

TO: Burlington Police Commission
FROM: Chief Innovation Officer Brian Lowe & City Analyst Nancy Stetson
DATE: December 11, 2020
RE: Burlington Police Data, Dashboard, and 2019/2020 Use of Force Addendum

In the following sections, this short report proposes (i) a new standardized process around the public reporting of Burlington Police data, (ii) updates the Police Commission about the availability of a new, regularly updated dashboard of police data readily accessible to members of public, and (iii) includes an addendum of 2019 and 2020 data to the Police Department's 2012 - 2018 Use of Force Report released last year.

As a reminder and context for this document, the Innovation & Technology Department is providing this report following the recommendation of the Mayor and decision of the City Council during the June 2020 budget approval process to move the Crime Analyst position from the Police Department to the Innovation & Technology Department. That position is responsible for producing data related to crime trends and policing in Burlington, as well as other responsibilities related to the City's COVID response and City operations. The position has been retitled the City Analyst position.

Police Data and Standardized Reporting Proposal.

The Burlington Police Department - alone among Vermont police agencies - has for years published open data on police activity, traffic stops, and arrests, and produced detailed reports focused on the demographics of traffic stops. The Department has also created a dashboard with some measures of public interest, and more recently has produced or fully supported reports around arrest rates and use of force metrics.

These reports - focused on traffic stops, arrests, and use of force - have been produced linearly as a function of staff time and capacity. The issues and community discussion the various reports have contributed to, however, are inter-related and the sequential nature of the reports' production and publication make it harder for those interested to observe patterns among the different reports.

Further, to date, the City Council and Police Commission have not formally proscribed a regular reporting period for these reports. There are limits to staff capacity - it is not feasible nor a good use of time to produce a report each month, for example - but a clear annual reporting timeline would allow the Innovation & Technology Department to organize our work such that the related issues can be compiled into one document that informs community discussion at a known and predictable point in time. Please also note the implication of a public dashboard in the following section.

For the Commission's review and consideration, we propose that the Police Commission establish an annual reporting standard requiring (i) an annual report covering the primary issues of public interest (Use of Force, Traffic Stops, and Arrests) as well as other metrics related to crime and police activity and (ii) a public dashboard updated monthly that allows interested residents to review or download that same data at any point throughout the year to conduct their own analysis should they so desire.

Public Dashboard Update

The Police Department has historically been very forthcoming with its data, it has provided a great deal of data in the current data portal and has consistently been supportive and helpful as the Innovation & Technology Department assumed these new responsibilities.

The new dashboard released alongside this report provides data monthly on a new platform used by other City departments and uses the City's Open Data Portal to allow members of the public to download and analyze data independently as well as consolidates the City's open data in one location for ease of access.

In addition to the metrics reported on previously, such as total numbers of incidents, offenses, burglaries, assaults, and the like, the dashboard now provides regularly updated information around Police Activity, Traffic Stops, Use of Force reports, and Arrests. These are the issues that have been the focus of public and Police Commission attention. The platform is designed with the acknowledgement that future years will bring new attention on different issues. The platform should be able to absorb new datasets and information of public interest.

2019/2020 Use of Force Addendum through October 31, 2020

The addendum that follows is an update of the report released proactively by the Burlington Police Department in 2019 that focused on a review of Use of Force incidents from 2012 – 2018. It is not possible to assess data prior to 2012 on an annual basis in the same way.

The Police Department normally responds to over 28,000 calls for service annually, resulting in about ~1,600 arrests, though call volume has been lower in 2020 due to the pandemic. In 2019, there were 188 incidents where force was used against 206 people. In the first ten months of 2020, through the end of October, there were 128 incidents where force was used against 149 people. "Use of Force" is defined in this report as any action taken by an officer against a subject beyond compliant handcuffing, including physical force and using or pointing weapons. This is the same definition used in the 2012-2018 Use of Force Report.

Officers are required to report any force used. The data is self-reported by the officer, approved by a supervisor and normally video recorded via Axon. The data for this report are taken from these reports, and although it is scrutinized for errors and issues, no dataset is perfect. The police department also has an online complaint portal where potential use-of-force incidents can be reported by the public and are reviewed by the Police Commission. The data presented here were downloaded from the police records management system on December 7, 2020, and are subject to change.

The remainder of this section provides data on the types of force, demographic information of those on whom force was used, rates of injury by demographic, geography of use of force incidents, time of day of use-of-force incidents, incidents where a firearm is pointed at a person, and trends over time. The data covers 22 months, from January 2019 through October, 2020.

