

Minutes

Racial Profiling Prevention and Data Oversight Board Regular Meeting

Pursuant to section EXECUTIVE BRANCH 20 ILCS 2715
Racial Profiling Prevention and Data Oversight Act
(625 ILCS 5/11-212)

Thursday July 28th
10:00 am- 12:00 pm

Location
Via WebEx Video Conference/Teleconference

Call to Order and Roll Call

Tobara Richardson (CHAIR) calls the meeting to order. The CHAIR explains the governor's disaster declaration and proclaims the meeting is being held virtually under the conditions listed under the declaration. Then the CHAIR announces roll call of the members, states a quorum for the meeting has been met.

Attendees

Tobara Richardson (CHAIR)
Marcus Gipson
Phyllis Logan
Carmen Patlan
Jason Hicks
Shareese Pryor.
Holly Bieneman
Stephen Rushin
Representative William Davis
John Thompson

Also present were:

Jessica Keldermans – IDOT Bureau Chief – Data Collection
Sean Berberet – IDOT – Data Collection
Emilee Green – ICJIA –Traffic and Pedestrian Stop Data Use and Collection Task Force
Tim Lavery – ICJIA –Traffic and Pedestrian Stop Data Use and Collection Task Force

Approval of Minutes

May 26th, 2022 Minutes were approved

Vote on development of (3) subcommittees

During the May 26th meeting, a discussion surrounded the creation of (3) subcommittees to focus on areas of concern with Racial Profiling & Prevention and Data Collection. The CHAIR described the (3) subcommittees in detail to the Board.

1. Law Enforcement Compliance Subcommittee – proposed to review and ensure Law Enforcement Agencies dutifully and properly enter correct Traffic and Pedestrian Stop data into the system as mandated by statute.
2. Data Collection Forms Subcommittee – proposed to review current Data Collection Forms used by Law Enforcement Agencies and suggest necessary changes or edits to the Forms.
3. Model Policies and Training Subcommittee – proposed to develop models and policies surrounding areas of Racial Profiling and Prevention, the Stop Study Annual Report and training for Law Enforcement Agencies.

The Board voted to develop the (3) subcommittees as detailed by the CHAIR with at least 3 Board Members present on each subcommittee. It was then stated that a survey would be sent to all members in recent weeks asking them to rank their preference for involvement on each subcommittee.

2021 Illinois Traffic and Pedestrian Stop Study Report

Jessica Keldermans and Sean Berberet from IDOT provided an overview of accomplishments and areas of concerns going forward for the recently completed 2021 Illinois Traffic and Pedestrian Stop Study Report to the Board.

Accomplishments

- Improvements to “benchmarking”. Several changes were made to the methodology for the 2021 traffic stop benchmarks compared to the 2020 benchmark methodology to improve accuracy and address some previous limitations. The changes included:
 1. The use of the most recent American Community Survey (ACS) population statistics
 2. The “multiple races” ACS category was reallocated to individual racial groups.
 3. Benchmarks utilized ZIP-code-level statistics instead of city-, county-, or state-level statistics.
 4. Crash report data was used for benchmarks whenever possible (crash-based benchmarks).
 5. Other benchmarks were constructed by combining zip codes from the surrounding areas, weighted by the distance from the agency’s jurisdiction (distance-based benchmarks).

- Completion of numerous FOIA requests for redacted data associated with the 2021 Illinois Traffic and Pedestrian Annual Report by the general public.
- Completion and delivery of the Annual Report to various governing bodies and the general public by required due date.

Areas of concerns going forward

- Non-Compliance and timely submission of all Traffic and Pedestrian Stops by Law Enforcement Agencies as many were still incomplete or not provided by required deadline.
- Amending Law Enforcement submission deadline from March 1st to February 1st in order to gather and provide an entire calendar years' worth of data to our consultant and Stop Study team in a timely manner. In prior reporting years manual and paper data forms were mailed or scanned to IDOT offices for processing, currently the process is online and is a simple singular data form or complete file upload of all Traffic and Pedestrian cases.
- Improvements to the Stop Study system to rapidly identify and notify incomplete or non-compliant data submissions by select Law Enforcement Agencies.

