



January 9, 2013

Requesting Agency  
County Manager

Commission Districts Affected  
ALL

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)  
Present the 2012 Fourth Quarter Racial Profiling Report

Requirement for Board Action (Cite specific Board policy, statute or code requirement)  
The Board of Commissioners directed that quarterly reports by submitted on the Racial Profiling Policy passed on December 20, 2000.

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes  No

Summary & Background (First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

The Board of Commissioners adopted the Racial Profiling Policy to ensure that Fulton County law enforcement officers do not stop, detain, search or attempt to initiate asset forfeiture efforts against an individual based solely upon that person's race, color, ethnicity, religion, socioeconomic status, disability, age, gender, and/or sexual orientation. The quarterly report provides information on how the various components of the policy are being implemented including distribution of the policy, training, community outreach, any reported racial profiling complaints and results of the investigation and data collected for racial profiling purposes.

Fiscal Impact / Funding Source (Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

N/A

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

Exhibit 1: Racial Profiling Policy Fourth Quarter Report Period Ending: December 31, 2012

Source of Additional Information (Type Name, Title, Agency and Phone)

Agency Director Approval

Typed Name and Title  
David Ware, Interim County Manager

Phone  
404.612.4500

Signature

Date  
1/07/2013

County Manager's Approval



# Racial Profiling Quarterly Report

for the period ending December 31, 2012

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EXHIBIT 1

## About the Report

On December 20, 2000, the Board of Commissioners adopted the Racial Profiling Policy to ensure that Fulton County law enforcement officers do not stop, detain, search or attempt to initiate asset forfeiture efforts against an individual based solely upon that person's race, color, ethnicity, religion, socioeconomic status, disability, age, gender and/or sexual orientation. The Board also directed that a quarterly report be submitted on the policy. The quarterly report provides information on how the various components of the policy are being implemented including distribution of the policy, training, community outreach, any reported racial profiling complaints and results of the investigation, and procedures set up for data collection and analysis.

## Data Collection and Analysis

The Fulton County Computer Aided Dispatch (CAD) system became operational on January 13, 2003. The system gathers important data regarding encounters with Fulton County three law enforcement agencies. Information recorded by CAD on each traffic or pedestrian stop includes:

- Officer making the stop (identified by the officer's employee number)
- Date
- Time
- Stop type (suspicious person or traffic stop)
- Location
- Reason for the stop
- Disposition (arrest, citation, warning, etc.)
- Case number, if applicable
- Involved person(s)' race, age and sex (if known)
- Type of search

## Analysis

Each law enforcement agency is responsible for reviewing the statistics to detect racial profiling patterns and any necessary adjustments.

It is important to note that data contained in this report should not in itself be viewed as determining whether any type of biased policing is occurring. A number of factors other than bias can legitimately influence decisions by law enforcement officers to stop drivers or individuals.

For example:

**Officer Characteristics**

- amount of time on the police force
- unit of assignment (road patrol, investigations, traffic enforcement, etc.)
- level of experience
- amount of training

**Driving Population**

- driving experience
- driving behavior
- distance traveled
- Note: people who drive more or drive poorly are at more risk of being stopped by law enforcement.

**Encounter Characteristics**

- Time of day
- Location
- Destination of the driver
- Commuter population
- Day of the week
- Volume of traffic
- Vehicle type

**Community Demographics**

- Unemployment rate
- Poverty rate
- Note: certain socioeconomic factors may lead to improperly maintained vehicles, which are subject to more stops.

**Jurisdictional Characteristics**

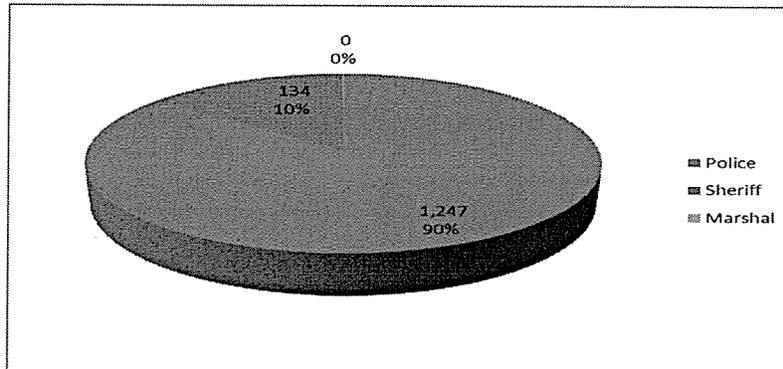
- Density
- Daytime versus permanent resident population
- Seasonal versus permanent population
- Amount of crime in a community
- Legal requirements (texting laws and seatbelt laws, for example),
- Departmental policies for stops

Further analytical research considering multiple influences are required to determine if biased policing is occurring and is beyond the scope of this report.

