

ITEM 7
PROPOSED STATEWIDE COST ESTIMATE
\$25,523,241¹
For the Initial Claiming Period of 2017-2018, 2018-2019, and 2019-2020
\$10,792,578- \$11,763,910

Estimated Annual Costs for Fiscal Year 2020-2021²

Government Code Section 12525.5 as added and amended by
Statutes 2015, Chapter 466 (AB 953); Statutes 2017, Chapter 328 (AB 1518)
California Code of Regulations, Title 11, Sections 999.224, 999.225, 999.226, 999.227, 999.228,
and 999.229 as added by Register 2017, No. 46³

Racial and Identity Profiling

18-TC-02

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¹ Since the deadline to file late claims for the initial reimbursement period passed on April 21, 2022, this number reflects all claims that may be filed on this program for these fiscal years.

² The Government Code requires a statewide costs estimate for the initial claiming period and the year following, and that usually provides the Legislature with a rough estimate for future annual costs. However, due to the structure of this program, it is estimated that annual costs will increase by at least 12.5 percent in 2021-2022 and 25 percent in 2022-2023, as additional waves are required to collect and report data, after which one-time costs will significantly reduce and annual costs will stabilize.

³ Note that Register 2016, 50-2 was incorrectly cited in the test claim filing. The correct register is Register 2017, No. 46.

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Exhibit A

September 29, 2020

Captain Jeffrey Jordon
City of San Diego
San Diego Police Department
1401 Broadway
San Diego, CA 92101

Ms. Natalie Sidarous
State Controller's Office
Local Government Programs
and Services Division
3301 C Street, Suite 740
Sacramento, CA 95816

And Parties, Interested Parties, and Interested Persons (See Mailing List)

Re: Decision and Parameters and Guidelines

Racial and Identity Profiling, 18-TC-02

Government Code Section 12525.5, as added and amended by Statutes 2015, Chapter 466 (AB 953); Statutes 2017, Chapter 328 (AB 1518); California Code of Regulations, Title 11, Sections 999.224, 999.225, 999.226, 999.227, 999.228, and 999.229, as added by Register 2017, No. 46¹

City of San Diego, Claimant

Dear Captain Jordon and Ms. Sidarous:

On September 25, 2020 the Commission on State Mandates adopted the Decision and Parameters and Guidelines on the above-captioned matter.

Please keep Decision and Parameters and Guidelines together as one document, as it together constitutes the entire decision of the Commission and the "Decision" portion informs the interpretation of the "Parameters and Guidelines." It is hoped that by providing the entire Decision and Parameters and Guidelines with the claiming instructions that claimants will be better equipped to correctly claim reimbursement, resulting in fewer reductions upon audit and fewer incorrect reduction claims.

Sincerely,

Heather Halsey
Executive Director

¹ Note that Register 2016, 50-2 was incorrectly cited in the test claim filing. The correct register is Register 2017, No. 46.

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE PARAMETERS AND GUIDELINES
FOR:

Government Code Section 12525.5 as added and amended by Statutes 2015, Chapter 466 (AB 953); Statutes 2017 Chapter 328 (AB 1518)

California Code of Regulations, Title 11, Sections 999.224, 999.225, 999.226, 999.227, 999.228, and 999.229; as added by Register 2017, No. 46¹

The period of reimbursement begins November 7, 2017.

Case No.: 18-TC-02

Racial and Identity Profiling

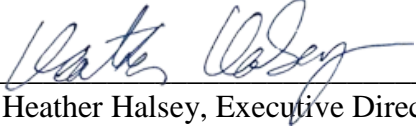
DECISION PURSUANT TO
GOVERNMENT CODE SECTION 17500 ET
SEQ.; CALIFORNIA CODE OF
REGULATIONS, TITLE 2, DIVISION 2,
CHAPTER 2.5, ARTICLE 7.

(Adopted September 25, 2020)

(Served September 29, 2020)

PARAMETERS AND GUIDELINES

The Commission on State Mandates adopted the attached Decision and Parameters and Guidelines on September 25, 2020.



Heather Halsey, Executive Director

¹ Note that Register 2016, 50-2 was incorrectly cited in the test claim filing. The correct register is Register 2017, No. 46.

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE PARAMETERS AND GUIDELINES
FOR:

Government Code Section 12525.5 as added and amended by Statutes 2015, Chapter 466 (AB 953); Statutes 2017 Chapter 328 (AB 1518)

California Code of Regulations, Title 11, Sections 999.224, 999.225, 999.226, 999.227, 999.228, and 999.229; as added by Register 2017, No. 46¹

The period of reimbursement begins November 7, 2017.

Case No.: 18-TC-02

Racial and Identity Profiling

DECISION PURSUANT TO
GOVERNMENT CODE SECTION 17500
ET SEQ.; CALIFORNIA CODE OF
REGULATIONS, TITLE 2, DIVISION 2,
CHAPTER 2.5, ARTICLE 7.

(Adopted September 25, 2020)

(Served September 29, 2020)

DECISION

The Commission on State Mandates (Commission) heard and decided the Decision and Parameters and Guidelines during a regularly scheduled hearing on September 25, 2020. Captain Jeffrey Jordon of the City of San Diego Police Department appeared on behalf of the City of San Diego (claimant). Chris Hill and Brittany Thompson appeared on behalf of the Department of Finance (Finance).

The law applicable to the Commission’s determination of a reimbursable state-mandated program is article XIII B, section 6 of the California Constitution, Government Code sections 17500 et seq., and related case law.

The Commission adopted the Proposed Decision and Parameters and Guidelines by a vote of 7-0, as follows:

Member	Vote
Lee Adams, County Supervisor	Yes
Jeannie Lee, Representative of the Director of the Office of Planning and Research	Yes
Gayle Miller, Representative of the Director of the Department of Finance, Chairperson	Yes
Sarah Olsen, Public Member	Yes
Carmen Ramirez, City Council Member	Yes
Andre Rivera, Representative of the State Treasurer, Vice Chairperson	Yes

¹ Note that Register 2016, 50-2 was incorrectly cited in the test claim filing. The correct register is Register 2017, No. 46.

Jacqueline Wong-Hernandez, Representative of the State Controller	Yes
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I. Summary of the Mandate

On May 22, 2020, the Commission on State Mandates (Commission) adopted the Test Claim Decision finding that Government Code section 12525.5, as added and amended by Statutes 2015, chapter 466 and Statutes 2017, chapter 328, and California Code of Regulations, title 11, sections 999.224- 999.229 (Register 2017, No. 46), constitute a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution, beginning November 7, 2017. Specifically, the Commission found that the mandate was imposed on city and county law enforcement agencies that employ peace officers (other than probation officers and officers in a custodial setting) to electronically report to the Attorney General, on an annual basis, data on all “stops” within their own jurisdiction, conducted by the agency’s peace officers; and on those city and county law enforcement agencies that contract for peace officers from other cities or counties in order to carry out their basic and essential function of providing police protection services in their jurisdictions.

II. Procedural History

On May 22, 2020, the Commission adopted the Test Claim Decision.² On May 22, 2020, Commission staff issued the Draft Expedited Parameters and Guidelines.³ On June 12, 2020, the claimant filed comments on the Draft Expedited Parameters and Guidelines.⁴ On July 6, 2020, Commission staff issued the Draft Proposed Decision and Parameters and Guidelines.⁵ On July 23, 2020, the claimant filed comments on the Draft Proposed Decision and Parameters and Guidelines stating that it had no additional comments to offer.⁶

III. Positions of the Parties

A. City of San Diego

The claimant has requested that the Commission add several activities, which it asserts are reasonably necessary to comply with the mandated program. Claimant asserts that it is necessary that local agencies update their policies and procedures to provide a sufficient level of explanation to its peace officers that must perform the functions of Government Code section 12525.5.⁷ The claimant also states that updating information technology, specifically adopting and testing software, which allows local agencies to comply with state-mandated activities is reasonable and necessary.⁸ To that end, the claimant requests that Section IV. of the Draft

² Exhibit A, Test Claim Decision.

³ Exhibit B, Draft Expedited Parameters and Guidelines.

⁴ Exhibit C, Claimant’s Comments on the Draft Expedited Parameters and Guidelines.

⁵ Exhibit D, Draft Proposed Decision and Parameters and Guidelines.

⁶ Exhibit E, Claimant’s Comments on the Draft Proposed Decision and Parameters and Guidelines.

⁷ Exhibit C, Claimant’s Comments on the Draft Expedited Parameters and Guidelines, page 2.

⁸ Exhibit C, Claimant’s Comments on the Draft Expedited Parameters and Guidelines, page 2.

Expedited Parameters and Guidelines be amended to provide for reimbursement of one-time activities to include: update policies and procedures to incorporate the requirements of the test claim statute; train staff (peace officers) assigned to perform the reimbursable activities listed in Section IV. of the Parameters and Guidelines; and install and test the software necessary to comply with the state-mandated requirements for the collection and reporting of data on all applicable stops. The claimant also requests that Section IV. of the Draft Expedited Parameters and Guidelines authorize ongoing reimbursement for updated training to meet any new requirements made by the Legislature or the Racial and Identity Profiling Act (RIPA) Board; and update software, as necessary, to comply with the state-mandated requirements for the collection and reporting of data on all applicable stops.⁹ Specifically, the claimant requests that the following activities be added to the Parameters and Guidelines:

One-time activities:

- a. Update policies and procedures to incorporate the requirements of the Test Claim Statute.
- b. Train staff (peace officers) assigned to perform the reimbursable activities listed in section IV of these Parameters and Guidelines (one-time for each employee).
- c. Installation and testing of software necessary to comply with the state-mandated requirements for the collection and reporting of data on all applicable stops.

Ongoing activities:

- a. As modifications are made to the Test Claim Statute provide for updated training to meet any new requirements made by the legislature or the Racial and Identity Profiling Act Board.
- b. Update software, as necessary, to comply with the state-mandated requirements for the collection and reporting of data on all applicable stops.¹⁰

The claimant has also filed a Declaration of Captain Jeffrey Jordon, San Diego Police Department, to support these requests.¹¹

B. Department of Finance

The Department of Finance (Finance) has not filed any comments on the Draft Expedited Parameters and Guidelines.

IV. Discussion

A. Eligible Claimants (Section II. of Parameters and Guidelines)

⁹ Exhibit C, Claimant’s Comments on the Draft Expedited Parameters and Guidelines, page 2.

¹⁰ Exhibit C, Claimant’s Comments on the Draft Expedited Parameters and Guidelines, page 2.

¹¹ Exhibit C, Claimant’s Comments on the Draft Expedited Parameters and Guidelines (Declaration of Captain Jeffrey Jordon), pages 3-6.

In the Test Claim Decision, the Commission found that Government Code section 12525.5, as added and amended by Statutes 2015, chapter 466 and Statutes 2017, chapter 328, and Title 11, California Code of Regulations sections 999-224-999.229 (Register 2017, No. 46), constitutes a state-mandated new program or higher level of service, and imposes costs mandated by the state, *only* on city and county law enforcement agencies that employ peace officers (other than probation officers and officers in a custodial setting) who perform the requirements of the test claim statute and regulations for stops within their own jurisdictions, and cities and counties that contract for officers from other city or county reporting agencies in order to carry out their basic and essential function of providing police protection services in their jurisdictions.¹² The Commission also found that the test claim statutes did not impose a state-mandated program on K-12 school districts and community college districts; and on cities and counties when they assign their peace officers out to work for other government or private entities based on a contract or memorandum of understanding.¹³

Section II. of the Proposed Parameters and Guidelines therefore states the following:

Any city, county, city and county is eligible to claim reimbursement for increased costs incurred as a result of this mandate for the city or county's law enforcement agencies that meet the following criteria:

- Employ peace officers (other than probation officers and officers in a custodial setting) to perform the requirements of the test claim statute and regulations for stops within their own jurisdictions; *or*
- Contract for peace officers from other cities or counties in order to carry out their basic and essential function of providing police protection services in their jurisdictions.

K-12 school districts and community college districts are not eligible to claim for this program. Cities and counties may not claim the costs of their peace officer employees that are incurred while they are assigned out to work for other government or private entities based on a contract or memorandum of understanding.

B. Period of Reimbursement (Section III. of Parameters and Guidelines)

Government Code section 17557(e) establishes the period of reimbursement for an approved test claim based on when the test claim is filed; “[a] test claim shall be submitted on or before June 30 following a fiscal year in order to establish eligibility for reimbursement for that fiscal year.” Based on the filing date of June 14, 2019 for this Test Claim, the potential period of reimbursement, pursuant to Government Code section 17557(e), would begin July 1, 2017.¹⁴ However, as indicated in the Commission’s Test Claim Decision, the Commission partially approved the claim *only* for the activities mandated by Government Code section 12525.5 and the regulations adopted by DOJ to implement section 12525.5 (Cal. Code Regs., tit. 11, §§

¹² Exhibit A, Test Claim Decision, pages 4, 53.

¹³ Exhibit A, Test Claim Decision, page 9.

¹⁴ Exhibit A, Test Claim Decision, page 25.

999.224 through 999.229, Register 2017, No. 46).¹⁵ These regulations became operative and effective on November 7, 2017.¹⁶ The Legislature, in Government Code section 12525.5(a)(2) and (e), delayed local agency compliance with the program to a date after the regulations were required to be adopted.

Accordingly, Section III. of the Parameters and Guidelines states that the period of reimbursement begins November 7, 2017.¹⁷

C. Reimbursable Activities (Section IV. of the Parameters and Guidelines)

Pursuant to Government Code section 17557(a) and section 1183.7 of the Commission’s regulations, the Parameters and Guidelines must identify the activities mandated by the state and “may include proposed reimbursable activities that are reasonably necessary for the performance of the state-mandated program.” “Reasonably necessary activities” are defined in the Commission’s regulations as follows:

“Reasonably necessary activities” are those activities necessary to comply with the statutes, regulations and other executive orders found to impose a state-mandated program. Activities required by statutes, regulations and other executive orders that were not pled in the test claim may only be used to define reasonably necessary activities to the extent that compliance with the approved state-mandated activities would not otherwise be possible. Whether an activity is reasonably necessary is a mixed question of law and fact. All representations of fact to support any proposed reasonably necessary activities shall be supported by documentary evidence submitted in accordance with section 1187.5 of these regulations.¹⁸

Any proposed reasonably necessary activity must be supported by substantial evidence in the record explaining why the proposed activity is necessary for the performance of the state-mandated activity in accordance with Government Code sections 17557(a), 17559, and California Code of Regulations, title 2, sections 1183.7(d) and 1187.5.

