



# VCU

## **2022 BIASED POLICING ANNUAL REVIEW**

### **OVERVIEW:**

As required by department policy and IACLEA standards, this report serves as the annual review of biased policing by the VCU Police Department for calendar year 2022. The purpose of this report is to provide an assessment of the department's aggregate data for formal and informal police contact, use of force and citizen complaints in order to identify potential patterns of bias in policing.

In March 2022, the Use of Force Review Committee, comprised of various institutional partners, convened to provide a comprehensive annual review of all use of force incidents captured by the department in calendar year 2021. The Committee evaluated the department's initial findings and supporting documentation, and affirmed the department's findings for each use of force incident.

Throughout calendar year 2022, the VCU Police Department and the university implemented a range of initiatives intended to minimize use of force incidents and/or better identify and address potential patterns of bias in policing, as described below:

- VCU Police conducted its bi-annual Use of Force policy review in 2022.
- VCU Police Training and Development Division conducted defensive tactics refresher training and use of force refresher training as part of the required in-service training.
- In 2022, VCU Police established the Community Oversight and Review Committee (CORC), a multi-disciplinary committee composed of VCU and VCU Health System community members, for the review of use of force incidents and department complaints quarterly.
- In Fall 2022, VCU Police established a nonsworn unit comprised of six unarmed staff known as Safety Ambassadors. Safety Ambassadors respond to calls for service on VCU's campuses that do not require a police officer. Each Safety Ambassador received 188 hours of required training before beginning duty. The mental health training component included Crisis Intervention Training and Mental Health First Aid. This training helps identify mental health crises and informs the procedures for rendering aid and/or resources to the individual. The unit became operational in January 2023.
- In January 2023, the Department completed an annual use of force analysis. The Department convened to provide a comprehensive annual review of the eleven use of force incidents captured by the department in calendar year 2022. This analysis allowed the department to evaluate each use of force incident to attempt to determine the root cause of the incident and to evaluate and determine any trend or pattern that would require additional training. Three (27%) incidents required additional training for the officers involved.

### **IACLEA ACCREDITATION STANDARD 4.1.3 AND RELEVANT VCU POLICE DEPARTMENT POLICY:**

In January 2023, the VCU Police Department completed its second reaccreditation review from the International Association of Campus Law Enforcement Agencies (IACLEA) and successfully obtained full

recommendation for continued status as an accredited agency. IACLEA Accreditation Standard 4.1.3 addresses “Bias Free Policing” and sets forth specific criteria that an accredited law enforcement agency must satisfy in order to achieve and maintain accreditation.

IACLEA Standard 4.1.3 specifically requires that an agency have “a written directive [that] prohibits officers from engaging in biased enforcement activity. The directive will include:

- a. A clear definition of biased policing and/or enforcement;
- b. A prohibition of any biased policing;
- c. A requirement that all officers receive entry-level training as well as annual training on bias profiling;
- d. A requirement that all complaints of biased enforcement activity be investigated;
- e. A requirement that an annual review of all investigated complaints be conducted to identify trends or training needs; and
- f. A requirement that the chief executive officer review the annual summary in bullet “e” and acknowledge this in writing.”

IACLEA also offers the following commentary related to this standard for law enforcement agencies:

*“Colleges and universities typically attract a diverse student and employee population. An important component of successful campus public safety is an agency’s ability to provide equal and professional delivery of services to a diverse demographic. Disparate treatment, whether through traditional law enforcement activities or the enforcement of institutional rules and regulations, must be addressed by the agency’s management. Regular training in this area addresses the changing needs of the community and reflects the agency’s commitment to providing the highest level of service to all community members and constituencies. The refresher training can be met through roll-call training and/or a review of agency policy.”*

In order to demonstrate compliance with this standard, VCU Police is responsible for producing a range of compliance documentation for the duration of the four-year accreditation cycle.

In accordance with IACLEA Standard 4.1.3, VCU Police Department’s Written Directive 1-6 “Bias Reduction” affirms the agency’s commitment to ensuring fair and equitable treatment of all persons. The directive states in relevant part:

*“The department’s success is based on the respect its employees show to the community and the respect citizens observe toward law enforcement. To this end, employees shall exercise duties, responsibilities, and obligations in a manner that does not discriminate on the basis of race, sexual orientation, gender, national origin, ethnicity, age, religion, and economic status. In law enforcement, the failure to control biases can lead to illegal arrests, searches and detentions, thus thwarting the mission of the department. Most importantly, actions guided by bias destroy the trust and respect essential for success.*

*In all enforcement decisions, officers shall be able to articulate specific facts, circumstances, and conclusions, which support probable cause or reasonable suspicion for arrests, searches, seizures and stops of citizens. Officers shall not stop, detain, arrest, search, or attempt to search anyone based solely upon the person’s race, sexual orientation, gender, national origin, ethnicity, age, religion, and economic status.”*

