



January 18, 2012

Requesting Agency  
County Manager

Commission Districts Affected  
ALL

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*  
Present the 2011 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 Third Quarter Report Period Ending: December 31, 2012

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

**Agency Director Approval**

County Manager's Approval

Typed Name and Title  
Zachary L. Williams, County Manager

Phone  
404.612.4500

Signature

Date  
1/6/2012



# Racial Profiling Quarterly Report

for the period ending December 31, 2011

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## 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.

Further analysis of Fulton County's data collection methods revealed data duplication in stops involving multiple agencies. To resolve this data reporting issue, a software enhancement was installed December of 2011. Each agency will continue to review their data and make the necessary adjustments to the report.

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**

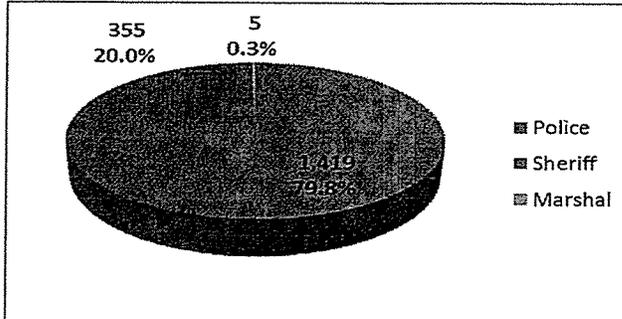
- Density
- Daytime versus permanent resident population
- Seasonal versus permanent population
- Amount of crime in a community
- Legal requirements (texting laws and seatbelt laws, for example),
- Departmental policies for stops

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 Fourth 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, 2011 through December 31 2011 is 1,779.



For the fourth quarter of 2011, 1,779 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 (79.8%) 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	4	0.2%
Asian or Pacific Islander	12	0.6%
Black	1,466	82.4%
Hispanic	45	2.5%
White	249	13.9%
Other	3	0.1%
<b>Total</b>	<b>1,779</b>	<b>100%</b>

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

Age	# of Encounters	%
< 15 Years of Age	0	0.0%
16 to 49 Years of Age	1,453	81.6%
> 50 Years of Age	280	15.7%
Unknown	46	2.5%
<b>Total</b>	<b>1,779</b>	<b>100%</b>

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

Gender	# of Encounters	%
Male	1,168	65.6%
Female	609	34.2%
Unknown	2	0.1%
<b>Total</b>	<b>1,779</b>	<b>100%</b>

## Section 2

### Reported Encounters by Agency

**Table 4: Distribution of Encounters by Race and Agency (n=1,779)**

Agency	American Indian or Alaskan	Asian or Pacific Islander	Black	Hispanic	White	Other	Total
Marshal	0	0	3	0	2	0	5
Police	3	8	1,190	35	180	3	1,419
Sheriff	1	4	273	10	67	0	355
Total	4	12	1,466	45	249	3	1,779

As shown above the majority of the individuals stopped by Fulton County's three law enforcement agencies during this period were black (82.4%), followed by white (13.9%).

**Table 5: Distribution on Encounters by Age Group and Agency (n=1,779)**

Agency	<15 Years	16 to 49	>50 Years	Unknown	Total
Marshal	0	5	0	0	5
Police	0	1,160	225	34	1,419
Sheriff	0	288	55	12	355
Total	0	1,453	280	46	1,779

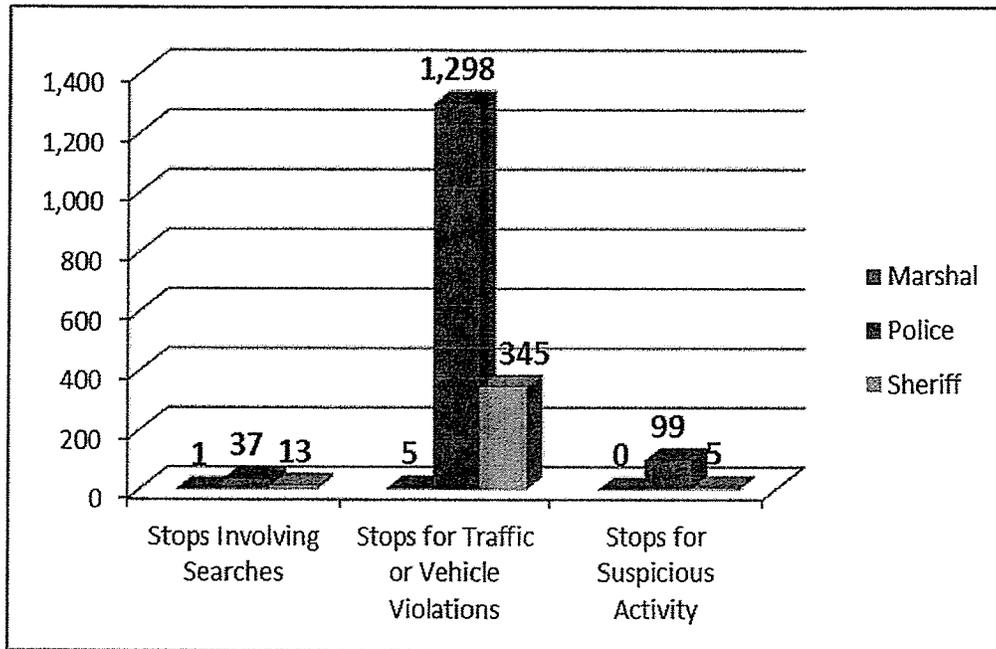
The bulk of individuals stopped fall into the 16-49 age group (81.6%).