**Section 1**

**Summary of Second Quarter Law Enforcement Encounter Data**

Total number of reported encounters by Fulton County law enforcement agencies (traffic or pedestrian stops) for the period of October 1, 2012 through December 31, 2012 is 1,381.



For the fourth quarter of 2012, 1,381 traffic and pedestrian stops with Fulton County law enforcement agencies were reported. The Police Department, having primary law enforcement responsibility for the unincorporated area, comprised the majority (90%) of the reported encounters.

The combined reported distribution of persons stopped by Fulton County law enforcement agencies is shown below:

**Table 1: Reported Encounters by Race, All Agencies**

Race	# of Encounters	%
American Indian or Alaskan	3	0.2%
Asian or Pacific Islander	12	0.9%
Black	1,065	77%
Hispanic	36	2.6%
White	259	19%
Other	6	0.4%
Total	1,381	100%

**Table 2: Reported Encounters by Age, All Agencies**

Age	# of Encounters	%
< 15 Years of Age	1	0%
16 to 49 Years of Age	1,087	79%
> 50 Years of Age	253	18%
Unknown	40	2.9%
Total	1,381	100%

**Table 3: Reported Encounters by Gender, All Agencies**

Gender	# of Encounters	%
Male	868	63%
Female	512	37%
Unknown	1	0.1%
Total	1,381	100%

## Section 2

### Reported Encounters by Agency

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**Table 4: Distribution of Encounters by Race and Agency (n = 1,381)**

Agency	American Indian or Alaskan	Asian or Pacific Islander	Black	Hispanic	White	Other	Total
Marshal	0	0	0	0	0	0	0
Police	2	9	970	33	229	4	1,247
Sheriff	1	3	95	3	30	2	134
Total	3	12	1,065	36	259	6	1,381

As shown above the majority of the individuals stopped by Fulton County's three law enforcement agencies during this period were black (77%), followed by white (19%).

**Table 5: Distribution on Encounters by Age Group and Agency (n = 1,381)**

Agency	<15 Years	16 to 49	>50 Years	Unknown	Total
Marshal	0	0	0	0	0
Police	1	966	243	37	1,247
Sheriff	0	121	10	3	134
Total	1	1,087	253	40	1,381

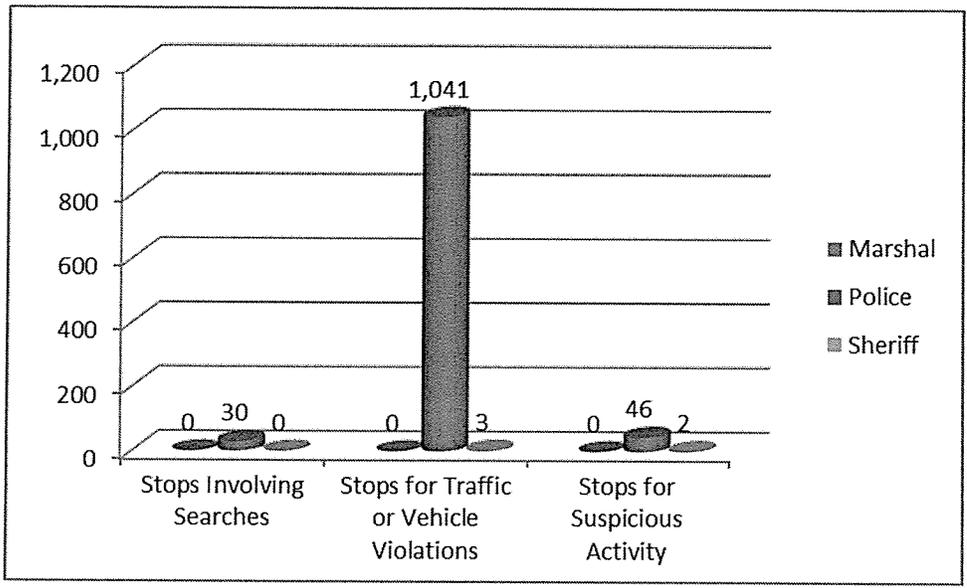
The bulk of individuals stopped fall into the 16-49 age group (79%).

