



# SEGREGATION AND PLACE-BASED PREDICTIVE POLICING

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# GROWING SKEPTICISM AND CONCERNS

Congress of the United States

Washington, DC 20515

January 24, 2024

The Honorable Merrick Garland  
Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Attorney General Garland:

We write to urge you to halt all Department of Justice (DOJ) grants for predictive policing systems until the DOJ can ensure that grant recipients will not use such systems in ways that have a discriminatory impact.

On April 15, 2021, many of us demanded that DOJ stop making grants to local, state, and tribal law enforcement agencies for purchasing predictive policing systems if DOJ could not ensure that those systems were “fully documented, subjected to [...] independent audits [...], and [provided] due process” for impacted individuals. The response from DOJ on January 14, 2022 made clear that current DOJ policies do not ensure that these objectives are met. This must change now.

Mounting evidence indicates that predictive policing technologies do not reduce crime. Instead, they worsen the unequal treatment of Americans of color by law enforcement. Predictive policing systems rely on historical data distorted by falsified crime reports and disproportionate arrests of people of color. As a result, they are prone to over-predicting crime rates in Black and Latino neighborhoods while under-predicting crime in white neighborhoods. The continued use of such systems creates a dangerous feedback loop: biased predictions are used to justify disproportionate stops and arrests in minority neighborhoods, which further biases statistics on

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# SEGREGATION RACIALIZES SPACE & DATA ABOUT SPACE

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- In the United States, race and space are inextricably linked due to centuries of segregation. Thus...:
    - Most data about space can introduce proxy bias re: race, which...
      - Skews the predictive policing outputs
      - exacerbates, conceals, or distort biased or otherwise unlawful policing

