

City of Syracuse Police-Citizen Encounter Study

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I. Introduction

The purpose of the study is to determine if Syracuse citizens of different races or ethnicities receive differential treatment when encountered by Syracuse police. In particular this study is concerned with uncovering what has too often been loosely (and perhaps regrettably) termed "racial profiling," a "hot button" phrase that only serves to foster tension and distrust between communities and the police forces that serve them. Since it is best to confront this important issue in an environment of police-community trust and cooperation, we have elected to objectively refer to these behaviors as "differential police treatment." It is not our intent to diminish the seriousness of the issue. However, we believe that the best approach to understanding and changing behavioral patterns in need of improvement is to objectively identify them in a way that promotes intelligent and productive police-community discussion.

Ultimately, it is up to the city of Syracuse and its citizens to determine how any differential treatment should be interpreted and acted upon. This report is designed to provide some guidance in this regard.

It should also be noted, that since most citizens in Syracuse are either Caucasian (65%) or African-American (27%), this report focuses *only* on differential police treatment of these two demographic groups. (The six months of encounter data do not contain sufficient observations of other demographic groups to ensure credible inferences about their differential treatment.)

All the analyses in this report are for discretionary police encounters alone. "Discretionary" is broadly defined as any encounter that is instigated by police "with their own eyes," without dispatch, warrant, citizen complaint, or other official justification. The statistics of interest in this study are "hit rates", and we examine several types.

For our analysis and this report we have calculated "hit rates" for both African-Americans and Caucasians in the following categories:

1. Discretionary "citizen stop rates;"
2. Discretionary "citizen frisk/search rates;"
3. Discretionary "arrest rates."
4. "Conditional hit rates" (also discretionary), where we "condition" on various features of the encounter such as age of citizen, crime rate in location of encounter, or racial composition of location of encounter. (So, for example, we calculate results like "stop rates for African-Americans and Caucasians conditional on the encounter occurring in a high-crime area.")

Given these hit rates and conditional hit rates, there are two broadly accepted approaches for determining whether or not differential police treatment exists in the data. These are outlined below:

- A. The standard *benchmarking approach* compares these hit rates and conditional hit rates to **population benchmarks**, such as population percentages. (For example, if the stop rate for African-Americans is much greater than their population percentage in the city, and the stop rate for Caucasians is much less than their population percentage, this could be interpreted as differential treatment.) We provide benchmarking results of this type in this report. Benchmarking approaches do have their limitations, and these are discussed in this report.
- B. An alternative (and preferred) methodology for analyzing differential treatment is an **outcome-based approach**. (Knowles, Persico, and Todd, 2001, have developed an equilibrium model of police-citizen behavior, where the hit rates of interest are discretionary "arrest rates".¹) Arrest rates are calculated and compared across races (as opposed to being compared to a benchmark). For example, if the arrest rate *conditional on a stop* is different for African-Americans than for Caucasians, then differential treatment may exist. The idea is that if the arrest rate is lower for a particular group then that group is "over-stopped without arrest" by police. We provide outcome-based results of this type in this report, both conditional on stop and conditional on frisk/search. Outcome-based approaches also have their limitations, and these are discussed as well in this report.

Ultimately we will focus our conclusions and recommendations on the outcome-based results, since we consider them more reliable than the benchmarking results.

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In the following section we describe the data, including some broad descriptive statistics. In subsequent sections we present the results of the study and our conclusions and recommendations.

¹ Knowles, J., N. Persico, and P. Todd "Racial Bias in Motor Vehicle Searches: Theory and Evidence," *Journal of Political Economy* 109 (2001), 203-29.

II. Data Summary

There were four primary data sources used in the analysis:

Syracuse Police “Form 67” Data collected by police from 7/1/05 to 12/31/05.

Syracuse Police Discretionary Arrest Data collected by police from 7/1/05 to 12/31/05.

Syracuse Police Part I Offense Crime Data for the one-year period 5/31/04 to 5/31/05.

Syracuse 2000 Census Data collected by US Census Bureau in 2000.

The "Form 67" is the source of data for discretionary police-citizen encounters that *do not result in an arrest*. The form is completed electronically (with a few exceptions) by the encountering officer and contains information on:

1. Date and location of encounter; name, age, race and gender of citizen;
2. Whether or not a frisk or search was performed;
3. Whether or not the citizen wore gang colors.