**Table 6: Distribution of Encounters by Gender and Agency (n = 1,381)**

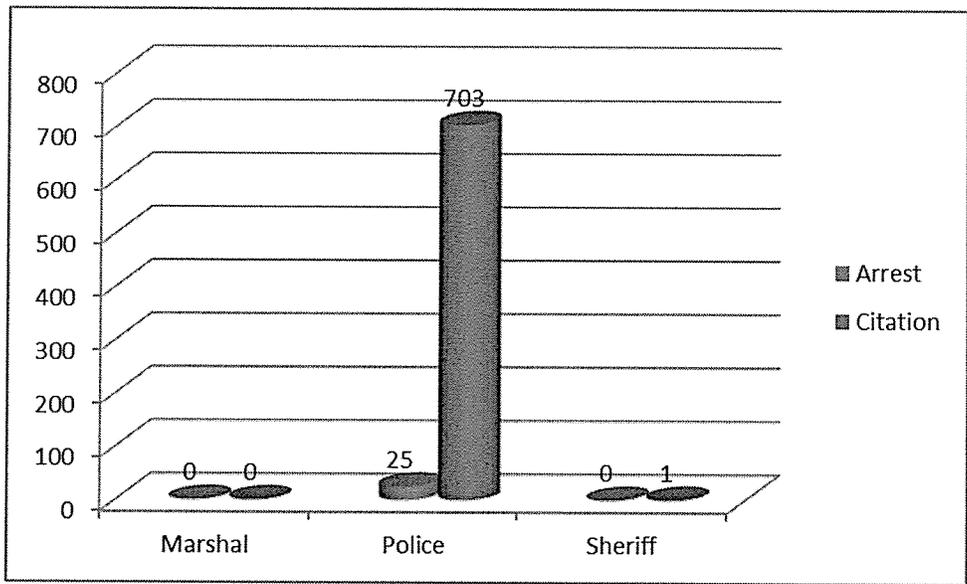
Agency	Male	Female	Unknown	Total
Marshal	0	0	0	0
Police	777	469	1	1,247
Sheriff	91	43	0	134
Total	868	512	1	1,381

During the fourth quarter, males were stopped with more frequency (63%) than females (37%).

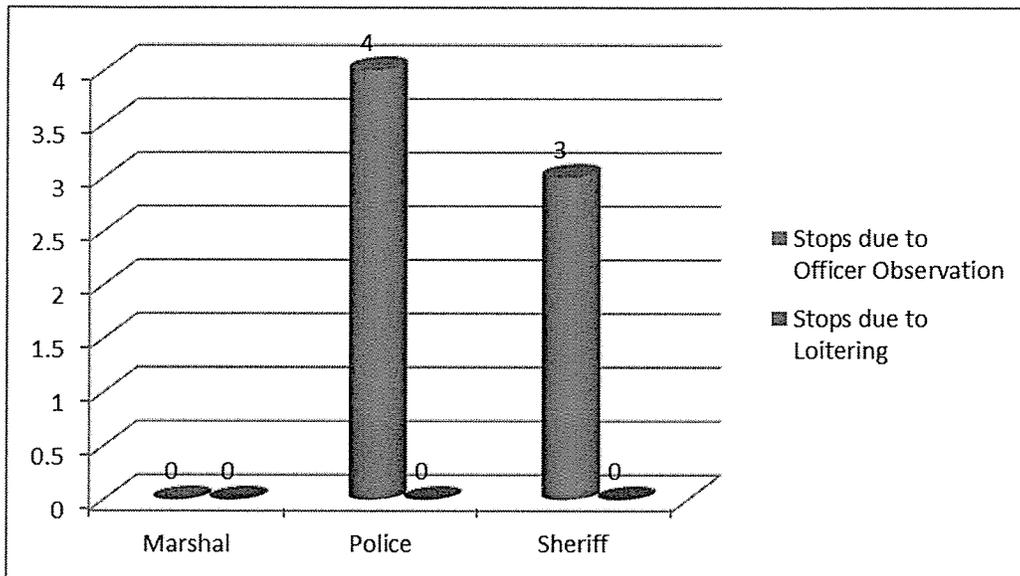
The following graph compares the number of stops by agency, number of stops reported for traffic or vehicle violations and the number of stops reported for suspicious activity. For the purposes of this report, "suspicious activity" means acting furtively and suspiciously, avoiding eye contact, departing quickly when seen or approached, individuals in places they do not belong (for example, at a car wash but without a vehicle), individuals overdressed for the weather, or overloaded vehicles.



