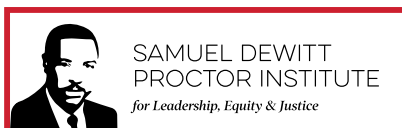


# “A Compassionate City:”

OVER-POLICING OF BLACK AND LATINX YOUTH IN POMONA, CALIFORNIA



**RUTGERS**  
Graduate School of Education

# About the Authors

## Acknowledgments

We'd like to thank Gente Organizada, in particular, Jesus Sanchez and Pomona residents, for their unwavering trust in the fruition of this report that will uplift the strength and power of Pomona and the everlasting fight for social justice. To the American Civil Liberties Union of Southern California—Victor Leung, Eva Bitran, Minouche Kandel, Adrienna Wong, and Doreen Govari—thank you for sharing your legal expertise and thoughtful feedback that amounted to this report. We'd also like to thank our colleagues at the University of San Francisco and University of California, Davis, who provided insight at the early stages of this report. Finally, we'd like to acknowledge those who have passed due to the COVID-19 pandemic. This pandemic has had a disproportionate impact on Black, Indigenous, People of Color and has been exacerbated and prolonged by policies that prioritize profit over people's lives. We've lost too many lives unnecessarily, and we continue this work to fight forward for them.

**Bianca N. Haro, Ph.D.**, a feminista-educator-activist, is a first-generation college graduate and daughter of immigrant parents from Guadalajara, Jalisco. In 2020, Bianca graduated from the University of California, Los Angeles Graduate School of Education and Information Studies with a doctorate in Education. Currently, she is a Visiting Assistant Professor of Sociology at Pitzer College. Using a Critical Race Feminista Praxis, her research examines the factors that push Latina students out of school. Her commitment to research is paired with a dedication to organizing with and for Communities of Color. She is currently collaborating with Gente Organizada, a community-led social action nonprofit organization based in Pomona, California. Bianca's research agenda is a life-long commitment to centering the voices of youth who are often overlooked in research, policy, practice, and social justice efforts.

**Frank Carlos Guzman Jr.**, is a Pomona resident and community activist. In 2020, he graduated from the University of Michigan, Ann Arbor, with a Bachelor of Arts in Political Science and Applied Statistics. Currently, he is a second-year Master's of Public Policy candidate at the Harvard Kennedy School of Government. Frank has 6+ years of experience in data analysis, political campaign consulting, community organizing, nonprofit management, legislative research, and strategic communications. His expertise carries into working directly with his community through efforts with Gente Organizada and the Pomona Leadership Network. Frank is passionate and committed to fighting social inequities, poverty alleviation, digital governance, and data-driven decision-making in public policy.

*Photographs courtesy of Brenda Gomez, Gente Organizada board member and University of California, Berkeley student.*

# Executive Summary

The Los Angeles Police Department, New York Police Department, and the Chicago Police Department, to name a few, have notoriously had some of the worst policing practices. This past summer, after George Floyd's death, thousands of people took to the streets nationwide demanding an end to police brutality and racial injustice. Black, Indigenous, People of Color (BIPOC)<sup>1</sup> are most affected by policing practices directly linked to centuries of systemic oppression and White supremacy. Despite the ongoing training police officers receive, including the use of body cameras, the push to diversify the police force, and other efforts to "reform" the institution of policing, these efforts have failed to effectively reduce police brutality and disparate harm of BIPOC (Vitale, 2017). Policing malpractices and deaths at the hands of police officers persist, not to mention police brutality that permeates institutions of learning and consequently pushes young people out of school.

This report highlights the disproportionate arrests of Black and Latinx youth by the Pomona Police Department (PPD). Our goal is to center the malpractices of a police department that does not receive the same attention as a large metropolitan police department yet suffers from similar systemic issues of racial injustice and police brutality. In response to the question "Where is justice needed most?" justice is needed most for Black and Latinx youth in Pomona, California. We honor the work of youth, parents, and community activists, as well as a social action nonprofit organization, Gente Organizada, who together have demanded accountability from its city leaders and PPD for the mistreatment of youth.

<sup>1</sup> We capitalize Black, Indigenous, People of Color/Boys and Young Men of Color/Girls and Young Women of Color as a means to challenge the marginalization of these groups.

# Introduction

Pomona, California, also known by its prideful residents as "P-Town," is located at the eastern edge of Los Angeles County and the western edge of the Inland Empire. In 2018, the City of Pomona declared itself a "Compassionate City." Despite this declaration, the city and its leaders have fallen short of the proclaimed standard and have not progressed to better the lives of its community members. This is especially daunting as a large share of the population of Pomona consists of historically excluded people in the United States. The City of Pomona has the largest population in east Los Angeles County despite being one of the poorest in the region, with a population of over 150,000, a per capita income of \$21,257, and a poverty rate of 17.9%—differing from state averages of \$36,955 and 11.8% respectively. Almost 90% of Pomona residents identify as Black, Latinx, Asian, American Native and Alaska Native, Native Hawaiian and Other Pacific Islander, or two or more races. Census data reveals 34.1% of Pomona residents are foreign-born (U.S. Census Bureau, 2019).

**In 2018, the City of Pomona declared itself a "Compassionate City." Despite this declaration, the city and its leaders have fallen short of the proclaimed standard and have not progressed to better the lives of its community members.**

**Table 1. Race and Hispanic Origin, 2019**

RACE AND HISPANIC ORIGIN	PERCENT %
Black or African American alone	5.6
American Indian and Alaska Native alone	2.4
Asian alone	10.2
Native Hawaiian and Other Pacific Islander alone	0.1
Two or More Races	4.4
Hispanic or Latino	71.7
White alone, not Hispanic or Latino	10.8
SEX	PERCENT %
Female persons	50.6
Male persons	49.4

The City of Pomona is much poorer and more densely populated than surrounding cities—including Ontario, Chino Hills, Claremont, among others—and has a significantly larger non-White population. For years, these statistics and residents of surrounding cities have painted narratives of Pomona as inferior. For instance, people who live nearby refer to and look at Pomona as a “dumping ground” where other cities bring their problems. Many Pomona residents can attest to seeing out-of-city law enforcement dropping off people experiencing homelessness in Pomona. The COVID-19 pandemic has exacerbated inequities as neighboring cities have extracted labor from Pomona residents, putting them at heightened risk of COVID-19. Additionally, the City of Pomona has never had a program dedicated to youth diversion from the criminal justice system. Most city spending on youth attempts to improve police relationships with youth—not youth development, park rehabilitation, youth programs, or sports, but police. As city budgets reflect our city leaders’ values, it remains clear that city leadership does not have a positive outlook for the future of our youth.

While law enforcement is meant to serve, protect, and uphold public safety, numerous personal anecdotes reveal that Pomona residents are wary of and traumatized by the police. Encounters with police, the trauma inflicted by police officers, and sentiments of distrust are systemically rooted in racial injustice. An analysis of large police departments exposes a positive correlation between the non-White share of the population and law enforcement spending nationwide. In other terms, where more Black, Indigenous, People of Color (BIPOC) populations exist, law enforcement spending is typically increased.

**Table 2. Population and Income, 2019**

	POMONA (LAC)	ONTARIO (SBC)	CHINO (SBC)	CHINO HILLS (SBC)	DIAMOND BAR (LAC)	CLAREMONT (LAC)	LA VERNE (LAC)
<b>Population</b>	151,691	185,010	94,371	83,853	55,720	36,266	31,974
<b>Non-White population %</b>	89.20%	84.10%	75.50%	70.50%	83.00%	51.10%	50.40%
<b>Per capita income</b>	\$21,257	\$23,476	\$25,346	\$39,607	\$39,646	\$44,536	\$41,442
<b>Persons in poverty, %</b>	17.90%	13.60%	10.40%	6.00%	6.10%	6.60%	7.80%
<b>Population per square mile</b>	6,494.30	3,282.40	2,631.10	1,674.10	3,732.80	2,616.60	3,684.80

<sup>1</sup> We capitalize Black, Indigenous, People of Color/Boys and Young Men of Color/Girls and Young Women of Color as a means to challenge the marginalization of these groups.



