

MEMORANDUM FOR FILE



HOLLIS POLICE DEPARTMENT

To: Joseph Hoebeke, Chief of Police
From: Lieutenant James Maloney, Administrative Services Bureau Commander
Date: February 18, 2020
Subject: Annual Bias Based Policing Administrative Review
Cc: Captain Brendan LaFlamme, Operations Commander

301 3/26/2020

Sir,

CALEA Standard 1.2.9 mandates an annual administrative review of our practices regarding Bias Policing. This annual review is also mandated through Hollis Police Department General Order **AD-131, Fair and Impartial Policing**. I have completed this Bias Based Policing Review based on our 2019 statistics to ensure that we are following best practices in this area. This review includes information from the following categories:

- Arrests
- Field Contacts
- Motor Vehicle Stops
- Internal Affairs Investigations and Complaints
- Asset Forfeiture Proceedings
- Policy Review

It should be noted that our last Bias-Based Policing Review was completed on January 9, 2019, and it included data from the 2018 calendar year.

ARRESTS:

In 2019, the Hollis Police Department made 265 arrests. This includes custodial arrests, protective custody arrests, and summonses in lieu of arrest for misdemeanor offenses. Of the total number of arrests, 171 were males (65%), while 94 were females (35%).

As a summary of arrest data for 2019:

- White subjects accounted for 254 of the total 265 arrests (96%). The majority of the white subjects arrested were males (163 individuals or 64% of the total arrests).

- Asian subjects accounted for 7 of the 265 total arrests in the 2019 calendar year, which is 2.5%. 5 of the 7 Asian subjects arrested were male (71%)
- Black or African American subjects accounted for 4 of the total 265 arrests (1.5%). 3 of the 4 Black or African American persons arrested were males, which constitutes 1% of the total number of all arrests.

Of the 265 individuals arrested in 2019, 18 individuals identified as being Latino (6%). The majority of Latino subjects arrested were males (77%), or 14 out of 18 of the total number of people arrested who identified as Latino).

FIELD CONTACTS:

As an introduction to this section, it is important to note that the Hollis Police Department requires that officers use the field interview/field contact module of our Records Management System (RMS) for traffic stops conducted with individuals suspected of impaired driving, and where their investigatory process does not reach the legal element of probable cause for arrest. This is also consistent with officers who conduct investigatory stops leading to a consent search not resulting in an arrest or issuance of a summons in lieu of arrest.

The Hollis Police Department documented 60 field interviews/field contacts in the 2019 calendar year. Most of these contacts were initiated during traffic stops for impaired driving where Standardized Field Sobriety Tests were administered. There were also several field interviews/field contacts generated as a result of consent searches conducted following an investigatory stop. Officers made contact with a total of 75 people as a result of the 60 field interviews documented.

63 of the field contacts were on male subjects (84%), while 12 were on female subjects (16%). The below listed chart lists a more detailed examination of these numbers.

Race	Sex	Hispanic/ Latino	Not Hispanic/ Not Latino	Total
Black or African American	Male	0	1	1
	Female	0	0	0
Asian	Male	0	1	1
	Female	0	0	0
White	Male	4	57	61
	Female	1	11	12
Total Field Interview/Field Contacts Conducted in 2019				75

A further examination of the relative data yielded the following findings:

- White subjects accounted for 73 of the total 75 people who were contacted through field interviews/field contacts (97%). Most of the white individuals stopped were males (83% or a total of 61 individuals were white males).
- Only one Black or African American male subject was accounted for. This was as a result of a consent search during a motor vehicle stop. This equals 1.3% of the total number of people who were contacted through field interviews/contacts. No Black or African American women were stopped.
- There was one field interview/field contact conducted with an Asian male. This subject was interviewed along with 3 other white male subjects as a result of a suspicious vehicle investigation. No Asian females were stopped. As such, Asian persons subject to field interview/field contacts constituted 1.3% of the total number of the 75 field interviews/field contacts conducted.
- Of the total number of the 75 people contacted through field interviews/field contacts in 2019, only five were categorized as being Latino (6%). All of the individuals who were categorized as Hispanic or Latino were of white race.

According to data provided by the U.S. Census Bureau Statistics for the Town of Hollis as reported on July 1, 2019, the total population of Hollis is 7,945. Of this total population number, 92% are categorized as White, 1% as Black, and 2.9% as Asian. 3.5% of the total population is categorized as being two or more races, with White and Asian being the most predominant descriptor for this statistic. Moreover, the data provided indicates that 2.2% of the total population is categorized as Hispanic or Latino, while 97.8% of the population identified as not of Hispanic or Latino.

In summary of the foregoing information, I believe that the data generated by this review of field interviews/field contacts conducted by the Hollis Police Department is consistent with the demographics which are listed in the data provided by the U.S. Census Bureau Population Estimates dated July 1, 2019. Additionally, these numbers remain consistent with our 2018 statistics as well.

MOTOR VEHICLE STOPS:

In 2019, the Hollis Police Department recorded 4321 traffic investigatory stops. Of the total number of stops, 2630 of the operators stopped were male (61%), while 1690 of the operators stopped were females (39%). 1 operator was classified as unknown gender.

