



Improving Data for Racial Equity in Policing Webinar Transcript: January 24, 2022

On January 24, 2022, the nonprofit [Center for Open Data Enterprise](#) (CODE) co-hosted a public webinar on Improving Data for Racial Equity in Policing. CODE co-hosted the Roundtable with [Measures for Justice](#). A full recording of the webinar is available [here](#), and CODE's Briefing Paper with background on this topic can be downloaded [here](#). You may also access the accompanying slides for webinar speakers [here](#). The following transcript has been edited slightly for clarity and continuity.

Speakers (in order of appearance):

- Amy Bach, CEO, Measures for Justice
- Paul Wormeli, Innovation Consultant, Wormeli Consulting
- Samuel Sinyangwe, Founder, Police Scorecard
- Channing Nesbitt, Social Impact Program Manager, Tableau Foundation
- Joel Gurin, President, Center for Open Data Enterprise (CODE)
- Dr. Nancy La Vigne, Senior Advisor, Council on Criminal Justice, Task Force on Policing
- Darrell Malone, Founder, National Police Data Coalition
- Julie Ciccolini, Director of Law Enforcement Accountability, National Association of Criminal Defense Lawyers
- Damon Woods, Director, Racial Equity Alliance, XPRIZE Foundation
- Sema Taheri, Director of Research and Strategic Initiatives, Measures for Justice

CODE welcomes inquiries and opportunities for collaboration at contact@odenterprise.org. For more information about CODE, please visit www.OpenDataEnterprise.org.

MEASURES FOR JUSTICE

Amy Bach, CEO, Measures for Justice

Hi. It's Amy Bach, CEO of Measures for Justice. I want to tell you about why we at MFJ are here and why we ask you to be here with us.

When MFJ was founded 10 years ago, our mission was to make criminal justice data transparent so that it could be used for reform. We aim to release measures from arrest to post-conviction. We started out with court data and managed to develop a methodology that made it possible to see 32 measures, all public, with cross-county comparisons.

Soon we began to realize we can apply the same strategies to prosecutor and police data. We've been talking to [criminologist] Laurie Robinson for years about how to create public comparative measures for policing. A different unit of analysis would have to be used in county, cities, precincts. There were lots of concerns. But we knew the measures had to be outward facing for anyone to use and ideally, be comparable.

In 2019, a group of people who managed, trained and researched police work, and the data that resulted from it, came together in Tempe, Arizona. The result was the eight dimensions of policing, from building trust, to use of force, to physical responsibility, that will frame the conversation we're having today.

Meanwhile, we were deep in the creation of our Commons data platform. Commons was co-created with the prosecutor and community members in Yolo County, California. Commons publishes up-to-date data using our current measures on things like who's being arrested and who's being prosecuted for what crimes. Then we work with local communities, both law enforcement and community advocates to co-create shared policy goals.

Now when working in these communities, everywhere we went - East Baton Rouge, Rochester, New York, everywhere - people really wanted policing data. So we decided to revisit our conversations with Laurie and others to bring police data onto a Commons. But here's the cool thing that brings me to you. The more we do the work with each other, the more progress we make. Here's how we have experienced transparency and accountability happening.

We launched our first Commons with District Attorney Jeff Reisig in a community advisory board in Yolo County, California. They picked the following policy goal: that 10 percent of all felonies had to be diverted to reduce the number of people in the system and to make more use of restorative justice programs instead of jail or prison.

Now a few weeks later, their office and ours were discussing a datapoint that suggested that many more cases involving Black people than White were sent over from the police. The datapoint itself was not remarkable or shocking, but the consequences of this kind of misalignment were dire. For starters, nationwide, Black defendants tend to come to the system with a prior record more often than White defendants. There are multiple factors behind this problem and certainly one of them is bias.

Now if you add to this problem the fact that defendants in Yolo with a record were not eligible for diversion, suddenly you had a ton more Black defendants than White defendants entering the system with no way out. Clearly, there was a problem and quickly there was a solution. What happens if criminal history did not automatically disqualify defendants from having their cases diverted? What if decisions were made more thoughtfully on a case by case basis?

The district attorney changed the policy, which was projected to increase diversions by 15 to 20 percent, mostly affecting Black defendants. We will find out in the coming months what the numbers really are. Now this is an example of how transparency made the prosecutor accountable because everyone has access to the same information.

The story gets better. Now District Attorney Reisig hosts a town hall meeting every month where anyone in the county can join in and ask questions based on the data.

In July, District Attorney Reisig invited the police chief of West Sacramento, Rob Strange, to talk about the data that showed his department sending more cases involving Black defendants than Whites to the DA's office. As people peppered the chief with questions, the datapoint stood up there beside his face. A community member chimed in and asked, "What are you doing in terms of officer training? What are you doing about systemic issues?" and Chief Strange had no answer.

We had a meeting with Chief Strange the next day and by the end of it, we knew the West Sacramento Police Department was on board for comments of their own. So now we have a willing pilot site, two actually for this year, and what we're working on are the police measures these pilot sites will implement and continue to grow. It's a national set of public-facing measures that look at the entire system and are informed by diverse perspectives.

