PRELIMINARY REVIEW OF THE BERKELEY POLICE DEPARTMENT'S RACIAL AND IDENTITY PROFILING ACT (RIPA) DATA

CONDUCTED BY THE OFFICE OF THE DIRECTOR OF POLICE ACCOUNTABILITY

PRESENTED TO THE FAIR & IMPARTIAL POLICING SUBCOMMITTEE OF THE POLICE ACCOUNTABILITY BOARD ON AUGUST 30TH, 2023

OVERVIEW

- The information examined covers the period between October 1, 2020, and August 12, 2023.

- Data encompasses a total of 16,398 individual stops.

- The data comes from BPD's stop data collection. This dataset provides stop data information by BPD pursuant to the Racial and Identity Profiling Act (RIPA) of 2015.

Source: Berkeley Police Department RIPA Project (arcgis.com)

TYPES OF STOPS

Fig. 1 "Types of Stops"
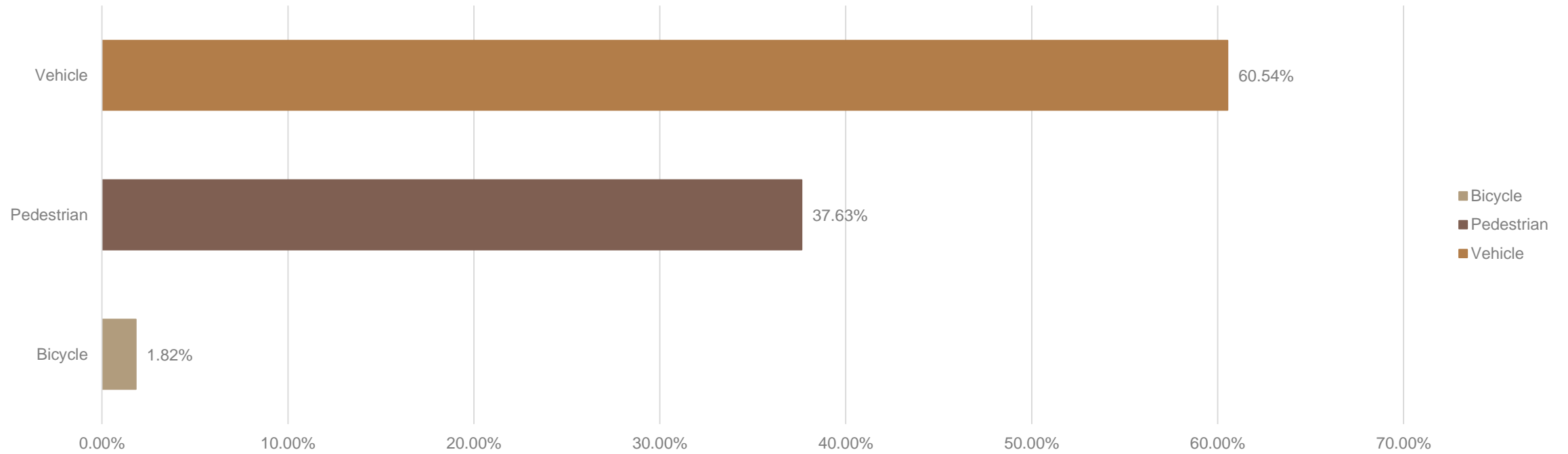
REASON FOR STOP BY TYPE OF STOP

| Table 1			
Reason for Stop	Bicycle	Pedestrian	Vehicle
Consensual encounter and search	0.01%	0.29%	0.09%
Investigation to determine if the person was truant	0.00%	0.52%	0.04%
Knowledge of outstanding arrest warrant/wanted person	0.08%	2.82%	0.25%
Known to be on parole/ probation/ PRCS/ mandatory supervision	0.01%	0.23%	0.08%
Reasonable suspicion that the person was engaged in criminal activity	0.34%	33.14%	4.60%
Traffic Violation	1.38%	0.62%	55.64%

