

Duluth Racial Bias Audit: Final Report on Findings and Considerations



THE CRIME AND JUSTICE INSTITUTE

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Summary of Findings and Considerations



Chapter 1

Recruitment, Hiring & Personnel Practices

Findings

1. DPD has implemented practices and policies that improve the transparency of their recruitment plan and achievements.
2. DPD uses multiple platforms to reach and attract candidates.
3. DPD adheres to some, but not all, best practices for utilizing community engagement as a recruitment tool.
4. DPD understands successful recruitment of diverse candidates requires constant communication but is still working to meet this standard.
5. DPD's standards of wage and workload do not incentivize individuals to work for the Department.
6. DPD's hiring process includes questions about bias which have proven effective in identifying and eliminating potentially biased candidates.
7. Factors such as housing availability and length of the hiring process are barriers to hiring.
8. DPD does not currently offer a specific training program to staff involved with the recruiting and hiring process.
9. DPD's transfer and promotion resources fail to include aspects of diversity, equity, and inclusion as relevant to the position or department.
10. DPD struggles to retain officers for longer than seven years, in large part due to wage and workload standards.

Considerations

1. Continue to build staff capacity and support for internal department positions that are responsible for diversity efforts.
2. Augment recruitment materials with images and messaging that allow diverse candidates to see themselves in the role of a police officer.
3. Create a mentor team to support candidates from diverse backgrounds during the hiring process.
4. Prioritize relationship building in the community as a foundation for recruitment efforts, necessitating cooperation and collaboration between local community organizations and the DPD.
5. Expand youth outreach programs as a potential recruitment tool.
6. Make the timeline of the hiring process more transparent to applicants.
7. Leverage technology to eliminate barriers to apply and increase transparency in the application process.
8. Strengthen evaluation metrics in the hiring process to improve screening of candidates who exhibit bias.
9. Collect demographic data on candidates that drop out of the hiring process at each stage and develop a strategy for addressing disparities in hiring process retention.
10. Include language in promotion and transfer documents that is inclusive of the spectrums of gender, abilities, and non-dominant races and cultures.



Chapter 2

Bias & Intercultural Relations Training

Findings

1. The majority of DPD staff feel that the Department's policies on bias and intercultural relations are strong.
2. Due to the high cost of external trainers, DPD is limited in how often it can implement the Fair and Impartial Policing training.
3. DPD staff report the Fair and Impartial Policing training lacks content directly related to communities in Duluth.
4. Bias and intercultural relations training objectives are not incorporated into other training environments offered to recruits or staff.
5. Implicit bias trainings increase officers' awareness of their own biases in the short-term, but application of lessons learned in the long-term is less apparent.

Considerations

1. Tailor bias and intercultural relations trainings to the history and experiences of communities in Duluth.
2. Increase positive messaging about bias and intercultural relations training from DPD leadership and supervisors to improve staff members' reception of the trainings.
3. Incorporate the main training objectives of Fair and Impartial Policing™ (FIP) and relevant components of Crisis Intervention Training (CIT) into other training environments and supervision or mentorship opportunities



Chapter 3

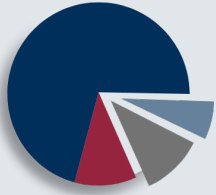
Responding to & Investigating Suspicious Activity

Findings

1. St. Louis County dispatch staff do not receive adequate training around the potential for racially motivated fabrications and/or exaggeration impacting suspicious activity reports made by community members.
2. St. Louis County dispatch staff are not consistently collecting sufficient facts from callers to aid officers in determining their response to calls for service.
3. DPD officers describe taking action to establish reasonable suspicion before conducting a stop about suspicious activity that originates from a call for service.
4. No meaningful demographic or outcome differences were found in officers' interactions with subjects when encounters were instigated by calls from community members versus self-initiated officer activity.