Motor Vehicle Stops 2019			
Race	Sex	Ethnicity	Sum of Total
African American	Female	Not Hispanic	18
	Male	Hispanic	1
		Not Hispanic	92
		Unknown	1
Asian	Female	Not Hispanic	37
	Male	Not Hispanic	51
Pacific Islander	Male	Not Hispanic	1
Unknown	Female	Hispanic	2
		Not Hispanic	2
		Unknown	25
	Male	Hispanic	2
		Not Hispanic	7
		Unknown	44
White	Female	Hispanic	69
		Not Hispanic	1527
		Unknown	9
		(blank)	1
	Male	Hispanic	165
		Not Hispanic	2184
		Unknown	12
	Unknown	Not Hispanic	1
(blank)	Male	Not Hispanic	1
	(blank)	(blank)	69
Grand Total			4321

Further review of the applicable data indicates the following:

- A total of 3968 White operators were stopped. This accounts for 91% of the total number of traffic investigatory stops conducted. 59% of the total number of the White operators stopped were males (2361). One white operator was not classified by gender.
- A total of 112 Black or African American operators were stopped. This accounts for 2% of the total number of traffic investigatory stops conducted. The majority of the Black or African American operators stopped were men (83% of the total number of Black or African American operators stopped; or 94 of 112 stops).
- A total of 90 Asian/Pacific Islander operators were stopped. This accounts for 2% of the total number of traffic investigatory stops conducted. 52 of the Asian operators stopped were men (57% of the total number of motor vehicle stops for Asian/Pacific Islander investigatory stops).

- Of the 4321 motor vehicle stops conducted in 2019, 239 were categorized as being “Hispanic” (5%); 3921 were categorized as being “Not Hispanic” (90%). The word “Hispanic” is used in our software database synonymously with Latino.
- 91 individuals were marked as “Unknown” ethnicity (2%), and 69 were not categorized by race (1.5%).

In reviewing the above data, I found that we failed to capture race and ethnicity of 160 individuals during traffic stops in the calendar year 2019. While this is an improvement over last year when 254 individuals’ race and ethnicity were not captured, it should also be noted that we had fewer M/V stops this year (6376 stops in 2018 vs. 4321 stops in 2019). Percentage wise, we failed to capture race or ethnicity in 3.7% of stops in 2019 compared to 3.9% of stops in 2018. Even though we specifically addressed this issue at the conclusion of our 2018 Bias Based Review, this is not much of an improvement.

I also noted that in 2019, officers also did not document gender in 70 instances (1.6% of all stops). In 69 of the 70 times we did not note gender we also did not note race or ethnicity. This is an improvement over 2018.

After our 2018 Bias Based Review, we took proactive measures to ensure that data collection of race, gender and ethnicity from motor vehicle stops would be more complete. This involved specific instruction that all motor vehicle stops required the officer to activate a “Control Number” or CN, under which the above data is required. A quick review of 2019 motor vehicle stops shows that some stops are still being cleared without a CN being established. These stops are generally labelled “Unfounded” for valid reasons, such as the infraction the officer suspected did not actually occur, or the vehicle stopped was not the correct vehicle sought, etc. While it may be difficult to establish 100% accountability on these types of stops, officers should be again reminded to establish a CN even in the above circumstances.

An oncoming issue regarding gender data collection involves the fact that the NH Department of Safety has just incorporated a designation for gender on driver’s licenses as Gender X. It remains to be seen whether this will result in additional skewed data in the future. As before, Hollis Police officers should refrain from asking an operator for their gender, race, and ethnicity and use their best judgement in deciding the applicable descriptors for these required fields in most cases.

INTERNAL AFFAIRS INVESTIGATIONS/CIVILIAN COMPLAINTS:

In 2019, we did not have any complaints filed against members of the Hollis Police Department relative to biased-based profiling. This demonstrates that we as an agency are committed to providing highly effective policing services while engaging in proactive policing efforts in a manner that is just, in conformance with the dictates of our policies and procedures, and also in accordance with the dictates of applicable federal law.

ASSET FORFEITURE PROCEEDINGS:

In 2019, the Hollis Police Department did not engage in any asset forfeiture proceedings.

POLICY REVIEW:

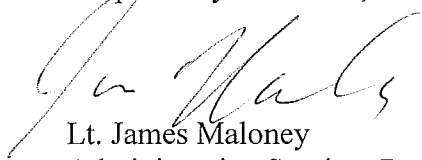
In April of 2019, we carved out a new General Order AD-131 "Fair and Balanced Policing" from our larger policy in "AD-101 Law Enforcement Role". Several months later, after attending a training session on transgender issues in law enforcement, we have added language to the policy regarding transgender individuals. This topic has not been an issue in our police department as of this writing, but we have prepared our officers to be ready for it. A thorough and thoughtful administrative review of this policy does not indicate, nor does it cause me to believe that it would be necessary, to alter any current Hollis Police Department General Orders, or other directives relative to bias-based profiling.

This review does, however, indicate that it is necessary for members of the Hollis Police Department to properly document all motor vehicle stops, regardless of whether such a stop indicates the commission of a motor vehicle violation or other criminal offense. Such direction will be reiterated from our administration to all supervisors and officers.

All members of the Hollis Police Department, which includes both sworn and non-sworn personnel, received ethics training in 2018 and racial profiling-based training in 2019. 2020's training calendar includes additional ethics and bias based training plans. New officers continue to receive ethics training within days of their hire date and prior to attendance at the NH Police Academy.

The administration and supervisors of the Hollis Police Department will remain vigilant at monitoring current patterns, indicators, and trends relative to bias-based profiling to ensure that we maintain a high level of fair and equitable law enforcement services for those who reside in or visit the Town of Hollis.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lt. Maloney", is written over the typed name.

Lt. James Maloney
Administrative Services Bureau