TRAFFIC VIOLATION TYPE BY TYPE OF STOP

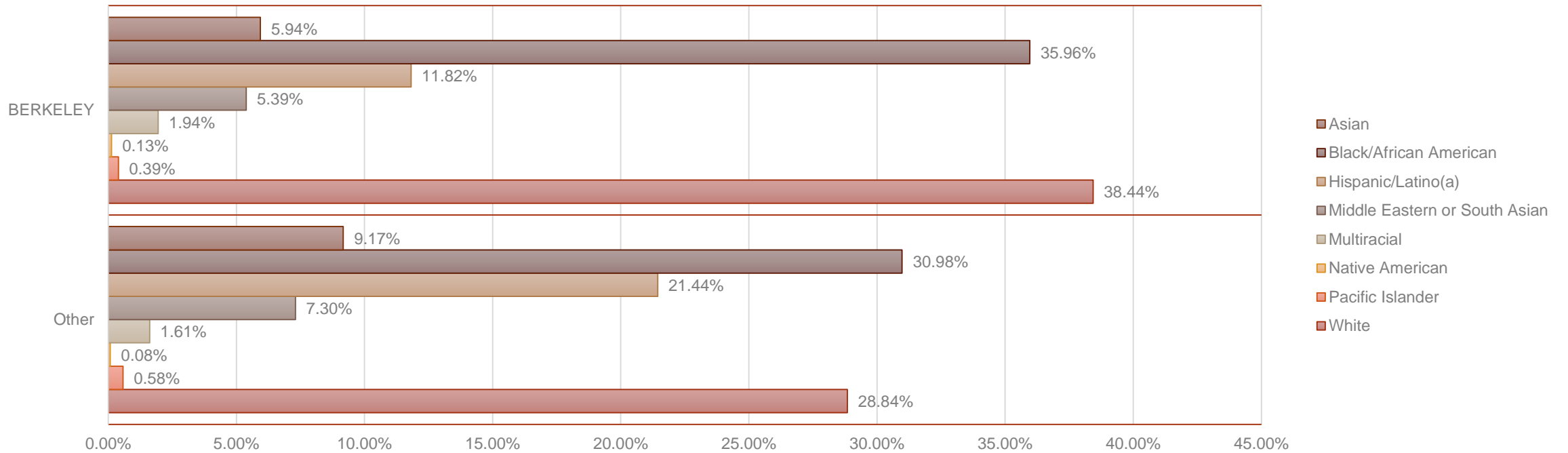| Traffic Violation Type	Bicycle	Pedestrian	Vehicle	Grand Total
Equipment violation	0.59%	0.10%	16.22%	16.91%
Moving violation	1.78%	0.80%	75.69%	78.27%
Non-moving violation including registration	0.03%	0.19%	4.60%	4.83%
Grand Total	2.41%	1.08%	96.51%	100.00%

TRAFFIC VIOLATION TYPES OVER TIME
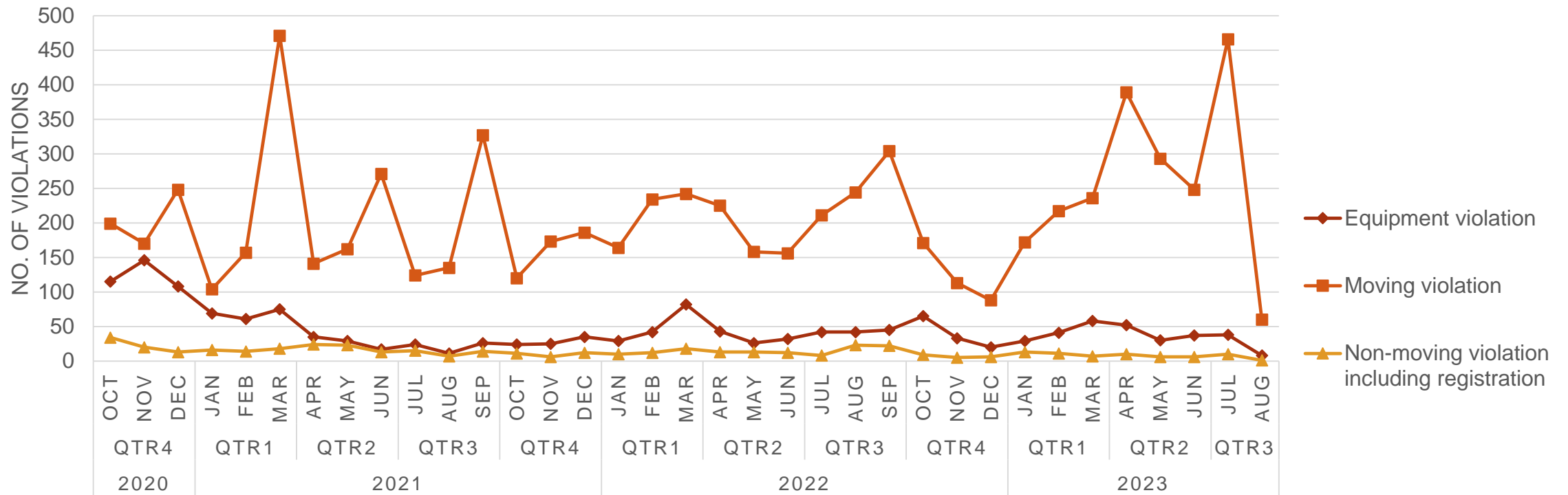
DISTRIBUTION OF THE PERCEIVED RACE OR ETHNICITY OF STOPPED INDIVIDUALS