# Literature Review

## The Origins of Policing

"To protect and serve"—a phrase plastered on the side of police cars across various jurisdictions, is the mission adopted and imprinted, and many believe it to be true today. The notion that the police exist to keep us and our communities safe and free of harm is widely upheld, and thus police are glorified as heroes. There are others who argue "not all cops are bad cops." Yet these arguments dismiss the origins of policing and frequently disregard its foundation based on racist practices and the criminalization of historically excluded people, which reverberates today. Slavery was a monumental force that continues to have an impact on the institution of policing and the life of BIPOC across the United States. In the 17th and 18th centuries Southern cities such as New Orleans, LA, Savannah, GA, and Charleston, SC "had paid full-time police who wore uniforms, were accountable to civilian officials, and were connected to a broader criminal justice system" (Vitale, 2017, p. 41). Historically, in addition to preventing slaves from escaping to the North, "police officers," or slave patrols, had the power to search slaves to ensure they were not concealing weapons or fugitives, preparing a revolt, or even learning to read and write. America's municipal, city, and county police officers—like the PPD—have the same origins and are modeled after the London Metropolitan Police founded in 1829, which is considered to be the first modern local police department in the world (Go, 2020; Vitale, 2017).

## The Pomona Police Department

PPD has recently come under serious scrutiny for its deadly force and racial profiling. First, the death of Andres "Andy" Avila, who PPD shot dead in October 2011 while he and his girlfriend simply sat in their car together. In July of that same year, Avila had filed a lawsuit against three PPD officers for assaulting him during a family gathering. In response, the larger Pomona community has viewed Avila's murder as nothing less than retaliation by PPD—activists have called for the reopening of the murder investigation.

Most recently, in 2020, with support from the American Civil Liberties Union of Southern California (ACLU of SoCal), Gente Organizada filed a lawsuit against the department, alleging that PPD officer training disregards the new use-of-force laws put into place by AB 392. Despite the statewide bill passing, PPD continued to intentionally train its officers using materials created by the Peace Officers Research Association of California (PORAC)—yet this training was outdated and not aligned with AB 392. Since AB 392 took effect, PPD has killed at least three people, all of whom have been overlooked by mass media. On March 30, 2020, a PPD officer shot and killed Pomona resident Anthony Pacheco. On June 29, 2020, PPD and California Highway Patrol shot and killed Nick Costales. On July 5, 2020, PPD shot and killed another person in Chino. Supervising Sergeant Patrick O'Malley, who administered the unlawful training, publicly celebrated the news on Facebook: "My boys killed another one tonight. Another notch in the belt." The Department's continuous use of deadly force, its influential union, and its disproportionate targeting of Black and Latinx youth all highlight the failures of our public safety institutions and the urgent need for bold change.

This report is an extension of the prior [advocacy report](#) highlighting how we got to this point, what steps towards justice the Pomona community has taken so far, and what systemic barriers stand in the way of justice.

**Supervising Sergeant Patrick O'Malley, who administered the unlawful training, publicly celebrated the news on Facebook: "My boys killed another one tonight. Another notch in the belt."**

## Policing of Youth

Policing has endangered the most vulnerable population—namely, youth—and in particular Black and Latinx youth in the United States. The juvenile superpredator, a myth coined in the 1990s, argued that the United States would experience a wave of youth crime as a consequence of crack cocaine, single-parent households, and other racially coded concerns. According to conservative criminologist John Dilulio, the superpredator was a homicidal and uncontrollable young person, a stereotype that had a huge impact on the heightened criminalization of Black and Latinx youth (Dilulio, 1995). The myth was also reinforced following the Columbine High School (Colorado) massacre of 1999, which heightened the urgency to contract school police officers and created a co-dependency between school districts and police departments under the guise of keeping schools safe.

The superpredator myth, the Columbine High School massacre, and the increase of school police generated what many refer to as the “school-to-prison pipeline” (StPP), a conceptual term that depicts the relationship between education and incarceration in the United States. For Black and Latinx youth, the StPP further heightened their criminalization, which sociologist Victor Rios (2011) defines as “the process by which styles and behaviors are rendered deviant and are treated with shame, exclusion, punishment, and incarceration” (xiv). The heightened criminalization of Black and Latinx youth, Rios argues, creates a youth control complex, a system where everyday behaviors of youth are treated as deviant, threatening, risky, and criminal by schools, police, probation officers, and other institutions.

This report recognizes a youth control complex in Pomona schools, and, with data collected by PPD, highlights the hyper-criminalization of Black and Latinx youth in Pomona. Although this report puts numbers at the forefront of the argument and helps provide evidence to the argument, it complements the continuous fight for social justice underway in Pomona—a city that is overlooked and made invisible by mass media. The wave of youth activism is very much alive in Pomona, as youth move us to a justice-oriented society they envision – free of police and incarceration in their communities. Pomona youth, parents, and community activists are creating a surge of structural change that must be uplifted and recognized by other cities across the nation.

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**The wave of youth activism is very much alive in Pomona, as youth move us to a justice-oriented society they envision – free of police and incarceration in their communities. Pomona youth, parents, and community activists are creating a surge of structural change that must be uplifted and recognized by other cities across the nation.**



Gente Organizada (Gente) is a community-led social action nonprofit organization building intergenerational power and wellness for youth and immigrant families in Pomona. Gente places students at the center of decision-making to fight against systems of oppression, and their recent efforts have aimed to defund school police. Through Gente's School Not Prisons Campaign, the Pomona Students Union, one of the four social action groups of Gente, has spent four years advocating for the removal of police officers from schools. In the fight to end police brutality, Gente has also collaborated with Police Oversight Starts Today (POST), another community organization that advocates for policing oversight, transparency, and accountability in Pomona. Accountability of the police has picked up steam largely in Los Angeles County, where voters in 2020 elected criminal justice reform-minded District Attorney George Gascón, who has taken more rehabilitative approaches to sentencing and increasing scrutiny of law enforcement organizations. Further, Los Angeles County voters also approved Measure J, which requires the county to permanently allocate at least 10 percent of its general fund on social services and alternatives to incarceration. Research conducted by Measure J's Education Access and Youth Development Subcommittee found that of the 504 zip codes in Los Angeles County, Pomona's 91766 was one of the ten zip codes where youth are most impacted by youth justice system involvement. The work we are accomplishing through organizing, advocacy, and research is to bring these injustices to light and work towards justice and public safety—defined by the people.





# Research Approach

This report examines the racial and gender trends of PPD arrest data recordings from January 2016 to June 2020. As mentioned earlier, this report complements Gente Organizada's advocacy report published in March 2021.

## Data Collection

Gente Organizada initially reached out to PPD requesting data that could support their advocacy efforts for pre-arrest youth diversion programs in Pomona, which did not yet exist. To better understand interactions that youth have with law enforcement, Gente requested data on the number of youth arrested, detained, booked, and processed, including race/ethnicity, sex/gender, age, types of violation, crimes committed, name of arresting officer, booking/arrest/incident number assigned, charge level, and warrant information.

The first request of data was on July 6, 2020, and was made via email by Gente Organizada staff directed to the Pomona Chief of Police. The request was sent to and granted by PPD Records Manager, who provided arrest data from January 2016 to June 2020.<sup>2</sup> A second request for data was made on July 26, 2020, via email by Gente staff was directed to the Records Manager. This request asked the Records Manager for arrest data from January 2016 to August 2020 as well as information on whether or not the arrest was made with use of force and type of force, if it was deadly, lethal, etc. The Records Manager did not respond to this email. On September 14, 2020, Gente staff followed up with the Records Manager via email, the Records Manager denied the request and indicated Gente staff were now "seeking documents and further information that is best tracked through the City's formal system for requests under the CA Public Records Act."

Data used in this report was originally collected by PPD; files include arrests of youth and adults. For the purposes of this report, we use only arrests of youth, or people 25 years old and younger.

## Data Analysis

To conduct analysis, the authors first cleaned the data. This consisted of consolidating the racial data in the sheet with over 22 categories to 5 main categories: Asian, Black, Latinx, White, and Other. Additionally, the authors worked with the ACLU of SoCal to categorize each of the arrest charges within the data file into 9 charge categories for further analysis. After we cleaned and categorized the data, we used both Microsoft Excel and R software to conduct data analyses to study the trends of PPD arrest data over time. This report analyzes arrests of youth who PPD arrested.

