

**THE PERSISTENCE OF RACIAL PROFILING
IN RHODE ISLAND:
AN ANALYSIS AND RECOMMENDATIONS**

**A REPORT PREPARED BY THE RHODE ISLAND AFFILIATE,
AMERICAN CIVIL LIBERTIES UNION**

MAY, 2005



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EXECUTIVE SUMMARY

In March 2005, Northeastern University issued a preliminary report on its examination of traffic stops statistic data for the state for the months of October-December 2004. The report was the first follow-up to a similar, comprehensive study of two years' of traffic stop data collected and analyzed by Northeastern for 2001-2002. The major findings of this most recent report were:

- As in the 2001-2002 study, minority drivers were more than twice as likely as whites to be searched by police, but white drivers were still more likely than racial minorities to be found with contraband when searched.
- Discretionary searches conducted by police remained unproductive. Approximately three out of four searches turned up no evidence of contraband.
- About 10% of the traffic stop forms submitted to Northeastern were missing necessary data.

The R.I. ACLU examined in more detail the Northeastern report, the error rate data referenced in the report, and written progress reports submitted by police departments in response to the 2001-2002 findings of widespread racial disparities in traffic stops and searches.

Among the major findings described in this report are:

- Of the ten police departments that conducted the most stops and/or searches in the latest study, four showed an increase over 2001-2002 in the proportion of searches conducted on minority drivers compared to white drivers.
- Police department supervisory personnel are generally failing to comply with a statutory obligation to review traffic stop cards to ensure that they are being filled out completely by officers.
- The error rate in filling out traffic stop cards has been increasing, not decreasing, over time.
- Some of the most vital pieces of data being collected on the traffic stop cards – concerning searches and location of stops – have among the highest error rates.
- The Providence Police Department's compliance with the law, as was also true with its data collection in the 2001-2002 study, is exceedingly poor.

- Police departments appear to be ignoring a statutory obligation to review traffic stop information on a regular basis in an effort to respond to any racial disparities highlighted by the information.

- The annual progress reports submitted by police departments, designed to document how they are addressing the problem of racial disparities, show wide variation in thoroughness, and often fail to address action in essential areas – such as auditing traffic stop cards and analyzing the data in a meaningful way.

Among the recommendations made in the report to address these serious deficiencies:

- The R.I. Justice Commission should publicly release on a monthly basis a breakdown of the card error rate by jurisdiction.

- Every law enforcement agency should be required to formally certify each month that supervisory personnel have checked the traffic stop forms for both accuracy *and* completeness on at least a weekly basis, as required by law, and to list the officials responsible for this review.

- Every law enforcement agency should be required to formally submit, on a monthly basis, a brief report confirming that the cards have been reviewed for disparities, and indicating whether that review has found any patterns relating to officers, locations or practices that may be responsible for the disparity.

- Police officers should be required to document in writing their “probable cause” or “reasonable suspicion” grounds for conducting a search, and so-called “pretext” stops by police should be banned.

- The R.I. Justice Commission should reinvolve civil rights and community groups in the data collection review process.

1. INTRODUCTION AND BACKGROUND

On June 30, 2003, experts at Northeastern University released a report, over 250 pages long, which documented a widespread pattern of racial disparities by Rhode Island's police departments in the stopping and searching of cars.

Northeastern University's report fulfilled a requirement of a law passed by the General Assembly in 2000 amidst growing national attention to the practice of racial profiling. That law required police departments to collect detailed statistical information about their traffic stops for two years. Northeastern's report analyzed that data to look for racial disparities in police departments' traffic stop practices.

Among its significant findings, the study determined that in most communities across Rhode Island, non-white drivers were proportionally more likely than whites to be stopped by law enforcement officials, and once stopped, they faced a greater number of discretionary searches. For most police departments, the disparities were deemed statistically significant, and could not be accounted for by any factor other than race. Further, even though blacks and Hispanics were generally two-to-three times more likely than whites to be searched by police when stopped, searches of white drivers were in fact more likely to uncover contraband.¹

While the results came as no surprise to the many black and Hispanic Rhode Islanders who believed they had at some point been improperly pulled over due to their race or ethnicity – or knew of family members, friends or colleagues who had – the study provided police departments and public officials with concrete evidence that racial profiling by law enforcement officials is a reality in the state. It also

¹ Northeastern University's executive summary of the report can be accessed on-line at <http://www.racialprofilinganalysis.neu.edu/IRJ_docs/RIFinalReportExecSummary.pdf>.

provided police departments with an enormous wealth of detailed traffic stops data that could begin to provide answers as to why racial disparities are so prevalent.

In response to both the study's incontrovertible implications and strong pressure from the Rhode Island civil rights community – and, ultimately, support from police officials – in July of last year the General Assembly passed the Racial Profiling Prevention Act of 2004. Considered one of the strongest laws against racial profiling in the country, the Act formally banned the practice of racial profiling, prohibited consent searches without probable cause, and created civil remedies for violations. It renewed a requirement that police departments submit annual reports describing the steps they were taking to address the racial disparities documented in the 2003 study. Just as notable, the Act required all police officers to fill out traffic cards for an additional year on every stop they conducted, so that further analyses of departments' traffic stop data could be performed.

On March 28, 2005, the results of the first quarter of that study – analyzing data for October through December 2004 – were released by Northeastern University. Unfortunately, the statistics continued to document significant racial disparities by police departments in discretionary frisks and searches of African-Americans and Hispanics.² Although the report provided only limited statistical data, the information it did provide was troubling:

- As was true in the first study, minority drivers were more than twice as likely as whites to be searched or frisked by police. Statewide, for those vehicles stopped,

² At the same time, although it is not a subject of review in this report, the study continued to document widespread disparities in police department traffic stop practices. For example, while Foster police stopped a total of 98 cars during the three month period, neighboring Glocester engaged in more than 800 traffic stops. Jamestown conducted 249 stops, while Middletown stopped over 1,400 vehicles.

7% of black drivers and 6.2% of Hispanic drivers were searched compared to 2.9% of white drivers.

- Despite the proportionally greater number of searches of minority drivers, white drivers – just as in 2001-2002 – were still more likely than racial minorities to be found with contraband when searched.

- Discretionary searches by police generally remained singularly unproductive. Approximately three out of four searches turned up no evidence of contraband.

- About 10% of the traffic stop forms were missing necessary data.

On the positive side, the total percentage of discretionary searches being conducted by police was reduced. While the 2001-2002 study showed that approximately 4.5% of all drivers stopped for a traffic violation were subjected to a discretionary search, the data for the fourth quarter of 2004 showed a search rate of 3%. This is at least partly due to a new restriction contained in the 2004 law, which banned so-called “consent searches,” searches conducted with a driver’s consent when police otherwise have no legal basis for searching a vehicle. However, despite the *overall* reduction in the rate of searches, there was little change in the proportional disparity in searches between the races.³

In addition, the statistics again documented the general non-utility of searches. Northeastern’s quarterly report specifically excluded non-discretionary searches (e.g., searches conducted pursuant to an arrest) from the analysis. Thus, the data presented relate solely to *discretionary* searches by police. Many searches

³ In 2001-2002, non-white drivers were approximately 2.5 times more likely than whites to be searched. The ratio fell only to 2.1 in the 2004 results, while black drivers in particular remained 2.4 times more likely than whites to be searched.

were thus likely based on a police officer's belief that a search would turn up contraband.⁴ Yet the vast majority of discretionary searches failed to uncover any evidence of a crime. As noted above, only slightly more than one-fourth of the searches conducted statewide turned up contraband.

The 10% error rate with traffic stop cards missing necessary data is both striking and unjustifiable for a number of reasons. First and foremost, the 2004 law imposes an obligation on police supervisors to review on a weekly basis the traffic stop cards submitted by officers, for the specific purpose of ensuring that they are being filled out properly. Many police departments clearly do not appear to be taking even this simple precautionary step. In fact, as this report later documents, the error rate actually showed an *increase* in the most recent two months of data collection. Thus, the high error rate cannot be explained as a consequence of officers and supervisory personnel needing time to fully learn their responsibilities under the law.

In addition to examining Northeastern's latest quarterly statistical results and five months of error rate data, the ACLU also reviewed the annual progress reports submitted by police departments in accordance with the law. As will be described, the quality of those reports varied greatly. And the data error rate suggests that what has been written on paper by some departments does not necessarily match actual practice.

From the ACLU's perspective, perhaps the most significant finding is that many police departments have failed to comply with crucial aspects of the legislation enacted by the General Assembly last year to address the racial profiling problem.

