

Duluth Racial Bias Audit: Final Report on Findings and Considerations

Presentation to the Duluth Human Rights Commission
August 9, 2023

About the Crime and Justice Institute

- CJI bridges the gap between research and practice with data-driven solutions that drive bold, transformative improvements in adult and youth justice systems
- CJI provides non-partisan analysis, research, technical assistance, program evaluation, and training to jurisdictions throughout the country



The CJJ Team



Katie Zafft, Ph.D.,
Manager for Policing
& Evaluation



Andrea Tyree,
Policy Specialist



Amber Nogelmeier,
Policy Specialist



Amanda Coscia,
Communications &
Design Specialist



Ashley Neufeld,
Design & Digital
Media Specialist

Subject Matter Experts



Assistant Chief Shunta Boston, Sun
Prairie WI Police Department



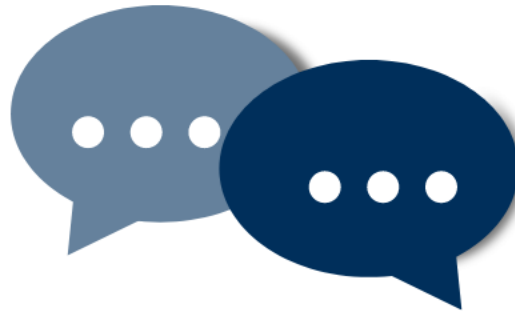
Theron Bowman, Ph.D., retired
Chief of Police in Arlington TX

Areas of Assessment

Section I: Department Operations



Section II: Department Interactions with Community

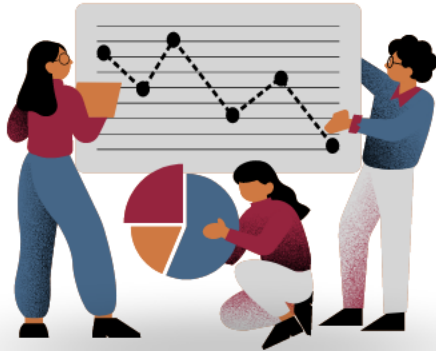


Section III: Role of Duluth Citizen Review Board



Methodology

The CJI team employed a variety of assessment methods during this process including:



- Document review
- Data analysis
- Camera footage review
- Interviews and focus groups
- Observation of DPD operations (e.g., ridealongs, command staff meetings)
- Web-based survey delivery and analysis
- Public meetings

Findings & Considerations

Section I: Department Operations

1. Recruitment, Hiring & Personnel
2. Bias & Intercultural Relations Training
3. Responding to & Investigating Suspicious Activity
4. Gathering & Interpreting Data
5. Policies & Practices for Civil Disturbances
6. Use of Force Documentation & Investigation

Section I: Department Operations

Chapter 1: Recruitment, Hiring & Personnel Practices

Key Takeaways: **Recruitment**

- Efforts to improve transparency of recruitment plan and achievements
- Use of multiple platforms to extend reach and attract potential candidates
- Adherence to best practices around community engagement as a recruitment tool
- Understands successful recruitment of diverse candidates requires constant communication but is still working to meet this standard

Section I: Department Operations

Chapter 1: Recruitment, Hiring & Personnel Practices

Key Takeaways: **Hiring**

- Wages and workload do not incentivize individuals to work for the Department
- Factors such as housing availability and length of the hiring process act as barriers to successful hiring
- Interview process includes questions about bias which have proven effective in identifying and eliminating some potentially biased candidates

Section I: Department Operations

Chapter 1: Recruitment, Hiring & Personnel Practices

Key Takeaways: **Personnel**

- Difficulty retaining officers for more than seven years, in large part due to wage and workload standards
- No specific training for DPD staff involved in the recruiting and hiring process
- Transfer and promotion resources fail to include aspects of diversity, equity, and inclusion as relevant to the position or department

Section I:
Department Operations

Recruitment, Hiring &
Personnel Practices



Considerations:

- Build capacity for internal department positions focused on diversity efforts
- Update recruitment materials to diverse candidates to see themselves in the police officer role
- Create a mentor team to support diverse candidates during the hiring process
- Build and maintain community relationships as an element of recruitment efforts
- Expand youth outreach as a recruitment tool