## Limitations

We were unable to analyze data from July 2020 to December 2020. This missing data would have been instrumental to our analysis as it was during the COVID-19 pandemic which disproportionately affected Black and Latinx people. Additionally, the United States Census does not release information that disaggregates populations with combinations of age, sex<sup>3</sup>, or race, limiting the extent of some of our comparisons. To account for this, we assume that race and sex are independent variables. This means assuming information about one variable does not provide us with information about the other; for example, knowing a person's race tells us nothing about their sex. Moreover, it is important to note the role of intersectionality (Crenshaw, 1997) in policing, as it creates a unique set of obstacles for BIPOC girls and young women that recorded arrest data of PPD do not highlight.

<sup>2</sup> Gente Organizada started analyzing data and making the findings public via social media and community events.

<sup>3</sup> Pomona Police Department's arrest data indicates the sex of the person and not the person's gender identity. Please refer to the [It Gets Better Project](#) for an in-depth explanation of terms.

# Findings

We (a) provide findings that speak to the racial and gender trends of PPD, (b) highlight the disproportionate number of Black and Latinx youth arrested, and (c) disaggregate data by sex.

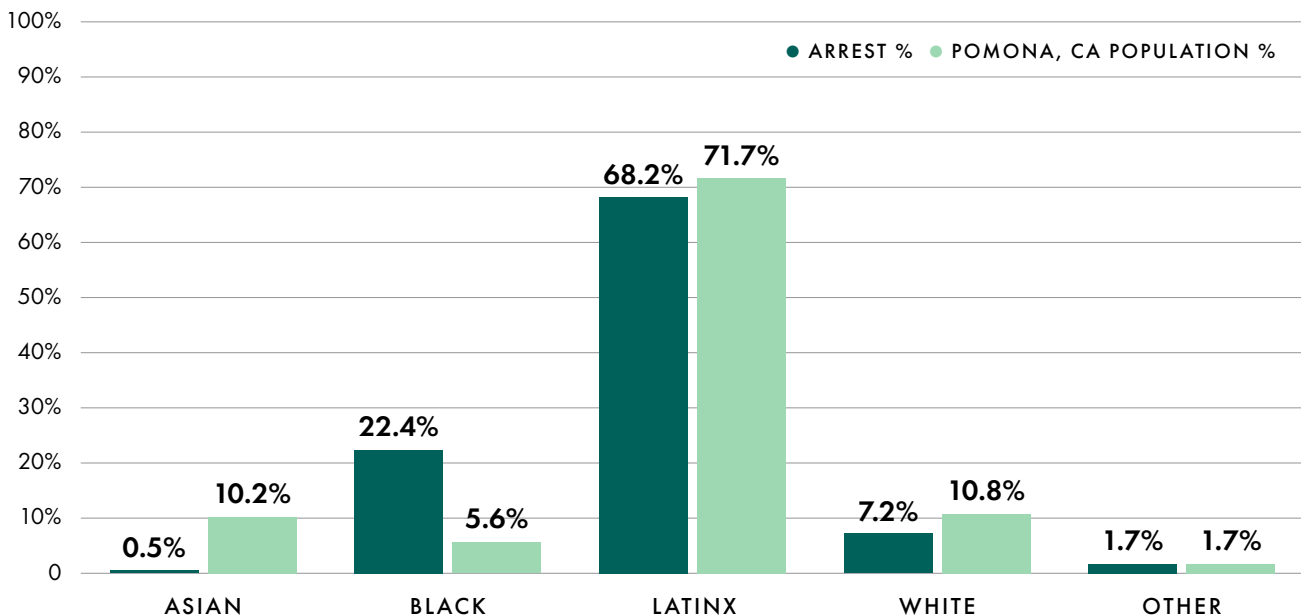
## Youth

In this section of the report, we analyze racial trends of all youth ages 25 and under arrested by PPD. These statistics confirm what we already knew: Pomona police disproportionately targets and hyper-criminalizes Black and Latinx youth. First, we look at disparities across arrests of all youth under 25 by race. Next, we analyze these same youth arrests across charge level and race, and across charge category and race.

## All Youth Arrests

- The chart highlights the racial disparities of youth arrests conducted by PPD.
- Black youth are **4X** more likely to be arrested than their population proportion would suggest, making up 22.4% of all youth arrests despite only representing 5.6% of Pomona's population.
- Asian youth are less likely to be arrested, representing only 0.5% of all arrests despite being 10.2% of Pomona's population.

Figure 1. Racial makeup of all youth arrests.



## Charge Levels

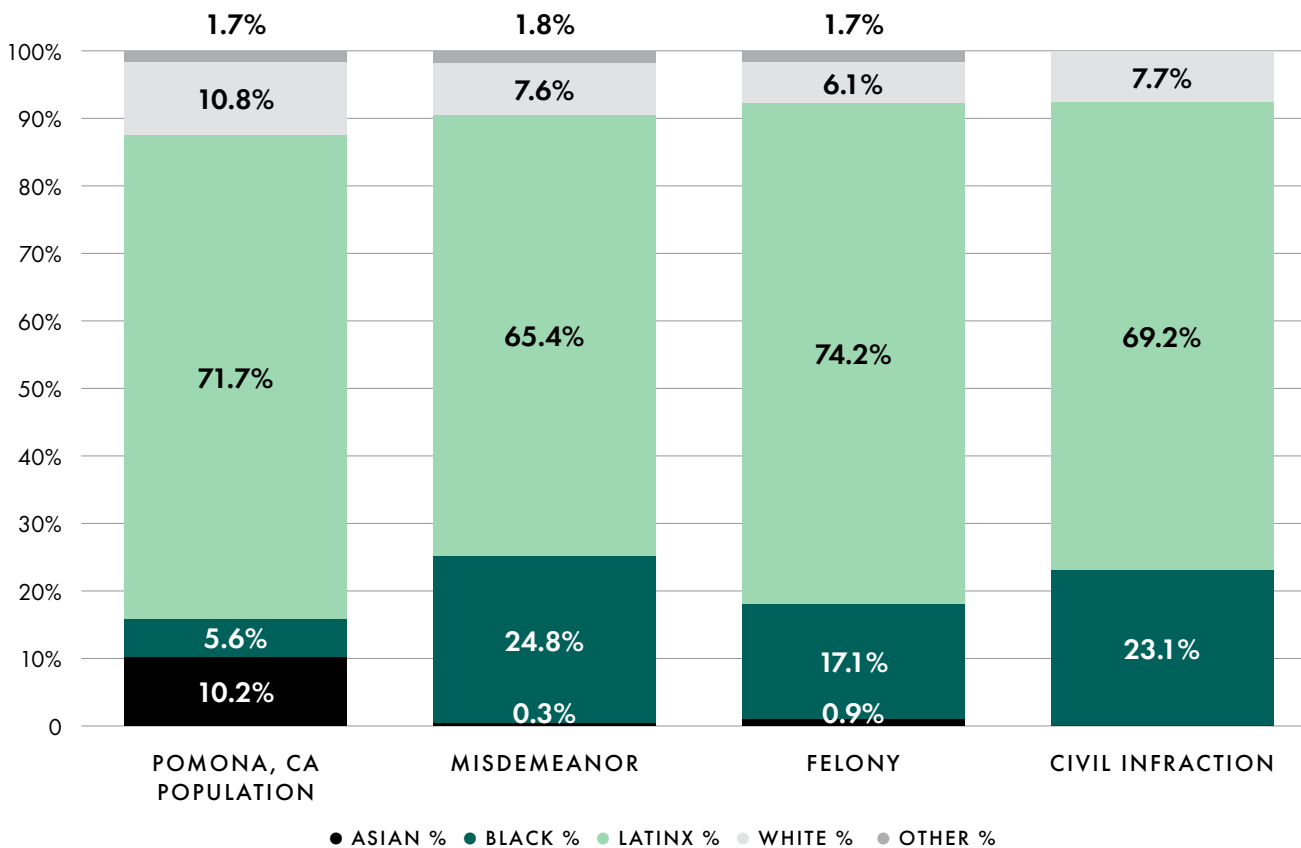
Figure 2 above visualizes the racial makeup of each specific type of arrests.