⁴ As previously noted, pure "consent" searches – searches conducted where there is no suspicion of illegal activity – were banned by the 2004 law.

The failure of police departments to adequately review cards to make sure they are being filled out completely has already been mentioned. In addition, and most critically, it appears that few police departments made an effort to examine in a serious way the data that can be gleaned from the cards in order to determine how, why and where disparate treatment of drivers is occurring.

Northeastern's 2003 report emphasized the need for law enforcement to "closely examine and address any internal practices or actions of individual officers that may cause the types of disparate stop patterns observed in this study." Similarly, the 2004 law required all agencies to review traffic stop data on a regular basis "in an effort to determine whether any racial disparities in the agency's traffic stops enforcement exists, and to appropriately respond to any such disparities." Only a handful of police departments described taking this action in their status reports, and the most recent statistics lend credence to the view that detailed internal analyses of traffic stop card data are not being performed. In the absence of such a review, other remedial steps are bound to be unsuccessful.

Section 2 of this report analyzes the 4th quarter 2004 statistics for the state's ten most active police departments. Section 3 examines the error rate data for all departments for the first five months of this latest Northeastern study. Section 4 reviews the annual status reports submitted by departments in accordance with state law. Section 5 contains recommendations for further action, based on the problems highlighted by the latest statistics and reports. Finally, an appendix provides a more detailed summary of the police department status reports.⁵

⁵ ACLU staff members Jessica Spiegel and Amy Myrick greatly assisted in the research and writing of this report.

After the Northeastern results were released in March, the R.I. Association of Police Chiefs commendably sought a meeting with civil rights groups to renew a dialogue on addressing the racial disparities that had once again been documented. That continued dialogue is, of course, extremely important. At the same time, the implementation of concrete remedies such as those proposed in this report are absolutely essential if any progress in reducing those disparities is to be made.

2. A REVIEW OF THE 2004 STATISTICS

Because the sample of three months' worth of traffic data contained in Northeastern's latest report is relatively small for many police departments,⁶ we examined the data only for those departments that stopped more than 2,000 cars and/or engaged in more than 100 discretionary searches during that reporting period. Ten departments met one or both of those criteria: the State Police, Cranston, East Providence, Johnston, North Kingstown, Pawtucket, Providence, South Kingstown, Warwick, and Woonsocket.

Northeastern's quarterly report provided a racial breakdown of traffic stops, searches and frisks. We have focused on searches because that information provides the cleanest and most useful data for a preliminary study such as this.⁷ The statistic of most interest, and the one we have computed for the ten police departments, is the "ratio disparity" of searches between minority and white drivers. The ratio indicates the proportion of minority drivers subjected to discretionary searches after being stopped, compared to stopped white drivers subjected to those searches. Thus, a ratio figure of 2.1 means that minority drivers were, once stopped, 2.1 times more likely (that is, a little more than twice as likely) to be searched than white drivers who were stopped. It is worth noting that in many legal contexts, such as employment or school segregation, a ratio of more than 1.1 or 1.2 (that is, a 10%

⁶ For example, in the vast majority of jurisdictions, fewer than 30 white drivers and fewer than 10 non-white drivers were searched during the period studied. These samples are too small to draw any statistically significant conclusions.

⁷ Unlike traffic stop analyses, there is no need in examining search data to worry about baseline populations. And discriminatory searches are, of course, much more intrusive than discriminatory stops. Also, it appears there may have been confusion by police officers filling out the form about the new "frisk" category, such that it may duplicate in part the information provided in the search data.

or 20% differential) is deemed sufficient to raise an inference of possible discrimination.⁸

As the figures on the following pages indicate, in four of the ten police departments, the ratio disparity of searches of minorities actually demonstrated an *increase* from the 2001-2002 data. The results of the October-December 2004 study show that, for that quarter, none of the ten departments examined had a negative ratio disparity; in other words, none of the departments searched whites proportionally more often than minority drivers. Two graphs appearing on Page 16 show these results.

Although not examined here, it is also worth pointing out that in only two of the ten departments – Pawtucket and the State Police – were racial minorities more likely than whites to be found with contraband once searched.

An important caveat about the analysis performed here is in order. It appears that few departments engaged in any formal auditing process to ensure that cards were not only complete, but also accurate. This, combined with the high error rate, could potentially mask higher racial disparities than demonstrated by the statistics presented by the study.

⁸ The other statistical comparison used in the 2001-2002 study was a “percentage disparity” rate. If a police department searched the cars of 3% of white drivers stopped, but 5% of minority drivers, its percentage disparity is 2% (i.e., 5% - 3%). As a general rule, however, the ratio disparity presents a clearer picture, especially when, as here, one is comparing two different sets of data where the total percentage of searches has decreased, as the 2004 figures show. For example, consider a police department that in 2001-2002 searched 6% of white drivers but 9% of minority drivers, and in 2004 searched 3% of white drivers and 6% of minority drivers. In both instances, the percentage disparity is 3%, suggesting no change, but the actual proportion of minority drivers searched significantly increased – minority drivers were 1.5 times more likely than whites to be searched in 2001-2002, but twice as likely to be searched in 2004.

For the ten police departments examined below, four statistics are offered. In the first column, the two figures represent, first, the total number of stops conducted by the department and, second, the total number of searches conducted.

The second column also contains two numbers: first, the minority-white disparity ratio of searches found in the 2001-2002 study and, second, the ratio computed from the 2004 data.

State Police

Number of Stops: 9,535
Number of Searches: 142

Search Ratio 2001-2002: 1.7
Search Ratio 4th Qtr 2004: 2.2

Comments: The proportional searching of racial minorities by state police troopers showed an increase in 2004. Racial minorities were more than twice as likely as whites to be searched by troopers during the first quarter of the new study. The 2.2 ratio is an increase from the 1.7 ratio of searches from the 2001-2002 study. The ratio is actually greater when one focuses on the two groups most subject to profiling – blacks and Hispanics. African-Americans were 2.6 times more likely than whites to be searched, and Hispanics were almost 4 times (3.7) as likely to be searched, according to the latest data.

It should be noted that the statistics for the State Police vary widely by barracks. For example, at the Portsmouth barracks, racial minorities as a whole were actually *less* likely to be searched than whites. At Chepachet, on the other hand, its already-high 2001-2002 ratio of 3.9 skyrocketed to 6.3. Lincoln and Wickford had very high minority ratios as well (2.9 and 2.8 respectively), which also represented an increase from 2001-2002.

Cranston

Number of Stops: 2,328
Number of Searches: 108

Search Ratio 2001-2002: 1.3
Search Ratio 4th Qtr 2004: 1.2

Comments: Cranston maintained a low ratio comparable to its figures for the 2001-2002 study. Blacks, however, were more than 1.5 times more likely than whites to be searched. Inexplicably, Asian drivers were proportionally subject to the most searches of all. 7.5% of all Asian drivers stopped were subjected to searches, compared to 4.4% of white drivers. No other police department showed such a disparity for this group. Further, despite the relatively even ratio disparity, whites were actually more than twice as likely as minority drivers to be found with contraband. None of the other departments studied here had such a high racial disparity in terms of contraband found.

East Providence

Number of Stops: 3,621	Search Ratio 2001-2002: 1.5
Number of Searches: 282	Search Ratio 4th Qtr 2004: 1.6

Comments: The 2004 statistics show a very slight ratio increase in minority searches compared to 2001-2002. Minorities, though less likely to be found with contraband, continue to be subjected to searches one-and-a-half times more often than whites.

Johnston

Number of Stops: 2,269	Search Ratio 2001-2002: 3.8
Number of Searches: 31	Search Ratio 4th Qtr 2004: 1.2

Comments: Like Pawtucket, Johnston showed a very significant proportional decline in minority searches. Also like Pawtucket, however, the number of total searches conducted in the quarter was very small, so the reduction is not necessarily statistically significant. Additional months of data are needed to determine that. (For the same reason, although the 2004 figures show that 3.4% of blacks were searched compared to 1.3% of whites, this is not statistically significant.)

North Kingstown

Number of Stops: 2,341	Search Ratio 2001-2002: 2.1
Number of Searches: 62	Search Ratio 4th Qtr 2004: 1.6

Comments: North Kingstown reduced its minority-white search ratio from 2.1 to 1.6. However, the 2004 figures show that, for African-American drivers in particular, the search ratio remained higher than 2 to 1.