So today, I want to thank all of you for coming together in this coalition, especially since we know there will be competing ideas and competing reform efforts, from defunding, to violence reduction, to training police departments. Please know how honored we are to be working alongside you, toward a shared interest in using data for accountability and change.

I also want to take a moment to thank the Tableau Foundation for their generous support of this work and the coalition we hope to create today. I'm thrilled to be moving the field forward with you and because of you. Thank you.

SPECIAL REMARKS

Paul Wormeli, Innovation Consultant, Wormeli Consulting

Thank you for inviting me to make a few comments related to this conversation. I would like to suggest to you that the way to be smarter about how we can improve the quality of justice in America is really based on our ability to collect data on both the problems of crime and on the response of the criminal justice system to crime.

We need data to give us the capability to discover patterns of behavior, both of offenders and of the police and criminal justice response to crime, to formulate public policies, to understand the context of crime, to dispel myths about both crime and the criminal justice response to crime, and most importantly, to ensure equity and justice in the administration of justice. We really need evidence of what works in order to make the kinds of improvements that we all want in the efficacy of the criminal justice system.

We began crime reporting in this country because of a commission created by Attorney General Wickersham in 1929 which was asked to study the issue of lawlessness and policing. That commission came out with a finding that physical brutality, illegal detention, and refusal to allow access of counsel to the prisoner was commonplace. One of the recommendations was to create a system of reporting crime which resulted in the FBI implementing the Uniform Crime Reporting System.

Over the next 50 years, the UCR Program evolved slowly as the FBI worked to gather more participants in the system. Finally, in the mid-1980s, the FBI created the National Incident-Based Reporting System as a way to overcome some of the weaknesses of the UCR Program and collect more data on victims and incidents.

Then in 2016, the director of the FBI called on all agencies to join NIBRS as it was called and to abandon the UCR Program by 2021, which is in the process of happening. Soon after that, the FBI collaborated with other law enforcement organizations to create the use-of-force reporting system which as you know is yet to attract enough agencies to report national statistics.

Well, moving to NIBRS has created a much more robust data collection system about crime and has begun to address the relationship to victims and crimes, particularly victim-offender relationships. But it still misses data on crimes that are not reported to the police or data on the responses of the criminal justice system across the board in crime.

Recently the National Academy of Sciences has recommended a new structure of crime reporting to modernize crime statistics: It would address the gaps in the prior efforts, both UCR and NIBRS, to actually talk about what happened in an incident - Was someone injured? Was someone killed? Was property taken? - rather than just counting the number of state penal code violations, which has been the premise of UCR and NIBRS. This new taxonomy is an important change that will give us more understanding of crime and to some extent more data on the response of the criminal justice system.

A couple of years ago, the Bureau of Justice Statistics convened a panel which I was privileged to facilitate to discuss what new crime indicators should be addressed in modernizing crime reporting. The chairman of the panel was Commissioner Chuck Ramsey of Philadelphia, who proposed that it was a time we abandon the notion that the purpose of policing was to make arrest. He suggested that we should make it clear that the purpose of policing was to ensure community wellness. What an idea!

What that means is that we have to measure the extent to which people are actually safe in their communities, but also the extent to which their perception is that they are safe. Giving people the freedom to feel like they can walk through any neighborhood in the twilight hours of the day without being worried about being attacked by anyone else.

Police reform and reimagining police are not really separable from criminal justice reform. We know that police behaviors are driven by laws, policies, ordinances and prosecutor expectations among other many variables that are really inherent in the whole criminal justice system. For us to really look at ways to increase the quality of justice in America, we have to look at all the driving forces of inequity that have been ingrained in the criminal justice system.

A very important part of this is to create a data collection capability that has to do three things. First of all, we have to record the data about incidents that truly describes what happens in an incident and what harm is inflicted. Second, we have to include the full response of the criminal justice system including the police response. And third, we have to record the context in which the incident occurs. Thanks for listening.

SPECIAL REMARKS: POLICE SCORECARD

Samuel Sinyangwe, Founder, Police Scorecard

My name is Sam Sinyangwe, founder of Mapping Police Violence and the Police Score Card. Today I'm going to talk about improving data for racial equity in policing.

I want to take us back to 2014 when Mike Brown Jr. was shot and killed by a police in Ferguson. Now his death sparked a nationwide movement demanding justice and accountability in policing. But at that time we had very little data on the problem of police violence in this country. The Federal government can tell you how much rainfall there was in rural Wisconsin going back a hundred years. They couldn't tell you how many people were killed by the police, and even today, they don't have a comprehensive database on the subject.

So I built Mapping Police Violence, which is the most comprehensive database of people killed by the police. We have data now going all the way back to 2013, all the way through

the present, and here are some of the initial findings. What we found with this project is that over 1100 people are killed by the police each year. That is fairly static year over year, almost like clockwork. And Black people are more likely to be killed by police per population than White people, and more likely to be unarmed when killed.

