





**West Melbourne
Police Department**
Richard T. Wiley, Chief of Police

MEMORANDUM

To: Chief Richard T. Wiley 
From: Lieutenant Jennifer Curran 
CC: N/A
Date: 1/15/2021
RE: Bias-Free Policing Analysis Report CY2020

In order to maintain compliance with CFA Standard 2.06M and our Department's policy 400.14 Bias-Free Policing, an annual administrative review of traffic stop procedures related to fair and impartial policing for the period of January 1, 2020 through December 31, 2020 was conducted.

Our policy/procedure states:

It is the policy of the West Melbourne Police Department to patrol in a proactive manner, aggressively investigate suspicious persons and circumstances, and actively enforce motor vehicle laws, while ensuring persons are only stopped or detained when there exists reasonable suspicion to believe they have committed, are committing, or are about to commit a violation of the law. Biased policing is prohibited by Department members in accordance with Florida Statutes.

The West Melbourne Police Department is charged with protecting these rights for all, regardless of race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, political status, or any other legally protected characteristics of persons.

CFA Standard 2.06M states the following:

A written directive prohibits biased policing in accordance with Florida Statutes and includes the following provisions:

- A. Training agency enforcement personnel in fair and impartial policing including legal aspects, in accordance with Florida Statutes;
- B. Corrective measures if biased policing occurs;
- C. Definitions of biased policing;
- D. Community education and awareness efforts;
- E. A documented annual administrative review of traffic stop procedures related to fair and impartial policing; and
- F. Handling of complaints from the public.

The results of this annual analysis are as follows:

- A review of policy 400.14 Bias-Free Policing verified it contains language prohibiting biased policing in accordance with FSS 166.0493.
- A review of training documents verified Department personnel are trained in fair and impartial policing, including legal aspects, in accordance with FSS 943.1716 and 943.1758. As part of their recertification process, twenty one (21) sworn members completed FDLE's Discriminatory Profiling & Professional Traffic Stops training course in CY2020. This training is part of the mandatory law enforcement retraining required every four years by CJSTC.

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- In addition to the mandatory retraining every four years, additional training disseminated through PowerDMS to all sworn officers included the following:
 - On June 2, 2020 the Department disseminated a PPT presentation with test on "Verbal De-escalation".
 - On November 1, 2020 the Department disseminated PPT presentation with test on "Traffic Stops & Bias-Free Policing".
 - On November 3, 2020 the Department disseminated a PPT presentation with test on "De-escalation Techniques & Duty to intervene".
- A review of policy 400.14 Bias-Free Policing verified it included language regarding corrective measures if biased policing occurs. In CY2020 there were no incidents of biased policing requiring corrective measures identified.
- A review of policy 400.14 Bias-Free Policing verified it included the definition for biased policing.
- The policy included traffic stop procedures to guide officers in conducting professional traffic stops.
- Citizens can access the Department's website for community education and awareness resources regarding bias-free policing, an explanation of Department procedures and how to report a concern.
- A review of citizens' complaints logged and investigated by the Office of Professional Standards revealed there were no citizen complaints concerning biased profiling.
- For quality control purposes, supervisors periodically reviewed a sampling of body camera recordings of traffic stops. Supervisors shall take corrective measures (counseling, training, early intervention, etc.), whenever it appears this policy is being violated, and should be alert to any pattern or practice of possible discriminatory treatment by individual officers or shifts/squads.

Statistical Data

To further explore this issue, an examination of 3,090 traffic citations and 3,060 written warnings issued in CY2020 was conducted. Although the Department was unable to track all traffic stops, it did keep a record of traffic citations and written warnings issued during stops. The following is a breakdown of statistics for CY2020:

*Data collected from TraCS with search criteria of UTC, written warning, date range, race and/or sex

CITATIONS	White	Black	Hispanic	Asian	Native American	Other	Total
Male	1259	351	311	32	11	80	2044
Female	680	155	141	22	5	43	1046
WARNINGS	White	Black	Hispanic	Asian	Native American	Other	Total
Male	1149	237	237	50	0	76	1749
Female	860	200	177	32	2	40	1311

Comparison to Population Statistics

These statistics were compared to the population of the City of West Melbourne, the two contiguous cities of Palm Bay and Melbourne (due to transient traffic from these cities into and through West Melbourne), Brevard County, the State of Florida and the United States.