Pawtucket

Number of Stops: 3,494	Search Ratio 2001-2002: 3.6
Number of Searches: 21	Search Ratio 4th Qtr 2004: 1.8

Comments: Like South Kingstown, police searched less than 1% of the cars they stopped in the fourth quarter of 2004. Although it still remains extremely high, Pawtucket decreased its racial disparity ratio by half. Only Johnston showed greater improvement. But like Johnston, because so few searches were actually conducted this quarter, only time will tell whether this apparent reduction in disparity is meaningful, as it cannot yet be deemed statistically significant.

Providence

Number of Stops: 3,098
Number of Searches: 301

Search Ratio 2001-2002: 1.4
Search Ratio 4th Qtr 2004: 1.9

Comments: Despite the public attention focused on the Providence police department's abysmal failure to comply with the traffic stops statistics act in 2001-2002, and despite a highly-publicized plan by city officials to reduce profiling, the proportion of searches conducted on minority drivers actually *increased* by more than 25%. As with most other departments, however, contraband was more likely to be found on white drivers. The department's almost 2:1 ratio of minority searches is all the more troubling in light of the fact that Providence police conducted the most searches of any police department; almost 10% of all stopped drivers were subjected to searches. Finally, because of Providence's extremely high error rate in filling out the traffic stop cards (described in the report's next section), it is not unreasonable to assume that the disparity may actually be greater than has been documented.

South Kingstown

Number of Stops: 4,134
Number of Searches: 38

Search Ratio 2001-2002: 3.0
Search Ratio 4th Qtr 2004: 2.7

Comments: South Kingstown conducted more stops than any other municipal police department – over 4,000 – but searched less than 1% of the cars stopped. Although its ratio for the 2004 quarter was slightly lower than 2001-2002, going from 3 to 2.7, it remains an extremely high racial disparity. And despite this heightened search percentage for non-white drivers, the white drivers searched were almost twice as likely to be found with contraband. However, because of the small total number of searches the Department conducted this quarter, data from additional months are needed to determine whether there is statistical significance to these latest figures.

Warwick

Number of Stops: 3,479
Number of Searches: 182

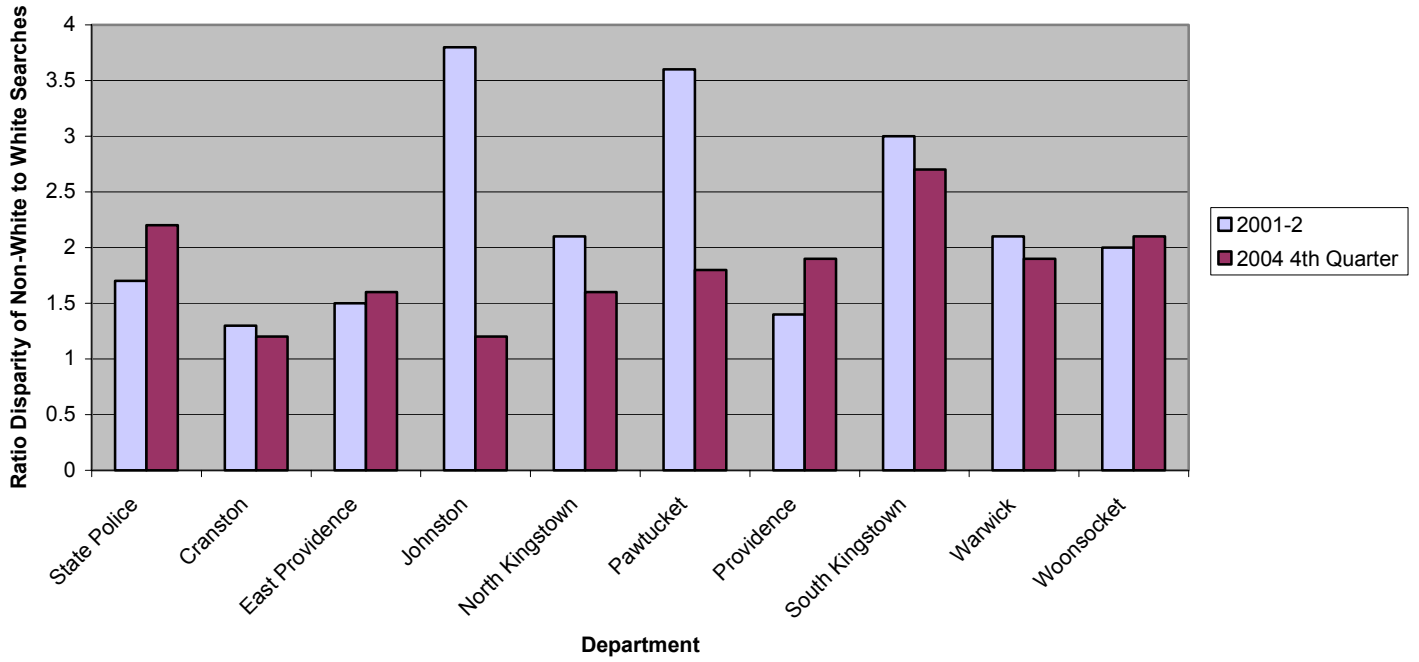
Search Ratio 2001-2002: 2.1
Search Ratio 4th Qtr 2004: 1.9

Comments: Warwick's latest figures show a slight decrease in disparity from 2001-2002. Nonetheless, the figure remains very high, with racial minorities almost twice as likely as whites to be searched. However, whites were one-and-a-half times more likely to be found with contraband.

(continued on Page 15)

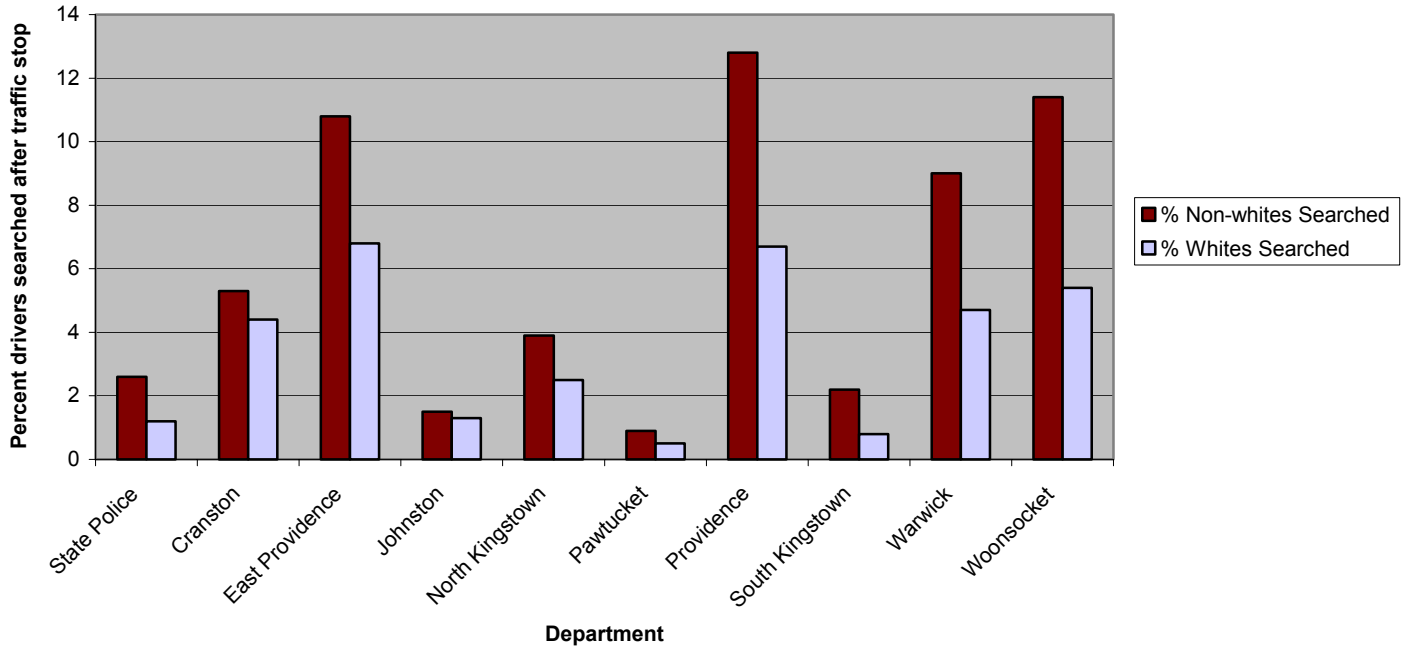
Graph A

Ratio Disparity of Non-White to White Searches: Ten Featured Departments



Graph B

Percent of Non-Whites and Whites Searched: 10 Featured Departments (2004)



Woonsocket

Number of Stops: 1,636
Number of Searches: 114

Search Ratio 2001-2002: 2.0
Search Ratio 4th Qtr 2004: 2.1

Comments: Woonsocket's 2 to 1 ratio of black drivers searched compared to white drivers, documented in the 2001-2002 study, showed no improvement in this quarter. And once again, it was white drivers who were more likely to be found with contraband when searched.

