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JOSEPH R. HOEBEKE
CHIEF OF POLICE

MEMORANDUM FOR FILE



HOLLIS POLICE DEPARTMENT *A Nationally Accredited Law Enforcement Agency*

To: Joseph Hoebeke, Chief of Police
From: Lieutenant James Maloney, Administrative Services Bureau Commander
Date: February 1, 2023
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 2022 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 February 2022 and it included data from the 2021 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. 2022 ARREST DATA:

In 2022, the Hollis Police Department recorded 217 arrests. This includes custodial arrests, protective custody arrests, and summonses in lieu of arrest for misdemeanor

offenses. Of the total number of arrests, 164 were males (75.6%), while 53 were females (24.4%).

As a summary of arrest data for 2022:

- White subjects accounted for 204 of the total 217 arrests (94%). The majority of the white subjects arrested were males (154 individuals).
- Asian subjects accounted for 4 of the 217 total arrests in the 2022 calendar year (1.8% of total persons arrested). Of these 4 arrests, 2 were male subjects and 2 were female subjects.
- Black or African American subjects accounted for 9 of the total 217 arrests (4.1%). 8 of the 9 Black or African American persons arrested were males; thus, 3.7% of all persons arrested by the Hollis Police Department in 2022 were Black or African American males. Black or African American females accounted for only 1 of the 217 arrests made by the Hollis Police Department in 2022, or .5% of total persons arrested.

Of the 217 individuals arrested in 2022, 31 individuals were identified as being Hispanic (14.2%), with 27 being male and 4 being female. 12% of the total arrests recorded by the Hollis Police Department in 2022 were Hispanic males, while 1.8% of the total arrests were Hispanic females.

Arrests 2022			
<i>Race</i>	<i>Sex</i>	<i>Ethnicity</i>	<i>Sum of Total</i>
African American	Female	Not Hispanic	1
	Male	Hispanic	2
		Not Hispanic	6
Asian	Female	Not Hispanic	2
	Male	Not Hispanic	2
White	Female	Hispanic	4
		Not Hispanic	46
	Male	Hispanic	25
		Not Hispanic	129
Total			217

III. FIELD CONTACTS (FIELD INTERVIEWS):

An officer completes a **Field Interview/Field Contact** in our Records Management System when they have an interaction 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 is 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.

Agency collected data indicates that officers conducted only two (2) Field Interview/Field Contacts for suspicious behavior during the 2022 calendar year. Three of the four persons contacted were male, while one was female. All of the four individuals were categorized as white, while one male subject was identified as being Hispanic, for reporting purposes.

2022 Field Interview Reports Suspicious Activity			
<i>Race</i>	<i>Sex</i>	<i>Ethnicity</i>	<i>Total</i>
White	Female	Not Hispanic	1
	Male	Hispanic	1
		Not Hispanic	2
Total			4

Additionally, there were five Field Interview/Field Contact reports initiated by officers who conducted a traffic stop and investigated a motor vehicle operator for suspicion of impaired driving, yet the investigatory process did not reach the legal element of probable cause for arrest. This resulted in contacts with three male persons and two female persons, all of whom were identified as being white, not Hispanic.

2022 Field Interview Reports Standardized Field Sobriety Tests			
<i>Race</i>	<i>Sex</i>	<i>Ethnicity</i>	<i>Total</i>
White	Female	Not Hispanic	2
	Male	Not Hispanic	3
Total			5

Please note that in the 2021 Bias-Based Policing Review, we recommended a change in agency practice so that such instances where field sobriety tests were administered would be recorded through the use of 'No Crime' incident reports in the IMC database. The five Field Interview/Field Contact reports initiated for the foregoing reason were recorded prior to the effective date of change, which was 7 February 2022.

For consistency, I've included the total numbers of the 'No Crime' incident reports recorded following the administration of Standardized Field Sobriety Tests (SFSTs), where probable cause did not exist to make an arrest. As you will note, 39 persons were contacted during these stops. 30 were male and 9 were female. Of the 39 individuals, one was identified as being a Black/African American male (2.6% of

persons contacted). Moreover, two of the persons contacted were identified as Hispanic males (5%). Again, these interactions did not result in a custodial arrest and were recorded per agency directive.

2022 No Crime Incident Reports Standardized Field Sobriety Tests			
Race	Sex	Ethnicity	Total
African American	Male	Not Hispanic	1
White	Female	Not Hispanic	9
	Male	Hispanic	2
		Not Hispanic	27
Total			39

In summary, it appears as though the changes instituted in February 2022 were effective in that officers are properly utilizing the Field Interview/Field Contact module within the IMC database for only suspicious activity, while utilizing the ‘No Crime’ incident report module for the recording of Standardized Field Sobriety Testing that did not result in an arrest, among other reasons.