That sets a nationwide context for racial disparity in policing. Police violence is really the tip of the iceberg in terms of understanding these disparities across the country, how they break down by state, by region, by place, in each city. To disaggregate that data, we start to find information specific to particular police departments and jurisdictions that can be helpful to holding those jurisdictions, those policy makers and those police chiefs accountable to changing those outcomes.

So we break down the data on killings by police, the racial disparities. Nationwide, Black people are about three times more likely to be killed by police than White people. The disparity varies dramatically depending on what city you live in. In Chicago there's a 24 times disparity between Black and White people in per-population killings by the police. In the 50 largest cities in the country, in 47 of those cities, almost every city, Black people are more likely to be killed by police. And in the other three cities, Fresno, Wichita and Mesa, Black people are not more likely to be killed by police but Latinos are more likely to be killed by police than White people. So there's not a city in the 50 largest cities in which there's not either an anti-Black or anti-Latino racial disparity in killings by the police.

Killings by the police, fatal police violence, 1100 incidents a year, really is the tip of the iceberg in terms of understanding broader patterns of police violence, police accountability, and policing in general. So over the past couple of years, I've been working on a new project, which is the nationwide Police Scorecard Project that launched last year. The goal of this project is to put all of the data that we can reasonably obtain on the police from a justice and accountability perspective in one place and use that data to track progress towards ending police violence, increasing police accountability, reducing overall patterns of arrests and incarceration, and hopefully getting us to the place where we can begin to scale up alternative models that don't depend on harming and violence against communities.

So this is what that looks like. Currently there's data for 13,000 US police departments and 3000 US sheriff's departments, 16,000 agencies in total, almost every law enforcement agency in this country. It contains data on a range of different outcomes which you can see here.

Here are some initial findings from the project. I showed you the data on police killings. When we zoom out and look at arrests in general, I'm talking about 10 million arrests a year in this country. In 90 percent of police jurisdictions with more than 100 arrests and more than 100 Black residents – just making sure that we have a large enough sample –

Black people are more likely to be arrested per population than White people. In some cases, it's 20, 30, 40, 100 times more likely to be arrested.

We can also use the data to pinpoint sites of change. Where are the outcomes actually changing?

One of the things that we see is that particularly in larger cities, there has been a substantial change in rates of arrest particularly for low-level offenses. Between 2013 and 2020, you can see the reduction in each city in this chart. Now some of this was accelerated during the pandemic but these trends were already underway by 2018 and 2019, as you can see here. In some cities like New York City, there has been a 76 percent reduction in low-level arrests. Mind you, low-level arrests are two-thirds of all arrests. These are arrests for things like disorderly conduct, drug possession, sex work, loitering and vagrancy – which are often proxies for homelessness. So this is a big shift away from that model of over-policing, broken windows policing, the excessive policing of public order offenses.

What we also see is in the jurisdictions that have reduced low-level arrests, they've also substantially reduced police shootings as well, and not only that. Despite the narratives that you hear from police unions and pro-carceral forces, what you see here is that in the jurisdictions that have reduced low-level arrest, not only have they reduced police shootings but they've also reduced crime relative to other jurisdictions. And they've seen less of an uptick in murders than the jurisdictions that actually increased low-level arrests. So this strategy seems to be working not only in terms of reducing police violence but does so in a way in which doesn't contribute to increases in crime.

But what we haven't seen a lot of progress in is reducing the racial disparity in those arrests. Arrests overall are declining, particularly for low-level offenses, but the disparity in arrest between Black and White people is increasing in big cities. In most of the larger cities, we're seeing an increase in disparities for arrest overall and for low-level arrests in particular. Despite decriminalization and legalization efforts around marijuana, we still see increases in the disparity in arrest for drug possession. But we can also see with this chart that there are some cities that move against that direction, moving in the right direction and reducing those disparities.

So the Police Score Card Project and all of this data that has been collected can be helpful to keeping track of which cities are actually making real measurable progress towards reducing police violence; towards reducing old patterns of excessive, low-level arrests, particularly of Black and Brown people; and towards charting progress towards justice, accountability, and a world in which people are not being harmed and incarcerated by the state.

You can go to mappingpoliceviolence.org and policescorecard.org to learn more and access this data. It's all public. That's my presentation.

SPECIAL REMARKS: TABLEAU FOUNDATION

Channing Nesbitt, Social Impact Program Manager, Tableau Foundation

Hi everyone. Thanks so much for having us join your webinar session today. My name is Channing Nesbitt and I am a Social Impact Program Manager with the Tableau Foundation. I have the opportunity of helping to manage Tableau's racial equity and justice investments and have also had the pleasure of working with Measures for Justice and supporting their effort to democratize prosecutorial data and data pertaining to policing.

With the launch of the Racial Justice Data Initiative, Tableau Foundation has been partnering with organizations that are working to combat racism across various sectors and areas of focus. Through this effort, we've learned about the mechanisms that are needed to equitably collect and visualize data throughout analysis and we've worked with a lot of partners to help broadcast these methods and share these stories.

