

## City of Portland

### Portland Committee on Community-Engaged Policing (PCCEP)

#### PCCEP Settlement & Policy Subcommittee (Rescheduled from 10/4/23)

#### Meeting Notes

October 25, 2023, 6:00-8:00 PM

#### **Members in Attendance:**

Pastor Robin Wisner (Subcommittee Co-Chair), Leslie Martinez, Byron Vaughn, Nathan Castle, Kip Silverman, Odella Zuckerman, & Kerry Driver

#### **Guests:**

Stephanie Howard, Director of Community Safety (Mayor's Office)

Assistant Chief Chuck Lovell, PPB

Lt. Ken Duilio, PPB Focused Intervention Team (FIT), Enhanced Community Safety Team (ECST), Crisis Response Team

Lauren Brown, PPB, Manager of Strategic Services Division

Aubrey Perry, PPB, Crime Data Analyst in Strategic Services Division

Officer Natasha Haunsperger, PPB, Office of Community Engagement

#### **NOTES**

a) *Timestamps for the corresponding video are noted in bold, underlined text.*

b) *Because of the large number of slides, the slide text is not included in these notes. However, the slides can be found attached to the Zoom recording of this meeting in the document, "2022 PPB Stops Data Report."*

c) *A sampling of the questions and comments for each agenda item is presented below. Questions and comments are presented in summarized form, not as literal quotes.*

d)

e) Discussion Guidelines **0:15:10**

f) Updates **0:16:50**

#### **NOTE**

- Call to Order **0:9:46**
- Introductions **0:10:14**
- Community Agreements **0:14:06**
- Meeting Overview **0:14:39**
  
- PPB Presentation: PPB Stops Data 2022 Annual Report **0:15:19**

- Aubrey Perry, PPB SSD: My name is Aubrey Perry. I'm a crime data analyst here in Strategic Services Division. Who are the Strategic Services Division? We are an entirely professional staff. There are 3 managers. Lauren Brown, who is also here tonight, is the manager of SSD, the overall manager. There are 15, analysts like myself. I'm a crime data analyst and some other analysts in the division just mainly focus on investigative work with the detectives and other special units. **0:16:15**
- [Slide – Overview] **0:16:55**
- [Slide – Stops Analysis Overview] **0:17:22**
- [Slide – The Benchmarking Problem (1)] **0:18:35**
- Aubrey Perry explains what benchmarking is and why no perfect benchmark exists.
- [Slide – The Benchmarking Problem (2)] **0:20:37**
- Aubrey Perry explains why census data for a given geographical area does not work well as a benchmark.
- [Slide – How We Choose our Benchmarks] **0:23:33**
- Aubrey Perry lists the considerations for how PPB has chosen its benchmarks for stops by both Traffic Division and non-traffic divisions. He defined “Continuously Available” as a measurement that is continually being taken which isn’t true of, for example, an observational study.
- [Slide – Number of Stops] **0:25:17**
- Aubrey Perry, PPB SSD: In 2022 there were just under 14,000 stop traffic stops in the city of Portland. That were completed by PPB officers. This is the lowest on record. Just a quick aside, we have been collecting electronic stops data since about 2012. Prior to that, we had a lot of paper forms. We've been collecting a lot of traffic stops in the past 20 years. 2022 was the fierce amount of traffic stops that are electronic record system has. So very low right and it's even declined a little bit since 2,021. But it's not uniform across the bureau. Non-traffic, which is these 2 divisions I talked about. Non-traffic would be patrol officers. Investigative officers, support officers, anyone that is assigned to any division. Except the traffic division. Which means the other crew is traffic division, just a traffic officers. So non-traffic actually increased the number of stops that they did in 2022 versus 2021. But as you can see on the chart on the left, the bottom blue is just the non-traffic group. They're still making less than they did prior to the pandemic in 2019. Traffic officers only made 3,000 stop slash tier, which was less than they did in 2021, which is an all time record low. Mostly that's because the traffic division was essentially reassigned all the most of the officers that did traffic to work were reassigned to precinct patrol to help deal with college service shortages throughout 2,021 and 2,022. There were some still traffic stops made because they were doing overtime missions and state and federally funded grants that we coded as traffic missions because that's what they were doing. But it was such a small number that it really impacted the number of traffic stops we made in the city of Portland.
- [Slide – Stopped Driver Demographics – Traffic] **0:27:38**
- Aubrey Perry said Traffic Division polices in the “High Crash Network”, the busiest roads in Portland.
- [Slide – Traffic Driver Benchmark] **0:29:25**
- Aubrey Perry explains why the Traffic Division uses the Injury Collision Benchmark.
- [Slide – Stop Disparity Index – Traffic] **0:30:52**
- Aubrey Perry explains how the Stop Disparity Index is used in Traffic Division stops to