Here, Section IV. of the Parameters and Guidelines lists the activities that the Commission approved as reimbursable state-mandated activities. The claimant has filed comments on the Draft Expedited Parameters and Guidelines identifying additional activities alleged to be reasonably necessary to comply with the mandate. Specifically, the claimant requests reimbursement for the following one-time activities: update policies and procedures to incorporate the requirements of the Test Claim statute; train staff (peace officers) assigned to perform the reimbursable activities listed in section IV. of the Parameters and Guidelines; and

¹⁵ Exhibit A, Test Claim Decision, page 25.

¹⁶ Exhibit A, Test Claim Decision, page 25.

¹⁷ Exhibit B, Draft Expedited Parameters and Guidelines, page 6.

¹⁸ California Code of Regulations, title 2, section 1183.7(d).

install and test the software necessary to comply with the state-mandated requirements for the collection and reporting of data on all applicable stops.¹⁹

The claimant also requests that Section IV. of the Parameters and Guidelines provide reimbursement for the following ongoing activities alleged to be reasonably necessary to comply with the mandate: updated training to meet any new requirements made by the Legislature or RIPA; and update software, as necessary, to comply with the state-mandated requirements for the collection and reporting of data on all applicable stops.²⁰ Each of these requests will be discussed in turn.

1. The proposed one-time activity to update policies and procedures is not supported by substantial evidence in the record explaining why this activity is reasonably necessary to comply with the mandate.

The claimant requests reimbursement for the one-time activity of updating policies and procedures to incorporate the requirements of the test claim statute.²¹ While the claimant's comments focus on costs associated with training and information technology, the comments are silent as to the specific need for updating local agency policies and procedures. Neither Captain Jordon's declaration filed with the comments, nor Captain Jordon's declaration and exhibits filed with the Test Claim demonstrate why updating policies and procedures is reasonably necessary to comply with the mandate. The only reference to this allegedly necessary activity is the claimant's assertion that "in order to comply with the test claim statutes, it is necessary for local agencies that employ peace officers to update their policies and procedures, and provide training related to data collection and reporting."²² There is no follow-up to this statement in the comments regarding why updating or adopting policies and procedures is necessary, nor does the record contain any specificity regarding costs incurred or the steps taken in regard to updating agency policy and procedure.

For this activity to be approved as reasonably necessary to comply with the mandate pursuant to Government Code sections 17557 and 17559, and section 1183.7 of the Commission's regulations, the claimant must explain and support, with substantial evidence in the record and in accordance with the Commission's regulations, why updating policies and procedures is reasonably necessary to comply with the mandate. Section 1187.5 of the Commission's regulations requires that oral or written representations of fact shall be under oath or affirmation; that all written representations of fact must be signed under penalty of perjury by persons who are authorized and competent to do so; and that hearsay evidence may only be used to supplement or explain other evidence, but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions.

Accordingly, the Commission denies this request.

¹⁹ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, page 2.

²⁰ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, page 2.

²¹ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, page 2.

²² Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines (Declaration of Captain Jeffrey Jordon), page 3.

2. The proposed activity to provide one-time training for each peace officer employee and supervisor assigned to perform the reimbursable activities is supported by evidence in the record and is, therefore, reasonably necessary to comply with the mandate.

The claimant requests reimbursement to provide one-time training to employees and supervisors assigned to perform the reimbursable activities listed in Section IV. of these Parameters and Guidelines.²³ In support of this request, the claimant contends that the mandate requires law enforcement personnel to learn new definitions, software applications for the collection and submission of data, and extensive rules governing exceptions to data collection during stops.^{24 25}

The Commission finds there is substantial evidence in the record to support the finding that one-time training per employee performing the mandate is reasonably necessary to comply with the mandate. Captain Jordon's declaration, signed under the penalty of perjury, and filed with the Test Claim, declares that it would not be possible for local agencies employing peace officers to collect stop data and report it to the Attorney General without being familiar with how a stop is defined and when it must be reported.²⁶ Captain Jordon notes that prior to the enactment of Government Code 12525.5, no law enforcement agency in California was mandated to collect and report stop data as is now required.²⁷ As a result, local law enforcement agencies that employ peace officers must be trained and supervised to perform these activities correctly, and the collection and reporting of this data requires specialized expertise in information technologies.²⁸ As for supervisory training, Captain Jordon declares that supervisors must be trained to determine if their officers are collecting and submitting the required stop data.²⁹ Captain Jordon attached training logs to his declaration outlining leadership training in 2018, where peace officer managers were trained on AB 953 and RIPA.³⁰ And he attached a log showing the peace officer staff who were trained on the RIPA requirements.³¹ All sworn members of the San Diego Police Department (SDPD) were required to receive at least 15 minutes of training via an online PowerPoint presentation related to new stop data items to be collected and submitted under Government Code 12525.5(a)(1), while supervisors were required to receive an additional hour of training to ensure officers assigned to them were accurately

²³ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, page 2.

²⁴ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines (Declaration of Captain Jeffrey Jordon), page 3.

²⁵ Exhibit F, Excerpt from the Test Claim (Declaration of Captain Jeffrey Jordon), page 2.

²⁶ Exhibit F, Excerpt from the Test Claim (Declaration of Captain Jeffrey Jordon), page 2.

²⁷ Exhibit F, Excerpt from the Test Claim (Declaration of Captain Jeffrey Jordon), page 2.

²⁸ Exhibit F, Excerpt from the Test Claim (Declaration of Captain Jeffrey Jordon), page 2.

²⁹ Exhibit F, Excerpt from the Test Claim (Declaration of Captain Jeffrey Jordon), page 2.

³⁰ Exhibit F, Excerpt from the Test Claim (Exhibit 12, Command Training Logs), pages 2, 3.

³¹ Exhibit F, Excerpt from the Test Claim (Exhibit 12, Command Training Logs), pages 27-97.

collecting and submitting the data pursuant to the alleged mandate.³² There is no evidence rebutting these declarations.

In addition, the reporting requirements for this program, and the exceptions to reporting, are detailed and specific, and require that the reports be audited and validated pursuant to the Department of Justice (DOJ) specifications. The legislative history of Government Code section 12525.5 and the test claim regulations demonstrate that training costs were anticipated by the Legislature and DOJ. In their Economic and Fiscal Impact Statement, DOJ stated that AB 953 would likely result in increased demand for training professionals and support staff to help law enforcement agencies implement the reporting requirements.³³ Also, the Senate Committee on Appropriations – in its report regarding AB 953 – noted that “Additional costs for training on the process would likely be required.”³⁴

Accordingly, the Commission finds that the evidence in the record supports the finding that one-time training per employee is reasonably necessary to comply with the mandate. This activity is included in Section IV.A. Reimbursable Activities (One-Time Activities) as follows:

- One-time training per peace officer employee and supervisor assigned to perform the reimbursable activities listed in section IV.B. of these Parameters and Guidelines.
3. The proposed one-time activity to install and test software to comply with the mandated requirements to collect and report stop data is supported by evidence in the record and is, therefore, reasonably necessary to comply with the mandate.

The test claim regulations require claimants to:

- Submit all required stop data to the system developed by the DOJ in electronic format that complies with the DOJ interface specifications via one of the three approved submission methods: (1) a web-browser based application developed by the DOJ; (2) a system-to-system web service; and (3) a secured file transfer protocol. (Cal Code Regs., tit. 11, § 999.228(a), (b) [Register 2017, No. 46].)
- Authorize and remove users to the system as necessary. Automated systems handling stop data and the information derived therein shall be secure from unauthorized access, alteration, deletion or release. (Cal Code Regs., tit. 11, § 999.228(e) [Register 2017, No. 46].)

The claimant contends that the one-time activity to install and test software is necessary to comply with the state-mandated requirements for the collection and reporting of data on all

³² Exhibit F, Excerpt from the Test Claim (Exhibit 12, Command Training Logs), pages 27-97; Exhibit F, Excerpt from the Test Claim (Narrative), pages 2, 8.

³³ Exhibit F, Excerpt from the Test Claim (California Department of Justice, Economic and Fiscal Impact Statement, AB 953 Stop Data Reporting Regulations to Implement Gov. Code Section 12525.5), page 1.

³⁴ Exhibit F, Excerpt from the Test Claim (Senate Committee on Appropriations, Analysis of AB 953 [2015-2016 Reg. Sess.], August 17, 2015), page 1.

applicable stops.³⁵ In support of this, the claimant states that it has incurred costs to obtain, test, process and validate the collected data through hardware and software applications.^{36, 37} The claimant noted that its Information Technology costs were relatively minor because the San Diego Sheriff's Department provided a custom data collection application and submission tools free of charge.³⁸ The application was loaded by Data Systems members on to SDPD's desktop and mobile computers so officers could use the software to submit data.³⁹ Additional testing was done, however, to make sure the software worked properly and all of these activities were needed to comply with the mandate before going "live" on June 27, 2018.⁴⁰ Notably, the Economic and Fiscal Impact Statement for the DOJ regulations indicates that the DOJ was developing a web-based application to provide to the local agencies to assist with submission of data collected pursuant to Government Code section 12525.5.⁴¹

Accordingly, the Commission finds that the evidence in the record supports the finding that one-time installation and testing of software is reasonably necessary to comply with the mandate. This activity is included in Section IV.A. Reimbursable Activities (One-Time Activities) as follows:

- One-time installation and testing of software necessary to comply with the state-mandated requirements for the collection and reporting requirements of data on all applicable stops.
 4. The proposed ongoing activity of providing training to meet new requirements imposed by the Legislature or RIPA is not consistent with the law and is therefore denied.

The claimant requests reimbursement for the ongoing activity of providing training to meet any new requirements made by the Legislature or the RIPA Board. This proposed activity is not consistent with the law. In the event the Legislature or DOJ change the law and increase the responsibilities of local government under this program, then new a test claim would have to be filed pursuant to Government Code sections 17551 and 17553. If the Legislature or DOJ repeals

³⁵ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines (Declaration of Captain Jeffrey Jordon), page 2.

³⁶ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines (Declaration of Captain Jeffrey Jordon), page 3.

³⁷ Exhibit F, Excerpt from the Test Claim (Declaration of Captain Jeffrey Jordon), page 1.

³⁸ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines (Declaration of Captain Jeffrey Jordon), page 4.

³⁹ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines (Declaration of Captain Jeffrey Jordon), page 4.

⁴⁰ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines (Declaration of Captain Jeffrey Jordon), page 3.

⁴¹ Exhibit F, Excerpt from the Test Claim (California Department of Justice, Economic and Fiscal Impact Statement, AB 953 Stop Data Reporting Regulations to Implement Gov. Code Section 12525.5), page 11.

one of the activities mandated by the state, or otherwise changes the future liability of the State under article XIII B, section 6, then the State can request that the Parameters and Guidelines be amended under Government Code section 17557(d), or the State can file a request to adopt a new test claim decision under Government Code section 17570. Thus, these Parameters and Guidelines cannot account for future changes in law.

And the RIPA Board is not tasked with, nor have they been given authority to revise or amend the requirements under the test claim statute. Rather, the RIPA Board is tasked with reviewing and analyzing reported data, working with law enforcement to review and analyze racial and identity profiling practices and procedures, issuing a report of their findings, and holding at least three annual public meetings.⁴²

The Commission therefore denies the request for ongoing training on the basis of future changes in the law.

5. The proposed ongoing activity of updating software, as necessary, to comply with the requirements of collecting and reporting data is not supported by substantial evidence in the record explaining why this activity is reasonably necessary to comply with the mandate.

The claimant has also requested ongoing reimbursement for updating software, as necessary, to comply with the state-mandated requirements for the collection and reporting of data on all applicable stops.⁴³ There is nothing in the record demonstrating that this is a reasonably necessary activity. The claimant has not provided or pointed to any evidence in the record demonstrating that the software used to perform the requirements under the mandate needs updating. Notably, the DOJ Economic and Fiscal Impact Statement does not mention that agencies would likely be subject to ongoing costs related to updating software.⁴⁴

Accordingly, the Commission denies this request.

D. Claim Preparation and Submission (Section V of the Parameters and Guidelines)

Consistent with the approval of one-time training, Section V. of the Parameters and Guidelines (Claim Preparation and Submission) includes the boilerplate language for claiming the costs of training as follows:

5. Training

Report the cost of training an employee to perform the reimbursable activities, as specified in Section IV. of this document. Report the name and job classification of each employee preparing for, attending, and/or conducting training necessary to implement the

⁴² Exhibit F, Excerpt from the Test Claim (Senate Committee on Appropriations, Analysis of AB 953 [2015-2016 Reg. Sess.], August 17, 2015), page 4.

⁴³ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, page 2.

⁴⁴ Exhibit F, Excerpt from the Test Claim (California Department of Justice, Economic and Fiscal Impact Statement, AB 953 Stop Data Reporting Regulations to Implement Gov. Code Section 12525.5).

reimbursable activities. Provide the title, subject, and purpose (related to the mandate of the training session), dates attended, and location. If the training encompasses subjects broader than the reimbursable activities, only the pro-rata portion can be claimed. Report employee training time for each applicable reimbursable activity according to the rules of cost element A.1., Salaries and Benefits, and A.2., Materials and Supplies. Report the cost of consultants who conduct the training according to the rules of cost element A.3., Contracted Services.

V. Conclusion

Based on the foregoing, the Commission hereby adopts the Decision and Parameters and Guidelines.

