PPB Policies and Practices Related to Hip-Hop Events

Links to articles and bills referenced/used in presentation:

Independent (Portland) Police Review of PPB Policies and Practices Related to Hip-Hop Events. <http://www.portlandonline.com/Auditor/Index.cfm?c=26646>

Summary articles on the Report:

http://www.oregonlive.com/portland/index.ssf/2014/12/independent_police_reviews_rep.html

http://www.oregonlive.com/portland/index.ssf/2014/12/independent_police_review_rele.html

Additional Articles on Hip-Hop:

<http://www.opb.org/radio/programs/thinkoutloud/segment/are-hip-hop-shows-targeted-by-portland-police/>

<http://www.lawyersgunsmoneyblog.com/2014/12/will-people>

Oregon: A History of Racism¹

¹The chronology in this section of the presentation is drawn from Breaking Chains: Slavery on Trial in the Oregon Territory by R. Gregory Nokes.

Oregon Country

(1787-1848)

- **July 5, 1843** – The Oregon Country's provisional government meets and adopts the Organic Laws of Oregon, which include a slavery ban.
- **June 26, 1844** – A new legislative committee meets and enacts two racist laws:
 - One creates a three-year grace period for slaveholders to free their slaves after bringing them to Oregon.
 - The other prohibits all blacks from Oregon Country. It gives “any free Negro or mulatto” men over age eighteen two years to leave, women three years. The punishment for blacks who violate the law is a whipping of “not less than twenty, nor more than thirty-nine stripes, to be inflicted by the constable of the proper county.”

Oregon Country

(1787-1848)

- **December 19, 1844** – The punishment under the exclusion law is changed from whipping to the following: A court representative “will publicly hire out such free negro or mulatto to the lower bidder” who “will obligate himself to remove such free negro or mulatto out of the country within six months after the term of service shall expire.”
- **July 25, 1845** – The amended Organic Laws omit the amended 1844 exclusion law, which was never enforced during its one-year life.
- **January 1847** – A Congressional bill to make Oregon a free territory dies in the face of southern opposition.

The Oregon Territory

(1848-1859)

- **August 14, 1848** – Congress finally passes a bill making Oregon a free territory.
- **September 1849** – The territorial legislature enacts a new exclusion law. While the new law does not apply to blacks already in the territory, newcomers are to be excluded.
- **August 1851** – Jacob Vanderpool, a black sailor from the West Indies, is arrested and jailed for violating the exclusion law. A judge convicts Vanderpool and orders him to be expelled from the territory within thirty days.
- **1854** – In enacting a new legal code, the territorial legislature omits the exclusion law.

The Oregon Territory (1848-1859)

- **June 1857** – Oregon voters (all white men, the only residents with the franchise) vote overwhelmingly in favor of statehood.
- **August to September 1857** – The Oregon Constitutional Convention convenes in Salem and drafts a proposed state constitution to be put to the voters.

The Oregon Territory

(1848-1859)

- **November 9, 1857** – Oregon's white male voters cast ballots on the following three questions:
 1. *Do you vote for the Constitution?*
 2. *Do you vote for slavery in Oregon?*
 3. *Do you vote for free negroes in Oregon?*
- The vote tallies are as follows:
 1. YES - 7,195 to 3,215;
 2. NO - 7,727 to 2,645; and
 3. NO - 8,640 to 1,081.

The State of Oregon

(1859 to present)

- **February 14, 1859** – Congress admits Oregon as the thirty-third state, and the only free state ever admitted with an anti-black exclusion clause in its constitution.
- **December 5, 1865** – The Oregon Legislative Assembly ratifies the Thirteenth Amendment to the U.S. Constitution, which abolishes slavery.
- **September 1866** – Oregon ratifies the Fourteenth Amendment to the federal constitution, which extends due process and equal protection of the laws to African Americans.
- **1868** – The Oregon legislature passes a resolution withdrawing the state's ratification of the Fourteenth Amendment.

The State of Oregon *(1859 to present)*

- **November 2, 1926** – By a vote of 91,129 to 55,042, Oregon voters finally remove the exclusion law from the state constitution. The provision was never enforced during its time in the constitution.
- **February 24, 1959** – Some ninety years after it was first submitted to the states for ratification, the Oregon legislature approves the Fifteenth Amendment, which extended voting rights to African Americans.
- **May 21, 1973** – The Oregon legislature re-ratifies the Fourteenth Amendment.

A Staggering Disparity:

Black vs. Non-Black Arrest Rates

USA TODAY compared:

**2011-12 arrest data reported by
Law Enforcement Agencies to FBI by RACE
(Black / Non-Black)**

TO

of people of each race who live in agency's jurisdiction

Extreme Example:

Dearborn, Michigan

**4,000 AA live in Dearborn
(~4% of population)**

**4,500 arrests of AA occurred in
Dearborn in 2011-12**

1,136.4 BLACK RATE

For every 1,000 AA who lived
in Dearborn, there were 1,136.4
arrests of AA.

43.7 NON-BLACK RATE

For every 1,000 non-blacks
who lived in Dearborn, there
were 43.7 arrests of non-blacks

Not easily explained. Possible causes:

- Biased policing
- Byproduct of vast economic & educational gaps (factors tied to crime rates)
- Dearborn says, “we have many malls, thoroughfares ...way more AAs in our community than AAs who live here.

Ferguson, MO Police Department

186.1 BLACK RATE (Every 1,000 AA residents,
186.1 arrests of blacks)

66 NON-BLACK RATE (Every 1,000 non-AA residents,
66 arrests of non-AA)

“Source: “Racial gap in U.S. arrest rates:
'Staggering disparity,'”

Brad Heath, *U.S.A. Today* (November 19, 2014)

**1,581 Police Depts. >
Disparities than Ferguson**

Ferguson, MO Police Department

186.1 BLACK RATE (Every 1,000 AA residents, 186.1 arrests of blacks)

66 NON-BLACK RATE (Every 1,000 non-AA residents, 66 arrests of non-AA)

Multnomah County Sheriff

5.8

2.5

Portland Police

258.7

63.3

Gresham Police

344.9

54.1

Washington Co. Sheriff

58.8

16.2

Beaverton Police

209.7

56.6

Hillsboro Police

262.1

61.1

Tigard Police

207.1

49.4

Marion County Sheriff

35

11.1

Salem Police

307.1

90.9

Medford Police

813.8

168.2

Jackson County Sheriff

35.7

16.5

Deschutes County Sheriff

68.7

19.4

Lane County Sheriff

22.9

8.7

Eugene Police

513.2

130.2

Springfield Police

624

139.1

Benton County Sheriff

44.8

17.1

Corvallis Police

230.9

66.9

Linn County Sheriff

48.7

17

*****Red HIGHER
than Ferguson***

How does Portland's arrest rate compare to American cities with larger black populations?

Portland

2010 census:

583,776 people

36,695 AA (6%)

258.7 BLACK RATE

*(258.7 arrests for every
1,000 AA residents)*

**63.3 NON-BLACK
RATE**

*(63.3 arrests for every
1,000 Non-Black
residents)*

Atlanta

2010 census:

420,003 people

226,894 AA (54⁰%)

265.4 BLACK RATE

*(265.4 arrests for every
1,000 AA residents)*

**49.8 NON-BLACK
RATE**

*(49.8 arrests for every
1,000 Non-Black
residents)*

Baltimore (city)

2010 census:

622,104 people

403,998 (65.1%)

229.3 BLACK RATE

*(229.3 arrests for every
1,000 AA residents)*

**67.4 NON-BLACK
RATE**

*(67.4 arrests for every
1,000 Non-Black
residents)*

See in Materials:

**The Portland Police Bureau's Response to the Criminal Justice Policy and Research Institute's Recommendations*

**Public Contact With and Perceptions Regarding Police in Portland Oregon 2013*

PPB report observation: From August 5, 2011, to December 31, 2011,
1,296 more AA were stopped than
would be expected by based upon driving population estimates.

**** AA are only group *consistently* stopped in greater proportion than their driving population estimates. (Also stopped more often then expected by Census data.)**

**** Asians, Hispanics, and Whites are *less* likely to be stopped compared to either driving population or Census data estimates.**

**** Native Americans are less likely to be stopped compared to Census data; equivalent to estimate created using driving population estimates.**

Transparency & Oregon Grand Jury Proceedings

Grand Jury Proceedings in Oregon

- Current State of the Law in Oregon for Grand Jury Proceedings
- Multnomah County Procedures for Officer-Involved Shootings
- Proposed Changes to Oregon Law – 2015 legislative session

Current State of the Law in Oregon for Grand Jury Proceedings

ORS 132.090:

(2) Upon a motion filed by the district attorney in the circuit court, the circuit judge may appoint a reporter who shall attend the sittings of the grand jury to take and report the testimony in any matters pending before the grand jury, and may appoint a parent, guardian or other appropriate person 18 years of age or older to accompany any child 12 years of age or younger, or any person with an intellectual disability, during an appearance before the grand jury. The circuit judge, upon the district attorney's showing to the court that it is necessary for the proper examination of a witness appearing before the grand jury, may appoint a guard, medical or other special attendant or nurse, who shall be present in the grand jury room and shall attend such sittings.

ORS 135.855:

(1) The following material and information shall not be subject to discovery under ORS 135.805 to 135.873:

(c) Transcripts, recordings or memoranda of testimony of witnesses before the grand jury, except transcripts or recordings of statements made by the defendant.

Current State of the Law in Oregon

ORS 132.220 provides:

“A member of a grand jury may be required by any court to disclose:

“(1) The testimony of a witness examined before the grand jury, for the purpose of ascertaining whether it is consistent with that given by the witness before the court.

“(2) The testimony given before such grand jury by any person, upon a charge against such person for perjury or false swearing or upon his trial therefor.”

Current State of the Law in Oregon

Exceptions to the secrecy requirements of ORS 132.220 had existed long prior to the enactment of ORS 135.855(1)(c):

“However, disclosure of the testimony of witnesses called before the grand jury may be permitted in three instances: (1) when the testimony of a witness at a criminal trial may be inconsistent with his testimony before the grand jury, ORS 132.220(1); (2) when a witness is charged with perjury, ORS 132.220(2); and (3) when permitted by the court in the furtherance of justice, *Gowin v. Heider*, 237 Or. 266, 286, 386 P.2d 1, 391 P.2d 630 (1964)(.)”

State v. Hartfield, 290 Or. 583, 587, 624 P.2d 588, 590 (1981)

Current State of the Law in Oregon

We hold that **after** a witness has testified on direct examination by the state, the defendant is entitled to examine an existing tape recording of that witness's testimony given in the grand jury proceedings that led to the return of the indictment upon which trial is held.

We do not, by this decision, condone wholesale orders for disclosure of grand jury recordings. Where a witness before the grand jury has testified at trial for the state, a particularized need for disclosure exists for purposes of testing the witness's credibility. Compare *United States v. Procter & Gamble*, 356 U.S. 677, 683, 78 S.Ct. 983, 986, 2 L.Ed.2d 1077 (1958). As such, the furtherance of justice requires disclosure of prior recorded statements.

State v. Hartfield, 290 Or. 583, 592, 624 P.2d 588, 593 (1981)

Current State of the Law in Oregon

The holding that taped grand jury testimony is discoverable for impeachment purposes does not mandate the conclusion that the Supreme Court meant to erode grand jury secrecy further to include discovery of the clerk's notes. The trial court was correct in denying defendant's motion for disclosure of the notes taken by the clerk of the grand jury.

State v. Goldsby, 59 Or. App. 66, 72, 650 P.2d 952, 955 (1982)

Multnomah County DA's Grand Jury Proceedings for Officer-involved shootings

MCDA Policy 5.50 - Police Discharge of Firearms
Involving Death or Physical Injury :

The grand jury will review all cases involving a law enforcement officer's discharge of a firearm which results in death, serious physical injury or physical injury unless, at the discretion of the District Attorney, it is determined that grand jury review is unwarranted

Multnomah County DA's Grand Jury Proceedings for Officer-involved shootings

- Two Detectives from outside agencies participate in the investigation
- All grand jury witnesses are tape recorded.
- Transcripts of Grand Jury witness are made public on the Multnomah County DA's website

Multnomah County DA's Grand Jury Proceedings for Officer-involved shootings

- Contract between the City of Portland & the Portland Police Association provides a 48 hour period before involved officer has to speak
- Multnomah County DA provides Officer and his/her Counsel an opportunity for a voluntary walk through of the scene with DDA and Officer's Counsel
- Laws that give public employees the choice between self-incrimination or job forfeiture held unconstitutional

Garrity v. State of N.J., 385 U.S. 493 (1967):

“We now hold the protection of the individual under the Fourteenth Amendment against coerced statements prohibits use in subsequent criminal proceedings of statements obtained under threat of removal from office, and that it extends to all, whether they are policemen or other members of our body politic.”

2015 Proposed Legislation

Legislative Action - Officer Focus

HB 2699:

- Requires attendance at mental health sessions.
- Requires drug testing for officers involved.
- Requires DOJ to investigate.
- Authorizes DOJ to prosecute.
- Requires local DA to reimburse DOJ for costs.
- Periodic psychological evaluations for officers.

HB 2701:

- Expands psychological evaluation and support for police officers, both after an incident and as a regular check-in.

Legislative Action - Officer Focus

HB 2702:

- Clarifies that recording an officer in the performance of his or her duties is not, by itself, interfering with those duties.

HB 2703:

- Phases in body cameras on officers.

HB 2707:

- Requires that officers specifically inform people that consent searches require consent, meaning such searches may be declined.

Legislative Action - Grand Jury

- Rep Williamson and Rep Kruse are sponsoring a bill to make verbatim recordings of grand jury proceedings mandatory
- Bill supported by Oregon Criminal Defense Lawyers Association
- Bill will still require a judicial order to release verbatim recordings under special circumstances
- Bill text under revision and not yet available

Oregon compared to other states

- Oregon is the only state of the 13 Western states without a mandate to make a verbatim record.
 - Alaska, Arizona, California, Colorado, Idaho, Hawaii, Montana, Nevada, New Mexico, Utah, Washington and Wyoming all require a verbatim record of grand jury proceedings.
- Nationally, there are 34 states with a mandate to record; other states do so by elective practice
- Oregon is the only state in the union that gives the DA exclusive discretion whether to make a record or not. Some states give the discretion to the courts, which they employ by requiring recordation.
- The federal system has mandated verbatim recording of grand jury proceedings since 1979.

Legislative Action - Grand Jury

Justifications:

- Inaccurate records leads to distrust.
- Potential abuse.
- Could lead to unjust prosecutions.
- Grand Jury “shopping.”

Likely Response:

- Cost of recording.
- Could open door to legal challenges.
- Clutter the court.
- “Escape hatch not a tool for clarity”

Portland Police Bureau_____

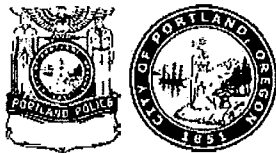
STOPS DATA COLLECTION

**The Portland Police Bureau's response to the
Criminal Justice Policy and Research Institute's
recommendations**

Presented to the Community Police Relations Committee

February 13, 2014

Sgt. Greg Stewart
Emily Covelli M.S.



Charlie Hales Mayor

Michael Reese Chief of Police

STOPS DATA COLLECTION:

The Portland Police Bureau's response to the Criminal Justice Policy and Research Institute's recommendations

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Introduction

This report documents the Portland Police Bureau's (PPB) follow up to the Portland State University's Criminal Justice and Policy Research Institute (CJPRI) report, "Benchmarking Portland Police Bureau Traffic Stops and Search Data," (Renauer, Henning, & Covelli, Benchmarking Portland Police Bureau Traffic Stop and Search Data, 2009). That report arose out of a request for technical assistance from the CJPRI, aimed at improving how the PPB collects and analyzes its stop and search data.

The CJPRI report highlights issues related to appropriate benchmarking for stop data and emphasizes the importance of a strategy employing multiple benchmarks, including but not limited to, demographic information. The CJPRI report goes on to make recommendations regarding how the PPB can improve both the quality of stop data reporting and the quality of the data itself. The report is available at: <http://www.portlandoregon.gov/police/article/305171>.

This document catalogs the changes made to the stops and search data collection and analysis system (called Stops Data Collection or SDC by the Police Bureau) as a result of the technical assistance provided by the Criminal Justice Policy Research Institute, as well as feedback from community stakeholders. It also provides examples of additional possible analytic approaches that may be useful for examining racial disparities in police contacts. This report will provide:

- A review of the recommendations made by CJPRI.
- A review of the improvements made to the stops data collection process and updated benchmarking techniques.
- The 2011 PPB stops and search data analysis.
- Appendices containing additional analyses conducted at the request of the public and members of the Community Police Relations Committee (CPRC).

One of the main purposes of this document is to provide a resource to those charged with facilitating or participating in discussions around racial disparities in the Portland Police Bureau's stop and search data. The hope is that these analyses and information will provide a broader understanding of where disparities exist and what types of relationships can be explored with this type of data. This is important for enhancing discussions around disparities and making informed decisions on strategies for addressing racial disparities.

CJPRI Recommendations

The CJPRI report makes recommendations around data recording, benchmarking (or the issue of what factors to compare stops data with i.e. demographics, variations in driving patterns, internal benchmarks, etc.) and policy. Below is a summarized list of these recommendations:

Data collection and recording

- Improve quality control
 - Address issues of missing data, review database systems, conduct refresher training for officers
 - Address the issue of unknown race of drivers
- There was confusion about whether the officer's perception of the stopped person's race was before or after the stop. This created a large number of individuals coded with unknown race in traffic stops when the officer did not know the driver's race before the stop was initiated.
 - Retain an easy link between stops and the CAD (computer aided dispatch) system.
 - Create an easy link between the stops information and the citation database.
 - Adopt additional data points, particularly,
- More detailed reasons for the stop
- More detailed reason for searches, including consent, plain view, probable cause and weapons pat down categories
- Number of passengers
- Vehicle registration
- Driver residency

Benchmarking

- Census population should not be the exclusive benchmark
 - Address differential driving patterns and exposure to law enforcement
- Ensure data collection system allows the use of multiple benchmarking strategies, including,
 - Geographic information
 - Time of stop
 - Traffic versus Patrol designation (previously data from Traffic Division officers was collected inconsistently) and many traffic officers (motorcycles in particular) did not have access to an easy way to document their stops.
- Examining crash data and the racial characteristics of drivers involved in crashes
- Observational studies using trained observers to code race/ethnicity of drivers and driving infractions

- Multivariate Analysis of Search Decision-Making
- Internal search rates examining differences in search rates between matched officers

Policy

- The CJPRI report highlights that there is “growing evidence that targeted proactive patrol focused on hotspot crime locations can improve public safety in these areas. However, targeted proactive patrol should entail public input and dialogue and be weighed against intended and unintended consequences”. The report also found that African-American residents in Portland are more likely to live in neighborhoods with higher calls for police service and crime, creating a greater risk for being stopped and searched.
 - Utilize targeted proactive patrols, with public input and dialogue
 - Ideally, this will mitigate the potential damage to the community which can occur as a result of intensive patrol of high crime areas or responses to gang violence which drive a substantial portion of the disproportionate contact between police and community members of color.

Portland Police Bureau response

The Portland Police Bureau has been collecting data, in some form, on police stops since 2001. These data are available at: <http://www.portlandoregon.gov/police/42284>.

Outside reports on PPB stops data have consistently cited the lack of explanation for why variations may occur as a weakness in the PPB's historic approach to disseminating stops data. Conversations with community members have also revealed frustration around simply releasing data without context.

The PPB's goal is to be a leader in the collection and analysis of stops data and to continually improve the quality of both processes. The PPB recognizes that although there are limitations to analyzing stop and search data, examining disparate outcomes is an important part of assessing our services to the community.

This report aims to:

- Document and explain to the community in general and the Community and Police Relations Committee the steps the Portland Police Bureau is taking to improve Stops Data Collection and Analysis.
- Provide examples of different ways this data can be used.
 - Analysis of the stops data for this report is intentionally presented in different formats so that the Portland Police Bureau can work with the Community and Police Relations Committee to determine the ideal format for future analyses.
- Provide context for why disparities exist and inform the community around tactics employed by the police, which may increase disparities in stops.
 - This will hopefully inform a discussion around which tactics to employ and how to develop better solutions to problems related to disparities in exposure to violent crime.
- Inform a discussion around what benchmarks will be used to determine the level of disparity and what kinds of analysis the community and the PPB will find helpful so that future reports can be tailored to meet the needs of the community and the PPB in developing plans to reduce disparities in stops and searches.

The Police Bureau recognizes the importance of improving communication with the community around the reasons disparities exist in stops and search data. The lack of context in existing reports has been a source of frustration for both the community and for researchers working with the PPB data. This report contains sections examining disparities and discussing how the data can be interpreted. Some readers may find the interpretation sections frustrating because often definite conclusions cannot be drawn regarding the cause of racial disparities in this type of data. However, examining racial disparities is still a critical component of identifying root causes of disparities through a combination of data analysis and discussion, and being able to monitor improvements over time.

It is important to remember that racism can play an important (Engel & Calnon, 2004) direct or indirect role in disparities, even if the data to appropriately determine this as

a causal component is not available. For instance, several studies (Renauer, Henning & Covelli, 2009; Renauer, 2012) report that differential exposure to law enforcement increases the number of people of color contacted by police. Even when race does not impact an officer's decision to stop a person it is likely that redlining (using race or other factors to limit services, house, job or other opportunities) and other segregationist policies drive the differential exposure in the first place. Similarly, African Americans appear to be disproportionately exposed to violent Part I crime (violent Part I crimes include: Murder, Rape, Robbery and Aggravated Assault) in the city of Portland, according to current statistics on crime and victimization. This exposure may lead to target enforcement in certain areas which leads to disparities in who is contacted. Determining the role of race as a causal mechanism in disproportionate stops and searches is beyond the data available in this report, but the reader should remain aware that the impact of race may manifest itself at many levels.

The change over to the new reporting system resulted in three separate data sets for 2011. This report will focus on the final data set which began August 5, 2011, and runs through December 31, 2011. Tables for the other 2011 data sets are available at the Portland Police Bureau's website. Starting with 2012 the data will be consistent for the year.

Data collection and recording

After the CJPRI report, which was requested by multiple stakeholders, the PPB began restructuring how it collected stops data. These efforts include making improvements to the quality control process, the types and volume of data collected and importantly, developing a method for including traffic officers' stops more consistently in the collection process. This last piece was especially vital given that traffic officers often conduct more than one-half of all traffic stops in the city and prior to this restructure many of these stops were not captured.

Quality control

Reason for cancelling a stop

Efforts at improving quality control include requiring officers to provide a reason if cancelling a SDC to increase transparency and ensure that any SDC form that is cancelled is being done for a legitimate reason (for instance, if he or she were attached to call by dispatch accidentally, if the officer was not the primary officer on the call, or if the call was not actually a stop).

Ensuring completion of SDC form

In the event an officer logs off without completing an SDC, that officer is notified when he or she logs onto the Portland Police Data System (PPDS) – this is the Bureau's records management system and is used regularly by officers. As an additional layer of accountability, that officer's lieutenant is notified via email weekly that there is an outstanding SDC form until it is completed. This is important as officers are often forced to abruptly end a stop in order to respond to an emergency call. This system helps ensure that SDC forms are completed, even in the event that an emergency or other factor prevents the officer from immediately completing the form.

Addressing issue of overreliance on unknown race

Additional improvements include addressing the issue of the frequency at which “unknown” was used to code the race of the driver. The new SDC format included questions surrounding the perceived race of the driver both before and after the stop. This has reduced the number of unknown/other race drivers from 29% in 2010 to 5.5% between August 5 and December 31, 2011 (the data at which all stops data went live). Of this group, 4.7% (n = 1184) of stops were of an “unknown” race at the time of the stop and .8% (n = 194) of the drivers were coded as “other” race. Table 1 includes the breakdown of citywide traffic stops for the August 5 through December 31, 2011, data (both patrol officers and traffic officers):

Table 1. Citywide Race at Stop of Driver (Traffic & Patrol)

Race/Ethnicity	Count	Percent
African American/Black	2946	11.8%
Asian	1121	4.5%
Hispanic	1539	6.2%
Native American	66	0.3%
White	17943	71.8%
Unknown/Other	1378	5.5%
Total*	24993	100.1%

* Note: Five stops missing the race of driver. Total does not equal 100% due to rounding.

Accessibility of stops data form for motorcycle officers

A significant improvement in the stops collection process is the development of an application for handheld devices which allowed officers who did not have access to a mobile data computer (MDC), such as officers who work on motorcycles, to enter stops data immediately. This parallel system links with the citation data (also recommended in the CJPRI report).

Other improvements include the addition of new fields to allow for more precise analysis. The fields included in this data set are (see Appendix C for a screen shot of the form as it appears in an officer’s MDC):

- Description of the stop category (traffic/patrol)
- SDC Type (driver, passenger or pedestrian)
- Race prior to stop (frequently unknown for traffic stops)
- Race at stop (see Table 2)
- Gender prior to stop
- Gender at stop
- Age prior to stop
- Age at stop
- Reason for stop (major moving violation, minor moving violation, etc.)
- Reason for search (if conducted)

- Search results
- Action taken (citation, arrest, warning, etc.)
- Date and time of SDC
- Associated linking numbers such as citation or warning number for traffic officers
- Reason if cancelled
- Precinct of stop (if a patrol officer)
- Police district of stop (if a patrol officer)
- Geo-codable citation location (this is only for Patrol Officers and is a result of the limitations required by having separate systems for officers who do not have access to MDCs)

Benchmarking

The CJPRI report and other researchers recommend utilizing multiple benchmarks to assess racial disparities in stops and search data. This is done to help compensate for the limitations of the data and benchmarks, ensure existing disparities will be identified, and to better identify some of the contributing factors to racial disparities in stops and searches.

As well as census data the following methods have been advocated:

- Adjusted census data
- Driver license data
- Not-at-fault vehicle accidents
- Blind enforcement
- Observations of driving behavior
- Internal comparisons

(Tillyer, Engel, & Cherkauskas, 2010)

Researchers have also advocated the separate analysis of "traffic" type enforcement, which could be expected to yield stop rates consistent with the rate at which different demographic groups commit driving infractions and "investigative" type stops in which officers stop vehicles and pedestrians for infractions, but the primary purpose of these stops is to address criminal activity as opposed to traffic enforcement (Fridell, 2004). "Investigative" stops pose a particular concern to many community members as they often entail more subjective decision making than "traffic" stops, thus opening the door for bias.

The following list contains the benchmarks adopted for this study and reasons for their adoption. This does not preclude the use of additional/different benchmarks in future analyses if the community desires and the resources necessary to conduct the analysis are made available to the PPB:

- Unadjusted census data on race/ethnicity
 - Easily accessible
 - Generally understood by the public
- Accident data (serious injury)
 - Easily accessible
 - An indicator of the demographics of individuals driving
 - Helps control for the fact that unadjusted census data may not reflect driving population
- Calls involving violence by neighborhood
 - Easily accessible
 - Reduce police discretion as these calls are primarily the result of citizens calling police for assistance
 - Provides important context for patrol division stops as the Bureau is responsive to violent crime and focuses patrol officers in areas with violent crime
- Exposure to violent crime (measured by victimization in a violent Part I crime)
 - Easily accessible
 - Reduce police discretion
 - Due to the seriousness of these offenses the measure should be resistant to police bias as estimators of the prevalence of violent crime
 - Victimization data can measure who is exposed to violent crime and is less resistant to bias than when victims recount suspect race.
 - This indicator is resistant to variations within neighborhood.
 - Even when people of color and whites live in the same neighborhood it is possible that people of color live in the more dangerous sections of the neighborhood and are therefore exposed to more violence.
 - Victimization data will capture this where as neighborhood level crime statistics (without the demographic information on victims) may not.

The first benchmarks (census data) should be expected to relate to both patrol and Traffic Division officers. The second variables (crash data) should impact both divisions, but be more apparent in the activity of the Traffic Division. The final two variables should have limited impact on Traffic Division stops and searches and a greater impact on patrol division stops and searches.

Other benchmarking strategies advocated in the CJPRI report have not been adopted. These include internal benchmarking (which requires the examination of data at the officer level and would require union approval) and observational studies (which can be very costly). Both of these methods would require resources not currently available to the Strategic Services Division and would be cost prohibitive to implement at this time.

Policy

The Police Bureau has begun to explore various methods for improving community input. The PPB has been working with the Community Police Relations Committee to identify ways to increase community input into how the Bureau can improve. Chief Reese attended a Race Talks session in 2013 on racial profiling to hear from members of the community who are concerned about this issue. In addition to these efforts, the PPB will be conducting surveys of the community on issues related to police legitimacy.

The Bureau is exploring an expanded partnership to continue to gain specific information aimed at improving community and police relations. The Bureau hopes to improve relationships with the community by working with the community to create crime reduction strategies that are both effective and consistent with the values of the citizens of Portland. Some examples of these strategies include the recent collaboration between the PPB and 11:45 (a group of pastors and other individuals working on gang outreach) to address gang violence and other community issues, working with community members to make downtown safer by closing streets and working with residents of Hayden Island to improve the livability of their neighborhood.

2011 Data analyses

Data

The following analyses on stops and searches utilize the PPB's stop and search data from the date of August 5 to December 31, 2011. The initial dataset consisted of 31,143 records. 5,531 records were unusable and removed from the data set for the following reasons:

- 3,432 were duplicate records or the stop was cancelled (Table 2 below)
- 1,879 occurred prior to noon on August 5, 2011¹
- 7 records were actually Gresham or Troutdale Police calls
- 213 records focused on the passenger of the vehicle (these can be used for future, separate analyses if desired)

PPB officers cancelled 11% of their SDC forms. Table 2 displays the reason officers cancelled these SDC forms (this table includes both pedestrian and traffic stops):

Table 2. Reasons for Cancelling Stop

Reason	Count	Percent
Duplicate Stop	510	1.6%
Flagged Down (no stop)	83	0.3%
Mere Conversation (no stop)	2092	6.7%
Welfare Check (no stop)	336	1.1%
Other	411	1.3%
Not Cancelled	27711	89.0%
Total	31143	100.0%

The final analysis consisted of 24,998 records involving the driver of a vehicle on traffic stops and 614 records involving pedestrian stops.

Unresolved data issues

Several issues were identified through this analysis that will need to be resolved. These issues include:

Duplicate entries for what appears to be the same stop.

For instance, 1.5 % of patrol stops had duplicate entries where the race of the driver was the same on both entries. This may be accurate (i.e. officers stopped multiple persons on the same incident), but this needs to be confirmed. Initial analysis indicates that some portion of these duplicates are legitimate (for instance duplicate entries with different race and gender information on the same incident), others may be the result the same data being entered multiple times (for instance several stops on the

¹ The change to the new stop and search data collection system occurred on August 5, 2011. 1,299 of the 1,879 cases prior to noon on August 5, 2011, were at exactly 10:03:25, suggesting an initial error in the collection system. The cases after noon reflected reasonable activity and were likely accurate, so the data used for this report began on August 5, 2011 at noon.

same incident each logged 18 to 24 seconds apart).

The impact of these issues on the quality of the analysis appears to be minimal. For instance, 1.2% of stops of African-American/Black drivers by patrol had duplicate entries (this amounts to 24 stops) while 1.4% of stops of White drivers by patrol had duplicate entries (this amounts to 101 stops). Traffic Division had a higher percentage of duplicate entries (approximately 3.5% of stops of drivers), but this may be due to higher number of legitimate entries when an officer stops multiple drivers at the same time.

Issues surrounding the recovery of property when no search was conducted

Officers can recover property and list it in the SDC form when no search has been conducted. This was very uncommon, but creates confusion in the data analysis. Some portion of these may be the results of officers recovering property on a stop unrelated to the incident. However, given the SDC form's current configuration it is impossible to determine what portion of this is the result of human error (incorrectly indicating that no search had been conducted) and which portion is legitimate. A solution for this has been identified and the PPB is working on implementing it. This change should resolve this issue in future analyses.

Analysis

Benchmarks – Who is driving?

One of the most frequently used benchmarks for stops data is census data (Engel & Calnon, 2004). Census reporting can be informative, but is generally not a sufficient benchmark when used alone. As pointed out by Renauer et al., 2009, a variety of benchmarks is ideal. However, census and survey data can act as one potential source of benchmarking. Table 3 is taken from the American Community Survey (ACS) 5-year estimates for 2007 to 2011:

Table 3. Race/Ethnicity in Portland - American Community Survey 5 Year Data

Race/Ethnicity	Percent
One race	95.7%
White	77.4%
Black or African American	6.3%
American Indian and Alaska Native	1.0%
Asian	1.2%
Native Hawaiian and Other Pacific Islander	0.5%
Some other race	3.2%
Two or more races	4.3%
Hispanic or Latino origin (of any race)	9.2%
White alone, not Hispanic or Latino	72.4%

The structure of Census and American Community Survey data is not consistent with the PPB data (Withrow, 2008). The Portland Police Bureau has consistently collected data based on the following categories: African American/Black, Asian, Hispanic, Native American, White, and Unknown/Other. While the Census and American Community Survey data are more descriptive, officers are coding based on their perceptions so it would be difficult to match this level of specificity. However, because one of the

concerns is that people are being treated unfairly based on racial perceptions and that it may be harmful and invasive to be asking community members for their racial and ethnic identity when stopped, this coding practice appears to be reasonable at this time.

This limitation may make comparisons between PPB data and ACS or Census data less accurate. For instance, some community members have justifiably pointed out that many Native American persons may be mistakenly coded as Hispanic. Other issues may arise when an officer attempts to code Hispanic individuals who are White. This limitation may be insurmountable without officers asking invasive questions not related to the stop. The PPB's position is that the damage caused by asking such questions would outweigh any potential benefits from capturing more accurate data. Given these limitations, direct comparisons to census data may be misleading.

An alternate for assessing who is using roadways is the use of the demographic data of non-responsible drivers in two vehicle accidents (Alpert, Smith, & Dunham, 2004). Unfortunately, their exact methodology could not be replicated because the PPB data does not differentiate between single and multiple vehicle accidents. Despite this limitation, the PPB crash data does have several attractive characteristics for a potential benchmark.

One benefit of the data is that PPB policy (Portland Police Bureau, 2009) requires investigations for serious injury accidents. These accident investigations are conducted by trained traffic officers, if they are available, utilizing a standardized methodology which limits discretion. Additionally, the demographic characteristics collected for this data set is in a format consistent with other PPB data. As such, these accidents represent a possible benchmark for road usage. Table 4 examines the demographic characteristics of drivers involved in injury accidents as captured by PPDS between August 5, 2011 and December 31, 2011:

Table 4. Drivers in Injury Accidents in Portland

Race/Ethnicity	All Drivers	
	Count	Percent
African American/Black	23	6.6%
Asian	25	7.2%
Hispanic	32	9.2%
Native American	1	0.3%
White	262	75.5%
Unknown/Other	4	1.2%
Total	347	100.0%

The accident data for the dates of August 5 to December 31, 2011, was used in order to match the dates of the stop data. Future analyses could also consider using an average for 1-3 years in order to make these percentages more robust. Despite the low counts, this data is consistent with other benchmarks (ACS 5-Year and Census 18 and over). Having multiple benchmarks that provide similar benchmarks for who is driving should increase our confidence in the accuracy of these benchmarks.

Who is stopped and searched?

The next several pages provide the stops and searches analyses with the following breakdowns:

- Traffic and Patrol Stops of Drivers Combined
- Traffic and Patrol Pedestrian Stops Combined
- Traffic Stops of Drivers Only
- Patrol Stops of Drivers Only
- Patrol Pedestrian Stops Only

The data for traffic and patrol officers are broken down because officers focusing on traffic enforcement have different criteria for stops, operate in different areas and at different times of the day than patrol officers, who tend to be more focused on crime reduction as opposed to traffic law enforcement.

Stops of drivers for Traffic and patrol

Table 5 displays the demographic breakdown of all stops of the drivers of motor vehicles occurring between August 5, 2011, and December 31, 2011 in the city of Portland (both patrol and Traffic Division officers):

Table 5. Citywide Race at Stop of Driver (Traffic & Patrol)		
Race/Ethnicity	Count	Percent
African American/Black	2946	11.8%
Asian	1121	4.5%
Hispanic	1539	6.2%
Native American	66	0.3%
White	17943	71.8%
Unknown/Other	1378	5.5%
Total*	24993	100.1%

* Note: Five stops missing the race of driver. Total does not equal 100% due to rounding.

The main findings:

- African Americans/Blacks were more likely to be stopped compared to both their Census and accident data estimates. This is the only racial/ethnic group in this analysis that is consistently stopped in greater proportion than their driving population would indicate. There were 1,296 more stops of African Americans/Blacks than we would expect given their approximate percentage of the driving population (using the higher estimate for their driving population).
- Asians were less likely to be stopped compared to both their Census and accident data estimates.
- Hispanics were less likely to be stopped compared to both their Census and accident data estimates.
- Native Americans were less likely to be stopped compared to the Census estimates but are stopped at an equivalent rate compared to the accident data.

- Whites were less likely to be stopped compared to both their Census and accident data estimates.
- The Unknown/Other category is difficult to compare to the Census estimates. This group was more likely to be stopped compared to their accident data estimate.

Reasons for the Stop

Table 6 displays the reasons citywide for stops. This information is collected to provide greater clarity on the reasons for stops. One goal of this is to identify “pre-text” stops (stops in which the traffic violation is used to initiate an investigative contact) which may be more susceptible to bias (Fridell, 2004; Renauer et al., 2009). A potential cause for the disproportionate use of pre-text stops against differing groups would be large differences in the use of more subjective or lower level offenses as a reason for stopping people of color. For instance, the use of equipment violations as a reason for stopping drivers of color may signify the use of such violations as a “pre-text” for stopping (although it may also be the result of other disparities such as socio-economic differences). Another important consideration would be the magnitude (or relative number) of such stops.

Table 6. Citywide Reasons for Stops of Drivers

RACE/ETHNICITY	City Code		Equipment		License		Major ¹		Minor ²		Other		Total	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
African American/Black	6	0.2%	365	12.4%	118	4.0%	866	29.4%	1560	53.0%	31	1.1%	2946	100.0%
Asian	1	0.1%	95	8.5%	16	1.4%	388	34.6%	613	54.7%	8	0.7%	1121	100.0%
Hispanic	5	0.3%	168	10.9%	39	2.5%	502	32.6%	799	51.9%	26	1.7%	1539	100.0%
Native American	0	0.0%	9	13.6%	2	3.0%	21	31.8%	34	51.5%	0	0.0%	66	100.0%
White	15	0.1%	1504	8.4%	395	2.2%	5940	33.1%	9993	55.7%	96	0.5%	17943	100.0%
Unknown/Other	4	0.3%	118	8.6%	11	0.8%	364	26.4%	846	61.4%	35	2.5%	1378	100.0%
Grand Total*	31	0.1%	2259	9.0%	581	2.3%	8081	32.3%	13845	55.4%	196	0.8%	24998	100.0%

¹ Major Moving Violation (Traffic crime, A or B Infraction)

² Minor Moving Violation (Class C or D Infraction)

*Note five stops missing race of driver

The main findings:

- The distribution of reasons for why drivers were stopped was fairly similar among the six racial/ethnic groups.
- African Americans/Blacks and those in the Unknown/Other category were the least likely to be pulled over for a major traffic violation (African American/Blacks = 29.4%, Unknown/Other = 26.4%, and Whites = 33.1%).
- Native Americans, African Americans/Blacks, and Hispanics were more likely than Whites to be pulled over for an equipment violation (Native American = 13.6%, African Americans/Blacks = 12.4%, Hispanics = 10.9%, and Whites = 8.4%).
- African Americans/Blacks and Native Americans were more likely to be stopped for a license violation than Whites (African Americans = 4.0%, Native Americans = 3.0%, and Whites = 2.2%).
- African Americans/Blacks, Hispanics, and those in the Unknown/Other category were more likely than Whites to be stopped for an “other” violation. (African American/Blacks = 1.1%, Hispanics = 1.7%, Unknown/Other = 2.5%, and Whites = .5%).
- One suggestion for future analysis would be to add an indicator to the SDC form so

that officers could identify which stops were the results of an emphasis on traffic enforcement and which stops were conducted for investigative purposes (i.e. "pre-text" stops).

Searches of drivers

Table 7 examines searches of drivers citywide within race (i.e. when a white person is stopped a consent search is conducted 1.9% of the time):

Table 7. Reasons for Searches of Drivers Citywide (% by Ethnicity/Race)*

RACE/ETHNICITY	Consent		No Search		Plain View		Probable Cause		Weapons Pat Down		Total	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
African American/Black	245	8.3%	2572	87.3%	12	0.4%	78	2.6%	39	1.3%	2946	100.0%
Asian	8	0.7%	1101	98.2%	2	0.2%	9	0.8%	1	0.1%	1121	100.0%
Hispanic	70	4.5%	1415	91.9%	5	0.3%	32	2.1%	17	1.1%	1539	100.0%
Native American	3	4.5%	60	90.9%	1	1.5%	2	3.0%	0	0.0%	66	100.0%
White	349	1.9%	17318	96.5%	32	0.2%	184	1.0%	60	0.3%	17943	100.0%
Unknown/Other	21	1.5%	1335	96.9%	2	0.1%	9	0.7%	11	0.8%	1378	100.0%
Total *	696	2.8%	23806	95.2%	54	0.2%	314	1.3%	128	0.5%	24998	100.0%

* Note % stops missing race of driver, however none of these stops resulted in a search of a driver. These stops were added to the No Search and Total columns.