In sum, a review of statistics for the police departments that engaged in the most stops and/or searches during the first part of latest study, confirms the persistence of significant racial disparities in their search practices. Additional steps to deal with this very serious problem are clearly warranted.

3. A REVIEW OF 2004 ERROR RATES

Following up on the pronouncement in Northeastern's March 2005 executive summary that there was a 10% error rate in the traffic stop cards submitted for this first quarter of data, the ACLU filed an open records request with the R.I. Justice Commission. The request sought copies of the data documenting the error rate, broken down by month and jurisdiction, as well as by field so that one could see error rates for the different types of information collected on the cards. The Commission complied in a timely manner, and included error rate data for the first quarter of the study and for January and February 2005. The ACLU analyzed the information in order to get a better sense of the scope of the problem.

The monthly Northeastern reports on card errors flagged all field error rates of 3% and above. While some mistakes are inevitable, a 3% cut-off point seems a reasonable one to tolerate. In any light, the 10% error rate that Northeastern encountered is, needless to say, extremely troubling. (For the sake of convenience, error rates of 3% or above will henceforth be referred to as "unacceptable error rates.") However, an analysis of the data reveals something even more troubling: error rates have actually been *increasing* over time.

The error rate was broken down by 10 information fields appearing on the form (including the driver's race and gender, the location of the stop, number of occupants, and search and frisk information).

Seven of the 10 categories showed an *increase* in the number of departments exceeding the 3% error rate between December 2004 and February 2005. Of these seven, six categories had shown improvement between October and December. This

Table A

NUMBER OF TRAFFIC STOP CARD FIELDS WITH A 3% OR HIGHER ERROR RATE

Town	Oct	Nov	Dec	Jan	Feb
Barrington	3	2	0	5	6
Bristol	3	2	1	0	3
Burrillville	2	3	3	2	0
Central Falls	1	0	0	0	2
Charlestown	6	4	6	7	8
Coventry	2	0	1	0	0
Cranston	6	4	3	8	6
Cumberland	2	2	3	6	?
East Greenwich	3	3	5	3	4
East Providence	0	0	0	0	5
Foster	7	10	7	1	3
Glocester	1	1	2	1	1
Hopkinton	2	2	4	4	7
Jamestown	1	0	2	0	0
Johnston	1	3	1	3	4
Lincoln	2	2	5	3	2
Little Compton	0	0	0	0	0
Middletown	5	4	4	1	3
Narragansett	2	1	2	2	4
New Shoreham	0	0	0	0	0

Town	Oct	Nov	Dec	Jan	Feb
Newport	3	2	2	4	3
North Kingstown	2	3	1	8	9
North Providence	2	1	2	0	0
North Smithfield	1	1	1	0	0
Pawtucket	4	2	1	5	2
Portsmouth	0	0	0	0	0
Providence	7	6	7	7	7
Richmond	7	7	7	2	3
Scituate	0	1	0	7	6
Smithfield	0	0	0	0	0
South Kingstown	5	3	4	4	7
State (All)	4	2	2	6	6
Tiverton	7	4	2	5	2
Warren	2	2	1	1	1
Warwick	4	2	1	0	0
West Warwick	4	4	4	9	9
Westerly	5	2	5	4	6
West Greenwich	7	7	6	4	2
Woonsocket	5	4	4	2	6

suggests that a learning curve initially took place, as officers got accustomed again to filling out traffic stop cards. However, any care in completely filling out the cards began diminishing significantly in January 2005, with a corresponding increase in errors.⁹ Responsibility for these high rates falls not only on the individual officers, but also on supervisory personnel in the police departments who are obligated by state law to review the cards on a weekly basis to ensure they are being filled out properly. Thus, a statutory mechanism that had specifically been put in place to prevent high error rates has clearly been ignored.

⁹ The R.I. Justice Commission correctly notes that the errors could be the result of missing data or improperly filled data “bubbles” that the scanning machine might not read properly. Either way, however, the resulting unknown or unusable information is unacceptable, especially considering the explicit statutory obligations imposed on supervisory personnel to review the cards

Looked at another way, the error rate data show that of the 39 police departments participating in the study, 15 of them had unacceptable error rates in more fields in February 2005 than they did in October 2004 when the study began. Indeed, 11 departments had unacceptable error rates in more fields in February than for any of their previous four months of data collection.

In some departments, the deterioration in data quality was especially notable. For the first four months of the study, East Providence had no unacceptable error rate in any field. In February 2005, however, unacceptable error rates occurred for five of the ten fields. North Kingstown, after being above 3% in two fields for the first quarter of the study, showed unacceptable error rates in eight and nine fields in January and February, respectively. Scituate, with no field error rates above 3% in the first quarter of the study, developed unacceptable error rates in six and seven fields in the first two months of 2005. West Warwick, above 3% in four categories for October-December, failed to have acceptable rates in nine of ten fields in both January and February.¹⁰

The two categories with the greatest increase in error rates over time are “Unit ID” and “Search” data. First quarter results for “search” data show just three departments with an unacceptable error rate between October and December. In February 2005, however, a total of 14 departments had unacceptable rates for that field. Obviously, accurate information for this field is particularly critical for the study. The enormous jump in error rate for search data raises numerous questions about the continued accuracy of the data being reported.

¹⁰ Conversely, a few departments performed as one would expect them to perform, by showing significant increases in completeness in filling out forms during the five month period. Foster, Richmond and West Greenwich showed particular progress in that regard.

As for the “unit ID” category, first quarter results show that ten departments had unacceptable error rates for that field. However, in February 2005, more than twice as many departments – 21 in all – had unacceptable rates for that field.

Related to that, the data also document an increasing and disturbingly high error rate in the “location” field (a code giving an approximate location as to where the car was stopped). This category had the highest error rate of any field in February 2005, with 24 departments – almost two-thirds – exceeding the acceptable error threshold. (In November 2004, by contrast, only seven departments had unacceptable error rates for this field.) This is particularly troubling when combined with the very high error rate for “unit ID.” These are the two fields that can tell supervisory personnel exactly where racially disparate stops or searches are occurring. If these two fields are not being filled out, or are being filled out improperly, it is virtually impossible for police officials to take seriously their responsibility to analyze the card data for problem areas.

Only two categories – “frisk” (whether a frisk was initiated as a result of the stop) and “residency” (whether the car was registered in or out of state) – showed improved accuracy over time, with fewer departments demonstrating unacceptable error rates. However, this was all but inevitable since these two categories had astronomical error rates to begin with.¹¹ Those initial high error rates can at least be

¹¹ In October, 33 of 39 departments had unacceptable error rates for the “resident” field, and 22 had unacceptable rates for the “frisk” field.

partially excused in recognition that of the ten fields, these were the only two new pieces of information that had not been collected during the 2001-2002 study.¹²

On the positive side, some departments have routinely shown low error rates, rarely if ever hitting 3% in any field. These departments include Coventry, Gloucester, Jamestown, North Providence, North Smithfield, Portsmouth and Smithfield.

