

## Citizens for Juvenile Justice response to issues raised by the New Bedford Police Department

April 20, 2021

Citizens for Juvenile Justice (CfJJ) stands by its analysis in “[We Are The Prey: Racial Profiling and the Policing of Youth in New Bedford](#).” While we appreciate that the New Bedford Police Department (NBPD) has brought up different manners of expressing the data, we take their [statement](#) as an invitation to conduct additional analysis of the existing data (some of which we have done below), and as reason for the Department to publicly release more detailed data on these incidents. The important takeaway from this new analysis is that **significant racial disparities exist in the Field Incident Report data no matter how you cut the data**. These findings confirm a [2015 study of field interviews and observations by the ACLU](#). While we did not initially plan to release the dataset in its entirety, we are doing so now and invite researchers and advocates to confirm our analysis and conduct additional analyses and visualizations.

- Link to [FIR dataset Jan 2016-June 2020](#)
- Link to [‘Validated’ Gang Member List](#)

**One note on process:** We find it both misleading and dishonest for the Department to say that we did not “verify crucial facts” with them before the release of the report. CfJJ reached out by [email](#) to the New Bedford police chief on March 10, 2021—more than a month prior to the report’s release—asking for comment on initial findings and/or time to speak about these findings. We received no response to this request for comment and went ahead with finalizing the report based on the information available to us. CfJJ only received a reply 30 days later with a request to “review” the report on April 9, 2021—five days prior to the report launch—when we were already putting the finishing touches on it.

### 1. Number of Reports: 4997 vs 2210

We appreciate the Department highlighting that the number of “Field Incident Reports” shared is 2,210. We agree that this is the number of FIRs shared, and CfJJ did indeed conduct the analysis for the report based on the number of individuals observed (4,997). This larger number is an important metric because it represents **the impact on actual people** affected by interactions with police. This is not a ‘misrepresentation,’ or a ‘miscalculation,’ but a different presentation of the same data set.

For example, the one incident copied below from the dataset shows four different people were listed under that one incident, three of whom are Black non-Hispanic males, and one of whom is a non-Hispanic male with race unidentified.

iDate	iTime	StreetN	StreetN	StreetSu	iNum	iSex	iRace	iEthnic	iAge	Intervie	OfficerF	OfficerL
20200125	1822	452	COTTAGE	ST	20-36-FI	M	B	N	19	4045	Samuel (40	Algarin-Mojica (2C)
20200125	1822	452	COTTAGE	ST	20-36-FI	M	B	N	23	4045	Samuel (40	Algarin-Mojica (2C)
20200125	1822	452	COTTAGE	ST	20-36-FI	M	B	N	18	4045	Samuel (40	Algarin-Mojica (2C)
20200125	1822	452	COTTAGE	ST	20-36-FI	M	U	N	18	4045	Samuel (40	Algarin-Mojica (2C)

Our analysis counted every individual listed, even if an individual may be listed multiple times. NBPD suggests that an analysis either by unique individual or by incident would better reflect their practice. Each of these is discussed below:

### **A. Unique individual analysis**

The data shared is de-identified, so CfJJ could not answer the question on how many **unique** individuals had Field Incident Reports (FIRs) written up about them and conduct a race equity analysis of this. However, NBPD has the ability to do such an analysis: we therefore invite and challenge NBPD to conduct its own race equity analysis of the data based on the number of unique individuals involved. If they do not want to conduct the data analysis themselves, we invite the Department to amend the data set already released to CfJJ to include unique identifiers (such as by assigning 'individual 1,' 'individual 2' etc., still without divulging personally identifiable information) for the people who were subject of the FIRs.

We did use "stop" and "incident" interchangeably in the report. Having now clarified that not all FIRs were the result of a police "stop," CfJJ invites the NBPD to release an amended dataset that indicates what type of action ("stop and frisk," social media, etc.) led to each Field Incident Report.

### **B. Incident analysis**

The first chart below breaks down the number of Field Incident Reports (totaling 2,210) by year and by how many incidents listed at least one person in that race/ethnicity category. (Note that the column subtotals add up to a number higher than the Grand Total because, as noted above, some incidents include multiple people from different race/ethnicity categories, and therefore these incidents will be counted in more than one cell.) In 2019, for example this data shows that:

- at least one Black person was listed in 61% (248/405) of incidents,
- at least one Hispanic person was listed in 43% (174/405) of incidents, and
- at least one white (non-Hispanic) person was listed in 60% (244/405) of incidents.

## NBPD Incident Reports by Year, Race, and Ethnicity

I Race	I Ethnic	Grand To..	I Date					2020
			2015	2016	2017	2018	2019	
Grand Total		2,210	372	331	392	495	405	215
A	H	4		2	2			
	N	7	1	4	1	1		
B	H	319	62	50	69	47	66	25
	N	974	225	139	144	194	176	96
	U	33	5	5	4	10	6	3
P	H	5	2			2	1	
U	H	14	3	1	4	3	1	2
	N	4		1		1	1	1
	U	9	2			5	2	
W	H	626	115	97	108	134	104	68
	N	1,172	146	183	218	267	236	122
	U	36	7	5	8	6	8	2

Black

Hispanic in 2019:  
 66+1+1+104

White non-Hispanic

The second chart below considers the entire dataset (combining all years), and shows that:

- at least one Black person was listed in 53% (1173/2210) of incidents,
- at least one Hispanic person was listed in 38% (830/2210) of incidents, and
- at least one white (non-Hispanic) person was listed in 55% of incidents (1208/2210).