Considerations

1. Invite call takers and dispatchers to attend trainings with DPD staff to improve dispatch and officer communication.
2. Work with St. Louis County to develop protocol for dispatchers to determine when a call for service may not require police intervention.
3. Host community forums that provide educational resources for community members about how to discern and report suspicious or alleged criminal activity.
4. Explore supporting efforts to develop legislation that holds callers accountable for racially motivated calls for police intervention.



Chapter 4

Gathering & Interpreting Data

Findings

1. DPD recently made available to the public updated data related to use of force.
2. DPD consistently publishes data on internal and external complaints but does not provide a measure of change in complaints over time in public reporting.
3. DPD has begun to publish data on patrol activities and plans to do so quarterly; however, data for pedestrian stops is incomplete.
4. DPD makes crime data publicly available but provides no definitions or trend information.
5. DPD has made some data on department training publicly available, but not on a regular basis.
6. DPD makes department policies publicly available in an accessible and searchable format.
7. DPD does not publish data on officer misconduct or discipline.
8. DPD uses data to inform department operations and special initiatives through identifying trends and patterns in crime by geography and people frequently engaging in criminal behavior.

Considerations

1. Ensure publicly available data is user friendly and includes definitions or data use guidance.
2. Ensure all pedestrian stops require officers to complete Stop Data forms.
3. Provide a measure of complaints over time and include race and ethnicity of complainants.
4. Take steps to improve public accessibility of crime data.
5. Publish updated and more specific information on department trainings.
6. Incorporate information related to officer misconduct and discipline into the complaint accountability report.
7. Develop articulated and cohesive strategies to address public safety concerns that are driven by data, research, and evidence



Chapter 5

Policies & Practices for Civil Disturbances

Findings

1. DPD maintains situational awareness to identify any risks of civil unrest and prioritizes communicating with community leaders when possible.
2. DPD relies on command centers, a well-established chain of command, and a trained unit to coordinate the Department's response to civil unrest.
3. DPD is developing communication practices to better inform the public about civil disturbances.
4. DPD adheres to a practice of reviewing the Department's response to civil disturbances at various internal levels and with external partners

Considerations

1. Invest in community partnerships and educational resources to aid the Department in determining appropriate responses to civil disturbances.
2. Establish and implement a clear public communication strategy for before, during, and after incidents of civil unrest.



Chapter 6

Use of Force Documentation & Investigation

Findings

1. DPD's Use of Force policy (Policy 300) provides information about when officers document force; however, there is inconsistency in officers' understanding for when a use of physical force requires documentation.
2. DPD's force investigation process relies on supervisors and Watch Commanders to review and identify training or misconduct issues that may need to be addressed.
3. DPD rarely convenes their Force Review Board and does not rely on it for reviewing non-deadly use of force incidents or to identify patterns in uses of force.
4. DPD does not use a discipline matrix when determining appropriate corrective action or discipline for misconduct related to use of force

Considerations

1. Strengthen current policy on documenting use of force incidents, including requirements for when and how these incidents should be reported, and develop a system for collecting and storing relevant documentation.
2. Strengthen policies and procedures for determining whether an officer's use of force was justified, and for taking disciplinary action if necessary.
3. Utilize the Force Review Board to effectively investigate use of force incidents, with clear roles and responsibilities for members, unbiased processes for conducting reviews, and ensure there is opportunity for community input.



Chapter 7

BIPOC Community Relations

Findings

1. DPD policies exhibit a commitment to fair and impartial policing, including responsiveness to community concerns; however, the Department's internal review and reporting on community policing activities is not reflected in current policy.
2. DPD has an active social media presence but can fall short in effectively communicating issues relevant to at-risk or Black, Indigenous, and other people of color (BIPOC) community members.
3. DPD has partnerships with several community organizations that serve BIPOC communities.
4. DPD conducts engagement activities targeted towards young people in Duluth but may not be reaching older youth through this effort.
5. Survey data indicates that community members tend to interact with DPD officers in a public, non-crime setting; however, BIPOC community members feel they have little opportunity to engage with officers at community events.
6. BIPOC community members feel that DPD officers do not approach community interactions with empathy.
7. DPD officers can be hesitant to engage with BIPOC community members due to the prevalence of bystander escalation and a perception of racial tensions.
8. There is a culture within DPD of relying on enforcement activities such as vehicle and pedestrian stops as the primary opportunity for community engagement.
9. Based on survey results, community members are more likely than DPD staff to believe racism exists within the Duluth community and are also more likely to believe that a culture of racism exists within the Department.