The main findings:

- African-American/Black, Hispanic, and Native American drivers that were stopped were more likely than Whites to have a consent search while Asian drivers were less likely to be searched when stopped.
- 8.3 percent of the African-American/Black drivers that were stopped had a consent search.
- 4.5 percent of the Hispanic drivers that were stopped had a consent search.
- 4.5 percent of the Native American drivers that were stopped had a consent search.
- 1.9 percent of White drivers that were stopped had a consent search.
- 0.7 percent of Asian drivers that were stopped had a consent search.
- Approximately 95% of drivers that were stopped were not searched. In the roughly five month period examined, police searched³:
 - 374 African-American/Black Drivers
 - 20 Asian Drivers
 - 124 Hispanic Drivers
 - 6 Native American Drivers
 - 625 White Drivers
 - 43 Drivers whose race was unknown or not captured in the above categories.

Hit Rates on Searches

Fridell (2004) highlights issues that surround the use of hit rates (a hit rate is the percentage of searches which result in finding contraband)⁴ in general, and the

³ This number was calculated by subtracting the "No Search" value from the Total number of stops.

⁴ The PPB collects data on the following types of contraband: alcohol, drugs, nothing found, other, stolen property and weapons.

problem related to the analysis of consent searches in particular⁵. While not addressed by Fridell, there is an additional issue regarding searches with the PPB. Officers are trained to ask for consent even when other legal reasons for a search exist (this is due to the fact that consent searches are less likely to be lost in a motion to suppress). Thus, the relatively high number of consent searches may be deceptive because other legitimate search reasons may have existed, but not been captured. This problem illustrates the difficulty of collecting and analyzing data of this complexity. Despite these issues, the use of hit rates is a viable method to examine the relative productivity of searches. Table 8 examines the hit rates of stopped drivers citywide for various kinds of contraband:

Table 8. Hit Rates of Stopped Drivers Citywide (Traffic and Patrol) for all contraband, Alcohol, Drugs and Weapons¹

Race/Ethnicity	Total Searches	All Contraband		Alcohol		Drugs		Weapons		Contraband excluding Alcohol	
		Hits	Percent	Hits	Percent	Hits	Percent	Hits	Percent	Hits	Percent
African American/Black	374	114	30.5%	21	5.6%	65	17.4%	18	4.8%	93	24.9%
Asian	20	7	35.0%	1	5.0%	6	30.0%	1	5.0%	6	30.0%
Hispanic	124	37	29.8%	11	8.9%	19	15.3%	4	3.2%	31	25.0%
Native American	6	5	83.3%	3	50.0%	2	33.3%	0	0.0%	2	33.3%
White	625	267	42.7%	96	15.4%	138	22.1%	23	3.7%	172	27.5%
Unknown/Other	43	19	44.2%	1	2.3%	7	16.3%	1	2.3%	18	41.9%
All Non-White ²	567	182	32.1%	37	6.5%	99	17.5%	24	4.2%	150	26.5%
Total ³	1192	449	37.7%	133	11.2%	237	19.9%	47	3.9%	322	27.0%

¹ Officers search for the following results: Alcohol, Drugs, Other, Nothing Found, Stolen Property, and Weapons. Stolen property and others are not included individually but are included in all contraband.

² This category is created by subtracting white driver results from the total and is not unique in the original data set. It includes unknown/other race individuals.

³ Total searches may not equal search results because multiple items can be recovered in the same search.

Main Findings:

- African Americans/Blacks, Asians, and Hispanics that were searched were less likely than Whites to be found with contraband.
- 29.8 percent of Hispanics that were searched had some form of contraband.
- 30.5 percent of African Americans/Blacks that were searched had some form of contraband.
- 35.0 percent of Asians that were searched had some form of contraband.
- 42.7 percent of Whites that were searched had some form of contraband.
- 83.3 percent of Native Americans that were searched had some form of contraband (the percentages for Native Americans can be misleading due to the low search counts for this group).
- Some of the disparity appears to be related to alcohol. The hit rates when excluding alcohol are more similar than when alcohol is being accounted for.

Stops of pedestrians for Traffic and patrol

Table 9 displays the demographic breakdown of all pedestrians stopped by PPB officers in the city of Portland between August 5 and December 31, 2011. The comparison here is more difficult since we do not have an additional measure to verify the racial/ethnic breakdown of pedestrians like we do with who is driving.

⁵ Please refer to Fridell (2004) for a comprehensive review of the controversy surrounding hit rates. As mentioned earlier in this report, without an indicator of who is asked for consent versus who grants consent any analysis is of limited utility. This is especially relevant given that over half of actual searches by PPB officers is a consent search.

Table 9. Citywide Race at Stops of Pedestrians (Traffic and Patrol)

RACE/ETHNICITY	Total	
	Count	Percent
African American/Black	170	19.5%
Asian	12	2.0%
Hispanic	37	6.0%
Native American	10	1.6%
White	410	66.8%
Unknown/Other	24	3.9%
Grand Total*	614	100.0%

*Note includes one stop without race of pedestrian.

The main findings:

- African Americans/Blacks were more likely to have a pedestrian stop compared to their Census estimates. The difference in the pedestrian stops was greater than the difference for drivers.
- Asians were less likely to have a pedestrian stop compared to their Census estimates. The difference in the pedestrian stops was greater than the difference for drivers.
- Hispanics were less likely to have a pedestrian stop compared to their Census estimates. The difference in the pedestrian stops was similar to their difference for drivers.
- Native Americans were more likely to have a pedestrian stop compared to their Census estimates.
- Whites were less likely to have a pedestrian stop compared to their Census estimates. The difference in the pedestrian stops was greater than the difference for drivers.
- The Unknown/Other category is difficult to compare to the Census estimates. This group was more likely to have a pedestrian stop compared to their accident data estimate. This disparity was less in the pedestrian stops than for the drivers of this category.

Table 10 listed the reasons for pedestrian stops citywide. Given the very small number of pedestrians stopped in some racial/ethnic categories, it is difficult to draw conclusions on the data for the Asian, Native American, Hispanic and Unknown/Other pedestrians. Therefore the findings will focus on a comparison between African American/Blacks and Whites.

Table 10. Citywide Reasons for Stops of Pedestrians

RACE/ETHNICITY	City Code		Equipment		License		Major ¹		Minor ²		Other		Total	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
African American/Black	19	15.8%	8	6.7%	4	3.3%	21	17.5%	43	35.8%	25	20.8%	120	100.0%
Asian	0	0.0%	1	8.3%	0	0.0%	6	50.0%	4	33.3%	1	8.3%	12	100.0%
Hispanic	8	21.6%	2	5.4%	1	2.7%	7	18.9%	11	29.7%	8	21.6%	37	100.0%
Native American	3	30.0%	0	0.0%	0	0.0%	1	10.0%	2	20.0%	4	40.0%	10	100.0%
White	84	20.5%	27	6.6%	4	1.0%	78	19.0%	136	33.2%	81	19.8%	410	100.0%
Unknown/Other	2	8.3%	4	16.7%	1	4.2%	2	8.3%	11	45.8%	4	16.7%	24	100.0%
Grand Total*	116	18.9%	42	6.8%	10	1.6%	116	18.9%	207	33.7%	123	20.0%	614	100.0%

¹ Major Moving Violation (Traffic crime, A or B Infraction)

² Minor Moving Violation (Class C or D Infraction)

*Note includes one stop without race of pedestrian. This person was stopped for a major violation. It is included in the major violation and total columns.

The main findings:

- The distribution of reasons for why African-American/Black and White pedestrians were stopped was fairly similar.
- African American/Blacks were slightly less likely than Whites to be stopped for a major violation (African American/Blacks = 17.5% and Whites = 19.0%) and slightly more likely to be stopped for a minor violation (African American/Blacks = 35.8% and Whites = 33.2%).
- African American/Blacks were more likely than Whites to be stopped for a license violation (African American/Black = 3.3% and Whites = 1.0%).

There were only 614 stops of pedestrians compared with 24,998 traffic stops during this period. However, there were approximately 2,000 stops forms cancelled which involved mere conversation type contacts. These contacts could include a wide variety of activities, but are different from stops in that the person being contacted is free to leave and is not being legally detained.

Summary

As noted previously in this report, analyzing and interpreting stop and search data has its challenges. Therefore, examining multiple analyses and considering multiple contributing factors to why disparities exist is important. Researchers specializing in analyzing disparities in stops data suggest examining various analyses and looking at patterns of disparate outcomes to help identify whether the findings are concerning. In these initial findings, of particular concern is the disparate impact on African Americans/Blacks. They are demonstrating the greatest disparities and concerning findings in the stops data, as the data shows consistent disparities for this group (in traffic stops and searches, reasons for the stop, consent searches, hit rates, and pedestrian stops). Native Americans and Hispanics had disparities in some of the analyses, suggesting they also should be looked at in more in-depth analyses. However, these disparities tended to be smaller and less consistent than those for the African Americans/Blacks.

Particularly since disparities were found in these initial analyses, it was important to conduct further analyses to better understand the reason for the disparities. For instance, past reports have found marked difference in the findings between the traffic and patrol divisions. Other findings have noted that the disparities in stops correlate with areas that have more crime and therefore more proactive patrol. Although the cause of racial disparities can be from multiple reasons that often overlap or are interrelated and therefore challenging to analyze, better understanding these relationships is a critical step to finding the solutions to reduce disparities.

Stops and searches by the Traffic Division⁶

Traffic officers' primary focus should be violations related to traffic law. There may be some variation as strategies using traffic enforcement to buttress patrol efforts at crime reduction are becoming more common. An example of this is the federally sponsored Data Driven Approaches to Crime and Traffic Safety (National Highway Traffic Safety Administration, 2009), which focuses traffic enforcement on areas with both crime and traffic safety issues. The PPB has utilized a similar strategy⁷ (traffic enforcement in high crime areas), which may result in some variation from the driving estimate or census benchmarks.

Stops

Table 11 displays the demographic breakdown of vehicle stops (of the driver) by traffic officers citywide between August 5, 2011, and December 31, 2011:

Table 11. Citywide Race at Stop of Driver (Traffic Division)

Race/Ethnicity	Count	Percent
African American/Black	985	7.1%
Asian	570	4.1%
Hispanic	670	4.9%
Native American	18	0.1%
White	10784	78.3%
Unknown/Other	745	5.4%
Total*	13777	100.0%

*Note five stops missing race of driver

In the earlier section on benchmarking who is driving, we discussed several possible benchmarks. Fridell (2004) proposes the use of a "Disparity Index" to examine disparity in stops. This system can help examine the stops of both traffic and patrol division more closely using various benchmarks to help assess disparities in stops. Under this system, a value greater than "1" would indicate an over-representation of the stopped group. Further analysis is needed to determine the cause of the disparity. Values less than "1" would indicate under-representation. Table 12 examines the stops by Traffic Division of African-American/Black, Asian, Hispanic, Native American, White drivers and Unknown/Other race drivers⁸:

⁶ Because of very small numbers associated with certain activities (such as pedestrian stops) by Traffic Division officers, there is a limited amount of analysis which can be conducted. Using a full year (or even multiple years) of data when available will allow for a more thorough analysis.

⁷ Per conversations with Traffic Captain David Hendrie, the PPB Traffic officers will occasionally be detailed to enforce traffic laws in areas experiencing high crime. Traffic officers in these details still focus on traffic enforcement but are focused in high crime areas. The demographics of these areas may not be representative of the city as a whole.

⁸ Stops of Native Americans are included in this table but are difficult to interpret due to the small sample size, n = 18.

Table 12. Citywide Race at Stop of Driver (Traffic Division)

Race/Ethnicity	Actual Stops		ACS 5-Year Benchmark ¹		Injury Crash Benchmark	
	Count	Percent	Percent	Disparity Index	Percent	Disparity Index
African American/Black	985	7.1%	6.3%	1.1	6.6%	1.1
Asian	570	4.1%	7.2%	0.6	7.2%	0.6
Hispanic	670	4.9%	9.2%	0.5	9.2%	0.5
Native American	18	0.1%	1.0%	0.1	1.0%	0.1
White	10784	78.3%	72.4%	1.1	75.5%	1.0
Unknown/Other	745	5.4%	3.2%	1.7	1.2%	4.5
Total^{2,3}	13777	100.0%	99.3%	1.0	100.0%	1.0

¹PPB data collection around race/ethnicity is not consistent with ACS/Census data making attempts at comparison difficult and potentially inappropriate (Withrow, 2008). This chart attempts to use the most consistent categories within each group. Injury crash data is collected using consistent metrics, making it more useful for comparison purposes.

² Note five stops missing race of driver

³ ACS data does not sum to 100% because the PPB does not collect data on multi-racial individuals (see footnote 1).

The main findings:

- African American/Black drivers constituted 7.1 percent of the traffic stops, which is close to their compared Census and accident data estimates.
- Asian drivers were 4.1 percent of the traffic stops, which is significantly lower than would be expected, compared to their Census and accident data estimates.
- Hispanic drivers were 4.9 percent of the stops by the Traffic Division, which is about half of the amount that would be expected compared to their Census and accident data estimates.
- White drivers constituted 78.3 percent of stops by the Traffic Division, which is about equal to the expected amount from their accident data estimates and slightly greater than their Census estimate.
- An examination of the disparity index of the stops reveals that African-American/Black and White drivers are stopped at rates roughly consistent with their representation in other benchmarks. Asian, Hispanic and Native American drivers are stopped at rates below what might be expected. Finally, Other/Unknown race drivers are stopped at rates much higher than would be expected. While this may be concerning it is not unexpected. Officers will regularly ask the race of the injured party in an accident so that the appropriate forms can be completed. This is not common in traffic stops, where asking the race of the person stopped may cause additional stress for the stopped party and is not necessary for the completion of the traffic citation or warning.

Table 13 examines the reasons for stops of drivers by Traffic Division officers:

Table 13. Citywide Reasons for Stops of Drivers (Traffic Division)

RACE/ETHNICITY	City Code		Equipment		License		Major ¹		Minor ²		Other		Total	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
African American/Black	1	0.1%	44	1.5%	9	0.9%	348	35.3%	583	59.2%	0	0.0%	985	100.0%
Asian	0	0.0%	19	3.3%	1	0.2%	198	34.7%	351	61.6%	1	0.2%	570	100.0%
Hispanic	0	0.0%	26	3.9%	7	1.0%	264	39.4%	369	55.1%	4	0.6%	670	100.0%
Native American	0	0.0%	1	5.6%	1	5.6%	5	27.8%	11	61.1%	0	0.0%	18	100.0%
White	3	0.0%	443	4.1%	67	0.6%	3768	34.9%	6,496	60.2%	7	0.1%	10784	100.0%
Unknown/Other	3	0.4%	19	2.6%	0	0.0%	211	28.3%	510	68.5%	2	0.3%	745	100.0%
Grand Total*	7	0.1%	552	4.0%	85	0.6%	4799	34.8%	8,320	60.4%	14	0.1%	13777	100.0%

¹Major Moving Violation (Traffic crime, A or B Infraction)²Minor Moving Violation (Class C or D Infraction)

*Note includes five stops without race of pedestrian. All these stops were stopped for a major violation. These numbers are included in the major violation and total columns.

The main findings:

- There were only minor differences in the reasons for stops between African-American/Black, Asian, Hispanic and White drivers.
- Native American driver stop reasons are difficult to interpret due to the small number of Native Americans in this analysis.
- Unknown/Other race drivers exhibit some differences in the reasons for stops, being slightly less likely to be stopped for a major violation and more likely to be stopped for a minor violation.

Searches

Traffic Division officers conduct searches in only 1.5% of all stops⁹, therefore, the counts in some analyses within the racial categories is low (for instance traffic officers conducted just ten consent searches of African-American/Black drivers, only one consent search of a Native American driver, and did not conduct any consent searches of Asian drivers). Having a full year of data available for analysis with the 2012 data may provide more accurate estimates regarding the distribution of searches for these groups. Table 14 provides the raw numbers of searches by Traffic Division officers:

Table 14. Reasons for Searches of Drivers by Traffic Division (% by Ethnicity/Race)*

RACE/ETHNICITY	Consent		No Search		Plain View		Probable Cause		Weapons Pat Down		Total	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
African American/Black	10	1.0%	947	96.1%	1	0.1%	24	2.4%	3	0.3%	985	100.0%
Asian	0	0.0%	566	99.3%	1	0.2%	3	0.5%	0	0.0%	570	100.0%
Hispanic	6	0.9%	647	96.6%	2	0.3%	15	2.2%	0	0.0%	670	100.0%
Native American	1	5.6%	16	88.9%	0	0.0%	1	5.6%	0	0.0%	18	100.0%
White	51	0.5%	10645	98.7%	3	0.0%	79	0.7%	6	0.1%	10784	100.0%
Unknown/Other	1	0.1%	742	99.6%	0	0.0%	2	0.3%	0	0.0%	745	100.0%
Total*	69	0.5%	13568	98.5%	7	0.1%	124	0.9%	9	0.1%	13777	100.0%

*Note 5 stops missing race of driver, however none of these stops resulted in a search of a driver. These stops were added to the No Search and Total columns.

The main findings:

- Drivers were very rarely searched by Traffic Division officers and when searches were conducted they were generally (59.3%) the result of probable cause.
- African-American/Black, Hispanic, and Native American drivers that were stopped were more likely than White drivers to have a consent search.

⁹This was calculated by subtracting the percentage of stops with "No Search" from the "Total" percentage of stops.

- Asian drivers and those in the unknown/other category were less likely than White drivers to have a consent search.
- 1 percent of the African-American/Black drivers that were stopped had a consent search. These were ten consent searches of African-American/Black drivers.
- 0.9 percent of the Hispanic drivers had a consent search. These were six consent searches of Hispanic drivers.
- 5.6 percent of the Native American drivers had a consent search. This was one Native American driver.
- 0.5 percent of the White drivers had a consent search. These were 51 White drivers.
- None of the Asian drivers that were stopped had a consent search.

Hit Rates on Searches

Table 15 examines hit rates for Traffic Division officers.

Table 15. Hit Rates of Stopped Drivers by Traffic Division for all contraband, Alcohol, Drugs and Weapons¹

Race/Ethnicity	Total Searches	All Contraband		Alcohol		Drugs		Weapons		Contraband excluding Alcohol	
		Hits	Percent	Hits	Percent	Hits	Percent	Hits	Percent	Hits	Percent
African American/Black	38	10	26.3%	3	7.9%	5	13.2%	1	2.6%	7	18.4%
Asian	4	2	50.0%	0	0.0%	2	50.0%	0	0.0%	2	50.0%
Hispanic	23	7	30.4%	5	21.7%	2	8.7%	0	0.0%	7	30.4%
Native American	2	2	100.0%	2	100.0%	0	0.0%	0	0.0%	0	0.0%
White	133	74	53.2%	60	43.2%	12	8.6%	0	0.0%	15	10.8%
Unknown/Other	3	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
All Non-White ²	70	21	30.0%	10	14.3%	9	12.9%	1	1.4%	16	22.9%
Total ³	209	95	45.5%	70	33.5%	21	10.0%	1	0.5%	31	14.8%

¹ Officers can choose between the following results: Alcohol, Drugs, Other, Nothing Found, Stolen Property and Weapons. Stolen property and others are not included individually but are included in all contraband.

² This category is created by substituting the driver results from the table and is not unique in the original data set. It includes unknown/other race individuals.

³ Total Searches may not equal search results because multiple items can be recovered in the same search.

The Main Findings

Due to the small sample it is difficult to draw many conclusions from Table 15 for the Asian, Native American or Unknown/Other category.

- African Americans/Blacks and Hispanics that were searched were less likely than Whites to be found with contraband. When alcohol is excluded, African Americans/Blacks were more likely than Whites to be found with contraband but Hispanics are still slightly less likely than Whites to be found with contraband.
- 26.3 percent of African Americans/Blacks that were searched had some form of contraband.
- 30.4 percent of Hispanics that were searched had some form of contraband.
- 53.2 percent of Whites that were searched had some form of contraband.

Summary

Overall the distribution of stops made by the Traffic Division are consistent with the Census and accident data estimates, with the exception of Asian and Hispanic drivers being stopped at a substantially lower rate than one would expect. African-American/Black drivers are only slightly over-represented in stops by the Traffic Division unlike

their findings for traffic and patrol division combined. Given that Traffic Division stops consist of approximately 55% of all stops of drivers by PPB officers this finding is important. It is important to note that the small number of Native American drivers stopped made interpretation of the analyses for this group difficult.

Disparities were found in the percentage of consent searches conducted for African-American/Black and Hispanic drivers; however, this disparity is markedly less than in the previous analyses suggesting that much of the disparity in searches is related to patrol stops. The numbers of consent searches (10 consent searches of African-American/Black drivers, 6 consent searches of Hispanic drivers and 51 consent searches of White drivers) are very small, involving 1% or less of the drivers stopped by the Traffic Division.

Future analysis should examine this trend with an entire (or even multiple) years worth of data. Additionally, using a multi-year dataset of injury accidents may be the best potential benchmark¹⁰. Search data will also benefit from a larger data set. While PPB Traffic officers make a large number of stops, the majority of these are non-investigative and do not result in searches.

¹⁰ By examining multiple years the demographic breakdown will be: (1) more stable (due to a larger number of stops), (2) that data is formatted in a manner consistent with PPB stops data (over-coming issues related to multi-racial categories included in ACS and Census data but not accounted for by PPB data) and (3) will allow us to examine the Unknown/Other category which may improve the accuracy of the potential benchmark.

Stops and searches by officers working patrol assignments

Unlike Traffic Division, where all of the officers are assigned work in the same division with similar goals and responsibilities, officers working patrol encompass a wide range of divisions with various responsibilities. For instance, captured under Patrol are units working gang enforcement, units working in Neighborhood Response Teams when in uniform and on patrol, street crimes units which may focus on drug dealing and other livability type crimes, transit division officers who focus on crimes related to TriMet, district officers working in areas of the city ranging from deep in Southwest Portland to far East Portland. These units have a range of responsibilities that include: the enforcement of traffic laws; the prevention of property crime and violent crime; responding to calls for service (radio calls); engaging in problem solving and community policing activities; as well as other responsibilities. This variety makes the analysis of stop data by officers in patrol much more difficult because there is no single appropriate benchmark (such as representation in injury accidents) by which to gauge potential disparities in stops and searches.

A commonly used technique to suppress violent crime is to assign additional officers to engage in directed patrol in areas where violent crime is occurring or has historically been prevalent. Tactical Operations Division (TOD) officers, such as gang enforcement, are often used in this capacity. The first part of this section will provide the same descriptive statistics as conducted in the previous sections. Three sections will follow these analyses to explore the main factors that community members and law enforcement officers believe contribute to the disparities found. These sections are on disproportionate exposure to law enforcement, the local gang issue, and the impact of racial bias. These are intended to provide information to further productive discussions around these factors; they are not listed to imply that they are the only factors that may be contributing to these disparities. However, exploring solutions around these factors may provide a good starting place for those working to understand the disparities.

Stops

Table 16 displays the demographic breakdown of vehicle stops (of the driver) by patrol officers citywide between August 5, 2011 and December 31, 2011:

Table 16. Citywide Race at Stop of Driver (by Patrol Officers)

Race/Ethnicity	Count	Percent
African American/Black	1961	17.5%
Asian	551	4.9%
Hispanic	869	7.7%
Native American	48	0.4%
White	7159	63.8%
Unknown/Other	633	5.6%
Total	11221	100.0%

Below is the demographic breakdown of people that are stopped by patrol compared to the estimated driving populations, as is done in the previous sections. However, many patrol officers (such as gang and beat patrol officers) are not necessarily patrolling among these same demographics so this will also be taken into considerations in analyses later in this report. As noted in the previous section, a disparity index value greater than "1" indicates an over-representation compared to the estimated driving population.

Table 17. Citywide Race at Stop of Driver (Patrol Units)

Race/Ethnicity	Actual Stops		ACS 5-Year Benchmark ¹		Injury Crash Benchmark	
	Count	Percent	Percent	Disparity Index	Percent	Disparity Index
African American/Black	1961	17.5%	6.3%	2.8	6.6%	2.6
Asian	551	4.9%	7.2%	0.7	7.2%	0.7
Hispanic	869	7.7%	9.2%	0.8	9.2%	0.8
Native American	48	0.4%	1.0%	0.4	1.0%	0.4
White	7159	63.8%	72.4%	0.9	75.5%	0.8
Unknown/Other	633	5.6%	3.2%	1.8	1.2%	4.7
Total²	11221	100.0%	99.3%	1.0	100.0%	1.0

² PPB data collection around race/ethnicity is not consistent with ACS/Census data making attempts at comparison difficult and potentially inappropriate (Withrow, 2008). This chart attempts to use the most consistent categories within each group. Injury crash data is collected using consistent metrics, making it more useful for comparison purposes.

¹ ACS data does not sum to 100% because the PPB does not collect data multi-racial individuals (see footnote 1).

The main findings:

- African-American/Black drivers constituted 17.5 percent of the stops, which is substantially greater than their Census and accident data estimates. African-American drivers (disparity index of 2.6 using Injury Crash Benchmark) were 3.25 times (2.6/0.8) more likely to be pulled over than White drivers (disparity index of .8).
- Asian drivers were 4.9 percent of the patrol stops, which is lower than would be expected, compared to their Census and accident data estimates. White drivers (disparity index of 0.8) were 1.14 times (0.8/0.7) more likely to be pulled over than Asian drivers (disparity index of 0.7).
- Hispanic drivers were 7.7 percent of the stops by patrol, which is lower than would be expected, compared to their Census and accident data estimates and were no more likely than White drivers to be stopped.
- Native American drivers constituted 0.4 percent of the stops, which is lower than would be expected compared to their Census estimate but greater than to be expected given their accident data estimate.
- White drivers comprised 63.8 percent of the stops by patrol, which is lower than would be expected, compared to their Census and accident data estimates.
- The Unknown/Other category is difficult to compare. However, they had 5.6 percent of the stops by patrol which is greater than what would be expected compared to their Census and accident data estimates.

Reason for the stop

Below are the reasons that were provided for people stopped by patrol:

Table 18. Citywide Reasons for Stops of Drivers (Patrol Units)

RACE/ETHNICITY	City Code		Equipment		License		Major ¹		Minor ²		Other		Total	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
African American/Black	5	0.3%	321	16.4%	109	5.6%	518	26.4%	977	49.8%	31	1.6%	1961	100.0%
Asian	1	0.2%	76	13.8%	15	2.7%	190	34.5%	262	47.5%	7	1.3%	551	100.0%
Hispanic	5	0.6%	142	16.3%	32	3.7%	238	27.4%	430	49.5%	22	2.5%	869	100.0%
Native American	0	0.0%	8	16.7%	1	2.1%	16	33.3%	23	47.9%	0	0.0%	48	100.0%
White	12	0.2%	1061	14.8%	328	4.6%	2172	30.3%	3,497	48.8%	89	1.2%	7159	100.0%
Unknown/Other	1	0.2%	99	15.6%	11	1.7%	153	24.2%	336	53.1%	33	5.2%	633	100.0%
Grand Total	24	0.2%	1707	15.2%	496	4.4%	3287	29.3%	5,525	49.2%	182	1.6%	11221	100.0%

¹Major Moving Violation (Traffic crime, A or B Infraction)

²Minor Moving Violation (Class C or D Infraction)

The main findings:

- The distribution of reasons why drivers were stopped was mostly similar among the six racial/ethnic groups; however, differences are noted. Many patterns found are similar to those found in the traffic data.
- African American/Blacks, Hispanics, and those in the Unknown/Other category were the least likely to be pulled over for a major moving violation and were pulled over for more minor moving violations compared to Whites.
- The Asian and Native American drivers were more likely to be pulled over for a major moving violation compared to Whites and the least likely to be pulled over for a minor moving violation.
- African American/Blacks, Hispanics, Native Americans, and those in the Unknown/Other category were pulled over for an equipment violation more often than Whites.

Searches

Table 19 provides the demographic breakdown of the searches conducted by patrol officers, the percent of searches among each racial/ethnic group and the percent of stopped persons in each group that were searched. This data can be examined in multiple ways. It is usually recommended to use the percentage of White drivers that were searched as the base rate for measuring equity in how often people are searched (i.e. if 6.8% of White drivers are searched then all other groups should be searched at rates roughly similar to 6.8%).

Table 19. Citywide Race of Searches at Stops of Drivers (Patrol Units)¹

Race/Ethnicity	Count Stops	Count of Searches	Stops with a Search
African American/Black	1961	336	17.1%
Asian	551	16	2.9%
Hispanic	869	101	11.6%
Native American	48	4	8.3%
White	7159	486	6.8%
Unknown/Other	633	40	6.3%
Total	11221	983	8.8%

¹Total Searches may not equal search results because multiple items can be recovered in the same search.

- African-American/Black drivers were the most likely to be searched (17.1%) and were substantially more likely to be searched than White drivers (6.8%).
- Asian drivers were considerably less likely (2.9%) than White drivers to be searched (6.8%).
- Hispanic drivers were more likely (11.6%) than White drivers to be searched (6.8%).
- Native American drivers were slightly more likely (8.3%) than White drivers to be searched (6.8%).
- Those in the Unknown/Other category were slightly less likely (6.3%) than White drivers to be searched.

Reasons for search

The following table provides the percentage of drivers in each racial/ethnic group that were searched and what types of searches were conducted.

Table 20. Reasons for Searches of Drivers by Patrol Units (% by Ethnicity/Race)

RACE/ETHNICITY	Consent		No Search		Plain View		Probable Cause		Weapons Pat Down		Total	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
African American/Black	235	12.0%	1625	82.9%	11	0.6%	54	2.8%	36	1.8%	1961	100.0%
Asian	8	1.5%	535	97.1%	1	0.2%	6	1.1%	1	0.2%	551	100.0%
Hispanic	64	7.4%	768	88.4%	3	0.3%	17	2.0%	17	2.0%	869	100.0%
Native American	2	4.2%	44	91.7%	1	2.1%	1	2.1%	0	0.0%	48	100.0%
White	298	4.2%	6673	93.2%	29	0.4%	105	1.5%	54	0.8%	7159	100.0%
Unknown/Other	20	3.2%	593	93.7%	2	0.3%	7	1.1%	11	1.7%	633	100.0%
Total	627	5.6%	10238	91.2%	47	0.4%	190	1.7%	119	1.1%	11221	100.0%

- African American/Blacks were searched more frequently than any other racial/ethnic group and were much more likely to receive consent searches. Twelve percent of the African American/Blacks that were stopped by patrol units received a consent search compared to approximately 7.4% of Hispanic drivers, 4.2% of Native American and White drivers, and 1.5% of Asian drivers.
- Hispanic drivers received consent searches more frequently than White drivers.
- Asian drivers were the least likely to be searched; 97.1% received no search compared to 93.2% of White drivers, 88.4% of Hispanic drivers, and 82.9% of African-American/Black drivers.

Search hit rates

The number and percentages of various types of contraband found are listed in the table below.

Table 21. Hit Rates of Stopped Drivers Citywide by Patrol Units for all contraband, Alcohol, Drugs and Weapons¹

Race/Ethnicity	Total Searches	All Contraband		Alcohol		Drugs		Weapons		Contraband excluding Alcohol	
		Hits	Percent	Hits	Percent	Hits	Percent	Hits	Percent	Hits	Percent
African American/Black	336	104	31.0%	18	5.4%	60	17.9%	17	5.1%	86	25.6%
Asian	16	5	31.3%	1	6.3%	4	25.0%	1	6.3%	4	25.0%
Hispanic	101	30	29.7%	6	5.9%	17	16.8%	4	4.0%	24	23.8%
Native American	4	3	75.0%	1	25.0%	2	50.0%	0	0.0%	2	50.0%
White	486	193	39.7%	36	7.4%	126	25.9%	23	4.7%	157	32.3%
Unknown/Other	40	19	47.5%	1	2.5%	7	17.5%	1	2.5%	18	45.0%
All Non-White ²	497	161	32.4%	27	5.4%	90	18.1%	23	4.6%	134	27.0%
Total ³	983	354	36.0%	63	6.4%	216	22.0%	46	4.7%	291	29.6%

¹ Officers can choose between the following results: Alcohol, Drugs, Other, Nothing Found, Stolen Property and Weapons. Stolen property and others are not included individually but are included in all contraband.

² This category is created by subtracting white driver results from the total and is not unique in the original data set. It includes unknown/other race individuals.

³ Total searches may not equal search results because multiple items can be recovered in the same search.

The main findings:

- African-American/Black and Hispanic drivers were less likely than White and Asian drivers to be found with contraband regardless of whether or not alcohol is included in the analyses.
- Asian drivers were found to have close to the same amount of contraband as White drivers.
- The Unknown/Other categories of drivers were found to have more contraband than White drivers regardless of whether or not alcohol is included in the analyses.
- The largest disparity was found in the drug category. White drivers were more likely than any other racial/ethnic group to be found with drugs.

Stops of pedestrians by patrol officers

Many agencies, particularly on the east coast, employ strategies which utilize large numbers of pedestrian stops (similar to “pre-text” stops of drivers, i.e. stopping a driver for a traffic investigation when the underlying reason for the stop is not to enforce traffic, but to look for other criminal activity such as property crime, violent crime or drug possession). Often called “stop-and-frisk” such practices have resulted in people of color being stopped at rates in excess of both demographic and crime-related variables (Gelman, Fagan, & Kiss, 2007).

The Portland Police does not employ a strategy based on “stop-and-frisk.” On the contrary, officers are trained to ask for consent to search, even if they believe they are justified in performing a non-consensual pat down for weapons¹¹. This leads to a larger number of consent searches in Portland compared with weapon pat downs elsewhere. There is also less reliance on stops and a greater emphasis on “mere conversation.” The difference between a stop and “mere conversation” is that the subject is free to leave if the officer engages in “mere conversation,” but can be legally detained (although not necessarily arrested) in a stop. Some community members have expressed concern that “mere conversation” contacts are not tracked. This concern is valid in that the number of such contacts exceeds the number of pedestrian stops. Despite this concern, the logistics of collecting data on every “mere conversation” contact would be considerable. The Portland Police respond to approximately 400,000 calls annually and most resulted in at least one such contact and many result in multiple contacts¹².

Table 22 examines the race of pedestrians stopped by patrol officers between August 5 and December 31, 2011 (this does not include mere conversations):

Table 23. Citywide Race at Stop of Pedestrians (Patrol)

Race/Ethnicity	Count	Percent
African American/Black	107	22.1%
Asian	10	2.1%
Hispanic	32	6.6%
Native American	10	2.1%
White	305	63.0%
Unknown/Other	20	4.1%
Total	484	100.0%

The total number of pedestrian stops by patrol during this time was 484. It is important to remember this does not count the number of unique individuals stopped, but all stops regardless of if the person is stopped multiple times by the same or different officers. Many individuals are known to the police and are repeatedly stopped (this

¹¹ Per conversations with Training Division officers, this is still standard practice as of 1/25/12. The benefits of having consent versus a pat down are related with issues of admissibility of evidence in court.

¹² The PPB recognizes that if the community is sufficiently concerned it may be necessary to collect such data. However, the costs of collecting and analyzing the data would be considerable. If officers average 1.5 routine contacts per call and collecting data on such contacts took only 3 minutes on average the amount of time spent collecting data (filling out contact forms) would be the equivalent of approximately 14.5 full-time police officers annually.

is particularly true of a small number of very active gang members and individuals who are prohibited from being in drug impact areas). Being able to separate these stops would allow for a more refined analysis of the impact on different demographic groups (one person being stopped repeatedly due to gang involvement would be less impactful on the community than a large number of individuals stopped).

Tables 23 through 25 examine these stops by precinct:

Table 23. Central Precinct Race at Stop of Pedestrians (Patrol)

Race/Ethnicity	Count	Percent
African American/Black	39	17.6%
Asian	2	0.9%
Hispanic	13	5.9%
Native American	5	2.3%
White	157	71.0%
Unknown/Other	5	2.3%
Total	221	100.0%

Table 24. East Precinct Race at Stop of Pedestrians (Patrol)

Race/Ethnicity	Count	Percent
African American/Black	17	19.1%
Asian	3	3.4%
Hispanic	4	4.5%
Native American	1	1.1%
White	55	61.8%
Unknown/Other	9	10.1%
Total	89	100.0%

Table 25. North Precinct Race at Stop of Pedestrians (Patrol)

Race/Ethnicity	Count	Percent
African American/Black	37	30.6%
Asian	4	3.3%
Hispanic	10	8.3%
Native American	2	1.7%
White	63	52.1%
Unknown/Other	5	4.1%
Total	121	100.0%

What does the data mean?

Benchmarking pedestrian stops is difficult without using observational data to examine the proportion of individuals walking and/or violating pedestrian rules. The PPB performs very limited enforcement of jaywalking and other offenses (although some officers may enforce these rules and very occasionally a mission is run in response to a pedestrian death). Anecdotally¹³, drug enforcement in areas with open air drug markets¹⁴ often involves pedestrian stops. Another major activity involving stops of pedestrians are citations for having open alcohol containers. Officers also focus on violent crime and contacting individuals in areas with where violent crime (particularly gang crime) has occurred.

¹³ Based on the author's personal experiences and conversations with officers still working in patrol.

¹⁴ Low-level drug deals typically involve a seller and buy who know each other communicating via phone, text or alternate means and arrangements to meet. Some areas (Old Town or the area beneath the Burnside Bridge for instance) are open air drug markets where drug buyers and sellers, who may or may not know each other, meet to sell/buy drugs.

Variations in where different racial groups live as well as different enforcement priorities may account for some of the variation in stops between precincts.

Table 26 examines the demographic characteristics of pedestrians stopped by patrol officers against the rate of victimization in violent crime by precinct:

Table 26. Stop of Pedestrians (Patrol) Compared with Victimization in a Part I Violent Crime as a Benchmark

Race/Ethnicity	Central/Viol Exposure	Central/Stops	East/Viol Exposure	East/Stops	North/Viol Exposure	North/Stops
African American/Black	8.8%	17.6%	21.0%	19.1%	26.2%	30.6%
Asian	3.9%	0.9%	8.9%	3.4%	4.7%	3.3%
Hispanic	8.8%	5.9%	10.1%	4.5%	9.9%	8.3%
Native American	1.4%	2.3%	1.9%	1.1%	3.0%	1.7%
White	77.1%	71.0%	61.5%	61.8%	56.1%	52.1%

This table compares stop rates against exposure to violent crime (as measured by victimization in Part I violent crimes reported to the police)¹⁵. For instance, when using violent Part I crime it appears that:

- The percentage of stops consisting of African-American/Black pedestrians is approximately twice the amount than would be expected in Central Precinct, slightly greater than would be expected in North Precinct and is slightly less than would be expected in East Precinct.
- The number of stops consisting of Asian and Native American pedestrians stopped is small (10 stops for each group), making it difficult to draw meaningful conclusions.
- The percentage of stops consisting of Hispanic pedestrians stopped is below what their prevalence as victims would indicate in all three precincts.
- The number of stops consisting of Asian pedestrians is lower than their violent exposure rate in all three precincts and substantially lower in Central and East precinct.
- Native Americans received more pedestrian stops than would be expected by their violent exposure in Central precinct and less than would be expected in East and North precinct.
- The percentage of stops consisting of White pedestrians stopped is slightly lower than would be expected in Central and North Precincts and at a rate almost exactly the same as exposure in East.

While there are substantial disparities in victimization for violent crime reported to the police these disparities do not account for differences in stops of pedestrians in Central Precinct. By examining the data more closely, it becomes apparent that nearly all the disparities in stops of pedestrians observed in Central Precinct occurred in District 822.

¹⁵ This table has no Unknown/Other race category because officers identified the race of all individuals victimized.

Table 27. Central Precinct Race at Stop of Pedestrians (Patrol) - the Impact of Oldtown

Race/Ethnicity	District 822 (Oldtown east of Broadway)		Central without 822		Central/Violent Exposure
	Count	Percent	Count	Percent	Percent
African American/Black	22	44.0%	17	9.9%	8.8%
Asian	0	0.0%	2	1.2%	3.9%
Hispanic	2	4.0%	11	6.4%	8.8%
Native American	1	2.0%	4	2.3%	1.4%
White	25	50.0%	132	77.2%	77.1%
Unknown/Other	0	0.0%	5	2.9%	0.0%
Total	50	100.0%	171	100.0%	100.0%

It is important to note that these are stops which occur in District 822 (not stops by any particular officer working in District 822). This district, in the heart of Old Town, is roughly composed of the area east and south of NW Broadway and north of West Burnside Street. Historically, this area has experienced a high volume of complaints regarding drug activity, street drinking and other livability issues.

