

City of Burbank
MEMORANDUM

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Michael Albanese
NOTED

1/12/2023

Date: January 12, 2023
To: Chief Michael Albanese
From: Lieutenant Mark Stohl – Internal Affairs Bureau
Subject: Annual Bias-Based Policing Administrative Review

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In accordance with CALEA Standard 1.2.9, I reviewed cases for the 2022 calendar year. The Burbank Police Department's *Bias-Based Policing* policy (#402) defines *Bias-based Policing* as, "An inappropriate reliance on characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Penal Code 13519.4)

I found five cases involving allegations of bias-based, racial profiling, or discriminatory practices by police department members in the 2022 calendar year. Four investigations were initiated via a citizen's complaint, with the fifth being initiated after a claim for damages was filed by an attorney on behalf of his client. Four incidents were related to enforcement or investigative actions taken by Department members. One resulted from a call for service. No investigations were initiated internally.

All of these investigations were classified as "unfounded," meaning there was a preponderance of evidence that the alleged act did not occur.

The investigations are provided to the *Office of Independent Review* (OIR) as part of their annual external oversight of Department practices. OIR provides a third party perspective as to the quality of the investigations and if the proper conclusions were reached.

Department Training

In the first half of 2022, Bias-Based Policing training was addressed by the COPS Bureau and Training Coordinator. All sworn personnel were directed to complete an online training course presented via the POST Learning Portal. The training video addressed laws, procedures, and best practices related to Bias-Based Policing. It met the mandate for the two hours of "Racial Profiling" refresher training and fulfilled the requirements of PC 13519.14 and POST Regulation 1081(a). Completion was tracked and ensured by the Training Coordinator.

Review of Department Practices

The tables below show a comparison between field enforcement contacts for 2021 and 2022 in comparison to U.S. Census demographic data. Data on field enforcement contacts was provided by the Crime Analysis Unit. Traffic citations and advisals were not

included in these statistics, as racial demographics are not captured on their related forms at this time:

Total Field Contacts – 2022 (Arrests and Field Interviews)

	White	Hispanic	Black	Asian	Other	Total
	2,293	2,435	737	48	263	5,776
Enforcement %	40%	42%	13%	1%	4%	
Population %	57%	24%	3%	12%	4%	

Total Field Contacts – 2021 (Arrests and Field Interviews)

	White	Hispanic	Black	Asian	Other	Total
	1,689	1,711	476	3	284	4,163
Enforcement %	41%	41%	11%	<1%	7%	
Population %	57%	24%	3%	12%	4%	

In reviewing the statistical data above, overall enforcement contacts increased approximately 38% from 2021 to 2022. This follows a 3% drop from 2020 to 2021. The dramatic increase corresponds with the community emerging from the Covid-19 pandemic and the associated lock down orders that accompanied it. Enforcement contact percentages based on racial characteristics for 2022 were within 1% - 2% of those from 2021.

Overall, when compared to population demographics, enforcement contacts for White and Asian populations occurred at a lower rate than their representation in the population. Enforcement contacts for Hispanic and Black populations occurred at a higher rate than their representation in the population.

It should be noted, the 2020 U.S. Census population demographic data applies only to residents of the community. Burbank’s residential population is around 107,337, with the referenced demographics. However, Burbank’s residential demographics differ significantly from the demographics of the rest of the region (Los Angeles County). U.S. Census Demographic data for Los Angeles County is as follows:

	White	Hispanic	Black	Asian	Other
Population %	26%	49%	9%	15%	1%

Burbank’s daytime population is significantly increased from its residential numbers, as it is a regional hub for light industry, entertainment, commerce, studios, and travel. Significant commuter and visitor traffic from throughout the region enters and transits through Burbank on a daily basis. This likely skews the demographics of the population of police contacts from the strictly residential data acquired via the census. Estimates place the daytime population in excess of 200,000. There is no data available regarding the daytime population’s demographic data. However, based on regional demographics for Los Angeles County, it is likely substantially different from the official residential population demographics. On-going Covid-19 issues related to remote work / telecommuting trends and their effects on the demographics of enforcement contacts cannot be determined.

Racial and Identity Profiling Act (RIPA)¹

Assembly Bill (AB) 953 was implemented by the state in 2018. It requires the collection of certain information by all sworn officers. The implementation date for the data collection varied depending on agency size. The Department began collecting this data in January of 2022. An annual report documenting the data will be produced on or before April of 2023.

Department Policy Review

I also reviewed the Department's *Bias-Based Policing* policy (#402). The policy was last updated on July 7, 2020. The policy reflects all current laws and definitions related to this topic. At this time, I do not recommend any revisions to the policy.

¹ <https://post.ca.gov/Racial-and-Identity-Profiling-Act>

cc. Police Administrator Courtney Padgett
Administrative Analyst Christine Alles