

**OPEN SOCIETY
JUSTICE INITIATIVE**

POLICE STOPS TECHNICAL PAPER SERIES

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**BRUSSELS
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NEW PUBLICATIONS – RELEASED END NOVEMBER

1) *The Recording of Police Stops: Methods and Issues.*

Factsheets in: Dutch, French, German and Spanish

2) *Toolkit for the Analysis of Police Identifications.*

With the Plataforma Por la Gestión Policial de la Diversidad

Includes: manual, training powerpoint and Excel spreadsheet

Available in: Dutch, French, German and Spanish

3) *Regulating Police Stop and Search: An Evaluation of the Reasonable Grounds Panel.*

With the London School of Economics

THE RECORDING OF POLICE STOPS: METHODS AND ISSUES

- **Research – 35 people (police officers and civil society across 6 countries)**
- **Methods of recording police stops: Paper forms, Radio dispatch, Mobile devices**
- **Limitations of body worn video**
- **Focus on: officer experience, data entry and accuracy, supervisory value, geo-coding and mapping, public experience and cost**
- **Focuses on the issues of implementing recording, messaging for officers and the general public and leadership.**

WHY RECORD?

- **Promotes fairness at the time and afterwards**
- **Provides the basis for regulation and oversight– and addressing procedural and distributive concerns**
- **Promotes legitimacy and is ‘real police work’**

PAPER AND PEN RECORDING

Strengths:

- Easy to complete
- Individual stopped receives complete record at time of stop (on-the-spot accountability)
- Low cost
- Ease of use for supervisors



Weaknesses:

- Viewed as old-fashioned
- Requires double data entry
- Inaccuracies in data entry due to handwriting
- No geo-coding
- Non-compliance risks if recording is not supervised

| Identificación de personas en vía/lugar públicos | | |
|--|------------------------------|------------|
| 0002 | | |
| Fecha: | Hora de inicio de la parada: | |
| Lugar de la parada: | | |
| Apellidos: | | |
| Nombre: | | |
| D.O.I.: | Tipo: Nóm.: | |
| Nacionalidad: | Fecha nacimiento: | |
| Población de nacimiento: | | |
| Provincia: | País: | |
| Hijo de: | y de: | |
| Domicilio: | | |
| Nº: | Pais: | Localidad: |
| Provincia: | Teléfono: | |
| Motivo de la identificación: | | |
| Observaciones sobre la motivación: | | |
| Se procede a registro personal: <input type="checkbox"/> Sí <input type="checkbox"/> No <input type="checkbox"/> Es positivo el registro: | | |
| Objetos intervenidos: | | |
| Otros datos de interés: | | |
| Vehículo relacionado: Matrícula: | | |
| Se formula denuncia: <input type="checkbox"/> Sí <input type="checkbox"/> No <input type="checkbox"/> Normativa denuncia: | | |
| Infracción: | | |
| Ilícito penal: <input type="checkbox"/> Sí <input type="checkbox"/> No <input type="checkbox"/> Actuación Falta penal <input type="checkbox"/> Imputado no deten. | | |
| Tipo penal: | | |
| Hora del final de la parada: Agentes actuantes N.I.P.: | | |
|  Ayuntamiento de FUENLABRADA Consejo de Seguridad Ciudadana y Tráfico Servicio de Policía Local | | |
|  With financial support from the European Commission - Directorate General | | |

Normativa legal

El artículo 20 de la Ley Orgánica 1/1992, de 21 de Febrero, de Protección de la Seguridad Ciudadana, establece que "los agentes de las Fuerzas y Cuerpos de Seguridad podrán requerir en el ejercicio de sus funciones de indagación o prevención, la identificación de las personas y realizar las comprobaciones pertinentes en la vía pública o en el lugar donde se hubiere hecho el requerimiento, siempre que el conocimiento de la identidad de las personas requeridas fuere necesario para el ejercicio de las funciones de protección de la seguridad que a los agentes encomienda la Ley".

Cualquier persona identificada y/o registrada en la vía u otro lugar público tiene derecho a un trato correcto y amenable por parte de los agentes de Policía que le han solicitado su documentación o le han registrado. Además, los agentes policiales están obligados a facilitar la información cumplida y tan amplia como sea posible, sobre las causas y finalidad de su identificación/registro, según establece el art. 2º de la Ley Orgánica 2/1986, de 13 de Marzo, de Fuerzas y Cuerpos de Seguridad.