compare the stop rates for each perceived race/ethnic group to the rates observed in the Injury Collision Benchmark.

- Aubrey Perry, PPB SSD: PPB Traffic Division primarily polices on the high crash network. The Portland Bureau of Transportation maintains a map of the high crash networks across Portland. Many of them are the busy roads, places like NE Sandy Blvd and SE Division Street. Traffic officers almost exclusively police on this high crash network.
- [Slide – Stopped Driver Demographics – Non-Traffic] **0:32:26**
- Aubrey Perry explains why the traffic stops done by non-Traffic Division officers are correlated with “areas of crime occurrence and high numbers of calls for service.”
- [Slide – Non-Traffic Driver Benchmark] **0:34:22**
- Aubrey Perry explains why PPB uses the Violent Crime Victimization Benchmark for traffic stops by non-Traffic Division officers.
- Aubrey Perry, PPB SSD: There is, frankly speaking, less research on this benchmark available. This is one that we've only ever seen used by another agency or two. So it has less research backing than we would frankly like. But we also think it's the best available benchmark that hopefully meets most of the criteria. We are always on the lookout for better benchmarks. We really think it's important to provide a benchmark for the non-traffic officers to really speak to their missions and try to align that the most. We acknowledge it could have some shortcomings and we're always trying to move towards a better benchmark.
- [Slide – Stop Disparity Index – Non-Traffic] **0:35:53**
- Aubrey Perry, PPB SSD: The stop disparity index compares crime victim population to the stop rates. No disparities have been observed.
- [Slide – Overall Stop Reason] **0:36:30**
- Aubrey Perry, PPB SSD: Only 4% of the people stopped by non-traffic officers had some other crime attached. Even though those are small numbers, non-traffic personnel are significantly more likely to stop a driver for non-traffic related offences than traffic reasons. This is a long-term pattern that we've seen - non-traffic personnel have different stop patterns than traffic personnel.
- [Slide – Traffic Stop Reasons – Traffic Division] **0:37:51**
- Aubrey Perry, PPB SSD: Traffic division personnel perform stops almost exclusively due to the observance of dangerous driving behaviors. Dangerous driving behaviors are the ones identified through traffic officer knowledge and through research literature that are most likely to contribute to us of serious injury or fatal collision - such as running red lights or reckless or careless driving. Speeding was the number one offense, about 44% of the stops made in 2022, because the officer observed speeding.
- [Slide – Traffic Stop Reasons – Non-Traffic] **0:39:41**
- Aubrey Perry, PPB SSD: Drivers perceived to be Black and African-American were significantly more likely to be stopped for a minor moving or non moving violation other drivers. This is something that we've seen over the last 2 or 3 years. This is a trend that we have been discussed at the highest levels of the police bureau, something that we're always keeping an eye on to see what that looks like.
- [Slide – Consent Search Requests] **0:41:20**
- Aubrey Perry, PPB SSD: In 2022, less than 1% of all drivers were asked to consent to a search. That's the lowest from record. It has been continuously declining over the past 5 years. The Portland Police Bureau officers are just searching way less in the course of traffic stops than they used to. For 2022, there were no significant differences in who

were asked to consent or who denied consent. This is significant because it's the first year since 2018 with no significant differences in search requests. It's a second straight year with no significant differences in denial rate.