Summary

The examination of pedestrian stops provides an excellent illustration of the many potential pitfalls associated with determining appropriate benchmarks for police units who are responsible for responding to issues beyond simply traffic enforcement. While pedestrian stops are disproportionate to Census estimates, it is likely that patrol units are responding to increased victimization in parts of the city which are disproportionately inhabited by residents of color. However, even after accounting for disparate victimization, certain parts of the city have disproportionate numbers of people of color stopped. Better understanding the cause of these disparities is important and the following sections will explore three potential contributing factors that PPB officers, PSU researchers and the public have noted: differential exposure to law enforcement, the impact of local gangs and the impact of racial bias.

Differential exposure to law enforcement

One of the concerns that the Criminal Justice Policy Research report and others have brought up is that in Portland, some communities of color may experience a greater amount of exposure to law enforcement due to the geographical demographics in Portland and the distribution of police services. Some of these differences in police response may be due to variation in crime rates and calls for service; however, this differential response can also have a negative impact on some community groups more than others. It may benefit the Portland Police Bureau and the police and community advisory groups to stay aware of how dispersion of patrol and calls for service is impacting communities so that plans to mitigate unintended consequences can be made.

Police presence in a neighborhood can be driven by different factors. One factor influencing exposure to police is priority calls loads. Renauer (2012) utilized such calls to measure police presence and community consensus around the need for enforcement in an area.

Crime and call loads are not evenly dispersed across the city of Portland. Police officers, particularly in the patrol division, are assigned to different parts of the city based on factors such as call load, violent crime, geography (certain areas are difficult to access and require more police to reduce response times) as well as dynamic factors (in particular the city has responded to increased gang violence by applying additional police to those areas impacted).

This section aims to examine two questions:

- 1) Do people of color experience a greater amount of police exposure in Portland due to how crime and non-police initiated calls for service are dispersed around the city? There is some extra emphasis on seeing what the relationship is for African Americans/Blacks because the data demonstrates that they have the most consistent and greatest amount of disparities in this dataset. If people of color in Portland are exposed to a greater amount of police presence, the Portland Police Bureau may want to consider how they can mitigate the negative consequences of this through patrol strategies and police and community member interactions.
- 2) If people of color are disproportionately impacted, it is also important to examine how well neighborhood levels of stops and searches correlate with the neighborhood crime and call loads. If these factors do not correlate well, the Police Bureau may want to further investigate why this may be the case. Regardless of how well they correlate, finding ways to reduce disparities and mitigate negative consequences on police and community member interactions is critical.

Do people of color experience a greater amount of police exposure in Portland due to how crime and non-police initiated calls for service are dispersed around the city?

Data on the numbers of Part I crimes (homicide, rape, robbery, aggravated assault, burglary, larceny, vehicle theft, arson), non-police initiated calls for service, stops, searches, and the racial/ethnic resident population counts by neighborhood

were collected for the dates between August 5 to December 31, 2011¹⁶. The data was aggregated to 96 Portland neighborhoods. The 20 neighborhoods with the greatest number of African Americans/Blacks in Portland were identified. These 20 neighborhoods¹⁷ are where approximately 67 percent of the African American/Blacks in Portland reside. Table 28 below provides the percentage of Part I crimes, calls for service, patrol stops, discretionary patrol searches, and other racial/ethnic characteristics for these neighborhoods.

Table 28. Characteristics of 20 Neighborhoods in Portland with the Largest African American/Black Population¹

Characteristic	Percent
% of Portland's Land Mass	37%
% of Portland's Population	38%
% of Portland's African American/Black Population	67%
% of Portland's Hispanic Population	58%
% of Portland's Native American Population	51%
% of Portland's Asian Population	46%
% of Portland's White Population	32%
% of Portland's Part I Crimes	40%
% of Portland's Violent Crimes	48%
% of Portland's Aggravated Assaults Involving Firearms ²	76%
% of Portland's Attempted Murder Involving Firearms ³	80%
% of Calls for Service in Portland	41%
% of Stops Conducted in Portland (by patrol)	51%
% of Discretionary Searches Conducted in Portland (by patrol)	62%

¹Population data estimated using 2010 Census data. Crimes and calls compiled using SQL server/CAMIN 2 PPB data For Aug. 5, 2011 to Dec. 31, 2011. Data is presented at the offense (as opposed to incident).

²This definition follows federal guidelines for aggravated and does not necessarily involve a person being shot. Shooting at a person or even menacing a person may qualify as an aggravated assault with a firearm. Attempted Murder may more closely resemble the lay person's impression of what constitutes an assault with a firearm

³It is important to remember that there was only 10 of these offenses citywide during the period examined.

The main findings:

- As well as being the residence for 67% of the African American/Black population, approximately 58% of Hispanics, 51% of Native American, 46% of Asians, and 32% of Whites in Portland reside in these 20 neighborhoods.

¹⁶ To examine the impact of priority calls on police deployment, all priority police calls in the city of Portland between August 5, 2011, to December 31, 2011 were extracted from police records. Calls generated by police (called self-initiated calls) were excluded so that the data set contained only calls to the police. This eliminated discretion on the part of officers and created a measure of demand for police services.

This resulted in 60,568 calls. Calls assigned to other agencies (such as medical calls, calls assigned to other police agencies such as Port of Portland Police, Portland State University Campus Safety, Federal Agencies etc.) were removed as were calls which were classified as information only (broadcast but no officers were dispatched to the location). This created a data set of 52,639 calls. This data set was input into a mapping program and 48,809 calls were successfully attributed to a neighborhood (92.7%).

Demographic data at the neighborhood level was estimated by using 2010 Census data at the Census Block level. The Census blocks were converted to point data and joined to a map file of Portland neighborhoods. This resulted in an estimate of the demographic composition of each Portland neighborhood.

Crime data is collected at the neighborhood level by the PPB. This data was taken from PPB reports.

Stop data consists of PPB traffic stops by patrol officers (this excludes Traffic Division stops) between August 5, 2011 and December 31, 2011. Search data consists only of discretionary searches (consent searches and weapon pat downs) which could be geocoded. 86.9% of these searches could be geocoded to a neighborhood.

¹⁷ These 20 neighborhoods were Cully, Portsmouth, Powellhurst-Gilbert, Hazelwood, King, Concordia, Piedmont, Woodlawn, Humboldt, Centennial, St. Johns, Lents, Kenton, Montavilla, Wilkes, Parkrose, Boise, Argay, Eliot, and Madison South.

- Approximately 40 percent of Part I crimes and 48% of violent crimes that are reported to the police in Portland occur in these neighborhoods.
- Approximately 41 percent of the calls for police services in Portland come from these neighborhoods.
- Approximately 51 percent of stops and 62 percent of searches conducted in Portland are in these neighborhoods.
- Approximately 76 percent of Portland's Aggravated Assaults with firearms (guns) and 80 of Portland Attempted Murder with Firearms occurred in these neighborhoods.

These 20 neighborhoods are approximately 21 percent of the 96 neighborhoods in Portland. However, they encompass approximately 37.2% of the land mass and 38% of the total population of all 96 Portland neighborhoods. Given this information, the percentages of Part I crimes and calls for services are approximately what would be expected. Violent crime, stops and searches are disproportionately higher for these 20 neighborhoods (this is not the case in each of these neighborhoods individually). Although the amount of Part I crimes and calls for service to these areas are relatively proportionate to what would be expected for these areas if these crimes and calls for service were evenly distributed in Portland, the findings still point out that some communities of color are likely experiencing a disproportionate amount of exposure to the police.

During this time frame, approximately two-thirds of the searches in Portland occurred in these 20 neighborhoods. This suggests two questions: 1) how well does the police presence with respect to stops and searches correlate with the Part I crime, violent crime and calls for service in a given area and 2) what can the Police Bureau do to mitigate the negative consequences of a greater police presence on individuals who are not engaging in crime.

How well do neighborhood levels of stops and searches correlate with the neighborhood Part I crime, violent crime and calls for service?

The table below lists the correlation coefficients for how well patrol stops and patrol discretionary searches¹⁸ correlate with Part I crimes, violent Part I crimes, and calls for service to an area. For these correlations, all variables were standardized by 1,000 people in the population to control for neighborhood population differences. A correlation value of 0 would mean that there is no relationship between the factors (e.g. patrol stops and Part I crimes) and a correlation value of 1 would mean that there is a perfect relationship between the two factors (e.g. if patrol stops and Part I crimes had a correlation of 1, the amount of stops in a neighborhood could perfectly predict the amount of crime in the neighborhood).

Overall, the data demonstrates that the number of patrol stops increase with the amount of Part I crime, violent Part I crime, and calls for service in an area. The correlations are not perfect; however, they do demonstrate a considerable relationship. The relationship between discretionary searches and Part I crimes and

¹⁸ Discretionary searches are search types where the officer is not mandated by policy to conduct a search (for instance, officers are required to search individuals they arrest prior to transporting them to jail. This category consists of consent searches and weapon pat downs by patrol officers and excludes search types such as probable cause and plain view searches.

calls for service are somewhat weaker. The weaker correlation may be partly due to a large portion of Part I crimes consisting of crimes such as shoplifts reported by large retail establishments. Such crimes generate a police response and report, but are rarely associated with stops and/or searches. However, it was found that overall discretionary searches are more common in areas with more Part I crimes and calls for service. The strongest correlation is between the patrol discretionary searches and the violent crimes rates in an area. This would support the hypothesis that as the amount of violent crime in an area increases the chance of an officer conducting a discretionary search also increases. Further analysis may want to examine whether the hit rates in areas with a greater amount of violent crime compare to areas with lower amounts of violent crime.

Table 29. Correlation of Patrol Stops and Discretionary Searches to Crime and Calls for Service Controlling for Population

Characteristic	Spearman's <i>r</i>
Patrol Stops and Part I Crime	0.672
Patrol Stops and Violent Crime	0.744
Patrol Stops and Calls for Service	0.740
Patrol Discretionary Searches and Part I Crime	0.572
Patrol Discretionary Searches and Violent Crime	0.771
Patrol Discretionary Searches and calls for Service	0.596

Next steps: Further analysis and strategies for mitigating the unintended consequences of a greater police presence among communities of color.

A primary goal of this report is to stimulate a discussion around steps which can be taken to reduce disparities in stop and search outcomes while simultaneously improving public safety outcomes. There appears to be a growing consensus that programs such as Focused Deterrence, Hot Spot Policing and Problem-Oriented Policing can have a positive impact on violent crime (Telep & Weisburd, 2012). Most of these strategies, while potentially effective at reducing crime and disorder, have an unknown impact on underrepresented populations and may negatively impact police legitimacy (for Hot Spot Policing see: Kotchel, 2011).

As Renauer et al., 2009, found, this lack of information would argue for the importance of improved police/community dialogue around which strategies should be employed in order to better protect and serve the community. It would also argue for examining the impact of these strategies on both crime and disparities in contact between police and communities of color. Such an examination would benefit both the public, by making the costs of crime reduction strategies on community/police relations more explicit, and patrol officers, many of who believe they are being accused of being racist for carrying out strategies which have been endorsed by city leadership. Finally, such an explicit accounting would force police leaders to develop new and more effective strategies for addressing public safety in a more equitable fashion¹⁹.

¹⁹ Alternately, it may be that no single simple solution exists and police leaders may need to manage the benefits of immediate, deterrent based crime preventions efforts against longer term issues such as the legitimacy of police in communities impacted by crime.

Impact of local gang issues

Many people have inquired about how the demographics in local gangs impact the disparities in the stops data. This section provides an overview of the racial/ethnic demographics of those that have been identified by the Portland Police Bureau as being a gang member²⁰, the crimes they have been associated with during the timeframe this report focuses on, and the amount of disparity that relates to units that are designated to focus on gang enforcement.

Table 30 provides some examples of initiatives that were directed at reducing violent crime during this time period:

Table 30. Initiatives Directed at Violent Crime - Active August 1st, 2011 to December 31st, 2011

Approximate Date/Time Frame	Name of Mission (if named)	Primary Unit/Division	Number of Officers (if identified)	Focus of Mission
June 1 through the Summer, 2011	Operation Cool Down	Tactical Operations Division /Mult. Co. Parole Officers/County Prosecutors/Gang Outreach/All Precincts	Gang Unit plus 10 additional sworn officers (8 patrol officers)	Responded to eight shootings including a homicide in a two-week period.
September 1, 2011	Not Named	North Precinct/ Tactical Operations Division	Not tracked	Increased patrol following the shooting of six
October 24-28, 2011	Follow-up to Operation Cool Down	All Precincts/ Tactical Operations Division /Transit/Gang Outreach	Not tracked	Increased patrol of gang hotspots following a string
December 15-24, 2011	Not Named	Tactical Operations Division/Federal Prosecutors	Not tracked	Police arrested 31 people with ties to a local gang noted for its high

Intensive patrol of areas can increase disproportionate contact with people of color. This does not mean that these techniques should be abandoned, but does reinforce the importance of a community-wide discussion of how to address this kind of violence in such a way as to minimize the disparate impact of enforcement. For instance, at the end of December, 2011, PPB officers focused on arresting gang members associated with a particularly violent gang set. This gang is an "LA style" gang whose membership is predominately African American/Black. Officers assigned to these missions are expected to conduct traffic stops, often "pre-text" stops which use minor violations as a reason for the stop, and conduct consent searches aimed at recovering weapons. Because weapons are a very infrequent "hit" on searches this focus can create low overall hit rates as other items (such as alcohol or drugs) are much more commonly found.

The following section examines the demographics composition of identified gang members in Portland as well as the impact of gang related enforcement on communities of color.

²⁰ The PPB has restructured their gang designation process. It requires more evidence of gang membership than the previous process and also notifies individuals of their designation and provides for an appeals process (to a non-police affiliate hearings officer) if individuals believe they have been unjustly documented. For more information, refer to PPB Policy and Procedure 640.05, available online at: <http://www.portlandoregon.gov/police/article/112753>

*Portland gang demographics*²¹

Table 31 below displays the racial/ethnic breakdown of designated gang members in the city of Portland. Most of these individuals are well known to the police and may be subject to repeated stops. The Bureau's emphasis on reducing gang violence results in increased contact between police and these individuals. It also increases the police presence in areas which these individuals frequent. Approximately 48 percent of identified gang members are African American/Black, 32 percent are Hispanic, 14 percent are White, 4 percent are Asian, and 1 percent are Native American. The percentage of identified gang members in Portland who are Black and Hispanic are concerning considering their proportions to the population in Portland. This disparity is believed to be related to an influx of California-style gangs from the mid 1980's and early 1990's and is disproportionately impacting youth that are vulnerable in social structures such as education, poverty, and intergenerational gang influences. The PPB collaborates with the City of Portland Office of Youth Violence Prevention, Multnomah County services and community based stakeholders to address these underlying issues that lead youth to enter a gang impacted life style. Some of these programs are: the Gang Violence Task Force (a public forum); the Street Level Gang Outreach Grant Program; Gang Resistance Education and Training (G.R.E.A.T.); the Court Probation Mentoring Program (a collaborative effort involving City, County, 11-45 faith-based community volunteer program and secular community leaders); 11-45 Program; the Black Male Achievement Technical Service Grant Program sponsored by the National League of Cities and hosted by the City of Portland; the Gang Impacted Families Team Program; and collaborative response training programs associated with the Commercial Sexual Exploitation of Children (CSEC)²².

Prior to the mid-1980's; the known gangs to the PPB were primarily motorcycle gangs; such as the Gypsy Jokers, Free Souls, and Outsiders which arose in the area around the 1950s and 1960s. The local gang members associated with these gangs in Portland were, and still are, predominantly White. These gangs are still patrolled; however, they are less visible, more underground, and engage in less street violence. When the California-style gangs came to the area they were more visible and engaged in more street violence. The motorcycle gangs are still present in Portland and their membership has remained fairly steady over the years.

²¹ The system Portland uses for gang designations intentionally removes the designation from individuals if those designations are not refreshed with new, relevant information regarding gang and criminal activity. Because of this the PPB CAU could not figure out how identify gang members during the study period. The gang numbers provided are as of 06/27/13 and are subject to changes.

²² Program information obtained from the City of Portland's Office of Youth Violence Prevention and the Captain of the Gang Task Force. The following sites provide more information on some of these programs:
<http://www.portlandonline.com/safeyouth/index.cfm?c=49739>
<http://www.nationalgangcenter.gov/Comprehensive-Gang-Model/About>
<http://www.ojdp.gov/mpg/CeaseFire—Chicago-MPGProgramDetail-835.aspx>
<http://www.cincinnati-oh.gov/police/community-involvement/cincinnati-initiative-to-reduce-violence/>
<http://www.nlc.org/media-center/news-search/eleven-cities-to-address-disparities-affecting-young-black-men-and-boys>

Table 31. Racial/Ethnic Breakdown of Identified Portland Gang Members*

Race / Ethnicity	Count	Percentage
African American/Black	307	48.4%
Asian	26	4.1%
Hispanic	205	32.3%
Native American	6	0.9%
White	90	14.2%
Total	634	100.0%

*Data obtained from PDUS on 6/27/13.

Portland gang crimes

Crimes are coded GVRT (Gang Violence Response Team) when a responding officer suspects that a crime may have a gang association and the gang team sergeant determines that a serious violent crime has a gang nexus. When a responding officer makes a referral to GVRT, the referral results in a specialized team of gang investigators responding to the crime to conduct further investigation. For example, a shooting or stabbing at a location where there was a party known to be associated with gang or serious assaults on individuals with a gang association may lead to a GVRT response.

Table 32 provides a the number of all known victims and suspects to GVRT crimes committed from August 5 to December 31, 2011.

Table 32. GVRT Victim and Suspect Demographics¹

Race/Ethnicity	GVRT Victims		GVRT Suspects	
	Counts	Percentages	Counts	Percentages
African American/Black	30	67.2%	39	58.7%
Asian	1	1.7%	0	0.0%
Hispanic	4	6.9%	4	6.0%
Native American	2	3.4%	0	0.0%
White	4	6.9%	5	7.5%
Unknown/Other	8	13.8%	19	28.4%
Total	58	100.0%	67	100.0%

¹During this time period, Aug. 5th, 2011 to Dec. 31st, 2011, there were 46 GVRT responses. Responses can have more than one victim or suspect. The crimes related to those responses include 46 shootings (three of which resulted in homicide), four stabbings and one menacing with a firearm. They represent a substantial portion of all firearms related crime in the City of Portland during the period studied.

The racial/ethnic breakdown of the victims and suspects is relatively similar for most categories. The most disparity is found in the African American/Black and Unknown/Other categories. During this time period, it would appear that there is a disproportionate amount of gang associated crimes that are impacting African American/Black people. This may relate to part of the disparities in patrol stops and searches.

Gang and beat patrol units

The gang and beat patrol units' stops data analysis was separated from the patrol data to help understand the impact of gang enforcement. The gang enforcement unit focuses almost solely on gang enforcement and the beat patrols specialize in precinct specific issues which can include gang enforcement (and did include gang enforcement for at least one precinct during this time period).

Table 33 provides the racial/ethnic demographic breakdown of stops by gang and beat patrol units from August 5 to December 31, 2011.

Table 33. Citywide Race at Stop of Driver (Gang Oriented Units¹)

Race/Ethnicity	Count	Percent
African American/Black	401	38.1%
Asian	37	3.5%
Hispanic	98	9.3%
Native American	6	0.6%
White	456	43.3%
Unknown/Other	54	5.1%
Total	1052	100.0%

¹The data was not set up to conduct this kind of analysis. Collecting the appropriate data resulted in the loss of approximately 2% of the stops.

The racial/ethnic breakdown of drivers that were stopped by gang and beat patrol officers was approximately 38 African American/Black, 4 percent Asian, 9 percent Hispanic, 1 percent Native American, 43 percent White, and 5 percent were categorized as Unknown/Other. What this racial/ethnic breakdown would be expected to look like is difficult to determine since beat cars are focused on various crime issues.

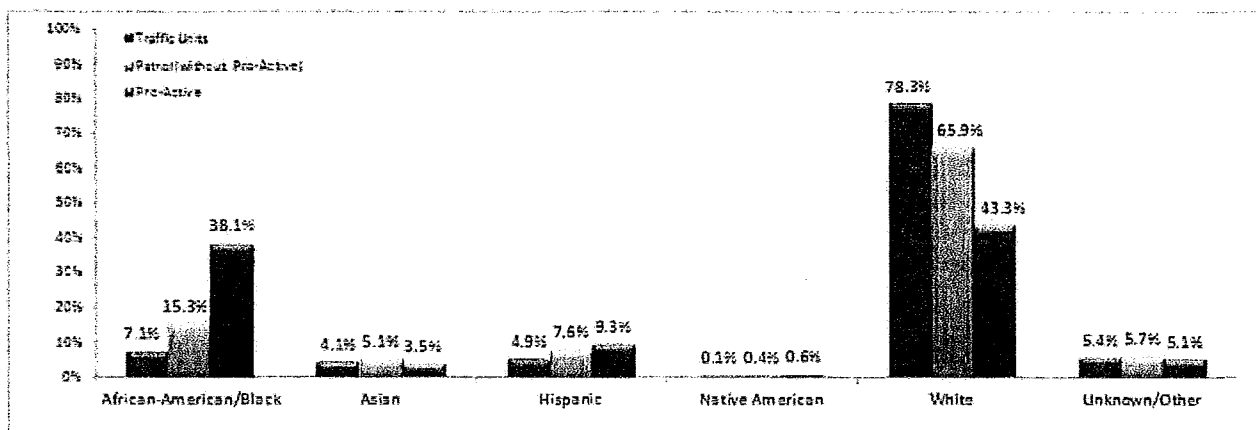
Table 34 provides the racial/ethnic breakdown of patrol stops excluding the gang and beat units units from August 5 to December 31, 2011.

Table 34. Citywide Race at Stop of Driver (Traffic vs. Patrol vs. Gang Oriented Units¹)

Race/Ethnicity	Traffic Units	Patrol without Gang Units	Gang/Pro-active Units
	Percent	Percent	Percent
African American/Black	7.1%	15.3%	38.1%
Asian	4.1%	5.1%	3.5%
Hispanic	4.9%	7.6%	9.3%
Native American	0.1%	0.4%	0.6%
White	78.3%	65.9%	43.3%
Unknown/Other	5.4%	5.7%	5.1%
Total	100.0%	100.0%	100.0%

¹The data was not set up to conduct this kind of analysis. Collecting the appropriate data resulted in the loss of approximately 2% of the stops.

Figure One presents the above data graphically:



By accounting for the gang and beat units, the disparity in African-American/Black drivers stopped by all patrol slightly decreases (by approximately 2 percent) and the amount of stops of Whites slightly increases. The percentage of stops for all other racial/ethnic groups remains about the same. For African-American/Black, Hispanic and Native American drivers it would appear that the percentage of individuals stopped increases as units become less focused on traffic offenses and more focused on gang and/or pro-active activity. This does not appear to be the case for Asian, White or Unknown/Other race drivers.

Table 35 provides the breakdown of searches by gang and beat patrol units from August 5 to December 31, 2011.

Table 35. Reasons for Searches of Drivers by Gang Oriented Units¹ (% by Ethnicity/Race)

RACE/ETHNICITY	Consent		No Search		Plain View		Probable Cause		Weapons Pat Down		Total	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
African American/Black	107	26.7%	271	67.6%	1	0.2%	14	3.5%	8	2.0%	401	100.0%
Asian	1	2.7%	36	97.3%	0	0.0%	0	0.0%	0	0.0%	37	100.0%
Hispanic	12	12.2%	81	82.7%	2	2.0%	1	1.0%	2	2.0%	98	100.0%
Native American	0	0.0%	5	83.3%	0	0.0%	1	16.7%	0	0.0%	6	100.0%
White	34	7.5%	404	88.6%	2	0.4%	13	2.9%	3	0.7%	456	100.0%
Unknown/Other	9	16.7%	43	79.6%	1	1.9%	1	1.9%	0	0.0%	54	100.0%
Total	163	15.5%	840	79.8%	6	0.6%	30	2.9%	13	1.2%	1052	100.0%

¹ The data was not set up to conduct this kind of analysis. Collecting the appropriate data resulted in the loss of approximately 2% of the stops.

The Main Findings:

- The gang and beat patrol units conduct searches, particularly consent searches, much more frequently than the rest of the patrol. This is not surprising given their mission of pro-actively addressing issues such as gang violence. These units conducted searches (of any kind, not just consent searches) on approximately 20 percent of their stops while other patrol units (not including gang and beat patrol) conducted searches on approximately 8 percent of their stops and traffic units conduct searches on just 1.5% of their stops. Traffic, Gang Units, Beat Units and patrol operate differently as they are addressing different issues²³ with different tactics.
- All racial/ethnic groups, with the exception of Native Americans, were searched at a greater rate by the gang and beat patrol units, compared to the rest of patrol.
- As Table 35 indicates 26.7 percent of the African-American/Black drivers that were stopped, 2.7 percent of Asian drivers, 12.2 percent of Hispanic drivers, 0 Native American drivers, 7.5% of White drivers and 16.7 percent of drivers that were classified as Unknown/Other received a consent search.

²³ For instance, Traffic Division focuses primarily on traffic-related citywide concerns, Gang Units focus primarily on gang-related citywide concerns, Beat Units focus on gang issues, drug complaints or specific issues/concerns at the precinct level. Patrol units are assigned a specific district and focus on the problems in that district. Different districts have different problems, thus increasing the complexity of the analysis of stops and searches conducted by these patrol units.

Table 36 provides the breakdown of searches by patrol officers from August 5 to December 31, 2011 when the gang and beat patrol units are removed from the table.

Table 36. Percentage of Stops Resulting in a Consent Search (% by Race/Ethnicity)

RACE/ETHNICITY	Traffic Units (see Table 14 for full data set)	Patrol Units without Gang (calculated by removing the results of table 35 from Table 20)	Gang/Pro-Active Units (see Table 35 for full data set)
	Percent	Percent	Percent
African American/Black	1.0%	8.2%	26.7%
Asian	0.0%	1.4%	2.7%
Hispanic	0.9%	6.7%	12.2%
Native American	5.6%	4.8%	0.0%
White	0.5%	3.9%	7.5%
Unknown/Other	0.1%	1.9%	16.7%
Total¹	0.5%	4.6%	15.5%

¹ This represents the percentage of stops for each racial group which result in a consent search

When accounting for the gang and beat patrol units, the percentages of drivers that receive a consent search decreases for African-American/Black, Asian, Hispanic, White drivers and those classified as Unknown/Other. The most substantial decreases were for those classified as African American/Black or Unknown/Other. The amount of consent searches decreased by 3.8 percentage points for African-Americans/Black drivers and 1.3 percentage points for Unknown/Other drivers.

Discussion

There is significant community concern regarding gang activity. At the same time there is also significant community concern regarding racial disparities in police stops and searches. Additionally, gang activity is among the leading causes of serious violent crime in Portland²⁴. This creates pressure for the PPB to address gang problems pro-actively. Internally, the PPB places a high value on officers engaging in self-initiated activity when not responding to radio calls. Traffic stops are the most common form of self-initiated activity. While some portion of such stops is aimed at directly addressing concerns related to traffic, many stops are focused on issues such as gang violence.

While disparity in victimization associated with gang violence is troubling, the use of aggressive traffic enforcement as a tool to address gang violence may create racial disparities in stops and searches. These disparities may be exacerbated if officers not assigned to the gang unit also engage in such activity as part of their regular patrol activities. Finally, if the PPB also places additional officers in those areas with significant amounts of violent crime the potential exists for not just increased exposure to law enforcement (as shown in Table 29), but also for that exposure to be qualitatively different by using stops and searches used as tactics to address violent crime as opposed to traffic related issues. The PPB needs to be cognizant of (and constantly manage) these risks. Clearly, gang violence must be addressed and additional enforcement appears to have helped suppress this violence in the past. However, to be effective in the long term, the PPB must also maintain legitimacy in the eyes of the public.

The PPB may want to examine how it utilizes its self-initiated activity so that such activity matches community concerns as closely as possible. Additionally, the PPB must remain aware that when engaging in additional enforcement efforts it is also necessary to spend time communicating with, and addressing the concerns of, those communities impacted by the additional enforcement (Renauer et al., 2009; Renauer, 2012).

²⁴ The Crime Analysis Unit has observed this in prior analyses and gang related activity is consistently correlated with firearms related crime.

Impact of racial bias

One of the main concerns around racial disparities is how often is conscious or most often unconscious racial bias impacting police in their decision making process. The issue of racial bias is critical and organizations of all types are becoming more aware of how it can impact hiring practices, job satisfaction and productivity, and the services they provide. As mentioned previously, researchers across the nation have been discussing the importance of not relying on aggregate level of police stop and search data to be an indication of whether and how much racial profiling occurs in an agency. The methodological issues around this are numerous and require a longer discussion on research methodology. In short, at an aggregate level, this data may show no disparities yet racial profiling can be occurring in a police agency or it can show disparities without racial profiling occurring. It simply cannot be relied on as a tool for measuring how often racial profiling occurs. This does not mean that efforts to reduce and address individual racial bias should be discarded.

This also does not mean that police agencies and community members should discard the practice of collecting this data and examining it at an agency level. This data can be extremely valuable for understanding the disparate impact of various patrol strategies, examining search and contraband recovery rates, measuring the impact of special missions, and examining disparities in stop outcomes. Some of these analyses do lead to discussions and more indepth analyses that help identify racial bias, better patrol strategies, and more systemic city level issues. The data also provides fairly accurate information for how often officers stop, search, recover contraband, arrest, etc. and the associated racial breakdowns. This is critical for creating meaningful dialogue around many issues related to police patrol, whether it be an internal agency dialogue or one between the police and community members.

The Portland Police Bureau is currently engaged in a relatively new initiative to increase diversity and address racial disparities at an organizational level. The PPB is also following up on the 2009 Plan to Address Racial Profiling, of which this report is a product. The current organizational level initiative began in July of 2011, when the Portland Police Bureau requested the assistance of the Human Rights Commission's (HRC) Community and Police Relations Committee (CPRC) to develop a plan to address institutional racial issues, increase diversity, and create a more inclusive environment within the Portland Police Bureau. Addressing institutional race issues is a critical step in improving the PPB's services to the community and addressing some of the issues that were to be addressed in the PPB 2009 Plan to Address Racial Profiling. The CPRC designated a subcommittee to work on these issues. The Subcommittee consists of CPRC members and Bureau members, and is presently working to develop both an equity plan for the Bureau and training for all Bureau members.

Below is a summary of CPRC Subcommittee's work.

• ***CPRC Strategic Equity Plan for the PPB***

- The strategic equity plan consists of two main components: 1) a training component and 2) organizational change strategies. The training component is crucial in that employees can only decrease implicit bias, identify institutional racial issues, and apply an equity lens to policies and procedures when they know what those concepts are, and are taught skills applicable to their particular line of work. The subcommittee acknowledges that no one training will address all of the needs of an institution related to the topic of race. The equity plan will list out all of the objectives that PPB will address in their training plan. Not all of the objectives will be thoroughly covered in the initial training. Multiple trainings will be needed to address additional needs.
- The organizational change strategies will include elements such as changing or reviewing policies or procedures that may contribute to inequitable outcomes, implementing systems to identify areas of disparity, and programs to address identified issues. An example of an organizational change strategy is setting up personnel's data collection system so that it would be possible to analyze if racial disparities occur within the hiring process, and if so, identify exactly where these disparities occur to inform effective counter strategies.

• ***CPRC Training Subcommittee Workgroup***

- The training workgroup developed an initial training for the Portland Police Bureau on institutional racial issues. This initial training is designed to provide participants with an understanding of what institutional racism is, how it plays out in organizations, and how to identify and address racial issues within an agency. The initial outline for this training stems from the City of Seattle's Race and Social Justice Initiative, which serves all City of Seattle employees. Several of the training workgroup members attended a training from Seattle to become more familiar with the work being done there. The CPRC Subcommittee adapted the Seattle model, yet expanded and changed several elements to include elements very specific to Portland – including historical demographic shifts in neighborhoods, and information on how to provide more opportunities for learning how to apply the information to one's own workplace. This training was first pilot tested in late November 2012, and was delivered to Command Staff (approximately 60) the week of December 10 of 2012. All sergeants were trained in 2013. Officers will begin going through the training in 2014.

In addition to working with the Community and Police Relations Committee on the initiative described previously, the PPB is also engaged in the following related efforts:

- The PPB's Equity Leadership Council has identified the need for developing an officer mentorship program to address some of the disparities in the promotional process.
- The PPB's Equity Leadership Council is organizing opportunities for officers to engage in a series of InterGroup Dialogue sessions with other officers. These sessions offer officers with the opportunity to have indepth discussions around race, understand the prevalence and impact of racial bias today, and explore implicit biases.

- The PPB's Field Training Officer (FTO) program has begun partnering with the CJPRI to offer classes to the FTO's on implicit bias, biased based policing, U.S. and local racial history and how it pertains to police and community member interactions today, peer accountability, and the 14th Amendment.
- The PPB has made a budget request for an equity analyst in its 2014-15 budget package.

Finally, the PPB has continued to work on its Racial Profiling Plan Strategies. The original document can be located at this website:

<http://www.portlandoregon.gov/police/index.cfm?&a=230887>

Appendix E has the entire plan with updates as to the status of each item as of 2013. Below are some highlights of the work that has been done:

- Modified hiring requirements to enlarge the applicant pool (including creating a path for individuals who serve as reserves or cadets, but do not possess the educational or military service requirements to gain employment).
- Working with the CPRC to develop new trainings around equity issues (trainings have already been administered to command officer).
- Provide additional training around searches and "mere consent" to ensure the constitutionality of PPB searches.

A full list is available in Appendix E.

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Appendix A – Additional analyses

This section catalogs requests made for future analysis and will attempt to track the progress made on meetings these request or provide a reason why the PPB is unable to meet them.

Request #1a

Request: Provide a single table that displays the percentages and counts of stops and discretionary searches by race.

Status: The following table meets this request and will be included in future reports in the executive summary:

Citywide Stops and Searches of All Individuals (Drivers and Pedestrians) by both Traffic and Patrol Units

Race/Ethnicity	Stops		Searches	
	Count	Percent	Count	Percent
African American/Black	3066	12.0%	427	13.9%
Asian	1133	4.4%	21	1.9%
Hispanic	1576	6.2%	136	8.6%
Native American	76	0.3%	10	13.2%
White	18353	71.7%	720	3.9%
Unknown/Other	1402	5.5%	48	3.4%
Total*	25606	100.0%	1362	5.3%

* 6 stops where race of individual contacted was missing were removed.

Citywide Stops and Searches of All Individuals (Drivers and Pedestrians) for Patrol Units

Race/Ethnicity	Stops		Searches	
	Count	Percent	Count	Percent
African American/Black	2068	17.7%	388	18.8%
Asian	561	4.8%	17	3.0%
Hispanic	901	7.7%	113	12.5%
Native American	58	0.5%	8	13.8%
White	7464	63.8%	580	7.8%
Unknown/Other	653	5.6%	45	6.9%
Total	11705	100.0%	1151	9.8%

Citywide Stops and Searches of All Individuals (Drivers and Pedestrians) for Traffic Units

Race/Ethnicity	Stops		Searches	
	Count	Percent	Count	Percent
African American/Black	998	7.6%	39	3.9%
Asian	572	4.3%	4	0.7%
Hispanic	675	5.1%	23	3.4%
Native American	18	0.1%	2	11.1%
White	10889	82.5%	140	1.3%
Unknown/Other	39	0.3%	3	7.7%
Total*	13191	100.0%	211	1.6%

* 6 stops where race of individual contacted was missing were removed.

Comment: This table examines the percentage of individuals stopped by race and the percentage of each race of individuals stopped who are searched (i.e. when an Asian driver is stopped they are searched 1.9% of the time not that 1.9% of searches are Asian drivers). Future reports can include this table in the executive summary with data by year if desired.

This will be presented annually in an executive summary and will incorporate parts of Request 1b (see below).

Request #1b

Request: Track data on a year-to-year basis to help determine if progress is being made in reducing disparity.

Status: The 2012 Stops Data Report will include 2011 data for comparison.

Comment: The data used in the report is structured differently from previous data sets (including a massive reduction in Unknown race drivers) and does not support comparisons to previous years. Next year's report will include data for comparison purposes but even then it is important to remember that the data from 2011 is from only 5 months of the year and seasonal variations may result in differences in stops and searches. Starting in the 2013 the data should be suitable for comparisons.

This will be presented annually in an executive summary (see Request 1c).

Request #1c

Request: Develop an executive summary

Status: An executive summary will be added to the beginning of future versions of this document.

Comment: Request 1a, 1b and 1c will form the basis of future executive summaries. This should provide an easily accessible source for high level data tracking stops over time. This document does not include an executive summary because the focus of this report is to explain changes in how stops data is being collected and analyzed.

Request #2

Request: Improve the Bureau's ability to differentiate between Native American and Hispanic persons.

Status: The PPB is open to exploring ways to its identification of Native American drivers and pedestrians but unsure on how to accomplish this goal without potentially causing more distress to minority drivers and pedestrians.

Comment: This is difficult to address and also related to another issue (although not a formal request at this point) related to other under-represented racial/minority groups (for instance, individuals from Southeast Asia or Eastern Europe).

Request #3

Request: Examine dispatch or report data to see what the demographic breakdown of subjects reported to the police is.

Status: Unresolved

Comment: To accomplish this with the PPB's existing reporting system would require hand searches of reports and be very labor intensive. The implementation of a new records system is underway. The Crime Analysis Unit will explore options for using this new system to accomplish this in a less labor-intensive manner.

Request #4

Request: Determine a way to differentiate individuals stopped repeated so that data can be examined both the level of the individual and the stop.

Status: The PPB is exploring adding a new field to the stops data report to identify individuals who have been stopped within the last year.

Comment: This possible change represents only a partial fix. While it will be able to identify when the officer conducting the stop has contacted the person before it will not be able to determine if different officers have stopped the individual. To gather the data necessary to determine this would place an additional reporting burden on the officers, our records personnel and would also impose additional burdens on the individual stopped (e.g. having to answer more questions, possibly provide additional personal information etc.).

Request #5

Request: Explore a means to quantify mere conversation contacts.

Status: Unresolved

Comment: Capturing this level of data on all mere conversation contacts is not feasible. There are simply too many such contacts and the costs involved would be prohibitive. One possible solution would be to capture data on searches resulting from mere conversation contacts. This would provide data suitable for stop analysis but would provide data to analyze searches. To accomplish this would require either that other sections of this report be removed to reduce workload or additional resources for the Crime Analysis Unit to assist in analysis. Finally, additional resources would be required at the level of patrol to account for the additional workload such reporting requirements would impose. .

Request #6

Request: Add a glossary of terms.

Status: A glossary has been added to this document as an appendix and can be expanded as needed.

Comment: The glossary will be updated as additional questions about terminology are identified.

Request #7

Request: Add a number of passengers field.

Status: This is being explored (see Appendix C) and will be added if possible.

Comment: Analysis of Corvallis Police Department data has demonstrated that the number of passengers can be a salient factor in stops and searches analysis.

Request #8

Request: Address issues with duplicate stops.

Status: A meeting was held August 21, 2013, and it was determined to use the incident number of the stop and the status of the person stopped (Driver, Passenger and Pedestrian) as a key for stops. This will prevent duplicate stops.

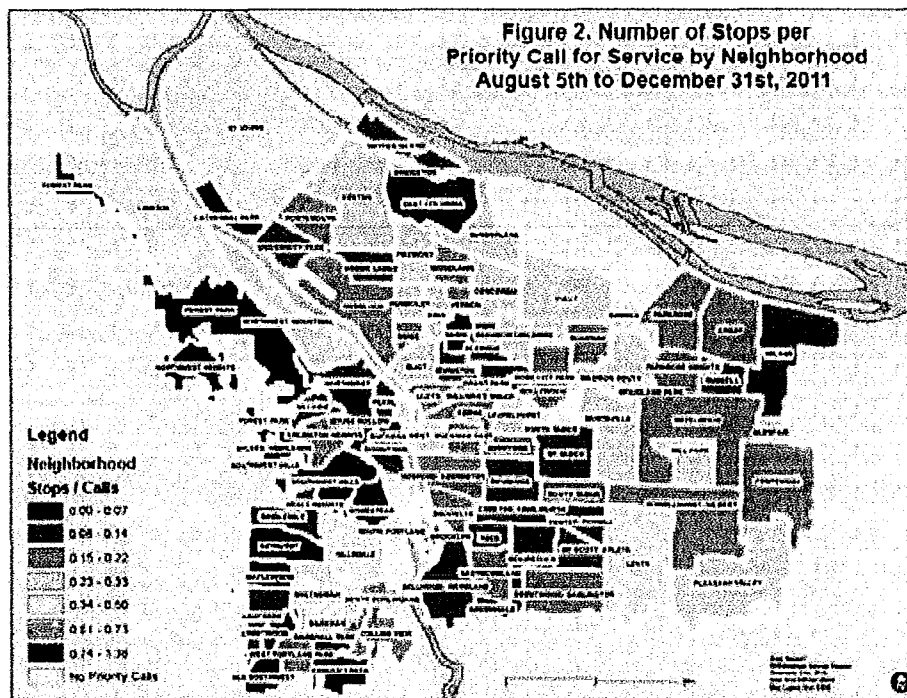
Comments: There is not perfect fix for this issue. Officer may occasionally stop multiple vehicles and/or pedestrians. This system will limit such stops to one driver, pedestrian and passenger per stop.