Group Discussion

Group discussions then took place regarding 2021 Illinois Traffic and Pedestrian Stop Study report overview:

- Carmen Patlan stated that a further discussion surrounding the 2021 Illinois Traffic and Pedestrian Stop Study report was needed to analyze the data more intently to assist in recommendations for Racial Profiling and Prevention measures going forward.

Traffic and Pedestrian Stop Data Use and Collection Task Force – ICJIA

Emilee Green and Tim Lavery from the Illinois Criminal Justice Information Authority (ICJIA) provided an overview of the Traffic and Pedestrian Stop Data Use and Collection Task Force report compiled over the last 3 years with findings and recommendations submitted to the Governor's Office this past year. A copy of the Task Force report was provided to the members of the Board prior to the meeting. ICJIA provided a detailed online presentation followed by a question and comment period. Areas covered by Emilee Green during her online presentation included:

- Overview, background and processes utilized by the Task Force including guiding legislation from 2019, duration of sessions and recommendation development.
- Backgrounds, roles and/or organizational affiliations of Task Force members including:

- 2 academics or researchers who studied issues related to traffic or pedestrian stop data collection and have education or expertise in statistics;
 - One professor from an Illinois university who specializes in policing and racial equity;
 - One representative from the Illinois State Police;
 - One representative from the Chicago Police Department;
 - One representative from the Illinois Chiefs of Police;
 - One representative from the Illinois Sheriffs Association;
 - One representative from the Chicago Fraternal Order of Police;
 - One representative from the Illinois Fraternal Order of Police;
 - The Executive Director of the American Civil Liberties Union of Illinois,
 - 5 representatives from different community organizations who specialize in civil or human rights, policing, or criminal justice reform work, and that represent a range of minority interests and/or different parts of the State.
- The (6) major Traffic and Pedestrian Stop Data categories covered during Task Force sessions and the resulting (19) proposed recommendations to the Governors’ Office.
NOTE: Emilee Green provided examples from each category and corresponding recommendations during her online presentation.

1. Data Sheet Content. Recommendations (1-8)
2. Measuring Racial and Ethnic Disparity. Recommendations (9-11)
3. Data Utilization by Law Enforcement Agencies. Recommendations (12-13)
4. Modifications/Additions to Public Reports. Recommendations (14-16)
5. Additional Research and Analysis. Recommendations (17-18)
6. Other. Recommendation (19) – *additional funding for Task Force software*

- Lastly, Emilee Green touched on ICJIA’s progress with the Stop Study Statistical Data and Reporting. ICJIA is developing interview questions for the Stop Study regarding the needs of Law Enforcement Agencies. ICJIA is hiring additional research analyst(s) to investigate other benchmarking methods, creating a Tableau or “user-friendly” dashboard reporting devices of traffic and pedestrian stop data. ICJIA will also continue to partner with IDOT regarding, data collection, recommendations and alignment of various legislations.

Group Discussion resulting from Task Force – ICJIA presentation

- Carmen Patlan commented that the Oversight Board and newly created subcommittees should be cognizant of “not re-inventing the wheel” as it relates to any recommendations to the Illinois Traffic and Pedestrian Study. Racial Profiling and Prevention measures already outlined by ICJIA’s Task Force and the Board’s intention should be to collaborate with the Task Force, but the question remains “in what manner should this be accomplished?”