# WHAT IS SEGREGATION?

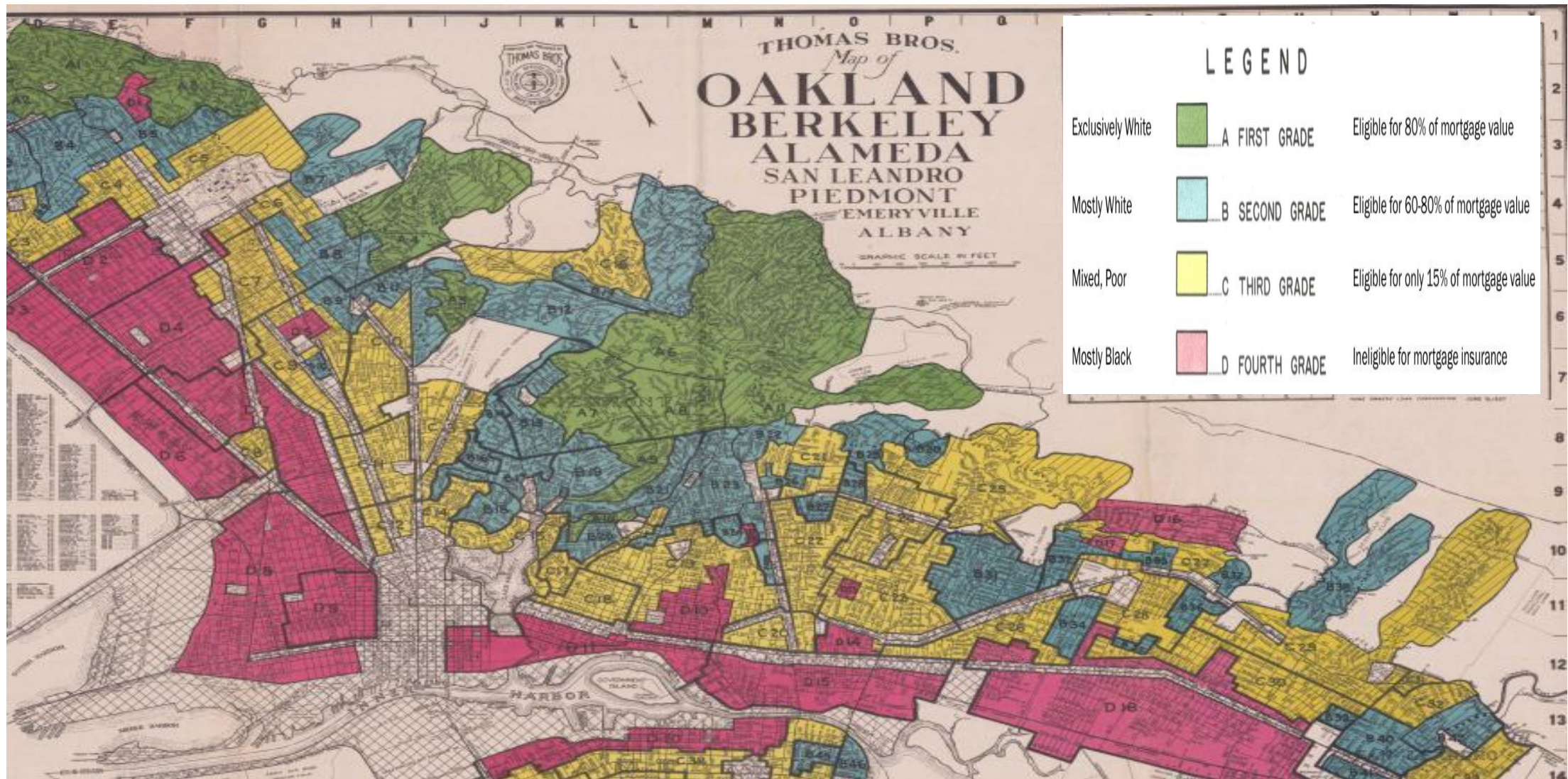
- **Segregation:** A systematic spatial separation and social exclusion of groups.
  - *In the United States, Segregation has primarily and consistently occurred on the basis of race and ethnicity.*
- **De Jure Segregation:** legally mandated separation and social regulation of races.
  - *Imposed through explicitly racially discriminatory laws and regulations, such as slave codes, Federal Indian policy, Black Codes, and Jim Crow.*
- **De facto Segregation:** social exclusion and regulation of races without legal mandates.
  - *Exist through social customs, voluntary practices, private discrimination, and prejudicial practices or behaviors.*

# SEGREGATION SHAPES MATERIAL CONDITIONS OF A SOCIETY

**1.** Segregation shapes material conditions in which data is collected, categorized, and analyzed so data reflects segregative patterns and consequences.

**2.** Segregation creates material conditions that allow racial discrimination to persist and be perpetuated through seemingly race neutral means.