Our findings indicate that Black youth are:

- **4.5X** more likely to be charged with a **misdemeanor** than their population percentage would suggest;
- **3X** more likely to be charged with a **felony**; and
- **4X** more likely to be charged with a **civil infraction**.

Additionally, Latinx youth are disproportionately charged with felonies, making up 74.2% of all youth felonies despite comprising 71.7% of the Pomona population. Latinx youth are not only the most arrested group of youth, but they make up an even larger proportion of all youth felonies.

**Figure 2. Racial makeup of all youth arrests by charge level.**





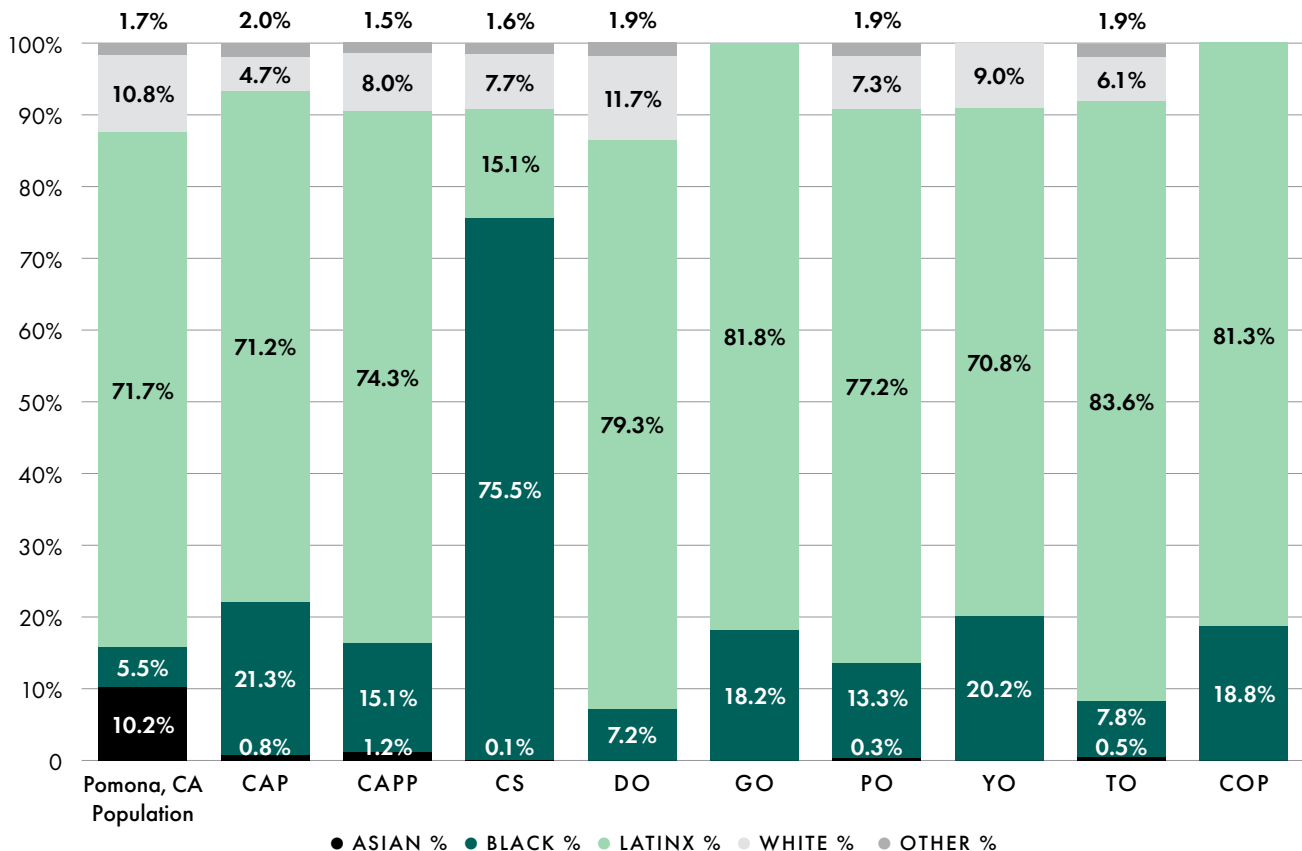
## Charge Categories

Figure 3 disaggregates all youth arrests into legal categories and analyzes arrest trends by race. Our findings indicate Black youth are:

- Arrested and charged with **"Crimes Against the Person" (CAP)** at a rate of **4X** higher than their population percentage would suggest;
- Arrested and charged with **"Crimes Against Property" (CAPP)** at a rate of **3X** higher than their population percentage would suggest;
- Arrested and charged with a **"Criminalization of Sex" (CS)** at a rate of **13.5X** higher than their population percentage would suggest;
- Arrested and charged with a **"Gang Offense" (GO)** at a rate of **3X** higher than their population percentage would suggest;
- Arrested and charged with **"Public Order Offense" (PO)** at a rate of almost **2.5X** higher than their population percentage would suggest;
- Arrested and charged with **"Youth Offense" (YO)** at a rate of **3.5X** higher than their population percentage would suggest; and
- Arrested and charged with **"Criminalization of Poverty" (COP)** at a rate of **3X** higher than their population percentage would suggest.

Our findings indicate Latinx youth are disproportionately charged with **"Drug Offenses" (DO)**, **"Gang Offenses" (GO)**, **"Public Order Offenses" (PO)**, **"Traffic Offenses" (TO)**, and **"Criminalization of Poverty" (COP)**.

Figure 3. Racial makeup of all youth arrests by charge categories.



## Boys and Young Men

The murder of Boys and Young Men of Color, in particular, Black and Latinx boys and young men, at the hands of law enforcement has become a frequent, almost daily occurrence. BIPOC individuals are continually desensitized to this state-sponsored violence as law enforcement aims to normalize these occurrences. To name just a few, 23-year-old Elijah McClain, 20-year-old Daunte Wright, 13-year-old Adam Toledo, and 18-year-old Andres Guardado died from police violence in recent years. Similarly, PPD murdered 26-year-old Andres Avila as he sat in his car just months after he had filed an official complaint for excessive use-of-force against the department.

Research on the risk of being killed by police use-of-force finds that 1 in 1,000 Black men and 1 in 2,000 Latinx men can expect to be killed by police in their lifetime, with the risk of being killed by police peaking between the ages of 20 and 35 (PNAS). In particular, a Black boy born in 2001 has a 1-in-3 chance of going to prison in his lifetime, and a Latino boy has a 1-in-6 chance. For comparison, a White boy has a 1 in 17 chance (Children's Defense Fund, 2007). Our findings in this section analyze racial disparities in PPD arrests of boys and young men, that is, people who were identified as "male" by the officer, and draw us to similar conclusions as previous research.