Fig. 2 "Perceived Race or Ethnicity of Stopped Individuals"
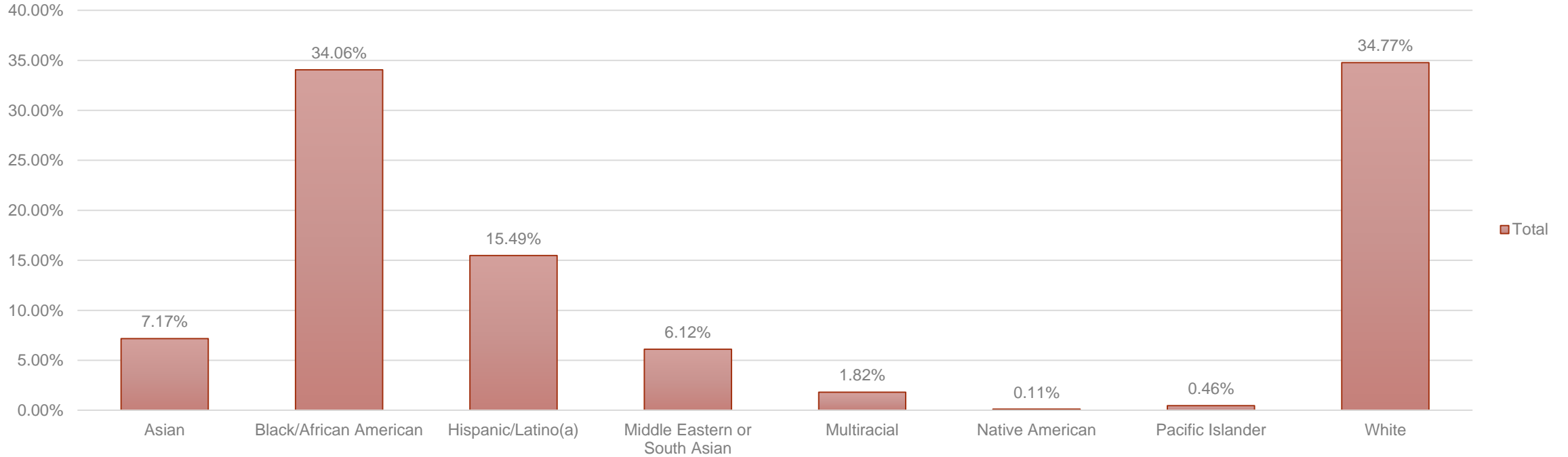
STOP DEMOGRAPHICS OF BERKELEY RESIDENTS VS. NON-RESIDENTS

Fig. 3 "Stop Demographics of Berkeley Residents vs. Non-Residents"

Legend:
- Asian
- Black/African American
- Hispanic/Latino(a)
- Middle Eastern or South Asian
- Multiracial
- Native American
- Pacific Islander
- White

