



GOVERNMENT OF THE DISTRICT OF COLUMBIA POLICE COMPLAINTS BOARD OFFICE OF POLICE COMPLAINTS

Office of Police Complaints
Michael G. Tobin, Executive Director

POLICE COMPLAINTS BOARD
Paul Ashton, Chair
Commander Morgan Kane
Bobbi Strang
Jeffrey Tignor
Kurt Vorndran

PCB POLICY REPORT #21-1: Stop and Frisk Data Review

Introduction:

The Police Complaints Board (PCB) is consistently in favor of more transparency by the Metropolitan Police Department (MPD) with the community it serves. Many of the reports issued by the PCB have included recommendations for increased transparency by MPD for policies and procedures to improve the relationship with community members. As such, the PCB issues this recommendation that MPD promptly undertake and publish a comprehensive review of the stop and frisk data that it has accumulated and inform the public of progress made to this end.¹

Background on Stop and Frisk Data:

On September 9, 2019, MPD released the Stop Data Report for July 22-August 18, 2019. This was the first published report on stop data provided by MPD, covering approximately 11,600 stops.² Notably, the report showed that 70% of the stops were of Black people.³ However, only 46% of the DC population is Black.⁴

The report included this question and answer:

“Does this data demonstrate that stops reflect bias against specific groups? The community deserves an answer to this critically important question. It may be tempting to point to initial snapshot of data as evidence that stops are biased. However, while the new data collection is an important step forward in understanding stops, additional data and comprehensive analysis will be necessary to determine whether stops are biased.”⁵

¹ The Police Complaints Board (PCB) is issuing this report pursuant to D.C. Code § 5-1104(d), which authorizes the Board to recommend to the District of Columbia Mayor, Council, MPD Police Chief, and the Director of District of Columbia Housing Authority reforms that have the potential to improve the complaint process or reduce the incidence of police misconduct.

² Stop Data Report: September 2019. Available at: https://mpdc.dc.gov/sites/default/files/dc/sites/mpdc/publication/attachments/MPD%20Stop%20Data%20Report_September%202019_lowres_0.pdf

³ *Id.* at p12.

⁴ *Id.* at p8 (footnote 3).

⁵ *Id.* at p9.

Deputy Mayor for Public Safety and Justice Kevin Donahue confirmed the need for further data analysis in an interview with WUSA9 when he said he planned to solicit bids later in the fall of 2019 for an outside expert to study all police stops.⁶

On March 4, 2020, MPD released an updated Stop Data Report with data from July 22-December 31, 2019. This report showed that 72% of stops were of Black people.⁷ MPD reiterated in this report that a next step was a comprehensive analysis to determine if the data indicates bias, and that MPD partnered with The Lab @DC to “develop a research plan and identify independent researchers...to do this work in a transparent and scientifically valid manner.”⁸

MPD acknowledged their commitment to the community and the need for a comprehensive examination of the stop data collected which will allow the Department to fully understand the issues and root out any potential bias in policing in the District. This is especially significant in light of the fact that MPD did not start releasing the stop data as required by the NEAR Act until the DC Superior Court granted a preliminary injunction ordering MPD to do so.⁹ With the first release of the Stop Data Report, MPD demonstrated to the community a commitment to identifying issues within the Department and finding ways to address them. MPD can follow through on this commitment by taking the next steps that MPD outlined in the Stop Data Report.

Recommendations:

The PCB recognizes the importance of transparency as fundamental to ensuring community trust, and the longer it takes for MPD to examine the root causes of the appearance of racial bias in the stop data, the longer it will take to create and implement any potential policy and/or training changes. Until changes are made, officers will carry on effecting stops in the same ways. Meaning that possibly racially motivated stops or publicly perceived racially motivated stops can continue to occur. These stops will further erode community trust in MPD and have the potential to leave MPD and the District open to lawsuits.¹⁰

To help improve and facilitate better relations and increase trust between MPD and community members, the PCB recommends that:

1. MPD immediately make public any steps already taken to initiate a comprehensive analysis of the stop data. This should include entities MPD has consulted with on their

⁶ <https://www.wusa9.com/article/news/crime/stop-and-frisk/dc-police-underreported-stop-and-frisks-for-years/65-a5f4eb51-72fd-4585-8a4e-91451689b97b>

⁷ Stop Data Report: February 2020, at p13. Available at: <https://mpdc.dc.gov/sites/default/files/dc/sites/mpdc/publication/attachments/Stop%20Data%20Report.pdf>

⁸ *Id.* at p9.

⁹ <https://www.acludc.org/en/cases/black-lives-matter-dc-v-bowser-enforcing-dc-laws-stop-and-frisk-data-collection-requirement-dc>

¹⁰ For example, see 1:20-CV-01135, *Crudup, Bell, and Burns v. Government of the District of Columbia*.

plan, and what issues, if any, have caused the delay in starting the analysis.¹¹

2. MPD must continue to keep the public apprised of the progress of this comprehensive analysis through regular updates to the Stop Data Report page on the MPD website. While it is understandable that an examination of the data may be a time-consuming process, MPD must be as transparent as possible about the status of this work, including any existing partnerships undertaken to analyze data. This should include, at a minimum, identifying the entities performing the review, the cost of the review, and the expected date of completion.

¹¹ In a letter dated September 28, 2020, MPD informed OPC and the PCB that independent organizations, Georgetown University and Howard University, in partnership with The Lab @ DC, are leading the effort on a comprehensive analysis. The initial stages of this effort will take place next month, when Georgetown Law, Howard University, and The Lab @ DC co-host “*Reimagining the Role of Police Stops in Public Safety: A Workshop Series on Reducing Harm through Research, Policy, and Practice.*” OPC Executive Director, Michael Tobin, will be participating in this event. However, the PCB is still including this recommendation that MPD share this information with the public as this transparency will promote community trust.