

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

FEBRUARY 10, 2022

The Special Meeting of the Ames City Council was called to order by Mayor John Haila at 6:01 p.m. on the 10th day of February 10, 2022, in the City Auditorium, 515 Clark Avenue. The following Council Members were in attendance: Gloria Betcher, Bronwyn Beatty-Hansen, Tim Gartin, Rachel Junck, and Anita Rollins. *Ex officio* Member Trevor Poundstone was also present.

The Mayor recognized Iowa State University (ISU) President Wendy Wintersteen and Sharon Perry Fantini, Vice-President of Diversity, Equity, and Inclusion at ISU, who were present.

Mayor Haila stated that the purpose of this Special Meeting was to hear the presentation by the consultant on the Traffic Stop Study. The presentation was followed by questions from the Ames City Council, ISU Student Government, and the general public. According to Mayor Haila, questions were also accepted social media (YouTube and Facebook) sites.

Student Government Speaker of the Senate, Dawson Weathers, stated that he was filling-in for Vice-President Megan Decker. Mr. Weathers called the Student Government meeting to order at 6:04 PM on behalf of the ISU Student Government,

PRESENTATION OF AMES POLICE DEPARTMENT AND IOWA STATE UNIVERSITY (ISU) POLICE DEPARTMENT TRAFFIC STOP STUDY RESULTS: Michael Newton, Associate Vice-President for Public Safety and Chief of Police at Iowa State University, reiterated that the purpose of this meeting was to discuss the findings of the Traffic Stop Study conducted by CR Research Group for both Police Departments. The Ames and ISU Police Departments had requested the independent review to understand whether or not racial disparities existed in traffic stops and the outcomes of those stops. Both Departments had heard concerns from the community and were aware of concerns nationally and requested the Study to find out what they could learn. Chief Newton pointed out that this Study is one step in their attempts to build a more welcoming and inclusive environment on Campus and in the community. Other steps that have been taken were noted, such as bias-based training for officers, ongoing conversations with the community about race and other things that are happening in the community, and many outreach activities.

Geoff Huff, City of Ames Chief of Police, reiterated that both Departments had asked for and undertook this endeavor voluntarily. Both Departments desired to work with the consultants to look at their discretionary stop data and to learn more about their Departments and those traffic stops. Chief Huff noted that one of the many values of the City of Ames is *Continuous Improvement*. He said that they will review the results of the Study and the recommendations to assist their Departments to better serve their diverse residents. One of his goals, as the City's Chief of Police, is to ensure that each resident feels safe and valued. It was noted that copies of the research group's reports are available on the Ames and Iowa State websites.

Chief Huff introduced Dr. Chris Barnum, Professor at Ambrose University and President of CR Research Group, L.C., who conducted the Study. Mr. Barnum has been conducting similar research, mainly through St. Ambrose University, since 2010, and has a lot of experience performing these types

of studies for cities in Iowa. Dr. Barnum said his strategy for this evening will be to give a global overview of the methodology used, present the findings, and answer any questions anyone might have. He noted that findings will be presented for two studies: one from Ames Police Department and one from the Iowa State University Police Department. It was pointed out by Dr. Barnum that Ames and ISU Police Departments had actually invited CR Research in to analyze the data; they were not sure what the outcomes of the Studies would be, and he commended them for doing so.

Dr. Barnum stated that when they go into a community and begin to look at police data, the focus of their review is to find disproportionality, which is an over-representation of drivers who identify as people of color in the police traffic stop data. According to Dr. Barnum, they use the term disproportionality because it does not necessarily signify bias. It is possible for disproportionality to occur for a number of reasons, including differences between racial groups' driving behaviors, vehicle condition, or driver's license status. Once they have the data, they look for disproportionality on two levels: first, a difference between police stop percentages by a racial category and a reliable benchmark, and secondly, a difference between groups, based on race, in traffic stop outcomes (tickets, warnings, and arrests). To come up with the best benchmark for this purpose, they set up observers at intersections who record the race of each driver. They then compute the percentages of the drivers based on race. Dr. Barnum further explained that they split the community into observation zones because the proportion of different races on the roads will vary from location to location. Ames had 14 observation zones, which were chosen based on areas where there is heavy traffic flow and where the police are making the most stops. The police stops that occurred in each observation zone are then reviewed. They compute the same percentages for the police data that they have in their benchmarks, and they compare the two. Dr. Barnum gave a hypothetical illustration to further explain that methodology.