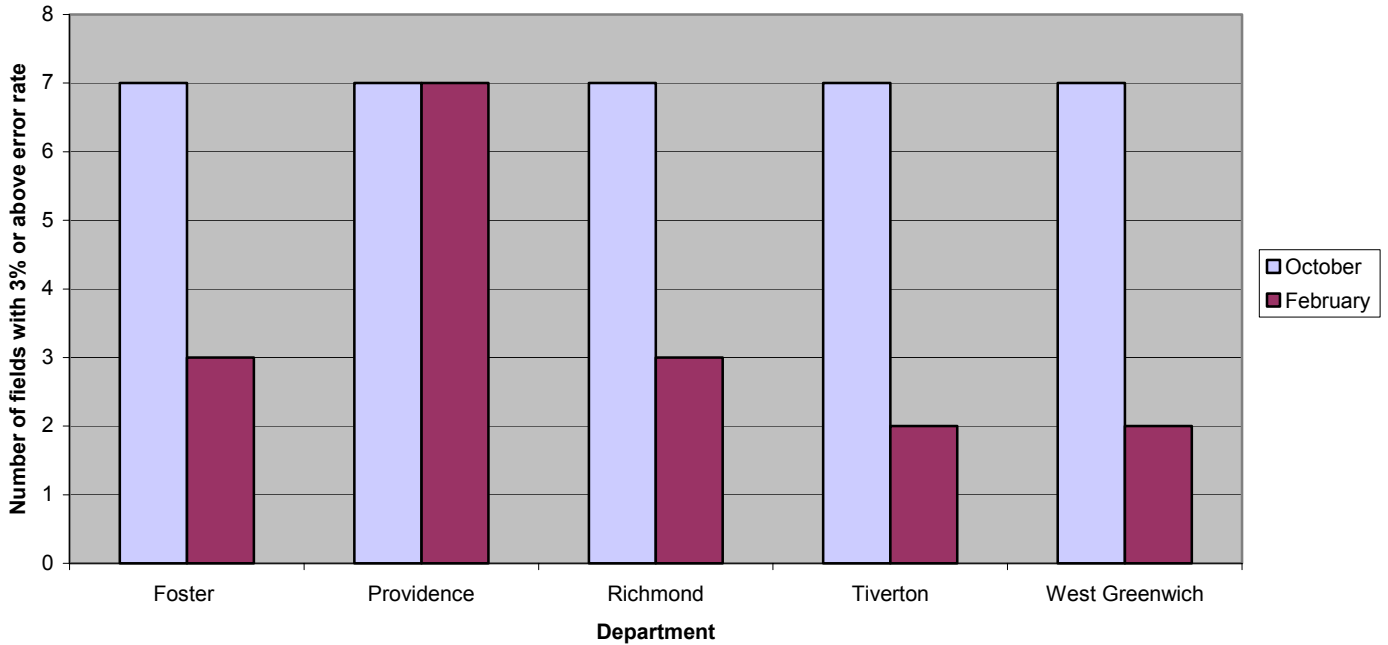
Departments that had high error rates in one category tended to have them in multiple categories, suggesting at least initially a general lack of training in these communities. For example, the five worst municipalities in terms of error rate in October were Foster, Providence, Richmond, Tiverton and West Greenwich. Each were deficient in seven of ten fields. However, all of them except Providence reduced their unacceptable rates to three or fewer fields by February. (See graph, next page.) Similarly, Warwick, which initially had four fields above the 3% threshold in October, showed no unacceptable error rates in January and February.

This improvement is the result one would expect over time with “practice” in filling out the forms. The significant increases in error rates in so many communities are thus all the more puzzling – and troubling – because the problem clearly is not one of training. One must at least raise the possibility of deliberate omissions under the circumstances. That these errors are not being caught by supervisory personnel also suggests an unacceptable breakdown in the data collection system in some departments and, at a minimum, non-compliance with the mandates of the 2004 law.

¹² “Frisk” first quarter figures showed 19 departments with an unacceptable error rate; February 2005 figures still show 16 departments with unacceptable rates. “Residency” first quarter figures showed 31 departments with unacceptable error rates, reduced to 24 in February 2005.

Graph C

Departments With Highest Initial Number of Fields In Unacceptable Range:
October and February Comparison



Finally, one police department in particular stands out for its error rate, and deserves special mention. That is the Providence Police Department.

Although Providence's error rate has shown much *relative* improvement over time, it still had unacceptable error rates in *seven* of the ten fields in February 2005, the same number as in October. In fact, in Providence, seven fields exceeded the 3% error rate in four of the five months studied. Despite a general reduction in errors over time, in no month has Providence had error rates of below 3% in more than four fields. No other department shows such consistently poor accuracy rates throughout the first five months of this latest study.

Even more astounding is that, as late as January, Northeastern researchers found Providence police filling out and submitting outdated traffic stop cards left over from the 2001-2002 study, not the current forms!

The Providence Police Department's appalling error rates are all the more surprising since it was held in contempt of court for its failure to properly collect data in the 2001-2002 study. Unlike any other department, it was required by court order to collect data for an extra six months in 2003. Yet despite a new administration and a highly publicized plan to combat racial profiling, the latest statistics show that traffic stop cards are still being filled out correctly at woefully insufficient rates.

4. A REVIEW OF POLICE DEPARTMENT ANNUAL REPORTS

In light of the troubling statistical results, the Rhode Island ACLU determined it was critical to examine what steps police departments said they had taken over the past year to address racial profiling and to come into compliance with the new law. This task was made feasible by a state law, R.I.G.L. §42-137-5, requiring all police departments each January to submit an annual report detailing what measures, if any, they had implemented to address the racial disparities documented in the 2001-2002 study. The reports are submitted to the Select Commission on Race and Police-Community Relations.¹³

In reviewing the reports submitted in January by police departments, the ACLU aimed to gauge the seriousness with which they were addressing racial profiling concerns, and to identify some of the strategies they were implementing in an attempt to combat illegal profiling. We also sought to identify to what degree police officials had incorporated requirements of the 2004 law and recommendations from Northeastern University's 2003 study in crafting their anti-racial profiling plans.

We found in the reports wide variation from one department to the next, both in the thoroughness with which they fulfilled their statutory obligation to document their efforts, and in their apparent level of commitment to addressing racial profiling amongst their ranks. A handful of police departments drafted formal reports and included supporting documents. Most submitted letters ranging in length from

¹³ The Select Commission, whose duties are set out in R.I.G.L. §42-137-5, is charged with analyzing and developing strategies for improving police interactions with the community and reducing racism.

several pages to just a few sentences.¹⁴ With a few exceptions, larger departments submitted more detailed reports. A synopsis of each departmental report we received is included as an appendix.

Although the Racial Profiling Prevention Act's mandate to eliminate racial bias and continue data collection presented a significant challenge to police officials, the departments were not without guidance in trying to meet the law's demands. The Act itself unambiguously set forth several steps to be taken by each jurisdiction, including revision of all policies and procedures concerning traffic stop and search procedures; officer trainings on data collection and the requirements of the law; weekly supervisory monitoring of traffic stop and search documentation to ensure compliance; and additional periodic review of the data to identify any racial disparities.

Another important resource available to police officials in developing plans to comply with the law was the wealth of data collected by Northeastern for the 2001-2002 study, as well as a series of recommendations contained in its 2003 report analyzing that data. Departments that showed high levels of racial disparities in traffic stops or searches were advised by the 2003 report to examine the data and their internal practices to determine whether the problem was pervasive throughout the department or largely attributable to certain individual officers or particular traffic stop practices. Northeastern also suggested that law enforcement officials initiate meetings in their respective communities to discuss any disparities found in the study and open up community-police dialogue about the appropriate role of traffic stops in law enforcement. The study recommendations emphasized that in order for

¹⁴ As of the end of March 2005, the Commission had no report on file for one department, West Greenwich.

departments to gauge progress, monitoring systems should be established to turn the collected data into useful information about traffic stops and their outcomes. Finally, the researchers urged development of a state-wide training curriculum to increase officer awareness of racial profiling and the data collection process.

Yet, despite the direction that both of these sources offered, a significant number of departmental status reports fail to indicate any action taken on certain provisions of the 2004 law, most notably the monitoring, review and analysis of traffic stop data.

Notwithstanding the undoubted good faith of police departments in submitting their progress reports, our review (as well as the first quarter data) indicates that some of the very specific recommendations for action made by Northeastern in their report were ignored. Of most consequence, there appears to have been little, if any, attempt by departments to review traffic stop data in any meaningful way in order to examine “pattern and practice” issues that could be corrected.¹⁵

Among the police departments providing the most detailed reports were the R.I. State Police, Johnston, Pawtucket, Providence, Smithfield and Warwick. However, as a review of the statistics shows, thoroughness of reports and sincerity of commitment did not necessarily translate into reduced racial disparities.¹⁶

¹⁵ We found only one reference in any of the annual reports to police traffic stop enforcement patterns: Johnston, in its report, stated that it had limited its “traffic enforcement program to one-hour intervals at each location, with the location of enforcement being evenly distributed throughout town.”

¹⁶ Both Providence and the R.I. State Police showed significant increases in search disparities this quarter. On the other hand, both Pawtucket and Johnston showed significant decreases from their 2001-2002 ratios, although the number of searches they conducted for the quarter was too small to be statistically significant.

The reports of a number of other departments were notably lacking in specifics. Among the least detailed reports were those submitted by Foster, Hopkinton, Little Compton, Tiverton and Warren. Although they represent smaller communities, two of them – Hopkinton and Tiverton – had been singled out in Northeastern’s 2003 report for closer review because of the high racial disparities in their traffic stop data.

While a number of departments stated that traffic stop data cards were regularly reviewed for completeness and basic compliance, only a few referred to actual data analysis. The gap between promise and practice is made even more clear by examining the data for those departments that specifically indicated they had a review process in place to ensure that cards were being filled out properly, as the state law required.