Ante cualquier vulneración de las normas vigentes, puede U.G. presentar una reclamación directamente en la Policía Local, a través de cualquier escrito, o cumplimentando la hoja reclamaciones y Sugerencias que tiene a su disposición en nuestras dependencias de la C/ Hungria, s/n. También podrá acceder a dicha hoja en la página web del Ayuntamiento www.ajto-fuenlabrada.es, en el Servicio Municipal de Asistencia a la Víctima y en el Registro General del Ayuntamiento de Fuenlabrada.

Los datos recogidos en la presente ficha podrán ser utilizados de forma exclusiva para uso policial, cumpliendo todos los requisitos que establece la Ley Orgánica 15/1999 de 13 de diciembre de Protección de datos de carácter personal.

Se informa que los datos de carácter personal incluidos en el presente documento van a ser incorporados a los ficheros titularidad del Ayuntamiento de Fuenlabrada, con dirección en la Plaza de la Constitución Nº 1 de Fuenlabrada, para la gestión y control de los mismos. Podrá ejercitar los derechos de acceso, rectificación, cancelación u oposición dirigiendo una comunicación por escrito al Departamento de Atención Ciudadana del citado Ayuntamiento, a la dirección antes expuesta.

Formulario avalado por el Programa AGIS de la Unión Europea

With financial support from the AGIS Programme European Commission - Directorate General Justice, Freedom and Security

El presente formulario está incluido dentro del Programa AGIS de la Unión Europea que apoya iniciativas encaminadas a buscar un enfoque coordinado y multidisciplinar de las distintas actividades relacionadas con la reacción del espacio de libertad, seguridad y justicia así como la prevención y la lucha contra la delincuencia organizada en la Unión Europea.

En concreto, el formulario forma parte del Proyecto STEPS (Strategies for Effective Stop and Search), que tiene como objetivo mejorar las relaciones entre los Cuerpos Policiales y las minorías étnicas y los procedimientos policiales, para prevenir prácticas discriminatorias.

Inconvenient for officers, increasing resistance

“...one of the things police officers traditionally don’t like doing is something bureaucratic and writing anything down... if you imagine the scenario, it’s the middle of February, it’s pouring with rain and you’re trying to write that out on a streaming piece of paper, getting the detail that was required, it’s not user friendly” (Police officer, England and Wales).

Cheaper, easy way to record

“With regards to paper records, it cheaper straight off, you are not reliant on IT. Officers are used to pen and paper, filling out forms... the potential downside is that it wont be completed properly...As a starter, if you don’t have mobile devices, paper will work well.” (Police officer, England and Wales)

RADIO DISPATCH SYSTEMS

Strengths:

- Reduced bureaucracy (compared to pen and paper)
- Viewed as affordable
- Integration with police systems
- Automatic geo-coding
- Can be used for “on-the-spot supervision”

Weaknesses:

- Increased work for control room staff
- No complete record for the person stopped
- Inaccuracies with data recorded
- Delays getting through to control room staff



“We did a survey with staff. It hit, I think it was 94% of staff said they thought it was a significant improvement and they liked it. I mean it’s taken a 10-minute process down to two to three minutes. It involves very little work for them. It’s easy, it’s efficient, it takes other work away. So the user satisfaction of it is high....Initially, they [control room staff] were concerned about it in terms of demand. But if you’re doing a person’s check and you’re using the information you’ve already got on your system, the large part of the work is already done for them...So there is extra work in it for them, but the benefits outweigh the cost and demands.”

(Police Officer, England and Wales)

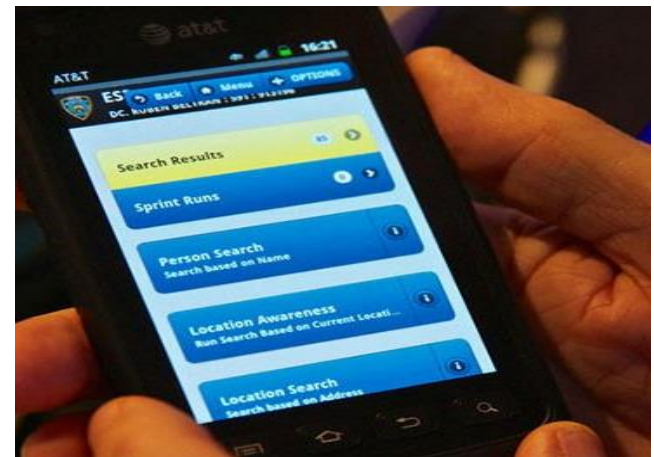
MOBILE DEVICES

Strengths:

- Viewed as modern and professional
- Easy to use and integrated with other systems
- Automatic data entry done directly by officers
- Automatic geo-coding
- Built-in supervision options

Weaknesses:

- No record for person stopped
- Costs, potentially significant
- Limits direct communication with person stopped



Control over the recording:

“When we moved off the phone to the app, the overall impression of officers is a lot better. They like the fact that they have the control over what they are recording. We saw an increase in the numbers of stop and searches being recorded on the system. Our searches have jumped by 20-30 percent.”

Professionalism:

“Officers love the tablets and handhelds because it promotes professionalism and efficiency. They don’t have to type things up when they get back into the station and it looks more professional. The technology is changing the way people working – officers are spending more time on the streets.”

BODY-WORN CAMERAS

- Many police departments now using body worn video.
- Provides an opportunity to review individual incidents and respond to complaints about specific encounters.
- Concerns about perspective bias.
- Does NOT respond to concerns around ethnic profiling as does not generate statistics or provide a record to the person stopped.



CONCLUSIONS



How would I do it?

- Pen and paper, if technology not available
- Mobile devices, with in-house computer software
- Expanded receipt with written grounds and electronic access to full record
- Supplementary use of body-worn camera footage (if available) for supervision and training

Collecting data isn't enough!

- Data collection processes must be designed WITH communities.
- Data must be analysed and used
- Data must be shared

TOOLKIT FOR THE ANALYSIS OF POLICE IDENTIFICATIONS

- Supporting stop recording in Spain
- Piloted training for police and civil society in two cities: Fuenlabrada and A Coruna.
- Stop manual, training powerpoint and Excel spreadsheet
- Translated the tool into Dutch, French, English and German.

AIR Model

- A**nalyze
 - Conduct data analysis
 - Identify problem patterns
- I**nterpret
 - Pose questions about reasons for problem patterns
 - Consult with police managers and community representatives
 - Identify likely reasons for problems
- R**espond
 - Implement plan to address problems
 - Assess outcomes

Plataforma por la Gestión Policial de la Diversidad 

Rates: Example

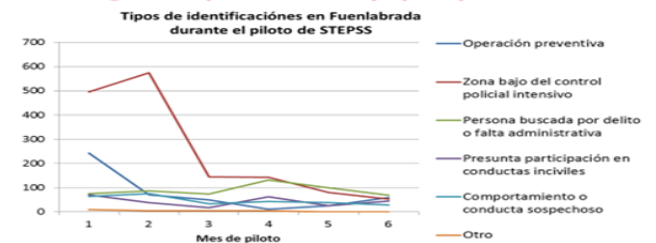
In June 2013, Pedrezuela municipal police recorded 27 identifications.

Pedrezuela had a residential population of 5,039 people

$$\begin{aligned} \text{Rate} &= \frac{27 \text{ identifications} \times 1,000}{5,039 \text{ people}} \\ &= 5.36 \text{ identifications per 1,000 people} \end{aligned}$$

Plataforma por la Gestión Policial de la Diversidad 

Making comparisons by purpose



Plataforma por la Gestión Policial de la Diversidad 

EVALUATION OF THE REASONABLE GROUNDS PANEL

Mixed methods process evaluation

- Observation and in-depth interviews with key stakeholders
- Quantitative analysis of stop data

