



# **Boulder Police Department**

Independent Analysis of Police Data and  
Review of Professional Police Complaint Processes

February 23, 2016

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## AGENDA

- Introductions
- Strategic Context
- Three Principal Objectives
- Key Findings
- Data Analysis
- PSRP Review Process
- Recommendations
- Questions and Discussion





**STRATEGIC CONTEXT**

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Vice President  
Law Enforcement Consulting**

**DATA ANALYSIS**

**Dr. Alexander Weiss  
Senior Leadership Council**

**PSRP REVIEW PROCESS**

**Robert Davis  
Senior Vice President,  
Law Enforcement Consulting**

Police departments across the nation are facing intense scrutiny to ensure they enforce the law equally across their jurisdictions and investigate complaints against their own officers in a thorough, fair, objective and transparent manner.





## WHAT WE WERE ASKED TO DO



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- Analyze and review data on stops, arrests and summons
- Evaluate police Professional Standards Review Panel (PSRP) processes
- Compare Boulder to other jurisdictions and best practices



## THREE PRINCIPAL OBJECTIVES

### #1 - UNDERSTAND

- Determine if disparate patterns are evident, particularly racial
- Clarify the causes of identified disparities and analyze why the data may differ from the resident demographics
- Gain greater insight into the viewpoints and opinions of key community stakeholders



### THREE PRINCIPAL OBJECTIVES

## #2 - COMPARE

Compare patterns identified in Boulder's data to available data from peer cities or similar municipalities



## THREE PRINCIPAL OBJECTIVES

### #3 - RECOMMEND

- Evaluate the structure and processes of BPD's PSRP
- Provide recommendations for the implementation of best practices that will ensure public trust and credibility as well as police accountability



## KEY FINDINGS

1. Stop-related data is non-existent.
2. No records are available on investigative actions during traffic stops.
3. Reporting and data capture on race and ethnicity is inconsistent.
4. Bias was evident in BPD traffic and misdemeanor citations.
5. Inconsistency of data collection may skew contact card conclusions.
6. Disparity of data in felony arrests not indicative of bias.



## KEY FINDINGS

7. BPD's complaint investigation protocols are up-to-date.
8. PSU investigations are conducted fairly and objectively.
9. Findings and recommendations also appear to be thorough, fair and objective.
10. Formal reviews and recommendations for Class I cases are in good order.
11. Few community members interviewed understood the PSRP process.
12. The PSRP member selection process contributes to mistrust for some within the community.



## KEY FINDINGS

13. BPD needs to improve external communication of internal affairs investigations.
14. Community feedback on internal affairs matters is not captured.
15. A written process is needed to ensure insights gleaned from complaints and referrals are captured in training curriculums.
16. The BPD website provides detailed information regarding the Internal Affairs process but should be translated into other languages.