A slide was shown by Dr. Barnum where the traffic stops by observation occurred in 2018 and 2019 for the Ames Police Department. He explained the Ames Police Department Disproportionality Indexes for 2018 and 2019 and how to interpret them. In summary, Dr. Barnum stated that there was no strong evidence that they had high confidence in that there was any disproportionality occurring in the Ames Police Department.

A slide was also shown by Dr. Barnum where the traffic stops by observation occurred in 2017, 2018 and 2019 for Iowa State University Police Department. The Disproportionality Indexes for each of those years was shown. In summary, Dr. Barnum stated that there was no strong evidence that they had high confidence in that there was any disproportionality occurring in the Iowa State University Police Department.

Regarding Individual Officer Index, Dr. Barnum showed an example, not using Ames data, to illustrate what a pattern of disproportionality would look like. Charts showing officer index values for 2018 and 2019 for Ames officers were interpreted. There was no strong evidence that showed any disproportionality existed in the traffic stops made by Ames Police Department. The same charts were shown for Iowa State University Police officers in 2017, 2018, and 2019. For both Departments, officers' index values were generally clustered together with no outliers. For ISU Police Department, the chart in 2017 and Type II Chart in 2018 each contained a single officer who had a conspicuously higher index value than other officers; however, that no longer appeared to be the case in 2019.

Dr. Barnum explained that stop outcomes simply means what happens after a traffic stop has been made. The three types of outcomes tracked were citations, warnings, and arrests. He advised that nearly all of the arrests made in all years of the analysis for both types of benchmarks were for nondiscretionary charges. Nondiscretionary charges were defined as the officer has little or no discretion in deciding to arrest; the officer must make an arrest. Some arrests were to cite and release, meaning the driver was issued a summons to appear in court in lieu of being taken to jail. According to Dr. Barnum, the vast majority of arrests made by both Departments were for nondiscretionary charges.

Odds-ratios values were explained by Dr. Barnum. This estimator is useful when comparing two distinct groups and summarizes the odds of something happening to one group to the odds of it happening to another group. He said an odds-ratio value greater than one indicates an increased occurrence of an outcome for a non-white driver. Arrest data was interpreted by Dr. Barnum. He presented a summary of the outcomes of arrests after a traffic stop for Ames Police Department, as follows:

Citations and Warnings: The information suggests that when compared to 2018, non-white-driver disproportionality in citations decreased in 2019 for both types of odds ratios. The results suggested that white drivers were more likely to receive a ticket than others.

Arrests: Disproportionality in arrests increased in 2019 for both types of odds ratios. Taken together, the findings suggested greater disproportionality in arrests involving African American drivers than in other people of color. Dr. Barnum stated that it was important to note that almost all arrests were made for non-discretionary offenses, meaning officers were required to make an arrest.

The data for ISU for 2017, 2018, and 2019 pertaining to citations, warnings, and arrests were shown. There was disproportionality showing in arrests of African Americans for all three years. Dr. Barnum provided a summary of the ISU Police Department stop outcomes, as follows:

Citations and Warnings: Results suggested that for Type I, when compared to earlier years, non-white-driver disproportionality in citations and warnings decreased in 2019. The information for Type II was substantively similar. When compared to earlier years, non-white-driver disproportionality in citations and warnings decreased in 2019.