#### **OFFICER TRAINING:**

In order to address issues concerning bias policing/profiling, the VCU Police Department’s Training and Education Division provides comprehensive bias policing training to all entry-level sworn personnel, and

existing sworn personnel must complete bias policing refresher training on a biennial basis. Bias policing training primarily focuses on issues relating to law enforcement field contacts, traffic stops and arrests, searches and asset forfeiture, with an emphasis on cultural diversity, courtesy, and guidance on how an officer can improve their interpersonal communication skills. In calendar year 2022, two additional department personnel were added as Fair and Impartial Policing instructors. Fair and Impartial Policing training was provided during basic academy training for entry-level recruits and for pre-certified officers joining the department in calendar year 2022.

### **IN-CAR AND BODY WORN CAMERA SYSTEMS:**

In addition to relevant department policies and targeted training efforts, the VCU Police Department continues to utilize two forms of audio and visual technology that is intended to promote agency transparency, officer accountability, and ensure accurate incident documentation.

The VCU Police Department continues to utilize Mobile Video Recorder (MVR) systems (“in-car cameras”), which are designed for fixed installation within a police vehicle. All of the department’s primary patrol vehicles remain equipped with the in-car camera system, which further enhances accountability and continuous review of officer performance. The system also serves as a tool for patrol supervisors to better assess officer training needs and accurately investigate any potential complaints received by the department.

All VCU Police Department on-duty patrol officers and sergeants have been fully utilizing the Body Worn Camera (BWC) system since March 2015. Similar to the in-car camera systems, the use of BWC systems promotes officer accountability and enables regular review of officer performance. The BWC system also aids in a supervisor’s assessment of potential officer training needs and supports the accurate investigation of any complaints received by the department.

In-car cameras and BWC systems remain an invaluable tool for investigating any complaints received by the department, to include allegations of potential biased policing.

The department also requires supervision to conduct random reviews of officer body worn video camera footage. This ensures that officers are following department policies and protocols and delivering high levels of service to the community.

### **COMPARISON DATA:**

When evaluating biased policing by a law enforcement agency, there are several areas that should be considered, including, but not limited to: enforcement actions, such as traffic stops and arrests, informal police contacts, citizen complaints, and any training opportunities available to officers.

The U.S. Census Bureau’s (USCB) population data frequently serves as a baseline comparison between law enforcement and citizen contact data, and can help identify evidence of bias in law-enforcement activities. The USCB’s population data includes all residents of the community, sorted by race and ethnicity, which provides a number that can be used as a measuring standard for comparative analysis for biased policing.

When using USCB’s population data for a baseline comparison with law enforcement contact data, there are two significant issues of note that may affect comparative analysis. One of the identified issues with the use of available census data is that the traffic enforcement and formal contact data may not be wholly representative of the available census data, since the law-enforcement data includes both residents and non-resident drivers within the agency’s jurisdiction. As VCU is centrally located within the City of Richmond, the urban campus is heavily traveled and encompasses many visitors who are not captured in the City’s census data. Consequently,

in an attempt to minimize such discrepancies, for the purposes of this comparative review, the VCU Police Department has historically focused our analysis on the population data extracted from the census tracts which comprise VCU Police Department’s jurisdictional boundaries (U.S. Census Tracts: 205, 301, 302, 305, 402, 403, 404, and 411).

The U.S. Census was most recently completed in calendar year 2020, as mandated by Article I, Section 2 of the U.S. Constitution. However, the second identified issue with the use of available census data is that although the base data for all of Richmond City has been updated to reflect the 2020 census results, the most recent data for U.S. Census Tracts: 205, 301, 302, 305, 402, 403, 404, and 411 has not been updated and therefore remains eleven years old. It is uncertain to what extent such discrepancies may impact the reported law-enforcement data.

U.S. Census Bureau’s 2020 Census Data – All of Richmond City, Virginia

Race/Ethnicity	% of Total*
White	40.8%
Black	46.9%
Asian	2.1%
Other	10.7%
Total	100.5%*

\*Note: Ranking based on unrounded numbers. Percentages may not add to 100 due to rounding. Source: 2020 Census Redistricting Data (Public Law 94-171) Summary File.

The 2022 report has been updated to compare incident data against the 2020 Census results for “All of Richmond City”, rather than the jurisdictional tract data:

Traffic Stop Data

The following traffic stop data was collected from January 1, 2022 – December 31, 2022. Please note that the table below represents only the number of traffic stops that resulted in the issuance of a traffic summons and does not include the number of traffic stops in which no law-enforcement action was taken.

