



May 13, 2014

Marti Emerald, Chair, Public Safety and Livable Neighborhoods Committee
San Diego City Council
City Administration Building
202 "C" Street, 10th Floor
San Diego, CA 92101

Dear Councilmember Emerald,

The ACLU of San Diego and Imperial Counties respectfully submits this letter and enclosed analysis in regard to **Item 4** (Report from the San Diego Police Department regarding FIRST QUARTER 2014 VEHICLE STOP DATA CARDS) on the May 14, 2014 agenda of the Public Safety and Livable Neighborhoods Committee.

The data provided to the City Council on May 1, 2014 reveals very troubling trends in vehicle stops and searches by the SDPD. In particular, as they relate to vehicle stops:

- Blacks are stopped **twice** as often as their driving age demographic representation.
- Blacks are searched at **three times** – and Hispanics at twice – the rate of Whites.
- Searches of Blacks and Hispanics are *less likely* to be associated with an arrest.


As shocking as these findings are, they provide a very incomplete picture because they include data on vehicle stops only.

The SDPD report focuses on the challenges with creating a demographic benchmark for vehicle stops. That concern is not raised by other police departments along the border, including Austin.¹ Nonetheless, the benchmarking issue does not apply to search rates. For search rates, the benchmark should be people stopped, which is clear from the data.

In response to these troubling findings, the ACLU strongly urges the City Council to direct the San Diego Police Department to respond by (1) including racial profiling practices/training in the ongoing Department of Justice assessment, by (2) immediately beginning to collect pedestrian stop data, and by (3) reporting detailed vehicle and pedestrian stop data to the public by the end of 2014.

Enclosed with this letter is an analysis of San Diego Police Department's Vehicle Stop Data, January-March 2014. Please do not hesitate to contact me for more information. Thank you.

Sincerely,


Margaret Dooley-Sammuli, Policy Director
619-398-4486 • mds@aclusandiego.org

Cc: Council President Todd Gloria, Council President Pro Tem Sherri Lightner, and Councilmembers Myrtle Cole, Mark Kersey, Lorie Zapf, Scott Sherman, Ed Harris, and David Alvarez

¹ *Austin Police Department 2013 Annual Racial Profiling Report*. February 2014. Available online: http://www.austintexas.gov/sites/default/files/files/Police/2013_racial_profiling_report_022414.pdf



ACLU Analysis of San Diego Police Department Vehicle Stop Data

May 13, 2014

On May 1, 2014, the San Diego Police Department provided to the City Council a report on all vehicle stop cards completed by its officers during January-March 2014. In response to the ACLU and NAACP's request, the SDPD's report included six tables of data that provided the opportunity for meaningful analysis. Although the reported data covers just three months, the ACLU has identified the following troubling findings related to vehicle stops:

Blacks are stopped twice as often as their driving age demographic representation. Blacks account for 12.3% of vehicle stops, but only 5.8% of the driving age population (15 years and up). This has *increased* significantly since 2000, according to earlier SDPD data. Hispanics are stopped at a higher rate than their demographic representation, but less dramatically so than in 2000. In contrast, Whites and the groups labeled as "Asian/Other" are stopped at rates lower than their demographic representations. [See Figure 1]

Figure 1: Vehicle Stops by Race/Ethnicity, Jan-Mar 2014

	% of Population (Aged 15+)	% of Vehicle Stops	Actual to Expected Stop Rates	Actual to Expected Stop Rates, 2000
Asian/Other	20.0%	15.6%	78.0%	86.2%
Black	5.8%	12.3%	212.0%	146.3%
Hispanic	26.6%	30.3%	113.9%	143.6%
White	47.6%	41.8%	87.8%	81.8%

Source: SDPD Vehicle Stop Data Cards Report to City Council, May 1, 2014; San Diego Police Department Vehicle Stop Study, 2000; ACLU analysis.

Once stopped, Blacks are searched at three times the rate of Whites. Hispanics are searched at twice the rate of Whites. If stopped, more than one in eight Blacks and one in 12 Hispanics will be searched. In contrast, one in 25 Whites will be searched during a vehicle stop. [See Figure 2]

Figure 2: Vehicle Stops & Searches by Race/Ethnicity, Jan-Mar 2014

	Stops (Cards)	Searches	Search Rate	Search Rate Compared to Whites, 2014
Asian/Other	6,433	231	3.6%	89.5%
Black	5,047	617	12.2%	304.8%
Hispanic	12,460	1,005	8.1%	201.1%
White	17,229	691	4.0%	100.0%
Total	41,169	2,544	--	--

Source: SDPD Vehicle Stop Data Cards Report to City Council, May 1, 2014; ACLU analysis.

If searched, Blacks and Hispanics are less likely than other groups to be arrested. Less than one in five searches of Blacks is associated with an arrest. For Hispanics, one in four searches is associated with an arrest. In contrast, nearly one in two searches of Whites is associated with an arrest. These data suggest that SDPD has a different standard for searching Blacks and Hispanics than for Whites. [See Figure 3]

Figure 3: Vehicle Stop-Related Searches & Arrest Rates by Race/Ethnicity, Jan-Mar 2014

	Stops (Cards)	Searches	Search Rate	SDPD Arrests as % of Searches
Asian/Other	6,433	231	3.6%	30.3%
Black	5,047	617	12.2%	19.8%
Hispanic	12,460	1,005	8.1%	25.6%
White	17,229	691	4.0%	42.3%
Total	41,169	2,544	--	--

Source: SDPD Vehicle Stop Data Cards Report to City Council, May 1, 2014; ACLU analysis.

The San Diego Police Department should collect pedestrian stop data and publish anonymous raw data. The vehicle stop data provides significant cause for concern. It also only paints a partial picture, because data on pedestrian stops is not included. The vehicle stop data do not include many police encounters with young people, immigrants, and people living in poverty, the same groups that often express concerns about racial profiling. Neither the SDPD nor the public can have a true picture of policing in San Diego if the department fails to collect and publish pedestrian stop information. Moreover, the raw data, not just summaries, should be provided to the public for independent analysis. By failing to publish the raw data (which can be made anonymous by exchanging officers' badge numbers for unique identifiers), the Department has severely limited the opportunity for study.

Conclusion

By providing vehicle stop data to the public, the San Diego Police Department has contributed significantly to the public discussion about policing in San Diego. Before this report, the ACLU received many community complaints about suspected racial profiling by the SDPD. The agency has repeatedly suggested that such concerns were merely a matter of perception. Now data suggests otherwise. These findings demand further investigation and attention by the Police Department and the City of San Diego.

For more information

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