

Burlington Police Commission Summary of and Comments on 2020 Annual Report

June 22, 2021

At the Burlington Police Commission's May meeting, Nancy Stetson, Senior Policy and Data Analyst, and Brian Lowe, Director of the Department of Innovation and Technology, presented an annual report on traffic stops, arrests, and use-of-force. The report includes information on racial disparities in policing and identifies reforms and policy where changes could reduce or eliminate disparities in policing. Overall, the Commission was very satisfied with the report produced by the Innovation and Technology Department, and appreciates the quality of the analysis and the clarity of the report.

The Commission engaged in extensive discussion of the report's findings and highlights the following findings, some of which led to proposals for reform and policy changes.

- There has been a 17% decline in police-involved incidents from 2019 to 2020. This continues a 5-year decline in incidents, which have decreased 37% since 2015.
- The most urgent type of calls (including assaults and overdose) has fallen 15% since 2015. The incident types that have seen the greatest increase since 2012 are mental health (rising 82%) and welfare checks (up 51%).
- Traffic stops have fallen substantially over time, from over 6,200 in 2015 to 1,220 in 2021. This has been achieved without a negative impact on traffic safety, based on the number of automobile accidents during this time period, which fell 37% from 2019 to 2020.
- The number of use-of-force incidents has declined 55% from 2012 to 2020.
- Despite these positive trends, racial disparities have widened in several areas.
 - Black drivers were stopped at a rate that was 35% greater than their share of the driving population, using accident data as a benchmark.
 - Black drivers were 63% more likely to be issued a ticket than white drivers.
 - Black drivers were detained for a longer period of time, subsequent to a traffic stop, than white drivers (about 10% longer).
 - Black drivers were arrested at a higher rate than white drivers (90 per 1,000 black residents compared to just 24 arrests per 1,000 white residents and 16 per 1,000 Asian residents). Put differently, black people comprised 20% of all those arrested, despite being just 7% of the population.
 - Despite decreasing use-of-force (UOF) incidents over time since 2012, the percentage of incidents where the subject is black has consistently increased. In 2019, 28% of use-of-force subjects were black, while blacks comprise just 7% of Burlington's population. That is, black people were subject so use-of-force at a rate that was 4 times greater than would be expected, given their population share. This already large disparity increased in 2020, with 31% of all use-of-force subjects being black.
 - The racial disparities in use-of-force cannot be explained by warrants being served (where BPD has a policy that guns are drawn when serving a warrant of any kind).

- And, white subjects of force were more likely to be assaultive than black subjects of force.

The Commission raised several concerns about these data and proposed areas for policy reform to address racial disparities.

- Commissioners noted that black-white racial disparities in use-of-force suggest that Burlington police officers see black people as inherently threatening or dangerous—while, in contrast, the data show that white subjects are more likely to have exhibited assaultive behavior than black subjects. The chief was asked what his specific plan is to combat the “black-threat” mindset.
- It was noted that nearly half of the firearm-pointed-only incidents involved a black subject, while black people make up 7% of the city's population. The chief was asked why police officers are so much more likely to point a gun at black people than white people? It was also asked whether there are different tactics available in these or other situations that would allow officers to draw their weapons less overall.
- Black drivers were more likely issued a ticket than a warning compared to white drivers. The report indicated that in part, this is due to a higher percentage of black drivers receiving a citation due to driving with a suspended license. There are two types of infractions associated with driving with a suspended license: civil (due, for example, to failure to pay fines), and criminal (driving with license suspended due to DUI, for example). The data in the report suggest the white drivers were more likely to be driving with a criminally suspected license and black drivers with a civilly suspended license. Civil suspensions may be due to socioeconomic factors, including lack of ability to pay fines, and the need to drive to work. The policy of Burlington Police Department is that *any* driver operating a vehicle with as suspended license, regardless of whether it is civil or criminal, be issued a ticket. This suggests that the racial disparities in this area are a function of department policy. The Commission encouraged a review of this policy with an eye to revision that would address and reduce racial disparities in this area.
- Commissioners noted that the share of Burlington police officers that identify as black is just 1.5%. It was brought to the attention of the chief that research shows that white officers use force at double the rate of black officers in white neighborhoods and 5 times the rate of black officers in black neighborhoods. Female officers are also less likely to stop, arrest, and use force (Hoekstra and Sloan, 2020; Ba, Knox, Mummolo, and Rivera 2021). It was therefore proposed to the chief that the department develop a robust strategy for recruiting that will ensure a rich pool of diverse applicants when the department is allowed to hire again. This is one mechanism for reducing racial disparities in use-of-force.
- At a Commission meeting earlier in the year, the BPD argued that racial disparities in use-of-force could be explained by the fact that a higher share of black people were served warrants than white people, thus indicating disparities in use-of-force were justifiable. This is because it is BPD policy that guns should be drawn when serving a warrant, regardless of the reason

for the warrant. Stetson investigated this claim in her analysis and found that racial disparities in use of force cannot be explained by guns drawn in serving warrants.

- The Commission suggested that the BPD revisit the policy requiring guns to be drawn in *all cases* where warrants are served. A useful first step is to assess how other agencies approach policy on guns drawn when serving warrants, and based on that, develop a policy that reduces use-of-force in this scenario, thereby partially addressing the black-white disparity in use-of-force.

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