- [Slide – Completed Searches] **0:43:07**
- **Aubrey Perry, PPB SSD:** Completed searches are those times that a search was conducted. 1.3% of all stopped drivers were searched in 2022. This is the lowest search rate on record. Searches have been gradually declining over the last 5 years. There were no significant differences in who was searched based on their perceived race or ethnic identity. Historically, for many years, PPB officers searched Black and African-American drivers at a higher rate. This is the second straight year with no disparate differences. As search rates have gone down, we have seen the inequitable outcomes and disparate differences in search rates decline.
- [Slide – Contraband Hit Rates] **0:43:54**
- **Aubrey Perry, PPB SSD:** Officers are significantly more successful at finding contraband today than they were 5 years ago. The numbers in 2022 show that 70% of the times an officer chose to search an individual they found contraband, compared to 37% in 2018. That's almost doubled in 5 years. Officers are getting more efficient about knowing who to ask and knowing who to search to find contraband.
- [Slide – Stop Disposition - Traffic] **0:45:15**
- **Aubrey Perry, PPB SSD:** There were no singular differences based on the perceived race or ethnicity of the driver. Everyone was just as likely to receive a citation in 2022 when they were stopped by a traffic officer.
- [Slide – Stop Disposition – Non-Traffic] **0:46:22**
- **Aubrey Perry, PPB SSD:** Black and African-American drivers and Hispanic or Latino drivers were significantly more likely to be warned instead of cited than their white counterparts. Essentially, this means if you were stopped by a non-traffic officer and you were perceived to be white or Caucasian in 2022, you're significantly more likely to receive a citation rather than a warning in that year.
- [Slide – Number of Stops - FIT] **0:47:57**
- **Aubrey Perry, PPB SSD:** Last year FIT (Focused Intervention Team) personnel performed 545 driver and 0 pedestrian stops. That essentially means each day that they were working they performed 2.2 stops per day. Nearly all the stops were in either in North or East Precincts. They're very aware of where the highest levels of gun and other violent crime is in the city of Portland, so they tend to focus their patrols in those very specific areas....
- [Slide – Stopped Subject Demographics - FIT] **0:48:50**
- **Aubrey Perry, PPB SSD:** FIT personnel stop a significantly different group of drivers than PPB personal from other units and divisions. In 2022, they stopped significantly more people perceived to be Black or African-American, and they stopped significantly less Asian, or white individuals that year.
- [Slide – FIT Benchmark] **0:49:24**
- **Aubrey Perry, PPB SSD:** We don't have a benchmark for the FIT. There is no research supported benchmark for describing the underlying population that may be stopped by units focused on gun violence intervention. Most studies, when we're talking about stops level research, they're meant for benchmarking an entire organization and not small, specialized teams. We've scoured the literature. We've reached out to our peers in law enforcement agencies and community oversight groups. We have never come across another agency that really is hyper focused on a particular unit and asks how

does it compare to the underlying population.

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- [Slide – FIT Overall Stop Reason] **0:51:29**
- **Aubrey Perry, PPB SSD:** There are a larger number of subjects stopped for other crimes either with or without an accompanying traffic violation. Pretty much every person that a traffic officer stopped was only for traffic reasons. And about 4% of the people that non-traffic officers stopped is because there was an underlying crime or probable cause and reasonable suspicion of another crime. For the FIT team, about a third of their stops are because the evidence indicated that there may be another crime involved. No significant differences exist based on the perceived race or an ethnicity of the subject, meaning that across all the different racial groups, stop reasons are roughly similar.
- [Slide – FIT Traffic Stop Reasons] **0:52:20**
- **Aubrey Perry, PPB SSD:** FIT personnel are typically more likely to stop a driver for a minor moving violation and less likely to stop a driver for a dangerous driving behavior. This just highlights the different mission of trying to find the people that might be most involved in gun violence or other crimes in the city of Portland....Everyone was stopped for the same reasons, regardless of their perceived race or ethnic group.
- [Slide – Consent Search Requests - FIT] **0:53:26**
- **Aubrey Perry, PPB SSD:** FIT officers were significantly more likely to request consent to search than other PPB personnel. They're a little bit more than twice as likely to search someone. But practically that's not a lot of searches. Last year there were only 6 consent search requests made by a FIT officers. With such small groups, we can't really do a robust, physical analysis like we can with other ones. But just comparing Black and African-American subjects and white subjects, there were no significant differences in their request rate.
- [Slide – Completed Searches - FIT] **0:54:11**
- **Aubrey Perry, PPB SSD:** You'll see that, the search rate is roughly triple that of the PPB as a whole. And that they use can consent search about half the time, which is a little bit higher than non-traffic officers. There are no significant differences who was searched based on their race or ethnicity.
- [Slide – Contraband Hit Rates - FIT] **0:54:41**
- [Slide – Stop Disposition -FIT] **0:55:11**
- [Slide – PPB Stops Annual Report] **0:55:32**
- **Aubrey Perry** provides details about the PPB Stops Annual Report as a whole and categories of information not thoroughly covered in his presentation.
- [Slide – Stops Analysis Reports] **0:56:34**
- [Slide – Additional Questions] **0:57:30**
  