Section I:

Department Operations

Recruitment, Hiring & Personnel Practices



Considerations (Continued):

- Communicate a clear timeline for the hiring process
- Leverage technology to increase application process transparency
- Strengthen evaluation metrics to screen for candidates exhibiting bias
- Collect demographic data on candidates and develop a strategy for addressing disparities
- Include inclusive language in promotion and transfer documents

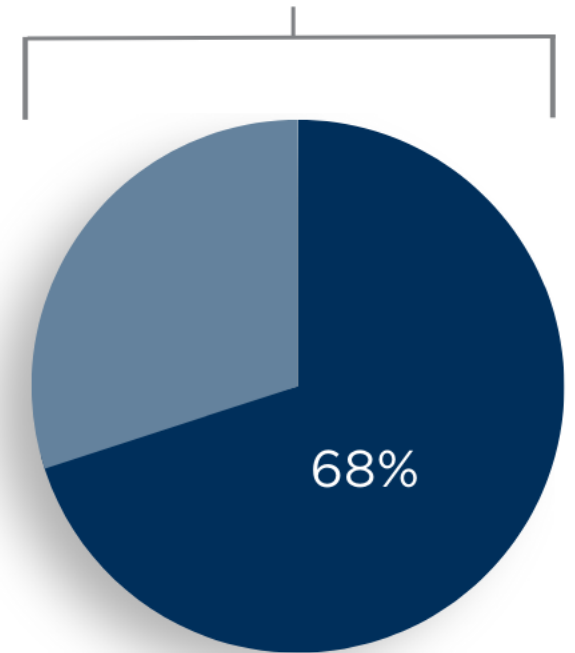
Section I: Department Operations

Chapter 2: Bias & Intercultural Relations Training

Key Takeaways:

- High-costs limit ability to offer the Fair & Impartial Policing (FIP) training w. frequency
- Staff report FIP training lacks content related to Duluth communities
- Training goals often not incorporated into other training environments
- Long-term application of lessons learned in bias training is less apparent

The majority of staff feel that DPD policies on bias and intercultural relations are strong



Section I:
Department Operations

Bias & Intercultural Relations Training



Considerations:

- Tailor bias and intercultural relations trainings to the history and experiences of communities in Duluth
- Increase staff buy-in of bias and intercultural relations trainings
- Incorporate training objectives of FIP and CIT into other training environments

Section I: Department Operations

Chapter 3: Responding to and Investigating Suspicious Activity

Key Takeaways:

- St. Louis County dispatch staff don't receive adequate training around racially motivated fabrications impacting suspicious activity reports
 - Dispatch staff are not collecting the information necessary to aid officers in determining their response to calls for service
- Officers report they establish reasonable suspicion before conducting a stop for suspicious activity originating from a call for service
- No meaningful demographic differences found in officers' interactions with subjects when service was initiated by community members versus self-initiated by officer

Section I:

Department Operations

Responding to & Investigating Suspicious Activity



Considerations:

- Invite call takers and dispatchers to attend trainings with DPD staff to improve collaboration
- Work with St. Louis County to develop protocol for dispatchers to determine when a call for service may not require police intervention
- Host community forums about how to discern and report suspicious or criminal activity
- Explore supporting efforts to develop legislation that holds callers accountable for racially motivated calls for police intervention

Section I: Department Operations

Chapter 4: Gathering and Interpreting Data

Key Takeaways:

- Updated Use of Force data recently made publicly available
- Data on internal and external complaints is published consistently by DPD
- DPD has begun publishing data on patrol activities quarterly; however, data for pedestrian stops is incomplete
- DPD makes crime data publicly available but provides no definitions or trend information

Section I: Department Operations

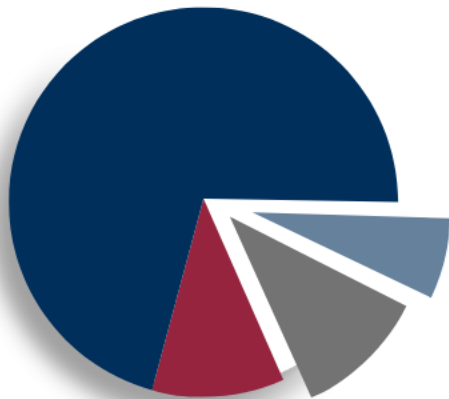
Chapter 4: Gathering and Interpreting Data