The benefit of this system is that it will prevent multiple entries for the same stop. An analysis of duplicate stops reveal that a number of stops appeared to be for the same incident where the officer simply hit the "send" button every 15 or 20 seconds. This created multiple entries for the same incident, potentially damaging the quality of the data. This solution ensures the integrity of the data.

Request #9

Request: Utilize mapping to represent stops data graphically.

Status: The CAU has produced such maps and can easily produce others. Below is an example of map produce for an earlier version of this report which explored the relationship between calls and stops:



Comments: Other maps can be produced, however, it is important to remember that certain map types can be deceptive (for instance maps of neighborhoods that do not control for factors such as population, land area or calls for service).

Request #10

Request: Include a table with hit rates for discretionary searches (weapons pat downs and consent searches) for Patrol Division.

Status: See the table below:

Citywide Hit Rates for Consent and Weapons Pat Down Searches of Drivers (Patrol)

Race/Ethnicity	Total Hits	Weapons Hits	Total Discretionary Searches	Total Hit Rate	Weapon Hit Rate
African-American/Black	72	13	271	26.6%	4.8%
Asian	2	0	9	22.2%	0.0%
Hispanic	20	3	81	24.7%	3.7%
Native American	2	0	2	100.0%	0.0%
White	122	11	352	34.7%	3.1%
Unknown/Other	15	1	31	48.4%	3.2%
Total	233	28	746	31.2%	3.8%

Comment: This table or a similar one can be included in future executive summaries for this report and tracked annually.

Request #11

Request: Include a table breaking out self-initiated stops compared to stops resulting in a call for service.

Status: The possibility of producing this table is being explored. It should be feasible for Patrol Units but may not be possible for Traffic Units.

Comment: Traffic Units often do not have access to MDT's (in car computers) and frequently use an alternate method for dispatching themselves on traffic stops. For this reason prior to 2011, the PPB could often did not capture data for stops by Traffic Units. This alternate method of capturing calls does not link directly to dispatch call data. For this reason it appears to be impossible to link these stops. It appears to be possible to link patrol stops to dispatched call data. If possible, this data will be included in the 2012 report.

Appendix B – Glossary

Accident Data: Accident data as used in this report consists of records maintained by the Portland Police Bureau of traffic crashes meeting the following criteria:

- a. Fatal crashes,
- b. Physical injuries with entry into the Regional Trauma System by on-scene EMS personnel.
- c. Accidents involving physical injury to vulnerable road users where the road user is transported by ambulance.
- d. Drivers who are under the influence of intoxicants.
- e. Drivers who fail to perform the duties required of them at the scene of a traffic crash (hit and run).
- f. Hazardous material spills.
- g. An emergency code run by the police regardless of whether a police vehicle was directly involved in the crash.
- h. Crashes where a driver is cited for any violation other than vehicle licensing, operator licensing or financial responsibility statute.

Beat Unit: For purposes of this report, “Beat Units” are police units, assigned to one of the three police precincts, who are not responsible for taking dispatched police calls. Instead, these units are tasked with engaging in pro-active activity such as stopping suspicious persons, conducting vehicle stops or investigating an ongoing crime. Generally, “Beat Units” are created when specific issues, such as a gang violence or ongoing drug dealing in an area, require a more focused response.

Benchmark: For purposes of this report, a benchmark is a number which can be used help put context around the percentage of individuals stopped by the police. Historically, Census data has been used for this purpose but researches have recognized that this a poor benchmark if used in the absence of other data and supporting benchmarks. This report uses Census data, victimization data, data on exposure to police and other benchmarks to better inform the conversation around disparities in police stops.

Consent Search: This is a legal/police term used to define a search where the subject is afforded the opportunity to refuse an officer’s request to search them. Certain circumstances, for instance when an individual is arrested, will result in a search regardless of consent. To qualify for this code, the officer must have asked an individual if they consent to be searched in a situation where they are aware that they can refuse and the individual must agree to being searched.

Contraband: For purposes of this report contraband consists of the items identified on the Stops Data Collection screen. This would include; alcohol, drugs, other, stolen property and weapons. Examples of “other” types of contraband would include items such as; juveniles in possession of tobacco, modified tools used for criminal activity (for instance, car prowlers frequently modify spark plug porcelain to create whips which can be used to break car windows more quietly) and other material which may not be illegal to possess but which is commonly associated with criminal activity.

Correlation: For purposes of this report, correlation would be defined as the degree to which two values move relative to one another. For example, if when the amount of violent assaults in an area goes up and the number of searches goes up in a consistent proportion we would say they were highly correlated.

Discretionary Search: For purposes of this report, discretionary searches include consent searches and weapons pat downs. Both these search types are optional for the officer involved (i.e. they have a choice). Other search types, probable cause, plain view etc. are the product of either policy/procedure (probable cause) or simply seeing contraband (plain view).

Hit Rate: In the context used in this report a "hit rate" generally measures a successful search (finding contraband). Higher hit rates would indicate that more searches are resulting in the recovery of evidence or other items relevant to criminal activity.

Mere Conversation: Mere conversation is term used by police and the courts to describe a contact where the subject being contacted by police is free to terminate the contact. This would encompass the vast majority of police contacts.

Concerns exist around the use of mere conversation as an investigative method. Such contacts are legally no different than an officer greeting a person in the street but can cause distress in individuals who feel they are being targeted for police contact.

Part I Crime: This is a category used nationally for crime reporting. These crimes consist of Murder, Rape, Robbery and Aggravated Assault (Violent Part I crimes) and Burglary, AutoTheft, Larceny and Arson (Non-violent Part I crimes).

Part II Crime: This is a category used nationally for crime reporting. It covers a much wider variety of crimes than Part I crimes. An incomplete list of Part II crimes would include simple assault, disorderly conduct, drug offenses and offenses related to weapons possession.

Patrol Unit: For purposes of this report, Patrol Units are police units which are focused on patrolling the City of Portland for crime but are not focused entirely on traffic enforcement. These units do not include units conducting investigations (such as detectives) or providing operation support (such as officer assigned to training). They also do not include units whose main focus is traffic enforcement. A patrol unit would be the most likely responder to an emergency call to 911.

Pedestrian Stop: Pedestrian stops are non-consensual contacts (meaning the subject does not have a right to terminate the contact) between a police officer and a citizen. To initiate a stop, an officer needs either some kind of legal violation (such as jaywalking or the commission of a crime) or "reasonable suspicion" that criminal activity is occurring. "Reasonable suspicion" is a legal term and is a lower standard of evidence than "probable cause" (probable cause if required to make an arrest).

This kind of contact is a key part of "Stop and Frisk" tactics in policing. While individual officers in the PPB may conduct pedestrian stops, such stops are not part of an organized crime suppression effort. Furthermore, there is no expectation that patrol officers conduct a set number of pedestrian stops (i.e. there is no quota).

Plain View Search: This definition covers instances where officer see contraband in plain sight (i.e. they walk up to a vehicle and see a gun on the seat or similar). This kind of "search" is not optional in that an officer does not choose to see contraband,

but observes it as part of their routine patrol. It would not encompass actions such as asking to search a vehicle and then seeing contraband (this would be a consent search).

Probable Cause Search: Probable cause searches are generally the result of an arrest where the officer has probable cause to believe a crime has occurred, arrests a subject for that crime and then searches their person and/or immediate surrounding for evidence of a crime. An example of this might be an officer who responds to a car prowler and apprehends a subject inside a car with a broken window. The officer may search the subject for tools commonly used by car prowlers to break car windows (often this is a modified spark plug or punch type device). This search is not discretionary in the sense that officer should be searching individuals in such circumstances for evidence.

Traffic Unit: For purposes of this report, a traffic unit is a police unit, generally assigned to the Traffic Division, whose primary focus is the enforcement of traffic law. Such units generally patrol different parts of the city than Patrol Units. The focus is driven by traffic crash data, citizen complaints and other factors (such as around bars for DUI enforcement) but is generally not driven by other "non-traffic" type crimes. Because of the different focus of Traffic Units, it is often informative to contrast their activity with "Patrol Units," who are more responsive to "non-traffic" crimes.

Vehicle Stop: Vehicle stops are probably the most common contact that most citizens have with police. It involves a police officer, usually in a marked police car, using their lights and siren to pull over an individual. This generally occurs for because of a traffic offense.

Violent Crime: This includes the Part I crimes of Murder, Rape, Robbery, Aggravated Assault and the Part II crime of Simple Assault.

Weapons Pat Down Search: This is a search classification used in the PPB SDC form. It is technically not a "search" in that the officer is only conducting the pat down to verify that the subject they contacting does not have a weapon. While commonly used in tactics such as "Stop and Frisk," these "searches" are relatively uncommon in Portland. For instance, PPB Patrol Units conducted Weapons Pat Downs in just 1.1% of vehicle stops (see Table 20, pg. 27).

Appendix C – Stops Data Input Template

TRAFFIC STOP DATA		
CITE NBR: <input type="text"/>		
CANCEL REASON : <input type="text"/>		
SUBMIT		
1. DATA FOR : <input type="text"/>		
2. PERCEIVED RACE PRIOR TO STOP <input type="text" value="UNKNOWN"/>		
3. PERCEIVED GENDER PRIOR TO STOP <input type="text" value="UNKNOWN"/>		
4. PERCEIVED AGE PRIOR TO STOP <input type="text" value="UNKNOWN"/>		
5. PERCEIVED RACE AT STOP <input type="text"/>		
6. PERCEIVED GENDER AT STOP <input type="text"/>		
7. PERCEIVED AGE AT STOP <input type="text"/>		
8. REASON FOR STOP (SELECT MOST SERIOUS) <input type="text"/>		
9. SEARCH TYPE (DISCRETIONARY) <input type="text" value="NO SEARCH DONE"/>		
10. RESULTS OF DISCRETIONARY SEARCH		
<input type="checkbox"/> DRUGS	<input type="checkbox"/> STOLEN PROPERTY	<input type="checkbox"/> NOTHING FOUND
<input type="checkbox"/> ALCOHOL	<input type="checkbox"/> WEAPON(S)	<input type="checkbox"/> OTHER
11. SEARCH TYPE (NON-DISCRETIONARY) <input type="text" value="NO SEARCH DONE"/>		
12. RESULTS OF NON-DISCRETIONARY SEARCH		
<input type="checkbox"/> DRUGS	<input type="checkbox"/> STOLEN PROPERTY	<input type="checkbox"/> NOTHING FOUND
<input type="checkbox"/> ALCOHOL	<input type="checkbox"/> WEAPON(S)	<input type="checkbox"/> OTHER
13. NUMBER OF PASSENGERS (EXCLUDING DRIVER) <input type="text"/>		
14. ACTION TAKEN <input type="text"/>		
SUBMIT		

The Number of Passengers is not currently collected. It is a proposed addition.



Appendix D – Data for Table 29 with the Neighborhood Level Correlations

NEIGHBORHOOD	TRAFFIC STOPS	DISCRETIONARY SEARCHES	PART I CRIME	PART I VIOLENT CRIME	CALLS
ALAMEDA	2.0	0.2	24.4	0.7	57.4
ARBOR LODGE	10.6	0.7	54.3	2.9	132.0
ARDENWALD	0.0	0.0	33.9	3.2	84.0
ARGAY	12.9	0.3	60.6	6.5	133.9
ARLINGTON HEIGHTS	5.8	0.0	37.0	1.2	371.1
ARNOLD CREEK	0.6	0.0	2.5	0.3	26.8
ASHCREEK	2.4	0.0	7.1	0.5	41.7
BEAUMONT-WILSHIRE	6.0	0.2	19.1	0.5	55.3
BOISE	26.1	1.8	43.7	6.4	202.2
BRENTWOOD-					
DARLINGTON	8.0	0.7	27.7	3.7	94.9
BRIDGETON	30.3	2.8	48.3	4.1	180.7
BRIDLEMILE	2.8	0.0	13.5	0.6	48.7
BROOKLYN	18.1	0.6	45.6	3.7	168.4
BUCKMAN EAST	10.3	0.0	45.0	2.2	121.3
BUCKMAN WEST	203.3	7.4	349.1	34.4	1278.6
CATHEDRAL PARK	6.4	0.0	85.6	8.0	145.8
CENTENNIAL	17.7	1.9	49.4	6.1	151.2
COLLINS VIEW	3.5	0.0	23.4	0.3	42.9
CONCORDIA	12.9	1.3	31.6	2.5	83.6
CRESTON- KENILWORTH	8.8	0.2	46.3	4.9	6.8
CRESTWOOD	0.0	0.0	11.5	0.8	775.5
CULLY	20.2	1.6	35.7	6.1	144.3
DOWNTOWN	36.1	2.0	148.4	18.0	476.4
EAST COLUMBIA	18.9	1.1	93.8	8.0	256.9

EASTMORELAND	4.8	0.0	30.3	0.5	36.7
ELIOT	48.9	4.2	106.3	11.2	370.9
FAR SOUTHWEST	2.3	0.0	47.0	1.5	103.0
FOREST PARK	0.7	0.0	28.6	0.7	43.5
FOSTER- POWELL	13.2	0.5	55.1	4.1	169.3
GLENFAIR	29.6	5.0	55.0	10.8	196.4
GOOSE HOLLOW	8.8	0.3	61.9	3.3	164.0
GRANT PARK	5.2	0.5	45.5	2.7	92.0
HAYDEN ISLAND	26.4	2.6	200.4	9.3	371.4
HAYHURST	1.1	0.2	10.0	1.7	41.7
HAZELWOOD	22.5	2.1	90.4	8.3	208.6
HEALY HEIGHTS	0.0	0.0	0.0	0.0	21.9
HILLSDALE	17.1	0.1	22.8	1.6	67.3
HILLSIDE	2.7	0.0	12.0	0.0	52.7
HOLLYWOOD	33.0	3.9	186.8	19.6	453.7
HOMESTEAD	1.6	0.0	32.8	1.1	114.2
HOSFORD- ABERNETHY	16.5	0.3	56.6	1.5	143.8
HUMBOLDT	29.7	4.7	52.8	7.6	168.1
IRVINGTON	8.4	0.7	39.0	2.2	114.9
KENTON	30.0	1.8	53.6	4.0	185.4
KERNS	27.9	0.9	60.9	4.1	226.0
KING	32.5	3.6	42.1	3.9	208.7
LAURELHURST	13.1	0.6	34.8	0.8	77.2
LENTS	36.5	2.8	70.0	7.2	182.1
LINNTON	73.1	0.0	90.7	2.7	211.1
LLOYD	117.3	7.9	866.0	54.3	1389.7
MADISON SOUTH	21.0	2.5	36.3	4.8	145.9
MAPLEWOOD	0.4	0.0	8.2	0.0	34.4
MARKHAM	10.8	0.0	9.5	0.9	50.6
MARSHALL PARK	11.7	0.0	8.3	0.8	34.2
MILL PARK	26.0	2.3	46.8	6.0	188.6

MONTAVILLA	26.0	2.0	50.1	5.4	153.2
MT SCOTT- ARLETA	10.3	0.3	42.6	4.1	126.5
MT TABOR	3.7	0.3	35.0	1.6	64.0
MULTNOMAH	16.8	0.1	24.9	1.4	79.0
NORTH TABOR	8.4	0.8	42.5	3.4	153.8
NORTHWEST	11.9	0.5	68.0	4.7	201.3
NORTHWEST HEIGHTS	0.7	0.0	7.1	1.1	28.0
NORTHWEST INDUSTRIAL	4428.6	0.0	7571.4	1000.0	29571.4
OLD TOWN/ CHINATOWN	72.9	5.6	139.5	38.8	630.0
OVERLOOK	22.3	2.6	53.0	5.4	211.1
PARKROSE	34.1	2.5	93.2	9.3	215.5
PARKROSE HEIGHTS	10.9	1.3	35.8	3.7	118.8
PEARL	19.8	0.7	120.1	7.8	251.0
PIEDMONT	20.4	1.8	31.6	5.1	121.8
PLEASANT VALLEY	10.3	0.6	25.3	1.7	68.5
PORTSMOUTH	17.3	1.3	39.8	7.5	144.4
POWELLHURST- GILBERT	17.6	1.7	50.3	7.3	152.3
REED	5.4	0.0	32.3	1.5	80.5
RICHMOND	6.2	0.3	31.0	2.2	95.5
ROSE CITY PARK	6.4	0.6	27.2	1.3	77.5
ROSEWAY	12.1	0.6	39.5	3.5	111.9
RUSSELL	10.1	1.3	69.3	6.0	143.6
SABIN	2.7	0.5	27.2	1.9	77.6
SELLWOOD- MORELAND	4.8	0.0	34.8	1.8	77.7
SOUTH BURLINGAME	45.2	0.0	13.2	0.6	133.4
SOUTH PORTLAND	25.3	0.5	40.2	0.8	151.1
SOUTH TABOR	8.3	0.7	47.0	3.5	110.3
SOUTHWEST HILLS	1.6	0.0	16.5	0.2	62.9
ST JOHNS	32.8	0.7	47.2	5.8	161.1
SULLIVAN'S GULCH	16.9	0.6	85.4	4.8	164.4
SUMNER	54.4	6.7	33.4	5.7	180.4

SUNDERLAND	35.2	2.6	117.3	9.1	277.7
SUNNYSIDE	11.3	0.1	46.4	2.6	126.9
SYLVAN- HIGHLANDS	10.3	0.0	52.5	0.0	220.5
UNIVERISITY PARK	4.1	0.0	40.9	2.2	78.7
VERNON	15.5	2.3	36.8	5.0	155.8
WEST PORTLAND PARK	9.9	0.0	22.7	2.8	98.7
WILKES	5.9	0.7	27.7	1.6	94.6
WOODLAND PARK	8.7	0.0	29.0	2.9	179.7
WOODLAWN	33.8	2.2	32.8	5.9	111.0
WOODSTOCK	4.7	0.3	32.8	1.8	92.5

All variables are per 1,000 people

Appendix E – Updated Racial Profiling Plan for 2013

Strategy	Why It Should Impact Racial Profiling	Progress Prior To 2009	2009 Objectives & Person Responsible (objectives in blue are in progress)	2013 Status
<p>Strategy 1.1: Review hiring standards and processes to eliminate those that unintentionally work against diversity, while maintaining appropriate screening standards.</p> <ul style="list-style-type: none"> • 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. <p>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.</p>	<p>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.</p>	<p>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.</p>	<ul style="list-style-type: none"> • Increase number of officers of color and female officers hired in 2009 by 10%. <p>Person Responsible: Police Human Resources Manager</p>	<p>Since 2009 the Personnel Division has continuously reviewed recruiting, hiring processes and requirements to attract a more diverse applicant pool; along with increasing standards to hire entry level officers with greater capacity to positively interact with people who are ethnically, racially, and or culturally different.</p> <p>Background process Improvements also include developing investigators' understanding of how implicit biases and institutional racism can impact applicant histories and experiences. In fall 2012, the entire Personnel Division attended the Bureau's introductory training on Institutional racism, Implicit bias and using an equity lens. In 2013, background investigators voluntarily attended a follow-up training, "Leading in a Multicultural World", to increase capacity to address equity issues within existing recruiting, hiring and retention processes.</p>
	<p><u>Pre-hire education seminars and counseling:</u> Applicants should become more familiar with the hiring process.</p>	<p>Pre-hire seminars and counseling: Instituted in 2007.</p>	<ul style="list-style-type: none"> • Increase number of officers of color and female officers hired in 2009 by 10%. • Survey candidates re: satisfaction with offered services. <p>Person Responsible: Police Human Resources Manager</p>	<p>1. Changed the minimum requirements for Initial application. Previously applicants had to be at least 21-years-old, have a high school diploma/G.E.D. PLUS a 4-year college degree. As of 2007 applicants must be at least 21, have a high school diploma/GED and any one of the following:</p> <ul style="list-style-type: none"> • 2 years of accredited college credits at 100-level or above, • Hold another state's Police Officers Standards and Training certification that is accepted by Oregon's DPSST, • Two years of active duty or four years reserve U.S. military service under honorable conditions, • Two years of continuous service employed by law enforcement agencies (including 911-dispatchers) within the State of Oregon, • Two years of service as a reserve police officer or police cadet (after initial training and with a minimum of 500 hours of service rendered), • Two years of continuous service working for a law enforcement agency exercising police powers, OR • Lateral applicants: Three years of continuous service in another police agency as a sworn police officer for a recognized state, county or city (municipal) entity (lateral) and must have been employed there within the last six months.
	<p><u>Timeliness & background investigations:</u> The Bureau's hiring process has long been untimely and background 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.</p>	<p>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 applicants of color.</p>	<ul style="list-style-type: none"> • Increase number of officers of color and female officers hired in 2009 by 10%. • Monitor change process regarding adverse impact on women and people of color. <p>Person Responsible: Police Human Resources Manager</p>	<p>2. The Recruitment Coordinator along with background investigators and other recruiting trained officers, detectives, and/or sergeants present preparatory workshops and a practice physical ability test prior to the opening of a Community Police Officer Recruitment. The workshops and Practice PAT are advertised through Portland's diverse communities by various networks and community organizations communications. Since 2012 the events are specifically held in community partner sites which are welcoming to the diverse applicants we are seeking.</p> <p>3. The Recruitment Officer and various background investigators regularly meet one-on-one with future applicants and current applicants to discuss how to be successful through the process.</p> <p>4. When an applicant fails a background investigation, the investigators are now allowed to explain the reasons as long as confidentiality is not broken with a reference. (For instance: if a pattern of poor decision making around finances or driving, etc is the cause.) The background investigator can also give suggestions for possible improvements the applicant can make prior to re-applying.</p> <p>Between 2005 and 2010 hiring was 29.6% female/people of color (includes white females) and 12% people of color. Between 2011 and 2013 hiring was 40.7% female/people of color (includes white females and 24.7% people of color.</p>

Strategy	Why It Should Impact Racial Profiling	Progress Prior To 2009	2009 Objectives & Person Responsible (objectives in blue are in progress)	2013 Status
Strategy 1.2: Identify and address barriers for members of the Police Cadet and Reserve Programs to get hired as police officers.	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. Person Responsible: Youth Services Division Captain	The PPB created a path whereby individuals with two years of service as a reserve police officer or police cadet (after initial training and with a minimum of 500 hours of service rendered) meet the requirements for potential employment with fulfilling the educational or military service requirements. This was done to provide a possible path to employment for qualified minority applicants. Officer Ocasio (the Reserve and Cadet Coordinator) has met with Brian Renauer the Chair of the Portland State University Criminology and Criminal Justice Program. The goal of this meeting was to identify ways to improve minority hiring out of Portland State University.
Strategy 1.3: Develop more avenues for recruiting new officers by changing the recruitment program.	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.	<ul style="list-style-type: none"> • Increase percentage of applicants of color by 10%. • Identify and train recruiters in the Bureau and the community. Person Responsible: Police Human Resources Manager	<p>1. Throughout the year, the Recruitment Officer coordinates an informative and inviting PPB presence at various career fairs, college classes, networking events, open houses, community events and meetings, etc. Each event is attended by bureau members who are familiar with or a part of the community in which the event is held and who is able to honestly answer questions regarding application and hiring processes along with work environment and experience.</p> <p>2. Since 2010 Annual Recruitments (except during a hiring freeze) are held out-of-state in areas with higher percentages of racial/ethnic diversity than Portland. Recruitment is done widely through newspaper, diverse college campuses, POST academies, and community organizations.</p> <p>3. Instructions for how to apply for local tests are given early at preparatory workshops and practice Physical Abilities Tests instead of large general local announcements. This enables local applicants who have participated in preparatory efforts to have an increased chance of getting into an online open recruitment that is opened online worldwide. For the last three tests over 40% of the written test takers were women and/or people of color. (The last two were at least 50%).</p>
Strategy 1.4: Create staff position to analyze hiring and recruitment data.	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.	On hold. Budget cuts for FY 2009-2010 preclude another request at this time. Person Responsible: Assistant Chief of Services	<p>This position was never filled. However, the Bureau was able to use grant money to hire Emma Covelli who worked with Personnel, Training Division and the Chief's Office on issues of equity, community relations and issues of race. This has allowed for some analysis of these issues. Ultimately, Ms. Covelli's grant expired but she was retained by the Training Division to conduct evaluations of their programs.</p> <p>Emily Craig (Personnel Division) has maintained this information. Between 2005 and 2010 hiring was 29.6% female/minority (includes white females) and 12% minority (non-white or white hispanic). Between 2011 and 2013 hiring was 40.7% female/minority (includes white females and 24.7% minority (non-white or white/hispanic). This exceeds the goals for this strategy.</p>

Strategy	Why It Should Impact Racial Profiling	Progress Prior To 2009	2009 Objectives & Person Responsible (objectives in blue are in progress)	2013 Status
<p>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.</p> <p>For example:</p> <ul style="list-style-type: none"> • 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 <p>Goal: Police Bureau officers consistently interact with community members in a fair and respectful manner.</p>	<p>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.</p>	<p>To be done.</p>	<ul style="list-style-type: none"> • Meet with mentor organizations and university partners. • Hire contractor for training. • Complete training assessment. • Evaluate field training program. <p>Person Responsible: Chief</p>	<p>The Bureau is currently partnering with the Community Police Relations Committee (CPRC) and has assigned Emma Covelli to work on these tasks. In 2011, the Bureau and CPRC Subcommittee sought out recommendations and received material from the City of Seattle on training for increasing equity and awareness around issues of race. This committee adapted the training material for use by the Portland Police Bureau. The training was delivered to command staff in December 2012, will be delivered to Sergeants in 2013 and the rest of Bureau members in 2014 and 2015. This training included outside experts such as Dr. Joseph Graves (an renown geneticist who studies the lack of a biological basis for the construct of race).</p> <p>The CPRC Subcommittee is building a follow-up training for command staff focusing on organizational change strategies for increasing diversity and addressing equity issues. The committee is inviting local experts in the field to present to PPB members and CPRC committee members to learn how other agencies are implementing equity work into their organization.</p> <p>The Training Division has hired Emma Covelli as a Training and Development analyst. She will be tasked conducting evaluations of training but will also continue to work with the CPRC on issues surrounding race. The Training Division in coordinate with the Training Advisory Committee is developing a training needs assessment around a broad array of community concerns as well.</p> <p>In the fall of 2012, the PPB began conducting Intergroup Dialogues on race between bureau members of color and white members. Follow-up steps include providing facilitator training for additional members, increasing the opportunity for participation among both sworn officers and non-sworn/administrative bureau members.</p> <p>In 2011 Officer Liday (of the Training Division) began partnering with the Portland State University to deliver the Simon Wiesenthal Center's "Perspectives on Profiling" training as well as the Criminal Justice Policy Research Institute's "Diversity and Profiling in Contemporary Policing" curriculum. This training has been focused on the PPB coaches, to provide them additional tools for addressing these issues with trainee officers. Some Portland Police Officers, outside of the Field Training Program, have also attended these trainings. Officer Occasio (the Reserve Officer and Cadet Coordinator) has also included reserve officers in these trainings.</p> <p>The Training Division also works with Frances Portillo, Portillo Consulting International, to offer a cultural competency class to all Advanced Academy students.</p>
<p>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.</p>	<p>Helping officers gain insight into their own decision-making processes reinforces the expectation that services will be provided in a fair and respectful manner.</p>	<p>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.</p>	<ul style="list-style-type: none"> • 25 members attend "Tools for Tolerance" training (dependent on grant funding). • Initiate before/after survey to assess success. <p>Person Responsible: Assistant Chief of Operations</p>	<p>Grant funding is not available. If funding resumes the PPB will attempt to send additional officers.</p>

Strategy	Why It Should Impact Racial Profiling	Progress Prior To 2009	2009 Objectives & Person Responsible (objectives in blue are in progress)	2013 Status
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.	Help officers understand the community context in which they will work, to reinforce expectation that services will be fair and respectful.	To be done.	<ul style="list-style-type: none"> Identify lead trainer and develop curriculum. Schedule training in next available in-service. Person Responsible: Training Division Captain	<p>Progress to date:</p> <p>Community and Police Relations Training Subcommittee created a full-day equity training for PPB command officers. This training includes a section on the history of local race relations. The training is being modified for sergeants and officers.</p> <p>Some officers have begun attending Diversity and Profiling in Contemporary Policing, which covers the history of race in the U.S as well as locally, racial profiling and how implicit bias impacts police and community member interactions.</p>
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.	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 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.	<ul style="list-style-type: none"> Develop additional training modules on the issue of race. Review course evaluations. Person Responsible: Training Division Captain and Advanced Academy Sergeant	<p>See above training regarding Diversity and Profiling in Contemporary Policing and the work of the Community and Police Relations Subcommittee.</p> <p>Officers are also engaged in Intergroup Dialogues around race. These police specific forums where officers can discuss issues around race. It was started by police officers (as opposed to command) in the 2012.</p> <p>Course evaluations are conducted for the Diversity and Profiling in Contemporary Policing and the Community and Police Relations Subcommittee trainings but not for the Intergroup Dialogue program.</p>

Strategy	Why It Should Impact Racial Profiling	Progress Prior To 2009	2009 Objectives & Person Responsible (objectives in blue are in progress)	2013 Status
Strategy 2.5: Provide customer service training for all officers. <ul style="list-style-type: none"> • 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. 	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. Person Responsible: Training Division Captain	There is not a stand alone training on customer service, however, it is included as discussion points in other trainings such as CIT, K-9 and patrol tactics. All sergeants and officers were provided 40 hours of CIT training in 2007 and 2008. Starting after December of 2008, CIT training was incorporated into the Advanced Academy for new recruits. The City of Portland's SEA and the Bureau of Customer Service surveys, and the IAD complaints are not formally integrated into the training development and needs assessment process. The Training Division is currently working on creating a formal needs assessment and evaluation system with the new training analyst position, which will incorporate the utilization of these types of data resources.
	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. Person Responsible: Police Chief, Training Division Captain	The Training Division trains new recruits in the Field Training and Evaluation Program class to hand out business cards at the end of every stop unless there is a specific reason to believe that it would create a risk to the officer or an investigation. It is discussed how this act demonstrates compassion and professionalism. This is largely reinforced and trained by their Field Training Officer. The Training Division is just beginning to implement formal evaluation systems (see 2.5.1 above). Directive 312.50 on Identification/Business Cards began on September 21, 2009.
	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. Person Responsible: Police Chief, Captain of Professional Standards and Captain of Strategic Services	It is currently the Field Training Officers and Precinct Command Staff's responsibility to provide guidance on when to write written warnings or uniform traffic citations. This can vary among precincts and shifts. Officers are also required to fill a stops data collection form when conducting a traffic or person stop, however, it has not been analyzed to assess whether they increased during this time.
	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. Person Responsible: Training Division Captain	See information regarding training and customer service above. New recruits are also evaluated by their Field Training Officers on a weekly basis regarding their skills in community policing, ability to interact and communicate with community members, and their ability to form relationships with diverse community groups.

Strategy	Why It Should Impact Racial Profiling	Progress Prior To 2009	2009 Objectives & Person Responsible (objectives in blue are in progress)	2013 Status
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.	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.	<ul style="list-style-type: none"> Audit training by March 2009 to ensure the message is framed correctly. Person Responsible: Assistant Chief of Services, Sergeant in charge of Advanced Academy training	Training is currently provided to new recruits on when to and when not to conduct mere conversations, the necessity for having strong probable cause, and how these contacts can have unintended consequences such as offending community members. The current training discusses the potential harms of mere conversations but does not provide specific examples of how this can be particularly harmful to community members of color.
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.	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.	<ul style="list-style-type: none"> By July 2009, identify officers with high success rates and learn from how they identify indicators of criminal behavior. 	<ul style="list-style-type: none"> Leads for the work within the Bureau have been identified. They met with members of the Racial Profiling Committee in September 2008. Person Responsible: Assistant Chief of Investigations and committee of Bureau members and community members	<p>This was explored by Professional Standards but not with the same amount of rigor as originally intended. Issues surround public release of the data have not been addressed making the linking of stops data to individuals problematic (see 4.2.1).</p> <p>Training was provided to officers on better identifying criminal indicators and having strong probable cause before asking to conduct a search. This was provided through in-service 2-3 years ago.</p>

Strategy	Why It Should Impact Racial Profiling	Progress Prior To 2009	2009 Objectives & Person Responsible (objectives in blue are in progress)	2013 Status
Strategy 3.1: Identify liaison officer(s) for key persons and groups within minority communities. Goal: Improved mutual trust and communication between police officers and communities of color affected by racial profiling	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).	<ul style="list-style-type: none"> Reach out to 10 new community groups for match with liaison officer. Person Responsible: Assistant Chief of Operations and Precinct Commanders	There are several community outreach efforts going on in the PPB and each Precinct has many such functions. Commander Crebs has compiled a list from all of the divisions within the PPB and is formalizing this engagement to look for gaps and redundancies so that community engagement is optimal. It is likely that 10 new community groups have been connected with since 2009, however, it is impossible to verify since these relationships were not tracked in the past.

Strategy	Why It Should Impact Racial Profiling	Progress Prior To 2009	2009 Objectives & Person Responsible (objectives in blue are in progress)	2013 Status
<p>Strategy 3.2: Provide opportunities for officers to gain in-depth knowledge of the communities they serve.</p> <ul style="list-style-type: none"> • 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. 	<p>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.</p>	<p>3.2.1 – Progress halted due to community feedback that this strategy would be perceived as a request for "snitches."</p> <p>3.2.2 – Discussions with city and county partner agencies have been initiated.</p>	<p>3.2.1 – N/A</p> <p>3.2.2 –</p> <ul style="list-style-type: none"> • Survey participating officers and organizations at six months and one year to assess effectiveness. <p>Person Responsible: Training Division Captain</p>	<p>Discontinued prior to 2009</p> <p>The immersion program is utilized when there is a delay on when the Portland Police Bureau can get the new recruits into the Basic Academy. All new recruits now go through a SIRM training which provides specialized training on how to interact with juveniles and understanding the current research on effective practices for reducing criminal behavior among juveniles.</p> <p>The survey suggestions were not carried out due to the Training Division not having the research capacity in the past.</p>
<p>Strategy 3.3: Schedule officer time to meet with community members for discussion and relationship-building.</p> <ul style="list-style-type: none"> • 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. 	<p>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.</p>	<p>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</p>	<p>3.3.1 –</p> <ul style="list-style-type: none"> • 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. <p>Person Responsible: Assistant Chief of Operations</p>	<p>North Precinct has a weekly schedule of officers to attend Boys and Girls Clubs. Youth services conducted youth forums from 2006-2010, reaching youth from alternative, vocational, public and private schools. Several PPB officers participate in Camp Rosenbaum, a week-long summer camp for underprivileged youth.</p> <p>In 2013, the Community and Police Relations Committee held a table at the Community Fest and a couple members attended a table at the Hispanic Heritage Dinner with the Portland Police Bureau.</p> <p>Moving forward, the PPB is creating a database to tract community engagement.</p>

Strategy	Why It Should Impact Racial Profiling	Progress Prior To 2009	2009 Objectives & Person Responsible (objectives in blue are in progress)	2013 Status
<p>Strategy 4.1: Analyze stop data on a regular basis and identify better data to collect for analysis.</p> <p>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.</p>	<p>Improving the Bureau's data collection efforts and analyzing and reporting its data helps keep the Bureau accountable to the community and builds trust.</p>	<p>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.</p>	<ul style="list-style-type: none"> • 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. <p>Person Responsible: RU Manager for Strategic Services</p>	<p>In 2009 the Bureau asked the Criminal Justice Policy Research Institute from PSU to provide technical assistance on stops data collection. The Bureau has implemented a number of their recommendations. The new SDC program is in place and the 2011 data analyses are complete. A report is in draft status and will be released in July 2013. The 2012 data has been collected and is in the beginning stages of analysis. The reports will be reviewed by the CPRC. The CPRC will provide comment on the format and what types of analysis they would like conducted in subsequent reports.</p> <p>The PPB has started attending LECC meetings.</p>

Strategy	Why It Should Impact Racial Profiling	Progress Prior To 2009	2009 Objectives & Person Responsible (objectives in blue are in progress)	2013 Status
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. ¹⁷	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.	Issues surround public release of the data have not been addressed making the linking of stops data to individuals problematic (see 4.2.1)
		4.2.1a – On hold. See 4.2.1b, below.	4.2.1a – On hold. See 4.2.1b, below.	See above
		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 Person Responsible: Chief	See above
	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]). Person Responsible: Director, Office of Accountability & Professional Standards (OAPS); Captain of Strategic Services	The new stops data form collects information on the officers' perception of race prior to stop but is not linked to individual officers.
	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). Person Responsible: Captain of Strategic Services; Director, Office of Accountability & Professional Standards (OAPS)	The new data collection systems are in place and should allow for a more refined analysis than the previous data collection process. It includes a greater number of variables, address issues of missing/unknown race drivers and provides more information around offense.
15 Advanced Academy supplements the Oregon Public Safety Academy curriculum, and is mandatory for all officers beginning their careers. 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. 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.				



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Portland State
UNIVERSITY

PUBLIC CONTACT WITH AND PERCEPTIONS REGARDING POLICE IN PORTLAND, OREGON 2013

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Criminal Justice Policy Research Institute (CJPRI)

CJPRI strives to meet the research needs of its diverse clientele and expand the body of literature addressing criminology and criminal justice issues. Researchers at CJPRI employ a variety of methodological techniques including advanced statistical analysis, database development, GIS mapping, survey research, literature reviews, process evaluations, and program evaluation.

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BACKGROUND

The “Portland Public Safety Survey” was implemented in the summer of 2013 to fulfill research needs and begin baseline data collection necessitated by the settlement agreement approved by Portland City Council with the U.S. Department of Justice (DOJ) on November 14, 2012. Here are some examples from the settlement agreement that specify the need for a general population survey and the focus of measures.

- Page 3 of the settlement agreement notes a need for measures that, *“will assist the Parties and the community in determining whether, (2) community trust in PPB has increased; and (3) the improvements will be sustainable.”*
- Page 52 of the settlement agreement authorizes the City to conduct a representative survey of the Portland community, *“regarding their experiences with and perceptions of PPB’s prior community outreach efforts and accountability efforts and where those efforts could be improved, to inform the development and implementation of the CEO Plan.”*
- The bulk of the settlement agreement focuses on reforming use of force policy and training with a particular focus on mental health crisis management.

Dr. Brian Renauer of Portland State University and his research team entered into a contract with the Portland Police Bureau (PPB), with the approval of City Council, to address the above needs stipulated in the settlement agreement. The methodology and content of the general population survey was informed by the language of the settlement agreement, meetings with PPB and City representatives, and resource constraints. This report is the second of four reports detailed in the contract. This second report focuses on a comparison of respondents who report having a police contact in the past 12 months to respondents who had no police contact using the general population survey data. **The purpose of this second report is to ascertain whether there is something about voluntary and involuntary police contact experiences that appear to influence one’s judgment of the Portland Police Bureau in a positive or negative manner.** Opinions related to the following three content areas are examined:

Section 1. Legitimacy and Trust

Section 2. Evaluation of PPB’s Performance over the Past Year

Section 3. Perceptions of Use of Force

It is important to understand how contact experiences relate to opinions of the police, because the manner in which officers conduct themselves in police-public contacts has the potential to directly influence public attitudes. The report examines a popular policing strategy focused on the public’s perceptions of **“procedural justice”** (Tyler & Huo, 2002). The procedural justice framework proposes that perceived treatment during a police contact has more impact on police trust, legitimacy, and other attitudes than the actual outcome or resolution of the contact.

METHODOLOGY

The sample used in the study was generated using the following steps. We began by using a 2012 database of 50,000 randomly selected Portland mailing addresses for houses and apartment units. From this larger list we randomly selected 2,000 addresses to represent the city as a whole at the 95% confidence interval thus the sample is very likely to represent overall Portland attitudes despite the small size. Based on prior survey experiences we expected that African American, Hispanic/Latino, and younger respondents would be underrepresented in the city-wide sample. To address this we sent additional surveys to targeted areas of the city, a procedure called oversampling. This included: 1) 1,084 surveys sent to Census tracts with the highest percentage of African American residents based on the 2010 Census, 2) 1,058 surveys sent to Census tracts with the highest percentage of Hispanic/Latino residents based on the 2010 Census, and 3) 561 surveys sent to Census tracts with a higher percentage of the population aged 18-34.

The survey mailing followed the recommended procedure to increase response rates and included the following four mailings:

- **July 24, 2013** – 1st mailing: Pre-notice postcard signed by Mayor Hales.
- **July 31, 2013** – 2nd mailing: Cover letter, survey instrument, & stamped-return envelope.
- **August 7, 2013** – 3rd mailing: Thank you/reminder postcard.
- **August 19, 2013** – 4th mailing: Cover letter, survey instrument, & business return envelope.

In addition to the paper version of the survey form, respondents were offered the opportunity to complete the form online. Everyone contacted by mail also received a Spanish version of the cover letter and a translated version of the online survey was available in Spanish to address potential language barriers.