**PPD murdered 26-year-old Andres Avila as he sat in his car just months after he had filed an official complaint for excessive use of force against the department.**



## Charge Levels

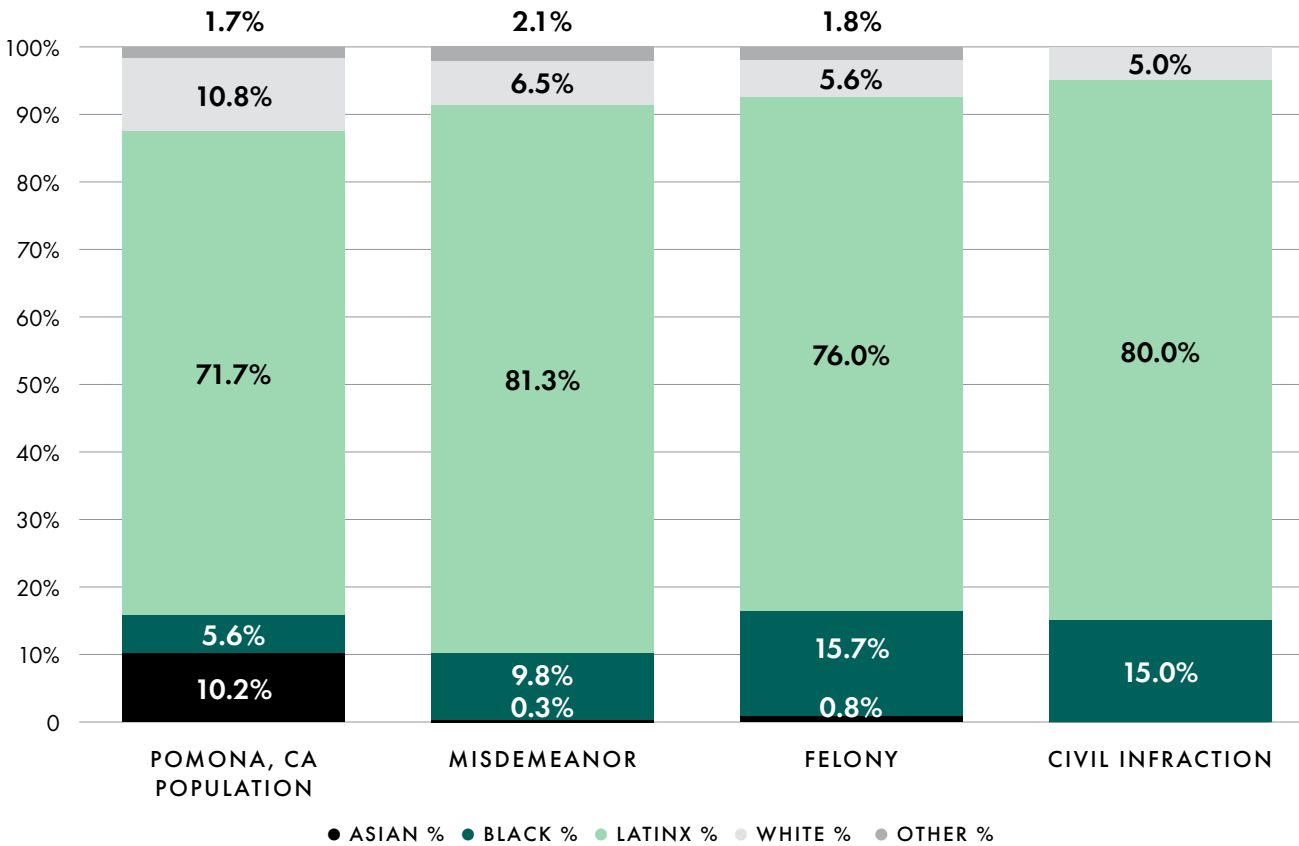
Figure 4 visualizes the racial makeup by charge level of each boy and young man arrested by PPD. Our findings indicate Black boys and young men are:

Our findings indicate that Black youth are:

- **2X** more likely to be charged with a **misdemeanor** than their population percentage would suggest;
- **3X** more likely to be charged with a **felony** than their population percentage would suggest; and
- **3X** more likely to be charged with a **civil infraction** than their population percentage suggests.

Additionally, Latino boys and young men are disproportionately charged with **misdemeanors**, **felonies**, and **civil infractions**.

**Figure 4. Racial makeup of boys and young men arrests by charge levels.**





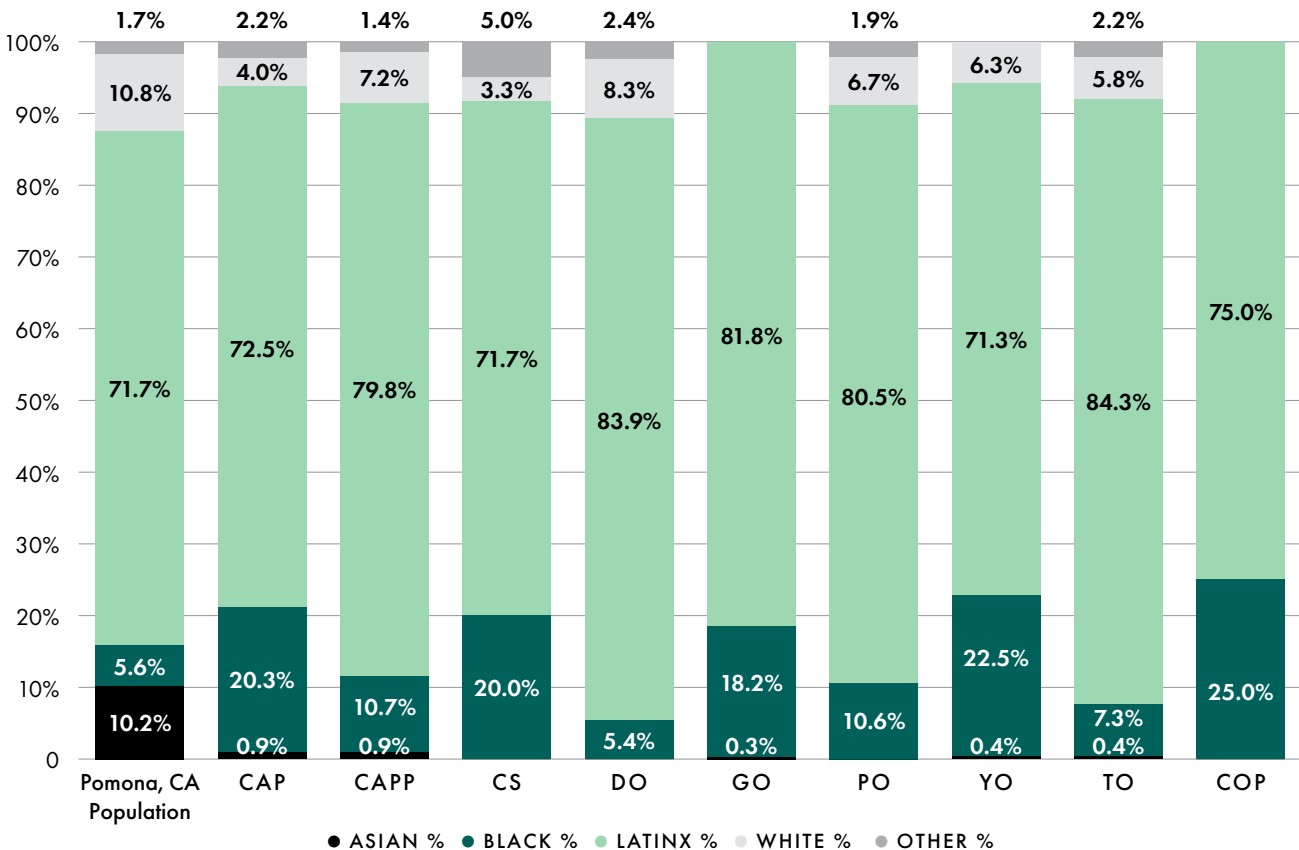
## Charge Categories

Figure 5 disaggregates the arrests of boys and young men into legal categories and analyzes arrest trends by race. Data indicates Black boys and young men are:

- Arrested and charged with **"Crimes Against the Person" (CAP)** at a rate of **3.5X** higher than their population percentage would suggest;
- Arrested and charged with **"Crimes Against Property" (CAPP)** at a rate of **2X** higher than their population percentage would suggest;
- Arrested and charged with a **"Criminalization of Sex" (CS)** at a rate of **3.5X** higher than their population percentage would suggest;
- Arrested and charged with **"Gang Offense" (GO)** at a rate of **3.5X** higher than their population percentage would suggest;
- Arrested and charged with **"Public Order Offense" (PO)** at a rate of **2X** higher than their population percentage would suggest;
- Arrested and charged with **"Youth Offense" (YO)** at a rate of **4X** higher than their population percentage would suggest; and
- Arrested and charged with **"Criminalization of Poverty" (COP)** at a rate of **4.5X** higher than their population percentage would suggest.

The data also indicates Latino boys and young men are disproportionately charged with **"Crimes Against the Person" (CAP)**, **"Crimes Against Property" (CAPP)**, **"Gang Offense" (GO)**, **"Public Order Offense" (PO)**, **"Youth Offense" (YO)**, and **"Criminalization of Poverty" (COP)**.

