

MEMORANDUM FOR FILE



HOLLIS POLICE DEPARTMENT

To: Joseph Hoebeke, Chief of Police
From: Lieutenant James Maloney, Administrative Services Bureau Commander
Date: February 7, 2022
Subject: Annual Bias Based Policing Administrative Review
Cc: Captain Brendan LaFlamme, Operations Commander

I. INTRODUCTION:

CALEA Standard 1.2.9 mandates an annual administrative review of our practices regarding Biased 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 2021 statistics to ensure that we are following best practices in this area. This review includes information from the following categories:

- Arrests
- Field Contacts
- Consent Searches
- 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 in March 2021 and it included data from the 2020 calendar year. As in years past, department analyses and reviews, with the exception of those that contain protected employee information, are made accessible to the public through our department webpage.

II. 2021 ARREST DATA:

In 2021, the Hollis Police Department recorded 191 arrests. This includes custodial arrests, protective custody arrests, and summonses in lieu of arrest for misdemeanor

offenses. Of the total number of arrests, 146 were males (76.5%), while 45 were females (23.6%).

As a summary of arrest data for 2021:

- White subjects accounted for 174 of the total 191 arrests (91%). The majority of the white subjects arrested were males (133 individuals or 70% of the total arrests).
- Asian subjects accounted for 4 of the 191 total arrests in the 2021 calendar year, which is 2.1%. Of these 4 arrests, 2 were male subjects and 2 were female subjects. This constitutes an arrest percentage of 1% for male and female arrestees classified as Asian, when compared to the total number of recorded arrests of 191.
- Black or African American subjects accounted for 13 of the total 191 arrests (6.8%). 11 of the 13 Black or African American persons arrested were males, which constitutes 5.8% of the total number of all arrests recorded in 2021.

Of the 191 individuals arrested in 2021, 30 individuals are identified as being Latino (16%). The majority of Latino subjects arrested were males (9% of all total arrests in 2021), and 17 out of 30 of the total number of people arrested who identified as Latino.

III. **FIELD CONTACTS:**

An officer completes a **Field Interview/Field Contact** in our Records Management System when they have contact with a person in the field who is not arrested but who is suspicious in nature. For example, if an officer located a subject loitering behind a closed business with no legitimate purpose, or a person parked at a trailhead late at night, they may complete a Field Interview report given the nature of this investigatory contact. The Hollis Police Department generally has very few reports of this nature on an annual basis.

A review of our data from 2021 shows that officers have been using Field Interview reports for other purposes. Additionally, officers who conduct a traffic stop and investigate a motor vehicle operator for suspicion of impaired driving, yet the investigatory process does not reach the legal element of probable cause for arrest, have been completing a Field Interview/Field Contact report as well. These investigations compose the vast majority of Field Interview reports filed during the 2021 calendar year. Lastly, officers who conduct a search of a motor vehicle with an owner/operator's consent and do not locate any contraband will complete a Field Interview report.

This year, we did notice some errors in the process of recording investigatory stops where Standardized Field Sobriety Tests were conducted, and in those instances where a stop led to the search based on the consent of a contacted person. Although

these reporting errors do not indicate any bias or negative policing trends, as is determined by the metrics provided below, they stress the importance of proper incident recording. As a result, I suggest we provide further clarification and direction to police officers on how to properly document each of the above incidents procedures via Special Order.

The Hollis Police Department documented 42 field interviews/field contacts in the 2021 calendar year. 37 of these contacts were initiated during traffic stops. 23 of these stops resulted in testing for impaired driving where Standardized Field Sobriety Tests were administered, but the operators were not arrested. 11 of the recorded stops were recorded as being 'Consent Searches', which is a number that also should be added to those 'Consent Searches' recorded in the incident report section of the IMC Records Management System. Again, officers were recording 'Consent Searches' under either the Field Interview or Incident Report module of the system, which makes evaluation of this data more complex.

Officers made contact with a total of 58 people as a result of the 42 field interviews documented. Of the 58 individuals contacted, 52 were categorized as white (90%), 4 as black (7%), and 2 as Asian (3%). We had no Field Interviews where race and ethnicity were not documented, which is an improvement over data we collected in past years. An unknown category would mean that the officer could not determine the race or ethnicity of the person contacted and did not feel comfortable guessing on these descriptors.

44 males (76%) and 14 females (24%) were contacted. Of these, 9 of the males stopped were categorized as Hispanic (15%), and 4 of the females were categorized as Hispanic/Latina (6%). 4 of the persons contacted were categorized as Black/African American (7% of all Field Interviews), with 2 being of Hispanic ethnicity. No female subjects categorized as Black/African American were contacted during any of the Field Interviews conducted during the 2021 calendar year. Lastly, there were 2 Asian subjects contacted during Field Interview in 2021, both of whom male (3.5%) and neither of whom were of Hispanic ethnicity.