	White	Black	Hispanic	Asian	Native American	Other	Male	Female
City of West Melbourne	73.0%	5.1%	10.3%	7.1%	0.7%	3.8%	49.8%	50.2%
City of Palm Bay	60.7%	17.7%	17.1%	1.6%	0.7%	2.2%	48.8%	51.2%
City of Melbourne	70.9%	9.4%	11.3%	4.2%	0.2%	4.0%	49.3%	50.7%
Brevard County	73.8%	10.8%	10.9%	2.6%	0.5%	1.4%	48.9%	51.1%
State of Florida	53.2%	16.9%	26.4%	3.0%	0.5%	0.0%	49.9%	51.1%
United States	60.1%	13.4%	18.5%	5.9%	1.3%	0.8%	49.2%	50.8%
Traffic Citations CY2020	62.8%	16.4%	14.6%	1.7%	0.5%	4.0%	66.1%	33.9%
Traffic Citations CY2019	59.9%	17.2%	14.0%	2.4%	0.3%	6.1%	63.1%	36.9%
Traffic Citations CY2018	60.0%	19.1%	11.9%	3.5%	0.1%	5.4%	59.5%	40.9%
Traffic Warnings CY2020	65.7%	14.3%	13.5%	2.7%	0.06%	3.8%	57.2%	42.8%
Traffic Warnings CY2019	63.9%	17.2%	12.1%	3.0%	0.1%	3.7%	57.6%	42.4%
Traffic Warnings CY2018	64.2%	16.4%	12.6%	2.5%	0.1%	4.2%	56.5%	43.5%

* "Population estimates, July 1, 2019" data gathered from census.gov "QUICKFACTS".
Citation and Warning data collected from TraCS entries made by WMPD officers.

Review and comparison of data for CY2018-2020, it appeared that minorities were overrepresented in comparison to West Melbourne's demographics. When comparing the data to our sister cities (Melbourne and Palm Bay), these differences were minimized due to the inherent nature of the transient traffic from those cities and their denser population. Further research was conducted using TraCS (Traffic and Criminal Software) which is utilized by officers to input traffic citations and written warnings. CY2020 Data collected based on the violator's city of residence on traffic citations and written warnings revealed the following:

Violator's City of Residence	Population Estimate 07/01/2019	Traffic Citations Issued	Written Warnings Issued
West Melbourne	24,259	290	384
Palm Bay	115,552	962	952
Melbourne	83,029	998	887
Other	N/A	840	837

From this data a few conclusions may be drawn:

- residents of Palm Bay, Melbourne, and other locales, who travel to and/or through the City of West Melbourne, committed traffic violations in disproportionate numbers.
- the higher percentage in minority representation may be due to transient population as our city has main thoroughfares (Palm Bay Road, Dairy Road, Minton Road, Wickham Road, US 192 and Interstate 95) to shopping, employment, and is centrally located between Palm Bay and Melbourne.
- review of the residential populations of Palm Bay and Melbourne showed consistent correlation between the numbers, given the greater number of residents per capita.

Additional Information

The initial response to the COVID-19 pandemic was mitigating officer contact with citizens to prevent exposure and community spread. Protocols included increased patrols of businesses and traffic stops on vehicles were limited to those that created a substantial risk to the safety and wellbeing of the public. Due to this, there was a decrease in traffic contacts, and subsequently of citations and warnings:

- Traffic Citations: CY2020 – 3,090 CY2019 – 4,488 percent change: -31%
- Traffic Warnings: CY2020 – 3,060 CY2019 – 4,281 percent change: -29%

Conclusion

The results of this review concluded that current policies in effect at the West Melbourne Police Department were in compliance with state legislation prohibiting biased policing. Enforcement activities reviewed as part of this analysis were the result of an enforcement of law violations and met the burdens of proof as required.

This examination has determined that the Department is in compliance with accreditation standards related to bias-free policing. Nothing was located which would indicate biased policing relating to traffic stop procedures in the West Melbourne Police Department.