While this report does not provide conclusions or recommendations, some notable patterns observed include:

- The total number of incidents and the total number of people on whom force is used are trending down over time.
- While use of force incidents are trending down in recent years, the rate of decline is slower for Black Burlingtonians since 2017, leading to the percent of Black Burlingtonians on whom force is used in recent years to remain stable.
- Police are most likely to use force late in the evening, in the downtown area where many of the busiest bars are located. This is also when and where many assaults occur.

- Black Burlingtonians are more likely to face a drawn weapon during a Use of Force incident than White Burlingtonians
- White Burlingtonians were slightly more likely to be injured during a Use of Force incident than Black Burlingtonians.

Type of Force

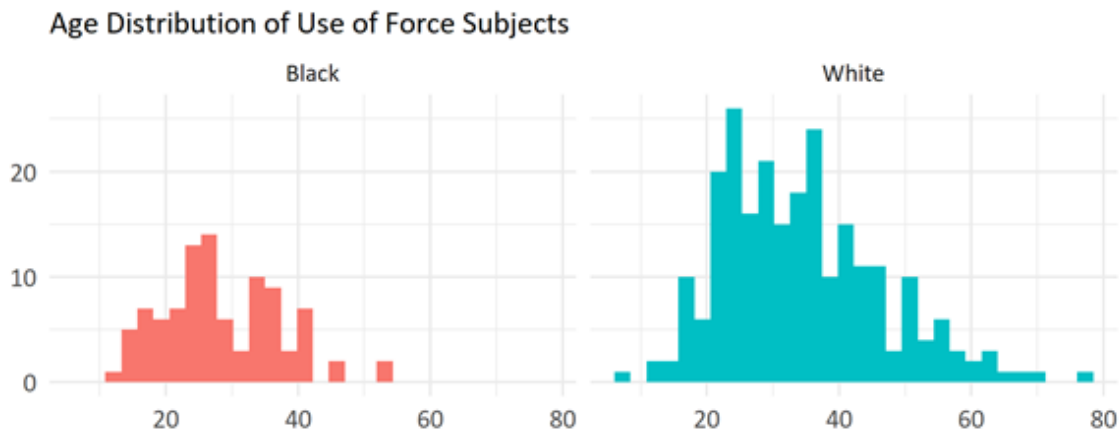
Physical force, or force that did not involve a weapon, was the most common type of force used against 201 people (57%). The next most common type of force was a firearm pointed or displayed. BPD pointed or displayed a firearm to gain the compliance of 101 people (28%) during the reporting period. Sixty-nine (19%) subjects of force had other weapons pointed or displayed during use of force incidents, including batons, Oleoresin Capsicum (pepper or OC) spray, or Tasers.

OC Spray was used against 28 people (8%), a Taser was used against 22 (6%). Please note that more than one type of force can be used against one subject during one incident, so the categories can be overlapping.

Demographics

Of the 355 subjects of force in 2019 and 2020, 95 (27%) were Black, 244 (69%) white, three (<1%) were Asian. Twelve (3%) subjects were missing race data. Eight (2%) were Hispanic, 80 (23%) subjects were missing data on ethnicity, and the remainder were non-Hispanic.

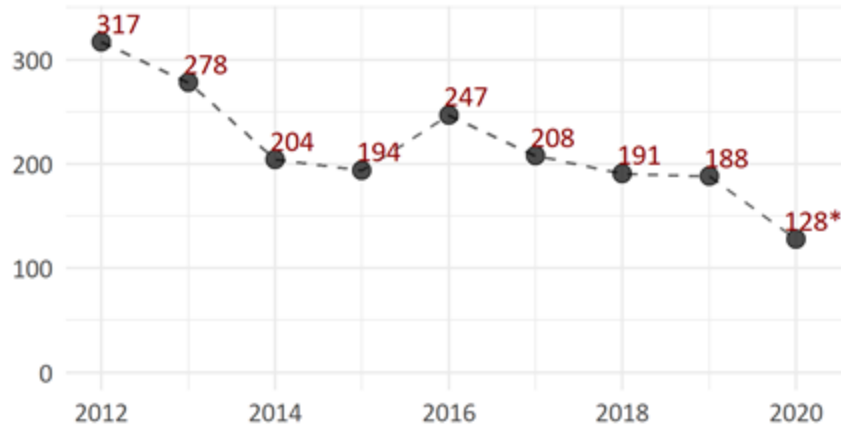
The BPD used force against 90 (25%) women, 255 (72%) men. Ten (3%) subjects were missing data on gender. The median age of subjects of force was 31 years old. Black subjects of force were much less likely to be women than white subjects of force – nine (10%) Black subjects of force were women, versus 81 (33%) white subjects of force.