After "cleaning" these data for miscoded or missing observations, we were left with 7,345 discretionary encounters which did not result in arrest. Of these encounters, 3,343 (49%) were African-American citizens, 3,494 (51%) were Caucasian citizens, and the remainder were citizens from other demographic groups.

The Discretionary Arrest Data contain all the fields of the 67 Data plus additional arrest information, including charges filed against the citizen. These data contain records for each charge filed in an arrest; hence, the data were provided to us at the "charge level".² Since we required observations at the "encounter or stop level" (and not at the charge level), the data were collapsed resulting in 5,926 arrests for citizens for the 6-month period, of which there were 3,789 arrests of African-Americans (64%), 1,637 arrests of Caucasians (28%), and the remainder were citizens from other demographic groups.

These two data sets were combined to capture all discretionary police encounters in Syracuse during the six-month period, resulting in a total of 13,271 encounters of which 7,132 were African-American citizens, 5,131 were Caucasian citizens, and the remainder were citizens from other demographic groups. We call these merged data sets the *Encounter Data*. These data were then "geo-coded" (based on the location of encounter provided in either the Form 67 or the Arrest Data) and tagged with a census tract number, based on Syracuse censuses, defined by the US Census Bureau in 2000.³ We consider citizens 25 years of age and above to be "adults" and citizens below 25 years of age to be "youths." In the Encounter Data, there were 6,006 encounters with youths, of which 3,525 were African-American, 1,971 were Caucasian, and the remainder were citizens from other demographic groups. The rest were adult encounters. Also, in the Encounter Data there were 7,034 instances of frisk or search of a citizen (all arrested citizens are searched). African-Americans were frisked or searched 4,621 times, Caucasians were frisked or searched 1,825 times, and the remainder were citizens from other demographic groups.

² That is, a single arrested citizen could receive multiple charges, so the unit of observation was "the charge" and not "the citizen".

³ The 2000 US Census is the most current census. The next US census will be in 2010.

The Part I Offense Crime Data contained counts of Part I offenses (murder, negligent & non-negligent manslaughter, rape, robbery, aggravated assault, burglary, larceny, and motor vehicle theft) by census tract for the one-year period prior to the study period. Part I crimes are the most violent crimes recorded, and there were 11,556 of them in Syracuse between 5/31/04 and 5/31/05. The data were merged with the US Census Bureau Data to determine crime rates in each census tract in units of *crimes per thousand people*. These crime statistics were merged with the encounter data described above. Based on these data the average citywide crime rate during the one-year period before June 1, 2005 was 78.5 crimes per thousand people. Census tracts with crimes greater than 78.5 were deemed "high-crime" areas, and tracts with crimes below this mark were deemed "low-crime" areas. Based on these definitions, of the 57 census tracts analyzed, 25 were high-crime areas and 32 were low-crime areas in the year prior to the study.

The US Census Bureau Data were used as described above and to calculate the citywide African-American (black) population to be 27.36%, and the citywide Caucasian (white) population to be 65.36%. For our analyses we considered any census tract with a African-American population greater than 27.36% to be a "black area" and any census tract with a Caucasian population greater than 65.36% to be a "white area". There are a total of 57 census tracts in the city; of these tracts, 19 are black areas and 34 are white areas. (There are, therefore, 4 census tracts in Syracuse that are neither African-American nor Caucasian, based on these definitions.)