## ***USA Today* Article Was Based on UCR Arrest Data**

- UCR includes a wide range of arrests
- UCR has data quality issues

## **Hillard Heintze Approach**

Included 3 sources of BPD data from 2011 - August 2015

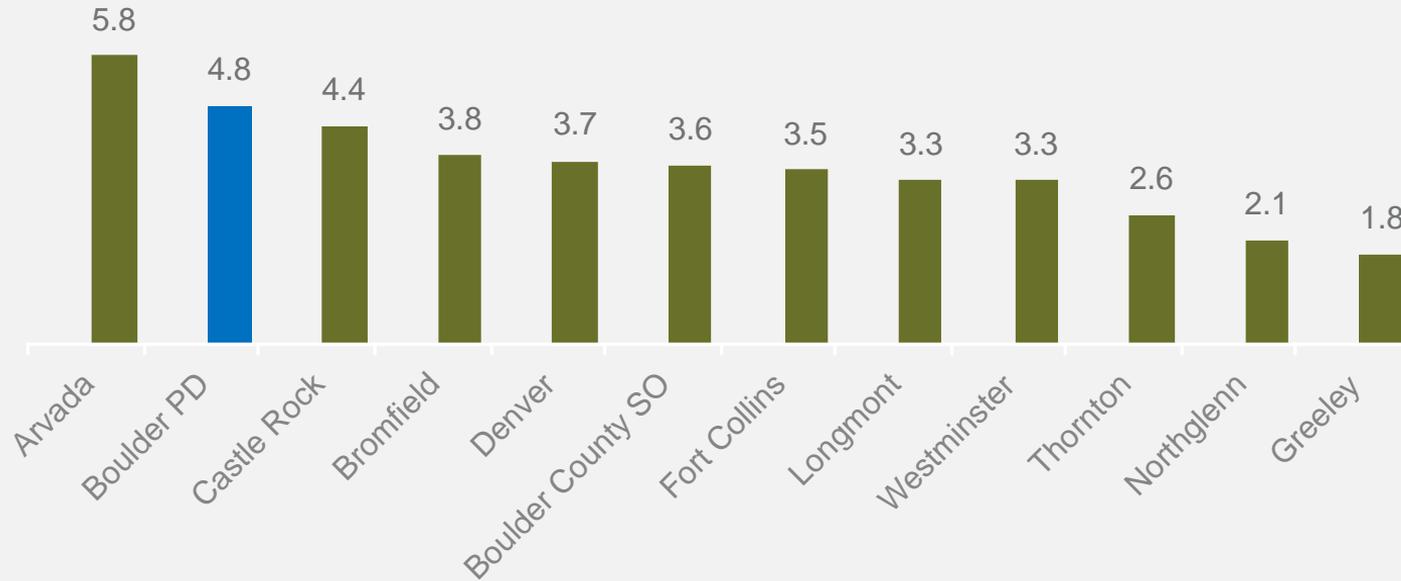
- Citations
- Field Interview Cards
- Felony arrests



- *USA Today* used UCR arrest data for 2011 and 2012 and compared it to U.S. Census data for 2010.
- *USA Today* calculated an arrest rate per 1,000 population for Blacks and an arrest rate per 1,000 population for non-blacks.