Key Takeaways (Continued):

- Data on department training is publicly available, but not updated regularly
- Department policies are publicly available in an accessible and searchable format
- DPD does not publish data on officer misconduct or discipline
- DPD uses data to inform department operations and special initiatives

Section I:
Department Operations

Gathering &
Interpreting Data

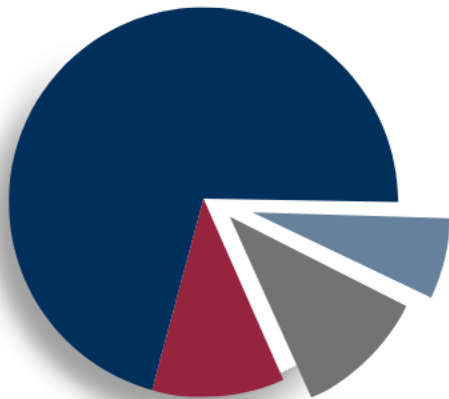


Considerations:

- Ensure publicly available data is user friendly and includes data use guidance
- Ensure all pedestrian stops require officers to complete stop data forms
- Provide a measure of complaints over time, including race and ethnicity of complainants
- Take steps to improve public accessibility of crime data

Section I:
Department Operations

Gathering &
Interpreting Data



Considerations (Continued):

- Publish updated and more specific information on department trainings
- Incorporate information related to officer misconduct and discipline into complaint accountability report
- Develop cohesive, data-driven strategies for addressing public safety concerns

Section I: Department Operations

Chapter 5: Policies & Processes for Civil Disturbances

Key Takeaways:

- DPD maintains situational awareness about risks of civil unrest and prioritizes communicating with community leaders
- The department's response to civil unrest is coordinated by DPD Command Center staff
- DPD is working on improving communications practices to better inform the public about civil disturbances
- The Department's response to civil disturbances is reviewed at various internal levels with external partners

Section I:

Department Operations

Policies & Processes for Civil Disturbances



Considerations:

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

Section I: Department Operations

Chapter 6: Use of Force Documentation & Investigation

Key Takeaways:

- Officers' lack clarity on when a use of physical force requires documentation
- 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
- The Force Review Board is rarely convened and does not review non-deadly use of force incidents or identify patterns in uses of force
- DPD does not use a discipline matrix when determining appropriate corrective action for misconduct related to use of force

Section I:

Department Operations

Use of Force Documentation & Investigation



Considerations:

- Strengthen current policy on use of force documentation, and develop a system for documentation maintenance
- Strengthen policies and procedures for determining use of force justification, and for taking disciplinary action if necessary
- Utilize a force review board to investigate use of force incidents, with clear roles and for members, unbiased review processes, and space for community input

Findings & Considerations

Section II: Department Interactions with the Community

7. BIPOC Community Relations

9. Body Worn Camera Footage

8. Vehicle & Pedestrian Stops

10. Immigrant & Refugee Populations

Section II: Department Interactions with the Community

Chapter 7: BIPOC Community Relations

Key Takeaways:

- Information about community policing activities is not produced as required
- Enhancement needed in communicating relevant issues to BIPOC communities
- Partnerships established with several BIPOC-serving organizations
- Participation in engagement activities may not be reaching older youth

Section II: Department Interactions with the Community

Chapter 7: BIPOC Community Relations

Key Takeaways (Continued): Some BIPOC community members report limited opportunities to engage with officers in non-crime related settings

Self-Identified Race or Ethnicity	Frequency of Non-Crime Interactions & Percentage of Each Frequency within Racial Groups				
	Never	1-2 Times	3-4 Times	5+ Times	Total Within Race/Ethnic Category
White	202 (27%)	201 (27%)	166 (22%)	171 (23%)	740 (100%)
Black	24 (29%)	26 (32%)	19 (23%)	13 (16%)	82 (100%)
Indigenous	19 (24%)	24 (31%)	17 (22%)	18 (23%)	78 (100%)
Asian	3 (15%)	9 (45%)	5 (25%)	3 (15%)	20 (100%)
Native Hawaiian/Other Pacific Islander	1 (14%)	4 (57%)	2 (29%)	0 (0%)	7 (100%)
Hispanic or Latino	12 (38%)	12 (38%)	2 (6%)	6 (19%)	32 (100%)
Grand Total	298 (27%)	300 (28%)	245 (22%)	247 (23%)	1090 (100%)