2022 Traffic Summonses*	Number by Race/Ethnicity	Percent by Race/Ethnicity	USCB 2020 Census Data – Richmond City, VA
White	161	34.5%	40.8%
Black	252	54.1%	46.9%
Asian	14	3.0%	2.1%
Other	39	8.4%	10.7%
Total	466	100%	100%

\* Race/ethnicity categories reflect the race/ethnicity of the individual stopped, as determined by the officer at the time of the stop, to the best of their ability. In making this determination, officers may rely on the operator’s license issued to the individual by the Virginia Department of Motor Vehicles.

**Summary:** Based on the number of traffic summonses issued in calendar year 2022, the data reveals that a higher percentage of summonses were issued to subjects in the “Black” category than those in the “White” category, when compared to the 2021 data. One may also observe an overall increase in the issuance of traffic summonses in the calendar year (2021 total = 204 / 2022 total = 466).

Formal Police Contacts

The following formal police contact data was collected from January 1, 2022 – December 31, 2022. Please note that the tables below only capture the number of contacts that resulted in an arrest.

2022 DUI Arrests	Number by Race/Ethnicity	Percent by Race/Ethnicity	USCB 2020 Census Data – Richmond City, VA
White	3	33.33%	40.8%
Black	5	55.56%	46.9%
Asian	1	11.11%	2.1%
Other	0	0%	10.7%
Total	9	100%	100%

2022 Narcotics Arrests	Number by Race/Ethnicity	Percent by Race/Ethnicity	USCB 2020 Census Data – Richmond City, VA
White	2	22.22%	40.8%
Black	7	77.78%	46.9%
Asian	0	0%	2.1%
Other	0	0%	10.7%
Total	9	100%	100%

2022 All Other Arrests	Number by Race/Ethnicity	Percent by Race/Ethnicity	USCB 2020 Census Data – Richmond City, VA
White	101	30.98%	40.8%
Black	220	67.48%	46.9%
Asian	3	0.92%	2.1%
Other	2	0.61%	10.7%
Total	326	100%	100%

2022 Total Arrests**	Number by Race/Ethnicity	Percent by Race/Ethnicity	USCB 2020 Census Data – Richmond City, VA
White	106	30.82%	40.8%
Black	232	67.44%	46.9%
Asian	4	1.16%	2.1%
Other	2	0.58%	10.7%
Total	344	100%	100%

\*\*The table above reflects the aggregate number of all arrest categories cited in the prior tables

**Summary:** The 2022 total arrest data indicates that there was an increase in the percentage of formal contact with subjects in the “Black” category (2021 = 53.24% / 2022 = 67.44%) than those in the “White” category (2021 = 42.25% / 2022 = 30.82%) with a corresponding increase in total arrests for the calendar year although there was a slight decrease in total arrests in the calendar year (2021 total = 355 / 2022 total = 344).

In calendar year 2022, the law-enforcement data indicates a decrease in the percentage of DUI arrests of subjects in the “Black” category (2021 = 58.33% / 2022 = 55.56%) as well as in the “White” category (2021 = 41.67% / 2022 = 33.33%). The data also reveals there was a larger percentage of narcotics arrests of subjects in the “Black” category (2021 = 54.55% / 2022 = 77.78%) versus subjects in the “White” category (2021 = 36.36% / 2022 = 22.22%).

Field Interviews/Informal Police Contacts

2022 Field Interviews*	Number by Race/Ethnicity	Percent by Race/Ethnicity	USCB 2020 Census Data – Richmond City, VA
White	154	38.12%	40.8%
Black	193	47.77%	46.9%
Asian	14	3.47%	2.1%
Other	43	10.64%	10.7%
Total	404	100%	100%

\* Race/ethnicity categories reflect the race/ethnicity of the individual stopped, as determined by the officer at the time of the stop, to the best of their ability. In making this determination, officers may rely on the operator's license issued to the individual by the Virginia Department of Motor Vehicles.

**Summary:** A review of 2022 informal police contact data indicates that there remains a higher percentage of field interviews/informal contacts made with subjects in the “Black” category than might be anticipated based on the 2020 census tract demographics. However, the data does indicate a decrease in the percentage of field interviews/informal contacts of subjects in the “Black” category (2021 = 50.45% / 2022 = 47.77%) while contacts in the “White” category (2021 = 38.16% / 2022 = 38.12%) remain almost identical. Overall, there was a notable decrease in total field interviews in the year 2022 when compared against the previous year (2021= 553 field interviews / 2022 = 404 field interviews).

