EXHIBIT 12
DATE 2/23/07
HB 721

Racial Profiling and Data Collection

What is data collection?

In the late 1990s, in response to allegations of racial profiling, jurisdictions around the country began to track information about those who are stopped, searched, ticketed, and/or arrested by police officers. These data collection efforts are an attempt to provide the tangible numbers that will enable police and community leaders to better understand their policing activities. With this understanding, departments will be able to examine and revamp policing strategies based on effectiveness, reconfigure deployment of police resources, or take other measures.

Data collection includes both the collection of the numbers and objective analysis of the data, which is often done through a scholarly partnership between the police department and outside experts. Data analysis allows law enforcement collaboration with community stakeholders to discuss the results and the ways police resources can be used most effectively.

Proponents of Data Collection say

The implementation of data collection systems has led to countless benefits for police departments and communities around the country. Data collection processes can:

- Send a strong message to the community that the department is against racial profiling and that racial profiling is inconsistent with effective policing and equal protection
- Build trust and respect for the police in the communities they serve
- Provide departments with information about the types of stops being made by officers, the proportion of police time spent on high-discretion stops, and the results of such stops
- Help shape and develop training programs to educate officers about racial profiling and interactions with the community
- Enable the development of police and community dialogue to assess the quality and quantity of police-citizen encounters
- Allay community concerns about the activities of police
- Identify potential police misconduct and deter it, when implemented as part of a comprehensive early warning system
- Retain autonomous officer discretion and allow for flexible responses in different situations

Montana People's Action's
Legislative Advocacy

Bringing Accountability to Montana's Racial Profiling Laws.

An Act Requiring the Collection and Reporting of Data for Traffic Stops

Problem: Montana People's Action and Indian People's Action have heard many complaints from our members that people of color, particularly Native Americans, are targeted by law enforcement officers. These practices of racial profiling are illegal under Montana law, but Native Americans and other people of color in Montana continue to be targeted. Further, there is no such form of data collection so we are unable to imperially prove or disprove that racial profiling occurs, nor track how law enforcement have eradicated racial profiling practices.

Solution: Montana People's Action will propose legislation (HB 781) to track information about those who are stopped, searched, ticketed, and/or arrested by police officers. These **data collection** efforts are an attempt to provide the tangible numbers that will enable police and community leaders to better understand their policing activities. With this understanding, departments will be able to examine and revamp policing strategies based on effectiveness, reconfigure deployment of police resources, or take other measures.

Our bill will ask for:

1. The age, gender, and race or minority group of the stopped individual
2. The reasons for the stop
3. Whether a search was conducted as a result of the stop
4. If a Search was conducted; was their consent and probable cause
5. If contraband was found during a search
6. If the stop resulted in a warning, ticket, and/or arrest
7. Law enforment agencies will be require to compile and send annual reports to the Office of the Montana Attourney General for review and publication.

For a great reference to what a STATEWIDE annual report could look like take a look the the Missouri 2005 state report at:

http://www.ago.mo.gov/racialprofiling/2005/racialprofiling2005.htm