At the foundation, we've adopted the idea of data equity. We instill this evolution of data work and analysis across all of the portfolios we work in as we will continue to inform our strategy and our investments going forward. These principles of community engagement, the use of publicly accessible data, and data storytelling that informs institutional knowledge and decision-making, are all key components that make data and data visualizations a transformative tool in the fight for racial equity.

Now a lot of folks in the data community have pointed out specifically that data on policing can be really difficult to find and to work with - and at the same time, good and comprehensive data on policing can play a pivotal and transformative role in spotlighting where change is most needed and where solutions can have the greatest positive impact. I want to call out a couple of partnerships.

Last year, Tableau Foundation invested in supporting a project with the Urban Institute and the DC Fiscal Policy Institute to create Tableau dashboards that demystify the local police budget in the DC jurisdiction. After extensive research and data collection across multiple sectors and guidance from the local DC Council Committee, primary data was compiled for analysis and visualization. The data collected for analysis was contextually grounded in the scope and impact of policing in the DC jurisdiction and included concerns raised by DC residents based on their lived experiences.

The information that was highlighted in the tool includes data on the MPD operating capital budgets, funding sources, and resource allocations. The visualization also provides a deep dive into how police in schools are funded in Washington DC.

The narrative around the visualization contextualizes the data and ensures that the information is accessible to a diverse set of stakeholders. Community engagement and involvement throughout the life of this project produced a coalition of stakeholders that are willing to provide feedback and knowledge sharing. What this did was create an opportunity to offer training workshops, feedback sessions and overall access to holistic understanding of the data and the arguments that may lead to solutions.

Next I want to talk about our partnership with the Police Score Card. The racial equity data hub team was excited to support the work of Sam and the team of Police Score Card doing individual data hub projects. They were able to curate a data set that consisted of over 13 million observations and datapoints. This was data pertaining to both police departments and sheriff departments and includes data on everything from police funding to use of force to racial bias within law enforcement. The team curated various Tableau dashboards to highlight key trends, and several ambassadors worked at our data hub team to curate visualizations that you see on the Police Scorecard today.

Essentially what Sam and the team have taken on is a prime example of the importance of data equity principles. Because data on policing and the outcomes within policing as well in the US are often incomplete and vary from department to department, refining it into one data set was an extremely complex objective. But also it carries vast importance.

Lastly, I also want to give a quick shoutout to our partners at Measures for Justice. They have continued to be the embodiment for how data can be used to advance criminal justice reform at large.

We all know that public expectations around transparency have risen to a new standard over this past year. As we've seen in the previously mentioned projects, citizens are demanding a sense of equal transparency and clarity from their local and Federal governments in various formats. This is present within the criminal justice system with the idea that equitably democratized data can be a key factor in providing this sense of transparency.

We at the Tableau Foundation are extremely excited and dedicated to the advancement of racial equity and justice through the use of data, and we truly believe that our partners are at the cornerstone of driving this change. I want to thank you for my time today and hope you enjoy the rest of the sessions. Thank you.

CENTER FOR OPEN DATA ENTERPRISE

Joel Gurin, President, Center for Open Data Enterprise (CODE)

Hi. I'm Joel Gurin, President of the Center for Open Data Enterprise, or CODE, an independent, non-profit organization based here in Washington DC. We were founded in 2015 with the mission to maximize the value of open and shared data for the public good. We're happy to be co-hosting this webinar with Measures for Justice and will also be co-hosting a roundtable with them tomorrow on data to improve equity and policing.

Our work with Measures for Justice is the latest of many projects we've done to promote the use of data to address climate change, healthcare and social justice issues. This is the first in a series of projects for CODE's Open Data for Racial Equity Program where we're exploring ways to use data for fair housing, workforce opportunity, environmental justice and equitable healthcare as well as improving policing.

Webinars and roundtables like these help address critical gaps between data users and data providers and help everyone collaborate to use data to solve public problems. In addition to our webinars and roundtables, CODE publishes research reports with insights and recommendations on applying data for public good. We also develop resources for the US and international data communities including websites and online tools. You can visit our website at OpenDataEnterprise.org to find more information and read our latest reports.

We're very lucky today to have four excellent lightning talk speakers.

First, you're going to hear from Dr. Nancy La Vigne, the Senior Fellow on the Council on Criminal Justice's Taskforce on Policing. She is a nationally recognized criminal justice policy expert whose knowledge spans policing reform, Federal corrections reform, reentry from prison, and evidence-based criminal justice practices.

Then you will hear from Darrell Malone, Jr., a fintech engineer and technology activist from Houston, Texas. This year Darrell is launching the National Police Data Collaborative, an organization devoted to monitoring the conduct of law enforcement of officers nationwide.

Next, you will have an opportunity to hear from Julie Ciccolini, the Director of Law Enforcement Accountability at the National Association of Criminal Defense Lawyers. She directs the association's Full Disclosure Project, which supports defenders across the nation by implementing and managing databases to track law enforcement misconduct and challenge police secrecy laws.

Finally, you will hear from Damon Woods, the Director of the Racial Equity Alliance at XPRIZE Foundation. XPRIZE works to craft solution-based programs to mitigate racial and social inequities, especially in the realm of criminal justice.

