

2019 Bias Based Policing Annual Report

The following report examines the Waukeee Police Department's (WPD) enforcement data for 2019 in regards to bias based profiling during traffic stops and arrests. This annual report allows the supervisory staff, employees, and the public to review the department's enforcement activity by race, ethnic origin, and gender.

Training: The WPD conducts annual training on the department's bias based profiling policy with its employees. Further, the department facilitates presentations by guest instructors so officers hear real life experiences of the impact the officers' actions can have on minority members of our community.

Review Process: The WPD conducts a quarterly review of the traffic stops and arrest contacts that each of the Waukeee Police Department officer initiates. The quarterly report is evaluated by the lieutenant in charge of the department's Community Protection Division (CPD). If any areas of concern are identified, the Lt. of CPD will review all traffic stops by the officer and evaluate all relevant factors such as shift assigned, areas assigned to patrol, self-initiated vs. dispatch calls for service. Based upon an examination of the totality of circumstances, a determination is made if corrective action is necessary. The annual report is then forwarded to the chief and senior leadership team members for review and evaluation to ensure that all WPD officers are in compliance with the department's policy on bias based profiling.

Policy: The leadership team of the WPD strongly believes that bias based profiling by its officers is unacceptable during traffic stops or arrests. The department has established a policy regarding bias based profiling that the officers review annually for familiarization and compliance. Any identified infractions of the policy are addressed immediately and swift action taken to correct the identified issues. A copy of the department's bias based profiling policy is located at the end of the report for public review.

Population Growth:

Population Growth:

The City of Waukee has continued to experience significant growth over the past several years. In May 2019, the U.S. Census Bureau estimated Waukee's population number to be 22,810 (based upon July 1, 2018 data). City officials project the population results from the upcoming 2020 Census could surpass 25,000.

By 2030, the projected growth for the City is expected to hit at least 40,000 residents. The enormous growth has expanded the diversity of the City's population, which includes many ethnicities, cultures, and religions.

Development:

Residential Development:

Of the 1,282 building permits issued in 2019, 190 were for single-family housing, 443 were for townhomes, one was for a multi-family development which included 24 units, and 23 were for commercial developments. The remaining permits fall into the “Other” category, including projects such as additions, alterations, decks, etc.

Commercial Development:

In addition to residential growth, the City has seen significant commercial growth. Over the last three years, new commercial valuation has increased by \$110 million and has included several new office, commercial and warehouse buildings along with personal service businesses. The new commercial developments in 2019 included: Fleet Farm, Aldi, Sleep Inn, Lush Dental and Miller, Fidler & Hinke in the Kettleview Development, Waukee Vista Commercial Park, Firestone Complete Auto Care, Graham Collision Center, Willis Pre-Owned, ABC Supply, Tommy’s Car Wash and Des Moines Children’s Dentistry.

Demographics

Demographics by Race: According to the 2019 data, 86.17% of Waukee residents identify as White, 5.58% as Asian, 3.75% as Hispanic, 2.95% as Black, 1.33% Multirace, .12% American Indian , .05% as other, and .04% Pacific Islander.

Demographics by Age: 8.38% of the city's population was under age five; 13.46% of the population is between ages 10-18; and 11.17% of the population was over age 65.

Demographics by Gender:

Over half the population of Waukee is female (51.6%).

Citation Data:

Citations By Gender:

The data from 2019 shows that 59% of citations were issued to males and 41% to females.

1,020

719

Citations By Race:

86% of citations were issued to Whites, 7% to Blacks, 5% to unknown, and 2% to Asians.

Citations By Ethnicity:

90% of citations were issued to individuals that are not of Hispanic background, 6% of citations were issued to individuals of Hispanic background, and 4% were issued to persons of unknown ethnicity.

Warning Citation Data:

Warning Citation by Gender:

The data from 2019 shows that 55% of warnings were given to males and 45% were given to females.

Warning Citation by Race:

89% of warnings were given to Whites, 6% to Blacks, 3% to Asians, and 3% were unknown.

Warning Citation by Ethnicity:

72% of warnings were given to individuals that are not of Hispanic background, 25% of warnings were given to individuals of Hispanic background, and 3% of warnings given were to persons of unknown ethnicity.

677

1,940

67

Warning Citation Data:

Arrest by Gender: The data from 2019 shows that 67% of arrests were on males and 33% were on females.

Arrest by Race:

68% of arrests were on Whites, 27% on Blacks, 3% on Asians, and 2% were on unknown.

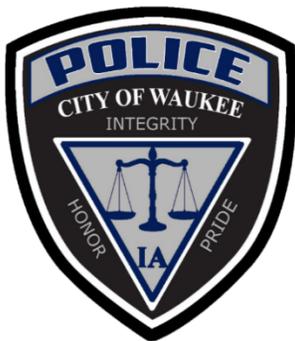
Arrest by Ethnicity:

91% of arrests were conducted on individuals that are not of Hispanic background, 6% of arrests were conducted on individuals of Hispanic background, and 3% were on persons of unknown ethnicity.

Summary:

During calendar year 2019, the Waukeee Police Department did not receive any citizen complaints of bias against any of its officers.

The quarterly and annual review of officer traffic stops and arrest contacts that were initiated during calendar year 2019 revealed that all officers were in compliance with the WPD's Biased Based Policing Policy.