Mailed and online surveys were still being received through the end of September and first week of October at a rate of a couple per week. Surveys received after October 7th are not included in the final sample used in the present report. The number of usable surveys returned as of this cutoff date was 1,200. There were 240 surveys returned with vacant addresses leaving the total number of surveys mailed to valid addresses at 4,463. This resulted in an overall return rate of 26.9%.

Analyses and Statistical Procedures

The tables in this report provide a notation if there is are statistically significant attitudinal differences observed between those with no police contact, contact perceived as fair, and contact perceived as unfair. “Statistical significance” ($p < .05$) in the present context refers to the probability that any attitudinal differences observed between two of the groups could be due to random chance as opposed to representing a true difference in opinions. Even though some groups appear to

express a higher or lower average opinion on some questions, these differences in opinion are not reliable if they do not achieve statistical significance because we use a random sample of the population where error is a possibility. Groups that expressed statistically significant attitudes are highlighted in the narrative summary for each of the questions. It should be noted that item scoring and wording on some questions has been reversed from the original survey for ease of interpretation. Higher numbers all reflect a more positive evaluation of the police for all the questions now. We did this so the reader will not have to figure out whether higher means positive or negative on each question. The next sections review the specific contact questions employed in the survey followed by comparisons of different contact groups on measures of trust and legitimacy, quality of PPB services, and perceptions of use of force.

CONTACT WITH POLICE

The survey asks respondents about two types of police contact experiences and whether they felt they were treated “fairly” or “unfairly”.

Voluntary Contacts

Did you contact the Portland Police in the past year to report a crime or ask for help? If “yes” were you treated fairly in your most recent interaction?

NO

YES
(TREATED
FAIRLY)

YES
(TREATED
UNFAIRLY)

☐

☐

☐

Involuntary Contacts

Did a Portland police officer contact you in the past year (ex. warning, traffic stop, citation, arrest)? If “yes” were you treated fairly in your most recent interaction?.

NO

YES
(TREATED
FAIRLY)

YES
(TREATED
UNFAIRLY)

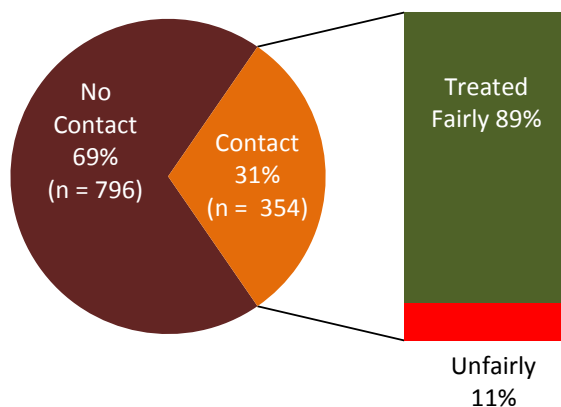
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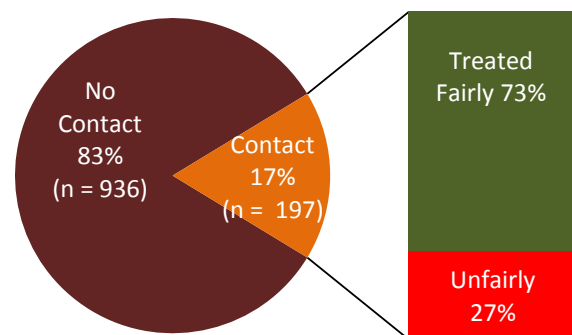
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Analysis

Voluntary Contact



Involuntary Contact



Interpretation

Close to one-third (30.8%) of Portland residents surveyed reported they had contacted the police for help in the prior year (i.e. voluntary contact). The vast majority (88.7%) of those with voluntary contact perceived that they were treated fairly during their most recent encounter. Roughly one in five residents (17.4%) had an involuntary contact with Portland police in the past year (e.g., traffic stop,

citation, arrest). Three quarters of these people (73.1%) believed they were treated fairly during their most recent involuntary contact.

Summary

The current findings indicate that voluntary contacts, like calling the police to report a crime, are twice as common as involuntary contacts that result from things like traffic stops, citations, or arrests. When asked how they felt about their contact with the police, the majority of residents perceive that they were treated fairly by the officer(s) during their encounter. Perhaps not surprising, residents were more likely to feel positively about contacts they initiated as opposed to contacts initiated by officers in response to an actual or suspected infraction. Even with involuntary contacts, however, the majority of residents still perceived that they were treated fairly. This is particularly noteworthy, since many of these interactions likely resulted in some type of aversive sanction for the citizen involved.

Overall, these findings suggest that Portland's police officers have mostly been engaging with the public in ways that seem fair to those involved. This finding has the potential to enhance public perceptions of legitimacy, something addressed in the forthcoming analyses, and reflects positively on the officers as a group and the organization as a whole.

At the same time, research suggests that aversive encounters with police have more salience and long term effects than positive interactions in shaping public attitudes about law enforcement (Rosenbaum, et al., 2005). One in ten residents with a voluntary contact and one out of every four of those reporting an involuntary contact believed that they were treated unfairly during their most recent encounter with police. Additional analysis of persons who experienced a police contact revealed certain segments of the public were more likely to feel they were treated unfairly (Appendix; pp. 45-46). Minority respondents, particularly Spanish/Latino and "Other" race respondents, were significantly more likely to believe they were treated unfairly during voluntary police contacts. Males and Minority respondents were also significantly more likely to perceive unfair treatment during involuntary police contacts. It is unclear why some respondents felt they were treated unfairly or fairly. In some cases, officers' style of handling citizen contacts may contribute to dissatisfaction. As such, the Bureau should take steps to train officers in communication "best-practices" and to consistently monitor officers' interactions and seek remediation where indicated. On the other hand, these negative perceptions may not always be directly attributable to the actions of officers involved in these events. For example, people's pre-existing expectations about law enforcement's capacity to solve property crimes and recover stolen property may color their perceptions of PPB's handling of burglaries and thefts from motor vehicles (i.e., CSI effect). Readers interested in analyses of racial/ethnic differences in perceptions of police trust, quality of services, and use of force should refer to the first report in this series.

I. LEGITIMACY AND TRUST

The 14 items in this section are designed to measure public perceptions of police legitimacy and public trust in the police, which are key constructs that influence overall perceptions of police and police behavior. The concepts of police legitimacy and trust reflect individuals' assessments on whether the police are seen as a rightful authority, should be respected, and whether their decisions should be followed. Trust entails a public confidence that law enforcement officers perform their duties fairly, equitably, and in good faith. Research demonstrates that citizens' perceptions of police legitimacy and trust are directly linked to their confidence in police, cooperation with law enforcement, and compliance with the law more generally (Sunshine & Tyler, 2003). Similarly, the belief that police engage in racial profiling negatively impacts citizens' perceptions of police legitimacy, decreases trust in police, and reduces overall support for law enforcement (Tyler & Wakslak, 2004; Weitzer & Tuch, 2005). The 14 items employed in this section of the survey derive from criminal justice and psychological research over the last decade that have been used in prior studies to assess police legitimacy and community trust in police. The measures of trust and legitimacy in this survey include a focus on one's neighborhood, one's social identity or personal trust in the police, and general trust in Portland Police actions related race and mental health status. With a focus on mental health status and racial issues in particular, these questions assess key components of the Department of Justice and City of Portland settlement. This section tests whether police-public contacts influence perceptions of police legitimacy. That is, does having voluntary or involuntary contact with an officer, and how one perceives they were treated, influence trust in police?

I. LEGITIMACY AND TRUST

Question #1

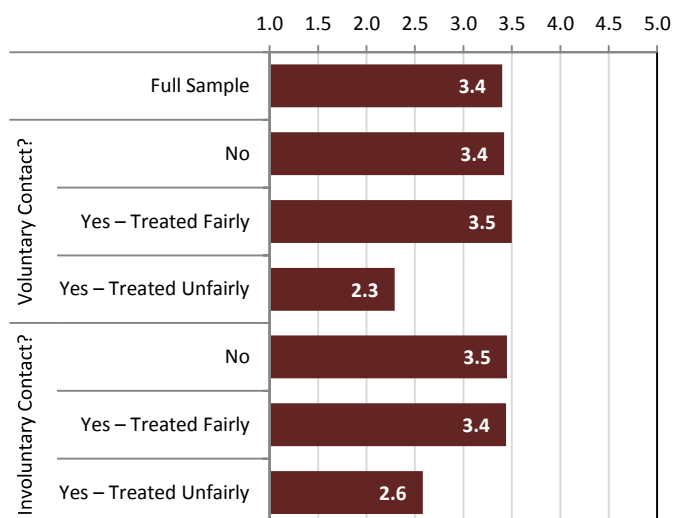
The Portland Police make decisions that are right for the people in my neighborhood.....

STRONGLY AGREE (5)	AGREE (4)	NEITHER AGREE /DISAGREE (3)	DISAGREE (2)	STRONGLY DISAGREE (1)
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Analysis

Group	n	SD	M	Sig.
Full Sample	1,170	.90	3.4	
Voluntary Contact?				***
No	779	.86	3.4	
Yes – Treated Fairly	305	.87	3.5	
Yes – Treated Unfairly	38	.93	2.3	
Involuntary Contact?				***
No	916	.84	3.5	
Yes – Treated Fairly	139	.96	3.4	
Yes – Treated Unfairly	52	1.13	2.6	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

There is no statistical significant difference between persons who contacted the police for help and felt they were treated fairly ($n=305$) in the past year and persons with no police contact ($n=779$) in their belief that Portland Police are making the right decisions for their neighborhood. On the other hand, persons who contacted the police for help and *felt they were treated unfairly expressed a significantly lower opinion* of police making decisions that are right for their neighborhood compared to those who felt they were treated fairly and those with no police contact.

There is no statistical significant difference between persons who were contacted by police in the past year (i.e. traffic stop, arrest) and felt they were treated fairly ($n=139$) and those that were not contacted ($n=916$) in their belief that Portland Police are making the right decisions for their neighborhood. Those who were contacted by the police and *felt they were treated unfairly ($n=52$) expressed a significantly lower opinion* of police making decisions that are right for their neighborhood compared to those who expressed fair treatment or were not contacted by police in the past year.

I. LEGITIMACY AND TRUST

Question #2

The Portland Police are trustworthy

STRONGLY
AGREE
(5)

AGREE
(4)

NEITHER
AGREE
/DISAGREE
(3)

DISAGREE
(2)

STRONGLY
DISAGREE
(1)

☐

☐

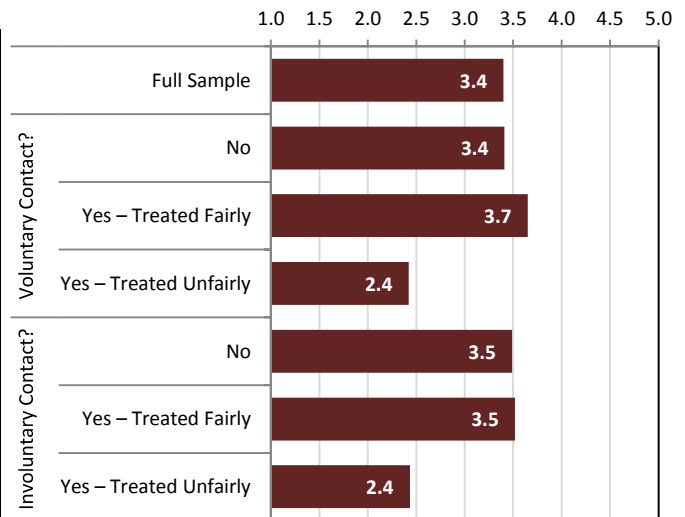
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Analysis

Group	n	SD	M	Sig.
Full Sample	1,173	.99	3.4	
Voluntary Contact?				***
No	780	.99	3.4	
Yes – Treated Fairly	309	.88	3.7	
Yes – Treated Unfairly	38	1.08	2.4	
Involuntary Contact?				***
No	920	.95	3.5	
Yes – Treated Fairly	139	1.01	3.5	
Yes – Treated Unfairly	53	1.17	2.4	



* $p < .05$, ** $p < .01$, *** $p < .001$.

Interpretation

Persons who contacted the police for help and felt they were treated fairly ($n=309$) in the past year **were the most likely to believe Portland Police are trustworthy**. This belief was significantly greater compared to both persons with no police contact ($n=780$) in the prior year and persons who felt they were treated unfairly ($n=38$) during the contact. Persons who *felt they were treated unfairly expressed the lowest opinion* that Portland Police are trustworthy.

Persons who were contacted by police in the past year (i.e. traffic stop, arrest) and felt they were treated fairly ($n=139$) were equally likely as those that were not contacted ($n=920$) to believe Portland Police are trustworthy. Those who were contacted by the police and *felt they were treated unfairly* ($n=53$) expressed a significantly lower opinion that Portland Police are trustworthy compared to those who expressed fair treatment or were not contacted by the police in the past year.

I. LEGITIMACY AND TRUST

Question #3

I have confidence in the Portland Police

STRONGLY
AGREE
(5)

AGREE
(4)

NEITHER
AGREE
/DISAGREE
(3)

DISAGREE
(2)

STRONGLY
DISAGREE
(1)

☐

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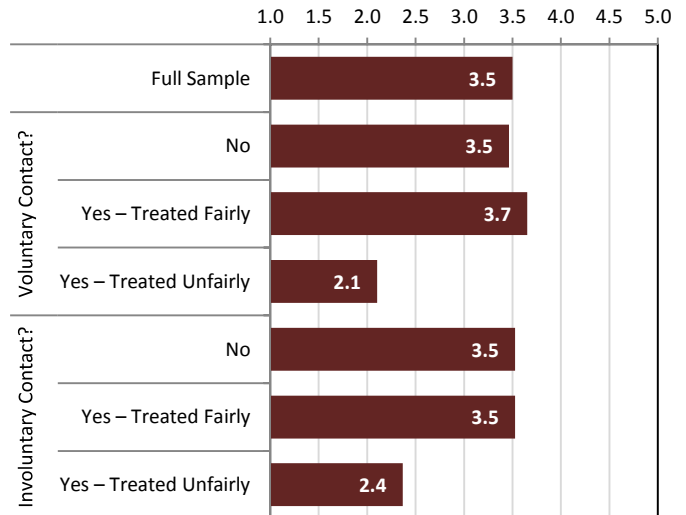
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Analysis

Group	n	SD	M	Sig.
Full Sample	1,177	1.05	3.5	
Voluntary Contact?				***
No	783	1.03	3.5	
Yes – Treated Fairly	307	.96	3.7	
Yes – Treated Unfairly	39	1.07	2.1	
Involuntary Contact?				***
No	919	1.00	3.5	
Yes – Treated Fairly	141	1.08	3.5	
Yes – Treated Unfairly	52	1.19	2.4	



* $p < .05$, ** $p < .01$, *** $p < .001$.

Interpretation

Persons who contacted the police for help and felt they were treated fairly ($n=307$) in the past year **were the most likely to express confidence in the Portland Police**. Their belief in police confidence was significantly greater compared to both persons with no police contact ($n=783$) in the prior year and persons who felt they were treated unfairly ($n=39$) during the contact. Persons who *felt they were treated unfairly when contacting the police for help expressed the lowest confidence* in the Portland Police.

Persons who were contacted by police in the past year (i.e. traffic stop, arrest) and felt they were treated fairly ($n=141$) were equally likely as those that were not contacted ($n=919$) to express confidence in the Portland Police. Those who were contacted by the police and *felt they were treated unfairly ($n=53$) expressed significantly less confidence* in the Portland Police compared to those who expressed fair treatment or were not contacted by the police in the past year.

I. LEGITIMACY AND TRUST

Question #4

Portland Police treat people like me respectfully*

STRONGLY
AGREE
(5)

AGREE
(4)

NEITHER
AGREE
/DISAGREE
(3)

DISAGREE
(2)

STRONGLY
DISAGREE
(1)

○

○

○

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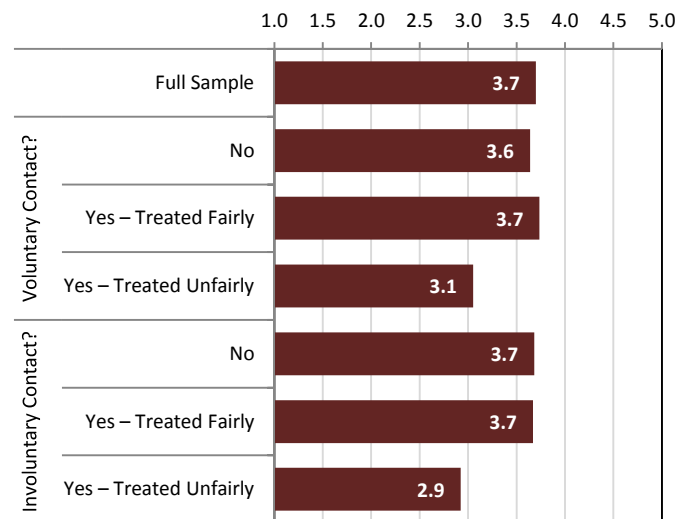
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*Item scoring and question wording has been reversed from original survey for ease of interpretation (i.e., higher scores now reflect a more positive evaluation of the police).

Analysis

Group	n	SD	M	Sig.
Full Sample	1,172	1.07	3.7	
Voluntary Contact?				**
No	774	1.05	3.6	
Yes – Treated Fairly	312	1.06	3.7	
Yes – Treated Unfairly	39	1.10	3.1	
Involuntary Contact?				***
No	915	1.02	3.7	
Yes – Treated Fairly	142	1.12	3.7	
Yes – Treated Unfairly	53	1.34	2.9	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

There is no statistical significant difference between persons who contacted the police for help and felt they were treated fairly (n=312) in the past year and persons with no police contact (n=774) in their belief that Portland Police treat people like them respectfully. Persons who *felt they were treated unfairly when contacting the police were significantly less likely to believe Portland Police treat people like them respectfully* compared to persons who felt they were treated fairly or had no contact.

Persons who were contacted by police in the past year (i.e. traffic stop, arrest) and felt they were treated fairly (n=142) were equally likely as those that were not contacted (n=915) to believe the Portland Police treat people like them respectfully. Those who were contacted by the police and *felt they were treated unfairly (n=53) were significantly less likely to believe Portland Police treat people like them respectfully* compared to persons who felt they were treated fairly or were not contacted by police in the past year.

I. LEGITIMACY AND TRUST

Question #5

If I call the Portland Police I would receive the same quality of service as others in Portland.....

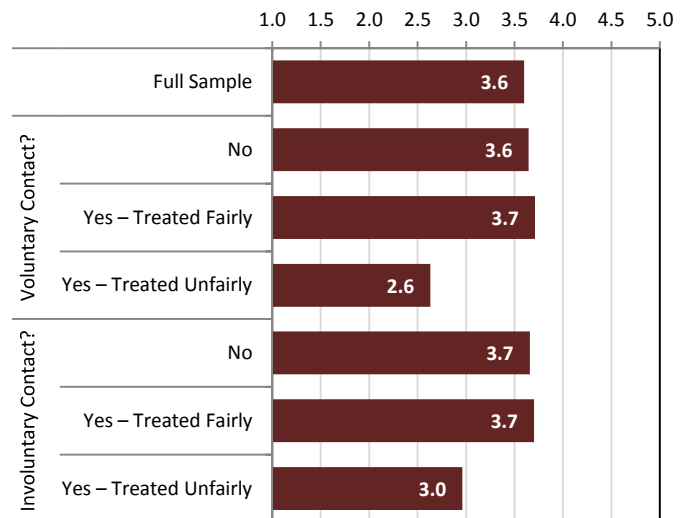
STRONGLY AGREE (5) AGREE (4) NEITHER AGREE /DISAGREE (3) DISAGREE (2) STRONGLY DISAGREE (1)

O O O O O

Analysis

Group	n	SD	M	Sig.
Full Sample	1,169	.97	3.6	
Voluntary Contact?				***
No	775	.94	3.7	
Yes – Treated Fairly	311	.95	3.7	
Yes – Treated Unfairly	38	1.10	2.6	
Involuntary Contact?				***
No	916	.92	3.7	
Yes – Treated Fairly	141	1.00	3.7	
Yes – Treated Unfairly	52	1.20	3.0	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

There is no statistical significant difference between persons who contacted the police for help and felt they were treated fairly (n=311) in the past year and persons with no police contact (n=775) in their belief that they would receive the same quality of service as others in Portland. Persons who *felt they were treated unfairly when contacting the police were significantly less likely to believe they would receive the same quality of service as others in Portland* compared to persons who felt they were treated fairly or had no contact.

Persons who were contacted by police in the past year (i.e. traffic stop, arrest) and felt they were treated fairly (n=141) were equally likely as those that were not contacted (n=916) to believe they would receive the same quality of service as others in Portland. Those who were contacted by the police and *felt they were treated unfairly (n=52) were significantly less likely to believe they would receive the same quality of service as others in Portland* compared to persons who felt they were treated fairly or were not contacted by police in the past year.

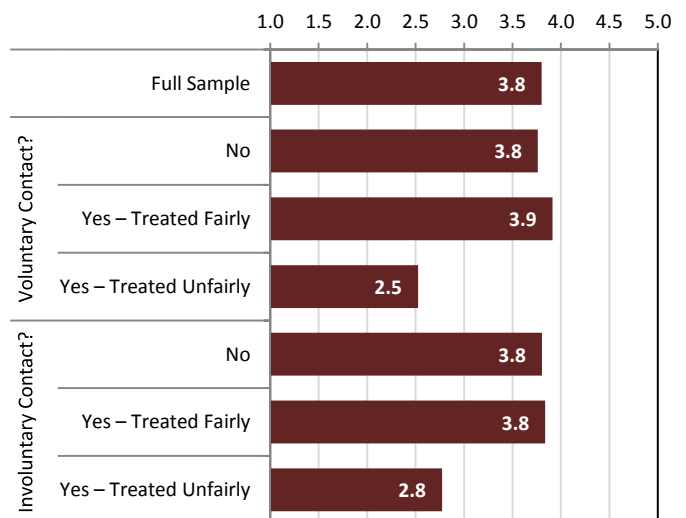
I. LEGITIMACY AND TRUST

Question #6	STRONGLY AGREE (5)	AGREE (4)	NEITHER AGREE /DISAGREE (3)	DISAGREE (2)	STRONGLY DISAGREE (1)
I think I would be treated fairly by Portland Police	O	O	O	O	O

Analysis

Group	n	SD	M	Sig.
Full Sample	1,179	.89	3.8	
Voluntary Contact?				***
No	783	.87	3.8	
Yes – Treated Fairly	311	.760	3.9	
Yes – Treated Unfairly	40	.96	2.5	
Involuntary Contact?				***
No	922	.82	3.8	
Yes – Treated Fairly	142	.91	3.8	
Yes – Treated Unfairly	53	1.27	2.8	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

Persons who contacted the police for help and felt they were treated fairly ($n=311$) in the past year **were the most likely to believe they would be treated fairly by Portland Police**. Those who felt they were treated fairly were significantly more likely to believe they would be treated fairly by Portland Police compared to both persons without police contact ($n=783$) and those who felt they were treated unfairly ($n=40$). Those who contacted the police and *felt they were treated unfairly* ($n=40$) were *significantly less likely to believe they would be treated fairly* by Portland Police compared to persons who felt they were treated fairly or were not contacted by police in the past year.

Persons who were contacted by police in the past year (i.e. traffic stop, arrest) and felt they were treated fairly ($n=142$) were equally likely as those that were not contacted ($n=922$) to believe they would be treated fairly by Portland Police. Those who were contacted by the police and *felt they were treated unfairly* ($n=53$) were *significantly less likely to believe they would be treated fairly* by Portland Police compared to persons who felt they were treated fairly or were not contacted by police in the past year.

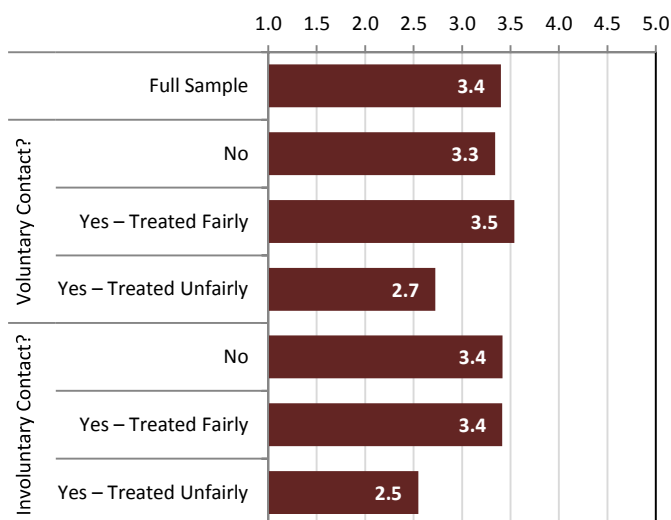
I. LEGITIMACY AND TRUST

Question #7	STRONGLY AGREE (5)	AGREE (4)	NEITHER AGREE /DISAGREE (3)	DISAGREE (2)	STRONGLY DISAGREE (1)
People should respect decisions Portland Police make	O	O	O	O	O

Analysis

Group	n	SD	M	Sig.
Full Sample	1,166	.96	3.4	
Voluntary Contact?				***
No	771	.96	3.3	
Yes – Treated Fairly	307	.89	3.5	
Yes – Treated Unfairly	40	1.13	2.7	
Involuntary Contact?				***
No	909	.92	3.4	
Yes – Treated Fairly	140	1.02	3.4	
Yes – Treated Unfairly	53	1.03	2.5	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

Persons who contacted the police for help and felt they were treated fairly ($n=307$) in the past year **were the most likely to believe people should respect decisions Portland Police make**. Those who felt they were treated fairly were significantly more likely to believe people should respect decisions Portland Police make compared to both persons without police contact ($n=771$) and those who felt they were treated unfairly ($n=40$). Those who contacted the police and *felt they were treated unfairly* ($n=40$) *were significantly less likely to believe people should respect decisions Portland Police make* compared to persons who felt they were treated fairly or were not contacted by police in the past year.

Persons who were contacted by police in the past year (i.e. traffic stop, arrest) and felt they were treated fairly ($n=140$) were equally likely as those that were not contacted ($n=909$) to people should respect decisions Portland Police make. Those who were contacted by the police and *felt they were treated unfairly* ($n=53$) *were significantly less likely to believe people should respect decisions Portland Police make* compared to persons who felt they were treated fairly or were not contacted by police in the past year.

I. LEGITIMACY AND TRUST

Question #8

I think my values and the values of Portland Police are very similar.....

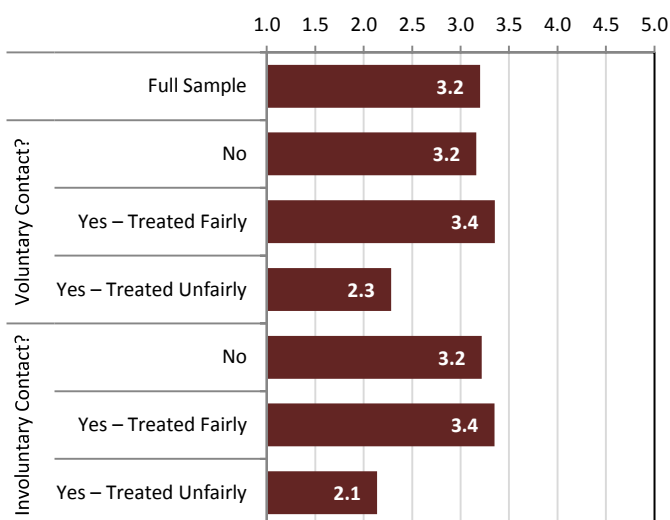
STRONGLY AGREE (5) AGREE (4) NEITHER AGREE /DISAGREE (3) DISAGREE (2) STRONGLY DISAGREE (1)

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Analysis

Group	n	SD	M	Sig.
Full Sample	1,163	1.04	3.2	
Voluntary Contact?				***
No	769	1.03	3.2	
Yes – Treated Fairly	307	1.00	3.4	
Yes – Treated Unfairly	39	1.15	2.3	
Involuntary Contact?				***
No	907	1.01	3.2	
Yes – Treated Fairly	140	1.04	3.4	
Yes – Treated Unfairly	51	1.08	2.1	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

Persons who contacted the police for help and felt they were treated fairly ($n=307$) in the past year **were the most likely to believe their values are very similar to values of the Portland Police**. Those who felt they were treated fairly were significantly more likely to believe their values are very similar to the values of the Portland Police compared to both persons without police contact ($n=769$) and those who felt they were treated unfairly ($n=39$).

Persons who were contacted by police in the past year (i.e. traffic stop, arrest) and felt they were treated fairly ($n=140$) were equally likely as those that were not contacted ($n=907$) to believe their values are very similar to the values of the Portland Police. Those who were contacted by the police and *felt they were treated unfairly* ($n=51$) were significantly less likely to believe their values are very similar to the values of the Portland Police compared to persons who felt they were treated fairly or were not contacted by police in the past year.

I. LEGITIMACY AND TRUST

Question #9

The police in Portland (do not) use race and ethnicity when deciding whether to stop someone*

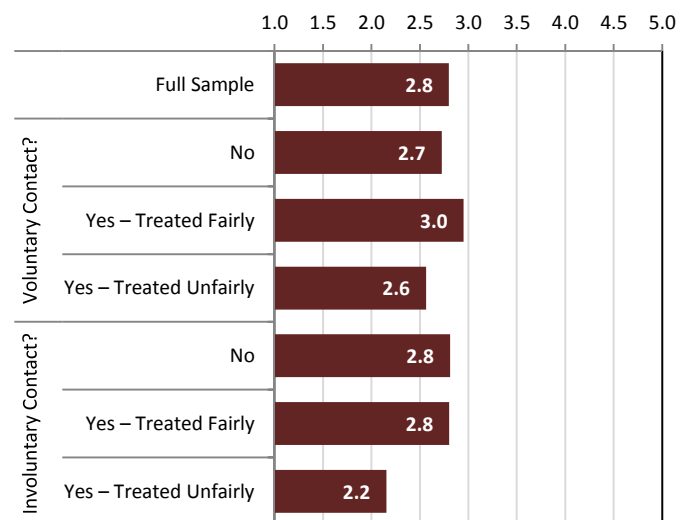
STRONGLY AGREE (5)	AGREE (4)	NEITHER AGREE /DISAGREE (3)	DISAGREE (2)	STRONGLY DISAGREE (1)
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

*Item scoring and question wording has been reversed from original survey for ease of interpretation (i.e., higher scores now reflect a more positive evaluation of the police).

Analysis

Group	n	SD	M	Sig.
Full Sample	1,165	1.09	2.8	
Voluntary Contact?				**
No	773	1.05	2.7	
Yes – Treated Fairly	307	1.14	3.0	
Yes – Treated Unfairly	39	1.23	2.6	
Involuntary Contact?				***
No	912	1.05	2.8	
Yes – Treated Fairly	142	1.18	2.8	
Yes – Treated Unfairly	52	1.24	2.2	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

Persons who contacted the police for help and felt they were treated fairly ($n=307$) in the past year **were the most likely to believe police in Portland (do not) use race and ethnicity when deciding whether to stop someone**. Those who felt they were treated fairly were significantly more likely to believe Portland Police do not use race and ethnicity when deciding whether to stop someone compared to both persons without police contact ($n=773$) and those who believed they were treated unfairly ($n=39$).

Persons who were contacted by police in the past year (i.e. traffic stop, arrest) and felt they were treated fairly ($n=142$) were equally likely as those that were not contacted ($n=912$) to believe Portland Police do not use race and ethnicity when deciding whether to stop someone. Those who were contacted by the police and *felt they were treated unfairly* ($n=52$) *were significantly less likely to believe Portland Police do not use race and ethnicity when deciding whether to stop someone* compared to persons who felt they were treated fairly or were not contacted by police in the past year.

I. LEGITIMACY AND TRUST

Question #10

Portland Police (do not) treat people disrespectfully because of their race or ethnicity*

STRONGLY AGREE (5) AGREE (4) NEITHER AGREE /DISAGREE (3) DISAGREE (2) STRONGLY DISAGREE (1)

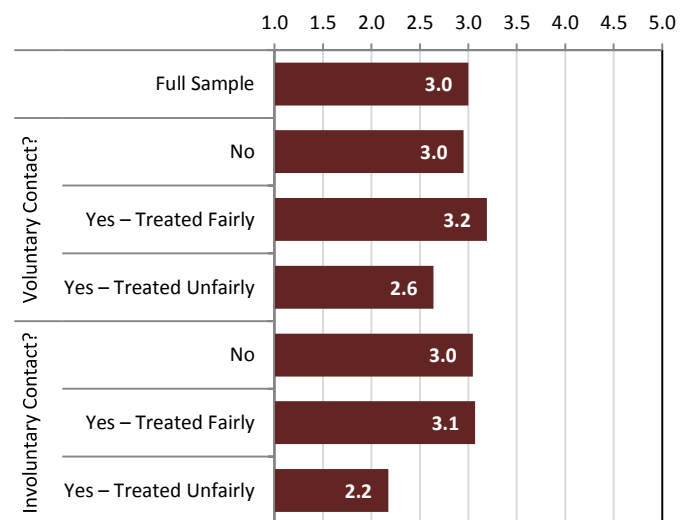
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*Item scoring and question wording has been reversed from original survey for ease of interpretation (i.e., higher scores now reflect a more positive evaluation of the police).

Analysis

Group	n	SD	M	Sig.
Full Sample	1,167	1.08	3.0	
Voluntary Contact?				***
No	773	1.06	3.0	
Yes – Treated Fairly	308	1.09	3.2	
Yes – Treated Unfairly	39	1.14	2.6	
Involuntary Contact?				***
No	912	1.04	3.0	
Yes – Treated Fairly	141	1.19	3.1	
Yes – Treated Unfairly	52	1.15	2.2	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

Persons who contacted the police for help and felt they were treated fairly (n=308) in the past year **were the most likely to believe Portland Police (do not) treat people disrespectfully because of their race or ethnicity**. Persons who felt they were treated fairly were significantly more likely to believe Portland Police do not treat people disrespectfully because of their race and ethnicity compared to both persons without police contact (n=773) and those who believed they were treated unfairly (n=39).

Persons who were contacted by police in the past year (i.e. traffic stop, arrest) and felt they were treated fairly (n=141) were equally likely as those that were not contacted (n=912) to believe Portland Police do not treat people disrespectfully because of their race and ethnicity. Those who were contacted by the police and *felt they were treated unfairly* (n=52) *were significantly less likely to believe Portland Police do not treat people disrespectfully because of their race and ethnicity* compared to persons who felt they were treated fairly or were not contacted by police in the past year.

I. LEGITIMACY AND TRUST

Question #11

Portland Police (do not) treat people disrespectfully because of their mental health status*

STRONGLY AGREE (5) AGREE (4) NEITHER AGREE /DISAGREE (3) DISAGREE (2) STRONGLY DISAGREE (1)

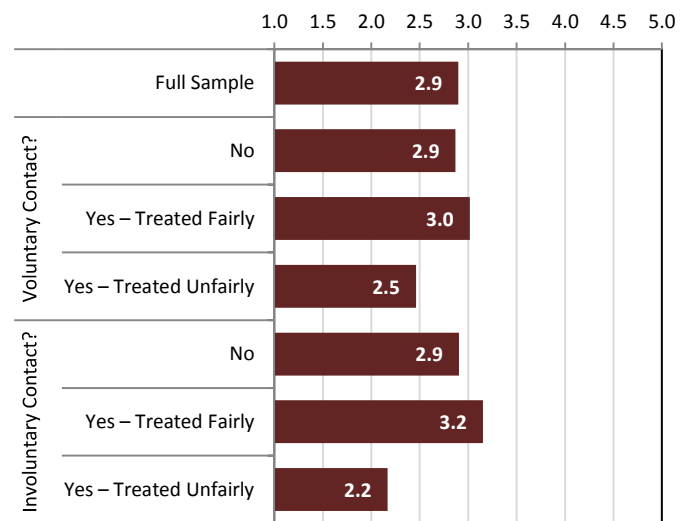
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*Item scoring and question wording has been reversed from original survey for ease of interpretation (i.e., higher scores now reflect a more positive evaluation of the police).

Analysis

Group	n	SD	M	Sig.
Full Sample	1,161	1.11	2.9	
Voluntary Contact?				**
No	771	1.09	2.9	
Yes – Treated Fairly	305	1.13	3.0	
Yes – Treated Unfairly	39	1.02	2.5	
Involuntary Contact?				***
No	909	1.08	2.9	
Yes – Treated Fairly	138	1.17	3.2	
Yes – Treated Unfairly	53	1.05	2.2	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

There is no statistical significant difference between persons who contacted the police for help and felt they were treated fairly ($n=305$) in the past year and persons with no police contact ($n=771$) in their belief that Portland Police do not treat people disrespectfully because of their mental health status. Persons who *felt they were treated unfairly* ($n=39$) were significantly less likely to believe Portland Police do not treat people disrespectfully because of their mental health status compared to both persons who felt they were treated fairly and those without police contact.

Persons who were contacted by police in the past year (i.e. traffic stop, arrest) and felt they were treated fairly ($n=138$) were equally likely as those that were not contacted ($n=909$) to believe Portland Police do not treat people disrespectfully because of their mental health status. Those who were contacted by the police and *felt they were treated unfairly* ($n=53$) were significantly less likely to believe Portland Police do not treat people disrespectfully because of their mental health status compared to persons who felt they were treated fairly or were not contacted by police in the past year.

I. LEGITIMACY AND TRUST

Question #12

I (do not) worry that Portland Police may stereotype me because of my race or ethnicity*..

STRONGLY AGREE (5) AGREE (4) NEITHER AGREE /DISAGREE (3) DISAGREE (2) STRONGLY DISAGREE (1)

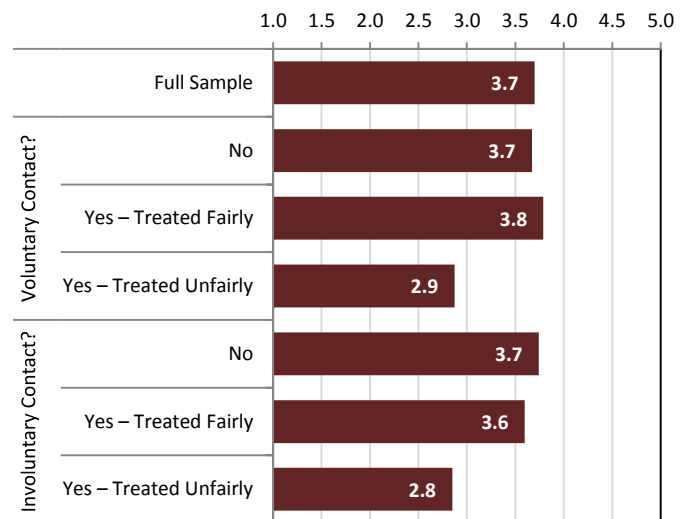
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*Item scoring and question wording has been reversed from original survey for ease of interpretation (i.e., higher scores now reflect a more positive evaluation of the police).

Analysis

Group	n	SD	M	Sig.
Full Sample	1,151	1.06	3.7	
Voluntary Contact?				***
No	760	1.07	3.7	
Yes – Treated Fairly	307	.95	3.8	
Yes – Treated Unfairly	39	1.22	2.9	
Involuntary Contact?				***
No	900	1.01	3.7	
Yes – Treated Fairly	139	1.06	3.6	
Yes – Treated Unfairly	53	1.41	2.8	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

There is no statistical significant difference between persons who contacted the police for help and felt they were treated fairly ($n=307$) in the past year and persons with no police contact ($n=760$) in worrying that Portland Police may stereotype them because of their race or ethnicity. Persons who *felt they were treated unfairly* ($n=39$) were significantly less likely to not worry that Portland Police may stereotype them because of their race or ethnicity.

Persons who were contacted by police in the past year (i.e. traffic stop, arrest) and felt they were treated fairly ($n=139$) were equally likely as those that were not contacted ($n=900$) to not worry that Portland Police may stereotype them because of their race or ethnicity. Those who were contacted by the police and *felt they were treated unfairly* ($n=53$) were significantly less likely to not worry that Portland Police may stereotype them because of their race or ethnicity compared to persons who felt they were treated fairly or were not contacted by police in the past year.