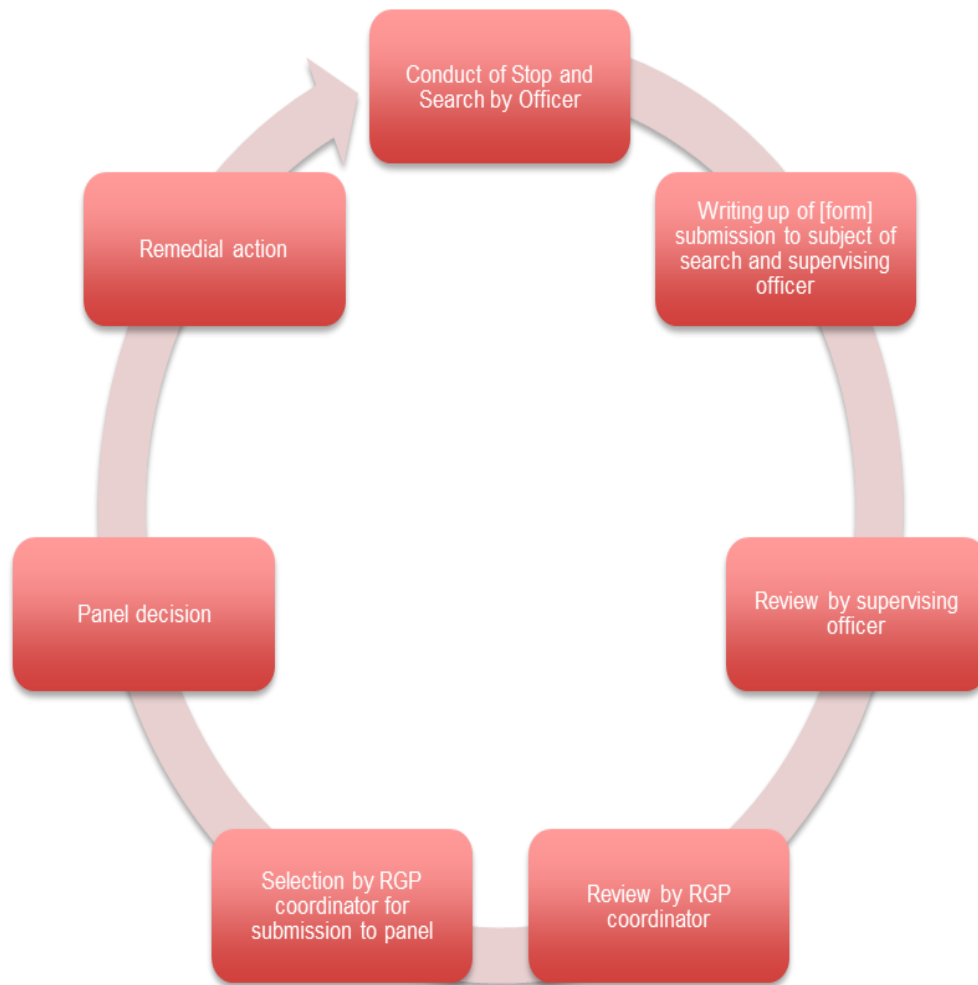
Implementation

- Police are notoriously reform resistant
- Sceptical about programs invented by civilians and hostile to involvement of civilians in defining police work or evaluating performance
- Resistance is an inherent part of organisational change

Impact

- Number of stop-searches
- Quality of grounds
- Arrest rates
- Disproportionality

REASONABLE GROUNDS PANEL



First Panel Finding

- Advice provided to officer by RGP coordinator in e-mail
- Offer of support and mentoring

Second Panel Finding

- Advice provided to officer by RGP coordinator in e-mail
- Attendance of mandatory training and coaching

Third Panel Finding

- Officer requested not to carry out stop and search until the completion of a mandatory development plan

Fourth Panel Finding

- Officer referred to strategic lead for stop and search to discuss the way forward

