

# Fair and Effective Police Stops

TECHNICAL REPORT

## Identificación de personas en vía/lugar públicos

38753

Fecha de inicio de la parada

Fecha

Lugar de la parada

Apellidos

Sexo:  Mujer  Hombre

Nombre

Num.

D.O.I.

Tipo:

Fecha nacimiento:

Nacionalidad:

Población de nacimiento:

País:

Provincia:

Hijo de:

Domicilio:

Calle:

Localidad:

Nº:

Provincia:

Motivo de la identificación:

Observaciones sobre la investigación:

Se procede a registrar persona:  Sí  No  Es privativo al registro

Objetivo insurrección:

Otros datos de interés:

Identificación:

Se formula denuncia:  Sí  No  Normativa denuncia

Identificación:

Actuación:  No  Fecha parada:

Fecha parada:

Hecho del cual se le paró:

Agencia policílica:



Lessons in Reform from  
Five Spanish Police Agencies



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Plataforma por la Gestión Policial de la Diversidad



# Fair and Effective Police Stops

Lessons in Reform from  
Five Spanish Police Agencies

*Technical Report*



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Five Spanish Police Agencies

*Technical Report*

**Open Society Justice Initiative  
and  
Plataforma por la Gestión Policial de la Diversidad**



Plataforma por la Gestión Policial de la Diversidad

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# Table of Contents

Acknowledgments	7
Executive Summary	9
1. Reform of Police Stop and Search Practices in Spain	15
2. The Impact of Reforms on Police Practice	21
3. The Experience of Implementing Reforms	33
4. Conclusion	47
Appendices	
Appendix A: Methodology and Glossary of Terms	49
Appendix B: Sample Stop Forms	53
Endnotes	59



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This report is intended to be a guide for police executives, policymakers, and advocates who are interested in operational innovations, including policy reform, data collection, and community engagement, to promote positive police-community relationships and effectiveness in policing practices. We are deeply indebted to those who have partnered with us in this effort. Many individuals and organizations have contributed to make this work possible through both the STEPSS and PIPE projects. We would like to acknowledge the Policías Locales de Castellón, Pedrezuela, Fuenlabrada, and Girona, as well as the Mossos d'Esquadra, for their willingness to experiment and undertake these important pilot projects and to study and share the results not only for their own departmental uses, but as lessons for others as well.

The efforts of these agencies provide good practice, lessons, and models for other police agencies within Spain and internationally that are interested in adopting innovative and tested methods to enhance their professionalism.

The Open Society Justice Initiative bears sole responsibility for the final version of this report, including any errors or misrepresentation.



# Executive Summary

A range of evidence indicates that Spanish police—in national, regional, and local agencies—are engaged in ethnic profiling. Ethnic profiling occurs when police pay disproportionate attention to persons based on their real or perceived racial, ethnic, religious, or national origin—as opposed to objective and reasonable grounds for suspicion. Spanish police are not alone: ethnic profiling by police is common across Western Europe, and indeed throughout much of the world. Ethnic profiling has been shown to be ineffective in combating crime and causes significant negative impacts on individuals and communities. As a result, the practice generates distrust in police and decreases their legitimacy, which in turn reduces cooperation with police, thereby making law enforcement more difficult, and society broadly less safe. Recognizing these problems, a small group of Spanish police services experimented with new practices to monitor and address ethnic profiling, and enhance both the fairness and effectiveness of their police work.

This report details and analyzes five pilot projects in Spain that have sought to reduce ethnic profiling in order to improve police-community relations and enhance law enforcement effectiveness and fairness. These efforts reflect an understanding that fairness and effectiveness are not contradictory values—despite arguments that fairness must at times be a second-place consideration when operational effectiveness is at a premium—but are foundational for what it means to be a modern and professional police service.

Ethnic profiling occurs in the policing of ethnic minority and immigrant communities, where frontline officers may have limited personal experience or cultural understanding of the communities they work in; where they may believe that rates of offending are high; and where they may face political and public pressures to be tough on communities that are broadly stereotyped as threatening.

Five police agencies in Spain, in partnership with civil society and police partners, implemented a series of reforms aimed at reducing ethnic profiling and improving police effectiveness. These projects focused on the use of stop and search powers because the use of these powers is when profiling most often occurs. The two pilot programs were *Strategies for Effective Police Stop and Search (STEPSS)* and *Programa para la Identificación Policial Eficaz (PIPE)*. STEPSS was implemented from 2007–2008 in three police agencies while PIPE was introduced from 2012–2013 in two additional agencies.

Broadly speaking, the reforms undertaken by the five agencies were successful:

- *Reforms correlated with reduced stop and search rates, because officers became more selective in their use of these tactics.* In most sites, rates of stops and of searches declined during the six months of the pilot study. Furthermore, in Castellón, the one site where data were available from before the pilot, stop rates were lower during the pilot than they were the prior year.
- *Reforms correlated with reduced levels of disproportionality in stops, suggesting reductions in ethnic profiling by police.* In most sites, rates of disproportionality declined during the pilot period. In Castellón, where data were available from before the pilot, disproportionality rates were also lower during the pilot than in the prior year.
- *The positive benefits of reforms were sustained after the pilot ended.* In Fuenlabrada, the one site where data were available beyond the six month pilot period, improvements have continued to this day. That site's commitment to reform principles for more than five years after the pilot saw continued declines in stop rates, the maintenance of lowered rates of disproportionality, and continued improvements in hit rates.

Other areas of implementation were uneven. Only one of the agencies (Fuenlabrada Local Police) substantially implemented procedures to manage stops based on data analysis; and only three of the agencies managed to regularly engage the community in dialogue about the data and their stop policies. The variation in implementation was linked to differences in agencies' commitment to reforms, staff resistance, and levels of external support. Notably, while STEPSS sites benefited from significant outside resources, the PIPE agencies received technical assistance at early stages and were then largely left to advance reforms independently.

But in short, reform is possible. Through a series of steps outlined in this report, police agencies can reduce the ethnic disproportionality of their stops, increase the effectiveness of stops while reducing the total number of people stopped, and improve relations with ethnic minority communities.

This report is both a description of reform efforts and a prescription—grounded in experience—for how reforms should be carried out and what can be achieved.

Based upon the collective experiences of the five reform projects, a number of recommendations are offered:

## Recommendations

### **To police managers and policymakers contemplating stop reforms**

1. Implement stop reforms based on the STEPSS and PIPE model. This may help decrease ethnic disparities in stops, reduce the burden of stops on communities, and make stops a more effective police tactic.
2. Allow at least 12 months for an agency to fully implement stop reforms. Experience suggests six months is usually inadequate.
3. Adapt stop forms to identify ethnic minorities who are also Spanish citizens. This could include recording officer-defined or self-defined ethnicity.
4. Engage community representatives in ongoing discussions about stop policy. In smaller police agencies, which are less likely to have a developed network of minority organizations to work with, police personnel may need to work harder to develop relations with community collaborators.
5. Train all frontline officers, managers, and supervisors in the new stop protocol. Emphasize the role that reforms can play in both improving the effectiveness of stops and making them fairer.
6. Train relevant police personnel to conduct and interpret analysis of stop data. This includes developing the skills to identify disproportionality agency-wide, and within particular geographical areas, teams, or individuals. It also involves skills to assess the effectiveness of stops in different operational contexts.
7. Train agency managers and supervisors to manage stops based on the findings of stop analysis. This might involve issuing new guidance on stop criteria, changing operational priorities, and holding teams or individuals accountable for stop activity.
8. Conduct stop analysis regularly. Typically this should be monthly. However, where stops are infrequent (e.g. fewer than about 50 per month) indicators will tend to be unstable. Carrying out bi-monthly or quarterly analyses is one alternative; calculating moving averages is another.

9. Use standardized database queries to conduct stop analysis. This is an efficient alternative to having experts generate analysis manually.
10. Ensure analysis covers multiple indicators of fairness and effectiveness, and is broken down by teams, individuals, and operational strategies. This may require adding new queries to the existing Plataforma por la Gestión Policial de la Diversidad (PGPD) database.
11. Share analysis with police managers, supervisors, and frontline officers. This will create transparency and promote buy-in among those charged with carrying out reforms. It may also advance discussion about strategies for addressing problems.
12. Share stop analysis results with community representatives. This will promote trust and facilitate collaboration and increased dialogue between community members and police, including regarding crime and safety needs.
13. Engage community representatives, particularly ethnic minorities, on a regular and sustained basis to discuss stop data, policing practices, and community needs for law enforcement. Such dialogue should inform and shape better crafted crime-fighting strategies and increase understanding and trust between police and community members.
14. Develop and implement solutions to problematic stop patterns. These solutions should be based on input from police colleagues and community partners. Solutions might involve issuing new guidance on stop criteria, changing operational tactics, holding teams or individuals accountable for stop activity, and providing retraining to frontline officers where necessary.

#### **To civil society and community representatives**

15. Seek opportunities to meet with police agencies. Advocate for stop policies which are free of ethnic bias and are based on STEPSS and PIPE practices.
16. Collaborate with police agencies on the design of stop policies. Constructive participation will help shape policies.
17. Ask police to share their stop analysis with community members and examine this data. This fosters transparency, and helps community members participate in informed dialogue with police agencies.
18. Contribute to efforts to reduce problematic stop patterns. This could involve suggesting alternative strategies that place a lesser burden on ethnic minorities and improve the effectiveness of stops.

19. Help police to disseminate information to the community about stop reforms. This kind of information sharing helps build public understanding of and support for reforms.
20. Study and know your rights and responsibilities when stopped by the police. Share this knowledge with community members.

**To those providing technical assistance to agencies engaged in reform**

21. Provide ongoing technical assistance to agencies engaged in reform throughout the pilot period, not just at the beginning.
22. Develop and provide training modules that address stop analysis and stop management skills alongside the completion of stop forms on the street.
23. Develop database capacity for storing and querying stop data, for example by allowing analysis of the activities of specific teams and individuals.

**To reform evaluators (external researchers or in-house analysts)**

24. Measure stop patterns in the months before reform, in order to generate a baseline for comparison. This could involve having officers fill out summary stop information at the end of their shifts, or having police radio operators record information on stops that are called in.
25. Consider using multiple stop measures over the evaluation period. In addition to tracking stop form data, evaluators can use stop measures generated from other sources, such as radio calls, to verify stop form data and project implementation.
26. Consider surveying frontline officers before and after reforms, to assess changes in attitude and behavior. This can be done using an online survey emailed to all officers or on paper if officers' emails are not available. Online survey tools make the implementation and analysis of these surveys inexpensive and easy.<sup>1</sup>
27. Consider conducting targeted surveys of members of the public who have experienced stops, perhaps using contact information recorded on stop forms. Periodic surveys of this population could track the changing quality of stop experiences.
28. Track outcomes of reforms for at least 12 months following the introduction of reforms; longer if possible.



# 1. Reform of Police Stop and Search Practices in Spain

## The Need for Reform

Over the last decade, Spanish police agencies have begun to experiment with reforming their stop and search practices. These reforms are intended to enhance the management and effectiveness of police stops and searches. In large part, these reforms respond to concerns raised by national and international human rights bodies and local non-governmental organizations (NGOs) that Spanish police carry out ethnic profiling in their law enforcement activities.<sup>2</sup> They also respond to an increased desire within police agencies to enhance their professionalism and effectiveness, and a greater understanding that ethnic profiling limits both.

The term “ethnic profiling” describes the use by police officers of race, ethnicity, religion, or national origin—rather than individual behavior—as the basis for making decisions about who has been or may be involved in criminal activity. Ethnic profiling appears most frequently in police officers’ decisions about who to stop and ask for identification papers (ID), question, search, and sometimes arrest.<sup>3</sup> Ethnic profiling is an unlawful form of discrimination.<sup>4</sup> Ethnic profiling not only violates domestic and international prohibitions on discrimination, but also has serious negative outcomes for both those who are targeted by the police and for the police themselves. The experience of police attention that is disproportionate or perceived as unfair erodes trust in police at both individual and community levels. In turn, this loss of trust decreases police legitimacy and can have direct negative effects such as reduced public cooperation with police, increasing hostility, and increased officer safety concerns. Ethnic profiling by

police has been the catalyst for civil disorder in a number of communities in the US and the EU.<sup>5</sup> Ethnic profiling is both ineffective and discriminatory.