PARAMETERS AND GUIDELINES⁴⁵

Government Code Section 12525.5, as added and amended by Statutes 2015, Chapter 466 (AB 953); Statutes 2017, Chapter 328 (AB 1518)

California Code of Regulations, Title 11, Sections 999.224, 999.225, 999.226, 999.227, 999.228, and 999.229 as added by Register 2017, No. 46⁴⁶

Racial and Identity Profiling

18-TC-02

Reimbursement for this program begins November 7, 2017.

I. SUMMARY OF THE MANDATE

On May 22, 2020, the Commission on State Mandates (Commission) adopted the Test Claim Decision finding that Government Code section 12525.5, as added and amended by Statutes 2015, chapter 466 and Statutes 2017, chapter 328, and California Code of Regulations, title 11, sections 999.224- 999.229 (Register 2017, No. 46), constitute a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution, beginning November 7, 2017, on city and county law enforcement agencies that employ peace officers (other than probation officers and officers in a custodial setting) to electronically report to the Attorney General, on an annual basis, data on all “stops” within their own jurisdiction, conducted by the agency’s peace officers; and on those city and county law enforcement agencies that contract for peace officers from other cities or counties in order to carry out their basic and essential function of providing police protection services in their jurisdictions.

II. ELIGIBLE CLAIMANTS

Any city, county, city and county is eligible to claim reimbursement for increased costs incurred as a result of this mandate for the city or county’s law enforcement agencies that meet the following criteria:

⁴⁵ Please note that the Decision and Parameters and Guidelines is a single document and must be read as a whole. It is not intended to be separated and should be posted in its entirety.

⁴⁶ Note that Register 2016, 50-2 was incorrectly cited in the test claim filing. The correct register is Register 2017, No. 46.

- Employ peace officers (other than probation officers and officers in a custodial setting) to perform the requirements of the test claim statute and regulations for stops within their own jurisdictions; *or*
- Contract for peace officers from other cities or counties in order to carry out their basic and essential function of providing police protection services in their jurisdictions.

K-12 school districts and community college districts are not eligible to claim for this program. Cities and counties may not claim the costs of their peace officer employees that are incurred while they are assigned out to work for other government or private entities based on a contract or memorandum of understanding.

PERIOD OF REIMBURSEMENT

Government Code section 17557(e) states that a test claim shall be submitted on or before June 30 following a given fiscal year to establish eligibility for reimbursement for that fiscal year. The claimant filed the Test Claim on June 14, 2019, establishing eligibility for reimbursement for the 2017-2018 fiscal year, beginning July 1, 2017. However, the regulations adopted by DOJ to implement section 12525.5 (Cal. Code Regs., tit. 11, §§ 999.224 through 999.229, Register 2017, No. 46) became operative and effective on November 7, 2017,⁴⁷ establishing the period of reimbursement beginning November 7, 2017.

Reimbursement for state-mandated costs may be claimed as follows:

1. Actual costs for one fiscal year shall be included in each claim.
2. Pursuant to Government Code section 17561(d)(1)(A), all claims for reimbursement of initial fiscal year costs shall be submitted to the State Controller (Controller) within 120 days of the issuance date for the claiming instructions.
3. Pursuant to Government Code section 17560(a), a local agency may, by February 15 following the fiscal year in which costs were incurred, file an annual reimbursement claim that details the costs actually incurred for that fiscal year.
4. If revised claiming instructions are issued by the Controller pursuant to Government Code section 17558(c), between November 15 and February 15, a local agency filing an annual reimbursement claim shall have 120 days following the issuance date of the revised claiming instructions to file a claim. (Gov. Code §17560(b).)
5. If the total costs for a given fiscal year do not exceed \$1,000, no reimbursement shall be allowed except as otherwise allowed by Government Code section 17564(a).
6. There shall be no reimbursement for any period in which the Legislature has suspended the operation of a mandate pursuant to state law.

IV. REIMBURSABLE ACTIVITIES

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities.

⁴⁷ The Legislature, in Government Code section 12525.5(a)(2) and (e), delayed local agency compliance with the program to a date after the regulations were required to be adopted.

Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event, or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

The claimant is only allowed to claim and be reimbursed for increased costs for reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.

For each eligible claimant that incurs increased costs, the following activities are reimbursable:

A. One-Time Activities

1. One-time training per peace officer employee and supervisor assigned to perform the reimbursable activities listed in Section IV.B. of these Parameters and Guidelines.
2. One-time installation and testing of software necessary to comply with the state-mandated requirements for the collection and reporting of data on all applicable stops.

B. Ongoing Activities

1. Identification of the peace officers required to report stops, and maintenance of a system to match individual officers to their Officer I.D. number.
 - a. On January 1 of each year until the agency begins reporting data to the DOJ, each reporting agency shall count the number of peace officers it employs who are required to report stops to determine the date that agency must start collecting stop data and reporting to the DOJ pursuant to Government Code section 12525.5(a)(1)(2). (Cal. Code Regs, tit. 11, § 999.227(a)(8) [Register 2017, No. 46].)
 - b. Reporting agencies shall create the Officer's I.D. Number for each officer required to report stops. (Cal. Code Regs, tit. 11, § 999.227(a)(11) [Register 2017, No. 46].)
 - c. Reporting agencies shall maintain a system to match an individual officer required to report stops to his or her Officer's I.D. Number. (Cal. Code Regs, tit. 11, § 999.227(a)(11) [Register 2017, No. 46].)

2. Collection and reporting data on all stops, as defined,⁴⁸ conducted by that agency’s peace officers for the preceding calendar year in accordance with sections 999.226(a) and 999.227 of the regulations.
 - a. Begin collecting and reporting data on all stops on or before the following dates (Gov. Code, § 12525.5(a)(2), Stats. 2017, ch. 328):
 - (1) An agency that employs 1,000 or more peace officers shall begin collecting data on or before July 1, 2018, and shall issue its first round of reports on or before April 1, 2019.
 - (2) An agency that employs 667 or more but less than 1,000 peace officers shall begin collecting data on or before January 1, 2019, and shall issue its first round of reports on or before April 1, 2020.
 - (3) An agency that employs 334 or more but less than 667 peace officers shall begin collecting data on or before January 1, 2021, and shall issue its first round of reports on or before April 1, 2022.
 - (4) An agency that employs one or more but less than 334 peace officers shall begin collecting data on or before January 1, 2022, and shall issue its first round of reports on or before April 1, 2023.

The following are **not** reportable:

- Data elements described in section 999.226(a) for passengers in vehicles subject to a stop who have not been observed or suspected of violating the law, or who have not been subjected to the officer’s actions listed in section 999.226(a)(12)(A), excluding “Vehicle impounded” and “None.”⁴⁹
- Stops made during public safety mass evacuations.⁵⁰
- Stops during an active shooter incident.⁵¹

⁴⁸ See Government Code section 12525.5(g)(2) (Stats.2015, ch.466) and California Code of Regulations, title 11, section 999.224(a)(14) (Register 2017, No. 46), which define a “stop” as “any detention by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person’s body or property in the person’s possession or control;” section 999.227(b) and (c) for interactions that are not reportable as “stops;” and section 999.227(d) for peace officer interactions that are reportable only if the officer takes additional specified actions.

⁴⁹ California Code of Regulations, title 11, section 999.227(b) (Register 2017, No. 46).

⁵⁰ California Code of Regulations, title 11, section 999.227(c)(1) (Register 2017, No. 46).

⁵¹ California Code of Regulations, title 11, section 999.227(c)(2) (Register 2017, No. 46).

- Stops that occur during or as a result of routine security screenings required of all persons to enter a building or special event, including metal detector screenings, including any secondary searches that result from the screening.⁵²
 - The following interactions are *not* reportable unless a person is detained based upon individualized suspicion or personal characteristics, or the officer engages in the actions described in the data values in section 999.226(a)(12)(A)(1)-(22): Interactions during: traffic control of vehicles due to a traffic accident or emergency situation that requires that vehicles are stopped for public safety purposes; any type of crowd control in which pedestrians are made to remain in a location or routed to a different location for public safety purposes; interactions during which persons are detained at a residence so that the officer may check for proof of age for purposes of investigating underage drinking; and checkpoints and roadblocks in which an officer detains a person as the result of a blanket regulatory activity or neutral formula that is not based on individualized suspicion or personal characteristics.⁵³
 - Interactions that take place with a person in his or her residence who is the subject of a warrant or search condition.⁵⁴
 - Interactions that take place with a person in his or her residence who is the subject of home detention or house arrest while an officer is on home detention or house arrest assignment.⁵⁵
 - Stops in a custodial setting.⁵⁶
 - Stops that occur while the officer is off-duty.⁵⁷
- b. The agency’s peace officers shall collect the following required categories of stop data, and all applicable “data elements,” “data values,” and narrative explanatory fields described in section 999.226(a) for every person stopped, and in accordance with section 999.227(a)(4)-(6), (b) and (d) of the regulations, and complete all stop reports for stops made during the officer’s shift by the end of the officer’s shift, or if exigent circumstances preclude doing so, as soon as practicable: (Gov. Code, §12525.5(b), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, §§999.226(a), 999.227(a)(1)(2)(4)(5)(6)(9), (b) and (d) [Register 2017, No. 46].)

⁵² California Code of Regulations, title 11, section 999.227(c)(3) (Register 2017, No. 46).

⁵³ California Code of Regulations, title 11, section 999.227(d)(1).

⁵⁴ California Code of Regulations, title 11, section 999.227(d)(2) (Register 2017, No. 46).

⁵⁵ California Code of Regulations, title 11, section 999.227(d)(3) (Register 2017, No. 46).

⁵⁶ California Code of Regulations, title 11, section 999.225(c) (Register 2017, No. 46).

⁵⁷ Exhibit A, Test Claim Decision, page 6; Exhibit F, Final Statement of Reasons, Proposed Regulations, Title 11, Sections 999.224-999.229, pages 12-13, <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/stop-data-reg-fsor-revised-110817.pdf> (accessed on November 8, 2019).

- (1) “ORI number,” which is “the data element that refers to the reporting agency’s Originating Agency Identifier, a unique identification code number assigned by the Federal Bureau of Investigation.” (Cal Code Regs., tit. 11, § 999.226(a)(1) [Register 2017, No. 46].)
- (2) “Date, Time, and Duration of Stop.” (Gov. Code, §12525.5(b)(1), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.226(a)(2) [Register 2017, No. 46].)
- (3) “Location of Stop.” (Gov. Code, §12525.5(b)(1), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.226(a)(3) [Register 2017, No. 46].)
- (4) “Perceived Race or Ethnicity of Person Stopped.” (Gov. Code, § 12525.5(b)(6), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.226(a)(4) [Register 2017, No. 46].)
- (5) “Perceived Gender of Person Stopped.” (Gov. Code, §12525.5(b)(6), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.226(a)(5) [Register 2017, No. 46].)
- (6) “Person Stopped Perceived to be LGBT.” (Cal Code Regs., tit. 11, § 999.226(a)(6) [Register 2017, No. 46].)
- (7) “Perceived Age of Person Stopped.” (Gov. Code, §12525.5(b)(6), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.226(a)(7) [Register 2017, No. 46].)
- (8) “Person Stopped Has Limited or No English Fluency.” (Cal Code Regs, tit. 11, § 999.226(a)(8) [Register 2017, No. 46].)
- (9) “Perceived or Known Disability of Person Stopped.” (Cal Code Regs., tit. 11, § 999.226(a)(9) [Register 2017, No. 46].)
- (10) “Reason for Stop.” (Gov. Code, §12525.5(b)(2), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.226(a)(10) [Register 2017, No. 46].)
- (11) “Stop Made in Response to a Call for Service.” (Cal Code Regs., tit. 11, § 999.226(a)(11) [Register 2017, No. 46].)
- (12) “Actions Taken by Officer During Stop.” (Gov. Code, §12525.5(b)(7), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.226(a)(12) [Register 2017, No. 46].)
- (13) “Result of Stop.” (Gov. Code, §12525.5(b)(3)(4)(5), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.226(a)(13) [Register 2017, No. 46].)
- (14) “Officer’s Identification (I.D.) Number.” (Cal Code Regs., tit. 11, § 999.226(a)(14) [Register 2017, No. 46].)
- (15) “Officer’s Years of Experience.” (Cal Code Regs., tit. 11, § 999.226(a)(15) [Register 2017, No. 46].)
- (16) “Type of Assignment of Officer.” (Cal Code Regs., tit. 11, § 999.226(a)(16) [Register 2017, No. 46].)

- c. The following additional data values shall be reported for stops (as defined in section 999.227(e)(3) of the regulations) at a K-12 school: the name of the school where the stop took place; indicate if the stop is of a student, whether there is a perceived disability related to hyperactivity or impulsive behavior of the student, the possible conduct warranting discipline under the Education Code, whether there was an admission or written statement obtained from the student, whether the student is suspected of violating school policy, and whether the student was referred to a school administrator or counselor. (Cal Code Regs., tit. 11, § 999.227(e)(3)(4) [Register 2017, No. 46].)
3. Electronic submission of data to DOJ and retention of stop data collected
 - a. Submit all required stop data to the system developed by the DOJ in electronic format that complies with the DOJ interface specifications via one of the three approved submission methods: (1) a web-browser based application developed by the DOJ; (2) a system-to-system web service; and (3) a secured file transfer protocol. (Cal Code Regs., tit. 11, § 999.228(a), (b) [Register 2017, No. 46].)
 - b. Authorize and remove users to the system as necessary. Automated systems handling stop data and the information derived therein shall be secure from unauthorized access, alteration, deletion or release. (Cal Code Regs., tit. 11, § 999.228(e) [Register 2017, No. 46].)
 - c. Each reporting agency, *except* those agencies that report stop data via the DOJ web-browser based application, shall keep a record of its source data for three years and to make it available for inspection by DOJ. (Cal Code Regs., tit. 11, § 999.228(h) [Register 2017, No. 46].)
4. Audits and validation of data collected
 - a. Ensure that the technical specifications for data values are consistent with the regulations and follow the data dictionary prepared by DOJ. (Cal Code Regs., tit. 11, § 999.224(a)(5) [Register 2017, No. 46].)
 - b. Ensure that all data elements, data values, and narrative explanatory fields conform to the regulations and correct any errors in the data submission process through the DOJ's error resolution process. (Cal Code Regs., tit. 11, § 999.229(b) [Register 2017, No. 46].)
 - c. Agencies submitting records via the system-to-system web service or the secure file transfer protocol shall include a unique stop record number for each stop, so that DOJ can use the record number to relay information on errors when necessary. (Cal Code Regs., tit. 11, § 999.229(c) [Register 2017, No. 46].)
5. For stop data collected, ensure that the name, address, social security number, or other unique personally identifiable information of the individual stopped, searched, or subjected to property seizure, and the badge number or other unique identifying information of the peace officer involved, is not transmitted to the Attorney General in an open text field. (Gov. Code, § 12525.5, Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.228(d) [Register 2017, No. 46].)