For example, Providence, according to its annual report, assigned a captain to coordinate data card collection and tracking, yet throughout each of the first five months of data collection, more than half of the ten traffic stop card fields has had an unacceptable error rate. And, as previously noted, Northeastern researchers even found Providence police submitting old 2001-2002 traffic stop cards for the 2004 study.

To give another example, West Warwick indicated it had two officers responsible for “spot checking” the survey forms for compliance and completeness. Yet in January and February 2005, nine of the ten fields contained unacceptable error rates.

As this makes clear, reviewing the reports does not tell us whether revised policies are, in practice, being followed. Nor does it tell us how effectively officers

have absorbed and implemented tools they learned in racial profiling prevention trainings. It is not the reports, but the statistics (and the 10% error rate they document) that tell us how thoroughly – or spottily – supervising officers are monitoring traffic stop and search documentation.

What the departmental reports can provide, however, is a general sense of the level of commitment that each department has brought to this issue. Despite the clearly defined steps laid out in the 2004 law and in Northeastern’s recommendations, only some of the departments demonstrated in their reports a clear effort to address each aspect of the law, from training to data analysis.

Even among those departments whose reports described a commendable level of effort, the first quarter study results released last month clearly demonstrate that further action is needed if effort is to translate into results. The recommendations contained in this report constitute an attempt to better promote those efforts.

5. RECOMMENDATIONS

Based upon a review of this first quarter of statistical information, as well as the status reports submitted by police departments in January, the ACLU believes a number of additional remedial steps need to be implemented to address the ongoing problem of racial disparities in vehicle searches that is amply documented by the latest report.

1. The R.I. Justice Commission should publicly release on a monthly basis, as soon as the information is made available by Northeastern University, a breakdown of the card error rate by jurisdiction.

2. Every law enforcement agency should be required to formally certify each month to the R.I. Justice Commission that supervisory personnel have checked the traffic stop forms for both accuracy *and* completeness on at least a weekly basis, as required by law, and to list the officials responsible for this review. The certification should specify that audits of traffic stop information on a random and routine basis have been performed, to ensure that cards are being filled out for every stop and the information is being completed accurately.

3. Every law enforcement agency should be required to formally submit, on a monthly basis, a brief report confirming that the cards have been reviewed for disparities, and indicating whether that review has found any patterns relating to officers, locations, or practices that may be responsible for the disparity. To that end, police departments should further develop a formal system for statistical analysis and examination of any detailed breakdowns of traffic stop and search data provided by Northeastern on a monthly basis.

4. Police officers should be required to document in writing their “probable cause” or “reasonable suspicion” grounds for conducting a search.

5. So-called pretext stops – in which police use minor traffic violations as a pretext for pulling over “suspicious” vehicles which officers otherwise have no grounds to stop – should be banned. Such stops almost certainly bear some responsibility for the high percentage of fruitless searches conducted by police.

6. In order to promote uniformity and clarity, the Select Commission on Race and Police-Community Relations, in conjunction with the R.I. Justice Commission, should issue detailed guidelines and a template for police departments to follow in submitting their annual status reports.

7. In deciding what information to release in the first quarter study, the R.I. Justice Commission sought input only from law enforcement, not the civil rights community, despite a statutory directive for the agency to seek broad consultation on “issues that arise relating to the enforcement and implementation” of the anti-racial profiling law. R.I.G.L. §31-21.2-6(m). Civil rights and community groups played an integral role assisting Northeastern in various aspects of the 2001-2002 study, and in promoting passage of the 2004 law leading to the current data collection process. The Commission should reinvolve those groups in the data collection review process, as anticipated by the 2004 statute.

APPENDIX

SUMMARY AND SYNOPSIS OF POLICE DEPARTMENT REPORTS

Most of the measures discussed in the annual reports submitted in January by police departments fall under the following categories:

- Policy Revisions and Procedural Changes
- Training
- Data Analysis
- Community Involvement
- Minority Recruitment
- Complaint Procedures

With the possible exception of minority recruitment, each of these categories represents an action specifically required by the 2004 law or prescribed in the Northeastern report. The most commonly reported actions fell into the first two categories of policy revisions and training.

What follows is a brief summary – not an analysis – of some of the actions Rhode Island police departments did report taking in each of these categories. It is important to emphasize that our references to each municipality’s activities are based solely on how *the departments themselves* described their efforts in their reports to the Commission. We have not sought to verify or judge the effectiveness of the measures cited in the reports, but simply to report the departments’ own evaluations of their progress.

Policy Revisions and Procedural Changes

Under the 2004 law, the new “policies and procedures established by [the Act] shall be added to, and prominently placed in, all relevant departmental policy and training manuals.” This administrative task was one that a majority of departments indicated they had fulfilled. The changes cited included updating existing policies to contain the new statutory definition of racial profiling; spelling out the data collection requirements; and updating the rules governing consent searches to include the law’s new “probable cause” requirement.

Regarding the statute’s new restriction on consent searches by police, some departments reported that they had developed new practices to ensure that proper search procedure is followed. Several departments said they required officers to advise dispatch each time a search was to be carried out, and to complete documentation stating the probable cause that prompted the search. Cumberland, East Providence and Smithfield indicated that officers are now required to seek supervisory approval before conducting a consent search; in the case of Smithfield,

the policy calls for the supervisor who grants the approval to then report to the scene and personally oversee the search.

Training

The 2004 law provides that “appropriate training about the requirements of this chapter shall be provided to all officers.” In addition, the Northeastern report included a recommendation that “the Rhode Island Chiefs of Police Association should develop (using existing national curriculum) a training program for both in service and recruit training. The curriculum should review the national issues around racial profiling and should include a review of the process of data collection and analysis undertaken in Rhode Island.”

Most departments reported that officers participated in some type of racial profiling, data collection or cultural diversity training during 2004. Trainings often took the form of roll-call trainings led by commanding officers, and covered departmental policy on racial profiling, completing traffic stop data cards, conducting professional traffic stops, and proper search procedures. Several departments made direct reference to training officers on the probable cause requirement when requesting consent searches. Some departments reported bringing in experts or using multi-media instructional aids for in-service trainings.

In addition to trainings and in-services within the departments, a significant number of departments reported sending officers to outside conferences and seminars sponsored by Roger Williams University, Rhode Island College and others. Department representatives who attended such trainings frequently disseminated what they had learned to the rest of the department through in-house trainings.

Data Analysis

Two crucial aspects of the 2004 racial profiling law were that:

(1) *Every law enforcement agency “shall ensure that supervisory personnel review each officer’s stop and search documentation and data results on a weekly basis to ensure compliance with all policies, prohibitions and documentation requirements”;* and

(2) *The head of every police department, or a designee, “shall review the data on a regular basis in an effort to determine whether any racial disparities in the agency’s traffic stops enforcement exists, and to appropriately respond to any such disparities.”*

In the same vein, Northeastern had strongly recommended that: “Law enforcement should closely examine and address any internal practices or actions of individual officers that may cause the types of disparate stop patterns observed in this study. In departments that were identified as having racial disparities in either stop or search practices, supervision and monitoring programs should be established to help

determine whether such disparities are the result of wide-spread institutional practices or the actions of a smaller number of individual officers.”

Several departments reported that methods had been developed for collecting and monitoring racial profiling data cards. The procedures frequently called for daily collection and oversight of data cards by shift supervisors, sometimes followed by further review by one or two designated officers. East Providence, for example, reports that the midnight lieutenants review the previous 24 hours of data from the department’s computer system to determine the number of traffic stops called in and then compare it to the number of submitted cards. The report is then forwarded to the officer designated to oversee the department’s data collection and any discrepancies are addressed.

An even smaller number of departments said they went a step further by actively analyzing and generating internal reports based on the data. Smithfield, for example, included with its report a list of statistics gleaned from the department’s October-November 2004 data cards, and also reported that it presented 2001-2002 study data to all officers and identified two patrol beats as sources of discrepancies. Johnston submitted a copy of an end-of-year overview of its own data. A handful of other departments – including Barrington, Cumberland, East Greenwich, Middletown and South Kingstown – made vague references to analysis or monitoring of data, but did not provide details. Warwick indicated it was looking into a system to capture and analyze data.

Community Involvement

The Northeastern report recommended: “In each jurisdiction law enforcement officials should meet with members of the community to review and discuss the information from this report so they can begin a process of enhancing trust.”

Citing a need to improve trust and communication between the community and the police, a few departments said they had taken steps to broaden the role of police officers in the community. Pawtucket pointed to its efforts to increase police presence and accessibility in diverse neighborhoods. The department also cited its “Citizens Police Academy” and “Junior Citizens Police Academy” programs as a means to foster better relationships among police officials, community members and local youth.