Thank you to all our speakers for joining us on this webinar. Now let's begin with Dr. La Vigne.

LIGHTNING TALK: COUNCIL ON CRIMINAL JUSTICE

Dr. Nancy La Vigne, Senior Advisor, Council on Criminal Justice, Task Force on Policing

Thank you very much. I very much appreciate this opportunity to present today the Task Force on Policing and the work the task force has done to identify evidence-based strategies for reform, particularly the use of data in reducing racial disparities in policing.

The Council of Criminal Justice's Task Force on Policing was established in the wake of the deaths of George Floyd, Breonna Taylor and far too many other people of color. But unlike other task forces that were set up to reimagine policing or public safety altogether, this task force had a much more pragmatic charge.

The charge was to sift through the wide array of policy responses that were being developed in the moment and assess each one against the research evidence, against the data, and make some judgments - based on that evidence as well as their own professional expertise and lived experiences - as to which ones are most likely to yield their intended impacts. Those impacts were to reduce excessive force, to reduce racially-bias policing, and to build community trust as well as to maintain both officer and public safety.

The task force represented a diverse array of members, representing law enforcement of course, but also police oversight experts, several rights advocates, and including two members who had lost loved ones to police violence. They ended up doing over two dozen different policy responses, addressing accountability mechanisms, training, oversight, things to do with the internal police functions and culture of an agency, and also looking at ways that certain police functions could be offloaded to other actors and entities.

At the end of the day, they recognized that there were so many recommendations that they really should identify which should rise to the top. They actually voted on it and identified five key priority areas. And believe it or not, data made the list of the top five. I'm looking at use of force data and the fact that we do not have one credible national database of use of force where it's collected consistently.

Similarly, we don't know much about police misconduct. We don't even know much about the number of officers that are decertified and those that find jobs elsewhere, but we know that that happens routinely. So the task force recommended a national decertification registry. And even if that's not available on a national level, the state registries (and most states have them) could really be supported and expanded.

There's very little we know about racially disparate policing. There are some good data on traffic stops but it's not routinely collected. And again, do we know both the race and ethnicity of the officer as well as the person who has been pulled over? We do know that Black motorists are pulled over at two-plus times the rate of White motorists. Yet officers are no more likely to identify contraband with Black motorists than with White motorists.

And finally, patrol activity. We don't really know how officers are spending their time when they're not responding to calls for service. And even when they are, there are a lot of problems with the data that's currently collected through 911 systems that provide imprecise measures about the nature of the call. There is a recent study that looked at nine different jurisdictions and found that less than 4 percent of calls for which police were dispatched were mental health related, but there are other classifications that probably masked that number.

To summarize, it's very important that we have better data and make that data more transparent. Just collecting data routinely is very important. It's important for identifying agencies that are not doing well but it's also important to lift up those agencies that are examples of best practice.

I'll just close by saying the Council on Criminal Justice Task Force on Policing also developed Policing by the Numbers that looks at a lot of different trends in policing over time. It sheds some new light on some interesting questions including issues around police misconduct and many other factors of policing and public safety as well.

Thank you.

LIGHTNING TALK: POLICE DATA COALITION

Darrell Malone, Founder, National Police Data Coalition

My name is Darrell Malone and I'm the founder of the National Police Data Coalition. The NPDC was created late last year with a single goal: to transform the police accountability community - journalists, civil rights lawyers, researchers, public defenders, and activists who are working to create accountability in the system - to make this community into a single force for transparency and justice. Now, this is no simple task but I think it can be done. We just need to create the right infrastructure.

Now, infrastructure builds communities, from the oasis in the desert where predators can drink alongside their prey to the water cooler in the office, if you remember those days. I want to use data to shape and empower the government accountability community. And yes, this is bigger than policing. If you have noticed, we are in the midst of a democratic recession and as much as China-bashing maybe cathartic for the elites, we all need to do the work here at home of holding them to account.

So what kind of infrastructures does this need? Well, the goal here is to get organized. We need to be able to think together so that we can act together. And there are three key pieces to making this work.

First, we need communication rails. If we understand one thing, it's that the undemocratic forces in this world can act as one. This is a movement that has marched through state houses around the country with prewritten templates for new laws. And they've pushed those laws with the help of massive media organizations.

If people in different cities and states within the United States aren't coordinating in the way that is arrayed against us, we easily would be outmaneuvered. That means we need to create stakeholder groups, groups that have a shared purpose and a shared stake in the system. We need to be able to exchange ideas and experiences so that we can identify and tackle common concerns.

Now, once we have the communication piece down, we also need to be able to send data back and forth electronically. If we have one company that we can say has really shaped the world that we live in, I think Google might be number one on that list. Just by making information available to the greater community, they've created an incredible capacity for communication and collaboration. Ask any coder you know how critical tools like Google are to the development process. All the knowledge in the world is useless if you can't find what it is you need.