V. CLAIM PREPARATION AND SUBMISSION

Each of the following cost elements must be identified for each reimbursable activity identified in Section IV., Reimbursable Activities, of this document. Each claimed reimbursable cost must be supported by source documentation as described in Section IV. Additionally, each reimbursement claim must be filed in a timely manner.

A. Direct Cost Reporting

Direct costs are those costs incurred specifically for the reimbursable activities. The following direct costs are eligible for reimbursement.

1. Salaries and Benefits

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.

2. Materials and Supplies

Report the cost of materials and supplies that have been consumed or expended for the purpose of the reimbursable activities. Purchases shall be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged on an appropriate and recognized method of costing, consistently applied.

3. Contracted Services

Report the name of the contractor and services performed to implement the reimbursable activities. If the contractor bills for time and materials, report the number of hours spent on the activities and all costs charged. If the contract is a fixed price, report the services that were performed during the period covered by the reimbursement claim. If the contract services are also used for purposes other than the reimbursable activities, only the pro-rata portion of the services used to implement the reimbursable activities can be claimed. Submit contract consultant and attorney invoices with the claim and a description of the contract scope of services.

4. Fixed Assets

Report the purchase price paid for fixed assets necessary to implement the reimbursable activities. The purchase price includes taxes, delivery costs, and installation costs. If the fixed asset is also used for purposes other than the reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

5. Training

Report the cost of training an employee to perform the reimbursable activities, as specified in Section IV of this document. Report the name and job classification of each employee preparing for, attending, and/or conducting training necessary to implement the reimbursable activities. Provide the title, subject, and purpose (related to the mandate of the training session), dates attended, and location. If the training encompasses subjects

broader than the reimbursable activities, only the pro-rata portion can be claimed. Report employee training time for each applicable reimbursable activity according to the rules of cost element A.1., Salaries and Benefits, and A.2., Materials and Supplies. Report the cost of consultants who conduct the training according to the rules of cost element A.3., Contracted Services.

B. Indirect Cost Rates

Indirect costs are costs that are incurred for a common or joint purpose, benefiting more than one program, and are not directly assignable to a particular department or program without efforts disproportionate to the result achieved. Indirect costs may include both: (1) overhead costs of the unit performing the mandate; and (2) the costs of the central government services distributed to the other departments based on a systematic and rational basis through a cost allocation plan.

Compensation for indirect costs is eligible for reimbursement utilizing the procedure provided in 2 Code of Federal Regulations (CFR) part 225 (Office of Management and Budget (OMB) Circular A-87). Claimants have the option of using 10 percent of direct labor, excluding fringe benefits, or preparing an Indirect Cost Rate Proposal (ICRP) if the indirect cost rate claimed exceeds 10 percent.

If the claimant chooses to prepare an ICRP, both the direct costs (as defined and described in 2 CFR part 225, appendices A and B (OMB Circular A-87 attachments A & B) and the indirect costs shall exclude capital expenditures and unallowable costs (as defined and described in 2 CFR part 225, appendices A and B (OMB Circular A-87 attachments A & B)). However, unallowable costs must be included in the direct costs if they represent activities to which indirect costs are properly allocable.

The distribution base may be: (1) total direct costs (excluding capital expenditures and other distorting items, such as pass-through funds, major subcontracts, etc.); (2) direct salaries and wages; or (3) another base which results in an equitable distribution.

In calculating an ICRP, the claimant shall have the choice of one of the following methodologies:

1. The allocation of allowable indirect costs (as defined and described in OMB Circular A-87 attachments A & B) shall be accomplished by: (1) classifying a department's total costs for the base period as either direct or indirect; and (2) dividing the total allowable indirect costs (net of applicable credits) by an equitable distribution base. The result of this process is an indirect cost rate which is used to distribute indirect costs to mandates. The rate should be expressed as a percentage that the total amount of allowable indirect costs bears to the base selected; or
2. The allocation of allowable indirect costs (as defined and described in OMB Circular A-87 attachments A & B) shall be accomplished by: (1) separating a department into groups, such as divisions or sections, and then classifying the division's or section's total costs for the base period as either direct or indirect; and (2) dividing the total allowable indirect costs (net of applicable credits) by an equitable distribution base. The result of this process is an indirect cost rate that is used to distribute indirect costs to mandates. The rate should be expressed as a percentage which the total amount of allowable indirect costs bears to the base selected.

VI. RECORD RETENTION

Pursuant to Government Code section 17558.5(a), a reimbursement claim for actual costs filed pursuant to this chapter⁵⁸ is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities, as described in Section IV., must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

VII. OFFSETTING REVENUES AND REIMBURSEMENTS

Any offsetting revenue the claimant experiences in the same program as a result of the same statutes or executive orders found to contain the mandate shall be deducted from the costs claimed. In addition, reimbursement for this mandate from any source, including but not limited to, service fees collected, federal funds, and other applicable state funds, shall be identified and deducted from any claim submitted for reimbursement.

VIII. STATE CONTROLLER'S CLAIMING INSTRUCTIONS

Pursuant to Government Code section 17558(b), the Controller shall issue claiming instructions for each mandate that requires state reimbursement not later than 90 days after receiving the adopted parameters and guidelines from the Commission, to assist local governments in claiming costs to be reimbursed. The claiming instructions shall be derived from these parameters and guidelines and the decisions on the test claim and parameters and guidelines adopted by the Commission.

Pursuant to Government Code section 17561(d)(1), issuance of the claiming instructions shall constitute a notice of the right of the eligible claimants to file reimbursement claims, based upon parameters and guidelines adopted by the Commission.

IX. REMEDIES BEFORE THE COMMISSION

Upon request of an eligible claimant, the Commission shall review the claiming instructions issued by the Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the Commission determines that the claiming instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions and the Controller shall modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557(d), and California Code of Regulations, title 2, section 1183.17.

X. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES

⁵⁸ This refers to title 2, division 4, part 7, chapter 4 of the Government Code.

The decisions adopted for the test claim and parameters and guidelines are legally binding on all parties and interested parties and provide the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record. The administrative record is on file with the Commission.

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On September 29, 2020, I served the:

- **Decision and Parameters and Guidelines adopted September 25, 2020**

Racial and Identity Profiling, 18-TC-02

Government Code Section 12525.5, as added and amended by Statutes 2015, Chapter 466 (AB 953); Statutes 2017, Chapter 328 (AB 1518); California Code of Regulations, Title 11, Sections 999.224, 999.225, 999.226, 999.227, 999.228, and 999.229, as added by

Register 2017, No. 46¹

City of San Diego, Claimant

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on September 29, 2020 at Sacramento, California.



Jill L. Magee

Commission on State Mandates

980 Ninth Street, Suite 300

Sacramento, CA 95814

(916) 323-3562

¹ Note that Register 2016, 50-2 was incorrectly cited in the test claim filing. The correct register is Register 2017, No. 46.

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 8/4/20

Claim Number: 18-TC-02

Matter: Racial and Identity Profiling

Claimant: City of San Diego

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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STATE of CALIFORNIA
COMMISSION ON STATE
MANDATES



TEST CLAIM FORM

Section 1

Proposed Test Claim Title:

The Racial and Identity Profiling Act of 2015

<i>For CSM Use Only</i>	
Filing Date:	<div style="border: 2px solid blue; border-radius: 15px; padding: 5px; color: blue;"> RECEIVED June 14, 2019 Commission on State Mandates </div>
Test Claim #:	18-TC-02

Section 2

Local Government (Local Agency/School District) Name:

City of San Diego

Name and Title of Claimant's Authorized Official pursuant to CCR, tit.2, § 1183.1(a) (1-5):

Rolando Charvel – Chief Financial Officer

Street Address, City, State, and Zip:

202 C Street, 9th Floor, San Diego, CA, 92101

Telephone Number

619 236 5941

Fax Number

619 533 4669

Email Address

RCharvel@sandiego.gov

Section 3

Claimant Representative: Jeffrey Jordon Title Lieutenant

Organization: City of San Diego – San Diego Police Department

Street Address, City, State, Zip:

1401 Broadway, San Diego, CA 92101

Telephone Number

619 756 5264

Fax Number

619 531 2530

Email Address

jjordon@pd.sandiego.gov

Section 4 – Please identify all code sections (include statutes, chapters, and bill numbers; e.g., Penal Code section 2045, Statutes 2004, Chapter 54 [AB 290]), regulatory sections (include register number and effective date; e.g., California Code of Regulations, title 5, section 60100 (Register 1998, No. 44, effective 10/29/98), and other executive orders (include effective date) that impose the alleged mandate pursuant to Government Code section 17553 and don't forget to check whether the code section has since been amended or a regulation adopted to implement it (refer to your completed WORKSHEET on page 7 of this form):

Government Code 12525.5, Statutes of 2015, Chapter 466 [AB 953], effective date 01/01/16, amending Penal Code Sections 13012 and 13519.4.

Associated regulatory action is Title 11, California Code of Regulations. CA DOJ Adopted Sections 999.224, 999.225, 999.226, 999.227, 999.228, and 999.229. (Notice Register Number 2016, 50-2) (Regulatory Action 11/7/17).

AB 1518, Statutes of 2017, Chapter 328, amended the effective date of Government Code 12525.5, as well as Penal Code 13012, to 01/01/18.

Test Claim is Timely Filed on [Insert Filing Date] [select either A or B]: 06 / 14 / 2019

A: Which is not later than 12 months following [insert the effective date of the test claim statute(s) or executive order(s)] / / , the effective date of the statute(s) or executive order(s) pled; or

B: Which is within 12 months of [insert the date costs were *first* incurred to implement the alleged mandate] 06 / 15 / 2018, which is the date of first incurring costs as a result of the statute(s) or executive order(s) pled. *This filing includes evidence which would be admissible over an objection in a civil proceeding to support the assertion of fact regarding the date that costs were first incurred.*

(Gov. Code § 17551(c); Cal. Code Regs., tit. 2, §§ 1183.1(c) and 1187.5.)

Section 5 – Written Narrative:

Includes a statement that actual and/or estimated costs exceed one thousand dollars (\$1,000). (Gov. Code § 17564.)

Includes all of the following elements for each statute or executive order alleged pursuant to *Government Code section 17553(b)(1)* (refer to your completed **WORKSHEET on page 7 of this form**):

Identifies all sections of statutes or executive orders and the effective date and register number of regulations alleged to contain a mandate, including a detailed description of the *new* activities and costs that arise from the alleged mandate and the existing activities and costs that are *modified* by the alleged mandate;

Identifies *actual* increased costs incurred by the claimant during the fiscal year for which the claim was filed to implement the alleged mandate;

Identifies *actual or estimated* annual costs that will be incurred by the claimant to implement the alleged mandate during the fiscal year immediately following the fiscal year for which the claim was filed;

- Contains a statewide cost estimate of increased costs that all local agencies or school districts will incur to implement the alleged mandate during the fiscal year immediately following the fiscal year for which the claim was filed;
Following FY: 2018-2019 Total Costs: \$18,000,000
- Identifies all dedicated funding sources for this program; State: None
Federal: None Local agency's general purpose funds: None
Other nonlocal agency funds: None
Fee authority to offset costs: None
- Identifies prior mandate determinations made by the Board of Control or the Commission on State Mandates that may be related to the alleged mandate: None
- Identifies a legislatively determined mandate that is on the same statute or executive order: None

Section 6 – The Written Narrative Shall be Supported with Declarations Under Penalty of Perjury Pursuant to Government Code Section 17553(b)(2) and California Code of Regulations, title 2, section 1187.5, as follows (refer to your completed WORKSHEET on page 7 of this form):

- Declarations of actual or estimated increased costs that will be incurred by the claimant to implement the alleged mandate.
- Declarations identifying all local, state, or federal funds, and fee authority that may be used to offset the increased costs that will be incurred by the claimant to implement the alleged mandate, including direct and indirect costs.
- Declarations describing new activities performed to implement specified provisions of the new statute or executive order alleged to impose a reimbursable state-mandated program (specific references shall be made to chapters, articles, sections, or page numbers alleged to impose a reimbursable state-mandated program).
- If applicable, declarations describing the period of reimbursement and payments received for full reimbursement of costs for a legislatively determined mandate pursuant to Government Code section 17573, and the authority to file a test claim pursuant to paragraph (1) of subdivision (c) of Government Code section 17574.
- The declarations are signed under penalty of perjury, based on the declarant's personal knowledge, information, or belief, by persons who are authorized and competent to do so.

Section 7 – The Written Narrative Shall be Supported with Copies of the Following Documentation Pursuant to Government Code section 17553(b)(3) and California Code of Regulations, title 2, § 1187.5 (refer to your completed WORKSHEET on page 7 of this form):

- The test claim statute that includes the bill number, and/or executive order identified by its effective date and register number (if a regulation), alleged to impose or impact a mandate. Pages 23 to 93.

- Relevant portions of state constitutional provisions, federal statutes, and executive orders that may impact the alleged mandate. Pages _____ to _____.
- Administrative decisions and court decisions cited in the narrative. (Published court decisions arising from a state mandate determination by the Board of Control or the Commission are exempt from this requirement.) Pages _____ to _____.
- Evidence to support any written representation of fact. *Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. (Cal. Code Regs., tit. 2, § 1187.5).* Pages 20 to 22.