Laudably, a number of Spanish police agencies have attempted to reduce and prevent discriminatory policing and enhance the effectiveness of stops by experimenting with reforms, including the introduction of monitoring to track their stop and search practices. These innovations build on measures undertaken in the United States and the United Kingdom. In the US, reforms have centered on collecting data on stops, including the race of people stopped and searched and the outcomes of the stop and search; early warning systems that identify officers whose behavior might be indicative of racial profiling or other misconduct; and training police officers on how to conduct bias-free stops. Reforms in the UK have directly influenced innovation in Spain, as described further below. In the 2000s, new policies were introduced in England and Wales to increase accountability for police use of stop and search powers through increased monitoring. Specific measures included the completion of a stop form for each stop conducted, a copy of which is given to the person who was stopped; supervisory and managerial attention to stop patterns; the use of databases to help track and identify problematic search patterns; and the sharing of analyses and statistics with the public.<sup>6</sup>

## Five Sites for Innovation

The first major reform project in Spain started in 2007, with a second project launched in 2012. Together, the two projects focused on five police agencies across four cities and towns, each gathering stop data over a six month period. The projects were known as the *Strategies for Effective Police Stop and Search (STEPSS)* project, which ran from 2007 to 2008 and involved three police agencies;<sup>7</sup> and the *Programa para la Identificación Policial Eficaz (PIPE)*, conducted in 2012 and 2013, which involved two further police agencies.<sup>8</sup> (A second generation of PIPE is planned for 2014–2016 with three police agencies.) The five pilot agencies that participated are: the Fuenlabrada Municipal Police, the Girona Municipal Police, and the Mossos d'Esquadra police division in Girona, which participated in STEPSS; and the municipal police agencies of Castellón and Pedrezuela, which participated in PIPE.<sup>9</sup>

Details of the five sites are included in Table 1.1. The population figures in the table are drawn from local government sources. Stop rates and associated disproportionality calculations are based on the population figures along with police stop data generated during the six months of pilot testing. As the table shows, there is substantial variation in the size of the pilot sites, with populations ranging from about 5,000 to over 200,000 people. All have significant minorities of non-Spanish nationals, ranging from about 15 to 20 percent of the population, with Romanians and Moroccans represent-

ing the largest foreign populations.<sup>10</sup> Table 1.1 also shows substantial variations in the number of stops per 10,000 population (also known as the stop rate) across agencies, ranging from 24.5 stops per 10,000 residents for the Castellón Municipal Police to more than 162.7 per 10,000 for the Pedrezuela Municipal Police.

Importantly, all five agencies showed patterns of disproportionality in their stops. They all had a substantially higher rate of police stops for foreigners compared to Spanish nationals. Disproportionality rates were highest for the Pedrezuela Municipal Police, with foreigners nearly five times more likely to be stopped, and lowest for Castellón Municipal Police, where foreigners are two and a half times more likely to be stopped, compared to Spanish nationals. It is important to note that using nationality as a proxy for ethnicity fails to capture Spanish nationals of non-white ethnic and racial appearance, including Spanish Roma (*Gitanos*) and the rapidly increasing number of non-white Spanish nationals. This means that nationality-based data almost certainly fails to include some number of stops based on profiling and the true rates of disproportionality may be higher.

**TABLE 1.1: Key characteristics of pilot agencies**

	Total population (no.)	Non-Spanish population (%)	Stop rate (/10,000 residents)	Disproportionality (all non-Spanish)
<b>STEPSS project</b>				
Fuenlabrada, Municipal Police	209,102	15.2	145.9	3.4
Girona, Mossos d'Esquadra	96,461	20.7	93.5	4.1
Girona, Municipal Police	94,461	20.7	158.2	4.7
<b>PIPE project</b>				
Castellón, Municipal Police	177,469	19.9	24.5	2.5
Pedrezuela, Municipal Police	5,039	17.3	162.7	4.8

*Notes:* The disproportionality rate is a relative rate index or ratio that shows the likelihood that a non-Spanish national will be stopped, compared to Spanish person. A number larger than one indicates a bias against non-Spanish nationals. Stop rates and disproportionality calculations are based on the data produced in the six months during which the pilot study was conducted. Population figures reflect the resident population at the time of pilot projects.

The reform model pioneered through STEPSS and PIPE involved implementing clear policies governing the criteria for officers to stop (and potentially search) members of the public, as well as training police officers in these new policies. Police officers completed a form each time they conducted a stop, recording information such

as the officer's reason for conducting the stop, the ethnic or national origin of the person stopped, and the stop outcome. As a way to increase community engagement and accountability, a copy of the form was given to the person stopped. The information on the form was later entered into a police database. This provided another layer of accountability and allowed police supervisors and managers, using the data, to identify potential biases and inefficiencies, thereby enabling them to redirect officers to make stops that are less discriminatory and more effective. Results of the data analysis were also shared with members of the community. These measures were carried out in the context of a dialogue between police agencies and the community about stop policy and practice, which also helped to increase police effectiveness.

Table 1.2 provides an overview of the reform model used in the STEPSS and PIPE projects. It describes initial tasks and ongoing activities, the mechanisms by which these can reform police behaviors, and the ultimate outcomes expected for police-community relations and law enforcement effectiveness.

This report examines:

- What are the impacts of the reforms on police practice and police-community relations (Chapter 2)?
- What challenges did police agencies face in trying to implement the reforms? How did they overcome them (Chapter 3)?
- What lessons and recommendations can be derived to inform future reform efforts (Executive Summary and Recommendations)?

This report's analysis of the impact of the STEPSS and PIPE projects is based on monthly statistical data taken from police stop forms during the pilot periods. It also draws on information from police officers, variously derived from interviews, focus groups and/or surveys in each of the sites, and from interviews with community representatives in Castellón and Pedrezuela. In addition, Castellón had some stop data from before the reforms, generated by a prior system of stop recording, which is presented here as a pre-reform benchmark. In Fuenlabrada, stop data were available for over five years beyond the pilot period, because the agency has continued to adhere to the reform principles.

While it is important to recognize the limitations of the data<sup>11</sup>, the results suggest positive effects of the STEPSS and PIPE reforms. It is possible to reform police stop and search practices to make them less discriminatory and more effective, improving police-community relations in the process. Just as the innovations implemented in Spain drew on past reforms in the US and UK, this experience holds lessons that are relevant beyond Spain, for stakeholders across Europe and the globe.

**TABLE 1.2: Model of Spanish stop reforms used in STEPSS and PIPE**

Initial Tasks	Ongoing Activities	Potential Mechanisms of Change	Desired Outcomes
Design/introduce a procedure manual—consistent with local policing context—for conducting stops.	Police complete a form when they stop an individual, and provide a copy to the person stopped.	Reforms in training and policy lead patrol officers to be more thoughtful and deliberate when making decisions about who to stop and when to make stops.	Increased empirical knowledge of stop practices and outcomes.
Design/introduce stop form.	Forms are collected by line supervisors and information from the forms is entered into an electronic database. Supervisors flag incorrectly completed forms and stops that appear to lack adequate legal grounds and require corrections from officers conducting stops.	Forms requiring patrol officers to be accountable to the person stopped cause officers to be more considered when making decisions about who to stop and when to make stops.	Reduction in ethnic biases in stop activity.
Design/introduce data system.	Stop data are analyzed to produce reports.	Forms requiring patrol officers to be accountable to the person stopped cause officers to be more considered when making decisions about who to stop and when to make stops.	Reduction in stops where there are inadequate grounds (“motive”) for suspicion.
Train police officers.	Managers and supervisors review stop forms and analysis at least on a monthly basis for indicators of non-compliance or problematic stop behavior (i.e. ethnic biases).	Directions from managers cause patrol officers to be more considered when making decisions about who to stop and when to make stops.	More effective stops, as quantified by an increased hit rate.
Initiate dialogue with community about stop policy and practice.	Managers and supervisors review stop analysis to identify ideas for improving the effectiveness of stop tactics on a quarterly basis and following specific operations using extensive directed stop and search.	Stop forms increase the time taken for stops, because they require officers to record the grounds and outcome for the stop. The increased time required for each stop leads officers to be more selective in their stops.	Stops conducted more respectfully.
Design and launch publicity campaign.	Police meet regularly with community representatives to discuss stop policy and practice and share stop analyses with community representatives.	Based on analysis and community feedback, managers and supervisors redirect frontline officers to be more effective and less biased in their stop activity.	Improved minority and public confidence in the police and their use of stop tactics.
			Fewer total stops made.



## 2. The Impact of Reforms on Police Practice

This chapter analyzes the impacts of reforms on stop practices. The analysis was conducted primarily through a quantitative assessment using stop statistics from the five pilot agencies. Such an analysis allows for conclusions about changes to the overall stop rates, the disproportionality of stops, and their effectiveness at identifying infractions (known as the “hit rate”<sup>12</sup>). This helps us assess whether the reforms achieved some of their intended impacts listed in Table 1.2 (above).<sup>13</sup>

The six month study period was short and most sites did not fully implement the reforms within this time. However, evidence from the study period suggests that the reforms still positively affected police practice across the sites. In fact, some of the most pronounced effects were found for the Fuenlabrada Municipal Police, the agency that most fully implemented the reforms.

### Key Findings

- *Reforms were associated with reduced stop and search rates, suggesting officers became more selective in their use of these tactics.* In most sites, rates of stops and of searches declined during the six months of the pilot study. Furthermore, in Castellón, the one site where data were available from before the pilot, stop rates were lower during the pilot than they were the prior year.
- *Reforms were associated with reduced levels of disproportionality in stops, suggesting reductions in ethnic profiling by police.* In most sites, rates of disproportionality declined during the pilot period. In Castellón, where data were available from before the pilot, disproportionality rates were also lower during the pilot than in the prior year.
- *There were no consistent trends in hit rates.* Hit rates showed substantial month-to-month variation during the pilots, and overall indicated different trends across the sites. A longer period of analysis would be needed to draw more consistent conclusions.
- *In Fuenlabrada (the one site where data were available beyond the six month pilot period) the positive benefits of reforms were sustained after the pilot ended.* Commitment to reform principles for more than five years after the pilot saw continued declines in stop rates, the maintenance of lowered rates of disproportionality, and continued improvements in hit rates.

## Stop Rates

A key goal of the reforms is for police officers to use stops more selectively, for example when there are stronger grounds for suspecting that an infraction has taken place. This means more stops being conducted with a genuine “motive”—a requirement in Spanish law. This should limit ethnic profiling while producing higher hit rates.

A decline in the overall rate of stops is an indicator of the extent to which police are being more selective about who to stop.

## Comparing Stops before and after Introduction of Reforms, Castellón

Comparing stop data from before and after the reforms allows an assessment of their full impact. This was only possible in Castellón because it was the one site that had comparable stop data available from the period before reforms, as well as during the six month pilot period.<sup>14</sup>

**FIGURE 2.1: Monthly stop numbers before and after the introduction of PIPE stop reforms, Castellón Municipal Police**

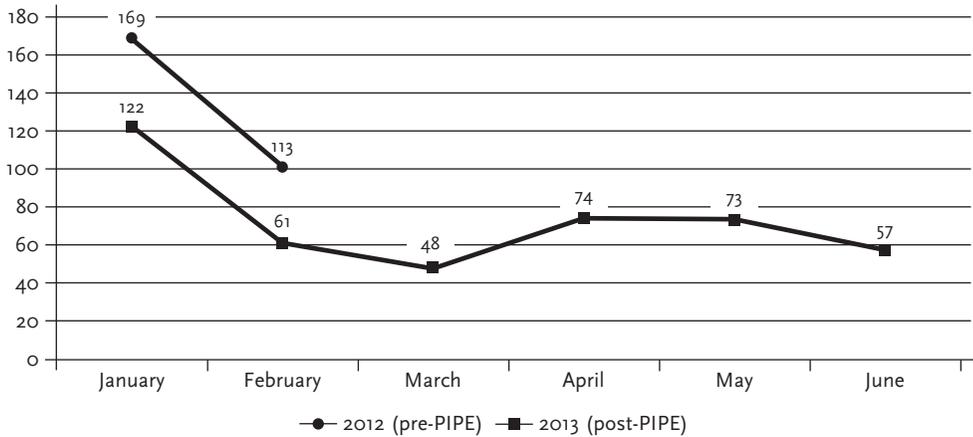
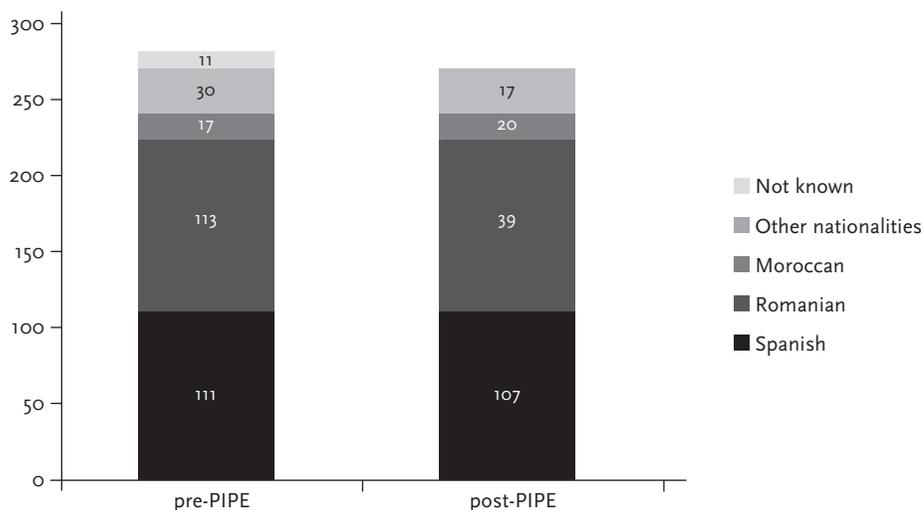


Figure 2.1 compares historical agency data from January and February of 2012 with the pilot data generated from January to June 2013. It shows a reduction in recorded stops in the wake of reforms. While the differences could reflect variations in patterns of recording between the two periods, further analysis suggests a genuine decline in stop rates. Specifically, Figure 2.2 shows the breakdown of stops by nationality for January and February in 2012 and 2013, and indicates that the reduction in stops affected immigrants only.<sup>15</sup> If a reduction in stop numbers reflected a change in recording practices, we would expect it to affect all groups equally, yet this is not what we see. A reduction in stops of immigrants, furthermore, is directly consistent with the reforms' objectives.