Use of Force

Citizens Involved in 2022 Use of Force Incidents	Number by Race/Ethnicity	Percent by Race/Ethnicity	USCB 2020 Census Data – Richmond City, VA
White	0	0%	40.8%
Black	11	100%	46.9%
Asian	0	0%	2.1%
Other	0	0%	10.7%
Total	11	100%	100%

**Summary:** The above data reflects an 8% decrease in citizens involved in use of force incidents from the previous year (2021 total citizens = 12 / 2022 total citizens = 11). The 2022 data also indicates that the disparity between the number of subjects in the “Black” category versus those in the all other categories increased from the previous calendar year, highlighting that all subjects involved in Use of Force incidents were black citizens. While this is an unfortunate data point to share, it further serves to promote the importance of agency transparency and community-based policing. VCUPD is a staunch advocate for inclusive policing and community outreach initiatives.

All use of force incidents captured in calendar year 2022 were subject to either an internal review or an administrative investigation by the department. Following respective review/investigation of the complaints, the department determined that all use of force incidents were deemed “justified,” and in accordance with the department’s policies and procedures pertaining to use of force. The Use of Force Review Committee, comprised of various institutional partners, also annually reviews all use of force incidents.

**Officer Demographics involved in Use of Force**

- 56% Black Male Officers
- 25% White Male Officers
- 19% Black Female Officers
- 0% All other demographic categories

Citizen Complaints

	2017	2018	2019	2020	2021	2022
<b>Total Complaints</b>	24 <i>21% founded</i>	16 <i>19% founded</i>	27 <i>26% founded</i>	30 <i>27% founded</i>	101* 8.9% <i>founded</i>	34 18% <i>founded**</i>
<b>Bias-Related Complaints<sup>^</sup></b>	6 (25% of total) <i>0% founded</i>	2 (12.5% of total) <i>0% founded</i>	3 (11% of total) <i>33% founded</i>	7 (23% of total) <i>14% founded</i>	5 (.05% of total) <i>0% founded</i>	3 (.09% of total) <i>0% founded</i>

\*Of this total, 60 complaints were related to one arrest and were received through the VCU Police website portal (53 of these were anonymous). The website portal link was shared on social media with encouragement to use.

\*\* In 2022, VCUPD’s data indicates that there was a 9.1% increase in founded complaints. However, it should be noted that data for the year 2021 included a social media campaign (explained above). This occurrence caused the percentage of founded complaints to appear significantly lower than in previous years, thereby creating a notable jump in the current year. The 18% “founded” complaints presents a steady decline when analyzed in comparison with the preceding years.

<sup>^</sup>Bias-Based Complaints are included in Total Complaints.

**Summary:** During calendar year 2022, the VCU Police Department received a total of 34 citizen complaints, three of which were bias-based. All three bias-based complaints were reviewed or investigated in accordance with the department’s established policy and procedures, and all were deemed to be “unfounded” (indicating the bias-based complaint was determined to not involve officer bias).

The 2022 “founded” data reflects a notable increase with the 2021 complaint data (see note above). It should be noted that the total number of “founded complaints” for 2022 is 6, which is a small decrease from the data recorded for the year 2021. There was also a positive consistency in the total number of bias-based complaints received in calendar year 2022, reflecting that none of the complaints were deemed “founded”.

**CONCLUSION AND RECOMMENDATIONS:**

In the calendar year 2022, the department pursued a number of department initiatives intended to minimize use of force incidents and/or to better identify and address potential bias in policing.

In January 2023, the Department convened to provide a comprehensive annual review of all use of force incidents captured by the department in calendar year 2022. The Committee will reconvene in 2024 to review all use of force incidents captured in calendar year 2023.

The VCU Police Department remains dedicated to practicing fair and impartial policing, and respecting the rights of all persons with whom the agency interacts. VCU Police provided additional training for the department.

In sustaining the agency’s commitment to bias-free policing, the VCU Police Department will continue to pursue preemptive measures to ensure that all officers enforce the law and investigate criminal activity solely on the basis of probable cause or reasonable suspicion, and not on the basis of race, ethnicity or gender of the

citizens they may encounter in the field. As part of this commitment, the department will continue to include Fair and Impartial Policing training as part of in-service training for all existing sworn personnel and during basic academy training for entry-level recruits.

The VCU Police Department will continue to provide ample officer training on issues relating to bias policing and implicit bias, with particular emphasis on field contacts, traffic stops, searches and asset forfeiture. The department will also continue to promote cultural and ethnicity awareness training, courtesy and enhancement of interpersonal communication skills that are vital to an officer's successful performance of their law enforcement duties. The VCU Police Department must continue to ensure that comprehensive investigations are conducted for all bias complaints, and impose disciplinary action for affected officers, as necessary. The department will review bias complaints in the aggregate in order to identify potential biased patterns of behavior.

Department leadership will share the data contained in this report with all staff by April 3, 2023.