**Table 6: Distribution of Encounters by Gender and Agency (n = 1,779)**

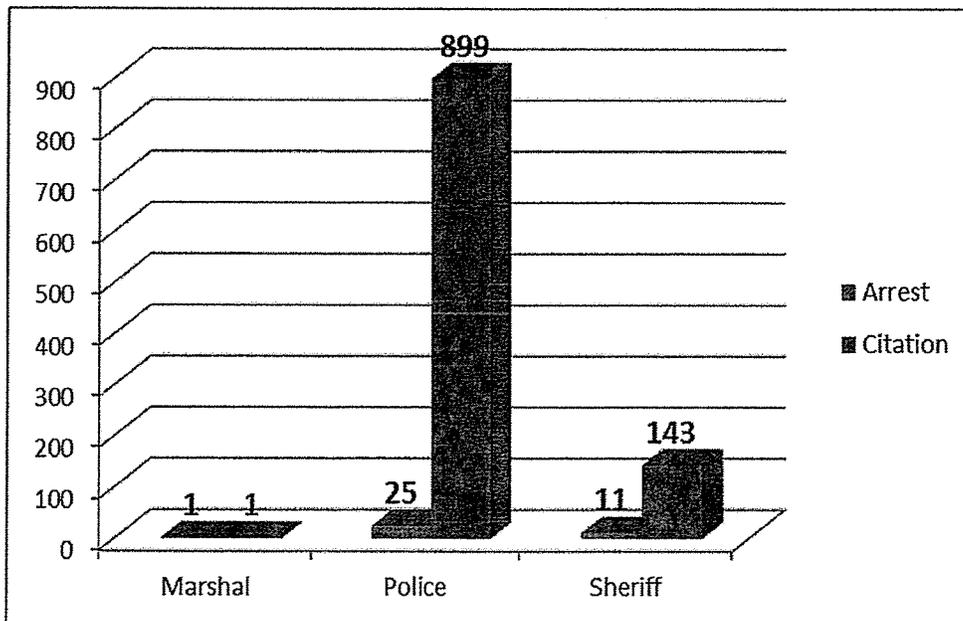
Agency	Male	Female	Unknown	Total
Marshal	4	1	0	5
Police	928	489	2	1,419
Sheriff	236	119	0	355
Total	1,168	609	2	1,779

During the fourth quarter, males were stopped with more frequency (65.6%) than females (34.2%).

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.

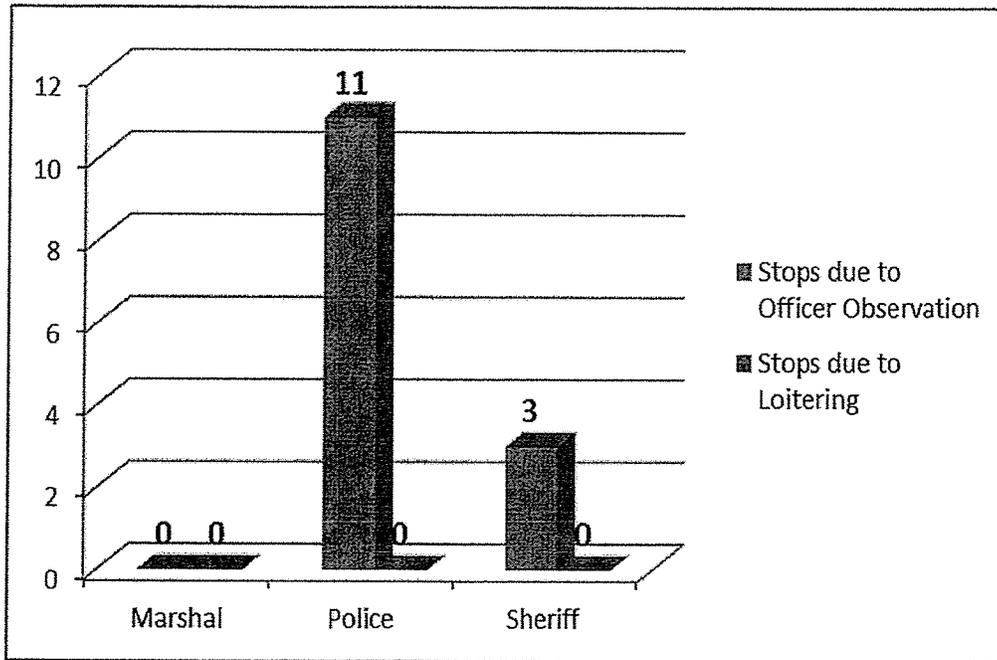


This next graph depicts the number of stops made by agency resulting from either officer

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observation or loitering.