I. LEGITIMACY AND TRUST

Question #13

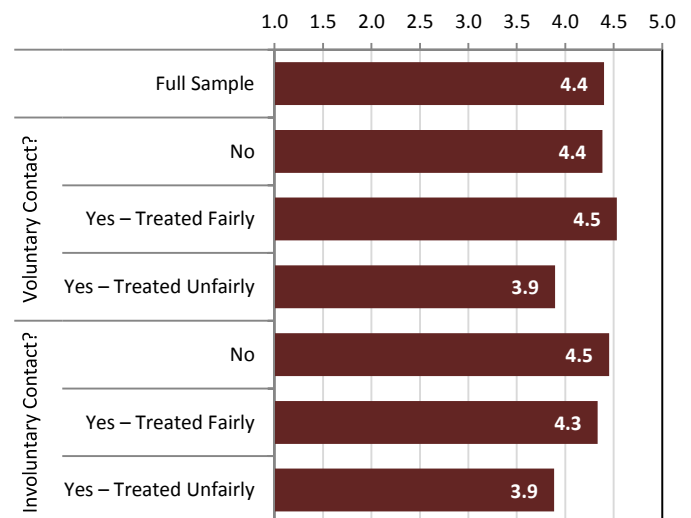
If I saw a crime happening in my neighborhood
I would call the Portland Police to report it

STRONGLY AGREE (5)	AGREE (4)	NEITHER AGREE /DISAGREE (3)	DISAGREE (2)	STRONGLY DISAGREE (1)
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Analysis

Group	n	SD	M	Sig.
Full Sample	1,181	.76	4.4	
Voluntary Contact?				***
No	785	.77	4.4	
Yes – Treated Fairly	311	.67	4.5	
Yes – Treated Unfairly	38	1.09	3.9	
Involuntary Contact?				***
No	925	.72	4.5	
Yes – Treated Fairly	143	.79	4.3	
Yes – Treated Unfairly	52	1.11	3.9	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

Persons who contacted the police for help and felt they were treated fairly ($n=311$) in the past year **were the most likely to call the Portland Police if they saw a crime happening in their neighborhood.** Those who felt they were treated fairly were significantly more likely to call the Portland Police if they saw a crime happening in their neighborhood compared to both persons without police contact ($n=785$) and those who believed they were treated unfairly ($n=38$).

Persons who were contacted by police in the past year (i.e. traffic stop, arrest) and felt they were treated fairly ($n=143$) were equally likely as those that were not contacted ($n=925$) to call the Portland Police if they saw a crime happening in their neighborhood. Those who were contacted by the police and *felt they were treated unfairly* ($n=52$) *were significantly less likely call the Portland Police if they saw a crime happening in their neighborhood* compared to persons who felt they were treated fairly or were not contacted by police in the past year.

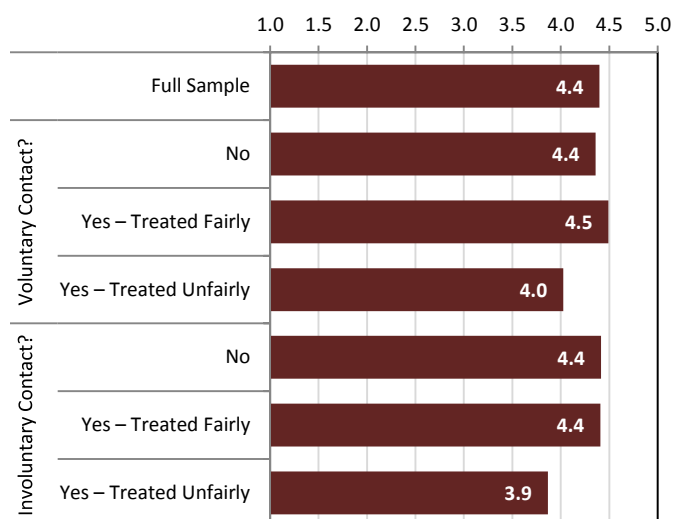
I. LEGITIMACY AND TRUST

Question #14	STRONGLY AGREE (5)	AGREE (4)	NEITHER AGREE /DISAGREE (3)	DISAGREE (2)	STRONGLY DISAGREE (1)
I would work with the Portland Police to identify a person who committed a crime in my neighborhood	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Analysis

Group	n	SD	M	Sig.
Full Sample	1,176	.77	4.4	
Voluntary Contact?				***
No	779	.77	4.4	
Yes – Treated Fairly	311	.73	4.5	
Yes – Treated Unfairly	39	1.06	4.0	
Involuntary Contact?				***
No	918	.74	4.4	
Yes – Treated Fairly	142	.74	4.4	
Yes – Treated Unfairly	53	1.13	3.9	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

Persons who contacted the police for help and felt they were treated fairly ($n=311$) in the past year **were the most likely to work with the Portland Police to identify a person who committed a crime in their neighborhood**. Those who felt they were treated fairly were significantly more likely to work with the Portland Police to identify a person who committed a crime in their neighborhood compared to both persons without police contact ($n=779$) and those who believed they were treated unfairly ($n=39$).

Persons who were contacted by police in the past year (i.e. traffic stop, arrest) and felt they were treated fairly ($n=142$) were equally likely as those that were not contacted ($n=918$) to work with the Portland Police to identify a person who committed a crime in their neighborhood. Those who were contacted by the police and *felt they were treated unfairly* ($n=53$) *were significantly less likely to work with the Portland Police to identify a person who committed a crime in their neighborhood* compared to persons who felt they were treated fairly or were not contacted by police in the past year.

I. LEGITIMACY AND TRUST - SUMMARY

One of the unique findings in this first section is that **those who have contacts perceived as “fair”, whether voluntary or involuntary, have greater or equal faith and trust in the Portland Police than those who do not report any police contacts in the prior year.** In some cases these differences are statistically significant and in others it is only a small or no difference. Even among persons who report being stopped involuntarily by the police, if they perceive fair treatment, there are potential gains for trust and legitimacy. This is an important finding because it illustrates the potential role that recent, direct police experiences can have in efforts to improve public trust in police.

On the other hand, persons who perceive they were treated unfairly during a voluntary or involuntary police contact in the past year express significantly less legitimacy and trust in Portland Police compared to both persons who report no contacts and those with fair contacts. This also is an important finding because it shows the strong influence a negative police encounter can have and steps should be taken to ensure positive police contacts.

The results provide support for a popular policing strategy revolving around the notion of “**procedural justice**” (Tyler & Huo, 2002). A procedural justice approach focuses on identifying the communication dynamics within police-public contacts that increase one’s perception that the encounter was resolved in a fair manner. Officers that explain their actions, treat persons with respect, allow for questions and appeals, show neutral and consistent behavior, and express compassion during police-public interactions can increase a person’s sense of trust in police, and willingness to assist law enforcement.

Unfortunately our survey questionnaire did not have room for follow up questions that explore the nature of a reported police contact to help explain why some felt they were treated fairly or unfairly. Nonetheless, the results indicate a strong relationship between perceptions of fairness in recent police contacts and one’s perception of police trust and legitimacy. The data is also unable to support causal relationships due to its cross-sectional nature. In other words, we cannot conclude that contacts perceived as fair increases a perception of trust and legitimacy because it’s also plausible that the majority of persons who had contacts already possessed higher trust and legitimacy in the police, which in turn may have influenced the nature of the contact in a positive fashion or their evaluation of the contact.

II. EVALUATION OF PPB'S PERFORMANCE OVER THE PAST 12 MONTHS

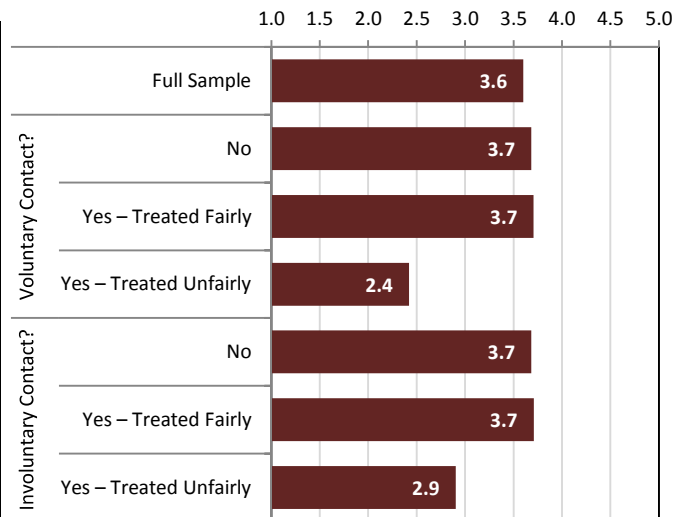
The 12 items in the following section focus on individuals' evaluations of the Portland Police Bureau's performance across a wide range of police activities over the past 12 months. These items are designed to measure public perception of PPB's activities in the community over the last year and their overall effectiveness in policing efforts. Community outreach and accountability have been identified as important goals by the Portland Police Bureau. The following 12 items measure how successful Portland citizen's feel the PPB was at achieving these important policing and departmental outcomes. The 12 public perception items fall into three major categories: 1) general satisfaction with police services, 2) police outreach with the community, and 3) specific changes that PPB has undertaken to improve its policing efforts in the community, which include implementing new training procedures and efforts to reduce use of force. The results will provide important performance feedback for PPB that can be used as a baseline to measure subsequent changes in the public's perceptions of police performance. This section tests whether police-public contacts influence perceptions of PPBs performance. That is, does having voluntary or involuntary contact with an officer influence perceptions of how well PPB is doing?

II. EVALUATION OF PPB'S PERFORMANCE OVER THE PAST YEAR

Question #1	VERY GOOD (5)	GOOD (4)	FAIR (3)	POOR (2)	VERY POOR (1)
Fighting crime	O	O	O	O	O

Analysis

Group	n	SD	M	Sig.
Full Sample	1,107	.82	3.6	
Voluntary Contact?				***
No	725	.76	3.7	
Yes – Treated Fairly	301	.76	3.7	
Yes – Treated Unfairly	38	1.11	2.4	
Involuntary Contact?				***
No	863	.77	3.7	
Yes – Treated Fairly	134	.85	3.7	
Yes – Treated Unfairly	52	1.05	2.9	



* $p < .05$, ** $p < .01$, *** $p < .001$.

Interpretation

There is no statistical significant difference in evaluation of PPB's performance in **fighting crime** between persons who contacted the police for help and felt they were treated fairly ($n=301$) and persons without police contact ($n=725$) in the prior year. Persons who contacted the police for help and *believed they were treated unfairly* ($n=38$) had a *significantly lower evaluation* of PPB's performance in fighting crime compared to those who felt they were treated fairly or had no contact.

There is also no statistical significant difference between persons contacted by police in the past year (i.e. traffic stop, arrest) who believed they were treated fairly ($n=134$) and who were not contacted by the police ($n=863$) in the prior year in their evaluation of PPB's performance in **fighting crime**. Persons contacted by police in the past year (i.e. traffic stop, arrest) who *believed they were treated unfairly* ($n=52$) had a *significantly lower evaluation* of PPB's performance in fighting crime compared to those who felt they were treated fairly or had no contact.

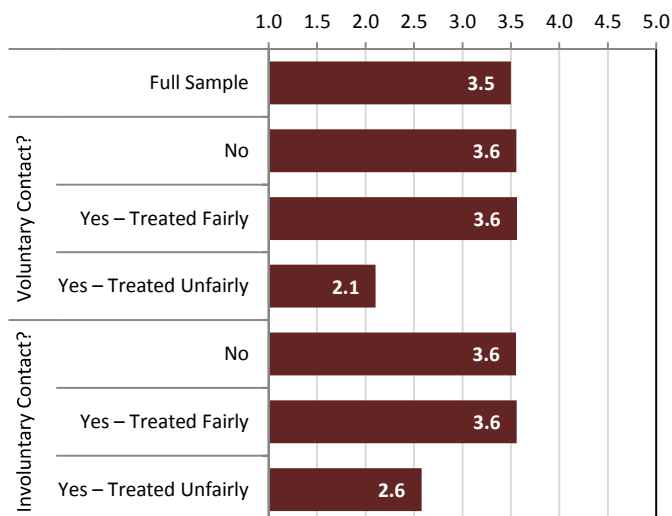
II. EVALUATION OF PPB'S PERFORMANCE OVER THE PAST YEAR

Question #2	VERY GOOD (5)	GOOD (4)	FAIR (3)	POOR (2)	VERY POOR (1)
Dealing with problems that concern (my) neighborhood	O	O	O	O	O

Analysis

Group	n	SD	M	Sig.
Full Sample	1,106	.92	3.5	
Voluntary Contact?				***
No	722	.85	3.6	
Yes – Treated Fairly	303	.92	3.6	
Yes – Treated Unfairly	39	1.05	2.1	
Involuntary Contact?				***
No	864	.88	3.6	
Yes – Treated Fairly	134	.87	3.6	
Yes – Treated Unfairly	52	1.19	2.6	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

There is no statistical significant difference in evaluation of PPB's performance in **dealing with problems that concern my neighborhood** between persons who contacted the police for help and felt they were treated fairly ($n=303$) and persons without police contact ($n=722$) in the prior year. Persons who contacted the police for help and *believed they were treated unfairly* ($n=39$) had a *significantly lower evaluation* of PPB's performance in dealing with problems that concern my neighborhood compared to those who felt they were treated fairly or had no contact.

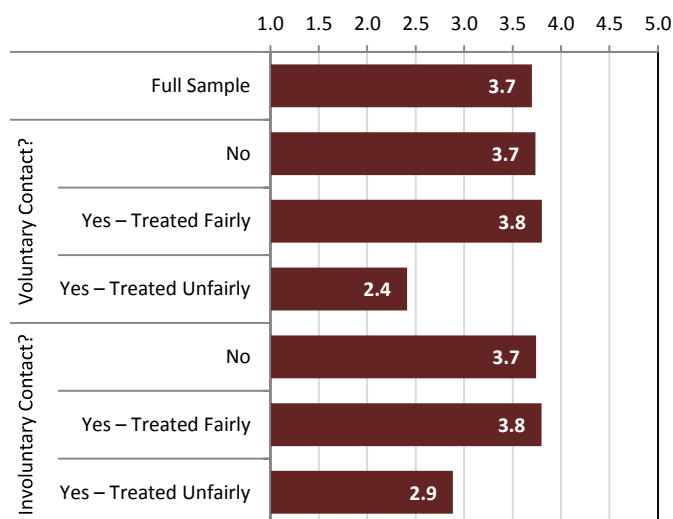
There is also no statistical significant difference between persons contacted by police in the past year (i.e. traffic stop, arrest) who believed they were treated fairly ($n=134$) and persons who were not contacted by the police ($n=864$) in the prior year in their evaluation of PPB's performance in **dealing with problems that concern my neighborhood**. Persons contacted by police in the past year (i.e. traffic stop, arrest) who *believed they were treated unfairly* ($n=52$) had a *significantly lower evaluation* of PPB's performance in dealing with problems that concern my neighborhood compared to those who felt they were treated fairly or had no contact.

II. EVALUATION OF PPB'S PERFORMANCE OVER THE PAST YEAR

Question #3	VERY GOOD (5)	GOOD (4)	FAIR (3)	POOR (2)	VERY POOR (1)
Being available when you need them	O	O	O	O	O

Analysis

Group	n	SD	M	Sig.
Full Sample	1,104	.89	3.7	
Voluntary Contact?				***
No	720	.82	3.7	
Yes – Treated Fairly	303	.90	3.8	
Yes – Treated Unfairly	39	1.07	2.4	
Involuntary Contact?				***
No	861	.85	3.7	
Yes – Treated Fairly	133	.92	3.8	
Yes – Treated Unfairly	52	1.11	2.9	



* $p < .05$, ** $p < .01$, *** $p < .001$.

Interpretation

There is no statistical significant difference in evaluation of PPB's performance in **being available when you need them** between persons who contacted the police for help and felt they were treated fairly ($n=303$) and persons without police contact ($n=720$) in the prior year. Persons who contacted the police for help and *believed they were treated unfairly* ($n=39$) had a significantly lower evaluation of PPB's performance in being available when you need them compared to those who felt they were treated fairly or had no contact.

There is no statistical significant difference between persons contacted by police in the past year (i.e. traffic stop, arrest) who believed they were treated fairly ($n=133$) and persons who were not contacted by the police ($n=861$) in the prior year in their evaluation of PPB's performance in **being available when you need them**. Persons contacted by police in the past year (i.e. traffic stop, arrest) who *believed they were treated unfairly* ($n=52$) had a significantly lower evaluation of PPB's performance in being available when you need them compared to those who felt they were treated fairly or had no contact.

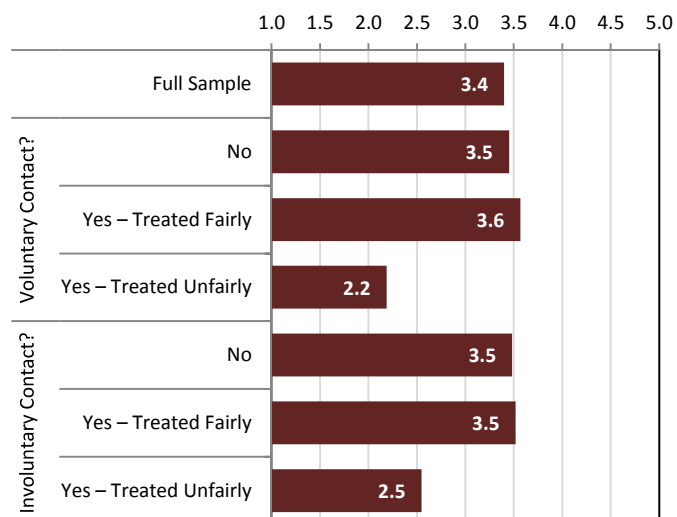
II. EVALUATION OF PPB'S PERFORMANCE OVER THE PAST YEAR

Question #4	VERY GOOD (5)	GOOD (4)	FAIR (3)	POOR (2)	VERY POOR (1)
Understanding the concerns of (my) community	O	O	O	O	O

Analysis

Group	n	SD	M	Sig.
Full Sample	1,105	.95	3.4	
Voluntary Contact?				***
No	728	.92	3.5	
Yes – Treated Fairly	300	.88	3.6	
Yes – Treated Unfairly	37	.88	2.2	
Involuntary Contact?				***
No	866	.92	3.5	
Yes – Treated Fairly	133	.91	3.5	
Yes – Treated Unfairly	51	.95	2.5	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

There is no statistical significant difference in evaluation of PPB's performance in **understanding the concerns of my community** between persons who contacted the police for help and felt they were treated fairly ($n=300$) and persons without police contact ($n=728$) in the prior year. Persons who contacted the police for help and *believed they were treated unfairly* ($n=37$) had a *significantly lower evaluation* of PPB's performance in understanding the concerns of my community compared to those who felt they were treated fairly or had no contact.

There is no statistical significant difference between persons contacted by police in the past year (i.e. traffic stop, arrest) who believed they were treated fairly ($n=133$) and persons who were not contacted by the police ($n=866$) in the prior year in their evaluation of PPB's performance in **understanding the concerns of my community**. Persons contacted by police in the past year (i.e. traffic stop, arrest) who *believed they were treated unfairly* ($n=51$) had a *significantly lower evaluation* of PPB's performance in understanding the concerns of my community compared to those who felt they were treated fairly or had no contact.

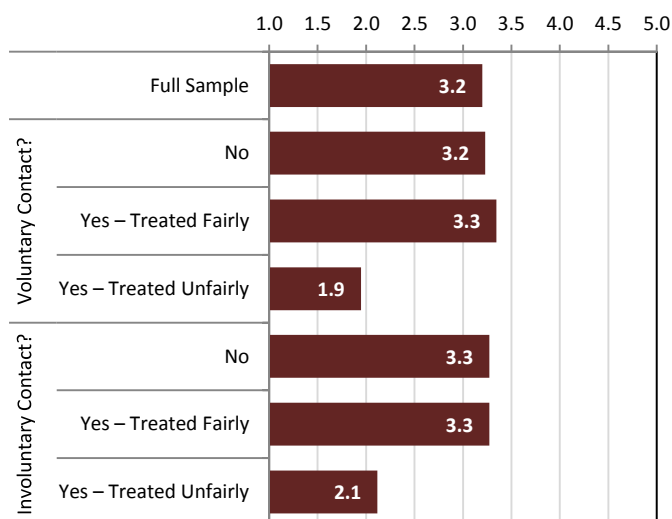
II. EVALUATION OF PPB'S PERFORMANCE OVER THE PAST YEAR

Question #5	VERY GOOD (5)	GOOD (4)	FAIR (3)	POOR (2)	VERY POOR (1)
Building trust with (my) community	O	O	O	O	O

Analysis

Group	n	SD	M	Sig.
Full Sample	1,106	1.03	3.2	
Voluntary Contact?				***
No	731	1.02	3.2	
Yes – Treated Fairly	295	.95	3.3	
Yes – Treated Unfairly	38	.99	1.9	
Involuntary Contact?				***
No	868	1.00	3.3	
Yes – Treated Fairly	132	1.00	3.3	
Yes – Treated Unfairly	51	1.01	2.1	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

There is no statistical significant difference in evaluation of PPB's performance in **building trust with my community** between persons who contacted the police for help and felt they were treated fairly (n=295) and persons without police contact (n=731) in the prior year. Persons who contacted the police for help and *believed they were treated unfairly* (n=38) had a *significantly lower evaluation* of PPB's performance in understanding the concerns of my community compared to those who felt they were treated fairly or had no contact.

There is no statistical significant difference between persons contacted by police in the past year (i.e. traffic stop, arrest) who believed they were treated fairly (n=132) and persons who were not contacted by the police (n=868) in the prior year in their evaluation of PPB's performance in **building trust with my community**. Persons contacted by police in the past year (i.e. traffic stop, arrest) who *believed they were treated unfairly* (n=51) had a *significantly lower evaluation* of PPB's performance in understanding the concerns of my community compared to those who felt they were treated fairly or had no contact.

II. EVALUATION OF PPB'S PERFORMANCE OVER THE PAST YEAR

Question #6	VERY GOOD (5)	GOOD (4)	FAIR (3)	POOR (2)	VERY POOR (1)
Involving (my) community in crime prevention efforts	O	O	O	O	O

Analysis

Group	n	SD	M	Sig.	
Full Sample	1,088	1.01	3.1		Full Sample
Voluntary Contact?				***	
No	714	.96	3.2		No
Yes – Treated Fairly	297	1.01	3.1		Yes – Treated Fairly
Yes – Treated Unfairly	37	1.11	2.0		Yes – Treated Unfairly
Involuntary Contact?				***	
No	851	.98	3.2		No
Yes – Treated Fairly	132	1.01	3.1		Yes – Treated Fairly
Yes – Treated Unfairly	51	1.01	2.3		Yes – Treated Unfairly

* $p < .05$, ** $p < .01$, *** $p < .001$.

Interpretation

There is no statistical significant difference in evaluation of PPB's performance in **involving my community in crime prevention efforts** between persons who contacted the police for help and felt they were treated fairly ($n=297$) and persons without police contact ($n=714$) in the prior year. Persons who contacted the police for help and *believed they were treated unfairly* ($n=37$) had a *significantly lower evaluation* of PPB's performance in involving my community in crime prevention efforts compared to those who felt they were treated fairly or had no contact.

There is no statistical significant difference between persons contacted by police in the past year (i.e. traffic stop, arrest) who believed they were treated fairly ($n=132$) and persons who were not contacted by the police ($n=851$) in the prior year in their evaluation of PPB's performance in **involving my community in crime prevention efforts**. Persons contacted by police in the past year (i.e. traffic stop, arrest) who *believed they were treated unfairly* ($n=51$) had a *significantly lower evaluation* of PPB's performance in involving my community in crime prevention efforts compared to those who felt they were treated fairly or had no contact.

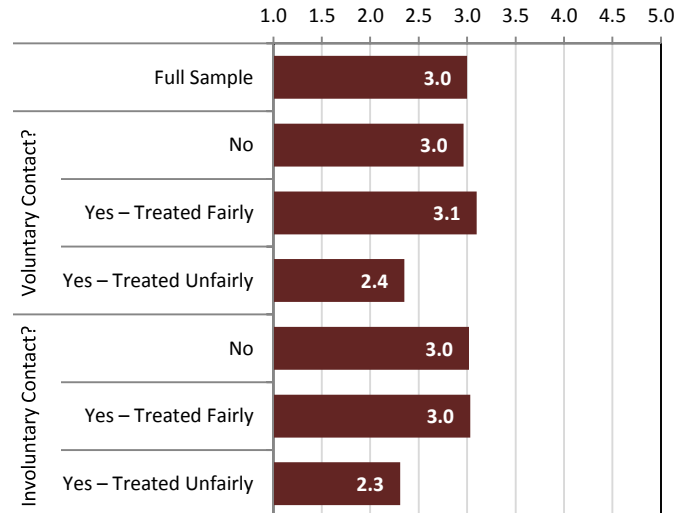
II. EVALUATION OF PPB'S PERFORMANCE OVER THE PAST YEAR

Question #7	VERY GOOD (5)	GOOD (4)	FAIR (3)	POOR (2)	VERY POOR (1)
Reducing the use of force by police officers.....	O	O	O	O	O

Analysis

Group	n	SD	M	Sig.
Full Sample	1,077	1.05	3.0	
Voluntary Contact?				***
No	716	1.06	3.0	
Yes – Treated Fairly	282	.98	3.1	
Yes – Treated Unfairly	37	.98	2.4	
Involuntary Contact?				***
No	840	1.02	3.0	
Yes – Treated Fairly	130	1.06	3.0	
Yes – Treated Unfairly	52	1.20	2.3	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

There is no statistical significant difference in evaluation of PPB's performance in **reducing the use of force by police officers** between persons who contacted the police for help and felt they were treated fairly ($n=282$) and persons without police contact ($n=716$) in the prior year. Persons who contacted the police for help and *believed they were treated unfairly* ($n=37$) had a *significantly lower evaluation* of PPB's performance in reducing the use of force by police officers compared to those who felt they were treated fairly or had no contact.

There is no statistical significant difference between persons contacted by police in the past year (i.e. traffic stop, arrest) who believed they were treated fairly ($n=130$) and persons who were not contacted by the police ($n=840$) in the prior year in their evaluation of PPB's performance in **reducing the use of force by police officers**. Persons contacted by police in the past year (i.e. traffic stop, arrest) who *believed they were treated unfairly* ($n=52$) had a *significantly lower evaluation* of PPB's performance in reducing the use of force by police officers compared to those who felt they were treated fairly or had no contact.

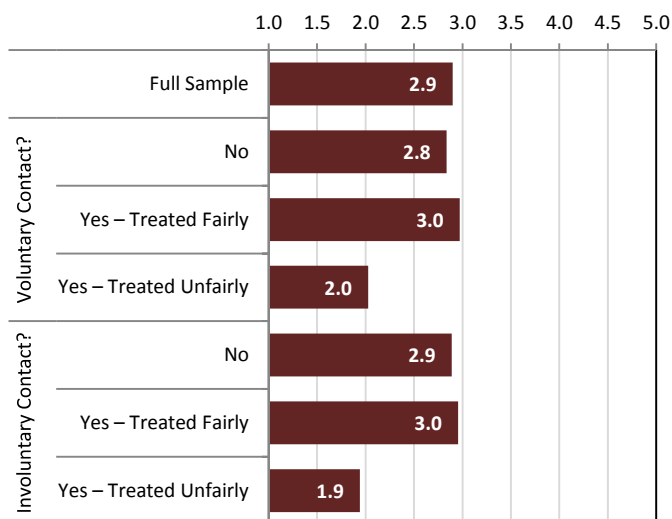
II. EVALUATION OF PPB'S PERFORMANCE OVER THE PAST YEAR

Question #8	VERY GOOD (5)	GOOD (4)	FAIR (3)	POOR (2)	VERY POOR (1)
Holding police officers accountable when they engage in improper actions.....	O	O	O	O	O

Analysis

Group	n	SD	M	Sig.
Full Sample	1,091	1.26	2.9	
Voluntary Contact?				***
No	726	1.26	2.8	
Yes – Treated Fairly	283	1.25	3.0	
Yes – Treated Unfairly	39	1.09	2.0	
Involuntary Contact?				***
No	850	1.25	2.9	
Yes – Treated Fairly	132	1.25	3.0	
Yes – Treated Unfairly	52	1.21	1.9	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

There is no statistical significant difference in evaluation of PPB's performance in **holding officers accountable when they engage in improper actions** between persons who contacted the police for help and felt they were treated fairly ($n=283$) and persons without police contact ($n=726$) in the prior year. Persons who contacted the police for help and *believed they were treated unfairly* ($n=39$) had a *significantly lower evaluation* of PPB's performance in holding officers accountable when they engage in improper actions compared to those who felt they were treated fairly or had no contact.

There is no statistical significant difference between persons contacted by police in the past year (i.e. traffic stop, arrest) who believed they were treated fairly ($n=130$) and persons who were not contacted by the police ($n=840$) in the prior year in their evaluation of PPB's performance in **holding officers accountable when they engage in improper actions**. Persons contacted by police in the past year (i.e. traffic stop, arrest) who *believed they were treated unfairly* ($n=52$) had a *significantly lower evaluation* of PPB's performance in holding officers accountable when they engage in improper actions compared to those who felt they were treated fairly or had no contact.

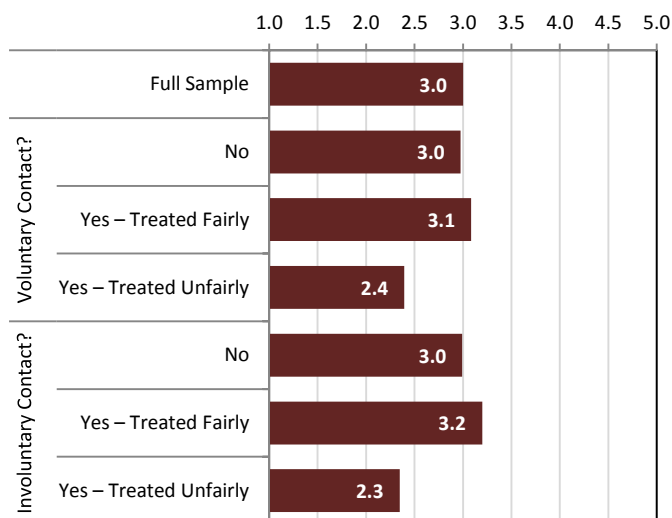
II. EVALUATION OF PPB'S PERFORMANCE OVER THE PAST YEAR

Question #9	VERY GOOD (5)	GOOD (4)	FAIR (3)	POOR (2)	VERY POOR (1)
Training officers to help people when they are having a mental health crisis.....	O	O	O	O	O

Analysis

Group	n	SD	M	Sig.
Full Sample	1,080	1.11	3.0	
Voluntary Contact?				**
No	718	1.09	3.0	
Yes – Treated Fairly	281	1.11	3.1	
Yes – Treated Unfairly	38	1.15	2.4	
Involuntary Contact?				***
No	842	1.08	3.0	
Yes – Treated Fairly	131	1.08	3.2	
Yes – Treated Unfairly	52	1.27	2.3	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

There is no statistical significant difference in evaluation of PPB's performance in **training officers when they have a mental health crisis** between persons who contacted the police for help and felt they were treated fairly ($n=281$) and persons without police contact ($n=718$) in the prior year. Persons who contacted the police for help and *believed they were treated unfairly* ($n=38$) had a *significantly lower evaluation* of PPB's performance in training officers when they have a mental health crisis compared to those who felt they were treated fairly or had no contact.

There is no statistical significant difference between persons contacted by police in the past year (i.e. traffic stop, arrest) who believed they were treated fairly ($n=131$) and persons who were not contacted by the police ($n=842$) in the prior year in their evaluation of PPB's performance in **training officers when they have a mental health crisis**. Persons contacted by police in the past year (i.e. traffic stop, arrest) who *believed they were treated unfairly* ($n=52$) had a *significantly lower evaluation* of PPB's performance in training officers when they have a mental health crisis compared to those who felt they were treated fairly or had no contact.

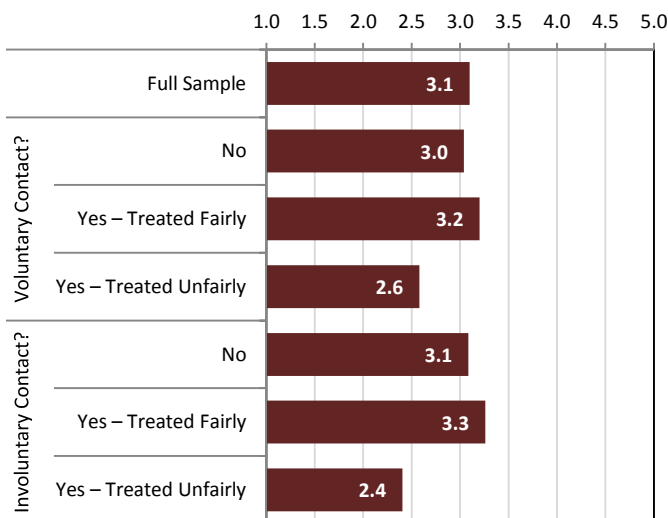
II. EVALUATION OF PPB'S PERFORMANCE OVER THE PAST YEAR

Question #10	VERY GOOD (5)	GOOD (4)	FAIR (3)	POOR (2)	VERY POOR (1)
Training officers to work with people from diverse racial and ethnic backgrounds.....	O	O	O	O	O

Analysis

Group	n	SD	M	Sig.
Full Sample	1,068	1.06	3.1	
Voluntary Contact?				**
No	709	1.04	3.0	
Yes – Treated Fairly	279	1.04	3.2	
Yes – Treated Unfairly	38	1.20	2.6	
Involuntary Contact?				***
No	830	1.02	3.1	
Yes – Treated Fairly	131	1.09	3.3	
Yes – Treated Unfairly	52	1.24	2.4	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

There is no statistical significant difference in evaluation of PPB's performance in **training officers to work with people from diverse racial and ethnic backgrounds** between persons who contacted the police for help and felt they were treated fairly ($n=279$) and persons without police contact ($n=709$) in the prior year. Persons who contacted the police for help and *believed they were treated unfairly* ($n=38$) *had a significantly lower evaluation* of PPB's performance in training officers to work with people from diverse racial and ethnic backgrounds.

There is no statistical significant difference between persons contacted by police in the past year (i.e. traffic stop, arrest) who believed they were treated fairly ($n=131$) and persons who were not contacted by the police ($n=830$) in the prior year in their evaluation of PPB's performance in **training officers to work with people from diverse racial and ethnic backgrounds**. Persons contacted by police in the past year (i.e. traffic stop, arrest) who *believed they were treated unfairly* ($n=52$) *had a significantly lower evaluation* of PPB's performance in training officers to work with people from diverse racial and ethnic backgrounds compared to those who felt they were treated fairly or had no contact.

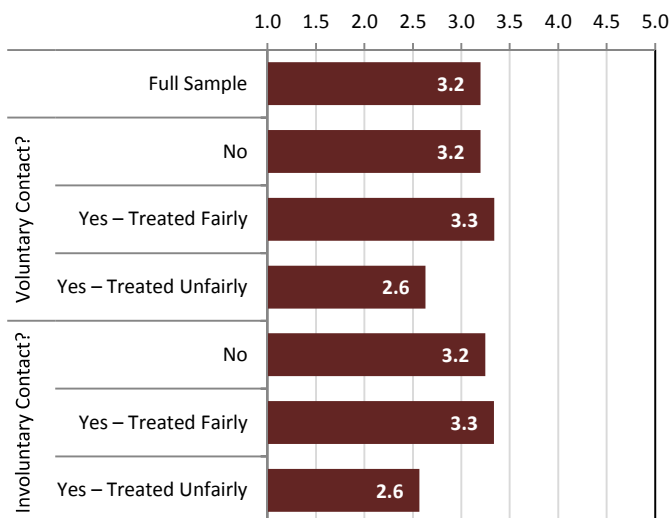
II. EVALUATION OF PPB'S PERFORMANCE OVER THE PAST YEAR

Question #11	VERY GOOD (5)	GOOD (4)	FAIR (3)	POOR (2)	VERY POOR (1)
Diversifying their workforce (e.g., # minorities, women).....	O	O	O	O	O

Analysis

Group	n	SD	M	Sig.
Full Sample	1,048	.98	3.2	
Voluntary Contact?				***
No	697	.97	3.2	
Yes – Treated Fairly	274	.91	3.3	
Yes – Treated Unfairly	38	1.13	2.6	
Involuntary Contact?				***
No	816	.94	3.2	
Yes – Treated Fairly	130	.99	3.3	
Yes – Treated Unfairly	51	1.17	2.6	

* $p < .05$, ** $p < .01$, *** $p < .001$.



Interpretation

There is no statistical significant difference in evaluation of PPB's performance in **diversifying their workforce** between persons who contacted the police for help and felt they were treated fairly ($n=274$) and persons without police contact ($n=697$) in the prior year. Persons who contacted the police for help and *believed they were treated unfairly* ($n=38$) had a *significantly lower evaluation* of PPB's performance in diversifying their workforce compared to those who felt they were treated fairly or had no contact.

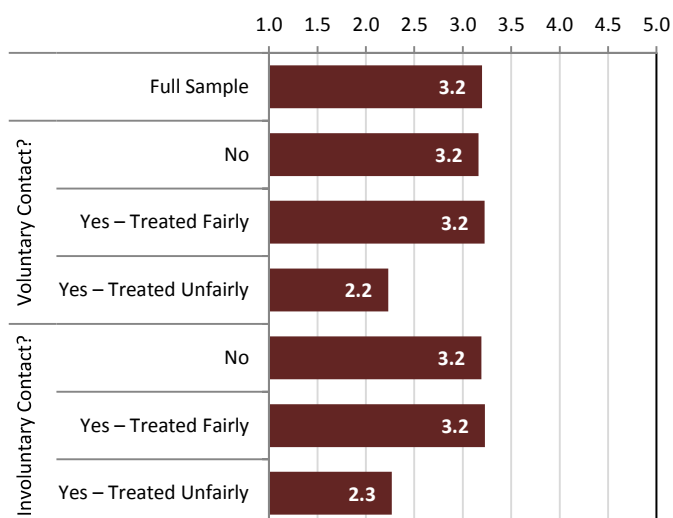
There is no statistical significant difference between persons contacted by police in the past year (i.e. traffic stop, arrest) who believed they were treated fairly ($n=130$) and persons who were not contacted by the police ($n=816$) in the prior year in their evaluation of PPB's performance in **diversifying their workforce**. Persons contacted by police in the past year (i.e. traffic stop, arrest) who *believed they were treated unfairly* ($n=51$) had a *significantly lower evaluation* of PPB's performance in diversifying their workforce compared to those who felt they were treated fairly or had no contact.

II. EVALUATION OF PPB'S PERFORMANCE OVER THE PAST YEAR

Question #12	VERY GOOD (5)	GOOD (4)	FAIR (3)	POOR (2)	VERY POOR (1)
Communicating with the public	O	O	O	O	O

Analysis

Group	n	SD	M	Sig.
Full Sample	1,108	1.02	3.2	
Voluntary Contact?				***
No	735	1.02	3.2	
Yes – Treated Fairly	293	.98	3.2	
Yes – Treated Unfairly	39	.96	2.2	
Involuntary Contact?				***
No	862	.99	3.2	
Yes – Treated Fairly	136	1.05	3.2	
Yes – Treated Unfairly	52	.99	2.3	



* $p < .05$, ** $p < .01$, *** $p < .001$.

Interpretation

There is no statistical significant difference in evaluation of PPB's performance in **communicating with the public** between persons who contacted the police for help and felt they were treated fairly ($n=293$) and persons without police contact ($n=735$) in the prior year. Persons who contacted the police for help and *believed they were treated unfairly* ($n=39$) had a *significantly lower evaluation* of PPB's performance in communicating with the public compared to those who felt they were treated fairly or had no contact.

There is no statistical significant difference between persons contacted by police in the past year (i.e. traffic stop, arrest) who believed they were treated fairly ($n=136$) and persons who were not contacted by the police ($n=862$) in the prior year in their evaluation of PPB's performance in **communicating with the public**. Persons contacted by police in the past year (i.e. traffic stop, arrest) who *believed they were treated unfairly* ($n=52$) had a *significantly lower evaluation* of PPB's performance in communicating with the public compared to those who felt they were treated fairly or had no contact.

II. EVALUATION OF PPB'S PERFORMANCE - SUMMARY

Persons who felt they were treated fairly during voluntary police contacts (i.e. calling for help) and involuntary contacts (i.e. traffic stop, arrest) in the past year **had similar evaluations** of PPB's performance across a number of indicators compared to persons reporting no police contact. These indicators include 12 questions focusing on general satisfaction with police services, police outreach with the community, and specific changes that PPB has undertaken to improve its policing efforts in the community (e.g. training, diversity). A perception of fair treatment during police contacts does not have as strong of a relationship to police performance evaluations as it does with perceptions of trust and legitimacy illustrated in Section I. For example, in 9 out of 14 comparisons in Section I, those who perceived being treated fairly during a voluntary contact were significantly more likely to express trust or legitimacy in Portland Police compared to persons with no police contacts and those who felt they were treated fairly. There were no statistical significant differences between persons with contacts perceived as fair and persons with no contact in their evaluation of police services.

However, **persons who felt they were treated unfairly** express significantly lower evaluations of PPB's performance across all indicators compared to persons who felt they were treated fairly or had no police contacts. These results reiterate the potential influence that negative perceptions of procedural justice based on direct contact experiences can have on overall opinions of the Police Bureau. This is an important finding because perceptions of how fairly one was treated impacts broader evaluations of police effectiveness, not just an evaluation of the direct contact incident.