BERKELEY:
- Asian: 5.94%
- Black/African American: 35.96%
- Hispanic/Latino(a): 11.82%
- Middle Eastern or South Asian: 5.39%
- Multiracial: 1.94%
- Native American: 0.13%
- Pacific Islander: 0.39%
- White: 38.44%

Other:
- Asian: 9.17%
- Black/African American: 30.98%
- Hispanic/Latino(a): 21.44%
- Middle Eastern or South Asian: 7.30%
- Multiracial: 1.61%
- Native American: 0.08%
- Pacific Islander: 0.58%
- White: 28.84%

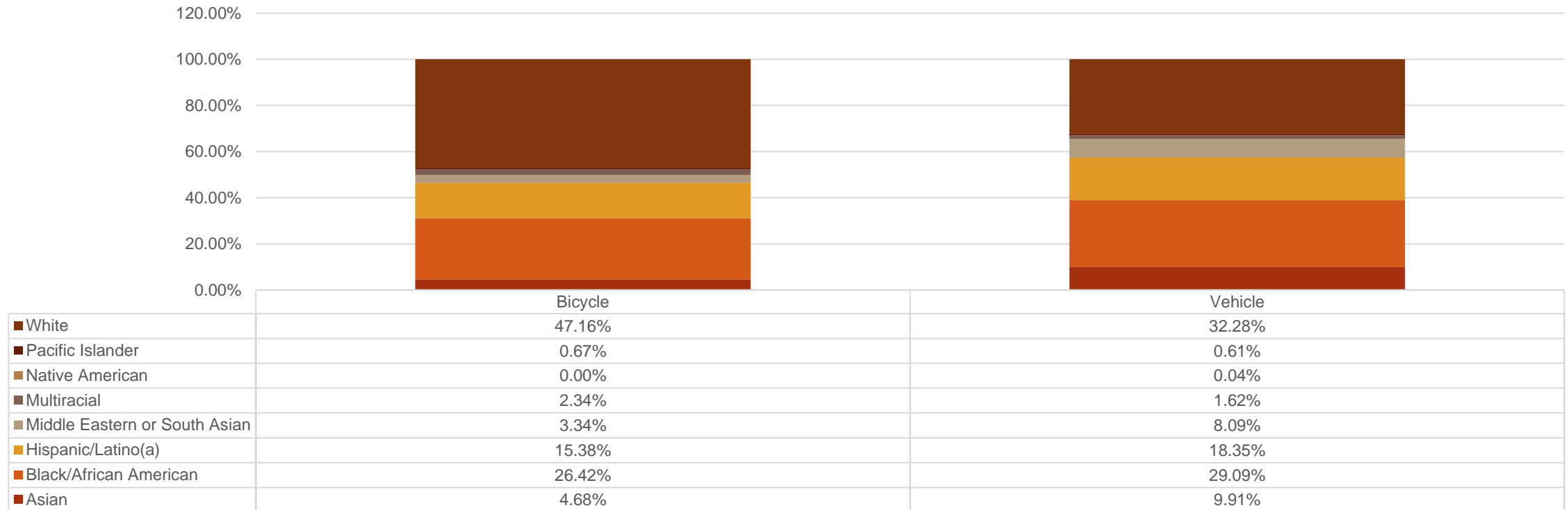# REASON FOR STOP BY PERCEIVED RACE OR ETHNICITY