- Break **0:58:16**
  
- Q&A on PPB Stops Data **1:03:45**
  - **Byron Vaughn, PCCEP Member:** When PPB is back to full staffing, will stop rates go up or will they steadily go back down with the training and the data reporting that you have? **1:05:15**
  - **Aubrey Perry** explains how staffing and officers' responsibilities affects the number of stops.
  - **Bryon Vaughn, PCCEP Member:** Are out-of-town drivers visiting Portland included in

the stops data? **1:07:32**

- Aubrey Perry explains how the presence of drivers from out of the area affects both the data for stops and the benchmarks used.
- Kip Silverman, PCCEP Member: The reporting seems to be an aggregate across precinct-by-precinct. It doesn't break down the interactions by officer and I'm wondering if that data is available to understand if, based on types of interactions and the types of outcomes, there is a way for the PPB to actually recognize whether some officers are more inclined with an inherent bias or an on conscious bias? I feel like all of that would be really critical to understand to make sure that we're having as close to an unbiased interaction as possible. **1:09:53**
- Aubrey Perry explains why PPB has never done a thorough officer-by-officer analysis of the stops data.
- Community Participant #1, Dan Handelman, Portland CopWatch: Portland Police for several years keep making these claims that people driving in from other parts of the state and region make it so that that's why the numbers are skewed. But really couldn't you answer the question about whether that population difference is significant by looking at who gets stopped and finding out where they're from and then making a scientific study about whether that is actually a factor in this? In order for the 6% of our population to be represented by 20% of the people who are stopped or have 4 shoes on you'd have to have 89,000 people who are black come into Portland on any given day. Is it possible for you to find out who the people who are stopped and whether or not they're from Portland in order to justify that as a explanation? **1:11:46**
- Aubrey Perry explains why PPB does not cross-check for out-of-town, non-Portland residents in its stop data, citing insufficient research and state rules giving people months to officially update DMV with changes of home address.
- Community Participant #2: How do your statistical models deal with unregistered drivers and the in- and out-migration of people? Also, how many people of color are on the team that is compiling and analyzing this data, since people from different backgrounds might see the data differently? **1:15:25**
- Aubrey Perry agrees that the Injury Collision Benchmark is not a perfect measure, but says it was the best measure available so far, and he noted that the benchmark has performed consistent with changes in Portland demographics. Regarding the racial/ethnic makeup of the staff of SSD, Aubrey Perry declines to answer as a matter of privacy for his team members and suggests that PPB Human Resources would be the best place to direct that question.
- Community Participant #3: You pointed out that there were things you didn't discuss, such as mental health status. I'm wondering if you have anything you would like to say or can say about that given PCCEP's responsibilities as outlined in the Settlement Agreement. **1:19:49**
- Aubrey Perry, PPB SSD: One of the Appendixes - Appendix H I think - specifically looks at the different mental health status. Anytime an officer stops an individual, just like they're asked to perceive the race and ethnicity the individual, they're asked to perceive the mental health status of the individual that they're stopping. There are three options: 1) they perceive the subject to experiencing a mental health issue, or 2) they proceed subject not to be experiencing a mental health issue, or 3) they have an unknown perception of the mental health status of the individual.
- Community Participant #3: Is drunk driving counted as a mental health issue? **1:21:53**
- Assistant Chief Chuck Lovell, PPB: Yeah, I would say for me, if there were clear signs

that it was intoxication, then I would not classify that person as having a mental health issue. But it's very hard sometimes to diagnose someone's behavior when they're intoxicated, and you really don't know what might be going on behind the scenes too.