REDLINING



1963

@SEGREGATION\_BY\_DESIGN



2002

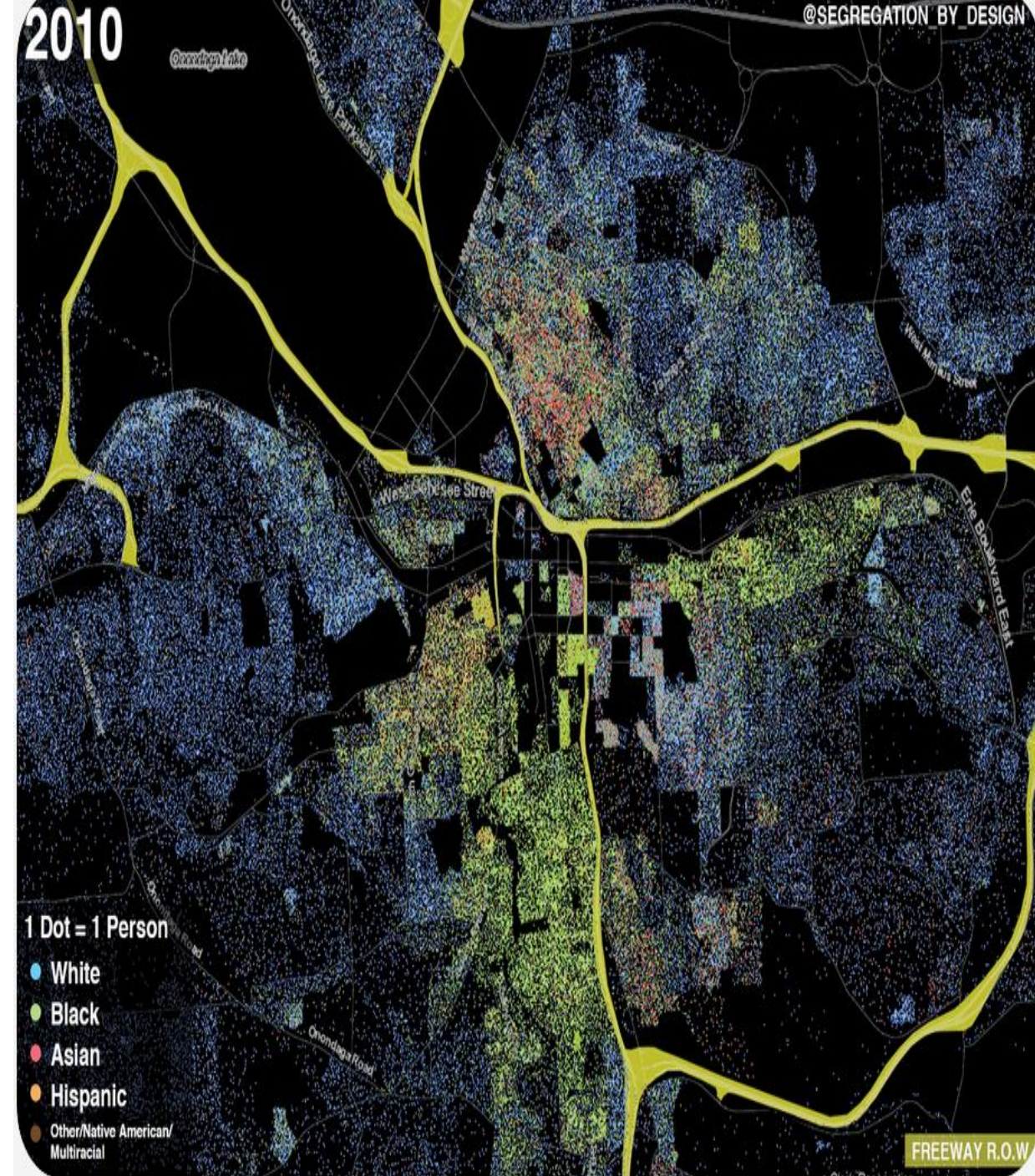
