REPORT TO THE POLICE SERVICES BOARD

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Subject: Follow-Up Re: Disproportionate Collection of Identifying Information	Information Report

RECOMMENDATION(S)

That the Board receive the following report for information

Signed: _____   Date: _JUNE 3, 2018_

Chief of Police

BACKGROUND

The Collection of Identifying Information in Certain Circumstances monitoring report was presented to the Durham Regional Police Services Board at the April 2018 meeting (**M118-18**). Within the report it was noted that identifying information was collected from a statistically disproportionate number of male subjects. As per board policy and subsection 15(1) of Regulation 58/16, this report is a follow-up to that monitoring report which explains the disproportionate collection of identifying information from males in 2017.

DISCUSSION

The original determination for disproportionate representation, given the absence of specific parameters within the regulation, was chosen as fifty per cent in order to reflect the proportion of males and females in the region's population. This choice of benchmark from which to compare attempted collections with the underlying group representation was, while universal, not the most appropriate choice given that the types of activities that an officer is attempting to detect and/or disrupt when engaging in a regulated "street check" are disproportionately committed by males. This raises the question as to what is the appropriate benchmark from which to determine disproportionate collections. To quote Lorie Fridell, the developer of the Fair and Impartial

Policing training program, from the report that she prepared for the Police Executive Research Forum in 2004, *"By the Numbers: A guide for analyzing race data from vehicle stops"*:

> "If a researcher uses road-side observers to develop a demographic profile of drivers who violate traffic laws, the researcher has produced a benchmark that represents fairly well the group of people who should be at risk of being stopped by police if no bias exists. On the other hand, if that same researcher used instead U.S. Decennial Census data to develop a demographic profile of people who live in the jurisdiction, the researcher has produced a benchmark that does not represent well the people at risk of being stopped by police if no bias exists."

In other words, the appropriate benchmark from which to determine disproportionality is not the proportion of the group in the overall population, it is the proportion of the group that is most likely to engage in the types of criminal activities that would be uncovered by officers conducting street checks.

A review of all persons that have been linked, as a perpetrator, to a subset of criminal events - specifically break and enters, thefts of vehicles, thefts from vehicles, mischiefs, and robberies - reveals that, in aggregate, males comprise eighty-nine per cent (89%) of offenders in these categories. This particular subset of crime types was chosen since they represent the types of offences that an officer would be actively trying to deter or uncover by stopping to speak with someone on the street (as opposed to, for example, fraud or shoplifting).

With this information, and using the principle of benchmarking specified in Fridell's report, it is reasonable to re-assess disproportionate collection based on a benchmark of ninety per cent (90%) as the expected proportion of male subjects of regulated street checks.

Given that identifying information was collected from fourteen individuals in 2017, and using an expected proportion of 90% male to 10% female subjects, the actual proportion of 100% male to 0% female (14:0) falls within the range that would be expected in a random distribution using these expected values (between 11 and 14).

In conclusion, although the proportion of male subjects of regulated street checks in 2017 is disproportionate with respect to the proportion of males in the overall population; the proportion of male subjects is not disproportionate when using a more representative benchmark.