III. Benchmarking Analysis

A common technique for benchmarking is to compare stop rates to population percentages. The idea is that if discretionary stops were truly random (without regard to race), then the stop rates for African-Americans and the stop rates for Caucasians would simply equal their percentages in the population. Therefore, if African-Americans were stopped at a rate above their population percentage, then this might be considered differential treatment of African-Americans. In other words, if this were the case, then police would not be randomizing discretionary stops. While somewhat standard, this technique is fraught with problems. First, there is always a question of what the relevant population should be? For example, if we were to focus attention on a single Syracuse neighborhood, then which benchmarks for African-Americans and Caucasians should be used? The percentage of African-American and Caucasian residents? The percentage of African-Americans and Caucasians on the street in the neighborhood at a particular time? If so, at what time? While most of the benchmarks that one could possibly conceive of are unmeasurable in any real sense, the percentages of African-American and Caucasian residents in an area *are* measurable from US Census data and are most often used in benchmark analysis. Second, it is entirely unreasonable to think that police officers stop citizens randomly. Indeed, it would be inappropriate to stop citizens without probable cause. Third, if the percentage of African-American and Caucasian residents in a neighborhood *are* selected as the benchmarks, then which stop rates should be compared to them? The stop rates of *any* African-Americans or Caucasians in the neighborhood? The stop rates for only African-American and Caucasian *residents*? If so, how could one *consistently* determine a stopped citizen's neighborhood of residence? This is an unresolved problem in the benchmarking literature.

Despite these shortcomings and since they are standard, several benchmarking analyses were performed using population percentages as the benchmarks. First, a citywide analysis was performed. These results are contained in Table 1. In the city of Syracuse, the population was about 27% African-American and 65% Caucasian in 2000. Over the study period the citywide discretionary stop rates were about 54% for African-Americans and 39% for Caucasians. Therefore, African-Americans were being stopped at a rate higher than their population percentage, and Caucasians were being stopped at a rate lower than their population percentage. One can also conclude that African-Americans were stopped more frequently than Caucasians across the entire city. These results are in the 'All Stops' row of Table 1. The stops were also partitioned, based on the age of the citizen encountered. Table 1 indicates that for discretionary stops of youths about 59% percent of these were African-American youths and only 32% were Caucasian youths. Not only were African-American youths stopped at a rate higher than the African-American population percentage, but the gap between African-American and Caucasian stop rates was larger for youths than for adults. Indeed, Table 1 indicates that for adults, about 50% were African-American citizens while 43.5% were Caucasian citizens.

We had access to 159 citizen complaints in specific areas of the city over the study period. To the extent that police activity in these areas may have been mandated by the complaints and may not have been truly discretionary, we sought to remove police-citizen encounters that occurred in these areas. Therefore, we removed all police encounters in these areas for 10 days after the complaint was formally issued in memo form. (We used the dates from the memos that we were provided to us by the police.) This lowered the total number of discretionary encounters over the

study period to 12,738, of which 6,732 were African-Americans, 5,036 were Caucasians, and the remainder were citizens from other demographic groups.

We redid the benchmarking analysis for these data. Table 1 shows an insignificant decline in stop rates for African-Americans from 53.74% to 52.78%. There was also an insignificant rise in stop rates for Caucasians from 38.66% to 39.54%. Since the differences were small, we elected to retain the complaint area encounters in the encounter data in all subsequent analyses. It was also determined at that point that any attempts to remove encounters associated with Project Impact policing would have little to no effect on the results. Therefore, this special police initiative was not controlled for in all subsequent analyses, as well.

The encounter data were partitioned along a few geographical and demographic dimensions, and the benchmark analysis redone for these partitions. Results are in Table 2. For example, the data was partitioned into 25 high-crime census tracts and 32 low-crime census tracts based on an average crime rate of 78.5 crimes per thousand people. High-crime areas have a disproportionate percentage of African-American residents. The first row of Table 2 indicates that high-crime areas residents are about 41% black and 50% white. Stop rates in these areas were again above the benchmark for African-Americans (57% > 41%) and below the benchmark for Caucasians (35% < 50%), and the gap between stop rates for African-Americans and Caucasians was larger in these areas than in the city as a whole. Stop rates for African-Americans and Caucasians in low-crime areas were about the same (45% and 49%, respectively), but again African-American rates were above their population percentages in these areas (19% black), while Caucasian stop rates were below theirs (74% white). A similar analysis was performed in the 15 highest-crime census tracts and the 15 lowest-crime census tracts (the first and fourth quartiles of crime over census tracts). Benchmarking results were similar and are in Table 2. African-Americans were consistently stopped above their population percentages and Caucasians were consistently stopped below their population percentages in these areas. We also partitioned the data into 19 African-American neighborhoods and 34 Caucasian neighborhoods. Again the results are in Table 2 and are similar. Therefore one can conclude that:

African-Americans were consistently stopped at a rate above their population percentage and Caucasians were consistently stopped at a rate below their population percentage in all areas of the city.