Figure 5. Racial makeup of boys and young men arrests by charge category.



## Young Women and Girls

On January 29, 2021, in Rochester, New York, video cameras recorded yet another police officer attacking a Black girl. After a family disturbance call, the body camera of a Rochester officer reveals him handcuffing a Black girl while she pleads for her father, and thereafter pepper-spraying her after refusing to enter the police car. Just a couple of months after, on April 20, 2021, police shot 16-year-old Ma'Khia Bryant. The names of the 9-year-old Black girl in Rochester and Ma'Khia Bryant join the list of other girls and young women of color who experience state-sponsored violence at the hands of law enforcement.

Previous research that has focused on the disproportionate number of boys and young men of color who are criminalized and die at the hands of police has helped to lawfully frame police brutality as a racial inequity. This inadvertently identifies racial inequity as the underlying premise behind police brutality—and misses the opportunity to examine the ways that gender-based forms of violence affect the experiences of girls and young women at the hands of police. Research and the findings of this report have reinforced that police brutality is a racialized and gendered systemic issue. Police brutality injures and kills girls and young women of color too, and Black girls in particular. According to Crenshaw et al. (2015), Black girls and young women have the highest rates of homicide in the nation. Yet people seldom notice the killings of Black girls and young women at the hands of police. For this reason, Crenshaw and the African American Policy Forum (AAPF) started the #SayHerName campaign to bring awareness to the invisibility of Black girls and young women who have been targets and victims of law enforcement violence. In addition to the police brutality experienced by Black girls, Ocen (2015) found arrests and conviction rates for Black girls within the juvenile justice system are increasing, often as a result of prostitution-related offenses. Similarly, in Pomona, PPD arrest Black girls and young women for prostitution at significantly higher and disproportionate rates than girls and young women from other racial and ethnic backgrounds.

In this section of the report, we analyze girls and young women, that is, people who PPD officers had identified as "female" at their arrest. Similar to the previous section, we first analyze charge levels and then consider the charge categories.

**Research and the findings of this report have reinforced that police brutality is a racialized and gendered systemic issue. Police brutality injures and kills girls and young women of color too, and Black girls in particular.**



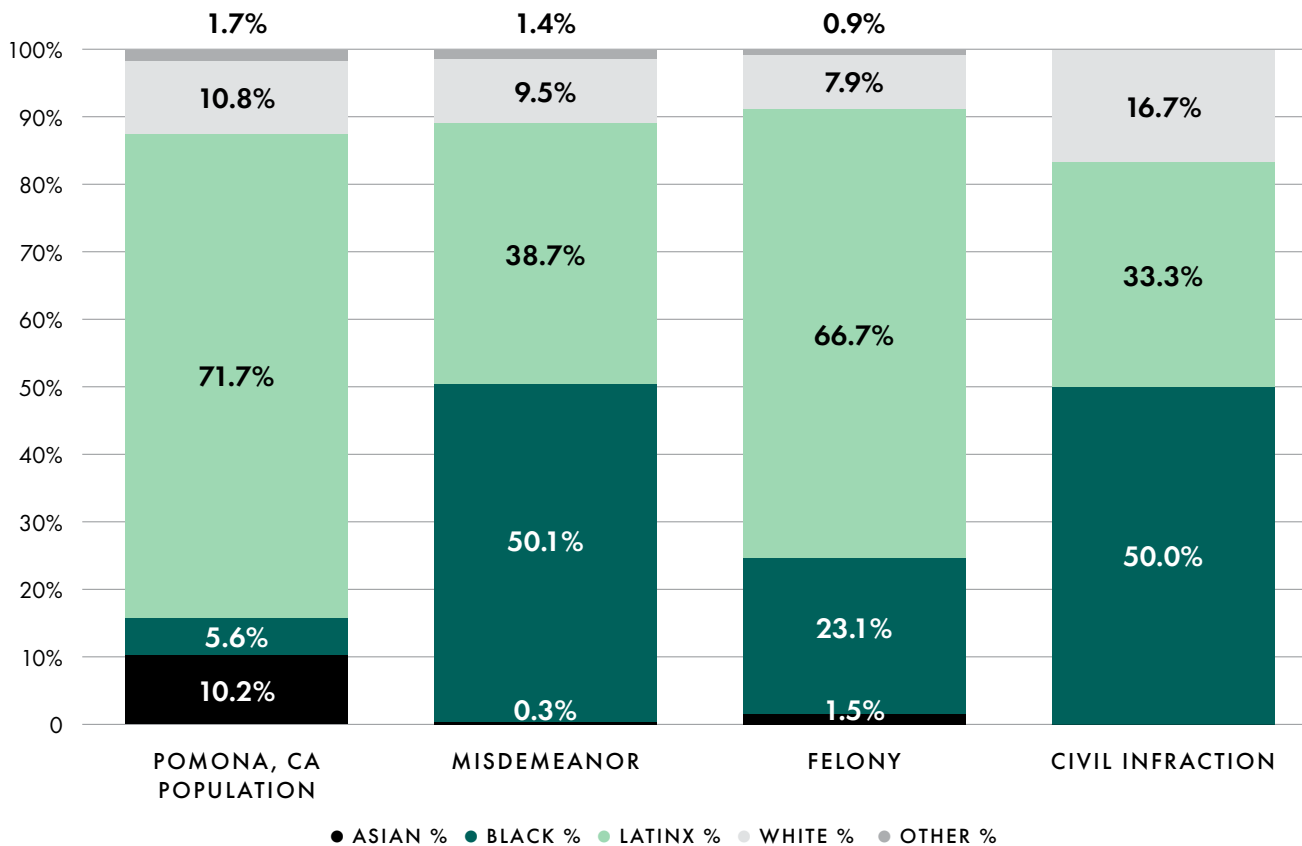
## Charge Levels

Figure 6 disaggregates the arrests of girls and young women into legal categories and analyzes arrest trends by race. Data indicates Black girls and young women are:

- Arrested and charged with a **misdemeanor** at a rate of **9X** higher than their population percentage would suggest;
- Arrested and charged with a **felony** at a rate of **4X** higher than their population percentage would suggest; and
- Arrested and charged with a **civil infraction** at a rate of **9X** higher than their population percentage would suggest.

Additionally, findings indicate Latina girls and young women are disproportionately charged with both a **misdemeanor** and a **civil infraction**.