Trends over time

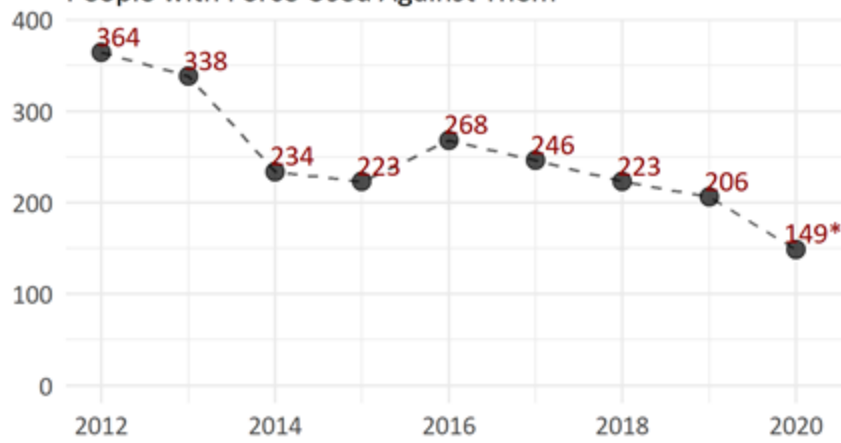
There were both fewer police incidents where force was used and fewer people who had force used against them in 2019 than in past years. Please note that while 2020 data is provided for context, it is based on an incomplete year of data and overall call volume has been depressed in 2020 due to the pandemic.

Use of Force Incidents



*2020 data through October.

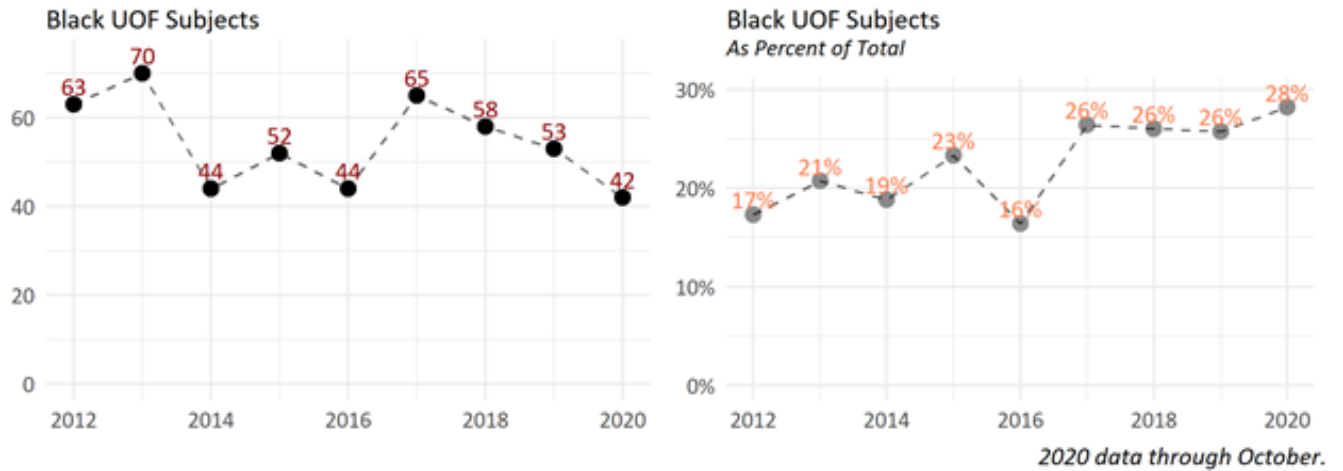
People with Force Used Against Them



*2020 data through October.

Race and Force

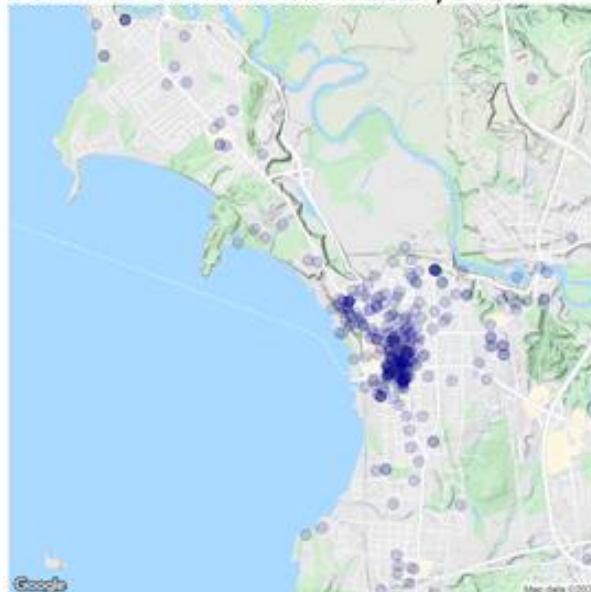
The BPD used force against fewer Black people in 2019 than in 2018, and is on track to continue that trend in 2020. The decline in force used is more gradual for Black subjects of force than for other races, so the overall percent of people with force used against them who are Black has stayed steady over the past few years.