Arrests: Disproportionality for both Type I and Type II odds ratios increased in 2019. Taken together, the findings suggested greater disproportionality in African American arrests than in others. Dr. Barnum again noted that almost all arrests were made for non-discretionary offenses.

Conclusions:

1. Findings from the examination of disproportionality in vehicle stops showed that, at the Department level, index values were nearly always less than 0.05 for all years of the Study for both Departments.
2. Individual officer analysis suggested no clear outlier officers in disproportionality for 2019.

3. The results for the analyses of stop outcomes indicated decreasing and comparatively low levels of disproportionality in stop outcomes for citations and warnings.
4. The findings showed increasing levels of disproportionality in arrests. Even so, it was again important to note that almost all arrests were made for nondiscretionary offenses (officers were required to make an arrest and had little or no choice in the matter).

Dr. Barnum stated that there were some limitations of the Study, which were as follows:

1. The data for this Study came from sources that were not initially or primarily intended for the examination of disproportionality in traffic stop decisions or outcomes. Consequently, some important information was not available.
2. The classifications for the reason for the stop were in some cases ambiguous.
3. Some nondiscretionary stop information resulting from traffic accidents many have been included in the data.

QUESTIONS FROM AMES CITY COUNCIL AND ISU STUDENT GOVERNMENT: Ames City Council Member Beatty-Hansen asked Dr. Barnum if benchmark observations were done at night too. Dr. Barnum answered that the “lion’s share” or majority were done during the evening to late-night hours. They did not split out when the observations were taken; they combined all hours. Ms. Beatty-Hansen then asked, if the non-discretionary arrests are discounted, was there still enough data to come to a conclusion. Dr. Barnum replied that there were so few that he couldn’t really analyze that. It was also asked by Ms. Beatty-Hansen if disproportionality was measured by area of town. According to Dr. Barnum, they do that, but it is weighted by the number of stops.

Council Member Gartin had questions about the mechanics of identifying race, specifically when a person is from a multi-racial background, which may make it difficult to identify a person’s race accurately. He asked how they accounted for the subjective aspect of identifying the race of the driver. Also asked by Mr. Gartin was whether the driver is being asked to self-identify their race, and if not, is the officer making a record of what they believe is the race of the driver. Dr. Barnum said that when their observers are watching traffic, it is merely their perception of what the driver’s race is. Chief Huff said that the race that is recorded on the citation or arrest comes from the person’s driver’s license, which is coded by the Department of Transportation. The officers are not asking the person to identify their race and they are not guessing. Chief Huff noted that race is no longer required on the Iowa driver’s license, so in the future, it might say “unknown.” Chief Newton added that was true for his Department. He noted that the State and the FBI only recognize four races, which limits what can be entered..

City Council Member Junck asked Dr. Barnum to expound on why the classifications for the stop were, in some cases, ambiguous and if there was any sorting of what stops were for what reason at all. Dr. Barnum replied that the data that he received was not primarily made for this type of study; it came from other data (Tracks, Central Square police data) sources. That data was not included because they

didn't want to guess at the reason why the stop was made.

City Council Member Betcher asked, given the large number of non-discretionary stops, whether Dr. Barnum observed anything about the legal system of the State of Iowa and how disproportionate it is that Blacks are incarcerated at a much higher percentage in Iowa than elsewhere. Dr. Barnum replied that most departments are now tracking the kinds of arrests that are being made when they do this type of study. He added that they do see the same results that the majority of arrests are non-discretionary. Chief Huff said that when the Ames Police Department saw the disproportionality in the arrests, it further analyzed the arrest data. The results were as follows: three on warrants; five for OWI, 3rd Offense; one for OWI, 2nd Offense; 12 for OWI, 1st Offense; one for no valid driver's license; 11 for Driving Under Suspension (released on citation); two for Driving While Revoked; 11 Driving While Barred; and one for Aggravated Assault. Chief Newton stated that, in 2019, 60% of the African American stops that were cite-and-release were for Driving Under Suspension. The system codes those as arrests, which might not be the case in every County. Chief Newton recognized that it is a cycle that leads to more arrests. Society, as a whole, needs to look at that differently. Chief Huff indicated that the Story County Attorney's Office has a program to assist drivers who find themselves in that type of situation so they don't fall into that cycle.