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 maintain 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.

- A. **Consent Searches – Not resulting in arrest:** In 2022, the Hollis Police Department recorded 12 consent searches that did not result in an arrest. These 12 recorded incidents resulted in contact with a total of 14 individuals. The statistics break down as follows:

<u>OVERALL BREAKDOWN:</u>			
White Male	7 (50%)	Black Male	1 (7%)
White Female	6 (43%)	Black Female	0 (0%)
Asian Males	0 (0%)		

BY RACE AND ETHNICITY:

White Male Non-Hispanic	5 (36%)	Black Male Non-Hispanic	1 (7%)
White Female Non-Hispanic	6 (43%)	Black Female Non-Hispanic	0 (0%)
White Male Hispanic	2 (14%)	Black Male Hispanic	0 (0%)
White Female Hispanic	0 (0%)	Black Female Hispanic	0 (0%)
Asian Male Non-Hispanic	0 (0%)		

No other races were documented during these consent searches.

Total Males Contacted: 8 (57%) Total Females Contacted: 6 (43%)

B. Consent Searches – Resulting in Arrest (Custodial or Non-Custodial): In evaluating data relative to arrests, we found a total of 4 recorded incidents resulting in the custodial arrest of a person following a consent search. These 4 incidents (arrests) are in addition to the 12 recorded consent searches described in the previous section (not resulting in an arrest). Of these 4 arrests, the following information was collected. It is important to note that these 4 incidents involved a total of 5 individuals (arrestees and other involved parties, like passengers):

White Males	3 (60%)	Black Males	1 (20%)
White Females	1 (20%)	Black Females	0 N/A

White Male Non-Hispanic	1 (20%)	Black Male Non-Hispanic	1 (20%)
White Female Non-Hispanic	1 (20%)	Black Female Non-Hispanic	0 N/A
White Male Hispanic	2 (40%)	Black Male Hispanic	0 N/A
White Female Hispanic	0 N/A	Black Female Hispanic	0 N/A

3 individuals were categorized as white male (60%), and 1 as Black/African American male (20%). Please note that the individual identified as a Black/African American male was a passenger in a vehicle subject to a consent search where only the driver was arrested. Moreover, two of the white male subjects were categorized as Hispanic/Latino (60%).

(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	20%
	Female	0	0	0	0
Asian	Male	0	0	0	0
	Female	0	0	0	0
White	Male	2	1	0	60%
	Female	0	1	0	20%
Unknown Race	Male	0	0	0	0
	Female	0	0	0	0

Totals	Male	2	2	0	4
	Female	0	1	0	1

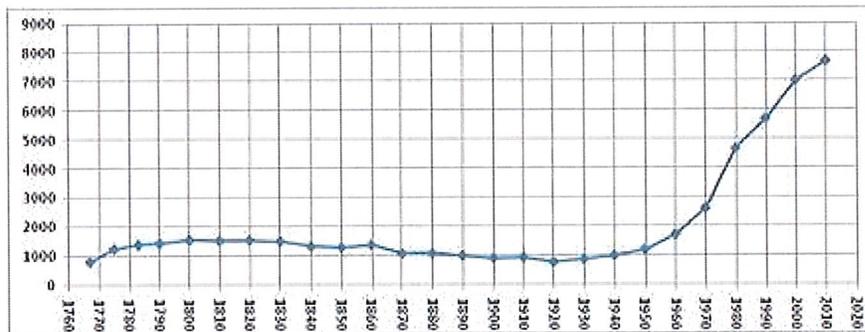
***It is important to note that although Hispanic/Latino might not be the accepted terminology to describe a person's ethnicity, this is the title used within our Records Management System.*

C. **Summary of Data - Consent Searches:** The Hollis Police Department conducted consent searches affecting a total of 19 people in 2022. This included 12 males (63%) and 7 females (37%). Further breakdown shows the following data relative to gender, race, and ethnicity:

White Male Non-Hispanic	6 (31.6%)	Black Male Non-Hispanic	2 (10.5%)
White Female Non-Hispanic	7 (36.8%)	Black Female Non-Hispanic	0 N/A
White Male Hispanic	4 (21%)	Black Male Hispanic	0 N/A
White Female Hispanic	0 N/A	Black Female Hispanic	0 N/A
Asian Male Non-Hispanic	0 N/A		

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 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 2022, the Hollis Police Department recorded 4361 investigatory traffic stops. Of the total number of stops, 2738 of the operators stopped were male (62.8%), while 1613 of the operators stopped were females (36.9%). 7 operators were classified as unknown gender, race, and ethnicity (.16%), while 3 were classified at Gender X (.07%)