**FIGURE 2.2: Stop numbers by nationality for January and February pre- and post-PIPE, Castellón Municipal Police**



### Stop Trends during the Pilot Period

In all five of the agencies studied, data were available for the six month period following the introduction of reforms. Figure 2.3 shows how stop rates varied during this time. Though there was substantial month-to-month variation, for most agencies there is an underlying trend towards fewer recorded stops across the period. This is true if we draw the best-fitting straight line through the points for each agency, or if we simply compare the first and last data points.<sup>16</sup> The one exception is Pedrezuela, which shows an upward trend; however, this agency conducts very few stops (averaging just 14 a month ranging from five in February to 27 in June), making monthly measures unstable and an unreliable guide to changes in underlying practice.

**FIGURE 2.3: Monthly stop rates (per 10,000 residents) during six month pilot period, PIPE and STEPSS police agencies**

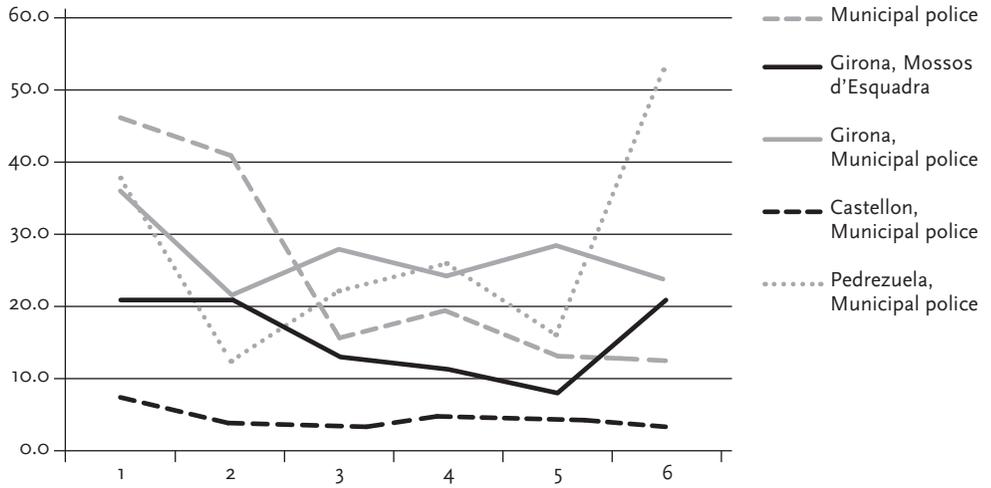
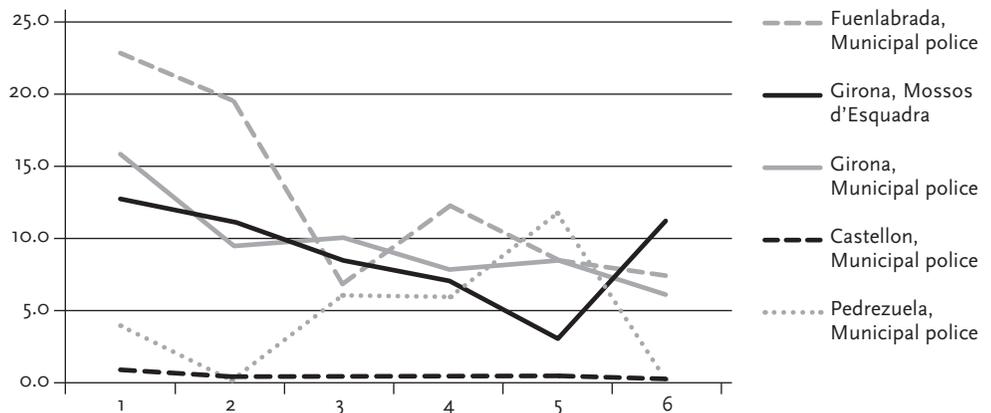


Figure 2.4 produces the equivalent graph for stops that lead to searches among the five pilot sites. A similar pattern is observed, with a predominantly downward trend in recorded searches.

**FIGURE 2.4: Monthly search rates (per 10,000 residents) during six month pilot period, PIPE and STEPSS police agencies**



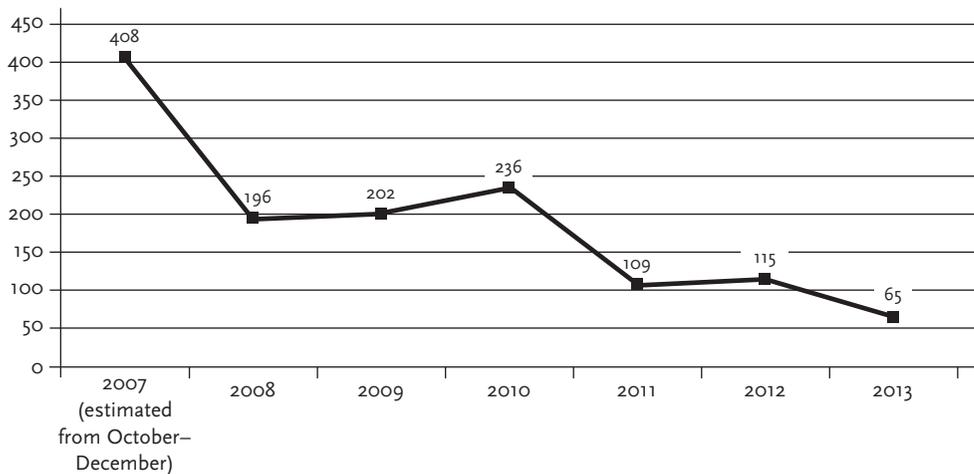
Downward trends could reflect changes in form-filling practice. However, as discussed in more detail in the next chapter, agencies seemed to make genuine efforts to improve compliance with recording stops, for example by comparing stop forms with radio logs. Furthermore, the conclusion that officers were conducting fewer stops in the wake of the reform was supported by interviews conducted with police personnel in some sites. In some cases, frontline officers admitted to making fewer stops primarily to avoid the new paperwork associated with them. However, this could equate with prioritizing situations where levels of suspicion were higher, as one inspector suggested officers now need to be more selective.

### Stop Trends beyond the Pilot Period, Fuenlabrada

In Fuenlabrada, where reform practices extended beyond the pilot period, stop data is available up to the present.

Figure 2.5 presents annual data on stop rates from 2007 to 2013. For 2007, the graph estimates an annual rate using only data from October, November, and December—the first three months of the pilot. Subsequent years are based on complete stop data. The graph indicates that declines in stop rates that began during the pilot period continued in the years that followed, although police leaders in Fuenlabrada note that labor conflicts as a result of salary reductions for civil servants have reduced the number of patrols since 2010.

**FIGURE 2.5: Annual search rates (per 10,000 residents) 2007–2013, Fuenlabrada Municipal Police**



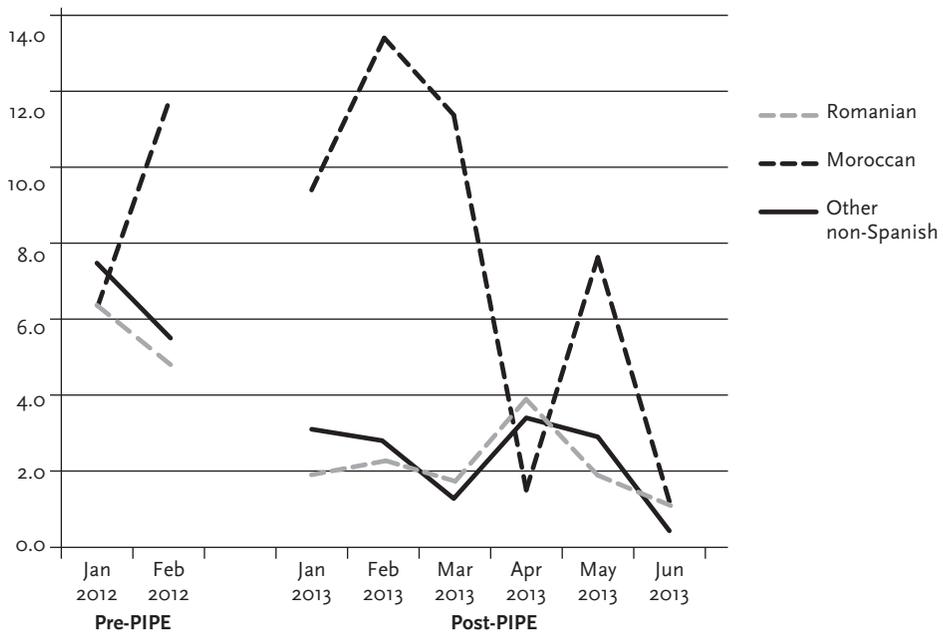
# Disproportionality

A fundamental goal of stop reforms is to reduce ethnic profiling by police. This goal can be assessed by comparing rates of disproportionality over time. This is a measure of the likelihood of a non-Spanish national being stopped compared to a Spanish national.<sup>17</sup>

## Comparing Disproportionality before and after Reforms, Castellón

Assessing the full impact of reforms ideally relies on comparisons of data from before and after the introduction of reforms. Again, this was possible only in Castellón, which had pre-reform data. Figure 2.6 presents Castellón's measures of disproportionality over the period. It suggests there were substantial reductions in the levels of disproportionality coinciding with the reforms' introduction, particularly among Romanians and other non-Spanish nationals. Moroccan disproportionality also went on to decline, but this began after the reforms had already been implemented.