Section 8 – TEST CLAIM CERTIFICATION Pursuant to Government Code section 17553

- The test claim form is signed and dated at the end of the document, under penalty of perjury by the eligible claimant, with the declaration that the test claim is true and complete to the best of the declarant's personal knowledge, information, or belief.

Read, sign, and date this section. Test claims that are not signed by authorized claimant officials pursuant to California Code of Regulations, title 2, section 1183.1(a) (1-5) will be returned as incomplete. In addition, please note that this form also serves to designate a claimant representative for the matter (if desired) and for that reason may only be signed by an authorized local government official as defined in section 1183.1(a)(1-5) of the Commission's regulations, and not by the representative.

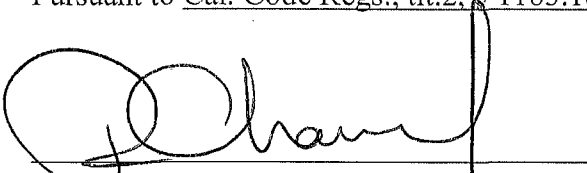
This test claim alleges the existence of a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. I hereby declare, under penalty of perjury under the laws of the State of California, that the information in this test claim is true and complete to the best of my own personal knowledge, information, or belief. All representations of fact are supported by documentary or testimonial evidence and are submitted in accordance with the Commission's regulations. (Cal. Code Regs., tit.2, §§ 1183.1 and 1187.5.)

Rolando Charvel

Chief Financial Officer

Name of Authorized Local Government Official
Pursuant to Cal. Code Regs., tit.2, § 1183.1(a) (1-5)

Print or Type Title



July 30, 2019

Signature of Authorized Local Government Official
Pursuant to Cal. Code Regs., tit.2, § 1183.1(a) (1-5)

Date

Test Claim Form Sections 4-7 WORKSHEET

Complete Worksheets for Each New Activity and Modified Existing Activity Alleged to Be Mandated by the State, and Include the Completed Worksheets With Your Filing.

Statute, Chapter and Code Section/Executive Order Section, Effective Date, and Register Number:

Government Code 12525.5, Statutes of 2015, Chapter 466 [AB 953], effective 01/01/16.
AB 1518, Statutes of 2017, Chapter 328, amended the effective date of Government Code 12525.5 to 01/01/18.

Activity: GC 12525.5 (a) (1), creates an alleged statutory mandate requiring local law enforcement agencies to collect data on all "stops" by officers and report that data to the DOJ at least annually. New collection and reporting activities alleged in GC 12525.5(a) (1) were standardized by DOJ issuing regulations in Title 11, Cal. Code Regs. - Sections 999.224 through 999.229.

Initial FY2017-2018 cost: \$97,367.95 Following FY: 2018- 2019 Cost: \$871,675.56

Evidence (if required): Declaration of Lt. Jeffrey Jordon

All dedicated funding sources; State: None Federal: None

Local agency's general purpose funds: None

Other nonlocal agency funds: None

Fee authority to offset costs: None

Statute, Chapter and Code Section/Executive Order Section, Effective Date, and Register Number: _____

Activity: _____

Initial FY: _____ - _____ Cost: _____ Following FY: _____ Cost: _____

Evidence (if required): _____

All dedicated funding sources; State: _____ Federal: _____

Local agency's general purpose funds: _____

Other nonlocal agency funds: _____

Fee authority to offset costs: _____

Statute, Chapter and Code Section/Executive Order Section, Effective Date, and Register Number: _____

Activity: _____

Initial FY: _____ - _____ Cost: _____ Following FY: _____ - _____ Cost: _____

Evidence (if required): _____

All dedicated funding sources; State: _____ Federal: _____

Local agency's general purpose funds: _____

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2) Assembly Bill 1518, Chapter 328, Statutes of 2017, Amended Effective Date of Government Code 12525.5 and Penal Code 13012 to January 1, 2018..... pages 30-34

3) Government Code 12525.5 – Current Version..... pages 35-37

4) AB 953, Assembly Comm. on Public Safety, Date of Hearing, April 21, 2015..... pages 38-49

5) AB 953, Assembly Comm. on Appropriations, Date of Hearing, May 13, 2015..... pages 50-53

6) AB 953, Senate Comm. on Appropriations, Date of Hearing, August 7, 2015..... pages 54-61

7) CA Code of Regulations, Title 11, Sections 999.224 through 999.229, established per Government Code Section 12525.5 (e)..... pages 62-86

8) Penal Code 13519.4, modified by Assembly Bill 953..... pages 87-90

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10) California Economic and Fiscal Impact – STD 399..... pages 94-121

11) RIPA Stop Data Report – Dates 06-27-2018 through 06-30-19- SDPD..... pages 122-134

12) Command Training Schedule and Attendance Roster..... pages 135-159

13) Department Training Roster – Online..... pages 160-273

14) Department Orders, Training Bulletin and Memorandum..... pages 274-290

15) Work Log for Private Contractor on AB 953..... pages 291-292

16) Sample SDPD “After AB 953” Data Collection Form..... pages 293-295

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Test Claim of City of San Diego

Racial and Identity Profiling Act of 2015

Government Code 12525.5, Statutes of 2015, Chapter 466 [AB 953]
Amending Penal Code Sections 13012 and 13519.4.

STATEMENT OF CLAIM

NARRATIVE SUMMARY:

AB 953 (**Exhibit 1**) is an exceptionally complex bill. After it was approved by the governor on October 03, 2015 and became effective January 1, 2016, it enacted the following: the Racial and Identity Profiling Act of 2015, the establishment of the Racial and Identity Profiling Board (RIPA), and added Government Code 12525.5.

For purposes of this test claim, it is alleged that Government Code 12525.5, Statutes of 2015, Chapter 466 [AB 953] contains a statutory mandate that requires local agencies that employ peace officers to provide a higher level of service by performing new activities related to the collection and reporting of stop data. As a result, local agencies will incur annual costs from those activities that will exceed \$1,000.00.

AB 953 had initially directed the Attorney General to issue regulations by January 1, 2017 to facilitate the collection and reporting of stop data allegedly mandated by GC 12525.5, but that deadline was altered. AB 1518 (**Exhibit 2**), Statutes of 2017, Chapter 328, amended Government Code 12525.5, as well as Penal Code 13012, and extended the “date by which the Attorney General is required to issue regulations for the collection and reporting of data to January 1, 2018.” AB 1518 also modified the compliance schedule for local law enforcement agencies, with the San Diego Police Department (SDPD) being instructed to collect data on or before July 1, 2018 and reporting it to the Department of Justice on or before April 1, 2019 pursuant to Government Code 12525.5.

Sections 13519.4 (**Exhibit 8**) and 13012 (**Exhibit 9**) of the Penal Code related to racial profiling provide additional details regarding who is required to analyze the data, the frequency of that analysis, and the manner in which the collected data shall be reported and published. An explanation of these penal codes is being provided for informational purposes only.

SPECIFIC STATUTORY SECTION THAT CONTAIN THE MANDATED ACTIVITIES:

The new activities and costs result from the addition of Government Code 12525.5. Specifically, Government Code 12525.5 (a) (1) (**Exhibit 3**) requires “each state and local agency that employs peace officers shall annually report to the Attorney General data on all stops conducted by that agency’s peace officers for the preceding calendar year.” Government Code 12525.5 (a) (2), established a compliance schedule based on the size of each local agency, with the San Diego Police Department, and other local law enforcement agencies that employ at least 1,000 peace officers, being instructed to collect stop data pursuant to GC 12525.5(a) (1) on or before July 1, 2018 and submit the data to the Attorney General on or before April 1, 2019.

The minimal reporting requirements allegedly mandated by Government Code 12525.5 (a) (1) are found in subdivisions 12525.5 (b) and 12525.5 (c), and the Attorney General was directed to issue regulations that specify all data to be reported, and provide standards, definitions, and technical specifications to ensure

uniform reporting practices across all reporting agencies pursuant to Government Code 12525.5 (e). Those regulations are found in Title 11 of the California Code of Regulations under sections 999.224, 999.225, 999.226, 999.227, 999.228, and 999.229 (**Exhibit 7**) (Notice Register Number 2016, 50-2) (Regulatory Action 11/7/17).

Again, Government Code 12525.5 (a) (1) is the specific statute section alleged to mandate the new activities by the state related to the collection and reporting of stop data, with information found under subdivisions 12525.5 (b), 12525.5 (c) and 12525.5 (e) describing how the new mandated activities are accomplished.

A) DETAILED DESCRIPTION OF NEW ACTIVITIES AND COSTS THAT ARISE FROM MANDATE:

Government Code 12525.5 (a) (1) mandates “each state and local agency that employs peace officers shall annually report to the Attorney General data on all stops conducted by that agency’s peace officers for the preceding calendar year.”

In order to comply with this alleged statutory mandate, law enforcement agencies must perform new activities and incur costs from them in many categories as follows:

1) **Training** – AB 953, the bill which enacted the alleged mandated statutory section of Government Code 12525.5 (a) (1), requires law enforcement personnel to learn new definitions, software applications for the collection and submission of data, and extensive rules governing exceptions to data collection during stops. Initially, local agencies that employ peace officers will need to update their procedures, policies and provide training related to data collection and reporting as a result of this alleged statutory mandate. Specifically, all sworn members of the San Diego Police Department were required to receive at least 15 minutes of training via an online PowerPoint presentation related to new stop data items to be collected and submitted under Government Code 12525.5 (a) (1), while supervisors were required to receive an additional hour of training to ensure officers assigned to them were accurately collecting and submitting the data pursuant to the alleged mandate. Providing this training is necessary to comply with the stop data collection and submission requirements in the alleged statutory mandate Government Code 12525.5 (a) (1) and the San Diego Police Department’s training costs are detailed later in the narrative by the fiscal years in which costs were incurred (**Chart 2, Chart 4, Chart 6, Chart 7**).

2) **Data Collection** – law enforcement personnel have many duties required of them pursuant to federal, state, and local laws, as well as agency specific regulations. Government Code 12525.5 (a) (1) provides additional new duties by requiring officers to document and submit information on every stop they make as described under subdivisions 12525.5 (b), 12525.5 (c) and 12525.5 (e). Stop data that must now be collected by law enforcement agencies and submitted per the alleged mandate in GC 12525.5 (a)(1) includes the following: date, time, location and duration of the stop; “perceived” subject information of the person stopped, detained, searched or arrested; reasons provided for the stop, detention, or search, along with a brief narrative description of those reasons; event actions; basis for search and associated narrative; contraband or evidence discovered; basis for property seizure and types of property seized; and final result of the stop or detention.

To determine the activity costs to collect data under the alleged mandate, SDPD’s methodology tracked temporal data in the Racial and Identity Profiling Act (RIPA) software application for each step completed. If the application is left open while a RIPA data entry is in progress, the temporal data will reflect additional time that is not reflective of the actual time the officer spent on the RIPA entry process. For this reason, this analysis does not report the total out of service time tracked in the temporal data for RIPA stops, since it would over-report actual time spent by officers. Instead, total activity time for a RIPA stop data entry is derived by multiplying the median out of service time for RIPA stops by the total number of RIPA stops during the period. Based on statistical theory, for data in which outliers will have a significant skewing affect, the median is a more appropriate measure of central tendency (average) than mean.

SDPD's analysis shows data collection and submission required pursuant to Government Code 12525.5 (a) (1) produces a new median activity time of 2.53 minutes for each stop conducted by an SDPD officer. The DOJ confirmed through field testing that it does take approximately 2.5 minutes to collect the stop data allegedly mandated by GC 12525.5 (a) (1). The DOJ documented their findings in an Economic and Fiscal Impact Statement (STD 399) entitled, "AB 953 Stop Data Reporting Regulations to Implement Gov. Code Section 12525.5" (**Exhibit 10**). The extended out of service time for officers to perform this activity did not exist prior to the implementation of this alleged state-mandated legislative program and SDPD's new costs related to this activity will be shown later in the narrative by the fiscal years in which costs were incurred (**Chart 3, Chart 5**).

3) Information Technology – these costs will rise under the statutory mandate, GC 12525.5 (a) (1), in order to obtain, test, process and validate the collected data through hardware and software applications. Different contingency methods, such as paper data collection, also have to be in place in case of computer system failures.

Information Technology costs were relatively minor for the San Diego Police Department, because the San Diego Sheriff's Department provided it with substantial technical support and assistance. Specifically, the Sheriff's Department provided its custom data collection application and submission tools free of charge to SDPD, as well as to other law enforcement agencies required to collect data under the statutory mandate. The application was loaded by Data Systems members onto the San Diego Police Department's desktop and mobile computers so officers could use it to submit the data they collected. Additional testing was done to make sure the software worked properly and all of these activities were needed to comply with GC 12525.5 (a) (1). The specific costs will be explained later in the narrative detailed by fiscal years (**Chart 1, Chart 8**).

4) Reporting – refers to process of actually reporting the collected data to the DOJ as required by GC 12525.5 (a) (1). However, before data can be reported, it must be reviewed and validated. Also, that data has to be accurate and free of personal identifying information (PII). It took SDPD personnel approximately 240 hours to ensure collected stop data was reported correctly to the DOJ. Again, these costs will be detailed later in the narrative. Reporting to the DOJ was only required in FY2018-2019 and these costs are included with IT staff costs (**Chart 8**).

5) Data storage and release - Data collected per the alleged mandated is constantly being sought through California Public Records Act requests. SDPD is not submitting for costs related to storing stop data locally or releasing it publicly, but this is an activity some agencies will undoubtedly incur and quantify costs as a result of GC 12525.5 (a) (1). Data storage can possibly be mitigated by the type of application used to collect and submit data, for instance if data is submitted directly to the DOJ instead of being stored at a local law enforcement agency first to allow for validation and review. Local agencies have discretion over which data collection tools they utilize to comply with the alleged mandate in GC 12525.5 (a) (1).