Section II: Department Interactions with the Community

Chapter 7: BIPOC Community Relations

Key Takeaways (Continued):

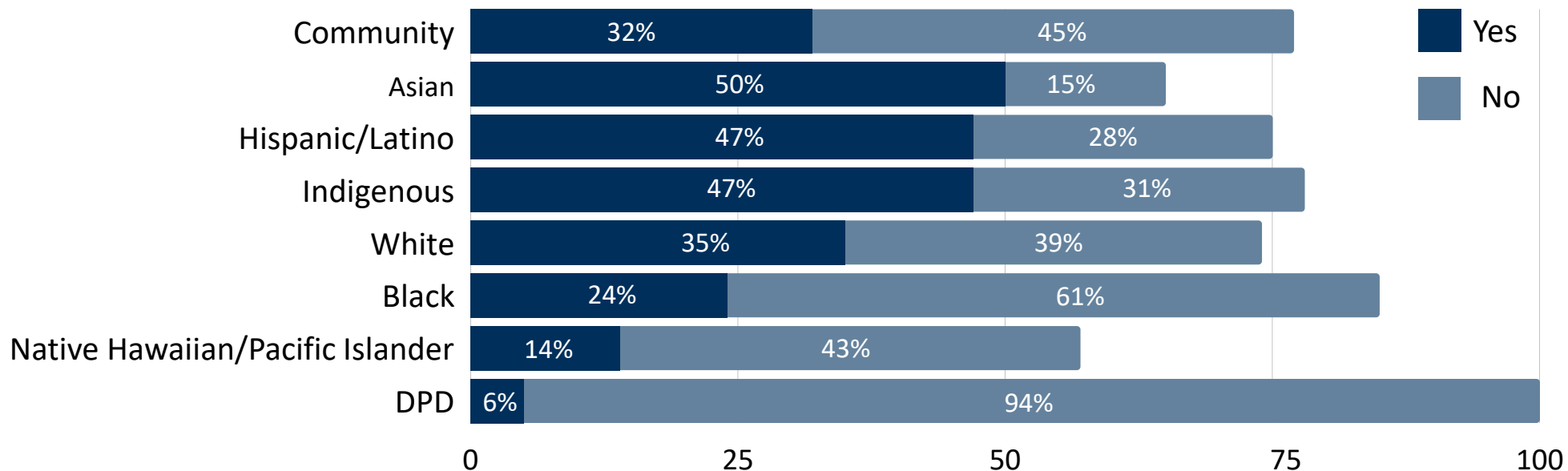
- Officers hesitate due to bystander escalation and a perception of racial tensions
- Enforcement activities are relied on as the primary opportunity for community engagement
- Members of both DPD and the community cite trust as the most important component of building positive relationships
- Key points from the report on experiences with racist behavior include:
 - 27% of DPD staff have observed staff engage in racist behavior/language with other staff members
 - 19% of community members have witnessed racist behavior/language by DPD staff
 - 3% of DPD staff and 6% of community members have personally experienced racism directed at them by members of DPD

Section II: Department Interactions with the Community

Chapter 7: BIPOC Community Relations

Key Takeaways (Continued): Community members are more likely than DPD staff to believe a culture of racism exists within the Duluth Police Department

Do you believe a culture of racism exists at the Duluth Police Department?



Section II:
Department Interactions
with the Community

BIPOC COMMUNITY
RELATIONS



Considerations:

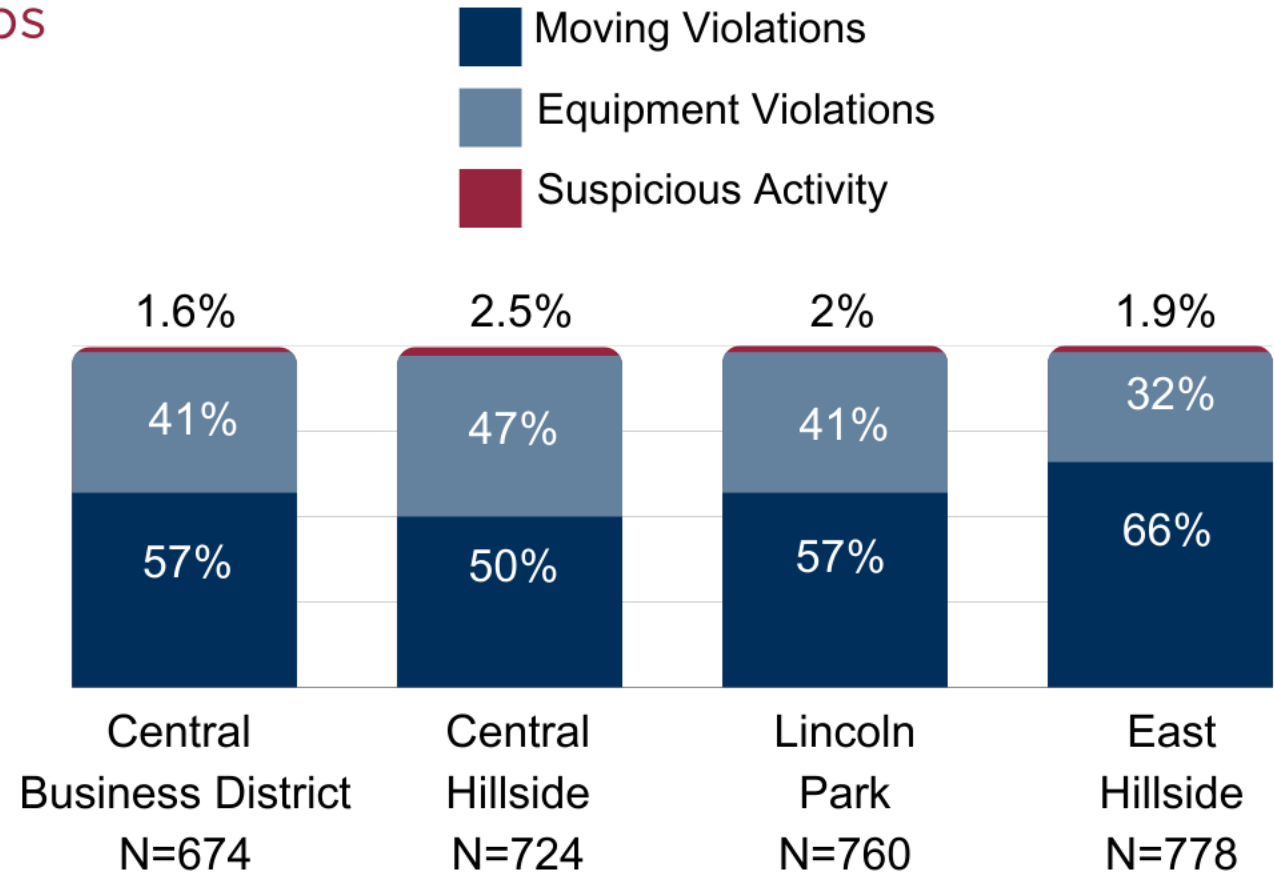
- Build a community engagement strategy with local neighborhood communities to ensure accountability
- Provide pathways for non-enforcement interactions that build mutual trust
- Engage with community organizations through a more intentional communications strategy

Section II: Department Interactions with the Community

Chapter 8: Vehicle & Pedestrian Stops

Key Takeaways: **Vehicle Stops**

- Most stops are for moving violations
- Most common result is a warning
- Only 8 vehicle stops involved officers using force; 1 resulted in an officer drawing their firearm
- One officer conducted 25% of all vehicle stops; however, no statistically significant racial disparities were identified