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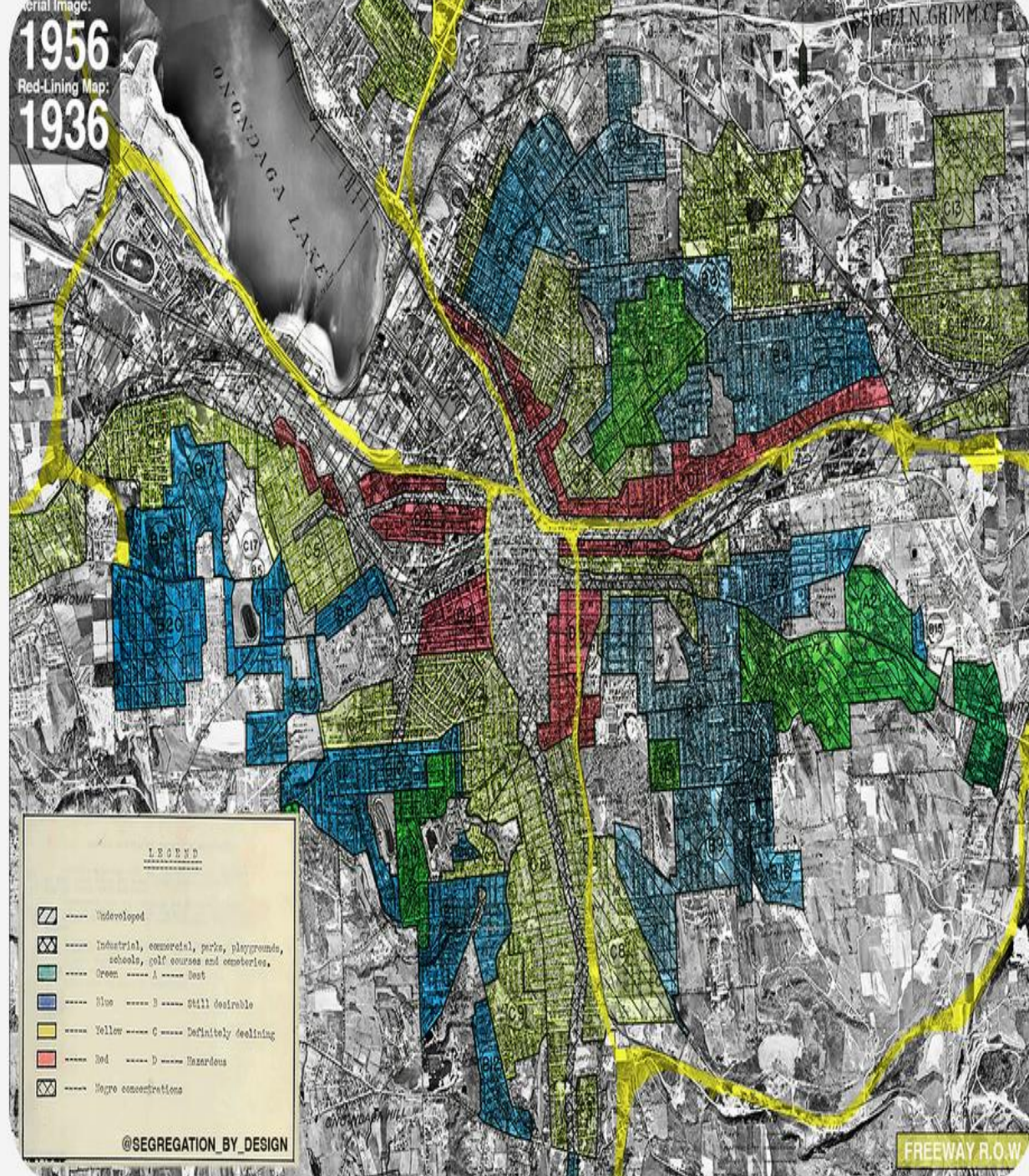