2019 Waukeee Police Bias Based Policy

I. POLICY

The purpose of this policy is to ensure every member of the Department observe, respect, and protect the Constitutional rights of all persons with whom we come in contact. Law enforcement agencies should not condone the use of any bias based profiling in its enforcement programs as it may lead to allegations of violations of the constitutional rights of the citizens we serve, undermines the legitimate law enforcement efforts and may lead to claims of civil rights violations. Additionally, bias based profiling alienates citizens, fosters distrust of law enforcement by the community, invites media scrutiny, legislative action, and judicial intervention.

- A. Definitions: Profiling, in itself, can be a useful tool to assist law enforcement officers in carrying out their duties. Bias based profiling, however, is the selection of individuals based solely on a common trait of a group. This includes but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable groups.
- B. The Waukeee Police Department has a prohibition against bias based policing in traffic contacts, field contacts and in asset seizure and forfeiture efforts. No person shall be subject to any stop;

detention, enforcement action, or search by members of this Department when such stop, detention, enforcement action, or search is based solely on bias based profiling.

1. Specific examples: Police personnel need to understand that racial bias is neither a simple nor a one-dimensional issue. It is complex and takes many forms, some obvious, and others

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Examples include:

- a. Targeting motorists for traffic stops on the basis of racial profiles.
 - b. Applying discretionary enforcement on the basis of race.
 - c. Tolerating different degrees of disorder and deviance on the basis of race.
 - d. Interfering with citizen's routine activities on the basis of race (e.g., stopping, questioning, and searching citizens without adequate cause).
 - e. Assuming someone is dangerous on the basis of race.
 - f. Unduly relying on race as part of suspect identification.
 - g. Providing different levels of police patrol and protection on the basis of race, or because of unfounded racial fears.
- C. Law enforcement personnel should focus on a person's conduct or other specific suspect information. They must have reasonable suspicion supported by specific suspect information. They must have reasonable suspicion supported by specific articulated facts that the person contacted regarding their identification, activity or location has been, is, or is about to commit a crime or is currently presenting a threat to the safety of themselves or others.
- D. The department will train agency enforcement personnel in bias based policing issues including legal aspects. This should include profiling related topics, i.e., field contacts, traffic stops, search issues, asset seizure and forfeiture, interview techniques, cultural diversity, discrimination, and community support.
- E. Reporting bias based policing
1. If you observe bias based profiling by another employee, immediately tell the person displaying the behavior to stop (he or she may not be aware that of his or her conduct); however; this is not required.
 2. Promptly report any incident of bias based profiling to any supervisor Chief of Police even if you have discussed it directly with the individual(s) involved.
 3. Provide the following information when reporting bias based profiling:
 - a. Date(s), time(s), and location(s) when the incident(s) took place;
 - b. Description of each incident; e.g., what was said and/or done? , etc.;
 - c. Name(s) of anyone present during each incident; and,
 - d. Anyone with whom you've discussed the incident(s).
 4. **Annual Review:** The Chief's Office will conduct an Annual administrative review of agency practices; the Sergeants will conduct a semi-annual review including citizen concerns. A report will be published annually.
- F. Investigation of reports of bias based policing

1. The Chief of Police will be responsible for tracking and collecting all forms and information. The Sergeant's will conduct a semi-annual review. Once an employee is identified as having a standardized score 20% above or below the shift norm the Chief's designee will notify the Chief of Police. After considering the information, the Chief's designee will conduct additional reviews. The following information may be evaluated:
 - a. Information broken down by race and gender
 - b. Census data benchmarking
 - c. Adjusted census benchmarking
 - d. Complaints
 - e. Research traffic stop history

2. Once the review is completed the Chief of Police or designee will determine whether an employee's name should remain on the review list or be placed on the "referral" list and be referred for further follow up by the employee's direct supervisor. The Division Commander of the effected employee will coordinate with the direct supervisor regarding the appropriate assistance and/or training activities that are to be taken to address the identified issue(s). They will assign the direct supervisor a return due date of ten (10) working days. The direct Supervisor will ensure that the required response is received within the ten (10) working days or that an approved extension request has been made and is maintained in the file.

3. Supervisor Responsibilities: If it is determined that an employee meeting is not justified, the direct supervisor shall submit a memorandum to the Chief of Police or designee stating the findings. If it is determined that an employee meeting is necessary, the meeting with the employee will be facilitated. At the conclusion of the meeting, the supervisor will submit a memorandum to the Chief of Police or designee through the chain of command with recommendations. This report will outline the meeting and the recommended actions and any additional follow-up that is deemed necessary. The Chief of Police will determined and established options and/or courses of actions to include, but not limited to:
 - a. No further action - the employee's performance is within policy
 - b. Progressive Discipline
 - c. Mandatory remedial or additional training designed to improve employee skills and Performance
 - d. Informal monitoring by FTO's
 - e. Formal counseling by Department's psychologist
 - f. Mandatory or voluntary referral to the City's Employee Assistance Program (EAP)
 - g. Formal monitoring (probation period set) with formal reviews and reports
 - h. Reassignment

4. The Chief of Police will determine the appropriate finding. A finding other than “no further action” or “informal counseling by supervisor” will require the supervisor to develop a performance action plan for the employee. This plan will be approved by the Chief of Police. The performance action plan will be communicated to the employee by their supervisor. The Chief of Police or designee will be responsible for reviewing the action plan with the supervisor for compliance.