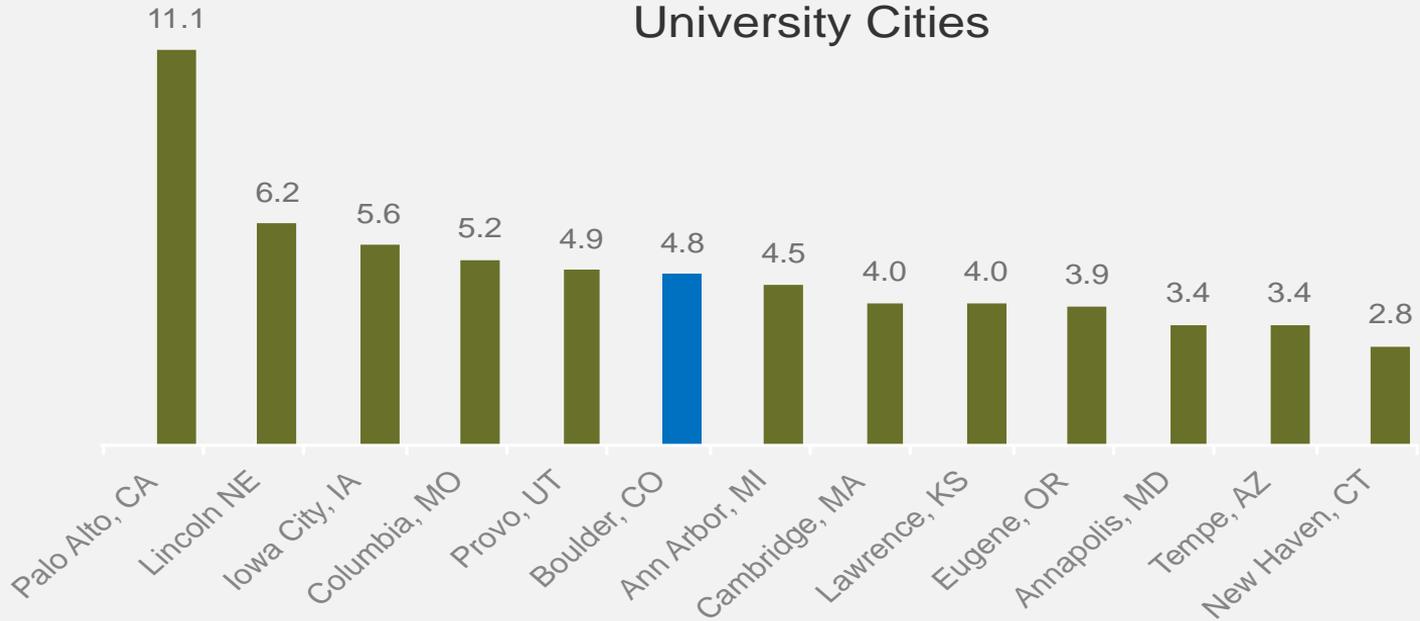


## Ratio of Black to Non-Black Arrest Rates - Colorado Cities





### Ratio of Black to Non-Black Arrest Rates - University Cities





- Traffic and Non-traffic
- City and County
- BPD does not collect data on stops where there is no citation

### Racial Disproportionality in Citations 2011 - 2015

Year	Total	Black	%	Hispanic	%
2011	20,255	420	2.07%	2,142	10.58%
2012	19,914	406	2.04%	1,747	8.77%
2013	16,444	396	2.41%	1,286	7.82%
2014	13,921	324	2.33%	1,186	8.52%
2015	9,592	238	2.48%	882	9.20%



- 12,508 Field Interview Cards
- Officers have discretion
- No place on card to indicate Hispanic origin

### Field Interviews of Black Subjects 2011 - 2015

	<b>Black</b>	<b>Total</b>	<b>%</b>
2011	78	2,322	3.36%
2012	71	2,997	2.37%
2013	110	2,842	3.87%
2014	129	2,510	5.14%
2015	82	1,837	4.46%
<b>Total</b>	<b>470</b>	<b>12,508</b>	<b>3.76%</b>



- Blacks are disproportionately arrested for felony offenses
- Many of these arrests are for status offenses (warrants, parole violations)
- Or very serious (low discretion) offenses

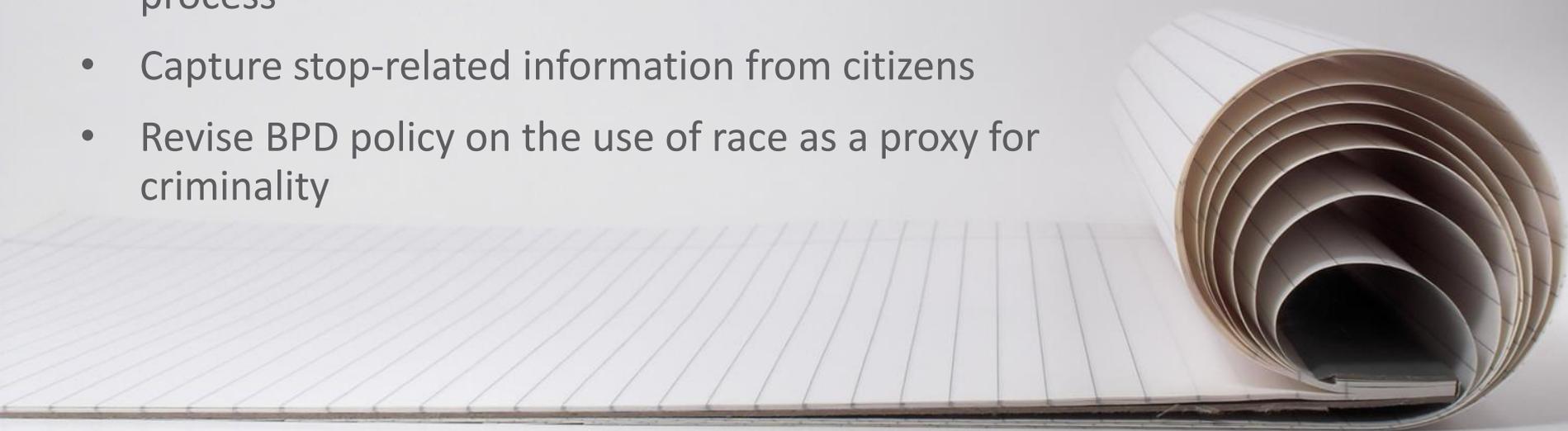
### Felony Arrests of Blacks 2011 - 2015

	Total	Black	%
2011	591	47	7.95%
2012	635	32	5.04%
2013	638	43	6.74%
2014	680	45	6.62%
2015	594	50	8.42%
<b>Total</b>	<b>3,138</b>	<b>217</b>	<b>6.92%</b>