Geography

Police incidents with force are concentrated downtown, even more so than general police incidents. During 2019 and the first 10 months of 2020, 135 (43%) use-of-force incidents occurred in the BPD "D Area", which covers all of downtown from Maple to Pearl, South Union to the Waterfront, versus 30% of all police incidents.

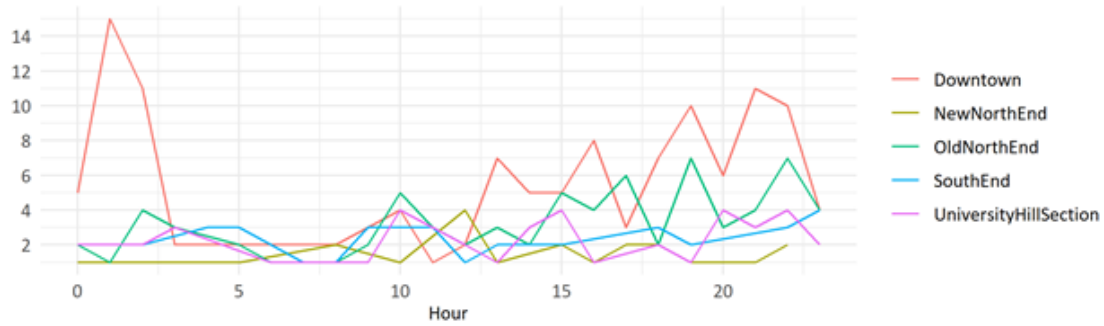
Use of Force Incidents in 2019/2020



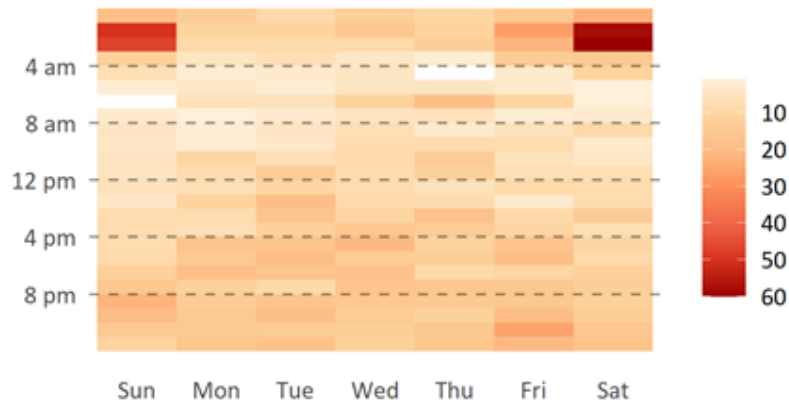
Time of Day

Police officers are most likely to use force in the late evening or early morning overall, and force significantly more likely to be used in the downtown area. Further, time of day measures obscure that most incidents occur not just late night and in the downtown but also on weekends. Use of force is less concentrated in the late night hours in other parts of the city outside of the downtown core.

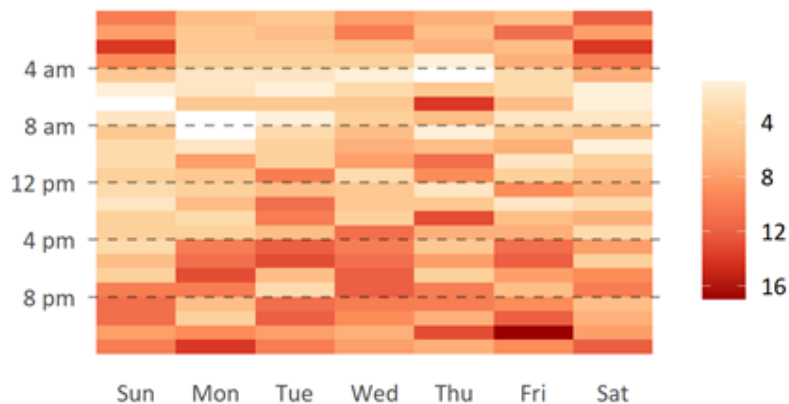
Use of Force Spikes Late Night, Downtown
Incidents by Hour and Area, 2019/2020