Reported by the Police Department, a review of data indicates increases in both accident categories for the fourth quarter of 2011, compared to the same period in 2010.

### Traffic Accidents Analysis

	4 <sup>th</sup> Qrt 2010	4 <sup>th</sup> Qrt 2011	Total for 2010	Total for 2011
Serious Injuries	7	19	18	51
Fatality Call-Outs	2	5	4	19

A review of the data indicates increases in both accident categories for the fourth quarter of 2011, compared to the same period in 2010. The figures indicate serious injury accidents increased by 171% (12 accidents) and fatality accidents increased by 150% (3 accidents).

A fourth quarter comparative analysis of 2010 and 2011 data reveals Campbellton Road and Camp Creek Parkway experienced higher serious injury accidents than other roadways in South Fulton County. Accidents in other sections of South Fulton varied.

The analysis also revealed an increase in the fourth quarter fatalities. Loss of vehicle control was the common factor in each accident. The analysis provided no evidence that the agency could have foreseen or mitigated the contributing factors. One of the accidents resulted in the death of two people.

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

### Section 3

## Actions Resulting from Stops by Agency

### Fulton County Marshal

Indicator	2 <sup>nd</sup> Quarter 2011		3 <sup>rd</sup> Quarter 2011		4 <sup>th</sup> Quarter 2011	
	#	%	#	%	#	%
Pedestrian or Vehicle Stops	4	100%	4	100%	5	100%
Stops Involving Searches	1	25%	0	0%	1	20%
Stops reported for traffic or vehicle violations	3	75%	4	100%	5	100%
Stops reported for suspicious activity	1	25%	0	0%	0	0%
Stops resulting in arrest	2	50%	0	0%	1	20%
Stops resulting in citations	1	25%	2	50%	1	20%

### Fulton County Police Department

Indicator	2 <sup>nd</sup> Quarter 2011		3 <sup>rd</sup> Quarter 2011		4 <sup>th</sup> Quarter 2011	
	#	%	#	%	#	%
Pedestrian or Vehicle Stops	1,454	100%	1,752	100%	1,419	100%
Stops Involving Searches	35	2.4%	61	3.5%	37	2.6%
Stops reported for traffic or vehicle violations	1,118	76.8%	1,363	77.8%	1,298	91.4%
Stops reported for suspicious activity	76	5.2%	97	5.5%	99	6.9%
Stops resulting in arrest	29	1.9%	21	1.2%	25	1.7%
Stops resulting in citations	2	.13%	1,363	77.8%	899	63.3%

### Fulton County Sheriff's Office

Indicator	2 <sup>nd</sup> Quarter 2011		3 <sup>rd</sup> Quarter 2011		4 <sup>th</sup> Quarter 2011	
	#	%	#	%	#	%
Pedestrian or Vehicle Stops	252	100%	286	100%	355	100%
Stops Involving Searches	22	8.7%	18	6.3%	13	3.6%
Stops reported for traffic or vehicle violations	215	85.3%	241	84.2%	345	97.1%
Stops reported for suspicious activity	0	0%	6	2.1%	5	1.4%
Stops resulting in arrest	7	2.7%	7	2.4%	11	3%
Stops resulting in citations	103	40.8%	145	50.1%	143	40.2%

## **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**

In 2011, the Fulton County Marshal's Department conducted refresher training on Bias Based Profiling during the annual In-Service Training. The training consists of a review of both county and departmental policy. To increase awareness of each facet of bias based profiling, the Marshal's Department has established pre and post testing as a part of the training curriculum. The Marshal's Department received no complaints concerning biased based policing during the fourth quarter. There have been no bias based profiling complaints on any deputy in the Marshal's Department for Calendar Year 2011.

#### **Police Department**

The Fulton County Police Department conducts training that includes profiling-related topics addressing field contacts, traffic stops, search issues, asset seizure and forfeiture, interview techniques, cultural diversity, discrimination, and community support. The training also consists of a review of county and departmental policy relative to bias-based profiling. The training establishes how officers can put these policies into practice on a daily basis.

The Police Department is providing bias-based profiling instruction during the fall session of in-service training. All sworn agency personnel have completed the training. Additional training date is October 12, 2011. The in-service training highlights areas such as officer observation, loitering and prowling, and suspicious activity.

The Police Department has a zero tolerance for bias based profiling as indicated on the department's website. The website provides a link to file a complaint or register a commendation; the link directs the citizens to the agency's Internal Affairs Section. Citizens may also contact supervisory staff to file a complaint

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

The Fulton County Sheriff's Department had no biased based profiling complaints during the fourth quarter of 2011, reported by the Office of Professional Standards Division. The 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.

The Sheriff's Office has trained at least 100% of Law Enforcement Officers, Jail Officers, Administrative Officers and Court Services Officers on Bias Based Profiling. Training continues to be an ongoing process in the basic curriculum for all in-service classes to keep all officers educated and up to date.

## **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 2011. 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.