## RECOMMENDATIONS



- Adopt new policy and procedures for data collection during traffic stops
- Conduct a comprehensive review of the field interview process
- Capture stop-related information from citizens
- Revise BPD policy on the use of race as a proxy for criminality





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Agency:								
<b>Stops</b>								
	White Drivers			Minority Drivers				
Total Stops	11822			8781				
Percentage Stops	55.0%			43.0%				
Duration (Mean/Median)	10/10			12/10				
Estimated Minority Driving Population				20.5%				
Ratio				2.09				
<b>Reason for Stop</b>								
	White Drivers			Minority Drivers				
Total Stops	11822			8781				
Moving Violations	7494	63.4%		5028	57.3%			
Equipment Violations	2182	18.5%		2559	29.1%			
Increasing/Aggravation Violations	1826	15.5%		1107	12.6%			
Domestic Vehicle Violations	1	0.0%		2	0.0%			
<b>Outcome of Stop</b>								
	White Drivers			Minority Drivers				
Total Stops	11822			8781				
Citation	3845	32.5%		2548	29.0%			
Written Warning	0	0%		1	0.0%			
Verbal Warning/Stop Card	7774	65.5%		6132	69.2%			
<b>Vehicle Consent Searches</b>								
	White Drivers			Minority Drivers				
Total Stops	11822			8781				
Requested	272	2.3%		863	9.7%			
Granted	826	7.0%		275	3.1%			
Performed	227	1.9%		721	8.1%			
Found	45	0.4%		78	0.9%			
<b>Dog Sniff Searches</b>								
	White Drivers			Minority Drivers				
Total Stops	11822			8781				
Vehicle Dog Sniff Searches	34	0%		85	1%			
Dog Alerts	15	0.1%		48	0.5%			
Search Performed	15	0.1%		38	0.4%			
Contraband Found	0	0%		13	0.1%			
<b>Key Indicators</b>								
	Total	WII	AA	AI	IES	ASN	MII	W/S
Stops	20101	11101	8098	14	228	212	84	0
Duration (Mean/Median)	11/10	10/10	12/10	10/10	12/10	9/10	10/10	0/0
	Moving	14212	7494	5284	9	147	155	72
	Equipment	4201	2182	1830	4	38	30	10
Reason For Stop	Domestic Vehicle	1	0	0	0	0	0	0
	MIS	0	0	0	0	0	0	0
	Citation	4845	2548	4	38	62	13	0
Outcome of Stop	Written Warning	1	0	1	0	0	0	0
	Verbal Warning/SC	12006	7774	5760	10	155	150	20
	NS	0	0	0	0	0	0	0
Vehicle Consent Searches	Requested	1205	272	823	0	0	1	0
	Granted	1008	323	785	0	0	1	0
	Performed	1002	322	780	0	0	1	0
Dog Sniff Searches	Alert	12	15	26	0	0	0	0
	Sniff	50	34	60	0	4	0	1
	Alert Search	53	15	36	0	2	0	0
Dog Sniff Searches	Found	0	0	18	0	0	0	0



## Interviewed Key Stakeholders

- Current and former Internal Affairs Sergeants
- Current and former members of the PSRP
- Current and former BPD Command Staff
- Key Community Stakeholders
  - Representatives from the Boulder criminal justice system
  - Local government leaders
  - Local non-profit agency leaders
  - Colorado University staff and students
  - Representative from the ACLU
  - Members of local activist groups



Reviewed 25% of Cases for Class I  
Complaints Handled Between January 1,  
2010 through October 15, 2015





## Highlights of Our Internal Affairs Review

- BPD's complaint investigation protocols are up-to-date.
- PSU investigations are conducted fairly and objectively.
- Case closure timeline is exceptional.
- Findings and recommendations appear to be thorough, fair and objective.
- Formal reviews and recommendations for Class I cases are in good order.
- Discipline meted out appeared to be based on the concept of progressive discipline.



## Highlights of Our Internal Affairs Review

- Few community members we interviewed understood the PSRP process very well.
- Some community members believe the PSRP selection process needs updating.
- BPD's external communication of internal affairs investigations could be strengthened.
- Community feedback on internal affairs matters is not captured.
- BPD's process for capturing complaint data for operational and training purposes is good, but the process for analyzing and acting on the data should be formalized in writing.



