WHO ARE WE?

SLRA is a multidisciplinary group consisting of undergraduate students passionate about engaging in impartial research and policy advocacy. Formed in August 2020, our members strive to provide high quality, objective research.

STUDENT LEGAL RESEARCH ASSOCIATION (SLRA)

FALL 2020 REPORT

Police Research Project - Summary

Purpose of the Study

On August 25th 2019, the Daily Evergreen published an article claiming that the likelihood of Black residents to be arrested by Washington State University Police Department (WSUPD) is nearly five times higher than other races." The WSUPD Chief then requested an investigation and the Compliance and Civil Rights (CCR) office planned to look into the issue. The CCR released a study with the same findings and called WSUPD to prepare a Civil Rights Action (CRA) Plan by December 18th, 2020. The purpose of the study conducted by SLRA is to look into the data as a third party and to provide student input on potential policies that WSUPD can include in its CRA Plan.
Laws Regulating Campus Law Enforcement in Washington State

Officers of WSUPD are classified as campus police officers. Following Washington rules, WSUPD is responsible “for enforcing campus regulations and local, state, and federal laws” and operate within a designated jurisdiction. WSU police officers are required to complete basic law enforcement training as mandated. WSUPD officers must meet examination requirements and be commissioned law officers as outlined by Washington state regulation. Several RCWs and the Police Officers Powers Act General Authority Peace Officer – Powers of, Circumstances outline the powers, authority, and required training of campus police, including WSUPD.

The Revised Codes of Washington (RCW)

- RCW 43.101.200
- RCW 43.101.227
- RCW 43.101.280
- RCW 43.101.350
- RCW 43.101.450
- RCW 43.101.452
- RCW 43.101.455
DATA

Data used in the study was sourced from the WSUPD, obtained with permission from the police captain. During the process of trying to replicate the results by the CCR, we could not obtain the original dataset and the processes which were used in order to replicate the results. Originally, we set out to view the data from the original study as well as the methods used to reach the conclusion, check for reproducibility and attempt to evaluate other avenues of looking at the findings. Keeping that in mind, we set out to conduct our analysis and search for disparities.

IN THIS STUDY WE USED

1. Arrest data that was obtained from WSUPD for January 2016 to September 2019
2. Pullman city demographics from the U.S. Census Bureau for 2019
3. WSU Pullman student demographics obtained from Institutional Research

CLEANING/EDA

Beginning with 4 major variables to consider, a preliminary analysis was conducted to remove any extreme bias from the data set to prevent training a skewed model down the line in the research. Of note were previously mentioned non-Pullman related demographics which we removed. Other data that was removed are instances of WSUPD assisting other departments off of campus – these instances do not take place within their jurisdiction and could create unneeded flexibility in models created to explain the behavior of the results. To note, there are occurrences of mixed raced individuals in the data set. Data limitations surrounding mixed-race individuals resulted in the removal of these individuals from the sample sizing of African Americans despite the likelihood that some would identify as such. After removing entries unrelated to the parameters of the study, next we began regrouping the dataset in preparation for forming the method of analysis.
Data Analysis

Following the goal of attempting to apply a one-to-one comparison with WSU Pullman demographics to measure a disparity, the following arrests were removed from our data.

- Duplicates
- Arrests from far outside WSUPD jurisdiction
- Students racially labelled as unknown, mixed, or K

Comparisons to Similar Report

It is especially noteworthy that the disparity found in our study differs considerably from the disparity found in a previous report conducted after the WSU student newspaper The Daily Evergreen reported that “Black residents nearly five times as likely to be arrested by WSUPD.” This number was calculated using demographics of Pullman, WA via the US Census. This was a poor choice considering WSUPD’s jurisdiction is the Pullman campus, not Pullman as a whole which is less diverse thus amplifying the numbers. Similarly, a CCR investigation on the topic acknowledged this mistake but still used the Pullman, WA demographics. The CCR report also includes not reported, international, and mixed race students in the total student population. This distorts the data as each of those categories could include African American students. This lowers the supposed African American population and led them to the conclusion that WSUPD arrests these students at higher rates than actuality. This report corrects these mistakes and more and concludes that with our best estimate, WSUPD arrests African American students 175 percent more than we would expect.
DATA FINDINGS

After removing these cases, we are left with 804 arrests which are summarized below. Keep in mind that this data is from January 5, 2016 - September 15, 2019.