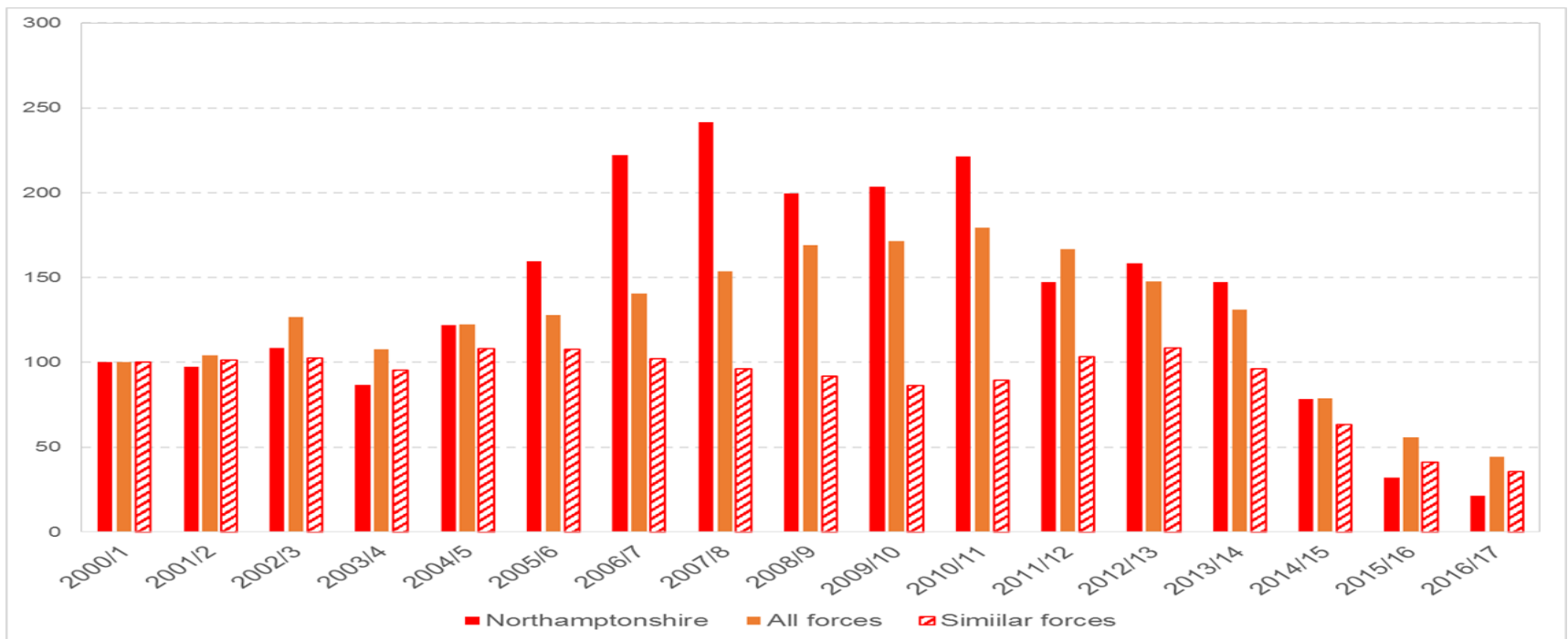
THE PANELS IN PRACTICE

October 2014 to March 2017

- Considered grounds from 348 stop-searches
- 81 per cent were deemed not to be reasonable
- Identifications were issued to 244 officers
 - 161 searching officers
 - 83 supervising officers
 - Approximately 15 per cent of regular officers
- 214 only received one identification
- 41 received a coaching requirement (18 searching and 23 supervising)
- 5 effectively suspended from using powers (4 searching and 1 supervising)