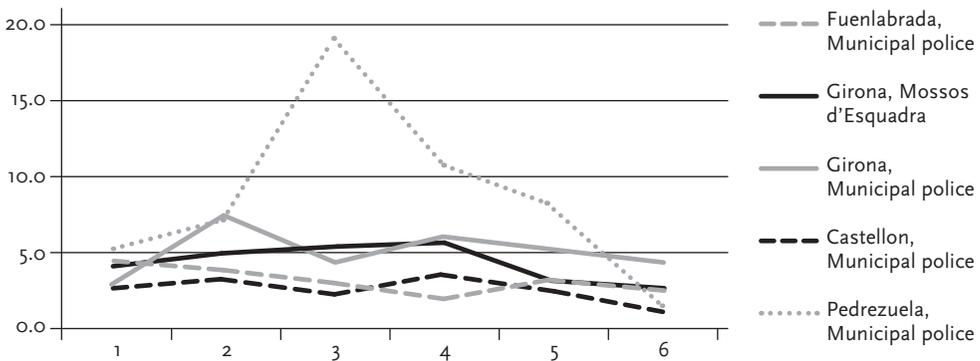
**FIGURE 2.6: Disproportionality rates for stops before and after PIPE, Castellón Municipal Police**



### Disproportionality Trends during the Pilot Period

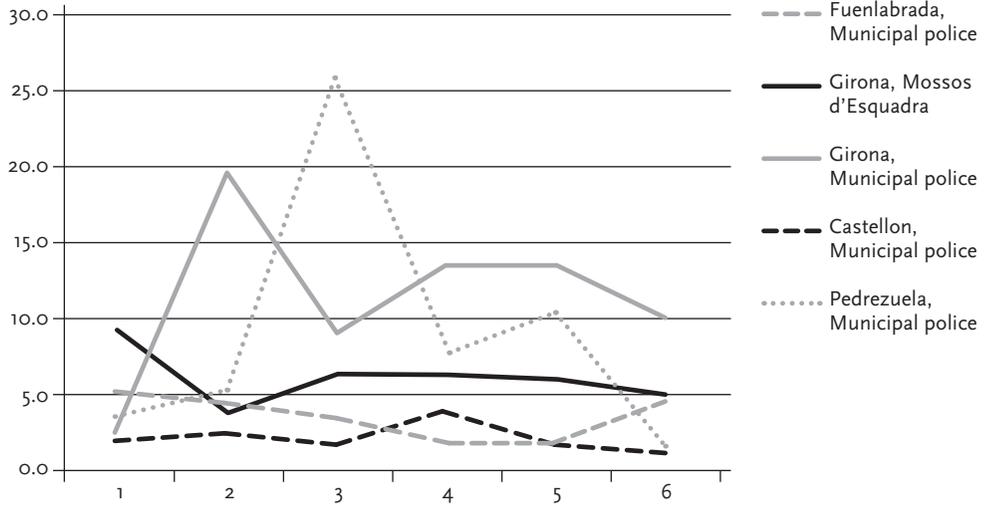
In all agencies, disproportionality measures could be calculated for the six month pilot periods. Figure 2.7 provides an overview of these data, by plotting monthly aggregated disproportionality rates for all non-Spanish nationals. In most sites, there was some month-to-month variation, likely reflecting changing operational factors in different sites. However, with the exception of the Girona Municipal Police, all other sites show an overall downward trend during the period, suggesting the reforms had the intended impact.<sup>18</sup>

**FIGURE 2.7:** Disproportionality rates for non-Spanish nationals in police stops, six month pilot period, PIPE and STEPSS police agencies

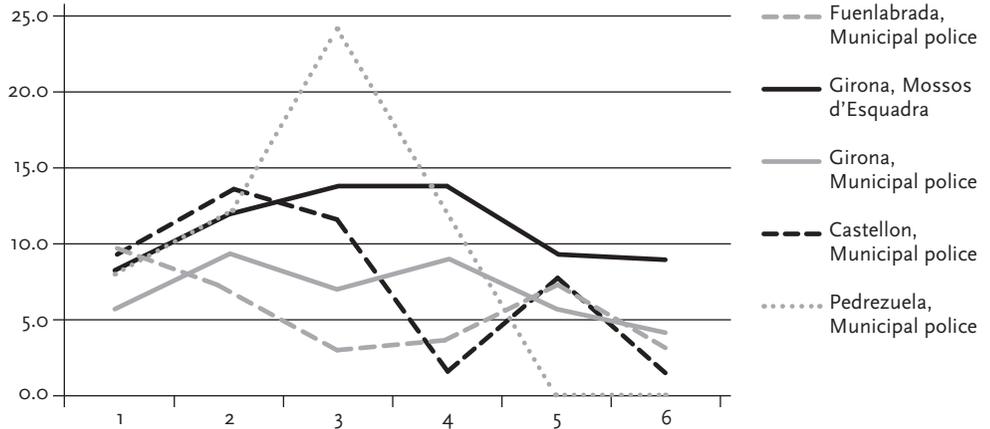


Disproportionality trends can also be examined for individual minority nationality groups. Figures 2.8 and 2.9, respectively, plot rates for Romanians and Moroccans, who tended to be the largest minority nationality groups across the five sites. In both cases, the predominant pattern is a downward trend, consistent with the trend of reduced disproportionality.

**FIGURE 2.8: Disproportionality rates in police stops of Romanians, six month pilot period, PIPE and STEPSS police agencies**



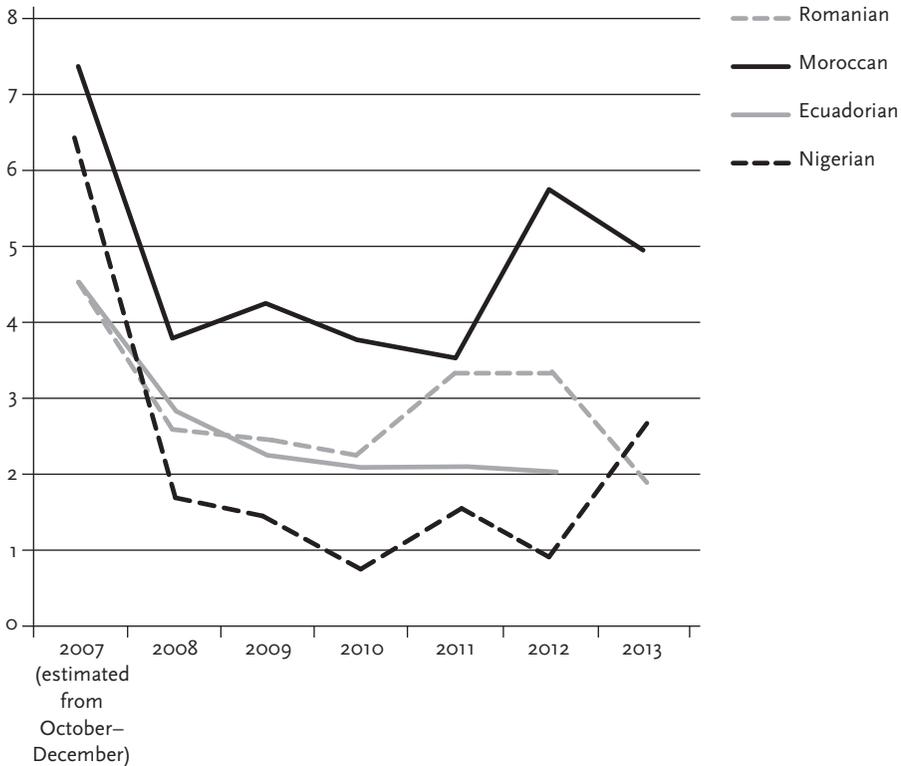
**FIGURE 2.9: Disproportionality rates in police stops of Moroccans, six month pilot period, PIPE and STEPSS police agencies**



## Disproportionality beyond the Pilot Period, Fuenlabrada

Finally, Figure 2.10 shows how disproportionality evolved beyond the end of the pilot period in Fuenlabrada. It shows that reductions in disproportionality associated with the pilots have largely been sustained in the years that followed.

**FIGURE 2.10: Disproportionality for key groups, Fuenlabrada 2007–2013**



## Hit Rate

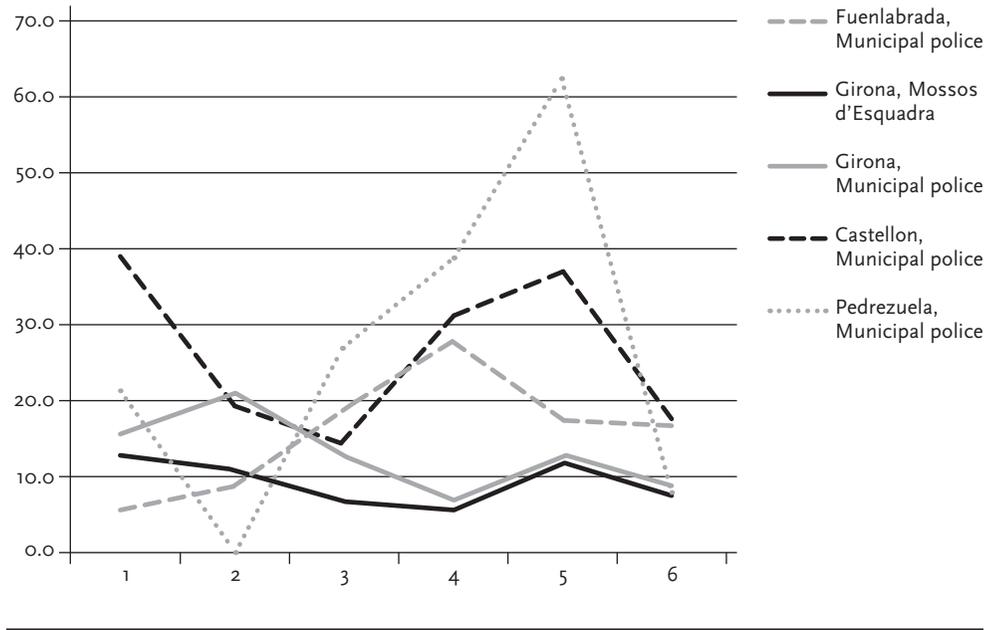
The hit rate is a measure of the effectiveness of stops. The term refers to the percentage of stops that led to the identification of wrong-doing, such as administrative or penal infractions. Reforms were intended to improve the effectiveness of stops, as measured by increased hit rates. However, there was no consistent pattern across the five pilot sites. One of the reasons for this may be that not all sites implemented data-driven management practices, as discussed in the next chapter. Interestingly, though, the one

site that did implement data-driven management (Fuenlabrada) showed consistent improvements in hit rates.

### Hit Rates during the Pilot Period

Figure 2.11 presents the hit rates for the reform sites over the pilot period. It shows they vary substantially from month to month within sites, with no consistent pattern of change. In some sites there are increases over the period, in others declines.

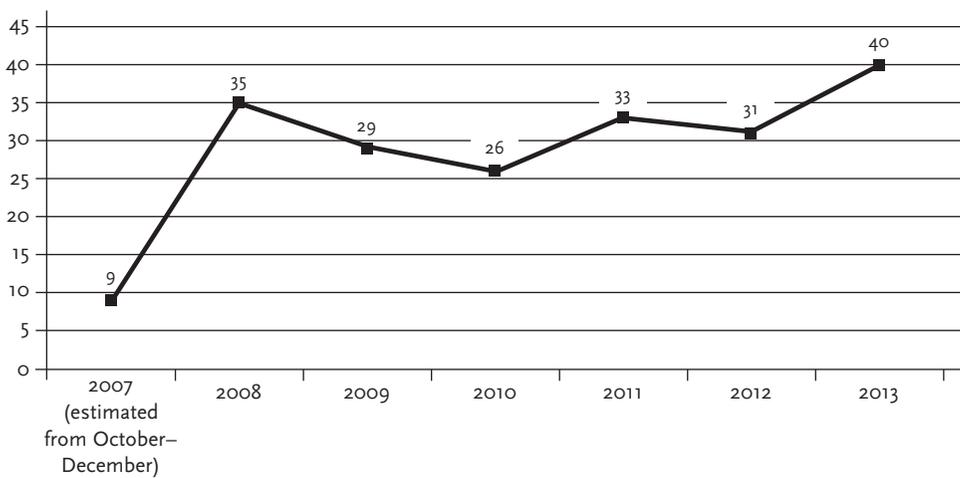
**FIGURE 2.11: Hit rates of stops during pilot period, PIPE and STEPSS police agencies**



### Hit Rates beyond the Pilot Period, Fuenlabrada

Finally, hit rate measures are available for Fuenlabrada stops beyond the pilot period, and are displayed in Figure 2.12. The graph shows that increases that were evident during the pilot period continue to advance beyond it, indicating an ongoing improvement in effectiveness.

**FIGURE 2.12: Hit rates of stops in Fuenlabrada 2007–2013**



### 3. The Experience of Implementing Reforms

This chapter examines police agencies' experiences implementing stop reforms. As noted, six months is a short time to realize the substantial changes required by the STEPSS and PIPE reforms, and most agencies were unable to do so fully within this period. A review of agencies' experiences helps provide a context for the impacts achieved by the reforms. It also provides helpful lessons for future reform efforts.

#### Overview

##### Key Lessons

- *Reforms require the strong commitment and participation of senior leadership.* The degree to which reforms were implemented seemed to be influenced by the level of enthusiasm and involvement of senior agency leaders. Changes cannot be implemented effectively by senior managers who lack interest, or who delegate the leadership role to more junior staff.
- *Anticipate staff resistance.* To varying degrees across sites, there was resistance to reform, particularly among frontline officers. This was often a challenge for reformers.