**Figure 6. Racial makeup of girls and young women arrests by charge level.**





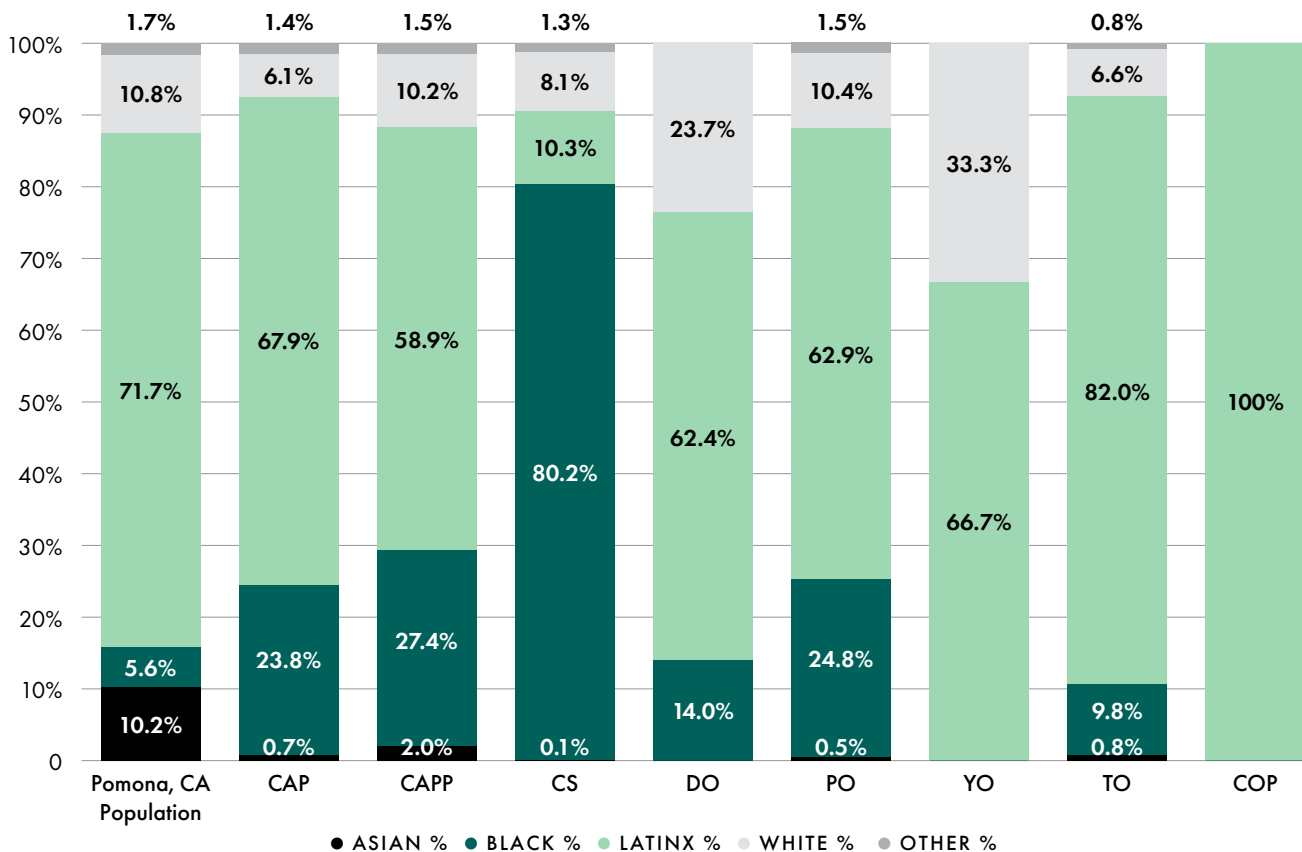
## Charge Categories

Figure 7 disaggregates the arrests of girls and young women into legal categories and analyzes arrest trends by race. Data analysis indicates Black girls and young women are:

- Arrested and charged with **"Crimes Against the Person" (CAP)** at a rate of **4X** higher than their population percentage would suggest;
- Arrested and charged with **"Crimes Against Property" (CAPP)** at a rate of **5X** higher than their population percentage would suggest;
- Arrested and charged with a **"Criminalization of Sex" (CS)** at a rate of **14X** higher than their population percentage would suggest;
- Arrested and charged with a **"Drug Offense" (DO)** at a rate of **2.5X** higher than their population percentage would suggest; and
- Arrested and charged with **"Public Order Offense" (PO)** at a rate of **4.5X** higher than their population percentage would suggest.

Data also indicates Latina girls and young women are more likely to experience a **traffic offense**.

**Figure 7. Racial makeup of girls and young women arrests by charge category.**



Findings in this section highlight that Black girls and young women in Pomona are being exploited by those who seek their labor and criminalized by the state. In this way, their bodies are relegated to positions of powerlessness. As Wun (2018) states, "girls from low-income backgrounds living in poor communities are often fraught with layered and intersecting forms of structural, institutional, and interpersonal violence" (p. 423). For Black girls and young women in Pomona, this injustice is heightened. In Pomona, the state, its institutions, and policies and practices are all violent apparatuses that fail to provide support and safety for Black girls and young women (Crenshaw, 2012). Instead, the city has punished the most vulnerable populations, rendering them as deviant subjects. In seeking social justice, we must center the experiences of Black and Latina girls and young women, and consider the unique ways they experience police brutality.



# Conclusion

This report evidences the failure of the institution that is meant to protect and serve. The findings of this report are a testament to the policing malpractices that the Pomona Police Department and many other police departments across the United States carry out with no accountability. The hyper-criminalization and incarceration of Black and Latinx youth is a systemic racial and gender inequity that reflects years of oppression, marginalization, and exclusion. If Pomona were truly a "Compassionate City," it would fund the future of Black and Latinx youth by investing in youth diversion programs and their education. Instead, the city has paid millions of dollars for police officers to arrest Black and Latinx youth and has done nothing to divert youth from the prison industrial complex and the StPP. It is inhumane to criminalize young people—children as young as 11 years old—in this way.

Over-policing does not protect youth. Rather, it further disenfranchises and labels youth—essentially as criminals that need to be disposed of—for not being "law-abiding citizens." Criminalization by the police department and other social institutions dispose of youth to a system that does not rehabilitate. Young people have agency, insight, and power to lead—Pomona leaders and others across the nation now must give young people the opportunity to do so. Education is not the great equalizer, yet it can enhance their life opportunities and serve as a vessel for youth to succeed.

**Young people have agency, insight, and power to lead—Pomona leaders and others across the nation now must give young people the opportunity to do so.**

How has Pomona, California moved towards social justice after the March 2021 advocacy report? While much work is yet to be done, the advocacy report gained political traction from numerous social institutions. For example, on May 18, 2021, Gente Organizada and other community-based organizations prepared a community town hall to address the criminalization of Black and Latinx youth with the theme of "[Developing Systems of Care in Pomona](#)"—featured panelists included Eric Vasquez, Executive Director of Just Us 4 Youth and Chair of Mayor's Police Reform Taskforce, Amber-Rose Howard, Executive Director of Californians United for a Responsible Budget, and George Gascón, Los Angeles District Attorney. Panelists and audience members came together to discuss how acknowledging these findings can help our community move forward and continue to build momentum towards justice.

**The hyper-criminalization and incarceration of Black and Latinx youth is a systemic racial and gender inequity that reflects years of oppression, marginalization, and exclusion.**



As a society, how do we continue to move social justice initiatives forward? The authors encourage other community-based organizations, youth, parents, community activists, and researchers to collaborate on similar projects in different cities. The advocacy report was a community effort, where the wisdom and knowledge of youth organizers, parent activists, community organizers, lawyers, and researchers in Pomona merged to unveil these unethical policing practices. The advocacy report provided political traction with the District Attorney's Office of George Gascón, the Pomona Unified School District (PUSD), and many other public institutions where they could no longer turn away from these issues.

These policy changes and tough conversations are meaningful victories for Pomona organizers. For instance, PPD is requiring its officers to start reporting "stop" data to the California Department of Justice as early as July 2021, despite not being required by AB 953 until January 2022. Additionally, in 2022 fiscal year, PPD will see a (small) decrease in city budget allocation. Though these policy changes can be called victories, much more work must be done to implement more equitable public safety institutions. Institutions that will support youth development.





# Recommendations

How then, do we move closer to a justice-oriented Pomona? How do we move closer to a justice-oriented society? As a concerned community collaborator (Bianca) and community organizer and lifelong resident (Frank) of the Pomona community, we uplift the work of Gente Organizada, raise awareness, and demand action on the crisis of over-policing of Pomona residents. As a predominantly Latinx and immigrant community, the larger Pomona community stands in solidarity with the Black Lives Matter movement and demands justice for our Black brothers and sisters. With this in mind, we offer seven of the nine demands in the advocacy report that Gente Organizada and its members called for its city leaders to address as a blueprint for other cities and the nation to consider. We generalized these recommendations for others to adapt.

## **1. DIVEST FROM POLICE DEPARTMENTS AND REINVEST IN EVIDENCE-BASED COMMUNITY SAFETY.**

In order to reinvest in evidence-based community safety, cities must first develop a definition of "public safety" in collaboration with residents. The City of Sacramento has recently defined public safety and currently, Gente Organizada's next effort consists of helping Pomona do the same. Defining public safety will be a resource for the city to align its budget allocations to ensure city leaders are funding solutions and not exacerbating systemic inequities with police brutality and hyper-criminalization of youth.

## **2. ESTABLISH A CITY FUND TO SUPPORT BLACK YOUTH, FAMILIES, AND COMMUNITY-BASED ORGANIZATIONS.**

As this report has highlighted, anti-Blackness has a detrimental impact on Black youth and their families. They are disproportionately impacted by policing malpractices at a much higher rate than their racial counterparts. For this reason, U.S. cities must work together to address the historical and contemporary harm by creating reparations.