IV. CONSENT SEARCHES:

As is consistent with years past, we recognize the importance of examining officer-initiated consent search activity for signs of bias and negative police trends in our service to the community. Accordingly, we maintained this category to enhance the comprehensive nature of this review.

Officers are required to complete an offense report for incidents involving consent searches not leading to a further police action, such as an arrest or the issuance of a summons in lieu of arrest. As a general rule, most but not all of these consent searches arise from motor vehicle stops. Although these instances did not result in an arrest or summons, this section of the report also considers data relative to consent searches resulting in an arrest of a person, which are detailed below. Moreover, it also

considers data relative to the recording of consent searches under the Field Interview module in the IMC Records Management System. As was previously noted, officers were recording this data in either the Field Interview or Incident Report modules.

- A. **Consent Searches – Not resulting in arrest:** In 2021, the Hollis Police Department recorded 31 consent searches that did not result in an arrest. It is important to note that 20 of these consent searches were recorded in the Incident Report module of IMC, while the remaining 11 were recorded in the Field Interview module. These 31 recorded incidents resulted in contact with a total of 39 individuals. The statistics break down as follows:

OVERALL BREAKDOWN:			
White Male	20 (51%)	Black Male	5 (12%)
White Female	12 (30%)	Black Female	1 (2%)
Asian Males	1 (2%)		

BY RACE AND ETHNICITY:			
White Male Non-Hispanic	13 (33%)	Black Male Non-Hispanic	4 (10%)
White Female Non-Hispanic	7 (18%)	Black Female Non-Hispanic	0
White Male Hispanic	7 (18%)	Black Male Hispanic	1 (2.6%)
White Female Hispanic	5 (13%)	Black Female Hispanic	1 (2.6%)
Asian Male Non-Hispanic	1 (2.6%)		
No other races were documented during these consent searches.			
Total Males stopped: 26 (67%)		Total Females stopped: 13 (33%)	

(IV. A.) CONSENT SEARCHES NOT RESULTING IN ARREST

RACE	GENDER	HISPANIC/ LATINO	NOT HISPANIC/ NOT LATINO	UNKNOWN ETHNICITY	TOTAL
Black or African American	Male	1	4	0	
	Female	1	0	0	
Asian	Male	0	1	0	
	Female	0	0	0	
White	Male	7	13	0	
	Female	5	7	0	
Unknown Race	Male	0	0	0	
	Female	0	0	0	
Totals	Male	8	18	0	26 (67%)
	Female	6	7	0	13 (33%)

- B. **Consent Searches – Resulting in Arrest (Custodial or Non-Custodial):** In evaluating data relative to arrests, we found a total of 6 recorded incidents resulting in either a summons arrest or a custodial arrest. These 6 incidents (arrests) are in addition to the 31 recorded consent searches described in the

previous section. Of these 6 arrests, the following information was collected. It is important to note that these six incidents involved a total of 9 individuals (arrestees and other involved parties, like passengers):

White Males	8 (89%)	Black Males	1 (11%)
White Females	0 N/A	Black Females	0 N/A

White Male Non-Hispanic	5 (56%)	Black Male Non-Hispanic	1 (11%)
White Female Non-Hispanic	0 N/A	Black Female Non-Hispanic	0 N/A
White Male Hispanic	3 (33%)	Black Male Hispanic	0 N/A
White Female Hispanic	0 N/A	Black Female Hispanic	0 N/A

8 individuals were categorized as white male (89%), and 1 as Black male (11%). No white or black females were arrested in 2021 following consent searches. Moreover, three of the white male subjects were categorized as Hispanic/Latino (33%).

(IV. B.) CONSENT SEARCHES RESULTING IN ARREST (Custodial or Non-Custodial)

RACE	GENDER	HISPANIC/LATINO	NOT HISPANIC/ NOT LATINO	UNKNOWN ETHNICITY	TOTALS
Black or African American	Male	0	1	0	11%
	Female	0	0	0	0
Asian	Male	0	0	0	0
	Female	0	0	0	0
White	Male	3	5	0	89%
	Female	0	0	0	0
Unknown Race	Male	0	0	0	0
	Female	0	0	0	0
Totals	Male	3	6	0	9
	Female	0	0	0	0

