

Racial Profiling Quarterly Report

October 1, 2014 thru December 31, 2014





Racial Profiling Quarterly Report

for the period ending December 31, 2014

About the Report

On December 20, 2000, the Board of Commissioners adopted the Racial Profiling Policy to ensure that Fulton County law enforcement officers do not stop, detain, search or attempt to initiate asset forfeiture efforts against an individual based solely upon that person's race, color, ethnicity, religion, socioeconomic status, disability, age, gender and/or sexual orientation. The Board also directed that a quarterly report be submitted on the policy. The quarterly report provides information on how the various components of the policy are being implemented including distribution of the policy, training, community outreach, any reported racial profiling complaints and results of the investigation, and procedures set up for data collection and analysis.

Data Collection and Analysis

The Fulton County Computer Aided Dispatch (CAD) system became operational on January 13, 2003. The system gathers important data regarding encounters with Fulton County three law enforcement agencies. Information recorded by CAD on each traffic or pedestrian stop includes:

- Officer making the stop (identified by the officer's employee number)
- Date
- Time
- Stop type (suspicious person or traffic stop)
- Location
- Reason for the stop
- Disposition (arrest, citation, warning, etc.)
- Case number, if applicable
- Involved person(s)' race, age and sex (if known)
- Type of search

Analysis

Each law enforcement agency is responsible for reviewing the statistics to detect racial profiling patterns and any necessary adjustments.

It is important to note that data contained in this report should not in itself be viewed as determining whether any type of biased policing is occurring. A number of factors other than bias can legitimately influence decisions by law enforcement officers to stop drivers or individuals. For example:

Officer Characteristic's

- amount of time on the police force
- unit of assignment (road patrol, investigations, traffic enforcement, etc.)
- level of experience
- amount of training

Driving Population

- driving experience
- driving behavior
- distance traveled
- Note: people who drive more or drive poorly are at more risk of being stopped by law enforcement.

Encounter Characteristics

- Time of day
- Location
- Destination of the driver
- Commuter population
- Day of the week
- Volume of traffic
- Vehicle type

Community Demographics

- Unemployment rate
- Poverty rate
- Note: certain socioeconomic factors may lead to improperly maintained vehicles, which are subject to more stops.

Jurisdictional Characteristics

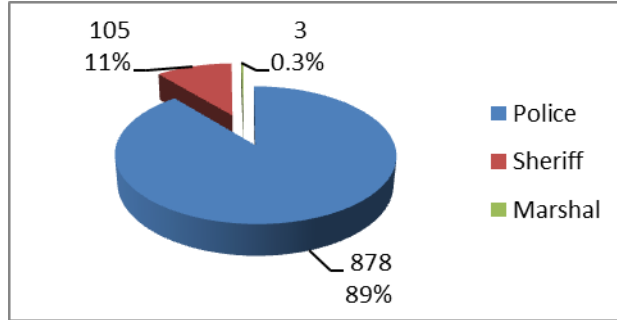
- Density
- Daytime versus permanent resident population
- Seasonal versus permanent population
- Amount of crime in a community
- Departmental policies for stops

Further analytical research considering multiple influences are required to determine if biased policing is occurring and is beyond the scope of this report.

Section 1

Summary of Second Quarter Law Enforcement Encounter Data

Total number of reported encounters by Fulton County law enforcement agencies (traffic or pedestrian stops) for the period of October 1, 2014 through December 31, 2014 is 986.



For the fourth quarter of 2014, 986 traffic and pedestrian stops with Fulton County law enforcement agencies were reported. The Police Department, having primary law enforcement responsibility for the unincorporated area, comprised the majority (89%) of the reported encounters.