The new activities described, and costs stemming from them, were not performed by local law enforcement agencies before AB 953 enacted the alleged statutory mandate found in Government Code 12525.5 (a) (1).

B) DETAILED DESCRIPTION OF THE EXISTING ACTIVITIES AND COSTS BEING MODIFIED BY THIS MANDATE:

While some law enforcement agencies already engaged voluntarily in stop data collection, many did not, and the alleged statutory mandate in GC 12525.5 (a) (1) required the collection and submission of data in ways no local law enforcement agency in the State of California was in compliance with prior to its implementation. This is a result of the regulations, developed per Government 12525.5 (e), that were issued to provide detailed guidance to local law enforcement agencies. This enables them to comply with the specific statutory section that created an alleged state mandate per GC12525.5 (a) (1), "each state and local agency that employs peace officers shall annually report to the Attorney General data on all stops conducted by that agency's peace officers for the preceding calendar year."

Existing activities and costs modified by this mandate will be unique to every agency mostly depending on their staffing, volume of stops conducted, technical capabilities, and whether they were already collecting some stop data elements. As it relates to the San Diego Police Department, the Department already collected data on approximately ten elements related to a traffic stop – primarily on paper forms prior to AB 953 and Government Code it enacted that produced the alleged mandate 12525.5 (a) (1). SDPD’s collection of data could be accomplished in a matter of seconds by sworn officers in the field and later entered by data entry personnel without significantly increasing out of service time for sworn officers. Prior to AB 953, SDPD officers could also use their mobile computer to enter stop data, but since SDPD collected very limited stop data elements it could be collected and entered almost instantaneously. This SDPD practice was not mandated by any local, state or federal statutes, and conducted voluntarily by the Department. Additionally, costs related to stop data collection and submission by SDPD, prior to the mandate alleged in GC 12525.5 (a) (1), were viewed as de minimis by police department members and they could have been reduced to zero if the Department chose to stop voluntarily collecting data. This is no longer the case with the activities and costs associated with the alleged state mandate.

As a result of the alleged statutory mandate GC 12525.5 (a) (1), the San Diego Police Department ceased to collect data as it had previously done for 18 years (**Exhibit 14**). On June 27, 2018, all sworn members of SDPD were ordered to collect and submit data per the alleged statutory mandate, which greatly expanded their duties. Government Code 12525.5 (a)(1) requires data collected on all “stops,” which meant SDPD officers were required to continue to collect data on vehicle stops, but now had to collect data on all stops (pedestrians and bicyclists), detentions, searches, including consensual searches, along with interactions that resulted in force being used.

Additionally, under AB 953, specifically GC 12525.5 (a) (1), local law enforcement agencies are mandated to collect data on upwards of 60 data elements depending on the circumstances they encounter during a stop. This represents a significant new state mandate on local agencies with peace officers and triggered opposition (**Exhibit 4**) to the bill’s enactment over concerns directly related to new costs and activities.

The law also introduced mandatory narrative sections where SDPD officers are required to explain the reason for their stops and searches. Officers must now submit collected data prior to the end of their shift unless exigent circumstances exist, where prior to the statutory mandate officers could submit their vehicle stop data at a later date.

Out of service time will increase for personnel in every local law enforcement agency falling under the provisions of the alleged mandate and produce increased costs to meet activities required under Government Code 12525.5 (a)(1). For example, SDPD has already collected data from over 159,000 stops (**Exhibit 11**) to comply with the alleged mandate. At a median of 2.53 minutes per stop to collect and submit data, this results in nearly 6,800 hours of time SDPD officers spent to comply with the mandate related to data collection and submission. These costs began the day SDPD collected data pursuant to GC 12525.5 (a) (1), June 27, 2018.

In terms of technical cost associated with the alleged mandate, SDPD had to obtain and test a new data collection application, along with reporting stop data to the DOJ for the first time per the alleged statutory mandate, GC 12525.5 (a)(1). The data reporting by SDPD to the DOJ was completed just days before the statutory mandated deadline, April 1, 2019, and costs were incurred to prepare, process and validate the submitted data. These costs will explained in detail later in the narrative (**Chart 8**).

C. & D. ACTUAL AND/OR ESTIMATED INCREASED COSTS INCURRED BY THE CLAIMANT EXCEEDS ONE THOUSAND DOLLARS (\$1,000).

This alleged state-mandated local program imposed a cost to the City of San Diego in excess of \$1000.00.

The specific statutory mandate being alleged is Government Code 12525.5 (a)(1), which was enacted by AB 953, and states, “Each state and local agency that employs peace officers shall annually report to the Attorney General data on all stops conducted by that agency’s peace officers for the preceding year.”

Since AB 953 was signed by the governor on October 3, 2015, and effective January 1, 2016, confusion has arisen over why local law enforcement agencies were not compelled to immediately collect and submit data with the effective date of this bill. The answer is found in reading section (e) of GC 12525.5, which instructed the Attorney General to issue regulations to “ensure uniform reporting practices across all reporting agencies” by January 1, 2017. In essence, local law enforcement agencies could not begin the collection and submission of stop data, as allegedly mandated by 12525.5 (a) (1), until the regulations defining the data to be collected and submitted were completed. Those regulations became effective November 7, 2017, with AB 1518 setting the dates for local law enforcement agencies, like the San Diego Police Department, to begin collecting stop data on or before July 1, 2018 and reporting data to the DOJ on or before April 1, 2019.

To be clear, 12525.5 (a) (1) is the specific section of the alleged statute which mandated local law enforcement agencies to perform new activities and incur costs directly from them. Also, the Legislative Counsel’s Digest recognized these new activities and costs in AB 953 and wrote, “By imposing a higher level of service on local entities that employ peace officers, the bill would impose a state-mandated local program.”

For the City of San Diego, this higher level of service resulted in actual costs of \$97,367.95 in Fiscal Year (FY) 2017 through 2018 and this is the fiscal year in which the test claim was filed. Those costs are detailed in four charts listed below, with an explanation related to each cost category.

ACTUAL COSTS INCURRED BY THE CLAIMANT TO IMPLEMENT THE ALLEGED MANDATE DURING THE FISCAL YEAR FOR WHICH THE CLAIM WAS FILED

The claimant’s costs for FY2017 – 2018 are described and detailed in the following four charts (1 – 4):

Chart 1 – Information Technology Staff Costs

The IT Team plays an essential role in complying with AB 953 and associated regulations. In FY2017 – 2018, efforts were needed to accomplish the following: integrate the data collection software application to SDPD’s existing data and reporting systems and testing the software application prior to allowing it to go “live” on June 27, 2018. This took 50 hours and was done during the week before data collection was ordered.

Chart 1 outlines the IT staff costs to implement the data collection application required to comply with the alleged statutory mandate in GC 12525.5 (a) (1).

Chart 2 – Initial Department Wide Training

On June 15, 2018, the San Diego Police Department issued Department Order, OR 18-16 (**Exhibit 14**), which outlined the stop data collection mandate and reporting requirements of Government Code 12525.5 (a) (1). This date marks the start of the San Diego Police Department initiating activities mandated by the statute alleged and incurring costs personnel costs from it.

The order required all sworn personnel to watch a short presentation to learn the legal requirements of the Racial and Identity Profiling Act, between June 15, 2018 and June 26, 2018, so they would be able to comply with the data collection and submission requirements of GC 12525.5 (a) (1). This training took a minimum of 15 minutes to complete and required the viewer to log into a computer, view a training PowerPoint that is 10 minutes and 52 seconds in length, and confirm completion before logging off and resuming their duties.

Additionally, the order encouraged officers to review the data collection application in SDPD’s resource library to facilitate the required data collection under the statutory mandate – GC 12525.5 (a) (1).

Chart 2 was developed from training records (**Exhibit 13**), which shows the rank of the officer(s) who completed this training and their salary costs related to this activity.

Chart 3 – Data Collection

GC 12525.5 (a) (1) requires “each state and local agency that employs peace officers shall annually report to the Attorney General data on all stops conducted by that agency’s peace officers for the preceding calendar year.” Government Code 12525.5 (a) (2), established a compliance schedule based on the size of each local agency, with the San Diego Police Department, and other local law enforcement agencies that employ at least 1,000 peace officers, being mandated to collect stop data pursuant to these new regulations by July 1, 2018 and submit the data to the Attorney General by April 1, 2019.

Stops with data collected by Reserve Officers were not included above, because the Department does not incur a cost for their services. Additionally, stops where the precise rank of the employee could not be determined, were also excluded rather than included in the lowest cost employee. Since the data must be submitted to the Attorney General, per AB 953, the stops where data was collected and already submitted can be verified for accuracy and must be included in annual public reporting by the RIPA Board.

The San Diego Police Department ordered its sworn personnel to start collecting data on June 27, 2018 (**Exhibit 14**) to test the functionality of its data collection application, as well as to ensure it would be in compliance with the alleged statutory mandate GC 12525.5(a) (1) by July 1, 2018. The cost associated with these new activities are detailed in Chart 3 and detailed by the rank, along with hourly wage, and occurred during June 27, 2018 – June 30, 2018.

Chart 4 – Program Manager

The San Diego Police Department’s RIPA Program Manager is responsible for overseeing the implementation of AB 953, and the alleged statutory mandate under Government Code 12525.5 (a)(1). In FY2017 – 2018, specifically from June 15, 2018 to June 30, 2018 the program manager focused almost exclusively on training SDPD personnel on the statutory mandate and regulations associated with it.

The hours worked by the RIPA Program Manager, a police lieutenant, included developing training for all Department members, providing line-up training at 9 patrol divisions on all three watches, as well conducting training at traffic and with investigative units spread throughout the Department.

Costs IT Staff – Chart #1

FY2017-2018

Rank	Hours Worked	Avg Loaded Hourly Rate (Rounded)	Total Cost
Police Officer 2	50	\$ 115.09	\$ 5,754.50
		Subtotal	\$ 5,754.50

Initial Training Costs – Chart #2

FY2017-2018

Rank	Completed	Time (in Minutes)	Avg Loaded Hourly Rate (Rounded)	Avg Loaded Rate Per Minute (Rounded)	Total Cost
Police Chief	1	15	\$ 343.27	\$ 5.72	\$ 85.80
Executive Asst. Police Chief	1	15	\$ 316.96	\$ 5.28	\$ 79.20
Asst Police Chief	6	15	\$ 296.15	\$ 4.94	\$ 444.60
Police Captain	16	15	\$ 245.05	\$ 4.08	\$ 979.20
Police Lieutenant	52	15	\$ 209.07	\$ 3.48	\$ 2,714.40
Police Sergeant	269	15	\$ 179.58	\$ 2.99	\$ 12,064.65
Police Detective	241	15	\$ 141.77	\$ 2.36	\$ 8,531.40
Police Officer 3	9	15	\$ 148.76	\$ 2.48	\$ 334.80
Police Officer 2	955	15	\$ 115.09	\$ 1.92	\$ 27,504.00
Police Officer 1	151	15	\$ 93.51	\$ 1.56	\$ 3,533.40
Police Recruit	9	15	\$ 78.19	\$ 1.30	\$ 175.50
Police Invstgtv Serv Ofcr 2	2	15	\$ 58.51	\$ 0.98	\$ 29.40
				Subtotal	\$ 56,476.35

Data Collection Costs (Out of Service Time)

Chart #3 – Dates June 27, 2018 through June 30, 2018

FY2017 - 2018

Rank	Stops	Median Time (in Minutes)	Avg Loaded Hourly Rate (Rounded)	Avg Loaded Rate Per Minute (Rounded)	Total Cost
Executive Asst. Police Chief	0	2.53	\$ 316.96	\$ 5.28	\$ -
Police Captain	0	2.53	\$ 245.05	\$ 4.08	\$ -
Police Lieutenant	0	2.53	\$ 209.07	\$ 3.48	\$ -
Police Sergeant	0	2.53	\$ 179.58	\$ 2.99	\$ -
Police Detective	52	2.53	\$ 141.77	\$ 2.36	\$ 310.48
Police Officer 3	23	2.53	\$ 148.76	\$ 2.48	\$ 144.31
Police Officer 2	1,737	2.53	\$ 115.09	\$ 1.92	\$ 8,437.65
Police Officer 1	274	2.53	\$ 93.51	\$ 1.56	\$ 1,081.42
Police Recruit	22	2.53	\$ 78.19	\$ 1.30	\$ 72.36
Police Invstgtv Serv Ofcr 2	1	2.53	\$ 58.51	\$ 0.98	\$ 2.48
				Subtotal	\$10,048.70

Program Manager Costs – Chart #4

FY2017-2018

Rank	Hours Worked	Avg Loaded Hourly Rate (Rounded)	Total Cost
Police Lieutenant	120	\$ 209.07	\$ 25,088.40

Total Costs for FY2017-2018

\$97,367.95

ACTUAL COSTS INCURRED BY THE CLAIMANT TO IMPLEMENT THE ALLEGED MANDATE DURING THE FISCAL YEAR IMMEDIATELY FOLLOWING THE FISCAL YEAR FOR WHICH THE CLAIM WAS FILED.

The claimant’s costs for FY2018 – 2019 are described and detailed in the following four charts (5 – 8):

The fiscal year following the fiscal year for which the claim was filed by the City of San Diego is FY2018 through 2019. The activities and costs incurred by its peace officers were significantly higher than the prior fiscal year, since it includes costs from the entire fiscal year.

The costs to comply with alleged statutory mandate, GC 12525.5 (a) (1), were \$871,675.56 in FY2018 through 2019, with nearly 88% of those costs driven by stop data collection and submission as mandated by Government Code 12525.5 (a) (1). Knowing these costs facilitated the statewide estimate provided later in this narrative.

The City of San Diego’s costs for FY2018 – 2019 can be detailed again in four charts.