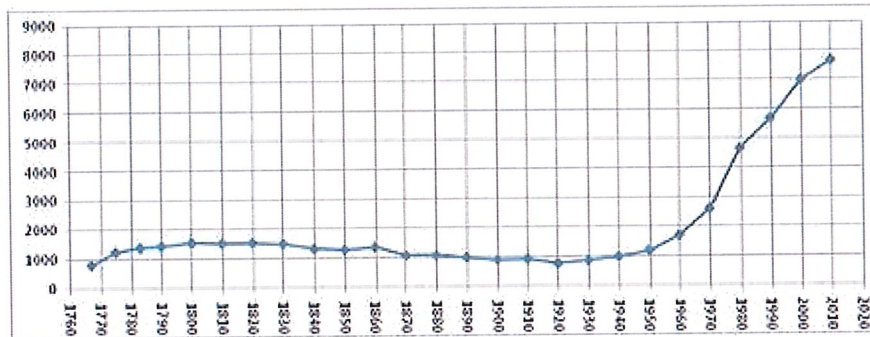
***It is important to note that although Hispanic/Latino might not be the accepted terminology to describe a person's ethnicity, this is the title used within our Records Management System.*

- C. **Summary of Data - Consent Searches:** The Hollis Police Department conducted consent searches affecting a total of 48 people in 2021. This included 35 males (73%) and 13 females (27%). Further breakdown shows the following data relative to gender, race, and ethnicity:

White Male Non-Hispanic	22 (46%)	Black Male Non-Hispanic	1 (2%)
White Female Non-Hispanic	7 (15%)	Black Female Non-Hispanic	0 N/A
White Male Hispanic	10 (21%)	Black Male Hispanic	1 (2%)
White Female Hispanic	5 (10%)	Black Female Hispanic	1 (2%)
Asian Male Non-Hispanic	1 (2%)		

V. DEMOGRAPHIC COMPOSITION AND COMPARISON – TOWN OF HOLLIS:

As of the July 1, 2021 data provided by the United States Census Bureau, the Town of Hollis has a population of 8,342, which grew 9% from the 2010 Census population data of 7,684. Of this total population number, 96.59% are categorized as White, .44% as Black/African American, and 1.65% as Asian, .01% Pacific Islander, .17% from other races, and 1.01% from two or more races. Moreover, the data provided indicates that .93% of the total population is categorized as Hispanic or Latino.



An important factor to consider when reviewing our data is that the population of the general geographical area around Hollis includes the City of Nashua and the towns forming the northern border of Massachusetts. Two of our major roadways directly connect urban areas to our east and southwest. We are not simply dealing with the population of Hollis per se when we have police encounters with citizens, but instead deal with the larger geographic population.

In summary of the foregoing information, I believe that the data generated by this analysis of field interviews and consent searches conducted by the Hollis Police Department is consistent with the demographics listed in the data provided by the U.S. Census Bureau Population Estimates, dated July 1, 2021.

VI. MOTOR VEHICLE STOPS:

In 2021, the Hollis Police Department recorded 3800 investigatory traffic stops. Of the total number of stops, 2410 of the operators stopped were male (63.4%), while 1386 of the operators stopped were females (36.5%). 4 operators were classified as unknown gender, race, and ethnicity (.1%).

RACE	GENDER	HISPANIC/LATINO	NOT HISPANIC/ NOT LATINO	UNKNOWN ETHNICITY	DATA NOT AVAILABLE
Black or African American	Male	22	92	N/A	N/A
	Female	1	28	N/A	N/A
Asian	Male	0	58	N/A	N/A
	Female	0	35	N/A	N/A
White	Male	206	2031	N/A	N/A
	Female	89	1229	N/A	N/A
American Indian	Male	0	1	N/A	N/A
	Female	0	3	N/A	N/A
Pacific Islander	Male	0	0	N/A	N/A
	Female	0	1	N/A	N/A
Unknown	Male	-	-	-	-
	Female	-	-	-	-
	Unknown	-	-	-	4
Totals	Male	228	2182	N/A	-
	Female	90	1296	N/A	-
	Unknown	-	-	N/A	4
	Total Stops (2021) =	298	3478	72	4
	3800				

Further review of the applicable data indicates the following:

- A total of 3260 White operators were stopped. This accounts for 96% of the total number of traffic investigatory stops conducted. 62% of the total number of the White operators stopped were males (2031).
- A total of 120 Black or African American operators were stopped. This accounts for 3.2% of the total number of traffic investigatory stops conducted. The majority of the Black or African American operators stopped were men (77% of the total number of Black or African American operators stopped; or 92 of 120 stops).
- A total of 94 Asian/Pacific Islander operators were stopped. This accounts for 2.5% of the total number of traffic investigatory stops conducted. 58 of the Asian/Pacific Islander operators stopped were men (62% of the total number of motor vehicle stops for Asian/Pacific Islander investigatory stops).
- There were a total of 4 American Indian operators stopped during the 2021 calendar year, which constitutes .1% of the total numbers of operators

stopped. Of these four operators, 3 were females (75%) while 1 was male (25%).