- The CHAIR agreed with Ms. Patlan’s comment and stated that further work is needed to develop a process between ICJIA and the Board’s subcommittees in order to assist ICJIA and NOT duplicate efforts between the two parties going forward.
- The CHAIR also wanted to clarify what the Board “should do” going forward to facilitate other areas of decision making, policy and legislation not covered by ICJIA’s Task Force.
- Representative Davis then asked for clarification on a statistic regarding compliance for Police Agency submissions on all Traffic and Pedestrian cases. Then Rep. Davis inquired as to what type of questions were being asked from Police Agencies during the “open comment period” before the final draft of the 2021 Annual Traffic and Pedestrian Stop Study. Sean Berberet responded that compliance between Traffic and Pedestrian submissions are measured differently since approximately 60% of all Agencies have not provided Pedestrian data for years. Comment questions from Police Agencies can be provided to the Board at any time in the future, but predominantly most surround benchmarking clarifications.
- The CHAIR then asked the members of ICJIA to comment on the topic of “racial perception by an officer” and recommended studies to be performed to determine the accuracy of an individual officer’s racial identification ability. Emilee and Tim stated the recommendation to undergo studies mentioned did not pass the Task Force majority due to complexities in the potential study.
- Phyllis Logan then asked Emilee Green to clarify the Pedestrian Stop Benchmark recommendation from the Task Force Report. Emilee stated the Pedestrian benchmarking needs to differ from Traffic benchmarking because Pedestrian Stops are usually members of a community and not a result of passing-through as in some Traffic stops. Phyllis then commented as to the inappropriateness to stop a pedestrian and ask if they live here in this particular community.
- Comments and questions regarding “Body Camera” usage was then brought up by Ms. Logan. Emilee Green could not provide a definite response as to why certain officers or certain stops were not required to be recorded for Pedestrian Stop purposes.
- Officer Michael Newman then commented and provided clarifications on several topics. Mr. Newman clarified was constitutes a “Pedestrian Stop”. He stated that an engagement of casual conversation with a member of a community was not a “stop”. Asking if a person is from the neighborhood is “good community involvement” and a body camera would never be engaged. Mr, Newman also stated that certain “stops”, unless a frisk or pat down is performed is not required to be logged or entered into the Stop Study System. Even “ones that do constitute an official Pedestrian Stop are just never submitted or overlooked sometimes”.
- Sharese Pryor then asked the members of ICJIA to comment on speaking with agencies and staff that did not capture all pertinent Pedestrian or Traffic stop data or cases. Their response was simply to perform an audit of some manner in the future.
- Stephen Rushin inquired as to Recommendation 11 from the Task Force report namely the recommendation to utilize geographical data only for benchmarking for simplicity purposes. Further discussions with IDOT officials and consultants are ongoing regarding this topic.

- Phyliss Logan inquired about solutions for non-compliance and the direct effect on the data and Stop Study. Emilee, agreed with the compliance issue as being detrimental to the study, but the true adverse effect is unknown at this moment. Tim suggested a change in the Agency’s operations, training and culture regarding Traffic and Pedestrian Stop entries.
- Rep Davis then stressed the importance of following laws and how the Board should enforce compliance in Pedestrian reporting. He asked Mr. Newman from the Law Enforcement side to comment. Pedestrian is different from traffic where you have to notify dispatch you are on the side of the road for safety and awareness purposes, Pedestrian stops are just different in that nature. Mr. Newman then stated the solution to compliant reporting was for Law enforcement agencies to have integrity in accountability. Jessica Keldermans commented that there is a case study of non-compliant agency not being able to apply for certain federally funded grants through Illinois agencies.
- Phyliss Logan wanted to distinguish or state that Racial Profiling does occur even if a citation, arrest or pat and frisk does not occur, and Law enforcement agencies not reporting those cases should be further examined. Re-examining how the pedestrian stops are defined and when Body-Cameras should be activated should be discussed in the future. Mr. Newman then provided various examples of when he activates his Body-Camera and in what situations. He stated that certain people are less inclined to speak with him regarding police matters in an area if the camera is activated.

Public Comment

(none)

Upcoming Meetings

The next meeting is tentatively scheduled for September 15th , 10am – 12pm .

Adjournment

The CHAIR called for a motion to adjourn the meeting. Mr. Newman moved to adjourn the meeting. The motion was seconded by Ms. Pryor. The meeting was adjourned at 11:45 a.m.