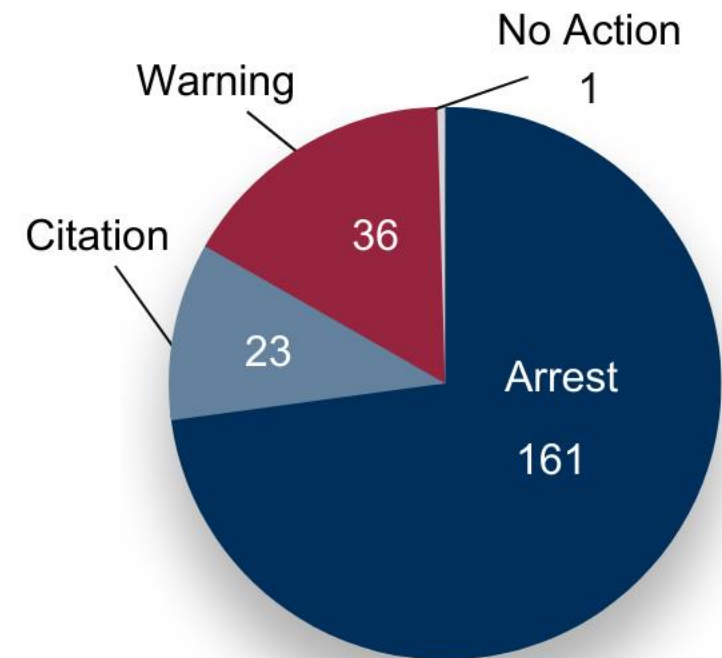


Section II: Department Interactions with the Community

Chapter 8: Vehicle & Pedestrian Stops

Key Takeaways: **Vehicle Stops** (Continued) Most searches during vehicle stops occur during stops that end in arrest

Searches conducted by DPD in 2022 during vehicle stops, by outcome of the stop.



Section II: Department Interactions with the Community

Chapter 8: Vehicle & Pedestrian Stops

Key Takeaways: **Vehicle Stops** (Continued)

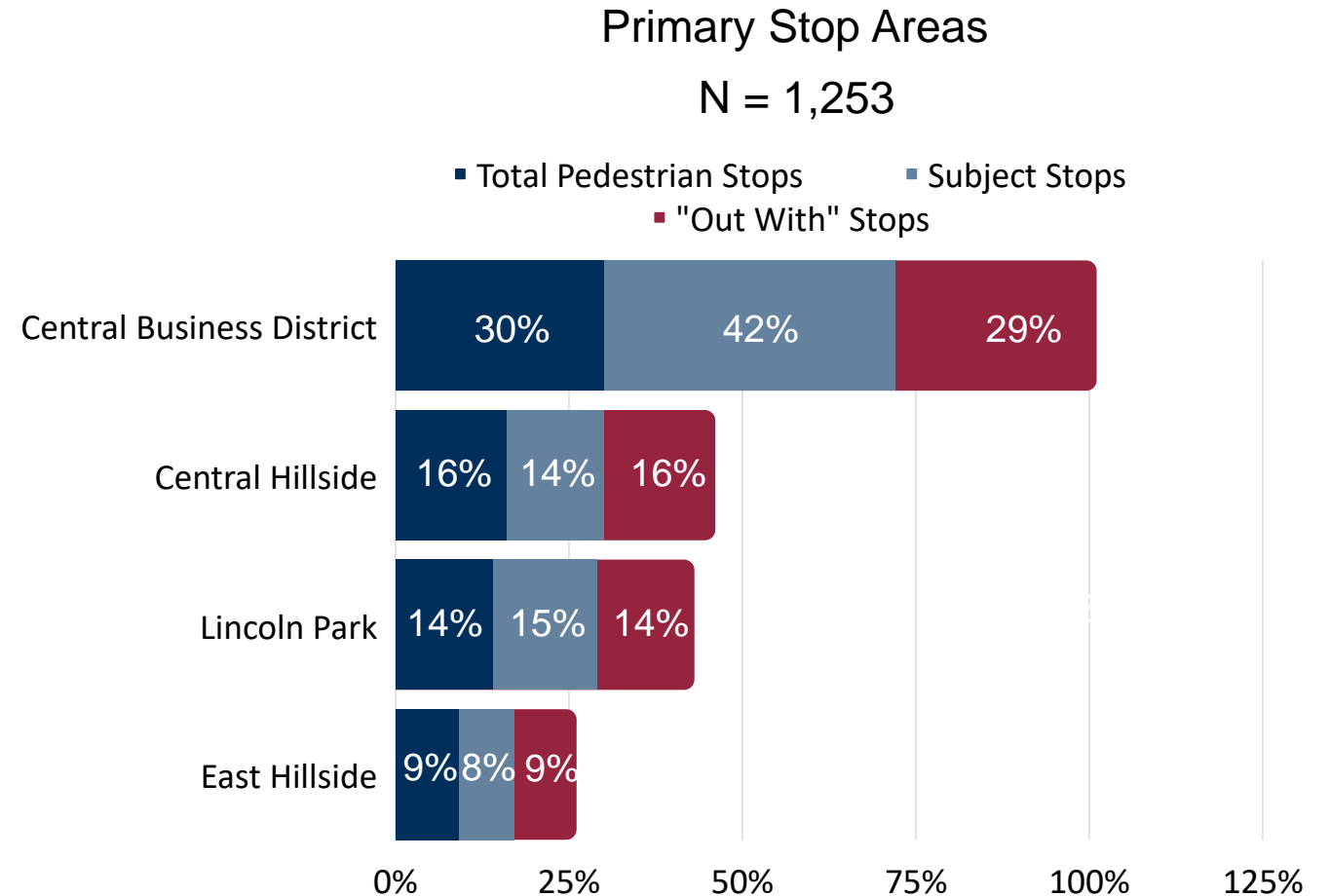
- Racial and ethnic disparities were identified in vehicle stops
- BIPOC drivers are more likely to be stopped for equipment violations or suspicious activity
- Officers are more likely to conduct a search with a BIPOC driver (excluding stops that end in arrest)
- Stop outcomes for BIPOC drivers are more likely result in a citation or an arrest rather than a warning or officers taking no action.
- No differences found in search hit rates during stops that do not end in arrest
- These results do not account for arrest warrants or driving history of the individual