The combined reported distribution of persons stopped by Fulton County law enforcement agencies is shown below:

Table 1: Reported Encounters by Race, All Agencies

Race	# of Encounters	%
American Indian or Alaskan	0	0.0%
Asian or Pacific Islander	5	0.5%
Black	792	80%
Hispanic	29	3%
White	157	16%
Other	3	0.3%
Total	986	100%

Table 2: Reported Encounters by Age, All Agencies

Age	# of Encounters	%
< 15 Years of Age	1	0.1%
16 to 49 Years of Age	798	81%
> 50 Years of Age	162	16%
Unknown	25	3%
Total	986	100%

Table 3: Reported Encounters by Gender, All Agencies

Gender	# of Encounters	%
Male	670	68%
Female	315	32%
Unknown	1	0.1%
Total	986	100%

Section 2

Reported Encounters by Agency

Table 4: Distribution of Encounters by Race and Agency (n = 986)

Agency	American Indian or Alaskan	Asian or Pacific Islander	Black	Hispanic	White	Other	Total
Marshal	0	0	0	1	2	0	3
Police	0	2	720	22	131	3	878
Sheriff	0	3	72	6	24	0	105
Total	0	5	792	29	157	3	986

As shown above the majority of the individuals stopped by Fulton County's three law enforcement agencies during this period were black (80%) followed by white (16%).

Table 5: Distribution on Encounters by Age Group and Agency (n = 986)

Agency	<15 Years	16 to 49	>50 Years	Unknown	Total
Marshal	0	2	0	1	3
Police	1	710	145	22	878
Sheriff	0	86	17	2	105
Total	1	798	162	25	986

The bulk of individuals stopped fall into the 16-49 age group (81%).

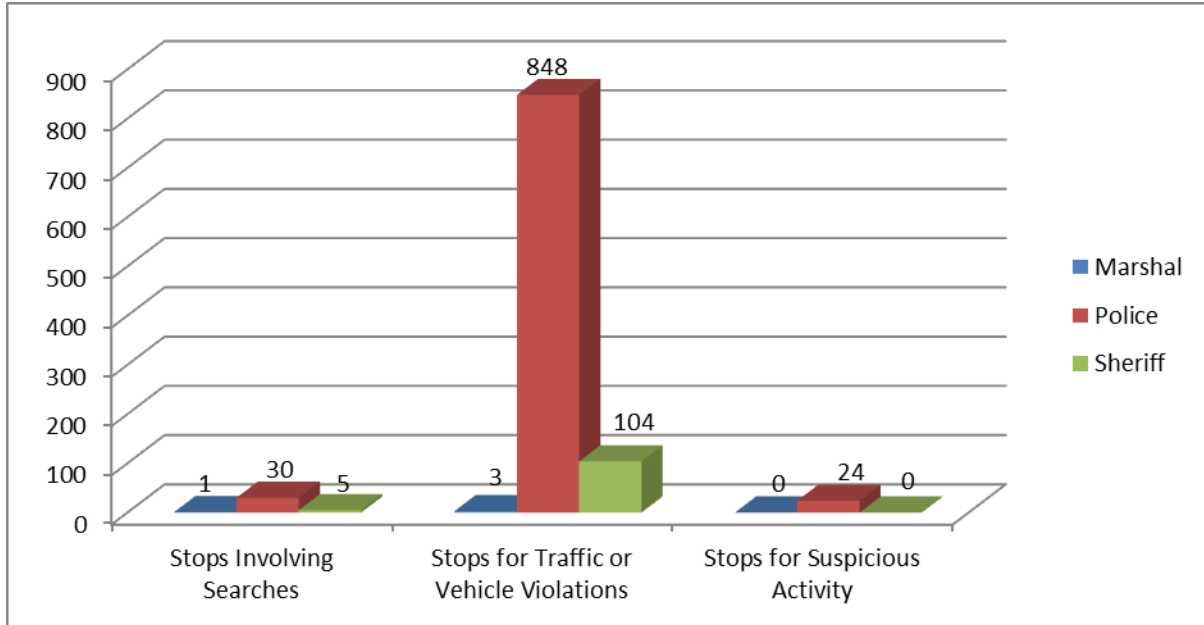
Table 6: Distribution of Encounters by Gender and Agency (n = 986)

Agency	Male	Female	Unknown	Total
Marshal	3	0	0	3
Police	594	283	1	878
Sheriff	73	32	0	105
Total	670	315	1	986