Increased police accessibility and exposure in the community was emphasized in the report submitted by the Providence Police Department. The department said it had undertaken initiatives to “develop positive interactions with the community,” such as by instructing school resource officers to emphasize law enforcement officials’ roles as mentors. Woonsocket’s report also mentioned efforts to increase police visibility in the community, through a school resource officer at Woonsocket High School and a full-time “outreach officer” on daily patrol downtown. Warwick and the State Police mentioned numerous meetings with community groups to examine racial profiling issues.

Minority Recruitment

Five departments (Cranston, Pawtucket, Providence, Woonsocket, and the State Police) stated that their actions in the past year included efforts to increase minority representation within their forces. Minority recruitment tactics included partnering with and distributing recruitment information to community organizations; placing ads with non-English language newspapers and radio stations; encouraging minority officers to assist in the recruitment effort; and awarding extra points in the evaluation process to candidates who spoke more than one language.

Complaint Procedures

Addressing a subject broader than racial profiling, the 2004 law set some procedural standards for departmental handling of complaints of police misconduct. Specifically, the law required that police have a written procedure for their misconduct investigations, and that copies of departmental complaint forms be made available in at least one governmental location other than the police department. The procedure and forms were also to be made available on the police department's website.

A number of departments noted changes in their handling of complaints from the community in accordance with the law. Warwick, for example, stated that complaint procedures had recently been revised to specifically address reporting and investigation of bias complaints, and a few departments noted that complaint forms are now available on their websites and in locations other than police headquarters, as the 2004 law requires.

What follows is a bulleted synopsis of the reports submitted by police departments in January 2005. Like the summary above, this list represents the police department's own descriptions of their activities and progress, and has not been independently evaluated.

SYNOPSIS OF REPORTS SUBMITTED BY POLICE DEPARTMENTS ON THEIR EFFORTS TO ADDRESS RACIAL PROFILING

Barrington

- Sent three officers to a training program at Roger Williams University.
- Revised policy on racial profiling.
- Traffic stop data is being closely analyzed. "Excellent" results thus far.

Bristol

- Policy issued and discussed in roll-call trainings.
- Two in-service trainings addressed racial profiling, the new law, and search procedures.
- Training staff took part in "Train the Trainer" program.

Burrillville

- Review of traffic stops indicates that racial profiling is not occurring.
- General Order concerning “Biased Policing” revised in September 2004.
- Department conducts ongoing sensitivity and diversity trainings.
- Revised policy (enclosed).

Central Falls

- Two officers conduct trainings on data collection requirements.
- Internal affairs complaint forms for racial profiling incidents available in police department lobby and Central Falls city hall.
- Racial profiling cards for last three months indicate no instances of racial profiling.
- 18 of 50 department employees are minorities.
- Copy of 2003 “Biased Based Profiling” policy enclosed.

Charlestown

- Revised policy (enclosed).
- Chief states that statistics for traffic stops are consistent with community’s overall ethnic composition.

Coventry

- Revised “Racial Profiling and Traffic Stop Statistics” policy.
- Newly appointed supervisors attend “First Line Supervisors School,” which includes a section on racial profiling.
- Internal affairs officers monitor and investigate all complaints.
- Department provides ongoing in-service trainings, which include reviews of department policies.

Cranston

- Active recruitment in minority communities in late 2003 led to hiring of three ethnic minorities and one woman.
- Every officer attended four hours of cultural diversity training as it relates to police-community relations. New recruits trained on professional traffic stops and cultural diversity.
- All supervisors received training in detection and prosecution of hate crimes.
- One officer trained as a trainer at “Professional Policing: Addressing Police Bias” seminar. All officers will receive four-hour blocks of training from this officer beginning 2/1/05.
- Reissued “Racial Profiling” policy; officers trained in application of the policy.

Cumberland

- Revised “Impartial Policing” policy to comply with R.I.G.L §31-21.2-1.
- Supervisory approval and written incident report required for all vehicle searches.
- Roll-call training on “Professional Traffic Stop” model.

- All officers underwent “Cultural Diversity Training,” which focused on civil liability and “Biased Based Policing.”
- All officers attended “Addressing Biased Based Policing” workshop.
- Three lieutenants assigned to monitor the traffic stop data cards.

East Greenwich

- Officer activities continually monitored through computer statistics.
- Officers sent to training seminars (no specific seminars mentioned).

East Providence

- All department members attended two-hour training on search and seizure provided by an assistant Attorney General.
- Revised racial profiling policy to comport with the law.
- Established policy on motor vehicle traffic stop searches to establish procedure concerning documentation and supervision of searches resulting from traffic stops.
- Developed procedure for collecting data cards: midnight lieutenant reviews the computer system to determine the number of traffic stops in the prior 24 hours and the number of data cards submitted. The report is forwarded to the Prosecution Supervisor, who identifies and corrects any discrepancies.

Foster

- Revised policy (enclosed).
- Will work with staff to ensure all are familiar with racial profiling and the applicable laws.

Glocester

- Northeastern study results pertaining to Glocester are continuously used in in-service trainings.
- A lieutenant attended a Roger Williams University training program and has passed the training along to supervisors.
- Supervisors have conducted roll-call trainings on data collection and the departmental policy on racial profiling.

Hopkinton

- Submitted a copy of “Racial Profiling and Traffic Stop Statistics” policy.

Jamestown

- Revised “Racial Profiling and Traffic Stop Statistics” policy (enclosed).
- Two supervisors attended a statistical collection training program at Roger Williams University and shared the information with the rest of the department.

Johnston

- Command staff has attended racial profiling and data collection training sessions and seminars at Roger Williams University and Rhode Island College; disseminated materials and information to the rest of the department and conducted roll-call trainings.
- Created “Racial Profiling” policy and issued related general orders and training bulletins.
- Conducted monitoring and analysis of data cards (analysis enclosed).
- Distributed racial profiling training bulletin to all personnel in July 2003; reissued in 2004 (enclosed).
- Limited traffic enforcement patrols to half-hour intervals at locations evenly distributed throughout the town.
- Complaint forms available at Town Hall and police headquarters.

Lincoln

- Issued “Bias Based Policing” policy.
- Officers participated in “Building Strength Through Diversity” conference.
- Officers will watch video “Shadows of Hate” at upcoming roll-call training; two officers will go to “Cultural Awareness Training” sponsored by the International Association of Chiefs of Police.

Little Compton

- Policy last revised in December 2003.
- Department is participating in data collection.

Middletown

- Data cards are submitted and “monitored closely.”
- Issued a policy concerning racial profiling and traffic stops and trained officers in the new policy.
- Lieutenant attended “Building Strength Through Diversity: Identifying Best Practices With Racial Profiling and Hate Crimes” seminar at Rhode Island College.

Narragansett

- Discussed racial profiling statute at monthly executive staff meetings and quarterly staff meetings.
- Lieutenants assigned to attend trainings on data collection procedure, addressing police bias and hate crimes/racial profiling.
- Patrol lieutenants have conducted roll-call trainings based on their own training.
- Developed procedure for collecting and analyzing data cards. Lieutenant tracks the numbers weekly to look for any anomalies.
- Reissued policy concerning racial profiling and vehicle searches.

New Shoreham

- Department continues to work with Police Chiefs' Association, Attorney General's office and Rhode Island Select Commission on Race and Police Community Relations on profiling issues and concerns.
- Revised policies.
- Discussed racial profiling at roll-call; conducted racial profiling training for seasonal officers.

Newport

- Issued department policy on "Biased Based Profiling" and special order on "Racial Profiling Data Collection." (enclosed)
- Plan to devote time in this year's in-service program to cultural diversity training.
- Compiled data on age/sex/race of drivers issued citations (enclosed).

North Kingstown

- Does not feel that the department engages in racial profiling.
- Conducted roll-call trainings and provided officers with literature concerning racial profiling and cultural diversity.

North Providence

- Officers met with Northeastern researcher to discuss study results.
- Officer attended "Professional Policing: Addressing Police Bias Instructor Course."
- Conducted cultural diversity roll-call trainings; cultural diversity training scheduled for 2005.
- One full-time officer is dedicated to Internal Affairs.
- Pamphlets describing how to file complaints are on display at town hall and police headquarters.
- Revised policy; officers must complete report on all consent searches.

North Smithfield

- Internal Affairs conducts annual review of all "Bias Based Profiling" complaints.
- Officers received training in traffic stop data collection pursuant to new law.