Chart 5 – Data Collection

As described previously, GC 12525.5 (a) (1) requires “each state and local agency that employs peace officers shall annually report to the Attorney General data on all stops conducted by that agency’s peace officers for the preceding calendar year.” Government Code 12525.5 (a) (2), established a compliance schedule based on the size of each local agency, with the San Diego Police Department, and other local law enforcement agencies that employ at least 1,000 peace officers, being mandated to collect stop data pursuant to these new regulations on or before July 1, 2018 and submit the data to the Attorney General on or before April 1, 2019.

Chart 5 details over 157,000 stops by San Diego Police Officers, of all ranks, where data was collected and submitted with incurred costs being shown for this new activity allegedly mandated by Government Code 12525.5 (a) (1). All stops included took place from July 1, 2018 – June 30, 2019 or during FY2018-2019.

Chart 6 – Command Training

In addition to the initial basic training provided via an online PowerPoint, one hour of command training was provided to all supervisors, as well as acting supervisors. This enabled supervisory personnel to better mentor and assist officers under their command with understanding the legal requirements of AB 953 and the alleged mandated statute it enacted 12525.5 (a)(1). This training also focused on data collection tools, as well as auditing the data collected and solving problems related to this alleged legislative mandate. Again, more training records were used to determine the 337 supervisors who each received the one hour of command training. This took place from July 23, 2018 – August 30, 2018. (Exhibit 12)

Chart 7 – Program Manager

In FY2018 – 2019, the RIPA Program Manager developed and issued Department Orders, amending Department Procedures to comply with GC 12525.5 (a) (1), creating training materials related to auditing/inspection procedures, and reviewing all efforts and work performed by the IT Staff and assigned team members. The Program Manager also instructed the command training sessions related to AB 953.

Chart 8 – IT Staff

In FY2018 – 2019, the IT Staff developed a monthly data compilation for review and to ensure compliance, assist with training, audit creation and support functions, as well as assisting in data submission to the DOJ. Additionally, IT and police personnel, were responsible for creating a report which allows command staff to see the number of data entries being submitted daily to gauge compliance and accuracy against calls for service, and review the data collected to ensure it was free of personal identifying information before

**Data Collection Costs (Out of Service Time)
Chart #5 – Dates July 01, 2018 through June 30, 2019
FY2018 - 2019**

Rank	Stops	Median Time (in Minutes)	Avg Loaded Hourly Rate (Rounded)	Avg Loaded Rate Per Minute (Rounded)	Total Cost
Executive Asst. Police Chief	2	2.53	\$ 316.96	\$ 5.28	\$ 26.72
Police Captain	3	2.53	\$ 245.05	\$ 4.08	\$ 30.97
Police Lieutenant	70	2.53	\$ 209.07	\$ 3.48	\$ 616.31
Police Sergeant	3,185	2.53	\$ 179.58	\$ 2.99	\$ 24,093.57
Police Detective	1,712	2.53	\$ 141.77	\$ 2.36	\$ 10,222.01
Police Officer 3	1,504	2.53	\$ 148.76	\$ 2.48	\$ 9,436.70
Police Officer 2	115,434	2.53	\$ 115.09	\$ 1.92	\$ 560,732.20
Police Officer 1	33,908	2.53	\$ 93.51	\$ 1.56	\$ 133,828.09
Police Recruit	1,502	2.53	\$ 78.19	\$ 1.30	\$ 4,940.08
Police Invstgtv Serv Ofcr 2	32	2.53	\$ 58.51	\$ 0.98	\$ 79.34
				Subtotal	\$ 744,005.98

**Training Costs – Chart #6
FY2018-2019**

Rank	Hours	Avg Loaded Hourly Rate (Rounded)	Total Cost
Police Captain	18	\$ 245.05	\$ 4,410.90
Police Lieutenant	48	\$ 209.07	\$ 10,035.36
Police Sergeant	255	\$ 179.58	\$ 45,792.90
Police Officer 2	16	\$ 115.09	\$ 1,841.44
		Subtotal	\$ 62,080.60

Program Manager
Costs - Chart #7
 FY2018- 2019

Rank	Hours Worked	Avg Loaded Hourly Rate (Rounded)	Total Cost
Police Lieutenant	120	\$ 209.07	\$ 25,088.40

Costs IT Staff – Chart #8
 FY2018 - 2019

Rank	Hours Worked	Avg Loaded Hourly Rate (Rounded)	Total Cost
Police Detective	240	\$ 141.77	\$ 34,024.80
Police Officer 2	10	\$ 115.09	\$ 1,150.90
Info Sys Anlyst 4	2	\$ 105.76	\$ 211.52
CGI - Outside Consultant	56	\$ 91.31	\$ 5,113.36
	Subtotal		\$ 40,500.58
FY2018 - 2019 Total			\$ 871,675.56

E. STATEWIDE COST ESTIMATE OF INCREASED COSTS THAT ALL LOCAL AGENCIES WILL INCUR TO IMPLEMENT THE MANDATE DURING THE FISCAL YEAR IMMEDIATELY FOLLOWING THE FISCAL YEAR THE CLAIM WAS FILED:

An estimate of increased costs that all local agencies will incur to implement the alleged mandate during the fiscal year immediately following the fiscal year for which the claim was filed, required costs to be estimated for FY2018 through 2019.

Local agencies that employ peace officers will be required to perform the same new activities and incur similar costs as the San Diego Police Department, while complying with the alleged statutory mandate in GC 12525.5 (a)(1). Those cost categories are as follows: training, technology adoption and implementation, reporting to DOJ, and the single biggest driver of costs – the collection of stop data by peace officers.

In order to estimate these costs categories, analysis is required of “Wave 1” local law enforcement agencies that had to begin collecting data per the alleged mandate in 12525.5 (a) (1) by July 1, 2018. Those agencies included the following: Los Angeles Police Department, Los Angeles County Sheriff’s Department, Riverside County Sheriff’s Department, San Bernardino County Sheriff’s Department, San Diego County Sheriff’s Department, San Diego Police Department, and San Francisco Police Department.

Additionally, “Wave 2” local law enforcement agencies have to be included in this analysis, because they were also required under the same legislative mandate, GC 12525.5 (a) (1) to begin collecting data by January 1, 2019. Those agencies include: Long Beach Police Department, Fresno Police Department, Oakland Police Department, San Jose Police Department, Sacramento Sheriff’s Department and Orange County Sheriff’s Department.

With the San Diego Police Department’s incurred FY2018 -2019 costs at \$871,675.56, and nearly the same

size in terms of staff as 4 other law enforcement agencies in “Wave 1,” it can be roughly estimated that the Riverside County Sheriff’s Department, San Bernardino Sheriff’s Department, San Diego County Sheriff’s Department and San Francisco Police Department will have similar costs of \$1,000,000 each. However, the Los Angeles Police Department and Los Angeles County Sheriff’s Department are 5 times larger than SDPD, and it should be reasonably believed their costs will reach 5,000,000 each for FY2018-2019. This results in a cost estimate of \$15,000,000 for all “Wave 1” agencies.

With “Wave 2” local agencies smaller in size than the San Diego Police Department, and having to only collect data for half the fiscal year, January 1, 2019 – June 30, 2019, costs are estimated at \$500,000 each for these agencies for FY2018 – 2019 for a total of \$3,000,000.

The combination of all agencies subject to the alleged statutory mandate established under AB 953, when it enacted Government Code 12525.5 (a) (1), and the new activities and costs from it are estimated in FY2018 – 2019 to be approximately \$18,000,000 as described above.

Unfortunately, since the compliance schedule impacts local law enforcement agencies differently under GC 12525.5 (a) (2), it is difficult to estimate costs from all local agencies impacted by the alleged mandate in GC 12525.5 (a) (1) since the 10 “Wave 3” agencies are not required to start collecting data until January 1, 2021, and the 400 plus “Wave 4” agencies are not required to start collecting data until January 1, 2022.

It should be noted the DOJ prepared a fiscal impact statement related costs for the statutory mandate being alleged in Government Code 12525.5 (a) (1). (**Exhibit 10**)

F. AVAILABLE FUNDING SOURCES:

There could be potentially some grants and funding sources to partially pay for the mandated regulations associated with AB 953 and the DOJ has spoken to SDPD about limited grant monies to assist purchasing equipment to facilitate data collection. However, claimant, the City of San Diego, is not aware of any current State, Federal, or other non-local agency funds to pay for its substantial costs already incurred and those anticipated going forward from the alleged statutory mandate in Government Code 12525.5 (a) (1), which was enacted by AB 953.

G. PRIOR MANDATE DETERMINATIONS BY THE BOARD OF CONTROL OR COMMISSION ON STATE MANDATES:

The claimant, City of San Diego, is not aware of any prior determinations made by the Board of Control or the Commission on State Mandates related to the matter outlined in this narrative.

H. IDENTIFICATION OF A LEGISLATIVELY DETERMINED MANDATE PURSUANT TO GOVERNMENT CODE SECTION 17573 THAT IS ON THE SAME STATUTE OR EXECUTIVE ORDER:

The claimant is unaware of any applicable statute or executive order.

CONCLUSION:

The costs incurred by the City of San Diego, as a result of the alleged mandate created by Assembly Bill 953, when it enacted Government Code 12525.5 (a) (1), for which this test claim is based are all reimbursable costs as such costs are "costs mandated by the State" under Article XIII B (6) of the California Constitution, and Government Code §17500 *et seq.* of the Government Code. Section 17514 of

the Government Code defines "costs mandated by the state", and specifies the following three requirements:

1. There are "increased costs which a local agency is required to incur after July 1, 1980."
2. The costs are incurred "as a result of any statute enacted on or after January 1, 1975."
3. The costs are the result of "a new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution."

All three of the above requirements for finding costs mandated by the State are met as described previously herein.

MANDATE MEETS BOTH SUPREME COURT TESTS:

The mandate created by this statute clearly meets both tests that the Supreme Court in the *County of Los Angeles v. State of California* (1987) created for determining what constitutes a reimbursable state mandated local program. Those two tests, which the Commission on State Mandates relies upon to determine if a reimbursable mandate exists, are the "unique to government" and the "carry out a state policy" tests. Their application to this test claim is discussed below.

Mandate is Unique to Local Government:

The section of law alleged in this Test Claim are unique to governments as peace officer services are uniquely provided by local government agencies.

Mandate Carries out a State Policy:

The new state statute alleged in this Test Claim impose a higher level of service by requiring local law enforcement agencies to collect detailed data regarding stops of all individuals, including perceived demographic information on the person stopped, and to report this data at least annually to the California Attorney General.

STATE FUNDING DISCLAIMERS ARE NOT APPLICABLE:

There are seven disclaimers specified in Government Code §17556 which could serve to bar recovery of "costs mandated by the State," as defined in Government Code §17556. None of the seven disclaimers apply to this test claim:

1. The claim is submitted by a local agency or school district which requests legislative authority for that local agency or school district to implement the Program specified in the statutes, and that statute imposes costs upon the local agency or school district requesting the legislative authority.
2. The statute or executive order affirmed for the State that which had been declared existing law or regulation by action of the courts.
3. The statute or executive order implemented a federal law or regulation and resulted in costs

mandated by the federal government, unless the statute or executive order mandates costs which exceed the mandate in that federal law or regulation.

4. The local agency or school district has the authority to levy service charges, fees or assessments sufficient to pay for the mandated program or increased level of service.
5. The statute or executive order provides for offsetting savings to local agencies or school districts which result in no net costs to the local agencies or school districts, or includes additional revenue that was specifically intended to fund the costs of the State mandate in an amount sufficient to fund the cost of the State mandate.
6. The statute or executive order imposed duties which were expressly included in a ballot measure approved by the voters in a statewide election.
7. The statute created a new crime or infraction, eliminated a crime or infraction, or changed the penalty for a crime or infraction, but only for that portion of the statute relating directly to the enforcement of the crime or infraction.

None of the above disclaimers have any application to the test claim herein stated by the City of San Diego.

The creation of Government Code 12525.5, Statutes of 2015, Chapter 466 [AB 953], and effective 01/01/2016 (amended by statute to 1/1/2018) imposed a new state mandated program that resulted in direct increased costs on claimant, City of San Diego, by imposing a higher level of service required of peace officers from the San Diego Police Department.

DECLARATION OF JEFFREY JORDON

I, Jeffrey Jordon, declare under the penalty of perjury under the laws of the State of California that the following is true and correct based on my personal knowledge, information, and belief:

1) I am a Lieutenant for the City of San Diego (SDPD). I have been employed by the City in this capacity since 2016 and have been a law enforcement officer since 1995. As part of my duties in the Chief's Office, I am responsible for implementation of "special projects" as determined by the Chief of Police - David Nisleit. In June of 2018, I was assigned by him as the Program Manager overseeing the Department's implementation of AB 953, and the Government Code it added 12525.5. I am also responsible for assisting with the recovery of costs mandated by the State.

2) Government Code 12525.5, Statutes of 2015, Chapter 466 [AB 953], effective 1/1/2016, and later amended to have an effective date of 1/1/2018, contains an alleged statutory mandate that requires local agencies that employ peace officers to provide a higher level of service by performing new activities related to the collection and reporting of stop data. As a result, those agencies will incur costs from mandated activities that will exceed \$1,000.00. The specific section of the statute alleged to mandate these activities is Government Code 12525.5 (a) (1) and it requires "each state and local agency that employs peace officers shall annually report to the Attorney General data on all stops conducted by that agency's peace officers for the preceding calendar year."

3) As the AB 953 Program Manager for the San Diego Police Department, I am familiar with all new and modified activities and costs stemming from the alleged statutory mandate in Government Code 12525.5 (a) (1). These costs and activities are accurately described in sections A, B, C, & D of the written narrative, as well as summarized here by fiscal year as follows:

FY2017 – 2018 is the fiscal year the alleged mandate in GC 12525.5 (a) (1) was implemented.

Activity	Date(s) Performed	Description	Cost
1) Initial Training	6/15/2018-6/26/2018	Online PowerPoint	\$56,476.35
2) IT Activity	6/20/2018-6/27/2018	Software Update/Testing	\$5,754.50
3) Data Collection	6/27/2018-6/30/2018	Officers Collecting Stop Data	\$10,048.70
4) Program Manager	6/15/2018-6/30/2018	Implement Training	\$25,088.40
Total			\$97,367.95

FY2018 –2019 is the fiscal year following implementation of the alleged mandate.