III. PERCEPTIONS REGARDING POLICE USE OF FORCE

The four items in this section are designed to measure public perceptions regarding the level of force used by PPB officers with Portland community members. A key component of the DOJ findings identified a pattern of excessive levels of force by PPB officers in incidents that involved individuals experiencing a mental health crisis. The following four items assess these perceptions. Community respondents are asked their opinion on whether force is more physical than necessary in all cases, and then specifically for racial or ethnic minorities, for people experiencing a mental health crisis, and for people in one's neighborhood. Including the subgroup questions in addition to a global assessment on use of force allows for a more nuanced understanding of the community's use of force perception. These measures will provide a baseline that PPB can use to evaluate the effect that subsequent use of force policy reforms and new training procedures that are designed to reduce force have on public perceptions of force. This section tests whether police-public contacts influence perceptions of police use of force. That is, does having voluntary or involuntary contact with an officer influence perceptions regarding use of force?

III. PERCEPTIONS REGARDING POLICE USE OF FORCE

Question #1*	STRONGLY AGREE (1)	AGREE (2)	NEITHER AGREE/ DISAGREE (3)	DISAGREE (4)	STRONGLY DISAGREE (5)
Portland Police officers use more physical force than necessary when dealing with:					
<u>Community members in general</u>	O	O	O	O	O

*Response scale and question wording is reversed from earlier questions so higher scores continue to reflect a more positive evaluation of the police.

Analysis

Group	n	SD	M	Sig.		1.0	1.5	2.0	2.5	3.0	3.5	4.0	4.5	5.0
Full Sample	1,136	.98	3.1			Full Sample				3.1				
Voluntary Contact?				***		No				3.1				
No	758	.97	3.1			Yes – Treated Fairly				3.3				
Yes – Treated Fairly	296	.95	3.3			Yes – Treated Unfairly				2.6				
Yes – Treated Unfairly	39	1.06	2.6											
Involuntary Contact?				***		No				3.2				
No	892	.96	3.2			Yes – Treated Fairly				3.2				
Yes – Treated Fairly	137	.97	3.2			Yes – Treated Unfairly				2.6				
Yes – Treated Unfairly	50	1.06	2.6											

* $p < .05$, ** $p < .01$, *** $p < .001$.

Interpretation

There is no statistical significant difference between persons who contacted the police for help and felt they were treated fairly ($n=296$) and persons without police contact ($n=758$) in their opinions about Portland Police officers use more physical force than necessary when dealing with community members in general. Persons who *believed they were treated unfairly* ($n=39$) were significantly more likely to agree Portland Police officers use more physical force than necessary when dealing with community members in general compared to persons who express fair treatment and those without contact.

There is no statistical significant difference between persons who were contacted by police (i.e. traffic stop, arrest) and felt they were treated fairly ($n=137$) and persons without police contact ($n=892$) in their opinions about Portland Police officers use more physical force than necessary when dealing with community members in general. Those who were contacted by the police *and felt they were treated unfairly* ($n=50$) were significantly more likely to agree Portland Police officers use more physical force than necessary when dealing with community members in general compared to persons who felt they were treated fairly and those without police contact.

III. PERCEPTIONS REGARDING POLICE USE OF FORCE

Question #2*

Portland Police officers use more physical force than necessary when dealing with:

Racial or ethnic minorities.....

STRONGLY AGREE (1)	AGREE (2)	NEITHER AGREE/ DISAGREE (3)	DISAGREE (4)	STRONGLY DISAGREE (5)
O	O	O	O	O

*Response scale and question wording is reversed from earlier questions so higher scores continue to reflect a more positive evaluation of the police.

Analysis

Group	n	SD	M	Sig.		1.0	1.5	2.0	2.5	3.0	3.5	4.0	4.5	5.0
Full Sample	1,136	1.12	2.7			Full Sample			2.7					
Voluntary Contact?				**	Voluntary Contact?	No			2.6					
No	759	1.10	2.6			Yes – Treated Fairly			2.8					
Yes – Treated Fairly	299	1.14	2.8			Yes – Treated Unfairly			2.3					
Yes – Treated Unfairly	36	1.22	2.3		Involuntary Contact?	No			2.7					
Involuntary Contact?				***		Yes – Treated Fairly			2.8					
No	892	1.09	2.7			Yes – Treated Unfairly			1.8					
Yes – Treated Fairly	139	1.19	2.8											
Yes – Treated Unfairly	51	1.14	1.8											

* $p < .05$, ** $p < .01$, *** $p < .001$.

Interpretation

Persons who contacted the police for help and felt they were treated fairly ($n=296$) were significantly less likely to agree that **Portland Police officers use more physical force than necessary when dealing with racial or ethnic minorities** compared to both persons without police contact ($n=759$) and persons who felt they were treated unfairly during their contact ($n=36$).

There is no statistical significant difference between persons who were contacted by police (i.e. traffic stop, arrest) and felt they were treated fairly ($n=139$) and persons without police contact ($n=892$) in their opinions about Portland Police officers use more physical force than necessary when dealing with racial and ethnic minorities. Those who were contacted by the police and *felt they were treated unfairly* ($n=51$) were significantly more likely to agree Portland Police officers use more physical force than necessary when dealing with racial and ethnic minorities compared to persons who felt they were treated fairly and those without police contact.

III. PERCEPTIONS REGARDING POLICE USE OF FORCE

Question #3*

Portland Police officers use more physical force than necessary when dealing with:

People experiencing a mental health crisis

STRONGLY AGREE (1)	AGREE (2)	NEITHER AGREE/ DISAGREE (3)	DISAGREE (4)	STRONGLY DISAGREE (5)
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

*Response scale and question wording is reversed from earlier questions so higher scores continue to reflect a more positive evaluation of the police.

Analysis

Group	n	SD	M	Sig.		1.0	1.5	2.0	2.5	3.0	3.5	4.0	4.5	5.0
Full Sample	1,145	1.12	2.6		Full Sample				2.6					
Voluntary Contact?					Voluntary Contact?									
No	762	1.12	2.6		No				2.6					
Yes – Treated Fairly	302	1.15	2.7		Yes – Treated Fairly				2.7					
Yes – Treated Unfairly	38	1.03	2.4		Yes – Treated Unfairly				2.4					
Involuntary Contact?				**	Involuntary Contact?									
No	898	1.11	2.6		No				2.6					
Yes – Treated Fairly	140	1.19	2.7		Yes – Treated Fairly				2.7					
Yes – Treated Unfairly	52	1.15	2.1		Yes – Treated Unfairly				2.1					

* $p < .05$, ** $p < .01$, *** $p < .001$.

Interpretation

There is no statistical significant difference in personal opinions that Portland Police officers use more physical force than necessary when dealing with people experiencing a mental health crisis based on one's contact experience, whether deemed fair or unfair, or non-contact with police over the past year.

There is no statistical significant difference between persons who were contacted by police in the past year (i.e. traffic stop, arrest) and felt they were treated fairly ($n=140$) and persons without police contact ($n=898$) in their opinions about Portland Police officers use more physical force than necessary when dealing with people experiencing a mental health crisis. Those who were contacted by the police and *felt they were treated unfairly* ($n=52$) were *significantly more likely to agree* Portland Police officers use more physical force than necessary when dealing with people experiencing a mental health crisis compared to persons who felt they were treated fairly and those without police contact.

III. PERCEPTIONS REGARDING POLICE USE OF FORCE

Question #4*

Portland Police officers use more physical force than necessary when dealing with:

People in my neighborhood

STRONGLY AGREE (1)	AGREE (2)	NEITHER AGREE/ DISAGREE (3)	DISAGREE (4)	STRONGLY DISAGREE (5)
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

*Response scale and question wording is reversed from earlier questions so higher scores continue to reflect a more positive evaluation of the police.

Analysis

Group	n	SD	M	Sig.		1.0	1.5	2.0	2.5	3.0	3.5	4.0	4.5	5.0
Full Sample	1,136	.95	3.3			Full Sample				3.3				
Voluntary Contact?				**	Voluntary Contact?	No				3.3				
No	760	.94	3.3			Yes – Treated Fairly				3.4				
Yes – Treated Fairly	297	.96	3.4			Yes – Treated Unfairly				2.8				
Yes – Treated Unfairly	37	.97	2.8		Involuntary Contact?	No				3.3				
Involuntary Contact?				***		Yes – Treated Fairly				3.2				
No	891	.91	3.3			Yes – Treated Unfairly				2.7				
Yes – Treated Fairly	138	1.03	3.2											
Yes – Treated Unfairly	53	1.22	2.7											

* $p < .05$, ** $p < .01$, *** $p < .001$.

Interpretation

There is no statistical significant difference between persons who contacted the police for help and felt they were treated fairly ($n=297$) and persons without police contact ($n=760$) in their opinions about Portland Police officers use more physical force than necessary when dealing with people in my neighborhood. Persons who *believed they were treated unfairly* ($n=37$) were *significantly more likely to agree* Portland Police officers use more physical force than necessary when dealing with people in my neighborhood compared to persons who felt they were treated fairly and those without police contact.

There is no statistical significant difference between persons who were contacted by police (i.e. traffic stop, arrest) and felt they were treated fairly ($n=138$) and persons without police contact ($n=891$) in their opinions about Portland Police officers use more physical force than necessary when dealing with people in my neighborhood. Those who were contacted by the police and *felt they were treated unfairly* ($n=50$) were *significantly more likely to agree* Portland Police officers use more physical force than necessary when dealing with people in my neighborhood compared to persons who felt they were treated fairly and those without police contact.

III. PERCEPTIONS REGARDING POLICE USE OF FORCE - SUMMARY

There was not much variation in perceptions of police use of force between persons who felt they were treated fairly during either voluntary or involuntary contacts with police and persons who had no police contacts in the prior year. This finding is similar to Section II where a perception of fair treatment is not related to differences in perceptions of quality of police services compared to those with no contact. However, consistent throughout all three sections of the report, **persons who felt they were treated unfairly during voluntary and involuntary contacts were significantly more likely to agree that police officers use more force than necessary** when dealing with the general public, racial/ethnic minorities, and people experiencing a mental health crisis compared to respondents who felt they were treated fairly or had no contact. This finding demonstrates that negative perceptions of fairness in a single incident may influence overall perceptions of police use of force.

VI. OVERALL SUMMARY AND RECOMMENDATIONS

The purpose of this report is to ascertain whether voluntary and involuntary police contacts in the prior year that are perceived as fair compared to unfair appear to influence opinion over the focal elements of the DOJ settlement agreement – Legitimacy and Trust, PPB Performance, and Perceptions of Use of Force. Do persons reporting no police contact have different attitudes towards police than those who have had recent contacts? Further, does the type of contact – voluntary or involuntary – affect attitudes toward the police?

The overall findings indicate that 89% of persons who voluntarily contacted the police for help and 73% of persons who were involuntarily contacted by the police believe they were treated fairly during the contact. *It's important to know that, on average, Portland Police officers have done a good job making the public feel they were treated fairly during both types of recent police contacts.* By increasing a sense of fairness during public contacts the Bureau will be able to increase the public's overall trust, confidence, and support. The results provide evidence that it is the manner in which the public perceives they are treated during a police contact that is critical to influencing attitudes towards the police, not whether they were involuntarily stopped by the police. Done appropriately, proactive policing may not harm trust and legitimacy as long as persons perceive they are being treated fairly during their contact. Developing a better understanding of what leads to perceptions of fair treatment is an important next step.

There were; however, certain segments of the public that were significantly more likely to feel they were treated unfairly during recent police contacts (see Appendix tables, pp. 45-46). Differences in opinion over treatment were more pronounced among those reporting involuntary contacts compared to voluntary contacts. Minority respondents, particularly Spanish/Latino and "Other" race respondents, were significantly more likely to believe they were treated unfairly during voluntary police contacts. Males and Minority respondents were also significantly more likely to perceive unfair treatment during involuntary police contacts. It is unclear why some respondents felt they were treated unfairly or fairly. Perceptions of treatment can be based on many circumstances including verbal communication/miscommunication, non-verbal cues, the resolution of the contact (e.g. warning vs. citation), response time, the reason for the contact, differences in expectations, or prior attitudes towards the police. All we know is that race/ethnicity and gender is related to perceptions of fairness in a police contact. Readers interested in analyses of racial/ethnic differences in perceptions of police trust, quality of services, and use of force should refer to the first report in this series. In the future we expect additional study on the intersection of race/ethnicity, police contact, and perceptions of police will be conducted and made available on the CJPRI website (www.pdx.edu/cjpri)

Although contacts perceived as unfair are rare based on the survey results, social psychological research suggests negative associations have a more powerful influence on our memory and attitude formation

(e.g., Kensinger, 2007). Portrayals of unfair contacts shared by acquaintances, friends, family, neighbors or in the media may also have an influence over the attitudes of the general public who have limited or no recent police contact experiences. Thus, it is important to continually work towards understanding how the public, particularly different demographic populations, evaluate and judge fair treatment.

The most pronounced, and perhaps surprising, finding was that persons who believed they were treated fairly in their most recent voluntary or involuntary police contact *had a higher opinion of police legitimacy and trust than persons reporting no police contact* and much higher opinion compared to those who believed they were treated unfairly. It makes theoretical sense that persons who believe they were treated fairly would likely express trust in police, but it's not so obvious they would have more positive opinions regarding trust and legitimacy than persons reporting no police contact. This finding is supportive of the growing interest among law enforcement to reinforce for officers communication techniques that resolve contacts in a "procedurally just" fashion. Perceptions of police trust and legitimacy appear to be strongly influenced by real-life police contact experiences. We cannot rule out that persons who call the police for help, on average, already have higher trust in police. Thus, a causal relationship between perceiving a contact as fair and police trust cannot be confirmed with cross-sectional data because we're only measuring attitudes at one point in time. Similarly, we cannot confirm that perceptions of unfair treatment "cause" lower evaluations of trust, quality of services, and use of force based on the correlations we note; they may have had a lower opinion prior to the contact.

Despite these noted limitations about causality, the study results validate a key recommendation for addressing public opinion described in our first survey report we referred to as *Steps to Ensure Quality Police-Public Encounters*, which is repeated here:

Steps to Ensure Quality Police-Public Encounters

Recommendation 1: Explore the types of training content areas that would benefit the Bureau and officers when interacting with the public around a wide variety of contexts and scenarios. Particular emphasis should be placed on crisis intervention training, procedural justice, public relations and communication, communication strategies in diverse communities, implicit bias, 4th and 14th amendments, and community crime prevention and partnership development.

Recommendation 2: Assess existing trainings available and consider the following: Is there data to support efficacy of available trainings? How will officers respond to the training? What strategies can be used to ensure officer buy-in to the training content?

Recommendation 3: Develop evaluation plans for any training undertaken to assess outcomes (e.g. use of force, citizen complaints) and improve training delivery.

Recommendation 4: Increase the use of car and person cameras for officers and analysis of camera footage. The footage could be used to inform targeted trainings on particular encounter characteristics and assess Bureau performance.

Recommendation 5: Develop a performance recognition program that identifies and rewards officers with a record of engaging in quality police-public encounters.

To these five steps *we offer an additional research step* that this report's findings necessitate.

Recommendation 6: Develop a better understanding through research of the components of police-public contacts that are related to why one perceived the contact as fair or unfair. The current research is unable to discern the reasons behind respondent's judgment of treatment. Knowing these factors will allow the Bureau to develop targeted strategies that have the potential to improve the public's perceptions of their treatment during a police contact. Such research could be accomplished with a detailed follow-up questionnaire when persons have contact with the police. In addition, having evaluators rate real footage of police-public contacts can provide insight into the visual and audio queues that stimulate perceptions of fairness or unfairness.

Recommendation 7: This research suggests proactive policing strategies by themselves may not harm public perceptions, as long as officers are trained to conduct themselves in accordance with constitutional standards and communications styles that enhance perceptions of procedural justice. Tyler & Huo (2002) discuss the importance of officers thoroughly explaining their actions and motivations, treating persons with respect, allowing for questions and appeals, showing neutral and consistent behavior, and expressing compassion during police-public interactions.

The other broad recommendation category discussed in our first report we referred to as *Steps to Increase Public Knowledge* is also relevant to the findings in this second report. For example, persons who believe they were treated fairly have similar opinions of Police Bureau effectiveness and use of force as persons who have had no recent police contacts. Thus, it is still important for the Bureau to find ways to increase the public's knowledge of their successes and efforts to address key issues detailed in the DOJ findings letter. Knowledge of the Bureau's overall successes and efforts are not likely communicated through police contacts.

In conclusion, the good news is that the overwhelming majority of the public who comes into contact with Police Bureau officers feel they were treated fairly. Understanding why some persons and population groups feel they were treated unfairly is an important next step to developing strategic efforts to improve contact experiences in the future.

APPENDIX

Sample Characteristics of VOLUNTARY CONTACTS (i.e. asked police for help)

Demographic Factors	Contact – Treated Fairly		Contact – Treated Unfairly	
Males	125	88.0%	17	12.0%
Females	183	89.7%	21	10.3%
Age 45 or older	183	90.1%	20	9.9%
Age < 45	123	87.2%	18	12.8%
White Only	250	91.2%	24	8.8%
Minorities	64	80.0%	16	20.0% ^a
Spanish, Hispanic, Latino	18	72.0%	7	28.0% ^b
African American	21	87.5%	3	12.5%
Asian	14	93.3%	1	6.7%
Native American	7	70.0%	3	30.0%
Other	24	77.4%	7	22.6% ^c
Born in Oregon	111	87.4%	16	12.6%
Born in other U.S.	174	90.2%	19	9.8%
Born outside U.S.	25	86.5%	4	13.8%
Some High School	6	75.0%	2	25.0%
HS Degree/GED	30	81.1%	7	18.9%
Some College	74	86.0%	12	14.0%
Associate Degree	35	85.4%	6	14.6%
Bachelors or higher	165	93.2%	12	6.8%

^a Minority respondents who report a voluntary police contact in the prior year were significantly more likely to believe they were treated unfairly compared to White only respondents.

^b Spanish/Latino respondents who report a voluntary police contact in the prior year were significantly more likely to believe they were treated unfairly compared to non-Spanish/Latino respondents.

^c “Other” race respondents who report a voluntary police contact in the prior year were significantly more likely to believe they were treated unfairly compared to all other respondents.

Sample Characteristics of INVOLUNTARY CONTACTS (i.e. stopped by police, arrested)

Demographic Factors	Contact – Treated Fairly		Contact – Treated Unfairly	
Males	52	61.2%	33	38.8% ^a
Females	88	81.5%	20	18.5%
Age 45 or older	85	73.3%	31	26.7%
Age < 45	54	72.0%	21	28.0%
White Only	109	79.0%	29	21.0%
Minorities	35	59.3%	24	40.7% ^b
Spanish, Hispanic, Latino	11	61.1%	7	38.9%
African American	9	60.0%	6	40.0%
Asian	6	66.7%	3	33.3%
Native American	4	57.1%	3	42.9%
Other	20	60.6%	13	39.4%
Born in Oregon	54	72.0%	21	28.0%
Born in other U.S.	75	75.0%	25	25.0%
Born outside U.S.	13	68.4%	6	31.6%
Some High School	4	66.7%	2	33.3%
HS Degree/GED	16	76.2%	5	23.8%
Some College	34	68.0%	16	32.0%
Associate Degree	14	63.6%	8	36.4%
Bachelors or higher	75	77.3%	22	22.7%

^a Male respondents who report an involuntary police contact in the prior year were significantly more likely to believe they were treated unfairly compared to female respondents.

^b Minority respondents who report an involuntary police contact in the prior year were significantly more likely to believe they were treated unfairly compared to White only respondents.

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3.06 Grand Jury

A. Preliminary Hearing

Amended Article VI, Subsection 5, of the Oregon Constitution provides two separate procedures for charging defendants in Circuit Court. Amended Article VII provides that defendants may be charged either by indictment by the grand jury or by an information of district attorney after a preliminary hearing. In order to ensure that the choice between indictment and information is made according to consistent criteria, this office will take all felony cases to grand jury unless there is a specific evidentiary need, such as eyewitness identification or preservation of testimony, in an individual case. The decision to take a case by way of preliminary hearing must be approved by the Chief Deputy of the affected division.

B. Proceedings before the grand jury

The policies in this section govern the conduct of deputy district attorneys presenting evidence before the grand jury.

A deputy district attorney fulfills two functions before the grand jury. The first is to present evidence to the grand jury upon which they will base their decision to indict the suspect or to return a "not true bill." The second is to act as legal advisor to the grand jury.

C. Presentation of evidence

1. Except where specifically authorized by law, no evidence may be presented to the grand jury except that which would be admissible in trial under the Oregon Evidence Code.
2. All evidence presented to the grand jury must be presented under oath with the names of the witnesses before the grand jury listed on the indictment, if an indictment is returned.
3. It is not a function of the grand jury to determine if evidence should be suppressed for constitutional violation by investigating officers. Where it is apparent, however, that evidence was obtained in violation of a defendant's constitutional rights and would clearly be inadmissible at trial, a deputy district attorney must not present that evidence before the grand jury.
4. Oregon law only permits the recording of grand jury testimony in limited circumstances. If a decision is made to record grand jury testimony, testimony from all witnesses in a particular case before the grand jury must be recorded. Permission of the District Attorney, Special Counsel or Chief Deputy of the affected/appropriate division must be obtained to record grand jury testimony.

5. The grand jury is not required to consider defenses to charges presented to the grand jury. However, where credible evidence known to a deputy district attorney presenting a case before the grand jury would objectively refute the guilt of the defendant, the deputy district attorney must present that evidence to the grand jury.
6. A defendant who wishes to testify voluntarily before the grand jury and who waives in writing any express or implied immunity for that testimony should be allowed to testify, if practicable. A deputy district attorney, however, is under no obligation to affirmatively offer an opportunity to testify to each defendant investigated before the grand jury.
7. The compelled testimony before the grand jury of any witness who might objectively be considered a potential suspect in the crimes under investigation must be approved by the District Attorney, Special Counsel or Chief Deputy of the appropriate division.

D. Deputy district attorney as legal advisor to the grand jury

1. At the beginning of each grand jury term and prior to the presentation of any evidence, grand jurors will receive an orientation from a deputy district attorney or attorneys concerning the grand jury process. This orientation is designed to provide information about the legal procedures of the grand jury and the practical personal necessities of grand jury service. Factual information pertaining to potential cases under investigation shall not be presented in grand jury orientations.
2. As noted, no evidence must be presented to the grand jury, which would not be admissible at trial. As legal advisors, furthermore, deputy district attorneys should prevent grand jurors from making inquiries which would produce inadmissible evidence.
3. Deputy district attorneys should not preempt the fact-finding function of the grand jury. Advice to grand jurors should be limited to matters of law. Deputy district attorneys should not discuss or advise grand jurors on the significance of purely factual matters, other than to instruct them on how the law applies to the facts presented.
4. Deputy district attorneys cannot advise grand jurors on how to vote. The one exception to this rule is when a deputy district attorney believes the evidence demonstrates that a suspect under investigation did not commit the offense. In this situation the deputy district attorney must recommend that the grand jury return a "not true bill."

5.50 Police Discharge of Firearms Involving Death or Physical Injury

The grand jury will review all cases involving a law enforcement officer's discharge of a firearm which results in death, serious physical injury or physical injury unless, at the discretion of the District Attorney, it is determined that grand jury review is unwarranted.



Recording the Grand Jury A Reform Long Overdue in Oregon

Oregon's Current Grand Jury Laws

Oregon is one of only three states that still rely on non-verbatim "minutes" of grand jury proceedings. ORS 132.080 provides:

"The members of the grand jury shall appoint one of their number as clerk. The clerk shall keep minutes of their proceedings (except the votes of the individual jurors) and of the substance of the evidence given before them."

These "minutes" are often illegible, abbreviated, and inexact.

Verbatim Recording: a National Norm

The federal system has mandated verbatim recording of grand jury proceedings since 1979.

Thirty-four (34) states mandate verbatim recording; more states do so by adoptive practice.

Of the thirteen (13) Western states (from the Rocky Mountains to the west), ***Oregon is the only state that does not mandate creation of a verbatim record:*** Alaska, Arizona, California, Colorado, Idaho, Hawaii, Montana, Nevada, New Mexico, Utah, Washington and Wyoming all require a verbatim record of grand jury proceedings.

Grand Jury secrecy is maintained by stating the record shall remain secret and may not be accessed or distributed without order of the court.

Verbatim Recording Curbs Abuse and Provides Benefits

Federal courts identify four key benefits to creating a verbatim record of grand jury proceedings:

- ✓ Recording restrains prosecutorial abuse and over-reaching
- ✓ Recording acts as a circumstantial guaranty of trustworthiness of testimony received by the grand jury
- ✓ Recording ensures that the accused learns whether a witness has given prior inconsistent testimony under oath
- ✓ Recording allows prosecutors to rehabilitate a government witness with prior consistent testimony under oath

"If a district attorney wanted, a grand jury would indict a ham sandwich."

Sol Wachtler
New York State Chief Judge

Oregon is not immune to the hazards of relying upon a non-verbatim record. The need for reform is systemic and urgent.

The Oregon Criminal Defense Lawyers Association urges your support of legislation mandating a verbatim record of grand jury proceedings.

For further information contact Gail Meyer
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GRAND JURY LAWS IN THE THIRTEEN WESTERN STATES

Oregon alone has no mandate to record grand jury proceedings

STATE	VERBATIM RECORDING REQUIREMENT
AK	AK Rule Crim. Proc. 6(j): "All proceedings before the grand jury, including the testimony of witnesses and any statements made by the prosecuting attorney or by any of the jurors, shall be electronically recorded."
AZ	A.R.S § 21-411 A: "The presiding judge of the superior court shall appoint a regularly appointed court reporter to record the proceedings before the grand jury, except the deliberations of the grand jury."
CA	Cal. Penal Code & 938 (a): "Whenever criminal causes are being investigated before the grand jury, it shall appoint a competent stenographic reporter. He shall be sworn and shall report in shorthand the testimony given in such causes and shall transcribe the shorthand in all cases where an indictment is returned or accusation presented."
CO	Co. R. Crim. Proc., Rule 6.4: "A certified or authorized reporter shall be present at all grand jury sessions. All grand jury proceedings and testimony from commencement to adjournment shall be reported."
ID	I.C.R. Rule 6.3: "All proceedings of the grand jury, except deliberations, shall be recorded, either stenographically or electronically."
HA	§ 612-58 (c): "All inquiries made by the grand jury of the grand jury counsel and all exchanges between them shall be recorded verbatim and made part of the record of the grand jury proceedings."
MT	MCA 46-11-316 (1): "The grand jury shall either appoint a stenographer to take in shorthand the testimony of witnesses or the testimony must be taken by a recording device, but the record so made must include the testimony of all witnesses on that particular investigation."
NV	N.R.S. 172.215 (1): "Whenever criminal cases are being investigated by the grand jury, it shall appoint a certified court reporter."
NM	N. M. S. A. 1978, § 31-6-8: "All proceedings in the grand jury room, with the exception of the deliberations of the grand jury, shall be reported verbatim . . ."
OR	No duty to create verbatim record
UT	U.C.A. 1953 § 77-10a-13 (7)(a): "All proceedings, except when the grand jury is deliberating or voting, shall be recorded stenographically or by an electronic recording device."
WA	R.C.W. 10.27.080: "No person shall be present at sessions of the grand jury or special inquiry judge except . . . the reporter . . ."
WY	W.R. Cr. P. Rule 6 (10): "All proceedings, except when the grand jury is deliberating or voting, shall be recorded stenographically or by an electronic recording device."

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Independent Police Review

Policy Review: Portland Police Bureau Policies and Practices Related to Hip-Hop Events

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Constantin Severe

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I. Overview

On March 1, 2014, Illmaculate, a local rapper, prematurely ended a hip-hop concert because of his concerns that there was an unnecessary and excessive police presence at the event. Illmaculate's actions that night exposed a long simmering perception among those in the hip-hop community that they faced a level of scrutiny not encountered by other music genres in Portland.

The City Auditor's Independent Police Review (IPR) initiated a review to look into issues raised by members of the community. Specifically, this review is focused on answering two questions:

- 1) What are the Portland Police Bureau's (PPB) policies and practices when it comes to hip-hop related events?
- 2) What is the community's sense of how the Portland Police interacts with the hip-hop community?

This review is not a performance audit or an administrative investigation into individual officer misconduct. Rather, it is a look at policy issues raised by several recent incidents at hip-hop related events. As this review is meant to look at broader systemic issues, where possible, we attempt to let the individuals we interviewed speak for themselves.

This review focuses heavily on PPB, particularly the Entertainment Detail, and the Gang Enforcement Team (GET). However, due to the nature of the City's regulatory approach to late night entertainment activities, IPR also reviewed the policies of other City and State agencies that engage with hip-hop related events, namely, the Office of Neighborhood Involvement (ONI), the Bureau of Development Services (BDS), the Portland Fire Bureau, and the Oregon Liquor Control Commission (OLCC).

IPR conducted over thirty interviews with hip-hop artists, promoters, fans, police officers, ONI staff, Fire Bureau personnel, and employees of OLCC. All of our interviews were voluntary, no City employees were compelled or community members subpoenaed to participate. IPR staff members attended community events and went on ride-alongs to observe PPB's Entertainment Detail and Gang Enforcement Team, and fire inspectors. We also reviewed police reports, dispatch records, fire inspector reports, media reports, and court documents.

It became clear early in our review that the issues surrounding PPB's interaction with Portland's hip-hop community is part of a larger discussion of the City's lack of a unified policy regarding its engagement with late night entertainment activities. Much of the regulatory approach is issue specific, centering primarily on establishments that serve alcohol. OLCC, although a State agency, plays a large role in regulating late night entertainment businesses due to its broad authority over individuals and businesses that possess liquor licenses. In contrast, the City's own "Time, Place, and Manner" ordinance is aimed at the narrower issue of addressing "nuisance activities" associated with the sale of alcohol. Another area of regulatory focus by the City is the capacity limit of a hosting venue. Capacity is initially determined by BDS with the Fire Bureau's fire inspectors

tasked with conducting inspections to make sure bars, night clubs, and other entertainment venues stay within their permitted occupancy limits.

The Police Bureau is the agency which looms largest in the public's perception in this piecemeal regulatory framework although, as mentioned, it is only one of the City and State agencies involved in the regulation of late night entertainment. This is particularly true in the context of hip-hop related events because of PPB's enforcement powers and its historically strained relationships with the local African American community. Moreover, the lack of a broader City policy aimed at late night entertainment activities has put PPB in a position of adapting to events as circumstances dictate. Many of the community members that IPR spoke to did not understand PPB's cooperation or working relationship with fire inspectors and OLCC.

While the City agencies implicated in this area meet regularly to coordinate, their activities and authority are not clearly understood by members of the public. There is no one person or entity within the City that concerned individuals or business owners can make contact with to have all of their questions answered. In addition to a lack of a centralized information point for owners and promoters there is a lack of information about enforcement activities available to members of the public. The lack of transparency breeds a lack of confidence and increases the potential for miscommunication.

This review is organized into three sections. The first section is a discussion of Portland's hip-hop community and its concerns that the City disproportionately focuses on hip-hop related events for enforcement actions. The second section is a look at the variety of State and City agencies that have a role in regulating late night entertainment. The third section is a closer look at two incidents involving PPB at venues hosting hip-hop events that caused community concern.

II. Portland's Hip-Hop Community

The relatively small local hip-hop community is uniquely vulnerable in the face of the City's fragmented regulatory environment. The gentrification of close-in North and Northeast Portland has strongly affected the historically black communities that reside there and by extension, the local hip-hop culture, with the closure of many music related cultural institutions. Local hip-hop, like other local music scenes, relies heavily on small venues that are often on the brink of insolvency. Additionally, small venues are uniquely vulnerable to overcapacity issues that bring additional attention from regulatory agencies, including the police and fire inspectors.

As an art form, hip-hop is a little over forty years old and has moved far from its South Bronx beginnings. Musically, the last decade has seen elements of hip-hop play a larger role in contemporary music so that old divisions between rap, R&B, or even pop mean less than they once did. Hip-hop and the more generic "urban" are often used as a short hand or euphemism for contemporary music that is heavily influenced by African American culture.

Portland's hip-hop music scene is currently in the midst of a resurgence with a number of artists receiving the attention of local and even national publications. The center of gravity of the recent reawakening of Portland hip-hop has been out of the North Portland community of St. Johns. Several of the hip-hop artists IPR talked with discuss hip-hop as a medium that allows them to escape the negativity of their formative years and to hopefully make a living out of creating music.

Most local hip-hop artists are not signed to record labels, so by necessity, many local hip-hop performers see themselves as entrepreneurs and small business owners as well as artists. Without label support, artists serve as their own brand that needs to be cultivated and marketed. Several of the artists discussed their business models and how they have attempted to establish distinctive brand identities. One way performers attempt to establish brand identities and awareness is spreading their music across different social media platforms. Another important aspect to their marketing strategies is having live shows as a means of generating interest in their music and in this age of near, limitless digital downloads, live shows are important tools in monetizing their talent.

In the midst of this new attention is a debate over whether Portland can support a self-sustaining hip-hop scene. One thing that makes many of the hip-hop performers in Portland stand out in this city of transplants is that a large number of them are native-born Oregonians. Despite their relative youth, they have had a front row seat to the rapid changes in this city and are well versed in local history. Several of the performers brought up key events that have shaped the African American experience in Oregon from the Negro Exclusion Law, Vanport and the 1948 flood, to the recent controversy over the possible location of a Trader Joe's on Northeast Alberta and Martin Luther King Boulevard.

a. Gentrification

At the heart of the debate about hip-hop's future in Portland is the looming question of whether a music form heavily indebted to African American culture can thrive or even exist in the United States' whitest major city. According to the 2010 census, Portland was 74 % white and 6 % black. While other communities of color have grown over the last 20 years, Portland's African American population has increased only modestly. Decreases in the black population in the post-WWII heart of African American Portland of inner North and Northeast have been balanced by increases in areas east of Interstate 205. There is a palpable concern that Portland's African American community may be destined for a future similar to San Francisco's, which has seen the black share of its population decrease from 13.4 % in the 1970 Census to 6.1% in the 2010 Census. Seattle also faces similar issues as the traditionally majority black Central District has become majority white.

The rapid gentrification of Portland's close-in neighborhoods have made national headlines but the scale of the change in Northeast Portland has been breathtaking. A striking example of the population shift is Census Tract 36.01, which roughly corresponds with the western half of the Woodlawn neighborhood, which went from having a majority black population of 60.3% in the 1990 census to a black population of 26.8% in the 2010 census, with a white population of 52.9%.

The gentrification of close-in North and Northeast has had a profound impact on many members of the local hip-hop community, as hip-hop artist Loren Ware, who performs under the name Glenn Waco explains:

“...it looks totally different from 15 years ago or 20 years ago whatever. And you walk through Killingsworth and you just see - well it’s not there anymore. It’s like totally gone. But it used to just look like decay ... This new face of what Killingsworth is about to look like, and in a sense it’s like memories are fading away. A neighborhood’s identity is dying, you know? In the sense of just buildings that stood there for years and year and years or houses that are kind of monuments in and of themselves is being just torn down in the place of little coffee shops and small restaurants and stuff ... That’s what strains at people’s hearts, you know, and that’s what people see and that’s on people psyches too...”

Attendant with the rapid gentrification of North and Northeast Portland, changes in the music industry has meant the loss of several record stores that served as anchors to the local music industry. One of the longest tenured members of Portland hip-hop is Terrance Scott, better known as Cool Nutz. As a performer, promoter, radio show host with over 20 years of experience in music, he has an unparalleled stature in the local hip-hop community. Cool Nutz has been able to observe the changes from a unique vantage point:

“So I would say just I think the difference is now is that the music industry has changed, which kind of created a – it created a shift in the landscape of how people listen to music, how they see it, how they get to it. You know, you don’t have the hubs anymore in terms of the record stores like we used to have. Just in Northeast Portland you had One Stop Records, House of Sounds¹, you had Music Galore, you had Pearls, you had, of course, Music Millennium, Second Avenue, and then all of the Everyday Musics, but the difference was back then if you were promoting a project, you could kind of stop by all the record stores, drop off flyers, and everybody knew to go to Tower Records ... Music Galore, and that – that – those were the hubs. So it was easy to access the fans, because everybody was digesting and, you know, picking up the music in the same places. It’s different now because everything is generated kind of mostly online. Facebook and Twitter and – and a lot of people aren’t using the same physical aspects ...”

Among some in the hip-hop community there is a concern that the current view of Portland as a quirky playground for transplanted young college graduates leaves them out of the equation. As Glenn Waco explained:

“Well it’s like Portland has its motto of Keep Portland Weird. Like so what are you saying? We could have naked bike rides but hip-hop is too weird for Portland. Like C’mon bro, we’re making music. Like it’s a stereotype of gangster rap and they don’t

¹ The House of Sound was located on the corner of N. Williams Ave and N. Beech. After a long period of being vacant, the building was demolished in 2008. The lot is now home to the Albert Apartments, which received a 10 year Transit Oriented Development Property Tax Exemption from the Portland City Council in 2009.

want gangsters hanging out here. Okay. What would you rather have Mr. Police Officer? Would you have a person performing music and selling albums or what you have them out in the street peddling crack ...”

b. Venues

Given Portland’s demographic realities, finding a large enough audience willing to pay to see local hip hop artists so that the event is profitable is a constant issue. Which makes finding an appropriate sized venue critical. All the hip-hop artists IPR talked to spoke of the difficulty of finding venues for performing. While many national touring artists will perform at larger venues such as the Roseland Theater, locally based acts depend on smaller venues to showcase their music. According to local artists, Portland can be a difficult town to put on a hip-hop related event. While the difficulty of finding an appropriate venue to play locally is an issue for many musicians irrespective of genre, for local hip hop artists the issue is acute.

For a variety of reasons, in the last several years, a number of smaller music venues have closed. As local hip-hop artist Rasheed Jamal explained:

“Well, we used to perform at Backspace, they got closed down. Used to perform at Someday Lounge, it got closed down. Used to perform at Crown Room, they got closed down ... Ted’s/Berbati’s, we used to perform there and now it’s a strip club. I don’t know – I’ve never performed at Blue Monk². I don’t know if I ever will.”

When asked if there is a dedicated hip-hop venue in Portland, Illmaculate responded:

“...There’s some venues that do hip-hop, you know, periodically, maybe even regularly, you know, like the Roseland hosts hip-hop. Where else? I’ve seen a good amount of hip-hop shows at Alhambra recently ...

But as far as a dedicated venue that is able to host local hip-hop events, I would say next to none, regularly at least, that I’ve seen. You know, because when you’re dealing with the larger venues that do hip-hop, it’s hard to throw local shows with, you know, because it’s hard to get people out ... and then that goes back to the developing the scene more and, yeah, so I would say, overall, as far as dedicated to local hip-hop venues or that have – where the local hip-hop scene has access to readily, I’m not so sure if there is.”

Another issue for members of the hip-hop community is that some of the tools for managing late night events that City staff often recommend to venues can be utilized disproportionately against black patrons. One common complaint by individuals IPR interviewed was the use of dress codes such as no “baggy pants” or prohibitions against wearing certain colors that they witnessed bars and nightclubs applying differently depending on the patron’s race.

² The Blue Monk closed in April 2014.

c. Police Presence

There is a common belief among those in the hip-hop community that venues viewed as hip-hop friendly or having a heavily black clientele will inevitably draw scrutiny from the police or fire inspectors. As relayed to IPR, a visit by police officers to a venue hosting a hip-hop event can often lead to sudden inspections by the OLCC and fire inspectors. The additional attention makes it less likely that club owners will host hip-hop acts because doing so will draw unwanted attention from regulatory agencies.

PDX Pop Now! is a long running multi-day summer music festival usually held in the Central Eastside Industrial Area. Though known for providing exposure to local indie rock bands, in its 2014 edition, the festival made a concerted effort to broaden its musical selection by including more hip-hop acts. According to a statement provided to IPR by festival organizers, of the four hip-hop acts that performed, police conducted walk-throughs during the performances of three of the hip-hop acts.

Given its size, festival organizers are used to police conducting walk-throughs, but they felt the attention that the festival received this year was unprecedented:

“Despite clearing our attendance and beer garden capacities in advance, the police called the fire marshal with concerns regarding our occupancy during one of their visits coinciding with a hip-hop show. The fire marshals then came to the event three times. Each of the three times we were found to be in compliance with our permitted occupancy.

Most of the police we interacted with were pleasant, but the repeated visits during the hip-hop acts were abnormal and time-consuming for our staff. On the first visit, the police requested to see our permits. While they are within their rights to ask for this, it has not been standard in our experience. Given our lack of noise or other complaints, and our decade-plus history of being permitted and in compliance, we don't get asked for permits very frequently. In previous years, when we've had less hip-hop and more attendees, we have not faced this level of scrutiny ... our staff and our performers noticed that hip-hop attracted the majority of our police visits, even though it was only performed by 4 acts out of over 40 total performances.”