Pawtucket

- Several officers attended "Traffic Stop Statistics Act" training session sponsored by the Rhode Island Justice Commission.
- Copies of Racial Profiling Act of 2004 distributed throughout department and discussed in roll-call trainings. Training focused on preparation of data cards and search procedures.
- Adopted procedures for data collection: officers notify dispatch of all traffic stops; data cards are completed and forwarded to Municipal Court Division for review; cards then forwarded to the Governor's Justice Commission on a monthly basis.

- Revised search procedure: written report required whenever an officer conducts a search of a vehicle and/or person. Search reports reviewed by immediate supervisors and forwarded to Municipal Court Division; any discrepancies reported to department chief and Training Division.
- A Pawtucket PD captain has co-authored a training manual on police bias and will facilitate department trainings in 2005.
- Newly appointed supervisors attend 40-hour training on complaint procedures, including racial profiling complaints. Complaint forms available throughout the city: at Mayor's office, community center and other locales.
- Increased police presence and accessibility in diverse neighborhoods.
- Department offers ten week "Citizens Police Academy" and "Junior Citizens Police Academy" aimed at familiarizing community members and students with law enforcement issues and improving relationships between police officials and local youth.
- Created partnership with Network Rhode Island to expand minority recruitment.

Portsmouth

- Revised racial profiling policy.
- Efforts to educate public on citizen complaint procedures (via website and mailings).
- Mandatory reports on consent searches must demonstrate "valid reason for the car stop and a reasonable suspicion for any consent searches requested."
- Supervisors review cruiser videos once a quarter to monitor each officer.

Providence

- Participated in Mayor Cicilline's Committee on Racial Profiling; committee drafted an action plan and recommendations (action plan enclosed).
- Undertook initiatives to "develop positive interactions with the community," such as instructing School Resource Officers to stress law enforcement officials' roles as mentors and role models; collaborations with Community Mediation Center of R.I. for resolution of private disputes; and sponsoring of grant applications for newly formed "crime watch" organizations.
- "National experts" brought in to train command staff on latest trends in racial profiling.
- Assigned a Captain to coordinate data card collection and tracking.
- Formed committee for the purpose of developing and implementing a strategy for increased minority recruitment. Representation of Hispanic males in the graduating class increased as a result.
- Discussed racial profiling and brought in experts (such as the Northeastern study authors) on the subject at both semi-annual senior staff retreats.
- Issued general order on data collection and search procedure. New policies discussed in roll-call trainings.

Rhode Island State Police

- Added provision to traffic enforcement procedures: duties to be performed “through aggressive enforcement of the State’s motor vehicle laws and not through any racial or ethnic profiling practices.”
- Recruits receive training on racial profiling and cultural diversity prior to enlistment; ongoing training is provided through in-service courses.
- Existing anti-bias policies have been revised to comport with the 2004 law.
- Most vehicle searches will continue to be recorded by patrol car video cameras.
- Superintendent of the State Police met with division supervisors, police chiefs, Civil Rights Roundtable, Racial Justice Task Force, and other community members to discuss racial profiling, data collection and the new law.
- Training participation:
 - Racial Profiling: Issues and Dilemmas Seminar for Supervisors at Roger Williams University
 - Data collection training by Jack McDevitt of Northeastern University
 - 2004 Diversity Recruitment Raining Conference in Washington, DC
 - Building Strength Through Diversity: Racial Profiling / Hate Crimes Issues Seminar
- Increased minority recruitment for the 52nd State Police Training Academy through collaboration with the minority community. 20% of the 2005 expected graduates are minorities.
- Ethnic minorities and women among those promoted to corporal, sergeant and lieutenant in the last two years.
- Policy on consent searches revised per R.I.G.L. 31-21.2-5. Officers are required to notify barracks when a search of a vehicle or person is to be conducted. For vehicle searches, officers must complete forms documenting probable cause for the search.
- Division tries to stay abreast of court rulings concerning what constitutes probable cause and disseminates new information via bulletins and trainings.

Richmond

- Semiannual roll-call trainings have covered racial profiling and data collection requirements.
- One officer assigned to coordinate data collection and attend “Building Strength Through Diversity” training and “Identifying Best Practices in Dealing With Racial Profiling and Hate Crime.”

Scituate

- All members of the department have received a copy of a policy establishing guidelines for collection of traffic stop data. Officers have received training concerning the policy.
- A sergeant has been designated as the department’s contact person with the Rhode Island Justice Commission.

Smithfield

- Revised “Biased Based Profiling” policy (enclosed).
- Held in-service training on “Biased Based Profiling” in June 2003.
- 8 senior officers met with Northeastern researchers in October 2003 to learn about the data applicable to Smithfield. Data concerning racial disparities in Smithfield PD traffic stops and searches subsequently presented to all officers in roll-call training.
- A captain attended a Rhode Island Coalition for Affirmative Action forum in April 2004.
- Two officers completed a Cross-Cultural Competence Instructor Certification Course and a data collection training session at Roger Williams University. The officers led a 4-hour in-service training on police bias and traffic stop statistics in September 2004.
- Revised search policies. Officers must notify supervisor and request approval before asking vehicle operator or passengers for search consent. Supervisors shall approve only when requests are “reasonable and justifiable,” and then report to the location to oversee the search. Whenever possible, officers will await the supervisor’s arrival before conducting the search.
- Officers have been completing data collection cards and submitting them to patrol shift supervisors for review. All cards are then forwarded to a sergeant who analyzes them and generates a monthly report. Oct-Nov results are enclosed.
- Civilian complaint procedures posted in the police department and at town hall. Procedures and complaint forms also available on the department’s website.

South Kingstown

- Notes that Northeastern study ranked South Kingstown lowest in the state for traffic stop disparities.
- Roll-call trainings on requirements of new law, particularly related to searches and probable cause.
- Roll-call training on hate crimes.
- Commanding officers directed to closely monitor traffic stop data cards.

Tiverton

- Policy directs officers to assist citizens in filing of complaints.
- Department is now required by law to fill out “stop cards.”

Warren

- Reviewed and reissued “Policy Regarding Racial Profiling and Traffic Stop Statistics” (enclosed).

Warwick

- One officer reprimanded in response to a citizen's bias complaint.
- Commissioned Salve Regina to conduct study of public perception of WPD. Study reported "significant public satisfaction" in "Racial/Ethnic Relations" category.
- Chief has attended meetings and forums concerning racial profiling, including Warwick Affirmative Action Commission, National Conference for Community and Justice and Civil Rights Roundtable.
- Assigned an officer to be R.I. Justice Commission liaison and facilitate data collection.
- Established department Bias Policing Committee to look into a racial profiling data analysis system and work with the Training Committee to address racial profiling.
- Issued "Racial Profiling Data Collection Special Order #04-26." Revised existing policies to comply with the law.
- Revised complaint procedures to include reporting and investigation of biased policing allegations. Complaint procedures and forms available at the department, at city hall, and on the department's website.
- Officers attended "Cross Cultural Competence Instructor Certification" and "Building Strength Through Diversity." The officers are available to conduct trainings.
- Roll-call trainings and supplemental video training covered data collection, search procedures and racial profiling. Department supervisors received separate training on their responsibilities concerning profiling and data collection.
- Supervisors review all traffic stop and search documentation daily. Each division/platoon officer-in-charge reviews and compares the data weekly. Operations Bureau conducts periodic audits to detect and respond to any disparities.

West Warwick

- Senior officers met with Northeastern researchers in October 2003; disseminated the information to all officers.
- Two officers attended "Rhode Island Data Collecting" conference at Roger Williams University; the officers then conducted a roll-call training for all officers.
- Held mandatory four-hour blocks of training on policy review; one hour devoted to racial profiling policy.
- Two officers responsible for "spot checking" the survey forms for compliance and completeness.

Westerly

- Revised racial profiling policy; officers trained on changes.
- Conducted training on completion of traffic stop cards and probable cause for searches.

- Distinct “call type” created in records management system to clearly identify traffic stops that result in searches.
- Lieutenant assigned to oversee reporting requirements, ensure compliance, and address any disparities encountered.
- In process of developing in-service training program that would include a module on traffic stops and professional conduct.
- Developed revised civilian complaint form available via website and at town clerk’s office.

Woonsocket

- Increased minority recruitment efforts.
- New recruits trained on all department policies and interacting appropriately with the public.
- Weekly in-service training topics have included race relations; hate crimes, diversity, racial profiling, etc.
- Increased police visibility in the community, via school resource officer at Woonsocket High School; officer assigned to Woonsocket Housing Authority; full-time outreach officer on patrol daily downtown.
- Established procedure for calling in traffic stops and logging racial profiling cards.