This next graph depicts the number of arrests made and citations issued by agency resulting from either a pedestrian stop or traffic stop.



This next graph depicts the number of stops made by agency resulting from either officer observation or loitering.



Reported by the Police Department, a review of data indicates a decrease in both accident categories for the third quarter of 2011, compared to the same period in 2012.

### Traffic Accidents Analysis

	4th Qrt 2011	4th Qrt 2012	Total for 2011	Total for 2012
Serious Injuries	4*	4	29	23
Fatality Call-Outs	5	5	19	21

A review of data indicates there was no change in the number of serious injury accidents or fatality accidents compared to the same period in 2011.

An analysis of the fourth quarter of 2011 versus 2012 serious injury accidents revealed that 75% were single vehicle accidents, two of which involved pedestrians. A common factor in the single vehicle accidents were related to driver errors. No patterns were identified pertaining to the accident locations.

There was no increase in fatalities compared to fourth quarter of 2011. Approximately 70% of the 2012 were single vehicle fatalities, one which include a pedestrian. There were no patterns identified at the streets or roadways of the accident locations. Furthermore, there was no accident locations identified that was common to both serious injury and fatalities during this comparison time period.

As we become aware of patterns, we will target enforcement accordingly.

\*Denotes a correction from the previous report. The fourth quarter of 2011 is corrected from 19 serious injury accidents to four. An error was recognized where the system was generating duplicate incident numbers.

### Section 3

## Actions Resulting from Stops by Agency

### Fulton County Marshal's Office

Indicator	2nd Quarter 2012		3rd Quarter 2012		4th Quarter 2012	
	#	%	#	%	#	%
Pedestrian or Vehicle Stops	0	0%	2	100%	0	0%
Stops Involving Searches	0	0%	0	0%	0	0%
Stops reported for traffic or vehicle violations	0	0%	1	50%	0	0%
Stops reported for suspicious activity	0	0%	0	0%	0	0%
Stops resulting in arrest	0	0%	1	50%	0	0%
Stops resulting in citations	0	0%	1	50%	0	0%

### Fulton County Police Department

Indicator	2nd Quarter 2012		3rd Quarter 2012		4th Quarter 2012	
	#	%	#	%	#	%
Pedestrian or Vehicle Stops	2,407	100%	1,549	100%	1,247	100%
Stops Involving Searches	60	3%	44	2.8%	30	2.4%
Stops reported for traffic or vehicle violations	2,253	94%	1,453	94%	1,041	84%
Stops reported for suspicious activity	119	5%	82	5.3%	46	3.7%
Stops resulting in arrest	39	2%	37	2.4%	25	2%
Stops resulting in citations	1,868	78%	1,106	75%	703	56%

### Fulton County Sheriff's Office

Indicator	2nd Quarter 2012		3rd Quarter 2012		4th Quarter 2012	
	#	%	#	%	#	%
Pedestrian or Vehicle Stops	306	100%	266	100%	134	100%
Stops Involving Searches	14	5%	7	2.6%	3	2.2%
Stops reported for traffic or vehicle violations	294	96%	257	97%	109	81.3%
Stops reported for suspicious activity	2	1%	1	0.4%	2	1.5%
Stops resulting in arrest	12	4%	12	4.5%	6	4.5%
Stops resulting in citations	125	41%	188	71%	21	15.7%

## **Section 4**

### **Policy Distribution**

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In 2001, the Sheriff, Chief of Police and Marshal distributed the policy to all members of their respective agencies. Additionally, the policy was added to the Marshal Departmental Policies and Procedures Manual. The Chief of Police incorporated the Racial Profiling Policy into the General Orders Manual for distribution to all personnel.