- *Expect reforms to take longer than six months to implement.* Fully implementing reforms is a major challenge. Even with committed leadership and strong police-community dialogue, realizing reforms takes time. Most pilot sites did not fully implement the reforms in the six month timeframe.
- *Prioritize stop management and community dialogue alongside form-filling.* While all pilot agencies got officers to fill out forms and went on to analyze them, they were less successful in other areas. The weakest areas of implementation tended to be:
  - use of stop analysis to inform supervision and management, and
  - effective dialogue with community figures about stop policy and practice.

Levels of reform implementation varied across the five agencies. This variation was linked to differences in commitment to the reforms and variations in staff resistance. It also reflected variations in external support. Notably, STEPSS sites benefited from significant outside resources, including study trips to the UK and technical assistance visits from UK experts. Meanwhile, the PIPE agencies, while receiving some early technical assistance in training, stop forms, database design, and publicity materials, were then left to advance reforms on their own.

Table 3.1 summarizes the extent to which key reforms were implemented. It shows areas where there were consistent successes across agencies, alongside areas of uneven implementation. Notably, all agencies designed and introduced stop forms and stop guidance, initiated a public information campaign, had officers fill out the forms, compiled stop data into electronic databases, and subjected the data to some routine analysis. Meanwhile, only one of the agencies (Fuenlabrada Municipal Police) substantially implemented procedures to manage stops based on analysis of data extracted from the stop forms, and only three of the agencies (all of the STEPSS agencies) managed to regularly engage the community in dialogue about their stop policies. Even these sites did not consistently share stop analyses fully with community members.

**TABLE 3.1: Level of implementation of stop reforms during six month pilot period, STEPSS and PIPE police agencies**

Policies and Activities	STEPSS sites			PIPE sites	
	Fuenlabrada (Municipal Police)	Girona (Mossos d'Esquadra)	Girona (Municipal Police)	Castellón (Municipal Police)	Pedrezuela (Municipal Police)
<b>Design procedure manual</b>	●	●	●	●	●
<b>Design stop forms</b> The design and implementation of a form to share with the person stopped; can be used to collect stop data	●	●	●	●	●
<b>Training</b> Training of police officers/staff in reform procedures	●	●	●	○	●
<b>Officers fill out forms</b> Routine completion of stop forms by officers when stops are conducted, with forms submitted to relevant colleagues	●	●	●	●	●
<b>Development of database and compilation of stop data</b> Introduction and ongoing use of a system to gather stop form data and enter it into an electronic database	●	●	●	●	●
<b>Routine data analysis</b> Creation of procedures for the routine analysis of data	●	●	●	●	●
<b>Stop management procedures</b> Using analysis of stop data to manage officer behavior and the strategic use of stops	●	—	—	—	—
<b>Regular meetings with the community about stop policy</b> Establish mechanisms for ongoing communication with the community about the use and conduct of stops	●	●	●	—	—
<b>Share stop analysis results with the community</b> As part of community dialogue, share and discuss stop data	●	○	○	—	—
<b>Information campaign targeting minority communities</b> An information campaign to make people aware of their rights and obligations in relation to stops	●	●	●	●	●
<b>Sustain stop reforms beyond pilot period</b>	●	—	—	●	●

● Substantial implementation; ○ partial implementation; — negligible implementation

# Forms and Manuals

## Key Lessons

- *Don't reinvent the wheel.* Existing STEPSS and PIPE forms and manuals provide a good starting point for the design of materials and probably only require minor adjustments for new settings.
- *Identify ethnic minorities who are also Spanish nationals.* Second or third generation migrants and Gitanos are not captured by most of the stop forms used in pilots because the forms tended to use nationality as a proxy for ethnicity. With the further growth of Spanish minority populations, this measure will become increasingly obsolete. Self-defined ethnicity, or officer-perceived ethnicity, will provide better options for statistical tracking in the long-term.
- *Design forms that balance analysis, accountability, and workload demands.* Considerations include:
  - Increasing the number of fields in the form expands the information available for analysis, but increases the workload for officers and may make forms less easily understood by the public.
  - Multiple-choice (or “closed”) fields are easier to analyze statistically than open text fields, which require the officer to describe the specific circumstances of a stop; however, some open text fields—particularly the grounds for suspicion or reason for the stop—may provide greater accountability to the person stopped.
  - Forms that measure operational rather than legal reasons for stops are probably more useful for stop management.

Central to the reforms was the development and use of stop forms and accompanying procedure manuals. (Please see Appendix B for examples of stop forms.) The forms had fields for a range of information, including the identity and nationality of the person stopped, the reason for stopping, whether a search took place and if so what was found, and whether an infraction was alleged. The procedure manual described the correct use of the stop form, legitimate reasons (“motivos”) for conducting stops and searches, and the appropriate conduct for officers during encounters.

However, sites developed some different versions of these documents, partly reflecting local circumstances and preferences. One important variation concerned the definition of a recordable stop: for Girona police agencies, the form included occa-

sions when officers directly witnessed a criminal or administrative offense (sometimes termed a “low discretion” stop), while in other sites recording was limited to speculative stops when an infraction was uncertain (a “high discretion” stop). Despite variations, PIPE sites modeled their stop forms on those used in Fuenlabrada, setting them apart from the Girona forms. Thus, Fuenlabrada and the PIPE sites used nationality as a proxy for minority status, while the Girona forms used both nationality and officer defined ethnic appearance. In other variations, the Mossos d’Esquadra in Girona used an open text field to record the reasons for stops without any fixed categories, and Girona’s municipal police was unique in using legal rather than operational categories to indicate stop reasons.

## Training

### Key Lessons

- *Train police personnel in the analysis and management of stops, as well as street-level practice.* Pilot training focused on the practice of frontline officers, but it would be useful to train relevant staff in the analysis of stop data and management of stops.
- *Plan for officer resistance.* Training often provoked a defensive response among officers who felt they were being accused of discrimination and feared greater scrutiny of their work by supervisors. Emphasizing the benefits of the reforms, through improved policing effectiveness, may help counteract these problems.
- *Don’t rely only on managers and supervisors to pass training information down to frontline staff.* Based on the experience in one site, training just managers and supervisors in a “train-the-trainer” approach is not adequate to educate frontline officers.

All five agencies implemented training for police staff on conducting stops, though there were variations in the curricula and training strategies used and in staff reactions to the training.<sup>19</sup> One common problem was that the trainings could leave police staff with a sense they had been accused of discrimination, which provoked some resentment. Another shortcoming was the lack of training on stop analysis and stop management that could have targeted police supervisors or managers. This is a

particular problem, given the weak implementation of these practices in most of the reform sites.

Training was developed collaboratively within each of the STEPSS sites, with police officers, representatives of migrant organizations and human rights groups, and the police college contributing. By contrast, in the PIPE sites, training was externally designed and delivered by the PGPD, without the strong involvement of local police and community groups. Even so, most training was delivered with some form of local community representation (with the exception of Castellón), and had content that focused on police-community relations alongside the technical aspects of stop reforms.

Given potentially negative police reactions to training, one of the more successful approaches was Fuenlabrada's, which placed a strong emphasis on how reforms could improve the effectiveness of police stops—a factor that seemed to promote a greater level of acceptance.<sup>20</sup> Other pilot agencies tended to have greater emphasis on diversity and discrimination issues in their training.

Meanwhile, one of the less successful strategies involved a “train-the-trainer” approach in Castellón. Detailed information communicated to managers and supervisors was apparently not passed on effectively, and targeted follow-up meetings with frontline staff were necessary to reinforce the reform lessons.

## Completing Stop Forms

### Key Lessons

- *Use systems of checks to ensure officers complete forms.* Most police agencies checked compliance rates by comparing radio logs of stops with completed stop forms. In one site, forms were numbered so any missing forms in a sequence could be attributed to a particular officer and investigated further. In another site, there were provisional plans to have the radio room ask officers for the relevant stop form number when a stop was called in.
- *Check forms for missing or inadequate information.* Following-up with officers who had not adequately or carefully completed forms was also an important part of establishing compliance in pilot sites.
- *Use an in-house (rather than external) database.* One pilot site used external consultants to manage the data; this contributed to delays with data processing and analysis.

All sites appeared reasonably successful at getting officers to fill out forms, though precise levels of officer compliance are difficult to gauge given that police managers and supervisors oversee patrol officers from a distance, with limited ability to corroborate information received from them. There was often evidence of at least some non-compliance based on accounts from police personnel in some sites. Some suggested this arose in particular situations, such as when officers were in a hurry or concerned for their security, making it hard to fill out the forms.

Sometimes, forms were not filled out well, or completely. For example, in the early stages of Fuenlabrada's pilot, the reasons for stops were sometimes given as "other" or "attitude or suspicious behavior," without further elaboration. In other cases, forms lacked selected information from required fields.

The collection of completed forms, by supervisors or other police personnel, and their entry into a stop database, could also face some problems, particularly at the beginning of the process. For example, most agencies experienced delays entering forms into databases. In contrast to the other pilot agencies, the Mossos d'Esquadra in Girona used a database maintained by outside consultants, requiring them to transfer copies of all of their forms to the consultants for data entry which created additional obstacles to keeping this database up to date.

Most agencies incorporated some quality control techniques to ensure completion, collection, and data entry of records, including comparing stop forms received with agency records of radio calls made in connection with police stops (which often showed some disparities). At each site, forms were numbered so that missing forms could be tracked if they were not entered into the database. One manager in Castellón contemplated a future policy in which the radio room would routinely ask for the number of the stop form filled when an identify check was conducted, thereby compelling officers to initiate a form once they called in during a stop.

## Data Analysis

### Key Lessons

- *Conduct regular (e.g. monthly) data analysis.* This is necessary for the effective management and supervision of stops.
- *Use people with technical expertise to help conduct analysis and/or interpret results.* Sometimes agencies had in-house staff with the expertise to conduct analysis and interpret results. In other cases, agencies relied on outside experts.

- *Use a database with built-in queries to reduce reliance on experts' time.* In the PIPE sites, a pre-designed database with built-in query tools offset some of the need for analysis expertise. Nonetheless, some expert interpretation of the standard output may still be useful to learn from the query results, or to provide additional analysis.
- *For agencies with few stops, conduct analysis at less frequent intervals or use "moving averages" to represent monthly stop measures.* Where absolute stop numbers are small, monthly stop measures are highly unstable. In such cases, quarterly or bi-annual analyses may be more reliable. Alternatively, a moving average calculation can be used, where monthly measures are calculated based on at least two or three consecutive months.

In all five of the pilot sites, a system of regular (e.g. monthly) analysis of data emerged during the six months, although precise arrangements varied across settings. Developing this process was more challenging in the STEPSS sites where it was being attempted for the first time. STEPSS sites therefore leaned heavily on local experts to analyze their data. In Fuenlabrada, the sergeant coordinating reforms had strong enough analytical skills to produce the monthly analyses. In Girona, agencies contracted outside criminologists to conduct analysis. However, this proved cumbersome, and analyses were ultimately less frequent (every two months).

PIPE sites depended less on local experts because they used a stop database already developed by the PGPD that included standardized queries to automatically generate analyses. Nonetheless, the database queries (as currently defined) probably do not provide for all potential analysis needs. Appropriate indicators for stop management should ideally include outcomes broken down by police teams, areas, or individuals.<sup>21</sup> Furthermore, even in the presence of database queries, it may still be desirable to have an analyst involved in the interpretation of results who can consider their implications for operational policing.

## Case Study: Automating Analysis with the PIPE Stop Database

An important PIPE innovation was a stop database used by both pilot sites. It tracks a standard set of variables corresponding to Fuenlabrada's stop form. Using the database therefore required both pilot sites to adapt this form for their own use.

The database was programmed with a set of "queries." A query is an automated way of retrieving information from a database. In this case, they produced a variety of analyses with a few mouse clicks. Manually, this would probably have taken an analyst several hours to prepare each time it was required.

The standard queries included:

- Overall stop rates per 1,000 inhabitants (with monthly and yearly historical comparisons)
- Hit rate (with monthly and yearly historical comparisons)
- Stop numbers and percentages by age
- Stop numbers by day of the week and month
- Stop numbers and percentages by time of day (morning, afternoon or night)
- Stop numbers and percentages by gender, further disaggregated by immigrant status
- Stop numbers and percentages by reason for stop
- Stop numbers by nationality
- Search numbers by nationality
- Positive and negative search percentages, broken down by immigrant status

Further improvement of the database would involve adding queries such as:

- Stop rates, disproportionality, and hit rates according to different police units and teams
- Stop rates, disproportionality, and hit rates by patrol area and time
- Stop rates, disproportionality, and hit rates by individual officer
- Officers highlighted for having stop rates or levels of disproportionality substantially higher than the average.