FIG. 4 "REASON FOR STOP BY PERCEIVED RACE OR ETHNICITY"
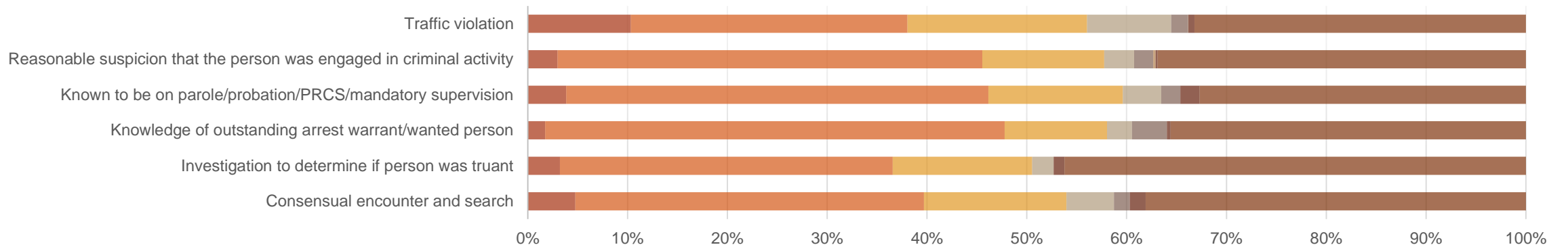
	Consensual encounter and search	Investigation to determine if person was truant	Knowledge of outstanding arrest warrant/wanted person	Known to be on parole/probation/PRCS/mandatory supervision	Reasonable suspicion that the person was engaged in criminal activity	Traffic violation
Asian	4.76%	3.23%	1.74%	3.85%	2.98%	10.32%
Black/African American	34.92%	33.33%	46.03%	42.31%	42.56%	27.73%
Hispanic/Latino(a)	14.29%	13.98%	10.25%	13.46%	12.20%	17.99%
Middle Eastern or South Asian	4.76%	2.15%	2.51%	3.85%	3.01%	8.43%
Multiracial	1.59%	0.00%	3.48%	1.92%	1.91%	1.69%
Native American	0.00%	0.00%	0.00%	0.00%	0.24%	0.03%
Pacific Islander	1.59%	1.08%	0.39%	1.92%	0.21%	0.62%
White	38.10%	46.24%	35.59%	32.69%	36.89%	33.20%

TYPE OF STOP BY ETHNICITY (BICYCLE VS. VEHICLE)

Fig. 5 "Type of Stop by Ethnicity "

	Bicycle	Vehicle
■ White	47.16%	32.28%
■ Pacific Islander	0.67%	0.61%
■ Native American	0.00%	0.04%
■ Multiracial	2.34%	1.62%
■ Middle Eastern or South Asian	3.34%	8.09%
■ Hispanic/Latino(a)	15.38%	18.35%
■ Black/African American	26.42%	29.09%
■ Asian	4.68%	9.91%

RESULT OF STOP (BICYCLE VS. VEHICLE)

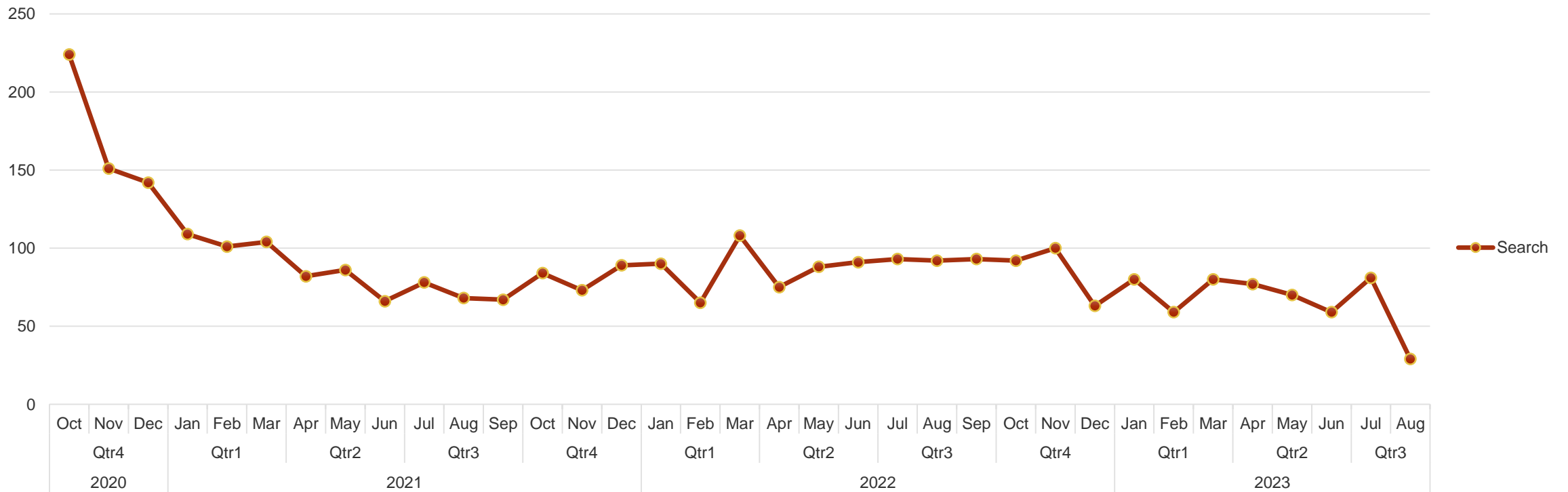| Table 2				
Result of Stop	Bicycle	% of Total Bicycle stops	Vehicle	% of Total Vehicle Stops
No Action	72	24.08%	1148	11.56%
Warning (Verbal or Written)	126	42.14%	3867	38.95%
Citation for Infraction	49	16.39%	4374	44.06%
In-Field Cite and Release	14	4.68%	122	1.23%
Custodial arrest pursuant to an outstanding warrant	15	5.02%	158	1.59%
Custodial arrest without warrant	27	9.03%	417	4.20%
Field interview card completed	3	1.00%	48	0.48%
Noncriminal transport or caretaking transport.	0	0.00%	5	0.05%
Contacted parent/legal guardian or other person responsible for the minor	0	0.00%	12	0.12%
Psychiatric hold (W&I Code 5150 and/or 5585.20)	5	1.67%	9	0.09%
Contacted U.S. Department of Homeland Security	0	0.00%	0	0.00%