Incidents with Force Concentrated on Weekends
2012 - 2020



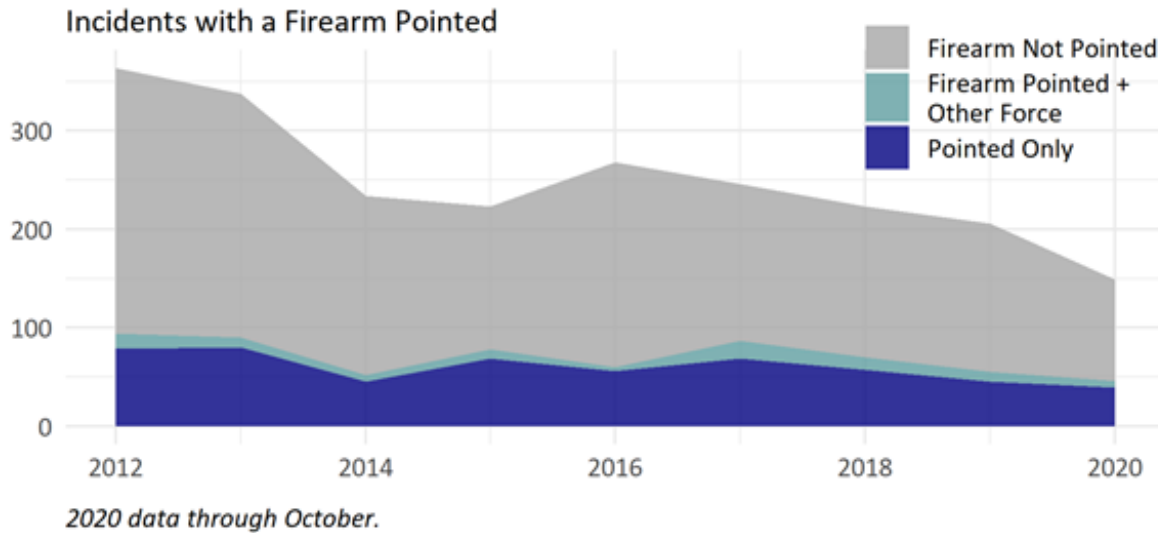
UoF Outside of D Area
2012 - 2020



Incidents Where a Firearm is Pointed

Burlington police officers are required to report when they point a weapon at a subject, regardless of whether the weapon is used. A firearm pointed at a subject is not an inconsequential use of force, though it represents a specific type of force that generally occurs in different types of situations than physical, close contact force.

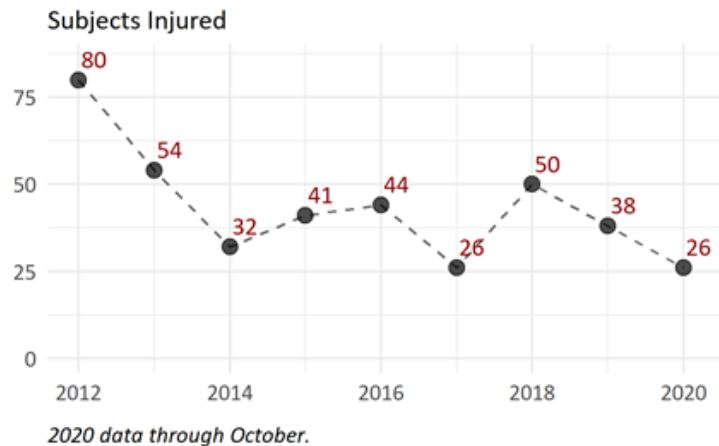
Around 25% of all force used against people in Burlington is limited to a pointed firearm, a fraction that has stayed consistent over time. Another 5% of incidents involved both a firearm pointed and some other type of force, usually physical.



Black subjects are more likely to have a firearm pointed at them during a use of force incident. Black subjects make up 27% of use-of-force subjects in 2019 and 2020 (22% in all years), and 37% of firearm pointed only use-of-force incidents (32% in all years).

Injuries

In 2019 and the first ten months of 2020 there were 64 (20.3%) subjects injured at some point during a use of force incident.



Black subjects of force are slightly less likely to be injured than white subjects. During the reporting period, 13 Black subjects of force were injured or 14%, versus 21% of white subjects of force.