Section II: Department Interactions with the Community

Chapter 8: Vehicle & Pedestrian Stops

Key Takeaways: **Pedestrian Stops**

- Based on 156 sampled stops for the body-worn camera review, 26% of stops were with BIPOC community members - many of which were pretext stops, often ending in verbal warnings or no action
- Among all uses of force in 2022, 9 were pedestrian stops and none involved officers displaying or using their firearm



Section II:

Department Interactions with the Community

Vehicle and Pedestrian Stops



Considerations:

- Complete stop data forms for all pedestrian stops
- Create training opportunities to ensure officers establish reasonable suspicion before conducting investigative pedestrian stops
- Collect specific information about searches and frisks
- Reduce vehicle stops for equipment violations
- Develop a strategy that provides a framework for the goals of these types of stops and measures for success
- 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.

Section II: Department Interactions with the Community

Chapter 9: Body-worn Camera Footage

Key Takeaways: Overall, officers exhibit good demeanor but are less likely to do so during pedestrian stops where they are investigating a possible crime.

Demeanor Factor	All Stops	Vehicle Stops	Pedestrian Stops	Stops to Provide Care
Respectful	90%	95%	74%	100%
Polite	88%	93%	71%	100%
Friendly	87%	92%	71%	100%
Impartial	83%	87%	66%	88%
Demeanor Index	3.5	3.7	2.8	3.9

Note: The demeanor index is the average of each of the four factors combined, out of a total score of four for each type of stop.

Section II: Department Interactions with the Community

Chapter 9: Body-worn Camera Footage

Key Takeaways (Continued):

- Officer demeanor does not differ significantly when interacting with BIPOC compared to white community members
- Only 34% of the interactions reviewed involved officers introducing themselves (where applicable)
- BIPOC community members are significantly more likely to experience unnecessarily longer stops

Section II: Department Interactions with the Community

Chapter 9: Body-worn Camera Footage

Key Takeaways (Continued): Officers demonstrate procedural justice but are less likely to do so during pedestrian stops where they are investigating a possible crime. This difference in adherence to the principles of procedural justice is statistically significant.

Procedural Justice Factor	All Stops	Vehicle Stops	Pedestrian Stops	Stops to Provide Care
Explain Reason	90%	90%	83%	100%
Trustworthiness	85%	91%	64%	100%
Voice	93%	98%	78%	100%
Transparency	85%	91%	71%	88%
Procedural Justice Index	3.6	3.8	3.0	3.9

Note: The procedural justice index is the average of each of the four factors combined, out of a total score of four for each type of stop.