SEARCH TYPE BY PERCEIVED RACE OR ETHNICITY

Table 3				
Perceived Race or Ethnicity	# of Search of Person	% of Total Search of Person	# of Search of Property	% of Total Search of Property
Asian	72	2.58%	45	3.06%
Black/African American	1291	46.24%	701	47.69%
Hispanic/Latino(a)	382	13.68%	215	14.63%
Middle Eastern or South Asian	87	3.12%	30	2.04%
Multiracial	62	2.22%	29	1.97%
Native American	3	0.11%	1	0.07%
Pacific Island	11	0.39%	11	0.75%
White	884	31.66%	438	29.80%
Grand Total	2792	100.00%	1470	100.00%

HISTORICAL NUMBER OF SEARCHES DURING STOPS

Fig. 6 "Number of Searches During Stops"

YIELD RATE BY TYPE OF SEARCH

Table 4		
Contraband or Evidence	Discovery Rate for Search of Person	Discovery Rate for Search of Property
Alcohol	2.75%	3.91%
Ammunition	1.59%	2.88%
Cell Phone(s) or electronic device(s)	2.72%	4.10%
Drug paraphernalia	13.81%	15.94%
Drugs/narcotics	15.84%	20.04%
Firearm(s)	5.82%	5.89%
Money	0.99%	1.37%
Suspected stolen property	7.30%	9.19%
Weapon(s) other than a firearm	3.90%	3.02%
Other contraband or evidence	4.72%	6.22%
None	40.55%	27.44%

SEARCHES BASED ON CONDITION OF PROBATION/PAROLE BY PERCEIVED RACE OR ETHNICITY

Table 5	
Perceived Race or Ethnicity	% of those searched based on being on probation/parole
Asian	2.32%
Black/African American	48.65%
Hispanic/Latino(a)	11.71%
Middle Eastern or South Asian	3.47%
Multiracial	2.57%
Pacific Islander	0.51%
White	30.76%

RECOMMENDATIONS

The preliminary analysis provided an initial review of the BPD stop data from October 1, 2020, and August 12, 2023. Through this review, we find that there may be areas for further exploration that may interest the subcommittee in furthering its work. Specifically, the subcommittee may wish to consider conducting the following analyses:

- A time series analysis of stop patterns in relation to BPD policy changes, changes in state law, and/or other relevant events of interest.

- Veil of Darkness and other applicable benchmarking.

- Racial and ethnic comparison of the results of each stop.

- Exploration of why 87.61% of the recorded instances did not specify whether consent for the "search of person" was granted.

- The yield rate of evidence or contraband by perceived race and ethnicity.