It is not clear how the results of the benchmarking analysis should be interpreted. On the one hand, they are consistent no matter how the encounter data were filtered or partitioned. (Perhaps more informative benchmarking results could be achieved if a larger quantity of data is collected and analyzed; this way the data could be partitioned based on finer criteria without loss of inferential power.) On the other hand, the benchmarking results should be interpreted with caution, based on concerns discussed earlier. Also, they give no explanation as to *why* the differentials exist. Our recommendation is that the results of the benchmarking analysis be discounted for this study, but be revisited in six months to a year to see if they have changed. They are provided here for informational purposes and to make comparisons to benchmarking analyses that may be performed in the future.

IV. Outcome-based Analysis

The Knowles, Persico, and Todd (2001) model predicts that police adjust stop or search frequencies to maximize arrest (or some other outcome measure). To implement the model one simply calculates arrest rates (conditional on a discretionary stop) for African-Americans and for Caucasians and then compares the rates to determine treatment differentials by race. In this sense there is no benchmark to consider, and many of the problems associated with benchmarking analysis are avoided. For example, if the arrest rate (conditional on a discretionary stop) is greater for Caucasians than for African-Americans, this means that police are stopping African-Americans too frequently without cause (as measured by arrest). We performed such an analysis and found in general that:

After being stopped by Syracuse police, Caucasians citizens were less likely to be arrested than African-American citizens who were stopped, except in the 15 highest-crime areas of the city, where African-Americans were less likely to be arrested after a stop than Caucasians.

We also performed the same analysis "conditional on a frisk or search being performed". To continue the example, if the arrest rate *conditional on a search or frisk* is greater for Caucasians than for African-Americans, this means that police are "over-searching or over-frisking" African-Americans without cause (as measured by arrest). Our analysis shows:

After being frisked or searched by Syracuse police, African-American citizens were less likely to be arrested than Caucasian citizens who were frisked or searched.

The idea is that if "potential arrest" is the primary reason for a police-citizen encounter, then arrest rates should be about equal for blacks and whites once a stop has occurred. The concept is the same for frisks and searches of citizens; they too should ideally lead to an arrest if performed, and, conditional on them, arrest rates should be about the same across all races. Treatment differentials based on arrest rates can be interpreted in a variety of ways, and these are discussed later.

The results of the stop analysis are in Tables 3 and 4, and the results of the search/frisk analysis are in Tables 5. Table 3 shows that in all parts of the city and for both youths and adults, police appear too stop Caucasian citizens too frequently without arrest. That is, the arrest rates for Caucasians were lower than the arrest rates for African-Americans for the entire city (31.90% < 53.13%), for youths (38.76% < 56.94%), and for adults (27.63% < 49.40%). Table 4 shows similar results based on high- and low-crime areas, lowest-crime areas, and black and white areas. However, in the 15 highest-crime census tracts of the city, the arrest rates were lower for blacks than for whites (81.33% and 89.54%, respectively), indicating that in these areas African-Americans are stopped without arrest too frequently (relative to Caucasians).

Table 5 shows that, conditional on a frisk or search being performed, arrest rates for Caucasians were greater than arrest rates for African-Americans in the entire city (89.70% > 82.00%); in 25 high-crime areas (90.43% > 82.09%); in 32 low-crime areas (88.00% > 81.65%); in the 15 highest-crime areas (89.54% > 81.33%); in the 15 lowest-crime areas (85.00% > 75.56%); in 19 African-American areas (88.20% > 81.14%); and in 34 Caucasian areas (89.82% > 83.54%).

The largest disparity was in the 15 lowest-crime census tracts where African-Americans were about 10 percent more likely to be frisked or searched without an arrest.

The results of the outcome-based analysis are consistent: Caucasians are stopped without arrest with higher likelihood than African-Americans (in general); and African-Americans are frisked or search without arrest with higher likelihood than Caucasians. The only exception is in the 15 highest-crime areas of the city where African-Americans are stopped without arrest with higher likelihood. Of course this analysis does not provide insight into the causes of these differential treatments by race, although one could speculate. It could be that once a stop has been made, an officer is more likely to let a Caucasian citizen "off with a warning" than an African-American citizen. Although this does not hold in the highest-crime areas, it is not unreasonable to expect police to behave differently in these areas, which are presumably more dangerous. Perhaps the "over-frisking" of African-Americans could be interpreted as harassment. These are merely speculations and could never be verified without a large ethnographical study of the Syracuse Police force. They are, however, compelling.