IMPACT

- Numbers of stop and searches: Large fall, higher than national average

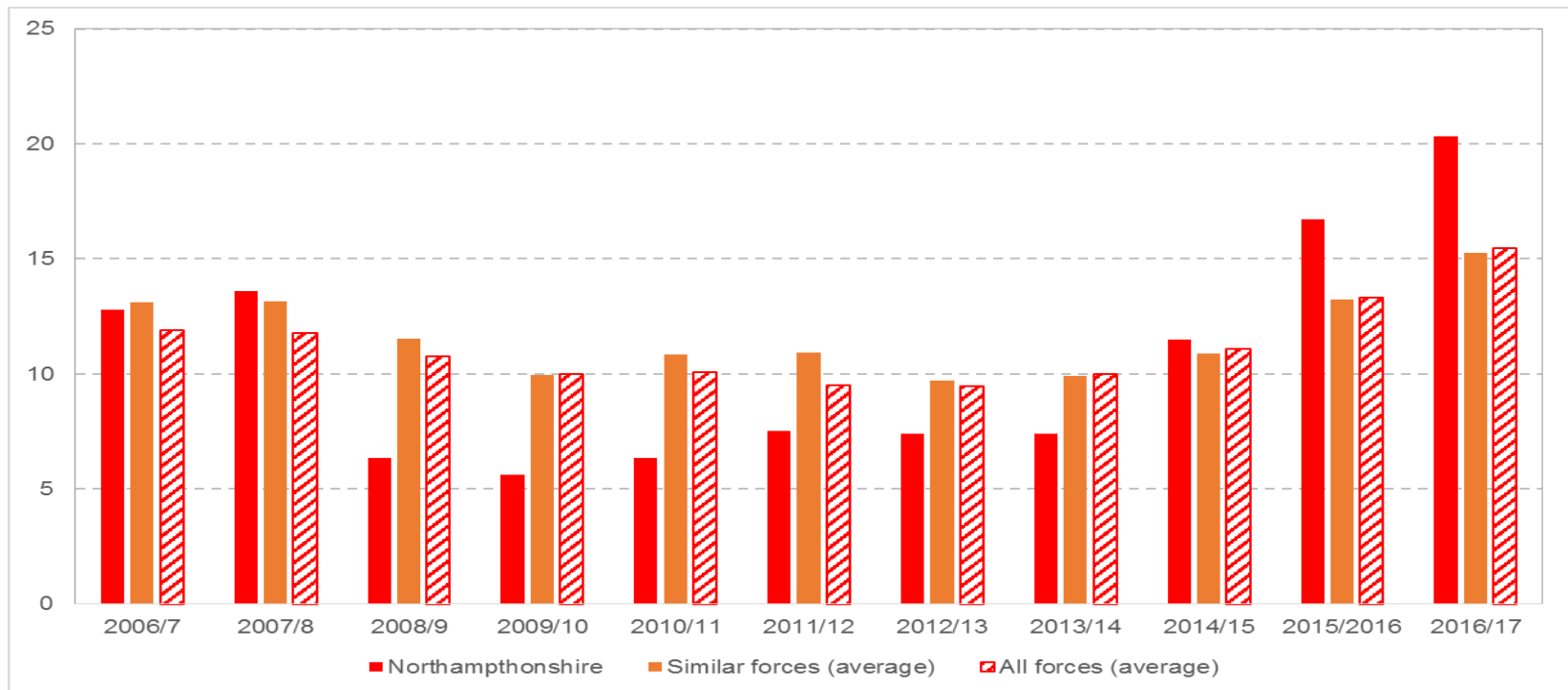


IMPACTS – GROUNDS AND ARREST RATE

Improvement in the quality of grounds

➤ 2014/15= 98 / 2015/16 = 142 / 2016/17= 43

Increase in arrest rate



EQUAL STATUS CONTACT

A POLICE PERSPECTIVE

I got a briefing from her [the panel coordinator] and felt, hmm, OK, we'll see how that goes and I guess I was a little sceptical, a bit cautious. I thought it's going to be two hours of being lambasted by the community, which I don't mind. It's part of the job. But then, it was brilliant. I said to her afterwards, "I'll do those again, that was really good. I'll do them again"... I thought it was going to be two hours of hard work

Mid-ranking officer

EQUAL STATUS CONTACT

A COMMUNITY PERSPECTIVE

P1: It felt like we've dealt with normal people.

P2: And not police officers.

P1: It did to me because like I said going through the experiences I've gone through and the police are there sort of thing. And they did, they humanised themselves. They were normal people. We sat and had a pint with them... Chatting about the job, which is not something we'd do normally because I don't know many police officers on a personal front if you know what I mean

Community panel members

CHALLENGES

Widespread pattern of compliance with pockets of resistance

- 1% of officers are responsible for > 33% of stop-searches

Black / white disproportionality has increased sharply

- 2.2 (2010/11), 3.1 (2013/14), to 8.7 (2016/17)

Increase in arrest rates particularly sharply for black people

- Disproportionality = 2.1 (2010/11), 4.1 (2013/14), to 12.9 (2016/17)
- No. of resulting arrests actually *increased* since 2010/11

What's going on?

- Proactive policing
- Out of court disposals (cannabis warnings) and feedback loops

CONCLUSIONS



RGP is a considerable achievement

- Beacon of good practice
- But isolated development

Cannot make-up for strategic deficits

- Need to address disproportionality and feedback loops
- Does policing of low level drug possession fit with local priorities?
- Pockets of resistance

Ways forward

- Bolster RGP (isolated initiative dependent on goodwill)
- All grounds for stop searches of people from BME groups go to the panel (dip sample if necessary)?
- Make RGP part of an integrated strategy
- Reassess role and management of proactive teams