2010

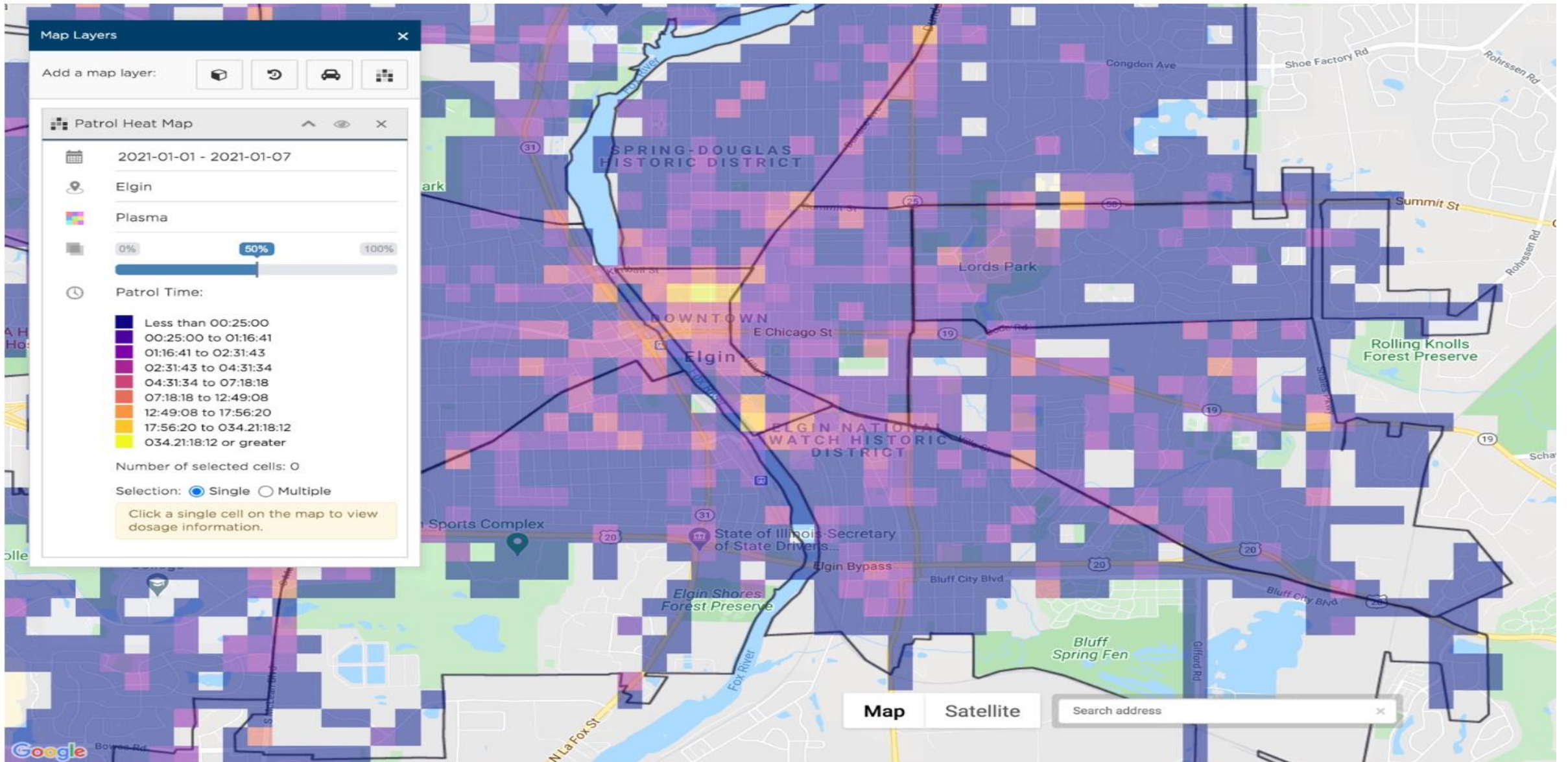
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1956  
Red-Lining Map:  
1936









“There’s no such thing as crime data, there is only reported crime data. And the different between the two is huge.”

**-Phillip Goff**, The  
Center for Policing  
Equity



# REDLINING AND PLACE-BASED PREDICTIVE POLICING: FEEDBACK LOOP EFFECTS

**1.** Redlining concentrates societal problems in lower-income, non-white neighborhoods, which are then targeted by police.

**2.** Skewed crime data justifies greater police presence in these neighborhoods, and increased police presence and activity compounds concentrated disadvantages and reinforces segregative patterns.

# The Markup

Challenging technology to serve the public good.

Show Your Work

Prediction: Bias

## How We Determined Crime Prediction Software Disproportionately Targeted Low-Income, Black, and Latino Neighborhoods

By [Dhruv Mehrotra](#) for Gizmodo, [Surya Mattu](#), [Annie Gilbertson](#), and [Aaron Sankin](#)

December 2, 2021 08:00 ET

- Racially segregated neighborhoods, particularly with lowest share of white residents, had the most crime predictions.
- Black or Latino residents lived in the most-targeted geographic areas.
- The algorithm recommended greater police scrutiny of Black and Latino residents than White residents.
- The number of predictions in a geographic area increased as the Black and Latino proportion of the population increased, and where poorer households or public housing were concentrated.