## **Section 5**

### **Training**

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The Racial Profiling Policy provides that each of the agency's training directors ensure that officers/deputies receive periodic training on racial profiling. The policy further provides that the training may be conducted through in-service, special courses or roll call training.

#### **Marshal's Department**

During the fourth quarter of 2012, no employees of the Marshal's Department completed the Biased Based Policing refresher. As of this date, all sworn employees of the Department have completed the Biased Based Policing refresher course except one employee; who was on extended military leave until December 17, and was on administrative duty until his POST training waiver was approved last week.

#### **Police Department**

During the fourth quarter the police department provided bias-based training during the fall session of in-service training, which occurred during the month of October 2012. The training covered such topics as field contacts, traffic stops, officer observation, loitering and prowling, suspicious activity and searches. The training also involved a review of county and departmental policy relative to bias-based profiling. The training established how officers can put these policies into practice on a daily basis.

Citizens may visit our website, which provides a link to file a complaint or register a commendation. The link directs the citizen to the agency's Internal Affairs Section. Citizens may also contact supervisory staff to file a complaint. The Fulton County Police Department did not receive any bias based profiling complaint during the third quarter of 2012.

The Chief of Police, Assistant Chief of Police, Office of Internal Affairs, and Command staff receive a copy of the analysis. Any disparities revealed when comparing contact data to area demographics prompts further analysis; the Office of Internal Affairs would investigate any confirmed pattern of disparity.

Each level of supervision within the agency continuously monitors officers' activities relative to their traffic stops and self-initiated contacts with the public to ensure compliance with the County policy regarding racial profiling.

#### **Sheriff's Department**

The Fulton County Sheriff's Office had no Biased-Based Profiling complaints during the fourth quarter of the year for 2012 per Lt. Priscilla Davis of our Office of Professional Standards Division. The Fulton County Sheriff's Office does not have any primary duties as a first responder agency; however, the officers will make traffic stops when necessary.

To assess the racial profiling training provided to the Sheriff's officers, the officers are given a racial profiling pre-test before the training course followed by a post-test after its completion. Each officer must receive a score above 70% to pass the course. If their score is lower than 70%, the class must be repeated.

There are currently 931 officers on record with the Fulton County Sheriff's Office. All Deputy Sheriffs and Detention Officers are required to receive Biased Based Profiling as a 2 hour block of instruction during the Departmental In-Service class. Forty (40) Departmental In-Service classes have been conducted this year. A total of 256 officers received the training in the first quarter, 231 officers received the training in the second quarter, 196 officers received training in the third quarter, and 229 officers in the fourth quarter. **A total of 912 officers have received Biased Based Profiling Instruction at the time of this report.** Ninety (90) Reserve Unit officers have also received Biased Based Profiling instruction as part of their training curriculum. Training exclusions are noted for staff on FMLA or military leave.

## Section 6

### Community Outreach

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Several materials are available to the community on the Racial Profiling Policy. In 2001, a video providing an overview of the policy was produced in addition to a brochure. The Marshal Departmental Internal Affairs Complaint Brochure was reprinted to include an area for complaints regarding charges of racial profiling.

In the third quarter of 2002, a letter was sent by the Sheriff, Chief of Police and Marshal to community and business groups informing them of the racial profiling policy and providing them with a copy of the policy. Racial Profiling continues to be discussed at community meetings conducted by Special Services of the Police Department and by the Sheriff's Office Community Relations Section when interacting with various citizens' groups within Fulton County.

## Section 7

### Complaints

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There have been no complaints of reported racial profiling in any of the three agencies during the fourth quarter of 2012. The managers are also working on a project to redefine the data collection and review process of the department's bias based reporting process. The project consists of a review of the reporting process, collection process, and creating benchmarks to test data against. This data is available upon request.