Another factor that should be considered in interpreting these results is that police may not be trying to maximize arrests. Perhaps they are trying to maximize convictions. Therefore, it would be very worthwhile to recalculate the outcome-based measures, using conviction rate as the outcome. This would require following the arrested citizens through the judicial system to see if they are acquitted. If Caucasian citizens are more likely to be acquitted than African-Americans, then the conviction rate (conditional on a frisk) would be relatively lower for whites than for blacks. If this is the case, then the treatment differential that "African-Americans are over-frisked" may be mitigated. An alternative view is that police attempt to maximize *arrest rates*. This could also be explored in subsequent studies.

V. Summary of Outcome-based Findings

Data on discretionary Police-Citizen encounters were collected by Syracuse police from June 1, 2005 to December 31, 2005. Arrest rates for African-Americans and Caucasians conditional on stop and conditional on frisk/search were calculated and compared based upon the following criteria:

1. For the entire city
2. For high-crime areas only
3. For low-crime areas only
4. For highest-crime areas only
5. For predominantly black areas only
6. For predominantly white areas only

Based on the arrest rates, the data identified that:

1. For discretionary encounters (encounters without dispatch, warrant, or official justification), Caucasian citizens were stopped without arrest more frequently than African-American citizens in all areas of the city except for the highest-crime areas. (See tables 3 and 4.) This is an indication of differential police treatment.
2. For discretionary encounters in the highest-crime areas of the city, African-Americans were stopped more frequently without arrest (See table 4, "Highest-crime Area Stops.") This is an indication of differential police treatment.
3. For discretionary encounters, African-American citizens were searched or frisked without arrest more frequently than Caucasian citizens, regardless of the crime rate or racial composition of the area of encounter (See Table 5). This is an indication of differential police treatment.
4. There was not enough data collected over the six-month study period to effectively analyze other races or ethnicities.
5. It is clear that race of citizen and neighborhood of encounter are significant factors in and correlated to outcomes in police-citizen discretionary encounters. Though there is a range of interpretations that reasonable people may have regarding these research findings, a few interpretations might be intentional racism, unintentional or unconscious bias, fear, or stress. Perhaps these treatment differentials might be attributable to only a small fraction of the police force, and their behaviors are affecting average police outcomes. These are merely speculations, but are worth consideration.

VI. Recommendations

1. The City of Syracuse should continue the police data collection practices utilized for this study for an additional 18 months to monitor and evaluate expected professional patterns of improvement, with reports presented for at least 3 subsequent periods (every six months). This will help the City to assess skills training impact on improvements in police-citizen encounters; to mitigate any effects of crime *seasonality* on the results; to improve the accuracy of the results for Caucasians and African-Americans; to understand the police treatment of citizens from other demographic groups; to determine what and if there is any correlation between the diversity background of officers and their treatment of Syracuse citizens of similar or different backgrounds; and to assist in understanding the ultimate judicial disposition of citizens who are actually arrested in police encounters. (See recommendations below)
2. There should be more data collected for citizens from ethnic groups beyond "white and black" (such as Hispanics, Asian-Americans, Arab-Americans), and incorporated into subsequent progress reports over the next 18 months (assuming that enough data on these groups is collected by police in the normal course of their duty).
3. Data should be collected and analyzed as to the background of officers and whether there is any relationship to differential treatment of citizens from similar or different backgrounds.
4. Judicial outcomes for arrested citizens should be tracked and incorporated into subsequent data collection, analysis and reporting.
5. The City should immediately turn the findings and "lessons learned" from this report into a positive and timely police professional skills enrichment program to be delivered to all police officers and staff. It should be designed to reduce and help eliminate what might be termed "merit-irrelevant" patterns of differential police treatment related to race, ethnicity, class, and neighborhood.
6. Incorporate the lessons learned from this report and subsequent training into recruiting, professional development, performance management, and accountability in the Syracuse police force.