# SEGREGATION AS A FRAME FOR EVALUATING MARKETING CLAIMS

Prediction: Bias

# Predictive Policing Software Terrible At Predicting Crimes

A software company sold a New Jersey police department an algorithm that was right less than 1% of the time

By [Aaron Sankin](#) and [Surya Mattu](#)

October 2, 2023 10:00 ET

Diving deeper, we looked at predictions specifically for robberies or aggravated assaults that were likely to occur in Plainfield and found a similarly low success rate: 0.6 percent. The pattern was even worse when we looked at burglary predictions, which had a success rate of 0.1 percent.



# RACIAL SEGREGATION AND THE DATA-DRIVEN SOCIETY: HOW OUR FAILURE TO RECKON WITH ROOT CAUSES PERPETUATES SEPARATE AND UNEQUAL REALITIES

*Rashida Richardson<sup>†</sup>*

why racial segregation must be considered when evaluating GIS and other data-driven technologies, this Section highlights a specific use case in Chicago, Illinois. The case was considered a success, yet its supporters overlooked the role of racial segregation as the source of structural conditions that drove crime as well as an alternative solution to address crime.

In 2017, the Chicago Police Department (CPD) launched a nine million dollar project piloting several GIS technologies—ShotSpotter (a location-based gun detection system), HunchLab (a place-based predictive policing



# SELECTED 1937 HOLC REDLINING COMMENTS



...ing  
 ... lower class - 1  
 ... 60% Nationalities  
 Infiltration negro - steadily  
 PREDOMINATING  
 2 & 3 family

## D30 Near North Side

"Negro population is largely concentrated south of Division St. This section has no future."

PREDOMINATING  
 No  
 Homes  
 Occupied  
 by  
 Single  
 Families

## D49 Pilsen

"Residential buildings occupied by all kinds of nationalities, including colored, Mexican, Russian Jews, Greeks, and low white."

Negro 100 %

## D40 Near West Side

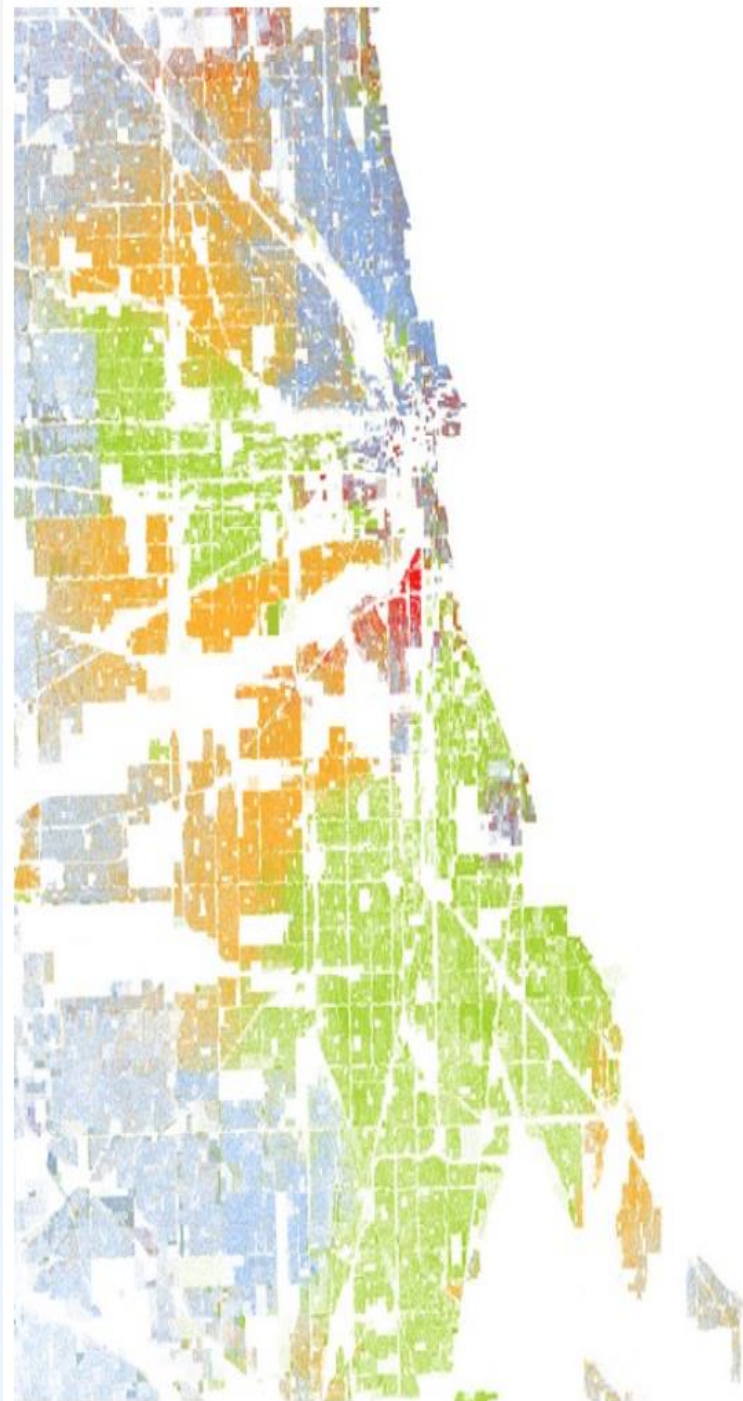
"Demolishments and medical buildings have thwarted the negro's growth in this section. The only hope for this area is more Jane Addams Projects; or demolition on a large scale."