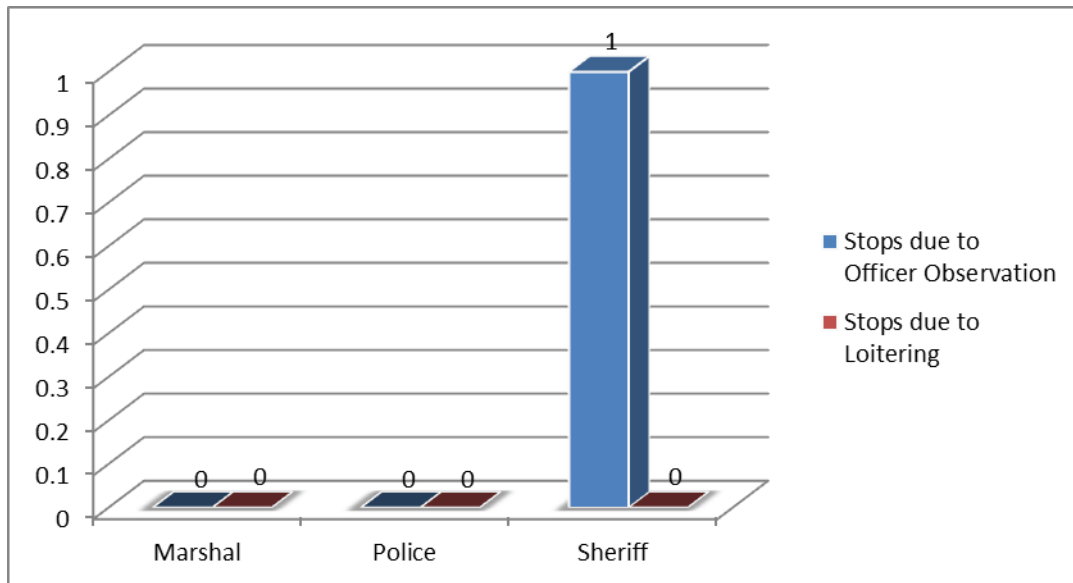
During the fourth quarter, males were stopped with more frequency (68%) than females (32%).

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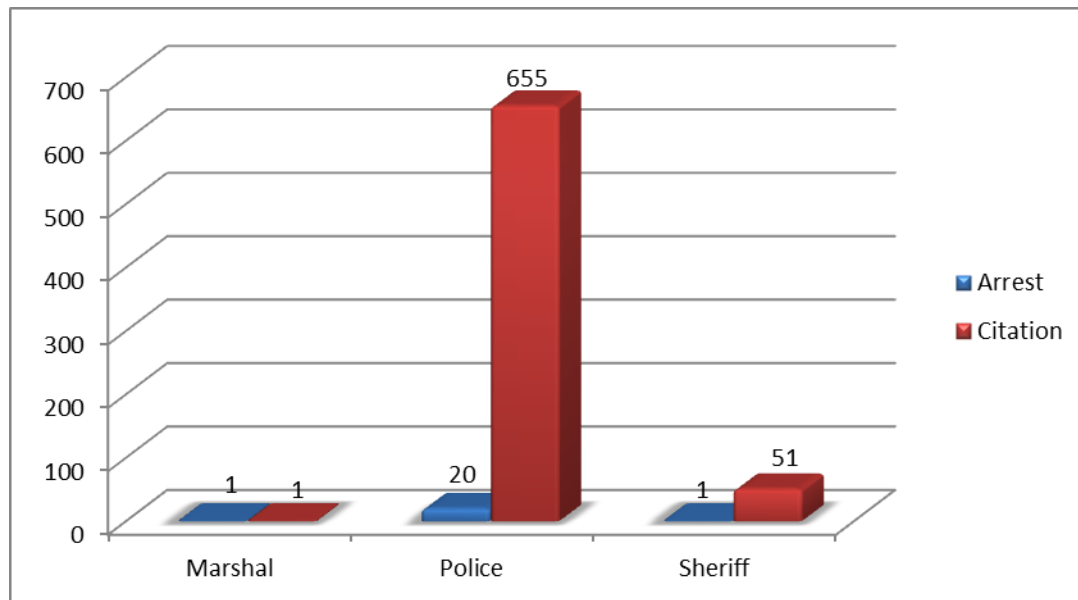
The following graph compares the number of stops by agency, number of stops reported for traffic or vehicle violations and the number of stops reported for suspicious activity. For the purposes of this report, “suspicious activity” means acting furtively and suspiciously, avoiding eye contact, departing quickly when seen or approached, individuals in places they do not belong (for example, at a car wash but without a vehicle), individuals overdressed for the weather, or overloaded vehicles.