A final consideration is the frequency of stop analysis. While monthly analysis has been favored in most sites, the frequency of analysis should depend in part on the quantity of stops available for analysis. For settings with less frequent stops (e.g. less than about 50 per month), statistical measures of disproportionality, effectiveness, and operational criteria will tend to show substantial instability from month to month.

A longer time interval between analyses (e.g. quarterly, or every six months) can reduce this instability. Alternatively, a calculation of “moving average” indicators, that average a month’s numbers with those immediately before and after it, also reduces instability. These approaches might have been useful for Pedrezuela, where the monthly average of stop numbers was just 14.

## Management and Supervision

### Key Lessons

- *Share stop analyses with police managers, supervisors, and frontline officers.* Managers did not always share analysis widely within the organization, which might otherwise have helped staff strategically manage stop activity.
- *Use stop analysis to highlight individuals, teams, operations, or activities that disproportionately stop minorities.* A key focus of the reforms is to reduce bias in police stops. Using stop analysis to identify where biases in practice exist allows police to challenge practice and redirect operations.
- *Use stop analysis to identify more and less effective policing strategies.* In addition to rooting out bias, stop analysis helps identify more (and less) effective policing strategies.
- *Hold meetings with managers and supervisors to develop responses to stop patterns and to hold them accountable for implementing them.* Contemporary good practice in policing emphasizes meetings among police staff to improve accountability and problem-solving based on data.

In theory, police managers should use stop analysis to direct police practice and hold officers accountable for stop activity. They should respond to evidence of ethnic profiling or other ethnic biases at the agency, unit, district, team, or individual level. They should also apply insights from analysis that identify policing strategies that are particularly effective or ineffective.

In practice, few agencies actually used stop data in this way.<sup>22</sup> This was true in Pedrezuela and Castellón, where frontline officers had no knowledge of analysis results. In Girona, there were bi-monthly meetings of police stakeholders and human rights organizations in which stop analyses were reviewed, but this did not appear to produce significant impetus to redirect police activity.

As noted, however, Fuenlabrada Municipal Police did actively manage stops and police activity based on stop data analysis. The case study below describes Fuenlabrada’s experience.

### **Case Study: Data-Driven Stop Management in Fuenlabrada**

In Fuenlabrada, stop data were used to strengthen police supervision and management. Officers initially had problems completing an open field describing the reason for a stop so guidelines were quickly developed that required them to choose from a fixed list of operational categories (accompanying guidance listed examples of the grounds that would be acceptable in each case). In addition to listing a category, they would fill out an open text field to offer more detail on the reasons.

The sergeant in charge of STEPSS analyzed the data monthly. Paying attention to the reasons officers gave for stops was helpful to senior officers in supervising frontline officers. For example, they were concerned with officers who had frequently chosen “other” or “attitude or suspicious behavior” categories as their explanation for stops because this allowed discretion for officers to act on stereotypes or negative generalizations. Therefore, supervisors first ensured that officers understood the different categories and the type of stops that fell into each, which resulted in a reduction in officers recording “other” on the forms. The free field for recording “motivation” then allowed senior officers to monitor the reasons given for stops under the “attitude and suspicious behavior” category to ensure they met the appropriate thresholds.

Senior officers also used stop data to guide personnel deployment. Although most crimes and anti-social behavior take place on the weekend, more police were scheduled for work during weekdays than on weekends. Similarly, when managers plotted stops by time of day for October, they found times of day when few or no stops were conducted at all—apparently because officers were all taking their breaks at the same times. Managers restructured break times to make sure that officers were available at all times.

In the years following the STEPSS pilot, the agency has continued to use data in these kinds of ways. In the subsequent period, rates of disproportionality remained lower than they had been at the beginning of the pilot, stop rates continued to decline, and the hit rate for stops—which had already improved during the pilot—continued to improve afterwards.

*Note:* This box is adapted from Open Society Justice Initiative, *Addressing Ethnic Profiling by Police*, 2009.

# Community Engagement

## Key Lessons

- *Involve community partners throughout the process.* Building strong community participation into the key stages of reforms requires planning from the beginning.
- *Sustain publicity about stop policies.* While the pilots lasted just six months, and were accompanied by an initial publicity push by the pilot agencies on stop policies, longer periods of reform probably need repeated or ongoing attempts to raise publicity. These might include other methods, beyond leaflets, for communicating information, for example by involving local radio stations or print media.

One form of community engagement expected for all sites was the dissemination of “known-your-rights” leaflets to the public, including various translations targeted at different local ethnic minority populations. All pilot agencies succeeded in implementing this step. However, the reforms also anticipated a regular dialogue between police and community figures about stop policy and practice in which the results of stop analyses would be shared. Outcomes for this objective were more varied.

Engagement was far more developed in STEPSS than in PIPE. STEPSS agencies used police-community collaboration in the design of policies and materials, and there were regular progress meetings between police and community representatives throughout the pilots, in some cases involving the presentation of stop analysis. This greater level of collaboration reflected the design of the initiative and the greater budgetary resources dedicated to it. OSJI, which spearheaded STEPSS, sought out representatives from civil society and community organizations from the outset, and built collaboration into the program design. Furthermore, a range of STEPSS activities drawing police and community representatives together helped foster a climate of collaboration. These included a study tour to the UK and technical assistance visits to STEPSS sites by UK officers.

Even in these sites, however, only Fuenlabrada provided stop analysis routinely to community representatives. This may have been because they engaged a smaller and more intimate group of community representatives than Girona, which was apparently more inclusive and formal in its community meetings. Clearly, the sharing of analysis presented a challenge to police managers.

In contrast to STEPSS, PIPE sites had only a limited dialogue with community representatives about stops, and this was confined primarily to an early pre-implementation meeting with community representatives. The meeting was facilitated by PGPD, and took place after “know your rights” leaflets, policy manuals, and stop forms had already been decided upon. Despite some subsequent meetings between police and community representatives about broader police-community matters, there was little follow-up on the progress of the reforms, and no stop analyses were shared. This is a weakness that future reform efforts should pay attention to.

Pedrezuela apparently faced some unique challenges in its attempts at community dialogue, due to being a small agency policing a small population. In particular, the site lacked a very developed network of civil society organizations representing different immigrant populations. The initial outreach meeting was attended only by three representatives from the Chinese immigrant community, and a representative from a local Muslim association. While there were plans to repeat the outreach effort with a wider group, this did not ultimately occur.<sup>23</sup>



## 4. Conclusion

This report has described the experiences of five police agencies that, in recent years, began to pay attention to concerns about ethnic profiling by police. By implementing bold and innovative reforms, they aimed to make their use of stops fairer and more effective and, in doing so, improve their relationships with the diverse communities they serve. These agencies were the first, within Spain, to address these issues. Their efforts deserve commendation both for the willingness to innovate and for creating practices and models that can inform future reforms.

On balance, the results provide an encouraging picture of what reforms can accomplish. Though the reforms were implemented unevenly and the results were mostly tracked only for their first six months, the evidence suggests they influenced police practice in positive ways. In the majority of sites, there was evidence of declines in disproportionality, suggesting a reduced reliance on ethnicity or nationality as a basis for stop decisions. This was coupled with modest reductions in overall rates of stops and searches in most sites, evidence perhaps of a more careful approach to selecting people for stops. In one site, where reforms were tracked for several years, positive outcomes were sustained and even improved upon, and there were also improvements in the hit rate associated with stops. The findings are consistent with international research indicating that clear policies, coupled with systems of monitoring and accountability, are associated with improvements in street-level police behavior,<sup>24</sup> including stop encounters.<sup>25</sup>

However, the evidence also shows that reforms are challenging: they involve a considerable amount of work, demand skills and expertise not always present in police agencies, and require a commitment to meaningful partnerships between police and community members. Typically, they must also overcome resistance from staff

within the police agency. Successful agencies will tend to be those that have senior leaders committed to reform, a high level of perseverance, and a detailed grasp of reform principles.

As Europe becomes increasingly multi-ethnic, it is essential that police change their practices and adopt new tactics better suited to contemporary conditions. The results of the PIPE and STEPSS reform efforts show that change is not only possible, but beneficial and sustainable. Other police forces in Spain—and indeed, throughout Europe—should consider similar reform initiatives.

# Appendix A: Methodology and Glossary of Terms

## Methodology

### *Strategies for Effective Stop and Search (STEPSS)*

STEPSS was an initiative spearheaded by the Open Society Justice Initiative (OSJI) that operated between 2007 and 2008 in Bulgaria, Hungary, and Spain. Working in eight local sites for an intensive six month pilot period, it sought to improve police-minority relations by implementing new systems for regulating police stops, based on successful reforms in the UK. STEPSS activities were varied, but included a review of existing policies and practices, a study tour of UK police agencies, technical assistance visits by UK officers to pilot sites, development of local guidelines and stop forms to be used by officers on the street, training of officers and community members, analysis of data from stop forms, and the sharing of analysis with community members. An evaluation of STEPSS presented a mixed picture, but highlighted some important successes, notably in Spain.

### *Programa para la Identificación Policial Eficaz (PIPE)*

PIPE was an exclusively Spanish program that operated in two sites during 2012 and 2013 with a second generation planned for 2015 and 2016.<sup>26</sup> The initiative was led by the *Plataforma por la Gestión Policial de la Diversidad* (PGPD), a Spanish association of police and diverse civil society organizations promoting non-discriminatory police policies and practices. It applied principles already pioneered in STEPSS rather than developing reform policies from scratch. While PGPD assisted pilot agencies at the beginning of the process—notably with training and the design of stop forms, stop databases, and publicity materials—they were subsequently left to implement the reforms largely on their own. PIPE was therefore a tougher test of the stop reform model than STEPSS, whose participants benefited from substantial outside support and technical assistance throughout the pilot period.

The pilot projects used data collection and analysis to monitor and reduce ethnic profiling. These project components included: joint community-police workshops and dialogue; the introduction and use of stop forms to document each stop or search conducted, including ethnic or nationality data on the person stopped; the provision of a copy of the form to the individual stopped; training of police officers in conducting stops and utilizing the forms; regular review and analysis of the stop forms by police supervisors; dissemination of the stop and search analyses with community members; and incorporation of the stop and search indicators and metrics into operational design and directives.

Pilot projects each lasted six months. (Two police agencies continue to collect data through stop forms.) Most sites did not fully implement the reforms within this time. However, the evidence suggests that the reforms still positively impacted police practice. Some of the most pronounced effects were found for the Fuenlabrada Local Police, the agency that most fully implemented the reforms and conducted them for a longer period of time (currently over six years).

While the analysis contained in this report provides important insights, it also has some limitations. There were no direct measures of community experiences or perceptions across the period. The six month period in each site was short, allowing little time to test the effects of the reform, and insufficient data to support very confident statistical conclusions. Indeed, with the exception of Castellón, data only supported analysis of stop patterns *after* reforms had begun, whereas conclusions would have been stronger

if they had systematically included comparisons with data from *before*. Additionally, the stop data analyzed is not a perfect measure of stops, because the rate of unrecorded stops is not known. Finally, there are no control groups for any of the sites—namely comparable sites that did not receive reforms—that could have been used as a comparison for reform outcomes.

## Glossary of Terms

### **Baseline**

A starting point used for data comparisons. Ideally, baseline data on stops and searches should be gathered before the reform process begins, thus making it possible to measure the effectiveness of the reform.

### **Calls for service**

Generally refers to a citizen-initiated report—such as, but not limited to, emergency calls—to which public security professionals, often law enforcement, must respond.

### **Disproportionality**

Disproportionality in stops refers to the extent to which stop powers are being used on different ethnic or nationality groups in proportion to their prevalence in the wider society. Thus, disproportionality occurs when people from different visible minority groups are stopped and searched in relation to their number in the population when compared to the majority (white) population. It can also refer to differences in treatment once the stop has taken place. For example, if ethnic South Asians make up three percent of the population but account for 50 percent of police stops, they are being stopped disproportionately.

### **Ethnic profiling**

Is the practice of using ethnicity, race, national origin, or religion as the sole or decisive basis for making law enforcement decisions about persons believed to be involved in criminal activity.

### **Frisk**

A physical pat-down of a person, done over (outside of) the person's clothing. It is distinct from a search because it does not involve looking into the person's pockets, going through his possessions, or searching under clothing.

**Hit rate**

The proportion of identity checks or stops and searches that result in formal law enforcement action, such as an arrest or a summons for an infringement or offense.

