

City of Burbank
MEMORANDUM

1/11/2024
KAS
Michael Albanese

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Michael Albanese
NOTED

STOHL
3900

Date: January 11, 2024
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 2023 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 seven cases involving allegations of bias-based, racial profiling, or discriminatory practices by police department members in the 2023 calendar year. All seven investigations were initiated via a citizen's complaint. Two of these incidents occurred in 2021 but were not reported until the 2023 calendar year. Three incidents were related to enforcement actions (traffic stop) taken by Department members. Three resulted from a call for service or via a citizen flag-down. One was related to investigative follow-up on a reported crime. None of the investigations were initiated internally.

Five of the bias investigations were based on race, while two were based on nationality.

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 last half of 203, 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.

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 continuing trend of remote work / telecommuting 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 Department began collecting this data in January of 2022. The Department reports this data to the DOJ on an annual basis. The data can be found at:

<https://openjustice.doj.ca.gov/data> (RIPA Stop Data)

At the time this document was created, the 2023 RIPA data was not available.

Department Policy Review

I 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>