Alyannah Buhman, Student Government Director of Diversity, Equity, and Inclusion, noted the number of non-discretionary arrests and asked what the initial reasons were for the officer making the traffic stop. Chief Huff said that was hard to put together after the fact. They would have to take a "deeper dive" to find out that information, which they have not done at this point. Chief Newton said the same held true for ISU Police Department. They might need to look at adding more to the reports. Chief Huff added that the records management system is designed to get information to the courts; it is not designed well to get information that is needed for this type of study. The Student Government member then asked if the data from this study had been compared to any other state universities, i.e., University of Iowa and University of Northern Iowa; and if so, how did it compare. Chief Newton answered that the data had not been compared as those institutions, to his knowledge, had not undergone such a study. He shared that they looked at the data from other clients of Dr. Barnum, and in most cases, Ames and ISU were lower in the data categories. Pertaining to the initial reasons for traffic stops, Chief Newton shared that everything they do is on camera and the supervisors are required to review a certain number of videos per month.

Another Student Government member requested to know, if a future study is done, how they plan on going through the data and making sure that it is consistent from year to year. Dr. Barnum said he touched on that in Recommendations. There is an issue with what the State of Iowa is doing with the driver's licenses, e.g., taking race off of licenses; every year there will be more "unknowns." Ideally, Dr. Barnum would like to see a data collection system be developed just for this type of study. There are other communities that have that now. In terms of bias, they like to look at whether the question has been asked. He sees it as a legislative issue about coding race. Chief Newton said they plan to look at the data annually. He has already reached out to researchers at ISU to see if they can use their own inside-ISU talent to look at different ways to collect the data. The Student Government member then asked if the footage from body cameras agreed with the data that was in the findings of the Study. Chief Huff said that it did. Chief Newton concurred that they had not found anything that didn't. He noted that both agencies share monthly reports and try to be as transparent as possible. Chief Huff

shared that both agencies try to make it as easy as possible for people to file complaints if they feel they have not been treated fairly. Going forward, the Ames Resident Police Advisory Committee is being formed, which is another way people can make a complaint.

Eddie Mahoney, Residence Hall Senator for Student Government, asked why there was no data included from 2020 or 2021. Chief Newton answered that they started with looking at 2018 data, but they felt one year was not enough to come to any conclusions. They decided to go with 2018 and 2019, but he wanted to go with 2017 data as well since that was when he became the ISU Police Chief. There were not many traffic stops in 2020 and the first half of 2021 because of the pandemic. Mr. Mahoney asked about the benchmarking process and whether it would have been done in 2020/2021 and was it entirely representative of the data from 2017 and 2018. Dr. Barnum said the observers were observing drivers in 2018 and believes it is probably representative of both years.

Another person representing Student Government said, from his viewpoint, 2019 was a year of unusually high disproportionality for the ISU Police Department. He asked for an explanation of why that occurred. Chief Newton said that, for some reason, the majority of ISU Police Department's stops were non-discretionary arrests that resulted in cite-and-release for Driving While Suspended. When he looked at the data, some people were contacted several times; that can be a cycle because the officers recognize the person whom they had stopped before for Driving While Suspended. Chief Newton said he doesn't know why so many suspended drivers (60%) drove in 2019. The student also asked Dr. Barnum what reason he has seen from his other studies as to why white drivers were issued more warnings than other drivers. Dr. Barnum stated that there are also times when white drivers were actually issued more citations. He provided a hypothetical profiling scenario that they look for, but did not find in Ames. Chief Newton noted that sometimes it is driver behavior or an officer is making a stop to inform the driver of a headlight out or an equipment failure.