This next graph depicts the number of stops made by agency resulting from either officer observation or loitering.



This next graph depicts the number of arrests made and citations issued by agency resulting from either a pedestrian stop or traffic stop.



Reported by the Police Department, a review of the data indicates no serious injury accidents occurred in the fourth quarter of 2013; whereas, 3 serious injury accidents occurred during the same time period in 2014. Fatality accidents for the same time period revealed a 33% increase.

Traffic Accidents Analysis

	4 th Qrt 2013	4 th Qrt 2014	Total for 2013	Total for 2014
Serious Injuries	0	3	8	10
Fatality Call-Outs	3*	4	18*	16

Reviewing the 2014 serious injury accidents, none were at repeat locations. One involved a pedestrian darting into the roadway, and the remaining two were multi-vehicle accidents related to driver errors.

A comparative analysis of the 2014 fourth quarter fatalities revealed a 33% increase. The analysis showed one fatality accident occurring at a repeat location (I-285S at Cascade Rd); however, the circumstances were unique and cannot be corrected by traffic enforcement; one involved a vehicle verses a pedestrian where the driver lost control and the other was a two-vehicle accident. An additional similarity was a vehicle verses a pedestrian accident occurring on Old National Highway at significantly different locations; one was the result of a hit and run. The remaining accidents were multi-vehicle to include motorcyclists at varied locations.

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Comparing the accidents to the fourth quarter of the previous year did not reveal any patterns where additional enforcement would have reduced serious injury or fatality accidents. As we become aware of patterns, we will target enforcement accordingly. (*Denotes a correction for the previous report; corrected from 2 to 3).

Section 3

Actions Resulting from Stops by Agency

Fulton County Marshal's Office

Indicator	2 nd Quarter 2014		3 rd Quarter 2014		4 th Quarter 2014	
	#	%	#	%	#	%
Pedestrian or Vehicle Stops	2	100%	4	100%	3	100%
Stops Involving Searches	0	0%	2	50%	1	33%
Stops reported for traffic or vehicle violations	2	100%	3	75%	3	100%
Stops reported for suspicious activity	0	0%	0	0%	0	0
Stops resulting in arrest	0	0%	2	50%	1	33%
Stops resulting in citations	0	0%	1	25%	1	33%

Fulton County Police Department

Indicator	2 nd Quarter 2014		3 rd Quarter 2014		4 th Quarter 2014	
	#	%	#	%	#	%
Pedestrian or Vehicle Stops	1,166	100%	1,054	100%	878	100%
Stops Involving Searches	46	3.9%	32	3%	30	3%
Stops reported for traffic or vehicle violations	1,105	95%	1,009	96%	848	97%
Stops reported for suspicious activity	41	3.5%	38	3.6%	24	3%
Stops resulting in arrest	41	3.5%	27	2.6%	0	0%
Stops resulting in citations	836	72%	729	69%	0	0%

Fulton County Sheriff's Office

Indicator	2 nd Quarter 2014		3 rd Quarter 2014		4 th Quarter 2014	
	#	%	#	%	#	%
Pedestrian or Vehicle Stops	122	100%	134	100%	105	100%
Stops Involving Searches	2	1.6%	15	11%	5	5%
Stops reported for traffic or vehicle violations	111	91%	126	94%	104	99%
Stops reported for suspicious activity	2	1.6%	0	0%	0	0%
Stops resulting in arrest	1	0.8%	1	0.7%	1	1%
Stops resulting in citations	53	43%	69	52%	0	0%

Section 4

Policy Distribution

In 2001, the Sheriff, Chief of Police and Marshal distributed the policy to all members of their respective agencies. Additionally, the policy was added to the Marshal Departmental Policies and Procedures Manual. The Chief of Police incorporated the Racial Profiling Policy into the General Orders Manual for distribution to all personnel.

Section 5
Training

The Racial Profiling Policy provides that each of the agency's training directors ensure that officers/deputies receive periodic training on racial profiling. The policy further provides that the training may be conducted through in-service, special courses or roll call training.