In our conversations with members of Portland's hip-hop community their feelings about police presence at shows was intermixed with an underlying skepticism about the motives for police presence, as Cool Nutz explained:

“... you have to understand people's natural perception, especially in a hip-hop environment ... especially with all the stuff that's happening in society. When you have the Trayvon Martin stuff and you have the stuff of Kendra James and you have different things happening where young African Americans get killed by police or brutality or - when your in - if you're in Northeast Portland or you work in Northeast Portland, then you might get pulled over for how you look, then your mindset at a hip-hop show is are - are they here to be cool or are they here to mess with me.”

There was also a concern about calling the police for assistance because some members of the hip-hop community felt that PPB members do not understand hip-hop culture or black people. Several individuals stated to IPR that they felt that PPB members too often ascribed gang links to individuals who had no gang ties, failing to recognize the interconnectedness of Portland's small black community. One promoter said, "It's hard to take the police seriously, when they don't know what they're talking about."

For some hip-hop artists the police presence can alter the mood of a performance, changing the dynamic from a focus on the music to one of tension and unease at the unexpected presence of police. Glenn Waco was asked to clarify his description of the current situation being inflamed:

"Just the police presence. Like I've been telling people, I don't hate all police. I have nothing against police officers, but just like there's good and bad humans, there are good and bad cops, and I believe some of the cops that are on the line of duty are just doing their job. They don't necessarily want to be there. But this is an issue because as artists, we have the right to express ourselves and perform our music at these venues. Like people come to see us perform these new songs. And they don't come to be rowdy or come to be against police or whatever. They just come to enjoy music ... And the police have always come to the venue in an intimidating fashion. Like they'll come with the gang task force, and they're the ones with the guns. No one in the crowd has a gun. They come to enjoy a show, so it's just – they come in with the fire marshal and it just brings in a negative energy to the space, you know ... There is nothing criminal going on in the venues.

"... (It's not only because they are police officers in a uniform, it's just like there's nothing going on. There's nothing illegal going on. Nobody called them. They just show up and it's just like, why are you here? And the police presence to people, like, it doesn't bring a reactive response like they're foaming at the mouth to do something to police, but it just instills this fear like why are they here? They're looking for a reason to shut this down right now. Here we go again. It's just that stigma that comes with it."

One PPB member that IPR talked to was Sergeant Pete Simpson, currently Public Information Officer, but previously a sergeant with the Entertainment Detail. He discussed his experience:

"... You know, I think, historically, there's been – there's been times where, you know, clubs have had incidents and then somehow it gets turned around that the police, you know, don't want this club here or don't like black people or don't like hip-hop music and so they're going to shut us down. And, you know, there's – I would say there's no truth to that, but it's hard to address the perception piece that people believe that ... You know, unfortunately, the incidents that have happened have been tragic. Fontaine Bleau ... 915, you have outside Seeznin's, out on 82nd, people killed. And, you know, that's not what we want. If people were doing their job running the business right, that wouldn't happen."

d. Promoters

Promoters are often important intermediaries between performing artists and venues. While larger music venues will often have an in house booker, the smaller bars, clubs, and event spaces that local hip-hop artists perform at will often use promoters. While the individual arrangements may vary, a promoter will organize a show or an event at a venue by either renting the facility or arranging to split some percentage of tickets sales and/or alcohol sales with the venue. Cool Nutz discussed his experience with club owners as a promoter and the division of labor between the two:

“I think it depends on – on – on the relationship. Like I mean, for me, I – I believe in partnerships and – and unions who come together and we can all work together for a – a – a better outcome. And as that applies, like if I go – like, for instance, if I go do something at the Roseland, I want to know that not only can I count on them to do their job ... you have to have, you know, when you come into a venue, there’s a soundman, there’s the person you’re going to deal with at the end of the night to settle, there’s a stage manager, you know, there’s the security. And then there’s the – then there’s everything outside of that, you know, like are people safe when they leave, are people safe when they’re coming. So I – I feel like it’s not just – it’s not just the promoter and the club – of course, the promoter – typically, the promoter just comes into a club and maybe rents it – or – or does a door deal or whatever. And then, of course, the promoters and, you know, the club might work with you on some type of advertising or, okay, we want to know what the night is going to be about, different things like that, so it’s all – it’s really just a partnership of everybody, if you want to see something be as successful as possible.”

When asked to explain how security works at events and who has responsibility for security, Cool Nutz clarified:

“I think it’s everybody’s responsibility. I think everybody should be concerned about that. I feel like it’s not just one person’s – it’s not just one person’s responsibility to make sure people are safe. I feel like any – any club in Portland, whether it’s a rock club, a hip-hop club or whatever, there’s a – there’s always the likelihood of somebody getting punched in the face or somebody touching somebody’s girlfriend the wrong way, and then having people that have an understanding of how to deal with those situations.”

According to several City staffers that IPR spoke with, the normal regulatory approach of engaging with a problem bar or music venue does not work with outside promoters for a variety of reasons. As the promoter usually does not have a liquor license, OLCC is not involved. Any fines issued for violations of city code, such as being over capacity, will be levied against the venue and not the promoter. Theresa Marchetti from the City’s Office of Neighborhood Involvement (ONI) explained:

“...the problem is that we don’t have a good way of tracking these business entities [promoters] because once they get in trouble, they collapse and they bring up another business entity, and we’ve really seen them really sort of prey upon some of the clubs in the – in the area, which is a bummer.”

Ms. Marchetti further explained there is no liability for promoters in these situations and added some clarification:

“And they often go to places that are having a hard time, that are struggling ... They’re like I will pack your bar, ... you know, you just leave everything to me, I’ll even bring the security, so security’s not checking people, they’re not turning away people that they probably should that are already intoxicated, so – so, yeah, that – if they are going to do promoted events, we always advocate that they use their own security that are under their supervision so that there isn’t that conflict there.”

In talking to some local hip-hop promoters, several felt that City representatives did not recognize them as businessmen, who take very real financial risks when they attempt to put on a show. Another concern was that there was an overgeneralization when it comes to hip-hop and sends a message there’s going to be some sort of violence or scuffle at an event. IPR asked Cool Nutz to address the fairness of such overgeneralizations based on his 20 years of experience:

“It’s all situational, because that’s the whole thing is that I’ve been doing this for 20 years, from the small venues to the big venues, and I mean one of my main concerns ... When you’ve had to pay \$800.00 for an insurance policy, or \$1000.00 or \$1200.00 for an insurance policy, then you have a different understanding of going into something, you know what I’m saying, or when you – when you have \$12,000.00 of risk over your head, you know, when you lose \$6000.00 on a show, that’s when it’s a whole different perspective. So, for me, I feel like there are people in the city who have run successful music events. It’s that when you have a certain type of people that start showing up at the shows, and then the way that it’s dealt with might not be the most appropriate, that’s part of the problem, because it puts people on edge and then it’s all these conversations in the shadows of, well, I heard they said those people. Like that’s – that’s part of the problem is that type of talk – that attitude. And I think in Portland people’s attitude has – has to change. You know, I understand that stuff happens at shows, but stuff happens at rock shows, stuff happens at the white clubs. People get beat up and knocked out outside of the white clubs or, you know what I’m saying. Country bars, you know, like – they like to drink and fight too, you know, I’m just saying for real...”

III. Regulatory Agencies

There are several City and State agencies that have a role in regulating late night activities, including hip-hop related events. IPR conducted interviews with members of these

agencies, including the Oregon Liquor Control Commission, the Office of Neighborhood Involvement, the Bureau of Development Services, and the Portland Fire Bureau.

a. Oregon Liquor Control Commission

The Oregon Liquor Control Commission (OLCC) is a State agency created in the aftermath of the repeal of prohibition in 1933. One of its missions is to license persons and business entities that sell and serve alcoholic beverages. OLCC receives its authority from the Liquor Control Act. OLCC plays an important role in Portland's entertainment landscape as most bars, night clubs, and event spaces have a liquor license.

OLCC has broad powers under the Liquor Control Act and through its own administrative rule making authority. Licensees can potentially be held responsible for the actions of patrons outside their venue. A licensee found in administrative violation can face a fine, a license suspension of varying lengths, or in the most serious cases, the cancellation of their liquor license. A license suspension can often lead to the permanent closing of an establishment.

OLCC Public Safety Director John Eckhart provided an explanation of OLCC's regulatory role:

"We're tasked by the legislature to enforce liquor related laws throughout the State of Oregon. We have a program where each inspector is responsible for visiting one-fourth of their licensed establishments every year. So every four years, even a place that's not having any complaint of service violations should get a visit by an inspector. There are a lot of licensed establishments in the City of Portland though, so what we do is still a risk-based enforcement, so as complaints come in, as crimes happen on or around a licensed establishment, they become a focus. The more illegal behavior, the more public safety issues, the more resources get devoted to those different establishments ..."

According to Director Eckhart, OLCC has 19 inspectors for the Portland metropolitan area, so it relies heavily on local law enforcement for notification of problem establishments. In Portland, OLCC works closely with ONI and PPB to work on complaints generated by neighborhood livability concerns.

Several of OLCC's representatives IPR talked to said that the Commission has made a shift in it how it engages with licensees who encounter regulatory difficulty by providing them more education rather than using the more punitive approach of fines or license suspensions.

One of the more persistent complaints that IPR encountered from community members in the course of our review, including from some who had their liquor licenses suspended, was the belief that OLCC is used by the City to close venues, particularly those related to hip-hop. In the last several years, several nightclubs and bars that were either black-owned or had predominately black clientele have had their licenses suspended or heavily restricted. The suspensions have often occurred after a request by the Police Bureau in response to a deadly shooting outside of a bar or nightclub.

b. Office of Neighborhood Involvement (ONI)

To understand ONI's role in regulating entertainment venues in Portland, IPR staff spoke with Theresa Marchetti, Liquor Licensing Specialist, and Amy Archer, the manager of ONI's Livability Programs, which incorporates the liquor, noise, and graffiti programs. Ms. Marchetti described her role:

“ ... my role is kind of three-fold, and it's related to neighborhood input. One, I work with the licensing investigator in DVD³ to provide a recommendation on every liquor license that comes into the City of Portland. The OLCC, the state agency, has the ultimate authority over whether licenses are granted or not, but we do – we evaluate the statutes and the facts of the license to provide a recommendation. We also – I enforce the Time, Place and Manner Ordinance, which is our code, our one small sliver of authority over liquor license locations, and related to nuisance activities, and those can include offensive littering and noise issues and interference with vehicular ingress and egress, all the way up to more serious public safety concerns, including sexual assault and murder. So and then on the third hat that I wear, essentially, is policy related. So anything that has to do with alcohol policy, I represent the City as a liaison at the OLCC and with the neighborhoods on those issues as they come up.”

Ms. Marchetti also facilitates a bi-weekly meeting with ONI's Crime Prevention team, PPB, PFB, sometimes including the Bureau of Development Services and the Oregon State Lottery with the purpose of information sharing and this group can act as a decision making body when an issue arises.

c. Bureau of Development Services

The Bureau of Development Services (BDS) is the City agency tasked with reviewing and regulating the development of private property. One of BDS's duties is establishing occupancy classifications for buildings. Several of the cases that we examined in our review involve entertainment venues who ran afoul of the occupancy classification for which they were originally permitted.

When a building is built it is given an occupancy classification based on the applicable state building codes in effect at the time of construction. A change of usage from a warehouse to a restaurant would require a change of occupancy permit, building permit, and possibly a seismic upgrade. While BDS is the agency responsible for initially determining a building's occupancy limit, once the permitting process is concluded, the Fire Bureau generally monitors compliance.

d. Portland Fire Bureau Night Inspection Program

The Fire Bureau's Fire Prevention Division, under the direction of the Fire Marshal, runs the Night Inspection Program, which covers establishments that have high intensity uses

³ PPB's Drugs and Vice Division.

like nightclubs and concert halls. A night inspection is different than the biannual inspection required of most businesses and multifamily residences. The goal of night inspections is to make sure there are no significant fire safety issues, such as overcrowding, blocked fire exits, or hazardous conditions. The fire inspectors are generally long-tenured fire fighters who are assigned to the Fire Prevention Division.

One persistent issue faced by inspectors is when an establishment changes uses without proper permitting or wishes to change their occupancy load. Such changes require BDS approval.

During the course of this review, an IPR investigator conducted a ride-along with members of the Fire Bureau's Night Inspection Program. The evening started at PPB's Entertainment Detail roll call briefing.

During the early evening hours, the fire inspectors drove to a number of locations downtown and in Southeast Portland to contact business or event staff before venues became crowded. As the evening progressed, inspectors continued to visit establishments across the city, often while they were very busy. Throughout the evening, the inspectors kept in regular contact with PPB Entertainment Detail officers, as well as OLCC staff.

The inspectors wore civilian attire, with Fire Bureau badges worn around their necks and visible. One inspector also wore a ballistic vest. He indicated he began wearing the vest after a drunken bar patron assaulted him.

The inspectors were uniform in their approach to contacting venue staff. They would first contact a venue's front door or security staff at the entrance to the venue, greet staff and show their identification. The inspectors would ask venue staff questions about the evening, including questions about how many patrons were present, and how staff monitored the venue's capacity. Staff at most venues downtown appeared to know the inspectors from previous contacts. Many venues in Southeast Portland employed security staff who also worked downtown and were familiar with the inspectors. The conversations observed by IPR between the inspectors and venue staff were uniformly professional and courteous.

After speaking with front door staff, the inspectors would enter the establishment. Their initial concern appeared to be estimating the number of patrons present. After estimating the crowd size, the inspectors would walk-through the venue, ensuring all fire exits were functional and accessible. Inspectors also looked to see the venue's capacity was clearly posted, and that venue staff were aware of this capacity.

Once they entered the establishment inspectors also generally contacted a venue's manager or owner. These conversations were likewise cordial and polite. Generally, the inspectors would emphasize the importance of monitoring how many people were in the venue, and would provide information, tips, and suggestions about how staff could effectively monitor the crowd. In some cases, the inspectors would follow up on a previously-raised concern,

such as a blocked exit, inadequate exit signage, or other issue. At the end of their contacts with venue managers or owners, the inspectors would provide their business cards.

In keeping track of crowding at venues, the inspectors had specific, detailed suggestions for venue staff. These included using two mechanical counting devices at each entrance to a venue; one to count people as they entered, and one to count people as they left. Venue staff could then quickly estimate the number of people in the venue.

e. Bar Summits

Several times a year representatives from nightclubs and bars take part in education efforts called bar summits put on by ONI, the Fire Bureau, and PPB, along with other agencies such as Multnomah County and OLCC. At bar summits, attendees are educated as to the responsibilities of different regulatory agencies and their applicable authority and enforcement priorities.

f. Portland Police Bureau

(1) Entertainment Detail

The Entertainment Detail is a small unit of PPB officers, led by a sergeant, assigned to Central Precinct with an assignment of working with the late night entertainment venues that have a heavy presence in the downtown core and close-in east side. While North and East Precincts can request assistance from the Entertainment Detail, it is relatively rare. Particularly in the downtown core, the detail is tasked with creating a safe environment for the large crowds that can occur on weekends, particularly in Old Town. There is a close working relationship, although no formal protocols, with OLCC the Fire Bureau and ONI in addressing issues that arise.

During this review, IPR staff members were able to observe Entertainment Detail officers while they were out on patrol. The detail members started their shift with a roll call, which included a discussion of establishments or events happening that evening that could be cause for concern. The nighttime base of operations for the Entertainment Detail is the Old Town Precinct at NW 3rd Avenue and NW Couch, in the heart of Portland's bar and nightclub district. Stepping out of the building there are several clubs within 100 feet and many others within quick walking distance.

The officers IPR talked with felt they had an important role in making sure patrons of late night activities could enjoy themselves and go home safely. When asked about community perceptions that hip-hop is treated differently than other music genres, the response was that they did not focus on types of music and tried to treat everyone the same.

An important tool for the Entertainment Detail is the bar check or walk-through of different establishments. As explained by former Entertainment Detail Sergeant Rich Steinbronn:

“...walkthroughs of the different bars didn't just mean entering, walking through it, looking. We would always make contact with the door person. We would make contact with the manager. If the owner was there, we would usually make contact with

the owner or he would make contact with us. We would let the crowd see uniform patrol officers. It kind of takes away some of that anonymity. People are watching. Sometimes we would even make contact with servers. Just generally, hey, how you guys doing tonight? Are you guys seeing anything that we need to be aware of? If we've had any information that we wanted to pass along to them, that would be our opportunity to pass along to them. We would monitor the numbers inside the crowds. We usually knew what their occupant load was of the location, so we would kind of say, you know, ask the door guy how many do you have tonight?"

In the downtown core, the Entertainment Detail officers are well known by the staff and many patrons of the area bars and nightclubs and are an accepted part of Old Town. The officers know many of the staff, particularly those working security. On the close-in east side there are several event spaces that are often rented out for parties or limited engagements, where the management seemed less familiar with the officers.

While only the Fire Bureau can cite a venue for occupancy issues, possible overcrowding is a matter that Entertainment Detail officers pay close attention to due to public safety concerns. Generally, officers expect a venue to be able to inform an officer of their capacity, to reasonably estimate how many people were inside at a given time, and to use hand held counters to keep track of patrons. If there is a possible overcrowding issue at an establishment, a detail officer is expected to call a fire inspector for inspection of the venue to gauge whether there is a capacity issue.

(2) Gang Enforcement Team

The Gang Enforcement Team (GET) is a small unit within the Tactical Operations Division of the Police Bureau. GET officers respond to gang related activities city-wide. GET officers spend approximately 40% of their time in North Precinct, 40% in East Precinct, and 20% in Central Precinct.

GET officers must complete all the training PPB requires for its patrol officers. Every one to two months, GET officers also go through specialized training, including going over scenarios, field inquiries, and other instances of contact with gang members. GET officers may also request to attend additional trainings outside of PPB. GET officers regularly attend police summits and conferences dealing with gang issues.

An IPR staff member rode along with GET during a Saturday night shift. Additionally, an IPR investigator and another staff member interviewed a sergeant assigned to GET. The GET officers that IPR spoke to said that they have no police interest in music or particular genres of music. They are interested in getting guns off the streets and are thus interested in those individuals they believe have guns or to be the targets of others who have guns. The GET officers stated that the people they are interested in are deeply involved in gangs and generally do not have the time or resources to be engaged in creative community endeavors or the local music scene.

Generally, GET has several cars out during a shift and they work very closely with each other. While they patrol citywide, they generally plan to have all the cars within close

proximity so that they can cover each other. If one car makes a traffic stop, generally one or more other cars from the team will arrive quickly as backup. GET states they do this for safety purposes.

Unlike regular patrol officers, GET officers do not take 911 calls. The GET sergeant stated, “We do intelligence, gang suppression, and outreach.” Dayshift GET officers focus entirely on investigating gang shootings. Nightshift GET officers focus on “suppression.” GET officers contact gang members, arrest gang members, and collect intelligence regarding gang members’ cars and relatives. In their work, GET officers focus on building rapport with gang members and the community. A GET sergeant stated, “It’s not like it’s commonly portrayed.”

Many community members are concerned that GET focuses disproportionately on the African American community. When asked about these underlying tensions, a GET sergeant responded that it isn’t GET’s aim or intent to harass black people or hip-hop artists and he believes citizens’ and artists’ perceptions to the contrary are caused by their lack of familiarity with GET’s work.

According to GET, most gang-related shootings in Portland involve predominately African-American gangs, including Bloods, Crips, and Hoover gangs. The GET sergeant indicated a “certain percentage” of GET’s work also focuses on gangs that are not predominately African-American. He indicated there are active Hispanic, Asian, and white gangs in Portland, and they also engage in violence.

According to PPB, the number of gang-related shootings “shot up” approximately 4 years ago, and there are now approximately 100 gang-related shootings per year in the Portland area. In Portland, a “small group of guys” is responsible for many of the city’s gang-related shootings, and one person could be possibly involved in as many as 10 gang-related shootings in 3 years. Police are often aware of who likely committed a particular shooting, but they seldom have sufficient evidence to arrest and convict the person. As a result, the “solve rate” of gang-related shootings is fairly low.

Regarding gang members going to clubs and bars in Portland, a significant concern for GET is social gatherings organized by gang affiliated individuals.. A GET sergeant stated, “They’re very dangerous.” In recent years, there have been several shootings at gang-related parties held in Portland clubs and bars.

Contact with bar owners and musicians is only one facet of GET’s work. Occasionally, GET receives information that a particular performer has a “gang background” or is otherwise associated with a gang. A sergeant stated, “We often prepare for issues that wind up not being issues.” When GET officers go to a music performance, they can tell immediately if it is a gang-related performance. The same sergeant said, “We know the difference between black people and gangsters.” For instance, according to GET officers, at gang-related events, a relatively small group of people most likely responsible for committing gang-related shootings, “tend to show up at the end of the night.” The sergeant stated, “At rap shows, the gangsters come in at 1:20 [am].”

The sergeant further indicated, “[i]n some cases, although a bar or club may put on hip-hop shows with artists who have no gang connections, gang members will still come to the shows. In other cases, ‘the artist is the connection’ and they show ‘gang imagery’ in their videos and other material.

GET has many sources of intelligence, including telephone calls, and reviewing postings on Facebook. Most of GET’s information regarding possible gang-related music events comes from the Entertainment Detail. According to unit members, GET is “not really involved” in talking to bar and club owners, and most of GET’s involvement consists of “showing up” at possibly gang-related functions. In one case that the sergeant could recall, GET did provide information regarding a gang-affiliated artist to a club owner. Ultimately, the club owner decided to cancel the show.

IV. Case Studies - Blue Monk and Kelly’s Olympian

a. Blue Monk

On March 1, 2014, Portland hip-hop artists Illmaculate, Luck-One, and Mikey Vegaz were scheduled to perform at the Blue Monk on SE Belmont. As the name suggests, the Blue Monk once had a reputation as a jazz bar, where patrons could watch local and national touring acts perform in its basement. In the months leading up to the March 1 show hip-hop acts had started to perform regularly at the Blue Monk.

The show was promoted by Green Luck Media Group and publicized as “The Heavyweights” denoting the status of the performers within the local hip-hop scene. As Illmaculate, whose real name is Gregory Poe, describes it Luck-One had the idea for a show that would have “three of the town’s best with no filler.” Ash Wendt who was DJing for Luck-One that night describes the uniqueness of the bill:

“...this particular show was going to be a good show in my opinion because you had two a little bit more socially conscious rappers in Luck-One and Illmaculate, and then you had Mikey Vegaz, who does more of the kind of urban street sound. And it’s rare that you get that kind of combination on one bill. Usually, you have hip-hop, you know, conscious-type stuff that – that performs all together, so when you go to a conscious hip-hop show, everybody’s doing pretty much the same thing ... And then same on the other side. So that’s why I was like, wow, because Luck-One and Illmaculate and Mikey Vegaz probably, in this point time, are the three probably most talked about hip-hop artists in the city right now, so I knew that it would be a good show.”

Illmaculate’s climb into Portland’s hip-hop upper echelon probably began when he won a rap battle held at the Crystal Ballroom when he was 15. While not yet 30, Illmaculate has become an elder statesman of sorts in the local hip-hop scene and has developed a following outside of Portland for his noted rhetorical flourishes during rap battle

competitions. Luck-One, also known as Hanif Collins, a New York native who grew up in Portland, is well known in the local hip-hop community for his brand of lyrical, conscious hip-hop. His 2009 album, *Beautiful Music* is considered a local classic. Several months prior to the Blue Monk show, Luck-One had relocated to New York. Mikey Vegaz is considered an up and coming artist with a hard hitting sound.

The event was heavily publicized on social media and in local hip-hop circles. Mikey Vegaz, whose inclusion on the bill drew the attention of GET officers, was the first artist scheduled to perform. According to GET, Mikey Vegaz, whose given name is Eddie Bynum Jr., was present at a Gresham recording studio when it was targeted in a shooting a few months prior to the Blue Monk show. According to a GET sergeant, GET officers were at the show for about twenty minutes before leaving. While at the Blue Monk, GET officers stated that they recognized several gang members.

In the months leading up to the Blue Monk show there had been several gang involved shootings at entertainment-related events. In August 2013, three individuals were shot waiting in line at Waterfront Park to get on the Portland Spirit for a private party. In November 2013, 30-year-old Duriel Harris was killed and two people injured outside the Fontaine Bleau nightclub on Northeast Broadway. Police believe both shootings were gang related and led to further gang violence.

Earlier in the day, on March 1, GET informed the Entertainment Detail of the show and that Mikey Vegaz would be one of the performers. Two Entertainment Detail officers arrived around 10:18 pm and immediately noticed a capacity issue, as the maximum capacity for the basement where the event was being held was 85 and they counted 120 people in the crowd. The fire inspector in his report stated that the Entertainment Detail sergeant requested that he respond to the Blue Monk to assist officers already present. When the fire inspector arrived, he made contact with the Blue Monk's owner who stated that she was unaware of what the occupancy load was for the venue. The fire inspector asked the promoter to hold the line of patrons attempting to enter the basement, while he conducted a count. The fire inspector wrote in his report he "found 135 persons in the basement and 20+ on the stairs."

The fire inspector asked the promoter about the number of tickets he had sold, whether he was keeping a count of patrons, and if he knew the capacity the room. The promoter was unable to provide an answer to any of those questions.⁴ The fire inspector made those waiting on the stairs go to the main level. The fire inspector required that the several exits out of the venue be propped open. The show was allowed to proceed and the event organizers were told not to let anyone into the basement until there was less than 85 people.

The limiting of entry into the basement caused many of the concert goers to go outside. The police reports document that many of the patrons were not pleased, as several individuals reportedly cursed at the police as they were leaving and questioned the need

⁴ IPR made numerous attempts over the course of several months to contact Green Luck Media Group for an interview. We did not receive a response.

for the police to be there. The Entertainment Detail sergeant made the decision to request additional officers standby as there were large numbers of people coming out of the Blue Monk and the venue had only one DPSST⁵ certified security person on hand.

The arriving officers parked their patrol vehicles on SE Belmont, some with their overhead lights on. As more officers arrived and additional patrons left the performance space, both the fire inspector and the PPB officers present felt comfortable with allowing the show to proceed as scheduled.

Illmaculate who was to be the final performer of the night, felt that the police presence was intimidating and decided that he was not going to perform. He described the decision this way:

“I just grabbed the mic and then the adrenaline was just pouring and I just addressed the crowd and was like... we see this all the time from venues getting shut down to, you know, dress codes being enforced targeting hip-hop crowds to all these sorts of things and us not having an outlet and, you know, this is unacceptable and I don't want to come here as a – and be in this atmosphere as a fan, let alone subject my fans to this type of hostile atmosphere.”

With Illmaculate's figurative mic drop, the concert ended. Many of those present inside and outside the venue blamed the police and the fire inspector for the premature end of the concert. Both the fire inspector and PPB officers present attempted to explain that they had in fact not shut the concert down, but the events of that night had already taken a life of their own on social media, local publications, and eventually even national media outlets.

Several of the community members present at the Blue Monk that IPR spoke to felt that police presence was excessive. For example, Illmaculate said:

“And then that's when I look outside and see five police cars blocking one lane of Belmont and – and, at this point, I'm like what is going on, why is – I'm like why does it look like this is, you know, a murder scene or something ... The police officers, I would say that I, you know ... at least, and I would say at least 14 to 16 at least ... and that's just because I know that there was five or six at the bottom of the stairs, one on the landing and then another five or six at the top. And then one or two outside.”

Ash Wendt explained his concerns:

“... it was a true like kind of melting pot of cultures. There was a lot of like white people and black people there. Everybody was getting along. Everybody was having a good time. There wasn't even – I don't think anybody – I didn't even see like an argument or, you know, everybody was being very cordial and everybody was standing in line, waiting turns to, you know, buy drinks if that's what they wanted to do. ... it

⁵ Oregon Department of Public Safety Standards and Training.

wasn't rowdy in there I guess is what I'm saying. So they saw it and they were just like, wow, this is an overreaction, right?"

A review of dispatch records shows that at least 14 officers were present at the Blue Monk between 10:18 pm and 11:45 pm. Beyond a concern with the number of officers present, some individuals felt that the officers on scene were unfriendly and intimidating.

There were several factors that led to the storm of public controversy over the Blue Monk incident. Illmaculate and Luck-One are highly respected members of Portland's hip-hop community and the March 1 show at the Blue Monk had been heavily promoted and highly anticipated by fans of local hip-hop. Given the difficulties that some local hip-hop acts have with filling a venue, the Blue Monk show by all indications was a well-attended event. Given the level of interest generated by the show there were several members of the local media present, some of whom provided an almost real time narration of events on social media.

Another factor in the controversy was that community members who left the Blue Monk were confused as to the rationale for the heavy police presence. As later explained by the Police Bureau, it was originally Mikey Vegaz that drew their attention, but it was the overcapacity issue that eventually led to the additional police presence. All available information indicates that no one connected to the Blue Monk show was aware prior to the concert of police concerns about Mikey Vegaz until the arrival of police the night of the show. The performers and many in attendance viewed the presence of the fire inspector as an alternative means by the police of shutting down the show.

The events of March 1, illustrated the need for better communication between the police and members of the hip-hop community. IPR asked Illmaculate how soon before a performance that he might expect to hear from the police regarding a concern about a performer at an event having possible gang affiliations:

"I mean the earlier the better. I would say, you know, at 72 hours you're pretty mobile to be able to make...an adjustment in security or layout or whatever, the lineup, whatever the case is, you know, the earlier the better..."

IPR further asked if hearing from the police 72 hours before a show was preferable to hearing from them halfway through the show, when performers are up on the stage. Illmaculate responded:

"Yes, definitely . . . there's no chance to be able to correct whatever reason that they're there. You don't have any buffer room to be able to address issues that they want addressed, you know, and that's my whole thing is being – being able to address these issues. If we're never given clear reasons, you know, and the story changes every interview or whatever the case is, then we're not being given the tools we need to be able to correct it in the future, to be able to have this positive outlet, you know?"

b. Kelly's Olympian

On March 22, 2014, local hip-hop group The Resistance was scheduled to headline a concert at Kelly's Olympian in downtown Portland. The Resistance, composed of up and coming rappers Rasheed Jamal, Mic Capes, and Glenn Waco, have built a following for their brand of socially conscious hip-hop as a collective and as solo artists. According to one of the performers, a day before the concert the promoter, Green Luck Media, was informed by Kelly's management that the capacity for the show had been cut from 100 to 50. Records provided to IPR indicate that the capacity was actually 49, never 100 persons, which applied "to all bodies actually in the space - band members, staff, VIPs, etc." As this show was three weeks after the Blue Monk incident, word of the supposed reduced capacity spread quickly.

The night of the performance the fire inspector conducted an inspection of the venue starting at around 9:05 pm, and remained on scene for 11 minutes noting no violations in his report. The inspector did write, "Had unknown persons harassing us during our inspection. They interrupted conversation with manager, took my picture and was aggressively questioning why we had 'targeted' Green Luck Media that night and reduced occupant load. Told him that occupant load had not changed in 6 years ..."

To keep in compliance with the capacity limit, admittance into Kelly's was restricted and individuals who had purchased tickets before hand were not able to make it into the show. Rasheed Jamal recounted the experience that one of his friends had while trying to enter the show after he says police arrived:

"One of my friends that purchased a ticket ... she was trying to enter the building and, you know, there was a cop at the door instead of the bouncer for some reason and he told her that this place is at capacity, you have to go somewhere else. And she said, well, I have a ticket though. And she was told, well, you can either come in here and go to jail or you can turn around and go somewhere else. And that's offensive." ... And I can understand there being a 49 person capacity limit, but I mean it's just like anything, you know."

People who were at the show told IPR that they saw police cars on nearby streets. According to dispatch records two officers were at Kelly's for about 15 minutes starting at 11:45 pm, noting as they cleared the location that the venue was "compliant w/numbers." All the scheduled artists were able to perform their full sets.

The fire inspector had been engaged in a series of communications with Kelly's Olympian staff, over a period of several weeks, about his concerns about it being over capacity. A night inspection on February 21, 2014, led to voice and email messages reminding the venue of its 49 person occupant load. On March 14, during the concert of a local rock band, two inspectors each counted 120 persons in the venue. The overcapacity on that night led to a \$1000 fine for Kelly's Olympian and a warning of "escalating citations and possible action by other governmental agencies" if the capacity

issues were not resolved. During a March 20 night inspection, a Kelly's Olympian staff member discussed with a fire inspector a variety of ways to get approval to increase the occupancy load, including having an inspector on standby. The inspector wrote in his report, "He [Kelly's Olympian staff] wanted to know if we could be hired to do standby this weekend to increase their capacity because they apparently have sold more tickets than their occupant load allows, and I told him no."

IPR has no information on whether the back and forth between Kelly's Olympian and Fire Bureau personnel in the weeks leading to the March 22 show were shared with either the promoter, Green Luck Media, or the performers. Given that the Blue Monk incident had occurred recently, many in the local hip-hop community were anxious about what they viewed as a crackdown by the City on hip-hop friendly venues. The initial media reaction was fierce, one local weekly newspaper wrote that The Resistance show had been "marred" by the fire inspectors action on the night of the show.

VI. CONCLUSION

The review team noted several common themes during the course of our work: the need for a more proactive regulatory structure by the City regarding late night entertainment activities; increased transparency; and better communication with the hip-hop community. In particular, the perception that parts of City government are engaged in discrimination against segments of the community run against this City's values of inclusion and diversity.

As previously discussed, IPR sought to answer two questions in conducting this review:

- 1) What are PPB's policies and practices when it comes to hip-hop related events?**
- 2) What is the community's sense of how the PPB interacts with the hip-hop community?**

Below are five recommendations that the review team developed through it conversations with community members and City employees:

Recommendation 1: The City should make available to late night entertainment venues and promoters a comprehensive checklist of its expectations.

Hip-hop events are part of a larger realm of late night entertainment events. While the Police Bureau is implicated in some regulatory and enforcement activities, the issues that surround hip-hop events and more broadly late night entertainment present issues that require the attention of City government as a whole.

In IPR's interactions with City staff tasked with regulating late night entertainment, they were uniformly well informed and provided detailed information that facilitated this review. Several City staff members discussed the essentially reactive nature of the Time, Place, and Manner ordinance. While the City agencies do hold bar summits in an attempt

to educate concerned businesses on a regular basis, by their nature they are limited in their reach. The absence of an overarching regulatory structure or guidance for late night entertainment has led to a concern from some community members that implementation is arbitrary, lacking in consistency, and contributing to an environment where some establishments can be subject to multiple visits from different regulatory agencies in one night while others can go for years without a contact.

It is beyond the scope of this review to recommend how Portland should regulate its late night entertainment venues or promoters, but the City does have an obligation to provide accessible information to individuals or businesses interested in opening a late night-orientated business. Several community members expressed their frustration about not knowing what the City expected of individuals who organized late night activities. While several City bureaus reported they attempt to work non-punitively with venues that run afoul of City code provisions, there is very little proactive guidance from the City to someone just entering the business of late night entertainment.

During our research we found several cities that provided useful information to individuals engaged in late night entertainment. For instance, Seattle's Office of Film and Music provides newcomers to late night entertainment a "nightlife" handbook, available on its website, which discusses relevant codes and statutes, introduces regulatory agencies, makes recommendations on how to set up security for a venue, and includes a list of best practices.

While ideally the City would provide a physical location for one stop shopping where interested community members could learn what the City's expectations are for individuals opening a late night entertainment-orientated business, given current fiscal and legislative realities, we do not believe that to be an obtainable near term goal. It is well within the City's capabilities to provide a checklist of what it believes are current best practices in this area that would represent the expectations for late night entertainment venues and promoters, which ideally would be available at City offices and on the City's website.

Recommendation 2: PPB should develop Standard Operating Procedures (SOPs) that provide guidance to PPB members on how they will conduct bar checks/walk-throughs of late night entertainment venues.

Recommendation 3: PPB should track walk-throughs of late night entertainment venues in a format that would allow it to regularly report such information to the public.

There are concrete steps that PPB can take to provide clear guidance and expectations to its members, particularly when officers conduct walk-throughs of bars, nightclubs, and performance venues. The thought of police officers conducting a walk-through at a bar, nightclub, or music concert is one that makes some members of the community uncomfortable. Most of the individuals that we talked to within the hip-hop community understood that walk-throughs were a tool used by PPB for determining possible public

safety problems, but had concerns with how that tool was utilized. Members of the hip-hop community IPR spoke with had a near universal belief that the walk-throughs were disproportionately aimed at venues holding hip-hop related events.

In our conversations with PPB officers, they were able to articulate their rationale for conducting walk-throughs and also explained there were times when they chose against conducting walk-throughs of a bar or nightclub because police presence may at times escalate a situation that could resolve itself peacefully.

Unfortunately, we found no written policies or procedures that provided guidance to officers of what PPB's official policy was on the matter. The creation of Standard Operating Procedures (SOPs) could provide a mechanism for PPB to explain to the public as well as to its members of why and how it conducts walk-throughs.

A difficulty in conducting this review was the lack of clear protocols that governed many of the involved regulatory agencies. Hopefully, the newly created SOPs would include the purpose of walk-throughs, recommendations on contacting a responsible party inside the venue, how often in one night a walk-through should happen, and possibly requiring documentation when there are multiple walk-throughs at a venue in one night, and an encouragement to PPB members to balance the need for police presence and that presence causing an escalation of a situation.

The belief in the hip-hop community that hip-hop shows or other events perceived to have a significant percentage of black patrons are subject to closer scrutiny, including walk-throughs, than other types of music events is one that should greatly concern City officials. Such a belief, if allowed to persist, will continue to do lasting damage to the community's perception of its City government and will undermine the trust and openness City leaders have publicly embraced.

In an attempt to document those concerns, IPR searched dispatch records for police presence at hip-hop concerts held over a three months period during the summer of 2014. The overall results were inconclusive due to a concern that sometimes officers did not notify dispatch if they were at an event and a lack of documentation of what led to police presence at events where they did appear.

One way to move the conversation beyond conflicting narratives of whether police are present at hip hop event more often than other types of music events, is for there to be better documentation by PPB on the walk-throughs it does conduct. Currently members of the public do not have much access to a wider context of where, why, and how often PPB units conduct walk-throughs of bars, nightclubs, and event spaces. PPB's lack of transparency in this regard, allows individual incidents to be magnified because concerned members of the public do not have knowledge of the wider context. PPB should track the walk-throughs it conducts at venues in a format that would allow it to regularly report such information to the public.

Recommendation 4: The City should engage in a long term dialogue with members of the hip-hop community. Dialogue should include all City agencies that have a role in regulating late night activities.

Beyond the facts of a particular incident, the need for greater dialogue between PPB and members of the hip-hop community is clear to several stakeholders. The ability of hip-hop artists, promoters, and club owners putting on events in a safe environment depends on their ability to trust that the police are there to genuinely help them.

Cool Nutz spoke to IPR about the value of dialogue, rooted in respect, with the Police Bureau and other regulators:

“I mean I feel like, for one, for me, this is the difference, if you want to do business, like real business, you want to have – you want to do hip-hop business, you’re going to have to deal with the clubs, you’re going to have to deal with the OLCC, you’re going to have to deal potentially with the police. So, for the people that want to do real business and for – and even for the sake of the headache of the police coming out, if there is rapport and dialogue between people, the police know ahead of time what’s happening. The promoter, if they’re a professional, they can have the dialogue before something happens or before the event happens, and everyone is on the same page. And I feel like that part of the problem is where – I think, sometimes, I think the police feel like they’re trying to sneak these shows under our nose and we got to show up and show them we know, you know, and – but when you show up with that mindset, that can be part of the problem. But then it’s also on the same side, if you’re a professional, you have to be aware that you’re going to have to deal with certain people, you know what I mean, like you’re going to have to deal with certain people. No matter what business you’re in, there are certain – there’s certain protocol, and I feel like in Portland, if you understand what type of city this is and you understand that, for one, the OLCC ain’t going nowhere, Portland Police ain’t going nowhere, you know, and some of us are trying to make a living doing music...”

There is a recognition by PPB members of a need for better communication and relationship building with different stakeholders in the hip-hop community. Sgt. Pete Simpson discussed his belief that better dialogue could resolve some of the issues between police and the hip-hop community. Simpson stated, “... 99% of this can be resolved by having a conversation. You’re a businessman, you want to make money, right, you want to sell records, you want to rent venues, we have no stake in that, we want you to succeed, we just want it to be done safely, that’s all we care about.”

One criticism of past City efforts at dialogue by members of the local hip-hop community is the heavy emphasis on talking with bar and club owners, as opposed to engaging with promoters and artists as well. Leading to a perception by some that the City had particular bar and night club owners that it favored.

Since the Blue Monk incident, there have been efforts by City staff to reach out to members of the hip-hop community in attempt to build a dialogue. Yet, several of the hip-hop artists

that IPR talked to were unaware of these efforts. Any efforts at dialogue by the City with the hip-hop community will by necessity be a long term proposition based on mutual respect and understanding.

Recommendation 5: The Fire Bureau should provide to the public on a regular basis a report that lists all businesses inspected during its night inspection program.

A recurring theme during our review has been that members of the hip-hop community feel that hip-hop shows are subject to more fire inspections than other types of music events. As there is very little information publicly available about the venues that the fire inspector visits. One tangible way of increasing the public's confidence would be to make publicly available on a regular basis, a list of the locations visited by the fire inspector during the reporting period.