Section II: Department Interactions with the Community

Chapter 9: Body-worn Camera Footage

Key Takeaways (Continued):

- Procedural justice does not differ significantly when officers are interacting with BIPOC compared to white community members
- In pedestrian stops, officers are more likely to give a break to white stop subjects than BIPOC stop subjects. This disparity is not found in vehicle stops.
- Potential racial or ethnic bias found in 5 of the 152 sampled police interactions (3.3%)

Section II:
Department Interactions
with the Community

Body-worn
Camera Footage



Considerations:

- Ensure officers introduce themselves when engaging with the public during police encounters
- Emphasize that good demeanor and adherence to procedural justice are important for every interaction
- Establish a supervisory review process to assess interactions using body-worn camera footage
- Proactively solicit feedback from those who encounter the police

Section II: Department Interactions with the Community

Chapter 10: Immigrant & Refugee Populations

Key Takeaways:

- Nearly every component of DPD policies follows best practices
- DPD requires trainings related to working with immigrant or refugee populations
- DPD has a limited history of engagement and relationship building with immigrant or refugee populations in Duluth

Section II:
Department Interactions
with the Community

Immigrant &
Refugee Populations



Considerations:

- Prioritize building partnerships with community organizations that work with immigrant and refugee populations in Duluth

Findings & Considerations

Section III: Role of Duluth Citizen Review Board

11. Assessment of Duluth Citizen Review Board

Section III: Duluth Citizen Review Board

Chapter 11: Role of the Duluth Citizen Review Board (DCRB)

Key Takeaways:

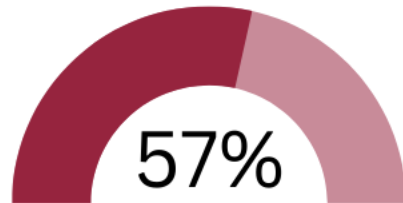
- DCRB is a civilian oversight body, with some aspects of an auditor-focused oversight model
- DCRB adheres to best practices of review-focused advisory boards and operates within the limitations of Minnesota state law
- Engagement with the community has rapidly declined and many are unaware of the Board's mission, role, and activities

Section III: Duluth Citizen Review Board

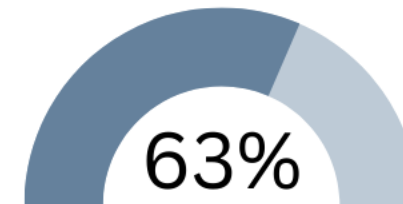
Chapter 11: Role of the Duluth Citizen Review Board (DCRB)

Key Takeaways (Continued):

- Responsibilities are fulfilled, despite the voluntary nature of the work
- DCRB's effectiveness as an oversight mechanism for DPD's complaints process is limited



of respondents reported they did not know how to file a complaint



of those who filed a complaint in the last 5 years were dissatisfied with the process

Section III:
Duluth Citizen
Review Board

Role of the Duluth Citizen Review Board (DCRB)



Considerations:

- Improve DCRB's visibility as an advisory body with a purpose to foster trust and communication between the police department and members of the community
- Renew the DCRB's charter or bylaws to align with the board's function and prioritize addressing dissatisfaction with the complaints process

Conclusion

- Audit assessed DPD operations and community experiences within the past 5 years.
 - Major events within this timeframe impact findings.
- Overall, DPD adheres to best practices in many operations, but they don't always achieve the intended impact
- DPD and the Duluth community must both make efforts to address stigmas that can perpetuate harm
- The overrepresentation of BIPOC individuals in DPD enforcement interactions contributes to the community-held belief that a culture of racism exists within the Department

Implementation Planning

Implementation Planning

What is your shared vision for improved relationships and interactions?

- Use a results-focused framework
- Determine collaborators best suited to implement changes
- Articulate and clearly define a desired outcome
- Establish performance measures and progress indicators
- Specify an action plan
- Use data to gauge progress

For More Information

Visit the Racial Bias Audit webpage:

<https://duluthmn.gov/police/public-reports-and-transparency/racial-bias-audit/>

The Crime and Justice Institute: duluthaudit@cjinstitute.org

Racial Bias Audit Team: RBAT.Duluth@gmail.com

Duluth Police Department: police@duluthmn.gov