**Identity check**

See under Stop.

**Radio calls**

Communication between police officers who are on patrol and police dispatch through a radio transmission system. The communication can also take place through computer transmission.

**Stop**

A police practice in which officers stop members of the public and ask them to account for their actions, behavior, or presence in an area.

**Search**

Further action taken by police, following a stop, to search the person or the vehicle that has been stopped. A search is more intrusive than a frisk, as the officer searches the inside of clothing, bags, or possessions, and often requires stronger grounds of suspicion.

**Stop form**

The form used to document police stops. Typically, this is a paper form that police officers fill out during or immediately after each stop, but many police are moving to digital forms or to capturing stop data through radio calls. Stop forms can be used to record a range of information. The STEPSS-PIPE forms include: date and location of the stop, nationality or perceived ethnic identity of the person stopped, the reason for the stop, whether or not the person was searched, the reason for conducting the search, whether the search yielded discovery of any contraband, and the final result of the stop or search (for example: summons, fine, arrest, warning, release).

**Stop rate / Search rate**

The number of stops conducted by police in a given time period. A search rate for a particular population would be expressed as a percentage and determined with the formula:  $(\text{stops of population} / \text{total stops}) \times 100$ . A search rate can also be generated, to capture the number of stops that lead to searches, with the formula:  $(\text{searches} / \text{stops}) \times 100$ .

# Appendix B: Sample Stop Forms

# Fuenlabrada Stop Form, Front



Identificación de personas en vía/lugar públicos			
0002			
Fecha:			Hora de inicio de la parada:
Lugar de la parada:			
Apellidos:			
Nombre:			
D.O.I.:	Tipo:	Núm.:	
Nacionalidad:			Fecha nacimiento:
Población de nacimiento:			
Provincia:			País:
Hijo de:			y de:
Domicilio:			
Nº:	Piso:	Localidad:	
Provincia:			Teléfono:
Motivo de la identificación:			
Observaciones sobre la motivación:			
Se procede a registro personal: <input type="checkbox"/> Sí <input type="checkbox"/> No <input type="checkbox"/> Es positivo el registro: <input type="checkbox"/> Sí <input type="checkbox"/> No <input type="checkbox"/>			
Objetos intervenidos:			
Otros datos de interés:			
Vehículo relacionado:			Matrícula:
		Color:	
Se formula denuncia:	<input type="checkbox"/> Sí <input type="checkbox"/> No <input type="checkbox"/>	Normativa denuncia:	
Infracción:			
Ilícito penal	<input type="checkbox"/> Sí <input type="checkbox"/> No <input type="checkbox"/>	Actuación	Falta penal <input type="checkbox"/> Imputado no detenido <input type="checkbox"/> Detención <input type="checkbox"/>
Tipo penal:			
Hora del final de la parada:			Agentes actuantes N.I.P.
 Ayuntamiento de <b>FUENLABRADA</b> Concejalía de Seguridad Ciudadana y Tráfico Servicio de Policía Local		 AGIS 2006	F-0149
With financial support from the AGIS Programme European Commission - Directorate General Justice, Freedom And Security			

# Fuenlabrada Stop Form, Back

<b>Normativa legal</b>	
<p>El artículo 20 de la Ley Orgánica 1/1992, de 21 de Febrero, de Protección de la Seguridad Ciudadana, establece que "los agentes de las Fuerzas y Cuerpos de Seguridad podrán requerir en el ejercicio de sus funciones de indagación o prevención, la identificación de las personas y realizar las comprobaciones pertinentes en la vía pública o en el lugar donde se hubiere hecho el requerimiento, siempre que el conocimiento de la identidad de las personas requeridas fuere necesario para el ejercicio de las funciones de protección de la seguridad que a los agentes encomienda la Ley".</p>	
<p>Cualquier persona identificada y/o registrada en la vía u otro lugar público tiene derecho a un trato correcto y esmerado por parte de los agentes de Policía que le han solicitado su documentación o le han registrado. Además, los agentes policiales están obligados a facilitarle información cumplida y tan amplia como sea posible, sobre las causas y finalidad de su identificación/registro, según establece el art. 5º de la Ley Orgánica 2/1986, de 13 de Marzo, de Fuerzas y Cuerpos de Seguridad.</p>	
<p>Ante cualquier vulneración de las normas vigentes, puede Ud. presentar una reclamación directamente en la Policía Local, a través de cualquier escrito, o cumplimentando la hoja reglamentaria de Reclamaciones y Sugerencias que tiene a su disposición en nuestras dependencias de la C/ Hungría, s/n. También podrá acceder a dicha hoja en la página web del Ayuntamiento <a href="http://www.ayto-fuenlabrada.es">www.ayto-fuenlabrada.es</a>, en el Servicio Municipal de Asistencia a la Víctima y en el Registro General del Ayuntamiento de Fuenlabrada.</p>	
<p>Los datos recogidos en la presente ficha podrán ser utilizados de forma exclusiva para uso policial, cumpliendo todos los requisitos que establece la Ley Orgánica 15/1999 de 13 de diciembre de Protección de datos de carácter personal.</p>	
<p>Se informa que los datos de carácter personal incluidos en el presente documento van a ser incorporados a los ficheros titularidad del Ayuntamiento de Fuenlabrada, con dirección en la Plaza de la Constitución Nº 1 de Fuenlabrada, para la gestión y control de los mismos. Podrá ejercitar los derechos de acceso, rectificación, cancelación u oposición dirigiendo una comunicación por escrito al Departamento de Atención Ciudadana del citado Ayuntamiento, a la dirección antes expuesta.</p>	
<p><b>Formulario avalado por el Programa AGIS de la Unión Europea</b></p> <p> AGIS 2006 With financial support from the AGIS Programme European Commission - Directorate General Justice, Freedom And Security</p>	
<p>El presente formulario está incluido dentro del Programa AGIS de la Unión Europea que apoya iniciativas encaminadas a buscar un enfoque coordinado y multidisciplinar de las distintas actividades relacionadas con la creación del espacio de libertad, seguridad y justicia así como la prevención y la lucha contra la delincuencia organizada en la Unión Europea.</p>	
<p>En concreto, el formulario forma parte del Proyecto STEPSS (Strategies for Effective Stop and Search), que tiene como objetivo mejorar las relaciones entre los Cuerpos Policiales y las minorías étnicas y los procedimientos policiales, para prevenir prácticas discriminatorias.</p>	
<p> AYUNTAMIENTO DE FUENLABRADA Programa de Asistencia a la Víctima y Registro General</p>	

# Castellón Stop Form, Front

Identificación de personas en lugar público				Nº 00000	
Fecha		Hora de inicio de la parada			
Via/lugar en que se produce la parada			Nº de la vía		
Apellidos					
Nombre			Sexo Mujer <input type="checkbox"/> Hombre <input type="checkbox"/>		
D.O.I.		Tipo:		Nº:	
Nacionalidad:			Fecha de nacimiento		
Población de nacimiento					
Provincia			País		
Hijo de			y de		
Domicilio					
Nº	Piso	Localidad			
Provincia			Teléfono		
Motivo de la Identificación	1. Operativo de Prevención _____ <input type="checkbox"/> 2. Zona sometida a control policial intensivo _____ <input type="checkbox"/> 3. Localización supuesto autor de un ilícito penal o administrativo _____ <input type="checkbox"/> 4. Supuesta participación en conducta incívica _____ <input type="checkbox"/> 5. Actitud o comportamiento sospechoso _____ <input type="checkbox"/> 6. Otros _____ <input type="checkbox"/>				
Observaciones sobre la identificación					
Se procede a registro personal		Si <input type="checkbox"/> No <input type="checkbox"/>	Es positivo el registro		Si <input type="checkbox"/> No <input type="checkbox"/>
Objetos intervenidos					
Otros datos de interés					
Se detecta infracción administrativa		Si <input type="checkbox"/> No <input type="checkbox"/>	Normativa por la que se denuncia		
Infracción detectada					
Ilícito penal	Si <input type="checkbox"/> No <input type="checkbox"/>	Actuación	Falta penal <input type="checkbox"/> Imputado no detenido <input type="checkbox"/> Detención <input type="checkbox"/>		
Tipo penal:					
Hora del final de la parada:		N.I.P. de los agentes actuantes:			
 					

# Castellón Stop Form, Back

## **Reverso del Boletín (Copia Amarilla) para la persona identificada**

### **Informaciones de interés para las personas identificadas**

El artículo 20 de la Ley Orgánica 1/1992, de 21 de Febrero, de Protección de la Seguridad Ciudadana, establece que *"los agentes de las Fuerzas y Cuerpos de Seguridad podrán requerir en el ejercicio de sus funciones de indagación o prevención, la identificación de las personas y realizar las comprobaciones pertinentes en la vía pública o en el lugar donde se hubiere hecho el requerimiento, siempre que el conocimiento de la identidad de las personas requeridas fuere necesario para el ejercicio de las funciones de protección de la seguridad que a los agentes encomienda la Ley"*.

Cualquier persona identificada y/o registrada en la vía u otro lugar público tiene derecho a un trato correcto y esmerado por parte de los agentes de Policía que han solicitado su documentación o han procedido a su registro. Además, los agentes policiales están obligados a facilitarle información, cumplida y tan amplia como sea posible, sobre las causas y finalidad de su identificación/registro, según establece el art. 5º de la Ley Orgánica 2/1986, de 13 de Marzo, de Fuerzas y Cuerpos de Seguridad.

Ante cualquier vulneración de las normas vigentes, Ud. puede presentar una reclamación directamente en la Policía Local, a través de un escrito dirigido a la Unidad de Gestión Policial de la Diversidad, o cumplimentando la hoja de Reclamaciones y Quejas que tiene a su disposición en cualquiera de nuestras dependencias y que podrá presentar en la Unidad de Reclamaciones y Sugerencias (URyS) en Calle Campaomor nº 28- 2º o en cualquiera de las dependencias del Servicio de Atención al Ciudadano y en los Registros del Ayuntamiento de Castellón.

También puede acceder a dicha hoja "on line", en la página web del Ayuntamiento [www.castello.es](http://www.castello.es) a través del Portal de la Ciudadanía o telefónicamente marcando el 010, del Servicio de Información al Ciudadano, si llama desde Castellón con un teléfono fijo; o el 96.422.60.10, si llama desde fuera de Castellón o con un teléfono móvil, si bien, por este último medio, el interesado deberá personarse en el plazo de 10 días, a contar del siguiente a su llamada telefónica, en la Unidad de Reclamaciones y Sugerencias (URyS) del Ayuntamiento de Castellón, para firmar el impreso. En caso contrario, a la "reclamación" o "queja" se le dará el tratamiento de "sugerencia".

Los datos facilitados por Ud. en este formulario pasarán a formar parte de los ficheros automatizados, propiedad del Ayuntamiento de Castellón, y podrán ser utilizados por el titular del fichero para el ejercicio de las funciones propias en el ámbito de sus competencias. De conformidad con la Ley Orgánica 15/1999, de Protección de Datos de Carácter personal, Ud. podrá ejercitar los derechos de acceso, rectificación, cancelación y oposición mediante una instancia presentada ante el Registro General de Entrada del Ayuntamiento de Castellón.

El presente formulario está incluido dentro del Programa PIPE (Programa para la Identificación Policial Eficaz), que tiene como principales objetivos mejorar la eficacia policial en materia de identificaciones policiales, prevenir y controlar cualquier sesgo discriminatorio y potenciar el acercamiento y la relación entre las Policías Públicas y la Sociedad Diversa de las respectivas Comunidades Locales.

El PIPE se desarrolla con fondos aportados por la Iniciativa para una Sociedad Abierta (Fundación SOROS) y está impulsado por la Plataforma por la Gestión Policial de la Diversidad, cuyo objetivo prioritario es impulsar y promover cambios en los servicios policiales para garantizar a la Sociedad Diversa un trato policial igualitario y no discriminatorio.



**Plataforma por la Gestión Policial de la Diversidad**



# Endnotes

1 SurveyMonkey (SurveyMonkey.com) is an example of online survey software that can be administered in Spanish (as long as lists of officers' emails are available).