<table>
<thead>
<tr>
<th></th>
<th>Asian</th>
<th>Black</th>
<th>Indian</th>
<th>Latinx</th>
<th>Native/Pacific Islander</th>
<th>White</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Arrests</td>
<td>45</td>
<td>90</td>
<td>6</td>
<td>55</td>
<td>5</td>
<td>603</td>
<td>804</td>
</tr>
<tr>
<td>Proportion of Total Arrests</td>
<td>5.6%</td>
<td>11.2%</td>
<td>0.7%</td>
<td>6.8%</td>
<td>0.6%</td>
<td>75%</td>
<td>100%</td>
</tr>
<tr>
<td>Estimated WSU Pullman demographic in timeframe</td>
<td>7.1%</td>
<td>4.1%</td>
<td>0.7%</td>
<td>16.1%</td>
<td>0.5%</td>
<td>71.4%</td>
<td>100%</td>
</tr>
<tr>
<td>Expected arrest total based on demographic &amp; 804 total arrests</td>
<td>57</td>
<td>33</td>
<td>6</td>
<td>130</td>
<td>4</td>
<td>575</td>
<td>804</td>
</tr>
<tr>
<td>Arrests over Expectation Factor</td>
<td>-1.27</td>
<td>2.75</td>
<td>1.02</td>
<td>-2.36</td>
<td>-1.31</td>
<td>1.05</td>
<td>1</td>
</tr>
</tbody>
</table>

Breaking down this table, the expected arrest total is calculated by taking the WSU Pullman demographic proportion and multiplying and thus applying it to the total arrest number. This amount is the number of arrests we would see for a given race assuming uniform arrests. It is useful to compare this number to the amount of actual arrests to find a disparity which is exactly what the final row does. A value of 2.75 in the African American column can be interpreted as WSUPD arrests African American students 2.75 times more than we would expect based on the population of students on campus. Conversely, Latinx students are arrested 2.36 times less than what we would expect. These numbers can also be interpreted as percentages when finding their difference in absolute value from 1. WSUPD arrests African American students 175 percent more than expected and arrests Latinx students 136 percent less than expected. A considerable arrest disparity was observed in each of the six semesters observed. Additionally, using a Goodness of Fit test, we can conclude that even if we cut the amount of African American arrests in half, from 90 to 45, we would still be 99 percent confident there is a statistical difference between the WSU Pullman students and WSUPD arrest African American demographic. This implies that it is nearly impossible that the arrest disparity observed is due to any sort of outliers not captured in our analysis.
I. The calculation assumes that all officers have the same level of discretion over all types of offenses. This could possibly skew the numbers as officers do not have the same level of discretion over all types of offenses.

II. Demographics on international students through provided data from WSUPD did not include race, and subsequently such groups were not included in the study so as to avoid skewing demographic data beyond necessity.

III. Arrest data was provided via Microsoft Excel Sheets by the WSUPD. As the SLRA had no access to such data in its rawest form, this may have unknowingly skewed some data sets.

IV. There is the potential for misclassification of race by the offender who incorrectly reported their race or by the officer who used their discretion to incorrectly identify the race of an offender. This would equate to potential misrepresentation in the demographic and arrest data. The race variable included in the arrests records are reported by a combination of offenders identifying their own race, officers using their discretion, and information regarding an offender’s race that is already available in the database.
V. SLRA aims to study solely the WSUPD at the moment, not including Pullman PD. However, there are some crossover points in both precinct’s jurisdictions. To account for this, SLRA has removed arrests located far beyond WSU campus where WSUPD may have, for instance, been called in as backup at an off-campus location, yet included arrests made by WSUPD along the edges of campus with shared jurisdiction.

VI. SLRA aims to study mostly campus relations with WSUPD (i.e. students, staff, etc.), yet Pullman residents and/or visitors still fall under the jurisdiction of WSUPD while on campus regardless of connection to the school. To control for this, SLRA completed a separate calculation for traffic offenses where most outside residents and/or visitors are most likely to occur.

VII. SLRA went through such study under the assumption that all races commit crimes following the same proportion as their racial makeup of the population; following a 1:1 ratio.

VIII. SLRA went through such study under the assumption that students, faculty, and/or staff commit crimes at the same rate as outside Pullman residents and/or visitors of WSU campus; following a 1:1 ratio.

IX. SLRA went through such study under the assumption that all races get reported by the public and responded to by the police at the same rate; following a 1:1 ratio.
POLICY PROPOSALS

To promote a safe, inclusive, community-centered environment at Washington State University, these policies SLRA is proposing that are aimed at addressing the issue at hand.

I. WSU ADVISORY BOARD & REFORMS

The purpose of the WSU Police Advisory Board is to ensure WSUPD has "access to independent views and a place to discuss issues of major significance." However, the board is being executed poorly. We believe that implementing more accessible information by the WSUPD about their board and purposes will significantly increase student involvement on and off campus and their effectiveness of the board. To improve the communication and transparency, the WSU Police Advisory Board should create a regularly updated website available for the public. Additionally, the board should consider opening up more students seats or opening all meetings to increase student involvement. Lastly, the board should consider using social media platforms to update information and convey their messages to the public.

II. ADDITIONAL FORUMS FOR ENGAGEMENT

The key to creating a safe environment is accomplished through a good communication between the WSUPD and the WSU community. Therefore, creating an additional forum for engagement will provide an avenue for students to communicate with the WSUPD without any impediment. We believe a monthly meeting between the WSUPD and an RSO or just general students would allow 1) students to share their experience interacting with WSUPD 2) expansion of student involvement 3) WSU students and WSUPD to improve their relationship and 4) ideas and suggestions to tackle important issues affecting the community.
Traffic related arrests are an important focus of this study considering that they show the highest disparity in arrests by WSUPD. However, there were several limitations to the data that we used, thus resulting in a less accurate findings in our research. In pursuit of a more accessible and detailed data keeping system, WSUPD should record additional information during their interactions to better their data as potential sources. Similarly, WSUPD should be committed to collecting data that is essential for reliable research so they could refute claims of race bias if a third variable were found, or to change their practices if bias was found. As transparency should be a core component of all police departments, the data should be collected and stored in a way that allows the public, and the WSUPD to truly understand what is going on.

