

City of Burbank
MEMORANDUM

5/11/2022

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Michael Albanese
NOTED

Date: February 28, 2022
To: Chief Michael Albanese
From: Lieutenant Mark Stohl – Internal Affairs Bureau
Subject: Annual Bias-Based Policing Administrative Review

In accordance with CALEA Standard 1.2.9, I reviewed cases for the 2021 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 three cases involving allegations of bias-based, racial profiling, or discriminatory practices by police department members in the 2021 calendar year. All three investigations were initiated via a citizen's complaint. These investigations resulted from enforcement or investigative actions taken by department members. No investigations were initiated internally.

Two of these investigations were classified as "unfounded." In these cases, there was a preponderance of evidence that the alleged act did not occur. One investigation was still active as of the due date for this review. The complaint was filed on November 30, 2021, and the investigation is well within the statute of limitations.

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

Between May and June, 2021, 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 compared to the U.S. Census demographic data for the 2020 and 2021 calendar years. 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 – 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%	

Total Field Contacts – 2020 (Arrests and Field Interviews)

	White	Hispanic	Black	Asian	Other	Total
	1,717	1,560	491	13	278	4,059
Enforcement %	42%	38%	12%	1%	7%	
Population %	57%	24%	3%	12%	4%	

In reviewing the statistical data above, overall enforcement contacts decreased approximately 3% from 2020 to 2021. This follows a 20% drop from 2019 to 2020. Enforcement contact percentages for 2021 increased 3% for the Hispanic category. They remained steady for White, Black, Asian and "Other" categories. Due to the data set's limitations, I was unable to discern why these percentages changed, although the shift in all categories was minimal.

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, Black, and "Other" 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. The on-going effects of Covid-19 protocols, stay-at-home orders on the demographics of enforcement contacts cannot be determined.

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.

cc. Police Administrator Courtney Padgett