A Senator for Student Government asked if they thought data from more recent years will show a change in the outcome. Chief Newton said it was hard to tell, but they will continue to provide officer training.

Another Senator for Student Government, asked if, in future studies, it was shown that an officer was making significantly more arrests of person of color, would they know who that officer is and if something could be done to talk to that officer to find out what's going on. Chief Newton said they do know who the officers were and have reviewed their statistics. He noted that officers do not get a choice on what calls to respond to, so some officers respond to calls that require non-discretionary arrests more than others. Chief Newton said that he can say confidently that they looked at the data and did not see an issue with the officer(s) that were involved. Chief Huff stated the same held true for the Ames Police Department. If they were to see higher levels of disproportionality, they would seek to know why.

Representing Student Government, Eddie Mahoney, asked if the officers knew that the study was being performed and was there any chance that it could have influenced their behavior. Chief Newton stated that most of his officers did not know the study was happening, other than the command staff. Chief Huff concurred.

Another Senator for Student Government asked the consultant to speak as to how the methods were developed specifically. He wondered if there was any sort of peer level consensus with the statistical community on how to handle studies like this. Dr. Barnum provided some background as to how they got started performing similar research between 2000 and 2010. Their methods have continued to develop throughout the years. There is some agreement about using benchmarks, but also a lot of debate about what method to use. They have had peer review of their studies and those have been published. It was also asked how the consultant was selected. Chief Huff said that it was initiated by former Ames Police Chief Chuck Cychosz. He received consensus from Iowa State to have a study done including both Ames and ISU Police Departments. Dr. Barnum acknowledged that he had been contacted by Chuck Cychosz. There are not many consultants who perform this type of study. Chief Newton said he had had conversations with former Chief Cychosz. It would not make sense for ISU and the City of Ames to hire separate consultants. The Student Government representative also asked if they are thinking of involving the community in continuing a verification process. Chief Newton said both he and Chief Huff are always happy to sit down with members of the community to have a deeper discussion. He referenced the Ames Resident Police Advisory Committee, stating that it hopefully will be up and running by April, and have that Committee help. Lastly, he asked about the data that was found from stops being made at night. Mr. Barnum said that a lot of their observations occurred in the evening and late-night hours.

Jennifer Seth, SUV Senator for Student Government, said she was curious about the benchmarks. She asked why the decision was made not to use Census data or something else. Dr. Barnum answered that they have compared using benchmarks to using Census data and found that the results were nearly identical. They also found that their benchmarks were more conservative.

QUESTIONS AND COMMENTS FROM THE PUBLIC: There were no questions or comments received from the public. There were no questions that were posted on-line.

MOTION ACCEPTING REPORT: Moved by Betcher, seconded by Junck, to accept the Report of the Ames Police Department and ISU Police Department Traffic Stop Student Results, as submitted. Vote on Motion: 6-0. Motion declared carried unanimously.

DISPOSITIONS OF COMMUNICATIONS TO COUNCIL: None.

COUNCIL COMMENTS: Council Member Gartin thanked the Student Government members for their participation in this meeting. He thought the opportunity to work together tonight was really encouraging.

Mayor Haila mentioned that the application for Ames Resident Police Advisory Committee (ARPAC) will be posted within the next week. They are looking for members representing a broad section of the community. The application will be open for three of four weeks, interviews will then be conducted, and his recommendations will be presented to the City Council.

The Mayor also thanked the Student Government for its participation. He reiterated that the Findings of the Study will be posted on each agency's website.

ADJOURNMENT: Moved by Betcher, seconded by Junck, to adjourn the meeting at 7:51 PM.
Vote on Motion: 6-0. Motion declared carried unanimously.

Dawson thanked all who attended the meeting.

A motion was made and seconded by members of the Student Government to adjourn the meeting.
There were no objections and the meeting adjourned at 7:51 PM.

Diane R. Voss, City Clerk

John A. Haila, Mayor