The Counter Bias Training Simulation (CBTSim) is a training program developed by Dr. Lois James at WSU Spokane College of Nursing. The main goal of CBTSim is to improve the safety of offenders, bystanders, and officers during arrests. This program is designed to achieve good policing while addressing issues that arise from implicit biases. Moreover, the program promotes good policing helps individual officers, and reduces bias and discrimination overall. The purpose of CBTSim is not to implicate individual officers but to expose officers to multiple scenarios in a force option simulation in order to neutralize any present biases that might affect how well an individual performs their job. Since WSUPD is mandated by the same laws that establish state, county, and city police, previous implementation of CBTSim by other police departments at various levels are relevant references to indicate the appropriateness of this training.
Implementing policy reforms are important steps to address discriminatory bias and creating a safe environment on campus. Ensuring the effectiveness of these reforms are equally important. Measuring progress and evaluation of reforms provide feedback regarding the success rate and effectiveness of each program, allowing future suggestions to be based on the efficacy of past reforms. Adopting an annual modern evidence-based Police Reform Indicator and Measurement Evaluation would help measure the progress and efficacy of reforms. The following categories are possible criteria that WSUPD may implement to measure and evaluate progress. A qualitative assessment evaluating 4 main criteria:

I. Performance Effectiveness, Management and Oversight, Community Relations and Sustainability

Investing in an accurate measurement of police performance which maintains scientific integrity to sustain and build longer-term public safety. This metric is a diagnostic tool on how to measure and adapt to different environments and mandates. The qualitative assessment contains four main criteria, within each criterion are four indicators for a total of 16 core indications to evaluate the quality of police efforts conducting basic law and order and responding to all levels of crime equitably. Effective measurements alongside accountability will lead to improved performance outcomes. In order to produce such results without interference of public relations, image or opinions of the department, an external audit is recommended to oversee the work of this pilot program.
II. Performance Effectiveness: Capacity, Authority and Reach, Crime, Coordination

This element of measurement will evaluate the resources available to the department. This performance evaluation will focus on the strengths and weaknesses in order to monitor progression towards safer policing.

**Capacity:** the adequate training, equipment, and personnel to be effective.

**Authority and Reach:** legal jurisdiction which enforces internal security throughout territory.

**Crime:** collection of crime statistics to set and attain crime enforcing and crime preventing goals.

**Coordination:** external coordination with criminal justice systems such as prisons and courts.

III. Management & Oversight: Mission and Procedures, Strategic Planning and Monitoring, Oversight and Accountability, Personnel

This area addresses the organization system and doctrine within a department and oversight. This performance evaluation will highlight the strengths and weaknesses for carrying out operations and accountability.

**Mission and Procedures:** Definitions and understanding the mission, code of conduct, operations and chain of command.

**Strategic Planning and Monitoring:** Standardized goals and performance measures which regulate the future and current professional conduct.

**Oversight and Accountability:** Strength and involvement if external and internal oversight mechanisms which ensure accountability.

**Personnel:** Transparency regarding recruitment and retention rates.
IV. **Community Relations: Human Rights, Cooperation, Corruption, Public Acceptance**

This criterion is centered around building public trust and public safety. This performance evaluation will highlight the strengths and weaknesses for carrying out operations and accountability.

Human Rights: Indicates the level of commitment to democratic policing standards, dignity for all people, initiative to protect minority rights.

**Cooperation:** Public involvement in ensuring internal security and in solving crime investigations.

**Corruption:** Degree of unprincipled policing and public perceptions of police brutality.

**Public Acceptance:** Acceptance of police as legitimate source of internal security.

V. **Sustainability: Budget, Training and Equipment, Political Independence, Compensation**

This performance evaluation will focus on the strengths and weaknesses of sustainability.

**Budget:** Long-term budget planning which indicates funding for development and maintaining the police service.

**Training and Equipment:** Containing the local capacity to train officers and maintain necessary police equipment.

**Political Independence:** Adequate protection from political influence to maintain impartial and neutrality when defending all citizens.

**Compensation:** Sufficient salaries and other benefits which aid in higher retention and deter unprincipled behavior.
Acknowledgements

This study was conducted by the Student Legal Research Association with help and cooperation from the following professors, advisors, and WSUPD. This study was not conducted under the mentorship of specific individuals but we as a group would like to acknowledge and thank those who took the time to discuss ideas and issues with our group. SLRA greatly appreciates the advice we have received, information and ideas that have been shared, and cooperation from the WSUPD. We would like to thank the following individuals:

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