Now, with the right data-sharing infrastructure, citizens can be brought to play a major role in shedding light on dangerous trends in policing, even when the media is not there to support them. So we need to create an operating system for accountability. If I record a video of a person being abused, a lawyer should be able to get access to that footage without creating delays or sacrificing the safety of the witness who was doing the recording. And if I want to see that data in the future, it should have a clear chain of custody from the creation all the way up to the present. And all of this should be accessible even to those who don't have a background in IT.

But even if we can get the data, how do we give it life? How do we make sure it's more than just trivial? To do that, we also need a common source of truth. Data that is collected by our organization is not for media consumption. This is data that may need to be used in a court of law.

Police misconduct is life and death. We need to be sure that any evidence that is created by this network is beyond reproach. That means we need an index that can act as the backbone for any legal challenges to citizen-collected data. No longer should the official version of events be privileged. Cops are not expert witnesses. They are subjective viewers of a situation with their own stake in it. And we need to create our own system of

proof in a way that's similar to what Satoshi was able to accomplish with the bitcoin network. These are all things that can be done. And I hope that we can talk about how.

LIGHTNING TALK: NATIONAL ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

Julie Ciccolini, Director of Law Enforcement Accountability, National Association of Criminal Defense Lawyers

Hello. My name is Julie Ciccolini. I am the Director of Law Enforcement Accountability at the National Association of Criminal Defense Lawyers where I direct our Full Disclosure Project.

The association launched the Full Disclosure Project at the end of 2020, so we are just over a year old. We focused on three key areas. The first thing we do is build technology to track law enforcement officers and their misconduct. The main part of that work is maintaining an open-source software application that can host data from a myriad of sources about officers and their misconduct. We also work with partners to try to build tools to aggregate and process this type of data more efficiently.

The second part of our project is helping people actually use the technology we build so we aren't building one giant database but rather helping local partners set up and use the system. Typically, we focus on working with defense organizations because they have special access to misconduct data that's not necessarily publicly available and some motivation to track it. So we help them install the application, train them on how to use it, and how to use the data effectively in court.

The third part of our project focuses on advocating for more transparent and accountable law enforcement. So we do this by fighting for more access to data and we also use the data in research and advocacy. And we have found that the existence of these defender databases alone induces other stakeholders like prosecutors to do a better job of tracking and disclosing any misconduct.

This is just a brief taste of what an officer profile in our application may look like and it's kind of split in half. As you can see, we have some basic identifying information, the list of where that officer has worked and the promotion history, associates and partners, a snapshot of investigations or documents we may have on them, and then a summary of any incidents of misconduct that they may have been engaged in - including any official allegations or penalties stemming from that misconduct - and the sources where we got that information from.

This is a brief list of some sources that we check. For the sake of time, I would not go through each of them. But I just wanted to show you on the right some examples of what our data actually looks like. I show this because when most people think of data, they think of massive Excel sheets. But our data is typically a bunch of files cobbled together that eventually give us an image of what an officer's history looks like.

And here are some examples of how this data has been really effective. These are from our pilot project in New York at The Legal Aid Society. We've been able to use this data to expose individual officer misconduct. This officer featured here has been sued over 40 times and cost the city over a million dollars in lawsuit settlements.

We've been able to use the data to reveal discriminatory policing practices. In this instance, we identified officers targeting trans women for loitering for the purposes of prostitution.

We've also been able to use it to counter official narratives. So when the police say they no longer engage in chokeholds, we can counter that narrative by showing in the past three years of whether any lawsuits were filed for officers using chokeholds.

We've also been able to identify hotbeds of misconduct showing commands or groups of officers who are engaged in problematic practices. This blog is what we call a social network analysis so it shows different areas where officers in action are more related to one another.

We've even been able to find interesting indicators of misconduct like overtime data. We found that the overtime system can be gamed, which gives officers incentives to make that arrest towards the end of their shift or maybe testify to things they might not have seen.

And lastly, we've been able to really use this data to highlight failures of the accountability systems and how officers are routinely not held accountable for their misconduct.

This is all the time I have, but please feel free to reach out to me with any questions you may have. Thanks.

LIGHTNING TALK: XPRIZE FOUNDATION

Damon Woods, Director, Racial Equity Alliance, XPRIZE Foundation

Hi. I want to say thank you to CODE for this invitation. My name is Damon Woods and I am the Director of the Racial Equity Alliance at XPRIZE. At XPRIZE, many people know us for the prizes that we've developed to solve world problems or world issues. And as head of the Racial Equity Alliance at XPRIZE, it's very important to us to find the barriers where inequities exist. Once we find those barriers we try to put an incentivized competition around those issues to help us see where new opportunities for more equitable solutions rest.

In order to get there though, the data is very important. Data is the foundation for us to get to the point we have wisdom on a topic. Different issues of health, criminal justice

reform, and food insecurity are some of the main topics that our team looks at XPRIZE via the Racial Equity Alliance. And we need to know exactly where the data sits. We need open-source data to help us understand what is really out there and how we can address the different problems and build solutions to create vehicles where we can ideate on how to best attack a problem. Once we have that, we can get to the information piece and then we can get to the knowledge piece.