2 The growing body of social science evidence of police ethnic profiling in Spain includes: Open Society Justice Initiative (2007). *"I can stop and search whoever I want": Police stops of ethnic minorities in Bulgaria, Hungary and Spain*. New York: Open Society Justice Initiative. This report provides results of qualitative interviews with Spanish police officers and members of Spanish minority communities. These interviews showed not only that immigrants and Spanish Roma ("Gitanos") felt they were targeted by police on the basis of their ethnicity, but that some police officers openly admitted to this targeting, particularly in relation to immigration enforcement. Quantitative data from a recent national survey of Spain is consistent with ethnic profiling, showing disproportionate numbers of pedestrian stops among immigrants and ethnic minorities compared to white Spanish persons, see: García Añón, J., Bradford, B., García Sáez, J. A., Gascón Cuenca, A. & Llorente Ferreres, A. (2013). *Identificación policial por perfil étnico en España: Informe sobre experiencias y actitudes en relación con las actuaciones policiales*. Valencia, Spain: Tirant lo Blanche. The police data presented in this report also indicate disparities in police stops that negatively impact ethnic minority and immigrant communities. The increasing weight of evidence of ethnic profiling by Spanish police is also documented in reports and statements from domestic and international human rights bodies including the Spanish Ombudsperson's office, the Committee of Ministers of the Council of Europe, and the UN Special Rapporteur on Racism, Xenophobia, and Other Contemporary Forms of Discrimination, see: The United Nations Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia, and other forms of intolerance, country report on Spain (Document A/HRC/23/56/Add.2, June 6 2013); The 2013 Annual Report of the Spanish Ombuds Office ("Informe Anual del Defensor del Pueblo correspondiente al 2013"); The July 10, 2013 resolution adopted by the Committee of Ministers of the European Commission, Resolution CM/ResCMN(2013)4.

3 The concept emerges from debate and research conducted in a variety of countries over recent decades. In the United States, concerns about *racial* profiling assumed particular prominence from the 1990s onwards, following a series of widely publicized instances of alleged profiling. Harris, D. A. (1999). *Driving while black: Racial profiling on our nation's highways*. Washington, DC: American Civil Liberties Union. Harris, D. A. (2002). *Profiles in injustice: Why racial profiling cannot work*. New York: New York Press. Harris, D. A. (2005). *Confronting ethnic profiling in the United States*. In Open Society Justice Initiative (ed.) *Justice initiatives, June 2005: Ethnic profiling by police in Europe*, 66–74. New York: Open Society Justice Initiative. Ramirez, D., McDevitt, J. & Farrell, A. (2000). *A resource guide on racial profiling data collection systems: Promising practices and lessons learned*. Washington, DC: US Department of Justice.) Further studies scientifically demonstrated patterns of profiling. Lamberth, J. (1998). “Driving while black: A statistician proves that prejudice still rules the road,” *Washington Post*, 16 August, p. C01. The Alpert Group (2004). *Miami-Dade racial profiling study*. Florida: Miami-Dade County. Engel, R. S. and Calnon, J. M. (2004). *Comparing benchmark methodologies for police-citizen contacts: Traffic stop data collection for the Pennsylvania State Police*. Pennsylvania: State Police. Lange, J. E., Johnson, M. B. & Voas, R. B. (2005), “Testing the racial profiling hypothesis for seemingly disparate traffic stops on the New Jersey Turnpike,” *Justice Quarterly* 22, 193–223.

In the UK surveys and police statistics dating back more than three decades have shown systematic ethnic disparities (“disproportionality”) in stop and search patterns that have raised similar concerns. See Bucke, T. (1997). *Ethnicity and contacts with the police: Latest findings from the British Crime Survey*. Research Findings No. 59. London: Home Office. Clancy, A., Hough, M., Aust, R. and Kershaw, C. (2001). *Crime policing and justice: The experience of ethnic minorities: Findings of the 2000 British Crime Survey*. London: Home Office. European practices have been documented by the Open Society Justice Initiative (2007) “*I can stop and search whoever I want*”: *Police stops of ethnic minorities in Bulgaria, Hungary and Spain*. New York: Open Society Justice Initiative. Open Society Justice Initiative and Jurix (2006). *Ethnic profiling in the Moscow Metro*. New York: Open Society Justice Initiative. See also Miller, J., Gounev, P., Pap, A. L., Wagman, D., Bernát, A., Densco, B., Pernas, B., & Simonovits, B. (2008) “Racism and police stops: Adapting US and British debates to continental Europe,” *European Journal of Criminology*, 5, 161–191.) that suggest patterns of ethnic profiling.

4 Open Society Justice Initiative (2013a). *International standards on ethnic profiling: standards and decisions from the European systems*. New York: Open Society Justice Initiative.

5 Procedural justice theory describes the importance of trust and legitimacy in engendering public respect for the law and effective policing. The negative dynamic described here has been documented through research in a variety of countries, including Spain. See García Añón, J., Bradford, B., García Sáez, J. A., Gascón Cuenca, A. & Llorente Ferreres, A. (2013). *Identificación policial por perfil étnico en España: Informe sobre experiencias y actitudes en relación con las actuaciones policiales*. Valencia, Spain: Tirant lo Blanche.

6 Miller, J. (2010), “Stop and search in England: A reformed tactic or business as usual?” *British Journal of Criminology*, 50, 954–974.

7 Open Society Justice Initiative (2009), *Addressing ethnic profiling by police: A report on the Strategies for Effective Police Stop and Search project*, New York: Open Society Justice Initiative.

8 Arenas García, L., García España, E., & Miller, J. (2014a). *Informe final: PIPE en Castellón*. Unpublished manuscript, University of Malaga, Spain. Arenas García, L., García España, E., &

Miller, J. (2014b). *Informe final: PIPE en Pedrezuola*. Unpublished manuscript, University of Malaga, Spain.

9 It is important to note that the Mossos d'Esquadra had some special units operating in Girona that did not participate in the STEPSS project and were therefore not recording their stops.

10 It is important to note that in four of the five pilot sites, nationality was used rather than ethnic appearance or identity. This reflects two factors: first, like most European nations, Spanish authorities do not collect racial or ethnic data in national censuses and other official databases; and second, immigration to Spain is a recent phenomenon and the most visible minorities are still non-Spanish nationals, although this is rapidly changing through increasing nationalization and a generation of Spanish-born children of immigrants. Thus, in order to monitor patterns of disproportionality more effectively, Spanish authorities will need to collect ethnic data, subject to appropriate protections under national data protection standards. The Spanish National Ombudsman's Office has examined the issue of police ethnic data collection and advised the Ministry of the Interior that this can be done in compliance with national data protection standards. Letter of October 23, 2014, to Cristina de la Serna Sandoval informing her of the transmission of this opinion to the Dirección General de la Policía, and the Secretaría de Estado del Ministerio del Interior. On file with Justice Initiative and the PGPD.

11 Please see the discussion in the methodology section of this report.

12 Hit rates are a measure of the effectiveness of stops. They refer to the percentage of stops that are successful, because they led to the identification of wrong-doing—such as administrative or penal infractions. The precise definition of “hit rate” may vary across sites.

13 Unfortunately, data is not available to examine changes to the public's experiences of stops or their perception of the police. Improving these are also desired outcomes of reform.

14 The historical stop data used a different form and was not used in the same circumstances as the PIPE form.

15 The result is essentially the same if we compare the two months pre-PIPE with the whole six months of data post-PIPE: for January and February of 2013, 58 percent of stops are of Spaniards; for the whole pilot period the figure is slightly higher at 61 percent.

16 The best fitting line is calculated here using ordinary least squares regression, which minimizes the (squared) distances between the straight line and each of the data points on a graph.

17 Disproportionality is measured using a “relative rate index.” A value of one suggests no disparity, a value of two indicates the minority is twice as likely to be stopped, while a value of 0.5 indicates the minority is half as likely to be stopped, compared to a Spanish person.

18 This is true if we compare the first and last data point for each series, or if we use the best fitting straight-line, based on ordinary least squares regression.

19 It was perhaps most positively received in Fuenlabrada where the officers attending were young, and the training focused heavily on police effectiveness. In other settings, a more resistant attitude was evident. Notably, in Girona a recent scandal concerning the treatment of a suspect in custody produced a particularly defensive attitude among the Mossos d'Esquadra.

20 It is worth noting that in Fuenlabrada, once reforms were implemented, a series of measures to increase officer sensitivity to issues of diversity were also introduced (including additional train-

ing, affirmative action to increase minority representation in the police service, and work on hate crimes). Fuenlabrada police officers no longer resist these practices, but now understand them as part of the institutional identity of the agency.

21 Open Society Justice Initiative (2009), *Addressing ethnic profiling by police: A report on the Strategies for Effective Police Stop and Search project*.

22 Bland, Miller, Quinton (2000) <http://webarchive.nationalarchives.gov.uk/20110218135832/http://rds.homeoffice.gov.uk/rds/prgpdfs/prs132.pdf>.

23 The challenges of assuring representative community engagement are common to many settings. An analysis of these efforts in Spain is provided in Schmitt, M. & Pernas, B. (2008), *Pasos hacia la igualdad: El proyecto STEPSS (Strategies for Effective Police Stop and Search) en España*. Madrid, Spain: GEA21.

24 Fyfe, J. J. (1979), Administrative interventions on police shooting discretion: An empirical examination. *Journal of Criminal Justice*, 7, 309–23. Davis, R. C., Mateu-Gelabert, P., & Miller, J. (2005). Can effective policing also be respectful? Two examples from the South Bronx. *Police Quarterly*, 8, 229–247.

25 Miller, J. (2010), “Stop and search in England: A reformed tactic or business as usual?” *British Journal of Criminology*, 50, 954–974.

26 While intended as a three-site initiative, owing to difficulties engaging police agencies in the experiment, it ultimately involved two local Spanish police agencies.

## Plataforma por la Gestión Policial de la Diversidad

The Plataforma por la Gestión Policial de la Diversidad (Platform for Police Management of Diversity, PGPD) was established in 2010 as a meeting point between representatives of civil society and police services. Its aim is to encourage and promote changes in policing institutions that improve their operational procedures and guarantee equal treatment and nondiscrimination for a diverse society—especially for minority groups and the most vulnerable. PGPD’s members include Accem; FEAPS; Federación Estatal de Lesbianas, Gais, Transexuales y Bisexuales; Fundación CEPAIM; Fundación Secretariado Gitano; Movimiento contra la Intolerancia; Fundación RAIS; Red Acoge; y Unión Nacional de Jefes y Directivos de Policía Local. Amnistía Internacional and Open Society Justice Initiative are observer entities.

A related PGPD publication is the *Guide for the Police Management of Diversity*.

<http://www.gestionpolicialdiversidad.org>

## Open Society Justice Initiative

The Open Society Justice Initiative uses law to protect and empower people around the world. Through litigation, advocacy, research, and technical assistance, the Justice Initiative promotes human rights and builds legal capacity for open societies. Our staff is based in Abuja, Bishkek, Brussels, Budapest, Freetown, The Hague, London, Mexico City, New York, Paris, Santo Domingo, and Washington, D.C.

[www.JusticeInitiative.org](http://www.JusticeInitiative.org)

Related Justice Initiative publications include: *Reducing Ethnic Profiling in the European Union: A Handbook of Good Practices*; *Addressing Ethnic Profiling by Police: A Report on the Strategies for Effective Police Stop and Search Project*; *Ethnic Profiling in the European Union: Pervasive, Ineffective, and Discriminatory*; *“I Can Stop and Search Whoever I Want”: Police Stops of Ethnic Minorities in Bulgaria, Hungary, and Spain*; *Ethnic Profiling in the Moscow Metro*; and *Justice Initiatives: Ethnic Profiling by Police in Europe*.

## Open Society Foundations

The Open Society Foundations work to build vibrant and tolerant democracies whose governments are accountable to their citizens. Working with local communities in more than 70 countries, the Open Society Foundations support justice and human rights, freedom of expression, and access to public health and education.

[www.opensocietyfoundations.org](http://www.opensocietyfoundations.org)





Around the world, police departments, policymakers, and communities have struggled with developing best practices to ensure the delivery of both fair and effective policing. Recently, five police departments in Spain undertook an ambitious reform program intended to reduce ethnic profiling and increase the effectiveness and fairness of police stops and searches.

Their collective experience shows that change is possible—while also illustrating the challenges and resources required to make change sustainable. Through a series of steps outlined in this report, the police agencies reduced the ethnic disproportionality of their stops, increased the effectiveness of stops while reducing the total number of people stopped, and improved relations with ethnic minority communities.

This report is both a description of reform efforts and a prescription—grounded in day-to-day experience—for how police departments can carry out reforms and what can be achieved. By combining a narrative account of how the reforms were implemented with data from the project sites and on the impact of the reforms, *Fair and Effective Police Stops* provides a roadmap for any police service seeking to improve the fairness and effectiveness of its work.