VII. Appendix

Software

All analyses were performed on a PC running Microsoft office XP. Software products used in the analysis were *MapInfo* 8.0, *ArcView* 3.5, and *Stata* 8.0.

Tables

Table 1. Citywide Benchmark Analysis for Stops

Citywide Stops	Number of Stops	Race	Population Benchmark	Stop Rate
All Stops	13,271	Black (7,132)	27.36%	53.74%
		White (5,131)	65.36%	38.66%
Stops in Non-Complaint Areas	12,738	Black (6,723)	27.36%	52.78%
		White (5,036)	65.36%	39.54%
Youth Stops*	6,006	Black (3,525)	27.36%	58.69%
		White (1,971)	65.36%	32.82%
Adult Stops*	7,265	Black (3,607)	27.36%	49.65%
		White (3,160)	65.36%	43.50%

Discretionary stop rates for the City of Syracuse by race to be compared with population benchmarks.

Population Benchmarks are the percentages of African-Americans and Caucasians in the city of Syracuse.

* Population benchmark assumes youth and adult percentages for each race are the same as in entire population for that race.

Differences between the total number of stops and the sum of black and white stops are attributable to other demographic groups in the data.

Table 2. Benchmark Analysis for Stops in Different Neighborhoods

Areas	Numbers of Tracts / Stops	Race	Population Benchmark	Stop Rate
High-crime Area Stops	25 / 9,617	Black (5,474)	41.05%	56.92%
		White (3,340)	49.85%	34.73%
Low-crime Area Stops	32 / 3,654	Black (1,658)	19.37%	45.37%
		White (1,791)	74.41%	49.01%
Highest-crime Area Stops	15 / 3,622	Black (2,410)	51.06%	66.54%
		White (832)	39.10%	22.97%
Lowest-crime Area Stops	15 / 956	Black (236)	8.86%	24.69%
		White (651)	85.65%	68.10%
Black Area Stops	19 / 7,321	Black (4,818)	57.85%	65.81%
		White (1,882)	35.09%	25.71%
White Area Stops	34 / 4,803	Black (1,847)	11.43%	38.46%
		White (2,647)	82.24%	55.11%

Discretionary stop rates for various parts of Syracuse by race to be compared with population benchmarks.

Population Benchmarks are the percentages of African-Americans and Caucasians in different areas of Syracuse.

Differences between the total number of stops and the sum of black and white stops are attributable to other demographic groups in the data.

Table 3. Citywide Outcome-based Stop Analysis

City Wide Stops	Caucasian Arrest Rate	African-American Arrest Rate
All Stops	31.90%	53.13%
Youth Stops	38.76%	56.94%
Adult Stops	27.63%	49.40%

Discretionary arrest rates, conditional on a stop, for the City of Syracuse by race. Compare rates across races.

Table 4. Outcome-based Stop Analysis in Different Neighborhoods

Areas	Number of Stops	Caucasian Arrest Rate	African-American Arrest Rate
High-crime Area Stops	9,617	34.52%	54.02%
Low-crime Area Stops	3,654	27.02%	50.18%
Highest-crime Area Stops	3,622	89.54%	81.33%
Lowest-crime Area Stops	956	28.73%	43.22%
Black Area Stops	7,321	30.98%	52.05%
White Area Stops	4,803	32.34%	55.50%

Discretionary arrest rates, conditional on a stop, for various areas of the City of Syracuse by race. Compare rates across races.

Table 5. Outcome-based Frisk/Search Analysis in Different Neighborhoods

Areas	Number of Frisks/Searches	Caucasian Arrest Rate	African-American Arrest Rate
Citywide Frisk/Search	7,034	89.70%	82.00%
High-crime Frisk/Search	5,365	90.43%	82.09%
Low-crime Frisk/Search	1,669	88.00%	81.65%
Highest-crime Frisk/Search	3,622	89.54%	81.33%
Lowest-crime Frisk/Search	389	85.00%	75.56%
Black Area Frisk/Search	4,127	88.20%	81.14%
White Area Frisk/Search	2,360	89.82%	83.54%

Discretionary arrest rates given that a frisk or search has been performed for various parts of the City or Syracuse by race.
Compare rates across races.