- Community Member #4: Does this report include how often the same individual is being stopped, which might give an indication of bias? **1:23:45**
- Aubrey Perry explains the data is anonymized, so there is no way to tell whether any person is being stopped multiple times.
- Pastor Wisner, Subcommittee Co-Chair, asks for clarification about why non-Traffic stops use the Violent Crime Benchmark when the FIT (Focused Intervention Team)
- Aubrey Perry explains why the FIT team stops are not compared against a benchmark.
- Pastor Wisner, Subcommittee Co-Chair, asks for clarification about the statistic of 70% of white people with contraband. **1:28:45**
- Aubrey Perry, PPB SSD: This slide [titled: Contraband Hit Rates] is saying is that out of the white individuals searched which in 2022, there were 97 across the Portland Police Bureau. Seventy percent of those white individuals were found to have contraband. So conversely, there were 47, people perceived to be Black and African-American that were searched, and 36 of them were found to have some sort of contraband, so their contraband Found Rate was 76.6%. For this analysis, whenever we're comparing, we're trying to answer the question - Are there substantive differences between the groups? We're essentially comparing that 71.1% versus 76.6%. And based on the statistical methodology that we use, that is not a large enough difference to trigger the statistical level.
- Pastor Wisner, Subcommittee Co-Chair, [to Assistant Chief Chuck Lovell] asks how this report helps PPB. **1:31:35**
- Chuck Lovell, PPB Assistant Chief, explains that PPB is not using the report to track what individual officers are doing, but at the whole organization level and to compare precincts, to see if any precinct is making numbers of stops that are noticeably different from the others. He also says that the report shows record-low stops and searches, because the Traffic Division was disbanded. He expects the numbers of stops to rise because the Traffic Division was re-activated over the summer.
- PCCEP Staff: I get asked this question all the time about the Crime Victimization Benchmark and would like to be able to speak to it better on the staff end. Could you speak to why that benchmark for the non-traffic stops? I think we can understand that there's no perfect benchmark, but why that one? **1:33:38**
- Aubrey Perry explains that any benchmark is chosen for its close relationship to the mission of the group. He goes into details about how the benchmarks relate to officer missions in the different divisions.
- Kip Silverman, PCCEP Member: What benchmarks does the Bureau use to understand on an officer-by-officer basis of cognitive, conscious, or unconscious bias, based on the types of interactions they're having and whether there's data of that in aggregate? From an HR perspective I would think we would want to know if the training is available, and interactions are meeting the goals based on individual officers and not a potential precinct in aggregate. **1:39:03**
- Chuck Lovell, PPB Assistant Chief, says that PPB doesn't track stops on an officer-by-officer basis and explains the organizational reasons why this impractical.
- Leslie Martinez, PCCEP Member: How is PPB using these results, and are there any insights from this report that you can speak to as to how they might inspire some PPB policy changes or amendments? **1:41:52**

- Chuck Lovell, PPB Assistant Chief, says that one change was in the procedures and training for consent searches, and he explains in detail. He also says his focus is at the precinct level and in looking to see if any disparities exist between different precincts.
  - Dan Handelman, Portland CopWatch: The benchmark about crime victimization just seems irrational to me. All the people stopped are stopped because they're driving, not because they're crime victims or because people in their neighborhood are crime victims. My question is, you said that there was no significant difference in the contraband findings by the FIT, but I think what I think I see is that the stops of Black drivers turned up contraband 57% of the time for the FIT versus 73% for the broader police bureau versus white people being having contraband on them 76% of the time for the FIT and 71% of the time. There's a huge disparity between 57% and 73%. Can you explain that? **1:44:21**
  - Aubrey Perry explains how the small size of the samples gave a result that looks like a bigger disparity than it really is.
  - Pastor Wisner, Subcommittee Co-Chair: Could you explain how rates of Traffic stops went down while the rate of non-Traffic stops went up? **1:48:14**
  - Aubrey Perry explains the reasons for the increase in non-Traffic stops.
  - Chuck Lovell, PPB Assistant Chief, gives additional details on why non-Traffic stop numbers went up during this period.
- Public Comment Period **1:55:50**
  - What's Next? **2:02:31**
    - Settlement & Policy Subcommittee Meeting (COCL Town Hall), Wednesday, Nov. 8.
  - Meeting Adjourned