When we think about the issues around criminal justice, which are vast when it comes to inequity and race, we are looking at some of the issues that impact the community. And from that lens, we need to understand what is happening on a community level, what is happening on a state level, what is happening on the national level. Are there trends, are there “reasons why” that we can suss out from data, leading us to information and understanding and knowledge. But also, understanding how the data is used, what type of approach are we using the data for.

All of this is critical for us so we can help build more secure community relationships, whether they be on the East Coast or West Coast, wherever. As long as we are able to really see how we can build safer, stronger community security programs where police and community work together with the best pieces of data that lead to a stronger sense of community, a safer community. That I think is very important.

So I thank you very much for the time and I look forward to the engagement with CODE in the future. Thank you from XPRIZE and have a wonderful day.

Question and Answer Discussion

Sema Taheri, Director of Research and Strategic Initiatives, Measures for Justice

Thank you, everyone. My name is Sema Taheri. I'm the Director of Research and Strategic Initiatives at Measures for Justice. I'll be leading the Q&A portion. I do want to echo Damon's comment that we have an excellent opportunity to ideate on how best to attack the problems that are currently facing our communities and police departments by understanding how data are used and what we might be missing.

I'll start first with Paul. Paul, thanks so much for providing an in-depth overview of the national recording systems and explaining their limitations. The FBI itself actually just reported that they might stop using the use-of-force tracking program because of the lack of participation. In your view, what are some of the major hurdles in having police report their data to systems like that?

Paul Wormeli: Well, there are a number of problems that need to be overcome. There's no doubt that there are some agencies where their leadership is concerned about exposing misconduct to the public and doesn't want to report that. We can't ignore that possibility. But there are other agencies who look at this in a very pragmatic way, saying, "This is just another data collection system the FBI has laid upon us and nobody is providing any money for us to pay for the development of forms and ways to collect the data. Why do we need to do this?"

The whole problem with crime reporting in this country is that it's voluntary. We haven't made it mandatory or established the kind of incentives for reporting that would really encourage full participation in this.

For example, the Federal government could be imposing special conditions on all grants that require participation in use-of-force reporting. But we haven't taken that step yet. So agencies are saying, "Why should I do this if it's just going to embarrass me," or, "Why should I do this when it's going to cost more money?"

The other point that I would make is that we really need to engage community-based organizations insisting that this data be collected and reported to make it clear that there are local users for the data. It's not just a matter of satisfying the Federal government to get a database. It's a matter of making this data useful so that local communities can hold their own police departments and sheriff departments accountable.

And if we expand the marketing so to speak of this idea that data is important for us to understand what's going on and involve community-based organizations, I think we will see an uptick in the reporting.

Sema Taheri: Yes. And I think a lot of our panelists today will start to point to how useful that is for communities. Thank you.

The next question is for Sam and then for Channing. Sam, thanks so much for your presentation about the Mapping Police Violence project and your work with Police Scorecard. It's incredible that you've managed to get all of this information about so many departments across the country. A participant actually noted in the Q&A chat during the webinar that the highest racial disparities are often reported related to arrest for violent crimes. So as you mentioned, departments may be moving towards making fewer arrests for low-level offenses and so then we start to see the disparities actually going up because now, a higher percentage are made up of arrests for violent crimes. I'm wondering how you might recommend users of data really identify some of those nuances and the challenges in interpreting the data that they do have available and that they are able to collect.

Samuel Sinyangwe: Great question. I think one of the things that's important is to be able to disaggregate the data to understand how those disparities stack up across the various offense types, and also, how those disparities might relate to disparities in other forms of policing, police use of force, incarceration, etc.

I showed that chart showing that about 90 percent of police departments had a higher arrest rate for Black people relative to White people. That is true even when you look at offenses like drug possession where we know that offending rates are virtually identical across race.

So those disparities are very much a reflection of disparate policing practices. And there are ways to look at particular offense types where we know that, like drug possession, like marijuana possession, as a proxy for those disparities in police conduct and enforcement. One of the things that is helpful in this regard, and one of the things in Police Scorecard, is when we are evaluating police agencies, we are actually using the disparity in drug possession arrest as a proxy for disparities in enforcement in the way the departments are evaluated for that reason.

Those huge disparities that you see are virtually identical whether it's a chart of arrest overall or a chart of drug possession arrest in particular. I just want to flag that. There is often this argument that these disparities reflect disparities in violent crime. Violent arrests are 5 percent of all arrests nationwide. So these disparities are actually disparities that are much more closely related to disparities in low-level offenses. There are more arrests for marijuana possession alone than for all violent crimes combined even today.

I think it's important to sort of push back against some of the narratives that try to explain away these disparities as merely reflective of disparities in offending rates. Because what we actually see is a much deeper and more systemic issue even when we control for some

of those aspects by looking at things like drug possession or even marijuana possession in particular.

Sema Taheri: Thanks, Sam. I think knowing how to use data and what data are available is a really important piece as we move forward into what you can do once you see it. Thank you.

Dr. La Vigne, you talked a little bit about the unique challenge of the Council to be pragmatic in your approach. You also mentioned challenges around tracking how officers are dispatched. Are there any projects that the Council is aware of that might address the imprecise measurement around 911 calls?