## NBPD Incident Reports by Race and Ethnicity

I Race	Grand T..	I Ethnic		
		H	N	U
A	11	4	7	
B	1,173	319	974	33
P	5	5		
W	1,619	626	1,172	36
U	27	14	4	9
Grand Total	2,210	830	1,803	75

Black

Hispanic

White (non-Hispanic)

**Given the demographics of New Bedford’s population overall, these numbers represent a significant racial disparity, especially for Black people.** In sum, large racial disparities exist both when the NBPd’s own data is analyzed (a) by the total number of individuals subject to field incident reports (as our original report did), and (b) when analyzed by the number of incidents (as the Department suggests). We find the NBPd’s attempt to disregard the findings in the report because they simply find it “impossible to make sense of much of the rest of the report” to be completely disingenuous and an unfortunate refusal to acknowledge the clear racial disparities in police practice impacting citizens in the city.

## **2. Incident definition**

CfJJ acknowledges that “incident” is not defined in the report. If the Police Chief had provided a timely response to our request for comment, we would have been able to have a discussion and ask for that definition. [General Order 4-05](#) provides only limited guidance, stating that the purpose of the Field Interrogation and Observation Report System is to “centralize and coordinate all information regarding persons who have been questioned or observed under suspicious circumstances, or conditions, in the field where ordinarily a written report would not have been made or required.”

We again invite the NBPd to amend the dataset to include the provenance of each incident to identify whether the incident was from a vehicle stop, a “stop and frisk,” a 911 call, or simply based (using language from the NBPd reply to the report) “on observations of individuals known to police in locations where the risk of violence may be high. . . .” Indeed, if field incident reports are filed based on activity that does not “imply criminal behavior,” then the police owe an explanation to residents of New Bedford as to what is the actual purpose of filing these reports.

## **3. High Energy Patrol Initiative**

We understand that while this initiative was rescinded in January 2021, it has been replaced by a similar initiative with a new name. We invite the NBPd to provide additional information about this.

## **4. Field Incident Report Policy**

The NBPd writes that “The claim by the report that the department has no field incident report policy is false, as is the claim that officers are eligible for promotion due to field incident reports. The policy concerning field incident reports is part of the department’s General Order 4-05.”

CfJJ’s original [data request](#) asked for “Stop and frisk policies, and field interrogation policies.” The reply from the City of New Bedford to this question reads in its entirety: *“In response to this request, the Department has advised there is one responsive record. Enclosed please find one responsive record: 1) A copy of Directive 06-71 High Energy Patrol Initiative which addresses field interview reports.”*

CfJJ relied on this response to conclude that there is a policy vacuum in this area. While we are pleased to now hear that there is some additional guidance in [General Order 4-05](#) (issued 1974) concerning field incident reports, it is unclear to CfJJ why this General Order

was not produced in response to our initial request. We invite NBPD to publicly post all active General Orders to its website.

Also, CfJJ did not claim that officers are eligible for promotion due to field incident reports. Rather, we stated that we received information that one officer who filed many FIRs received a promotion. We do not know NBPD's criteria for promotion, though we invite the department to share these criteria, including in a manner that is open to the public.

## **5. Number of interviews**

The Department took issue with the number of interviews conducted for the report, stating "The report's author(s) acknowledged during a public presentation that only five anonymous New Bedford residents were interviewed to draw conclusions about the perception of policing in the city." This is inaccurate. CfJJ spoke to five young people as part of a focus group but affirmed these statements through multiple conversations with service providers, youth-serving agencies and others living in New Bedford, including those who work with youth. While we elevated and centered the voice of young people, as is our mission to do, those conversations were not the sole feedback on the data contained in the report.

More importantly, the NBPD's own data is primary in this report and we believe stands on its own. The methodology was not attempting to do a survey of a representative sample of residents nor an ethnographic field study.

## **6. Public Housing**

The NBPD wrote that "It is not noted that the public housing development at the New Bedford Hotel is a senior living facility, while the report suggests field incident reports in the neighborhood of the New Bedford Hotel are related to residents of the building." CfJJ made no such suggestion, either in writing or in our presentation.

## **7. City Arrest Data**

The NBPD wrote: "On Figure 9 in Page 12 of its report, the organization references 'New Bedford juvenile arrest rates,' showing a total of more than 4,000 arrests in some years; the data appears to be drawn from data in cities across the state, with several selected on the map. New Bedford's data is a fraction of what was misrepresented in the report." CfJJ saw this error in a not-yet final version of the report, and we corrected it prior to the launch. The final version of the report released at the launch, with the correct chart that only highlights New Bedford on the map and numbers is available on CfJJ's [website](#).

## **Conclusion**

CfJJ welcomes the opportunity for additional race equity analysis of New Bedford police data and is happy to engage in ongoing conversations with the NBPD. More importantly, CfJJ challenges the police and city leadership to engage in honest and transparent dialogue about the impact of policing practices in the city. Mayor Mitchell recently stated, "We are committed to confronting any indication of systemic racism in public institutions." We believe that it is time to engage in a process that is genuinely inclusive of voices from communities that have been impacted by police practices cited in this data, as well as those who advocate on their behalf.