## Most Common Forms of Civilian Oversight of Police Departments

- Citizen Review Board
- Police Review/Citizen Oversight
- Police Review/Citizen-Police Appeal Board
- Independent Citizen Auditor

A close-up photograph of a binder or folder. The word "COMPLAINTS" is printed in large, bold, black capital letters on a white label. Below the label, a yellow sticky note is partially visible, with some red handwritten text on it. The background is blurred, showing what appears to be a desk or office environment.



## Analyzed the Civilian Oversight Process for Five Comparable Cities, also Homes to Major Universities

- Eugene, Oregon: Police Auditor and Civilian Review Board
- Fort Collins, Colorado: Citizen Review Board
- Palo Alto, California: Independent Police Auditor
- Provo, Utah: Ombudsman's Office
- Santa Cruz, California: Independent Police Auditor (Part-Time)



## Comparison with Other Cities

- There is no “one-size-fits-all” or “cookie-cutter” form of civilian oversight universally recognized as being the best model.
- The most effective form of civilian oversight is that which is specifically tailored to meet the needs of each local community.

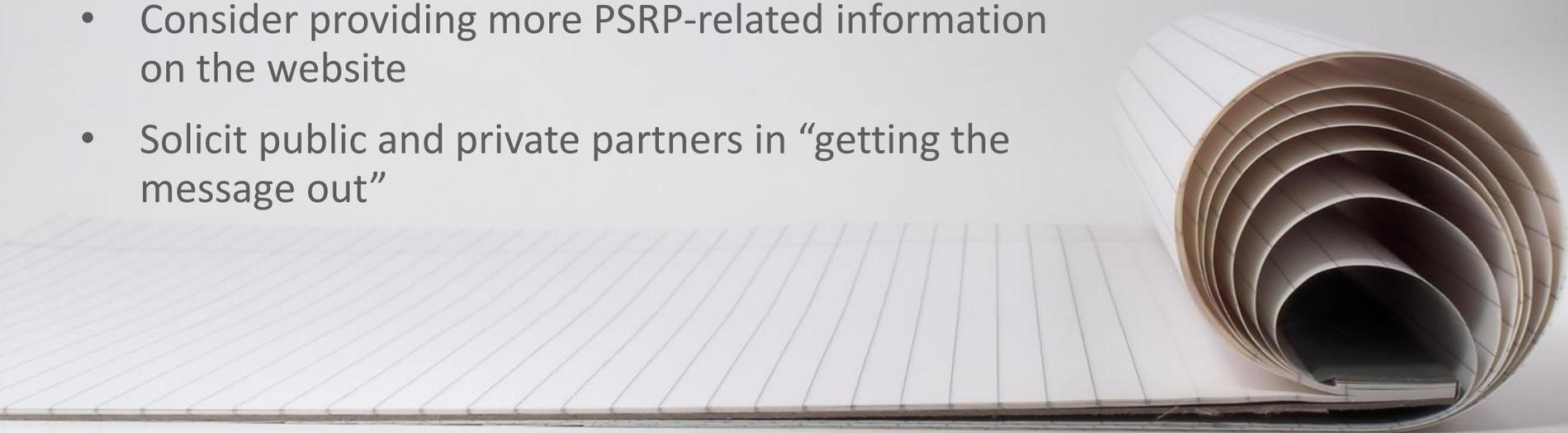


## HIGHLIGHTS OF BPD'S PROFESSIONAL STANDARDS REVIEW PANEL (PSRP)

- Police Review/Citizen Oversight Model
- BPD was a leader in the establishment of a Civilian Oversight Process
  - Developed in 1993 and established in 1994 under former Chief Tom Koby
  - Over 20 years of experience with the process
- Current and former members of PSRP support the process
- PSRP reviews and recommendations for Class I cases indicated they were thorough, fair and objective



- Make police ethics and accountability a key public message
- Keep website complaint-filing instructions up-to-date
- Consider providing more PSRP-related information on the website
- Solicit public and private partners in “getting the message out”



## RECOMMENDATIONS



- Cast a wide net in announcing upcoming PSRP vacancies
- Consider Creating a Community Advisory Panel
- Expand Training on Critical Policing Concepts
- Leverage the PSRP in Other Areas



## QUESTIONS AND DISCUSSION

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