RACE	GENDER	HISPANIC/LATINO	NOT HISPANIC/ NOT LATINO	UNKNOWN ETHNICITY	TOTAL BY RACE
Black or African American	Male	12	102	0	114
	Female	3	42	1	46
Asian	Male	1	59	1	61
	Female	0	33	0	33
White	Male	176	2357	4	2537
	Female	115	1406	1	1522
Native American	Male	0	7	0	7
	Female	0	0	0	0
Pacific Islander	Male	0	0	0	0
	Female	0	1	0	1
Gender X	X	0	3	0	3
Unknown	Male	4	7	8	19
	Female	3	0	8	11
	Unknown	0	0	7	7
Totals	Male	193	2532	13	2738
	Female	121	1482	10	1613
	Unknown	0	0	7	7
	Gender X	0	3	0	3
					Total Stops (2022) = 4361

Further review of the applicable data indicates the following:

- A total of 4059 White operators were stopped. This accounts for 93% of the total number of traffic investigatory stops conducted. 63% of the total number of the White operators stopped were males (2537).
- A total of 160 Black or African American operators were stopped. This accounts for 3.67% of the total number of traffic investigatory stops conducted. The majority of the Black or African American operators stopped

were men (71.25% of the total number of Black or African American operators stopped; or 114 of 160 stops).

- A total of 94 Asian/Pacific Islander operators were stopped. This accounts for 2.2% of the total number of traffic investigatory stops conducted. 61 of the Asian/Pacific Islander operators stopped were men (65% of the total number of motor vehicle stops for Asian/Pacific Islander investigatory stops).
- There were a total of 7 Native American operators stopped during the 2022 calendar year, which constitutes .2% of the total numbers of operators stopped. Of these Native American operators contacted during motor vehicle stops, all were males.
- Of the 4361 motor vehicle stops conducted in 2022, 314 were categorized as being "Hispanic" (7.2%); 4017 were categorized as being "Not Hispanic" (92%). There were 20 individuals marked as 'Unknown Ethnicity', or .5% of the total traffic stops for 2022. Please note that the word "Hispanic" is used in our software database, synonymously with the more commonly accepted term "Latino".
- The data table above indicates that officers were unable to determine the race of 37 vehicle operators at the time of the motor vehicle stop (.8%). Additionally, race, ethnicity, and gender were not recorded for 7 vehicle operators (.2%), which is likely a result of officer error in terms of data population.

In summary, and as the data detailed in the foregoing section indicates, the Hollis Police Department recorded a total of 4361 motor vehicle stops in the 2022 calendar year. This constitutes a 15% increase in total motor vehicle stops when compared with the total stops recorded in 2021 (3800). The percentages of White, Black/African American, and other minority contacts through vehicle stops remain remarkably consistent with data recorded in 2020 and 2021 Biased-Based Policing Reviews, and in some instances, the percentages of minority contacts decreased. 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 2022, we investigated one citizen complaint filed against a member of the Hollis Police Department, which did not relate to accusations of biased-based policing.

VIII. ASSET FORFEITURE PROCEEDINGS:

In 2022, 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.

It has and will remain vitally important for members of the Hollis Police Department to properly document all motor vehicle stops, regardless of whether such a stop is predicated upon a motor vehicle violation or other criminal offense. Moreover, officers should be careful in reviewing the standardized call reasons utilized by the Hollis Communications Center in order to avoid misclassification of calls. I do recommend that we send an email to all agency employees informing them of the findings of this report, and reminding them of the importance in collecting and populating data relative to the race, ethnicity, and gender of persons contacted.

X. TRAINING:

In 2022, all members of the Hollis Police Department, which includes both sworn and non-sworn personnel, received both ethics training and biased based training. It should be noted that in 2022, the NH Police Standards and Training Council began to produce standardized training in both areas available for all New Hampshire police agencies:

- In April 2022, all employees completed a two hour online training on the NH Police Standards and Training website entitled “3 x 2’s: Ethics 2022”. Additionally, all officers reviewed and signed a new copy of our Hollis Police Department Code of Ethics pledge.
- In May 2022, all sworn officers completed a two hour online training on the NH Police Standards and Training website entitled “3 x 2’s Implicit Bias 2022”.

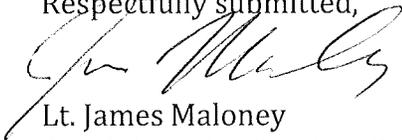
Our training calendar for 2023 will include additional ethics and bias-based training plans. New officers continue to receive ethics training and bias-based training within days of their hire date and prior to attendance at the New Hampshire Police Academy.

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 our agency provides 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, including our body-worn camera and in-car video system program.

This report would not be possible without the assistance and expertise of Chief Joseph Hoebeke and Mrs. Dawn Desaulniers. To each I owe a debt of gratitude.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James Maloney", written in a cursive style.

Lt. James Maloney
Administrative Services Bureau