Marshal's Department

Fulton County Marshal's Department has completed its refresher Biased Based Policing training for 2014. The training included a pre-test as well as a post test, in which all sworn personnel have passed and completed in the first and second quarters of 2014.

The Marshal's Department had three incidents requiring racial profiling information for the fourth quarter of 2014. The first incident took place on October 13, 2014, involving a 50 year old white male which was a result of the individual travelling at high rates of speed through morning rush hour traffic and changing lanes without signaling. The driver was placed in the back of the patrol unit and a wrecker was requested through communications. The vehicle was impounded and the driver was transported to the Fulton County Jail for booking on the charge of Reckless Driving. The second incident on November 4, 2014, involved an 18 year old Hispanic male, who was driving at an accelerated speed on the highway while passing a MARTA bus within the gore and the emergency lane. The driver exited the highway at which time the deputy was able to conduct a traffic stop after the vehicle turned into a convenient store parking lot. The male subject got out of the vehicle and noticed the deputy and began to stick his hand in the pocket of his pants. Communications performed a check of the driver's information to verify if the license was valid and to ensure that the driver had no active warrants. In a search of the driver, a baggie with a leafy green substance was found tucked in the pocket. Upon checking the vehicle, two firearms were discovered and the serial number ran to check if they were stolen. One of the firearms was entered as stolen by the Columbus Police Department. At this time the driver was taken into custody and the vehicle towed. The subject was transported to the Fulton County Jail for processing and booking for the charges of Reckless Driving, Driving without a License, Possession of Marijuana, Possession of Methamphetamine, Possession of a Firearm during the Commission of a Felony, and Theft by Receiving Stolen Property. The third incident involved a 40 year old White male, who was stopped for weaving between lanes without using its turn signals. Emergency lights were activated and the vehicle pulled over. A check through Fulton County Communications was performed to ensure the driver had valid license and vehicle registration. The driver had no outstanding warrants and the registration was active and valid. The driver was issued a warning for speeding and released.

Police Department

During the Police Department's fall in-service training, approximately 96% of the sworn personnel received bias-based profiling instruction. Those training dates were October 20, 30, November 5, 17, 24, and December 3, 2014. Areas of focus included officer self-initiated activity, such as, traffic stops, officer observation, loitering and prowling and

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suspicious activity. The training also involved a review of county and departmental policy relative to bias-based profiling. The training established how officers can put these policies into practice on a daily basis.

Sheriff's Department

The Fulton County Sheriff's Office had no Biased-Based Profiling complaints during the fourth quarter of the year for 2014. The Fulton County Sheriff's Office does not have any primary duties as a first responder agency; however, officers will make traffic stops when necessary.

To assess the racial profiling training provided to the Sheriff's officers, the officers are given a racial profiling pre-test before the training course followed by a post test after its completion. Each officer must receive a score above 70% to pass the course. If their score is lower than 70%, the class must be repeated.

There are currently 739 sworn officers on record with the Fulton County Sheriff's Office. All Deputy Sheriffs and Detention Officers are required to receive Biased Based Profiling as a two-hour block of instruction during the Departmental In-Service class. A total of 144 officers have received Biased Based Profiling training in the fourth quarter. Reserve Unit officers also receive Biased Based Profiling instruction as part of their training curriculum. Student numbers for the Reserve Unit are included in this report.

Section 6

Community Outreach

Several materials are available to the community on the Racial Profiling Policy. In 2001, a video providing an overview of the policy was produced in addition to a brochure. The Marshal Departmental Internal Affairs Complaint Brochure was reprinted to include an area for complaints regarding charges of racial profiling.

In the third quarter of 2002, a letter was sent by the Sheriff, Chief of Police and Marshal to community and business groups informing them of the racial profiling policy and providing them with a copy of the policy. Racial Profiling continues to be discussed at community meetings conducted by Special Services of the Police Department and by the Sheriff's Office Community Relations Section when interacting with various citizens' groups within Fulton County.

Section 7

Complaints

There has been one complaint of reported racial profiling in any of the three agencies during the fourth quarter of 2014. The managers are also working on a project to redefine the data collection and review process of the department's bias based reporting process. The project consists of a review of the reporting process, collection process, and creating benchmarks to test data against. This data is available upon request.