### **REPARATIONS: THE GREAT PAYBACK**

This podcast provides an insight to how reparations could be implemented in the U.S. and how they can benefit Black youth and families to enhance their educational and life opportunities.

### **3. ESTABLISH AN INDEPENDENT CIVILIAN OVERSIGHT BODY WITH SUBPOENA POWER AND AN INSPECTOR GENERAL.**

We must implement a civilian oversight body to evaluate how law enforcement operates and fulfills its mission to serve and protect. This body would evaluate controversial incidents or all instances of use-of-force depending on the function. It is important for these bodies to be independent of political influences from within the jurisdiction the body is serving. Additionally, it is important this body has subpoena power so they can obtain all necessary information to complete their respective investigations, whether it is given up voluntarily or otherwise. An inspector general would oversee this civilian oversight body and have farther-ranging legal authority than the body itself.

### **4. REMOVE THE POLICE DEPARTMENT FROM SCHOOLS AND ELIMINATE POLICE DEPARTMENT YOUTH SERVICES.**

There is little to no substantial evidence that the presence of school police increases school safety. However, research has continuously proven that the presence of police heightens the possibility of students being arrested and referred to the police (Whitaker, Cobb, Leung, and Nelson, 2021). PUSD and a handful of districts across the state of California have agreed to eliminate ties with their police department. The removal of police from schools is a victory and a turning point to decriminalizing spaces that are meant to educate and not incarcerate youth. The next step is to eliminate youth services from the police department budget. Youth across the nation need more community programs, sports leagues, and cleaner parks. Spending a majority of our youth funding on relationship building with the police perpetuates and normalizes the hyper-surveillance of youth.

### **5. ESTABLISH A MULTI-AGENCY PRE-ARREST YOUTH DIVERSION PROGRAM.**

All public institutions should invest resources to establish a robust city-wide youth prevention program effort that is led by community-based organizations whose expertise relies on youth wellness and healing. Cities such as Pomona spend the majority of their youth dollars on programming with the police department, rather than experts and community-based organizations who better understand our youth. The only programming youth should have with police is to help deter them from the criminal justice system.

### **6. MANDATE MONTHLY DATA REPORTING BY OPTING INTO THE DATA COLLECTING AND REPORTING REQUIREMENTS OF AB 953 IMMEDIATELY.**

As this report has highlighted, it is imperative that police departments collect data to keep them accountable for the systemic inequities, racial and gendered disproportionate arrests, especially of Black girls and young women. In California, AB 953 will be in full effect on January 2022. We encourage other states to adopt this policy. Each department should post data on this website on a monthly basis and make the format of the data accessible for the public to be able to track trends in the police department's performance.

## **7. STOP THE PROSECUTION OF LOW-LEVEL CRIMES, INCLUDING SEX WORK.**

The criminal (in)justice system can create lasting damage to a person's reputation and record. It can prevent them from attaining or holding a job or accessing financial institutions. Basic functions of everyday life remain out of reach for many formerly incarcerated people just by being placed into this box. Jurisdictions must work to stop prosecuting low-level crimes, unless there is a serious threat to the larger community. A major example of this can be found in the enforcement of sex work. In the City of Pomona, Black women and girls make up 82% of criminalization of sex offenses for girls and young women despite comprising just 6% of the population. The police disproportionately racially profile Black women and girls for these types of arrests, and in turn, significantly change the course of their lives.

Our recommendations consider an intersectional approach to policy reform, and help carve out a clear recognition of and response to the anti-blackness that has harmed communities for too long. These recommendations represent great first steps toward a justice-oriented society that would shift cities towards an anti-racist political future. We urge other cities across the United States to consider these recommendations for the liberation of Black and Latinx people, and other historically excluded communities.

**These recommendations represent great first steps toward a justice-oriented society that would shift cities towards an anti-racist political future.**

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# Appendix

**Charge Levels:** Each arrest was given a charge level by the police officer. Four different charge level categories were assigned. Below is the definition of each.

**Charge Categories:** In addition to each arrest being assigned a charge level, the officer included a "charge description." Based on the charge description, with the support of the American Civil Liberties Union of Southern California and legal scholars, charge categories were created to facilitate data analysis. These charge categories are grounded in the legal system. The definitions of each category appear in the following table.

## Charge Levels:

SEVERITY OF CHARGES	DEFINITION
<b>Misdemeanor</b>	A crime punishable by less than 12 months in jail.
<b>Felony</b>	A crime punishable by imprisonment for more than a year to life in prison without parole and even death (depending on state).
<b>Civil Infraction</b>	The violation of a rule, ordinance, or a law (e.g., traffic tickets).
<b>Other</b>	We use other when the of charge was left blank by the officer.

## Charge Categories:

CATEGORY	ABBREVIATION	DEFINITION
<b>Crimes Against the Person</b>	<b>CAP</b>	Incidents that involve bodily harm or other actions committed against the will of an individual (e.g., murder, mayhem, torture, kidnapping).
<b>Crimes Against Property</b>	<b>CAPP</b>	Incidents that involve property or money and do not include a threat of force or use of force against an individual (e.g., burglary, shoplifting, theft, appropriate lost property).
<b>Criminalization of sex</b>	<b>CS</b>	Incidents related to the criminalization of sex that are not crimes against the person (e.g., pimping, pandering, sodomy, oral copulation, solicit lewd act, supervise prostitution).
<b>Drug Offenses</b>	<b>DO</b>	Incidents that involve any drug, intoxicating substance, or related paraphernalia that is prohibited by law (e.g., possession of narcotics, transporting controlled substance, cultivating marijuana).
<b>Gang Offenses</b>	<b>GO</b>	Incidents involving or related to a purported criminal street gang (e.g., violating gang injunction, participant in criminal street gang).
<b>Public Order</b>	<b>PO</b>	Incidents that involve the rules governing our legal system or the norms the state imposes on society (e.g., public intoxication, giving false information to officer, probation violation).
<b>Youth Offenses</b>	<b>YO</b>	Incidents involving offenses that are illegal if conducted by people under the age of 18 (e.g., possession of weapon at school, battery on school employee, disruption on school activities).
<b>Traffic Offenses</b>	<b>TO</b>	Incidents related to the operation of a vehicle (e.g., speeding, reckless driving, DUI, defective windshield).
<b>Criminalization of Poverty</b>	<b>COP</b>	Incidents related to the criminalization of the symptoms of poverty (e.g., possession of shopping cart, vending near freeway, panhandling, loitering).

## *Appendix Continued*

Other important terms we use throughout the report are defined below.

**Youth:** People of age 25 and under, including both juveniles and transitional-aged adults.

**Boys:** People who were identified by the officer as male and are 18 years of age and under.

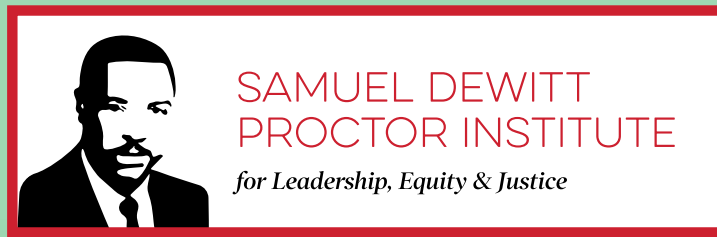
**Girls:** People who were identified by the officer as female and are 18 years of age and under.

**Young men:** People who were identified by the officer as male and are between the ages of 19-25.

**Young women:** People who were identified by the officer as female and are between the ages of 19-25.

**Black:** We use Black to refer to people of African descent. We use the term as a larger umbrella that captures individuals throughout the African Diaspora (e.g., Caribbean and/or Latino descent who belong to the racial groups indigenous to Africa).

**Latinx:** We use Latinx to refer to people of Latina/o/x descent. We use the term as a larger umbrella that captures individuals throughout the Americas (e.g., Mexico, Central America, who belong to the racial groups indigenous to the Americas). We also use it as a gender-neutral alternative to Latino, Latina, and even Latin@, to acknowledge gender fluidity and include individuals whose gender identities fluctuate along different points of the gender spectrum.



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