Chapter 7

BIPOC Community Relations (Cont.)

10. According to surveys of DPD staff and Duluth community members, most have not witnessed members of DPD engage in racist behavior or use racist language either within the internal DPD workplace or in public. Three percent of DPD staff and six percent of community members indicate they have personally experienced racism directed at them by members of DPD.
11. DPD officers, members of the Duluth community, and BIPOC community members all point to trust as a necessary component of positive relationships between DPD and the Duluth community.

Considerations

1. Build a community engagement strategy in partnership with local neighborhood communities to ensure the Department's actions match the expectations for how community members expect officers to engage.
2. Provide officers and community members with pathways for non-enforcement interactions that build mutual trust.
3. Create a communications strategy that engages more intentionally with community organizations prior to wider public initiatives.

Findings

Vehicle Stops

1. Over half of all vehicle stops occur in four neighborhoods: Central Business District, Central Hillside, East Hillside, and Lincoln Park.
2. Most vehicle stops are for moving violations.
3. The most common result of a vehicle stop is a warning.
4. Most searches during vehicle stops occur during stops that end in arrest. Search data do not include information about whether these searches were conducted prior to an arrest decision or as an action taken by officers after making an arrest decision.
5. There were only eight vehicle stops that involved officers using force, with one resulting in an officer drawing their firearm.
6. One officer, assigned to work exclusively on road safety initiatives and driving while intoxicated (DWI) enforcement, conducted 25 percent of all vehicle stops; however, this officer's vehicle stops did not have any statistically significant racial disparities in their stops or stop outcomes.
7. There are statistically significant racial and ethnic disparities in vehicle stops as compared to a residential population benchmark (ages 16 and older).
8. There are statistically significant racial and ethnic disparities in vehicle stops as compared to an estimated driving population benchmark for vehicle stops that occur during daytime hours.
9. BIPOC drivers are more likely than white drivers to be stopped for equipment violations or suspicious activity (vehicle) stops.
10. There is a racial disparity in stop outcomes, with BIPOC drivers receiving harsher penalties than white drivers specifically during vehicle stops for equipment violations. This analysis does not account for possible differences by race or ethnicity in the presence of arrest warrants or driving histories.
11. Officers are more likely to conduct a search during a vehicle stop with a BIPOC driver than with white drivers, excluding stops that end in arrest.
12. There are no differences in search hit rates for BIPOC and white drivers during vehicle stops that do not end in arrest, indicating that decisions to search during vehicle stops are not likely to be driven by individual officer racial or ethnic bias.



Chapter 8

Vehicle & Pedestrian Stops



Chapter 8

Vehicle & Pedestrian Stops (Cont.)

Pedestrian Stops

13. Most pedestrian stops occur in four neighborhoods: Central Business District, Central Hillside, East Hillside, and Lincoln Park.
14. Based on a sample of pedestrian stops reviewed for the body-worn camera footage assessment, 26 percent of pedestrian stops are with BIPOC community members. We cannot make conclusions about whether this represents a racial or ethnic disparity in pedestrian stops due to the lack of demographic information and associated information about all pedestrian stops.
15. Based on a sample of pedestrian stops reviewed for the body-worn camera footage assessment, many pedestrian stops are pretext stops to determine whether more serious criminal behavior is occurring, and these stops most often end with verbal warnings or no action.
16. There were nine pedestrian stops that involved officers using force, none of which involved officers displaying their firearm.