- Of the 3800 motor vehicle stops conducted in 2021, 298 were categorized as being “Hispanic” (7.8%); 3478 were categorized as being “Not Hispanic” (92%). The word “Hispanic” is used in our software database, synonymously with the more commonly accepted term “Latino”.
- We did not have any instances where individuals were marked as “Unknown” as it relates to ethnicity; however, we did have 4 instances where data on gender, race, and ethnicity was not recorded (.1%). This is of significant improvement when compared to previous years, where our margins of error on motor vehicle stop data metrics were greater.

As the data detailed in the foregoing section indicates, the Hollis Police Department recorded a total of 3800 motor vehicle stops in 2021, which constitutes a 21% increase in total motor vehicle stops when compared with the total stops recorded in 2020 (3133). In 2020, we saw a significant reduction on the total numbers of motor vehicle stops recorded, which is a direct result on the COVID-19 pandemic and its impact on our service models. There is no doubt that the 21% increase in 2021 is a result of higher levels of traffic on Hollis roadways following the pandemic, and due to a resumption of our proactive enforcement efforts, which had been curtailed for safety reasons in 2020.

With this being said, the percentages of white, Black/African American, and other minority contacts through vehicle stops remain remarkably consistent with data recorded in 2019 and 2020 Biased-Based Policing Analyses. Additionally, these percentages fall well within the norms established by our population data tables, which are available through the United States Census Bureau.

VII. INTERNAL AFFAIRS INVESTIGATIONS/CIVILIAN COMPLAINTS:

In 2021, we investigated two complaints filed against members of the Hollis Police Department. Neither of the two complaints related to accusations of biased-based policing.

VIII. ASSET FORFEITURE PROCEEDINGS:

In 2021, the Hollis Police Department did not engage in any asset forfeiture proceedings.

IX. POLICY REVIEW:

General Order AD-131 “Fair and Balanced Policing” addresses the issue of and prohibition of Biased Policing. Following the completion of our 2020 Biased-Based

Analysis, we made suggested changes to our General Order; specifically, we replaced the word "*sex*" with "*sexual orientation*", and also in adding the words "*gender identity*" and "*gender*".

At this time, and following a thorough and thoughtful administrative review of this policy, I do not feel it is necessary to alter any other language in this General Order or other directives relative to bias-based profiling.

Previous compiling and summaries of this data indicates that our identification of and efforts to mitigate reporting errors are working. It was considerably easier this year to compile these metrics when compared to previous years, and although we did identify some process improvement areas relative to field interviews and consent searches, these are easily corrected and did not skew our data collection efforts.

It does, however, remain necessary and important 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. Moreover, officers should be careful to review the call reason utilized by the Hollis Communications Center in order to avoid misclassification of calls. While populating this data, we learned there were a few occasions when check conditions calls were classified as motor vehicle stops. As such, we recommend officers review the call classification entered into the IMC CAD system in order to determine any call categorization issues. As previously stated, a Special Order will be disseminated to all sworn personnel so they are aware of these recommendations/changes in reporting processes.

X. TRAINING:

In 2021, all members of the Hollis Police Department, which includes both sworn and non-sworn personnel, received both ethics training and biased based training:

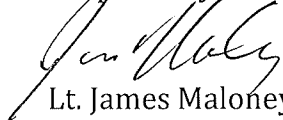
- In March 2021, all sworn officers attended a one hour training presentation from Chief Hoebeke entitled "Voluntary Contacts and Investigatory Stops".
- In April 2021, all employees completed a one hour video training on the PoliceOne Academy website entitled "Ethics in Law Enforcement".
- In September 2021, all employees completed a one hour video training on the PoliceOne Academy website entitled "Anti-Bias Training for Law Enforcement".
- In December 2021, all employees attended a 3 hour presentation on "Professionalism and Leadership Training" by John Mulet of Mission First Partners. The content of Ofc. Mulet's presentation was bias-based policing issues.

The training calendar for 2022 will include additional ethics and bias-based training plans. New officers continue to receive ethics training and bias-based training within days of their hire date and prior to attendance at the New Hampshire 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. These efforts are aided, in part, through the use of technology, such as our robust body-worn camera and in-car video system program. It is important to note that we completed a major upgrade and expansion of this program in January 2021.

Lastly, I would be remiss if I did not recognize the contributions both yourself and Mrs. Desaulniers made towards accessing and compiling the data and metrics to complete this annual review. This review is truly the product of a team effort.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James Maloney", written over the printed name.

Lt. James Maloney
Administrative Services Bureau