Nancy La Vigne: Indeed, there is. I have another hat that I wear and that's Senior Adviser to the Transform911 initiative out of the University of Chicago's Health Lab. And they are unpacking everything to do with a 911 system, from the technology to how 911 professionals are trained: the people who answer the phone, the people who dispatch first responders. They're exploring the research on the biases that they may bring to their jobs unknowingly that could lead to assessing calls at a higher priority and leading to police dispatch when perhaps the call was more appropriately handled by an alternative responder. They're looking at 911 governance issues, looking at alternative hotlines, exploring what's known about the research on alternative responders and what we need to know, which is much more than we do. There's a lot that they are exploring and I would invite you to look at their website, Transform911.org.

In my presentation, you may have noted the study that I referenced of nine jurisdictions. That was research conducted by Cynthia Lum and colleagues at George Mason University. They went into detailed analysis on calls for service data, looking at the nature of the calls coming in, how they were classified, and which calls led to dispatch, and then how much time officers spent responding to those calls by call type. It's a lot of work and it's imprecise because the data are not particularly accurate.

You may recall me mentioning that mental health calls represented just 4 percent of the law enforcement calls, the calls for which law enforcement were dispatched. I think we can all agree that it's probably much higher than that. But until you dig into the data, you don't know. And if you don't know, you don't what resources are needed to divert those calls to other mental health clinicians or other people in the community.

Sema Taheri: Thank you. As we start to look across departments to dispatch centers, we have so many different ways of logging that information and it would be good to look at Tranform911 and the other work that you pointed to. Thank you.

Channing, a question for you around the DC project in particular. Can you describe a little bit more about how Tableau dashboards and the training you mentioned support

community groups and if the project includes a playbook about how other cities might be able to replicate that work?

Channing Nesbitt: Yes, definitely. First and foremost with this project, Urban Institute came to us with the methods in place to collaborate with the DC Fiscal Policy Institute on this individual project for the DC jurisdiction. So embedded within that project were the methods of how to engage different community stakeholders across different sectors, across different communities, to weigh in on what was important to feature in the dashboard and what they wanted to see from the data.

Then the latter part, which is almost the most important part - and again, going back to my sentiment around data equity - they have regular convenings in town halls where other community members from outside of the partnership could come in and learn not only about what the dashboard was displaying but essentially what was embedded within the data that was featured. And that's something that we at Tableau want to embed across all of this work, especially the criminal justice space. Because the more communities can understand about the data that's being collected and the data that's being analyzed and then how it's used in the form of visualization or any other mechanism, the more empowered that makes communities to be a part of this conversations and be a part of the future decisions that we hope to see in this reform effort.

And then to answer the second part of that question: is this a playbook essentially? We sure hope so and we do believe that that is the case. We are currently working with Urban to begin to scale this, using the methods within this individual project in other jurisdictions in different states and cities and regions. So this is going to be an exciting year to see that same framework for this project emulated across the board as well.

Sema Taheri: Thank you. And I know you're funding quite a few projects as well to get people thinking about that. I think there's another question around just in general the list of data that departments can provide. And I know there are lots of groups that are working on what that list may look like. Being on the same page about that would be also helpful.

Channing Nesbitt: Exactly.

Sema Taheri: Thank you. And then a question for Julie. Julie, we have a lot of information now that NACDL has put together around the comprehensive data dashboard of officer misconduct. Can you talk a little bit more about how you choose what data to include, of going back to that question of what is that list of elements that you really need to pull? How do you make some decisions around what you include in those reports? How do you decide that data is useful to include as an indicator that will actually be used?

Julie Ciccolini: Great question. The system we set up is specifically for the interface I showed for defenders to use in defense of people accused of crimes. And in that sense, we can include a more broad base of misconduct data because it's not being shared publicly. It's being used really in a specific situation where there is a theory of misconduct that an officer is engaged in as it relates to the current criminal case.

And so, we include pretty much what we can find out about an officer's history in that set of data. But we've sought very specific sets of data that could be considered public that we found law enforcement agencies do not collect, or the majority do not. Those are things like civil rights lawsuits or cases when during a criminal case, a judge may find an officer has what people refer to as testalied - stretched the truth in their testimony or just outright violated someone's Fourth Amendment rights.

Surprisingly, there's really no feedback loop for when that happens in a criminal case for it to get reported back to the department or even for a DA to track that. And so, those are some of the indicators that we look for. If an officer has testalied in one case, that's really important to know in any future cases of their testimony.

We also look at different types of arrest data like dismissal rates for their cases. Certain charges may indicate higher levels of misconduct. For example, if an officer has charged quite a few people with resisting arrest, that's typically a charge that can be used to cover up excessive force.

And so, by tracking what can we find out about an officer's misconduct history, we've been able to identify some of these things as actual indicators of misconduct.

Sema Taheri: Thank you. That's very helpful.

There are a lot of different perspectives here, a lot of ways to understand and work with data and we are excited to have those conversations. Thank you very much again to all of our panelists for participating. Have a wonderful rest of your day.