

September 22, 2003

The Hon. David Cicilline
Mayor
Providence City Hall
Providence, RI 02903

Dear Mayor Cicilline:

I am writing in response to the most recent report issued by Northeastern University, examining your police department's compliance with the Traffic Stops Statistics Act for the month of May, 2003. We were truly shocked by this report, as it demonstrates an inexplicable, but significant and incontestable, decline in compliance by your city's police department. Only by comparing the figures to previous months can one appreciate just how troubling that decline was, and that is one of the reasons for this letter. The other is to seek information from you as to how this could have happened, in light of both the seemingly strict mandates in place under Departmental policy and your statements in January about the City's commitment to ensuring full compliance with the Traffic Stops Statistics Act.

While Deputy Chief Rosenzweig was recently quoted in the newspaper as explaining why the *number* of traffic stops, citations and videoed stops declined significantly in May, he did not explain why the *accuracy* of the data declined. But that, of course, is the crux of the issue.

The Northeastern reports have been measuring the police department's compliance with the law in six different ways, and in all of them the May statistics were problematic. To put the figures in perspective, it is worth noting that they demonstrate poorer compliance by the police department than at any time since the City was held in contempt of court last October. In order to help you better appreciate our concerns, I have enclosed a chart, based on Northeastern's reports, that documents the police department's rate of compliance from October 2002 to May 2003 in those six areas. This includes three months worth of data before your administration, and three months since you became Mayor in January. They are reviewed seriatim below.

1. Card Match Rate to CAD Calls. Although the match rate in May seems high at 94%, *only one month has a lower rate*. The last time the CAD match rate was lower than 94% was back in October 2002, when it was 92%. In three of the previous five reported months, the rate was higher.
2. Citation Match Rate to Cards. At 88%, May's citation match rate to cards is (in a tie with December 2002) *the lowest rate it has been in the last six months of reports*. In every other month, the match rate has been higher than 90%.
3. Card Match Rate to Videos by Time. In May, Northeastern was able to match video stops with cards by the time reported only 91% of the time. That is,

Northeastern was not able to find a card that matched (by time) a video stop almost one out of every ten times. This match rate is *the lowest rate it has been in the last six months of reports*.

4. Card Match Rate to Video by Time and Attributes. We have always considered the video attributes statistics among the most revealing, for they give a good idea of just how accurately the cards are generally being filled out. For May, matches were found only 77% of the time. *This match rate is worse than every other month but one*. The 77% figure is only one percentage point higher than the worst month, which was in February of this year. In other words, the cards for *one out of four* videotaped stops in May contained enough misinformation that Northeastern could not match the stop with a filled-out card. If such inaccuracies are still taking place with videotaped stops, one can only imagine the inaccuracy rate for cards being filled out for non-taped stops. The actual low number of videotaped stops in May – 43 – is also cause for concern. Even with the reduced number of total stops for the month, one must wonder whether all stops made by police cars equipped with video cameras were captured on tape, as required by Departmental directive.
5. Citation Cards to Citation Records Variance. *The 8% error rate here has not been worse in the six last months of recorded data*. Again, this figure raises serious concerns about the accuracy and completeness of all cards. This figure is especially disconcerting, since the error rate was close to zero in February. This clearly indicates that, out of the limelight of your January announcement and the initial strict oversight that initially accompanied that announcement, the police appear to have gone back to their old ways. The internal checks purportedly in place in the Department should have caught this immediately, yet the City has given no indication to that effect.
6. Missing Lithocode Numbers. While the 5% rate for missing lithocode numbers remains higher than all months previous to your administration, it too represents a significant falling off from January and February.

From a more holistic perspective, the figures look like this. *Of the six categories measured by Northeastern in the past six months of reports, the May figures were worse in four of the categories compared to October; worse in five of the categories compared to November; worse, or no better, in five of the categories compared to December; worse in all six categories compared to January; and worse in five categories compared to February*. In short, rather than compliance improving during your administration, May's figures indicate that compliance has deteriorated, both in absolute and relative terms.

We recognize that, notwithstanding these comparative figures, the experts from Northeastern may still find the May figures sufficient for purposes of its study. But when one considers that May's card accuracy is lower than the last five reported months, it raises numerous questions that cannot be easily ignored. Exactly what has the City done to determine why the figures are so bad for May? Have any officers been reprimanded or

otherwise disciplined for violating the Departmental order requiring that all forms be filled out accurately and completely? If not, why not? Was any review done, or action taken, prior to formal issuance of the Northeastern report, and if not, why not? Has the City attempted on its own to determine cards' completeness and accuracy for March, April, June and July, or is it simply waiting for Northeastern's reports on those months to be issued?

We appreciate the Deputy Chief's candid acknowledgement that Providence police have engaged in racial profiling, and that it will not be tolerated. However, at least five months into your administration, police in too many instances have been shown not to be collecting data properly. If the City cannot get its police officers to accurately and completely fill out traffic stop cards, we find it difficult to comprehend how you can eradicate the much more insidious, and often subtler, problem of racially biased actions in traffic stops by officers.

We understand that the City is working on a plan of action to deal with racial profiling. We applaud any such efforts, but nonetheless believe that answers to the questions raised above need to be first addressed. *In addition, the latest Northeastern report – along with the City's interest in halting racial profiling – demands implementation of at least one immediate plan of action: a Departmental directive voluntarily reinstating the traffic stops data collection process.* We note that a number of police departments across the country have been voluntarily collecting data. Now that the state law and court order requiring Providence to collect data have expired, continued collection on a voluntary basis strikes us as essential. In the absence of continued data collection, it will be virtually impossible for the City to target problem areas and to truly ensure that racial profiling is not still taking place. We trust you will agree with this recommendation and promptly implement it, regardless of any further remedial steps that are ultimately decided upon by the City and Police Department.

Your prompt response to these concerns and inquiries would be appreciated.

Sincerely,

Steven Brown
Executive Director