Considerations

1. Ensure officers complete stop data forms for all pedestrian stops and conduct a disparity analysis once more complete data are being collected.
2. Create training opportunities and supervisory review protocols to ensure officers establish reasonable suspicion before conducting investigative pedestrian stops.
3. Collect more specific information about searches and frisks.
4. Reduce vehicle stops for equipment violations.
5. Develop a defined strategy for conducting vehicle and pedestrian stops that provides a rationale and framework for the goals of these types of stops and measures for achieving these goals.
6. Identify ways for the DPD and the Community Crisis Response team to work together to provide services to individuals in need of care and resources without needing police intervention



Chapter 9

Body-worn Camera Footage Review

Findings

1. Overall, officers demonstrate good demeanor (averaging 3.5 out of 4 on the demeanor index), with officers most likely to demonstrate respect but least likely to interact with community members with impartiality.
2. Officers are less likely to demonstrate good demeanor when investigating potential crime during pedestrian stops than during vehicle stops or when officers are rendering aid to people in need of care. This difference in demeanor is statistically significant.
3. Officer demeanor does not differ significantly when interacting with BIPOC community members as compared to white community members.
4. Only 34 percent of the interactions reviewed involved officers introducing themselves to the subjects of the stop (where applicable), with officers significantly less likely to introduce themselves during pedestrian stops than during vehicle stops.
5. While most stops are no longer than necessary for officers to take appropriate action, BIPOC community members are significantly more likely to experience unnecessarily longer stops than white community members.
6. Overall, officers demonstrate procedural justice (averaging 3.6 out of 4 on the procedural justice index).
7. Officers are less likely to demonstrate procedural justice during pedestrian stops where officers are investigating a possible crime than during vehicle stops. This difference in adherence to the principles of procedural justice is statistically significant.
8. Procedural justice does not differ significantly when officers are interacting with BIPOC community members as compared to white community members.
9. For the sampled pedestrian stops, officers are statistically more likely to use their discretion to give a “break” to white stop subjects than for BIPOC stop subjects (e.g., issue fewer citations, give a warning instead of a citation, avoid making an arrest). There is no statistically significant difference by race or ethnicity in the discretion to give a “break” for the sampled vehicle stops.
10. Reviewers found potential racial or ethnic bias in five of the 152 police interactions in the sample (3.3 percent).

Considerations

1. Focus on ensuring officers are introducing themselves when engaging with the public during police encounters.
2. Continuously emphasize in training and through supervision and mentorship that good demeanor and adherence to procedural justice are important for every interaction, especially pedestrian interactions with members of the community.
3. Establish a supervisory review process where supervisors assess body-worn camera footage for demeanor, adherence to the principles of procedural justice, and whether interactions are free of bias-based policing.
4. Proactively solicit feedback from community members that have encounters with police.



Chapter 10

Immigrant & Refugee Populations

Findings

1. Nearly every component of a policy following best practices for engaging with immigrant and refugee community members is present within DPD policies.
2. DPD requires trainings related to working with the immigrant or refugee populations.
3. DPD has a limited history of engagement and relationship building with immigrant or refugee populations in Duluth.

Considerations

1. Prioritize building partnerships with community organizations that work with immigrant communities in Duluth.



Chapter 11

Duluth Citizen Review Board (DCRB)

Findings

1. The DCRB is a review-focused civilian oversight body, with some aspects of an auditor-focused oversight model.
2. The DCRB adheres to best practices of review-focused advisory boards and operates within the parameters of Minnesota state law.
3. DCRB's engagement with the community has rapidly declined since 2019, with many community members unaware of the Board's mission, role, and activities.
4. DCRB members fulfill their responsibilities through consistent engagement with DPD, despite the voluntary nature of the work.
5. The impact of the DCRB as an oversight mechanism for DPD's complaints process is limited.
6. Many community members in Duluth are unaware of how to file a complaint through the DCRB or DPD. Among the 37 respondents who have filed complaints, none of the BIPOC complainants were satisfied with the experience.

Considerations

1. Improve the visibility of the DCRB in the Duluth community by revitalizing its function as an advisory body to DPD and the City Council and purpose to foster trust and communication between the police department and members of the community.
2. Renew the DCRB's charter or bylaws to align with the Board's function as an advisory body to the DPD and the City Council and prioritize addressing dissatisfaction with the complaints process.