...orts are b  
 ... sales demand i  
 ... ton Park, one of 8  
 ... together with the  
 ... overrun with negroes  
 ... The Ida B. Wells U.S.  
 ... th from South Parkw  
 (Continu

## D74 Bronzeville

"Continued influx of negroes must necessarily cause an overflow into adjoining sections. Effort is being made to restrict their encroachment."

Credit: Dustin Cable's Dot Matrix Map




## 2010 Census Block Data

1 Dot = 1 Person

- White
- Black
- Asian
- Hispanic
- Other Race / Native American / Multi-racial



A network diagram consisting of several grey, ring-shaped nodes connected by thin, light blue lines. The nodes are arranged in a non-uniform pattern across the frame, with some having multiple connections and others being isolated. The background is a dark blue gradient.

Predictive policing technologies will continue to perpetuate structural inequities in society if the root causes of these inequities (i.e., segregation, discriminatory public policies) are not fully evaluated and considered in the technology development lifecycle and government technology procurement decision-making.

# RECOMMENDATIONS

- Predictive policing technologies should be evaluated under operational conditions before they are used, and such evaluations should be considered before any procurement contracts are signed and before the technology is deployed.
  - Predictive policing technologies used by federal agencies or funded by federal grants should comply with OMB's AI governance and risk management guidance.
- Federal granting offices that fund predictive policing technologies should require pre- and post-deployment evaluations, and these evaluations should be considered public records.
  - Use cases with any evidence of racial disparities or otherwise biased outcomes should be referred for Title VI enforcement.
  - Vendors that receive poor evaluations should be subject to extra scrutiny and added to a moratorium list until corrective actions are taken.
  - Law enforcement agencies that make misleading claims about predictive policing use cases should be disqualified from receiving additional DOJ grants.
- DOJ should partner with the FTC to investigate deceptive vendor marketing claims.
- DOJ should issue a procurement guidance for local law enforcement agencies that offers best practices and key considerations for procuring and deploying data-driven technologies. DOJ should consult experts, advocates, and practitioners in developing this guidance.
  - DOJ should maintain an inventory of police technology vendors, evaluations of their systems, and summaries of use cases deployed using federal funds.