

RACIAL PROFILING COMMUNITY WATCH CHECKLIST

eliminating racism
empowering women
ywca

There are many types of violence in the world and not all violence is acknowledged or responded to equally—especially as it impacts the lives of women, girls and people of color. This spectrum of violence includes institutional and structural violence enacted by our political, economic, and legal systems. Recently, police violence and racial profiling have been major topics of discussion across the US. Further, the investigation into and release of the Department of Justice (DOJ) report on the Ferguson Police Department methodically demonstrated how institutional and structural racism manifest in policies and practices.

The Racial Profiling Community Watch Checklist translates the DOJ Ferguson Report into a useful tool for everyday citizens and community organizations that want to take action and eliminate racism in their community. At the YWCA USA we know that racism has a direct impact on institutions such as law enforcement agencies, courtrooms, and city halls. If you believe that racial profiling is one of the ways that institutional and structural racism impact your local community, this tool can help you identify patterns and practices that can be documented. By seeking and documenting the answers to this series of questions you can: transform your community, make recommendations to local decision makers, organize to change public policy and educate your people about this important issue.

SECTION I

- Does your local or state law enforcement agency officially or unofficially enlist some form of a “stop and frisk” policing tactic?

SECTION II

Does your local or state law enforcement agency require agent/officer training of any kind concerning:

- Unconscious/Implicit Bias
 - Race
 - Gender, Gender Identity or Gender Performance
 - Religion
 - Sexual Orientation
- Domestic Violence
- Sexual Assault
- Child Abuse
- Crisis Intervention, De-escalation, and Negotiation

SECTION III

Does your local or state government collect data on:

- The number of people stopped, ticketed or detained for minor offenses, traffic violations, etc.
- Agent/Officer involved uses of excessive force
- Agent/Officer involved shootings
- Agent/Officer involved sexual harassment
- Agent/Officer involved sexual assault
- Agent/Officer involved domestic violence
- Agent/Officer involved hate crimes
- Has an agent/officer ever been convicted of ... against a Person of Color?
 - using excessive or lethal force
 - sexual assault/rape
 - sexual harassment
 - domestic violence
 - committing a hate crime
 - child abuse/neglect/endangerment

continued...

RACIAL PROFILING COMMUNITY WATCH CHECKLIST (CONTINUED)

SECTION III (continued)

- Has an agent/officer ever been convicted of ... against a White person?
 - using excessive or lethal force
 - sexual assault/rape
 - sexual harassment
 - domestic violence
 - committing a hate crime
 - child abuse/neglect/endorsement
- Does this data track the race, ethnicity and gender of the agent/officer involved as well and the victim/survivor of the incident?
- Is any of this data disaggregated by race, ethnicity, and gender?
- Who has access to this data?

SECTION IV

- Do the agents/officers of your local or state law enforcement agency use body worn, or vehicle mounted cameras?**
 - Where is the camera data stored?
 - Who has access to the data?
 - How is the data protected from tampering?
 - What are the consequences of agents/officers interfering with, altering, or causing damage to one of these cameras?

SECTION V

- What is the relationship between local law enforcement agencies, the municipal court system and the local governing body?**
 - Does the leadership of these three entities reflect the population served by these entities: race, ethnicity, class, and gender?
 - What is the percentage of local budgets funded by tickets and court related fines/fees?
 - Do these percentages trend upward annually?
 - Are there quotas set for the number or amount of tickets, fines or fees given/imposed by agents/officers?
 - What percentage of local and state resources are the result of asset forfeiture?

- What percentage of warrants issued were related to minor issues such as failure to pay a ticket, failure to appear in court or traffic offenses?
 - Do these percentages trend upward annually?

SECTION VI

- Does your local or state criminal justice system and/or law enforcement agency's practices violate the law? Does your local or state criminal justice system and/or law enforcement agency's practices create mistrust among communities of color?**
 - Pattern of violation of the First Amendment
 - Pattern of violation of the Fourth Amendment
 - Pattern of use of excessive force
 - Do local court practices impose substantial barriers to the challenge or resolution of Municipal Code Violations?
 - Does the court impose unduly harsh penalties for missed payments or appearances?
 - Do the actions of the local or state law enforcement agencies or the criminal justice system impose a disparate impact on specific communities/populations/demographics of race, ethnicity, gender and/or religion (real or perceived)?
 - Is there evidence of discriminatory intent on the part of local or state law enforcement agents/agencies or criminal justice system
 - Is there a history of Fourth Amendment violations?
 - Is there a history of other violations of federal laws or policies?
 - Does the use of lawful "discretion" undermine community trust?
 - What is the policy on or practice related to complaints of officer/agent misconduct?
 - Is there a failure to respond to complaints of officer/agent misconduct?
 - Is there a failure to impose severe penalties on officers/agents for misconduct?
 - Is there a lack of community involvement on the part of local or state law enforcement; if so does that lack of engagement coincide with community distrust?
 - Does the practice of asset forfeiture disproportionately impact low income people and communities of color?