Activity	Date(s) Performed	Description	Cost
1) Command Training	7/23/2018-6/30/2019	Advanced Supervisor Trng.	\$62,080.60
2) IT Activity	7/1/2018-6/30/2019	Compliance, DOJ Reporting	\$40,500.58
3) Data Collection	7/1/2018-6/30/2019	Officers Collecting Stop Data	\$744,005.98
4) Program Manager	7/1/2018-6/30/2019	Manage All Mandated Activity	\$25,088.40
Total			\$871,675.56

4) The City of San Diego first incurred costs to comply with the requirements of the alleged mandated stature, Government Code 12525.5 (a)(1), on June 15, 2018 when SDPD ordered Department members to participate in mandatory training. Interestingly, while there is no specific mandate to train officers in

order to comply with GC 12525.5 (a) (1), the regulations created per 12525.5 (e) consist of 22 pages of information and instruction (**Exhibit 7**) on how to meet the alleged mandated statute requirements. It would not be possible for local agencies employing peace officers to collect stop data and report it to the Attorney General, per the alleged legislative mandate, without being familiar with how a stop is defined and when it must be reported.

Thus, the San Diego Police Department determined that Government Code 12525.5 (a) (1) creates an alleged legislative mandate requiring peace officers to perform training activities in order to collect data per the mandate, supervisors must be trained to determine if their officers are collecting and submitting the required stop data, and a program manager must develop and implement the training, as well as ensure the officers have the tools necessary to comply with the mandate. With SDPD, the program manager makes sure those tools are available and working by coordinating efforts with staff from the Information Technology unit, as well as ensuring that data collected is reported to the Attorney General per GC 12525.5 (a) (1).

5) Government Code 12525.5 (a) (1) provides additional new duties by requiring officers to document and submit information on every stop they make as described under subdivisions 12525.5 (b), 12525.5 (c) and 12525.5 (e). Stop data that must now be collected by local law enforcement agencies and reported to the Attorney General per the alleged mandate in GC 12525.5 (a)(1) includes the following: date, time, location and duration of the stop; “perceived” subject information of the person stopped, detained, searched or arrested; reasons provided for the stop, detention, or search, along with a brief narrative description of those reasons; event actions; basis for search and associated narrative; contraband or evidence discovered; basis for property seizure and types of property seized; and final result of the stop or detention. Prior to AB 953, and the enactment of Government Code 12525.5, no law enforcement agency in California was mandated to collect and report stop data as required by this government code – specifically GC 12525.5 (a) (1). As a result, local law enforcement agencies that employ peace officers must collect and report extensive stop data elements to the Attorney General annually, they must trained and supervised to perform these activities correctly, and the collection and reporting of this data requires specialized expertise in information technologies. Government Code 12525.5 (a) (1) is the alleged statutory mandate requiring these activities and producing costs to local agencies that employ peace officers.

6. The City of San Diego has not received any local, state, or federal funding and does not have fee authority to offset the increased costs the City has incurred to implement Government Code 12525 (a) (1) in FY2017 – 2018 or the costs incurred from the alleged mandate in the following fiscal year FY2018 – 2019. Those cost details and activities are described above and totaled \$97,367.95 in FY2017-2018 and \$871,675.56 in FY2018-2019.

7. The San Diego Police Department logs all stops where data is collected per the alleged mandate in GC 12525.5 (a) (1) on a daily basis and assembles stop data reports (**Exhibit 11**). Additionally, these reports give details on the rank for the peace officer who conducted the stop, which provides the basis for fiscal analysis to determine the actual cost of this activity required by the mandate. However, just knowing the activity, stop data collection, and who performed it is insufficient to calculate costs without knowing how much time was spent on it and costs associated with the peace officer who performed the mandated task. Thus, data collection costs are determined by multiplying the number of stops where data collection was mandated, by the median time it takes to perform these activities and the costs associated with the peace officer who performed the task. Similar methods were used to determine training costs, for instance the activity was multiplied by the number of times performed and the cost associated with it. An explanation of why median time is used, along with costs as determined by “average fully loaded rates” is provided next.

8. To determine the time needed to collect data under the alleged mandate, and associated costs, SDPD’s methodology tracked temporal data in the Racial and Identity Profiling Act (RIPA) application for each step

completed. If the application is left open while a RIPA data entry is in progress, the temporal data will reflect additional time that is not reflective of the actual time the officer spent on the RIPA entry process. For this reason, this analysis does not report the total out of service time tracked in the temporal data for RIPA stops, since it would over-report actual time spent by officers. Instead, total out of service time for RIPA entry is derived by multiplying the median out of service time for RIPA stops by the total number of RIPA stops during the period. Based on statistical theory, for data in which outliers will have a significant skewing affect, the median is a more appropriate measure of central tendency (average) than mean.

SDPD's analysis shows data collection and submission required pursuant to Government Code 12525.5 (a) (1) produces a new median activity time of 2.53 minutes for each stop conducted by an SDPD officer. The DOJ confirmed through field testing that it does take approximately 2.5 minutes to collect the stop data allegedly mandated by GC 12525.5 (a) (1). The DOJ documented their findings in an Economic and Fiscal Impact Statement (STD 399) entitled, "AB 953 Stop Data Reporting Regulations to Implement Gov. Code Section 12525.5" (**Exhibit 10**).

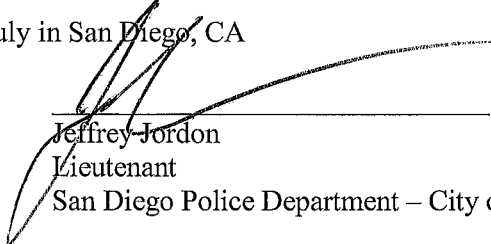
9. In recent conversations with the City of San Diego's Department of Finance Director and City Comptroller and San Diego Police Department's Administrative Services Manager, I gained information and knowledge that "average fully loaded rates" include the average of all direct and indirect labor cost by job classification. Direct costs consist of costs that are incurred directly by providing the service, such as staff time spent on service-related activities in addition to salary and benefit expenses. Indirect costs consist of departmental load and overhead such as operating expenses and internal administrative costs, as well as citywide overhead costs. The use of "average fully loaded rates" allows the City of San Diego to accurately reflect the costs for its employees engaged in activities alleged to be mandated by Government Code 12525.5 (a) (1), which is why they were used in this test claim. Additionally, a review of other Test Claims submitted to the Commission on State Mandates indicates the inclusion of direct, as well as indirect costs, is acceptable to determine actual costs imposed by state-mandated programs.

10. I have examined the Racial and Identity Profiling Act of 2015 Test Claim prepared by the City of San Diego and based on my personal knowledge, the costs described in this test claim were incurred to implement Government Code 12525.5 after it was added by AB 953. Based on my information and belief, I find such costs to be correctly computed and are "costs mandated by the State", as defined in Government Code, Section 17514:

" 'Costs mandated by the State' means any increased costs which a local agency or school district is required to incur after July 1, 1980, as a result of any statute enacted on or after January 1, 1975, or any executive order implementing any statute enacted on or after January 1, 1975, which mandates a new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution."

Except as otherwise indicated herein, I have personal knowledge of the foregoing facts and information presented in this Test Claim, and if so required, I could and would testify to the statements made herein.

Executed this 30th day of July in San Diego, CA



Jeffrey Jordon
Lieutenant
San Diego Police Department – City of San Diego

Exhibit 1

000023


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AB-953 Law enforcement: racial profiling. (2015-2016)

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Assembly Bill No. 953

CHAPTER 466

An act to add Section 12525.5 to the Government Code, and to amend Sections 13012 and 13519.4 of the Penal Code, relating to racial profiling.

[Approved by Governor October 03, 2015. Filed with Secretary of State October 03, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 953, Weber. Law enforcement: racial profiling.

Existing law creates the Commission on Peace Officer Standards and Training and requires it to develop and disseminate guidelines and training for all law enforcement officers, as described. Existing law prohibits a peace officer from engaging in racial profiling and requires the training to prescribe patterns, practices, and protocols that prevent racial profiling, as defined. Existing law requires the Legislative Analyst's Office to conduct a study of the data that is voluntarily collected by jurisdictions that have instituted a program of data collection with regard to racial profiling.

This bill would enact the Racial and Identity Profiling Act of 2015, which would, among other changes, revise the definition of racial profiling to instead refer to racial or identity profiling, and make a conforming change to the prohibition against peace officers engaging in that practice.

The bill would require, beginning July 1, 2016, the Attorney General to establish the Racial and Identity Profiling Advisory Board (RIPA) to eliminate racial and identity profiling and improve diversity and racial and identity sensitivity in law enforcement. The bill would specify the composition of the board. The bill would require the board, among other duties, to investigate and analyze state and local law enforcement agencies' racial and identity profiling policies and practices across geographic areas in California, to annually make publicly available its findings and policy recommendations, to hold public meetings annually, as specified, and to issue the board's first annual report no later than January 1, 2018.

The bill would require each state and local agency that employs peace officers to annually report to the Attorney General data on all stops, as defined, conducted by the agency's peace officers, and require that data to include specified information, including the time, date, and location of the stop, and the reason for the stop. The bill would require an agency that employs 1,000 or more peace officers to issue its first annual report by April 1, 2019. The bill would require an agency that employs 667 or more but less than 1,000 peace officers to issue its first annual report by April 1, 2020. The bill would require an agency that employs 334 or more but less than 667 peace officers to issue its first annual report by April 1, 2022. The bill would require an agency that employs one or more but less than 334 peace officers to issue its first annual report by April 1, 2023.

By imposing a higher level of service on local entities that employ peace officers, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. This act shall be known and may be cited as the Racial and Identity Profiling Act of 2015.

SEC. 2. Section 12525.5 is added to the Government Code, to read:

12525.5. (a) (1) Each state and local agency that employs peace officers shall annually report to the Attorney General data on all stops conducted by that agency's peace officers for the preceding calendar year.

(2) Each agency that employs 1,000 or more peace officers shall issue its first round of reports on or before April 1, 2019. Each agency that employs 667 or more but less than 1,000 peace officers shall issue its first round of reports on or before April 1, 2020. Each agency that employs 334 or more but less than 667 peace officers shall issue its first round of reports on or before April 1, 2022. Each agency that employs one or more but less than 334 peace officers shall issue its first round of reports on or before April 1, 2023.

(b) The reporting shall include, at a minimum, the following information for each stop:

(1) The time, date, and location of the stop.

(2) The reason for the stop.

(3) The result of the stop, such as, no action, warning, citation, property seizure, or arrest.

(4) If a warning or citation was issued, the warning provided or violation cited.

(5) If an arrest was made, the offense charged.

(6) The perceived race or ethnicity, gender, and approximate age of the person stopped, provided that the identification of these characteristics shall be based on the observation and perception of the peace officer making the stop, and the information shall not be requested from the person stopped. For motor vehicle stops, this paragraph only applies to the driver, unless any actions specified under paragraph (7) apply in relation to a passenger, in which case the characteristics specified in this paragraph shall also be reported for him or her.

(7) Actions taken by the peace officer during the stop, including, but not limited to, the following:

(A) Whether the peace officer asked for consent to search the person, and, if so, whether consent was provided.

(B) Whether the peace officer searched the person or any property, and, if so, the basis for the search and the type of contraband or evidence discovered, if any.

(C) Whether the peace officer seized any property and, if so, the type of property that was seized and the basis for seizing the property.

(c) If more than one peace officer performs a stop, only one officer is required to collect and report to his or her agency the information specified under subdivision (b).

(d) State and local law enforcement agencies shall not report the name, address, social security number, or other unique personal identifying information of persons stopped, searched, or subjected to a property seizure, for purposes of this section. Notwithstanding any other law, the data reported shall be available to the public, except for the badge number or other unique identifying information of the peace officer involved, which shall be released to the public only to the extent the release is permissible under state law.

(e) Not later than January 1, 2017, the Attorney General, in consultation with stakeholders, including the Racial and Identity Profiling Advisory Board (RIPA) established pursuant to paragraph (1) of subdivision (j) of Section 13519.4 of the Penal Code, federal, state, and local law enforcement agencies and community, professional, academic, research, and civil and human rights organizations, shall issue regulations for the collection and reporting of data required under subdivision (b). The regulations shall specify all data to be reported, and

provide standards, definitions, and technical specifications to ensure uniform reporting practices across all reporting agencies. To the best extent possible, such regulations should be compatible with any similar federal data collection or reporting program.

(f) All data and reports made pursuant to this section are public records within the meaning of subdivision (e) of Section 6252, and are open to public inspection pursuant to Sections 6253 and 6258.

(g) (1) For purposes of this section, "peace officer," as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, is limited to members of the California Highway Patrol, a city or county law enforcement agency, and California state or university educational institutions. "Peace officer," as used in this section, does not include probation officers and officers in a custodial setting.

(2) For purposes of this section, "stop" means any detention by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person's body or property in the person's possession or control.

SEC. 3. Section 13012 of the Penal Code is amended to read:

13012. (a) The annual report of the department provided for in Section 13010 shall contain statistics showing all of the following:

(1) The amount and the types of offenses known to the public authorities.

(2) The personal and social characteristics of criminals and delinquents.

(3) The administrative actions taken by law enforcement, judicial, penal, and correctional agencies or institutions, including those in the juvenile justice system, in dealing with criminals or delinquents.

(4) The administrative actions taken by law enforcement, prosecutorial, judicial, penal, and correctional agencies, including those in the juvenile justice system, in dealing with minors who are the subject of a petition or hearing in the juvenile court to transfer their case to the jurisdiction of an adult criminal court or whose cases are directly filed or otherwise initiated in an adult criminal court.

(5) (A) The total number of each of the following:

(i) Citizen complaints received by law enforcement agencies under Section 832.5.

(ii) Citizen complaints alleging criminal conduct of either a felony or misdemeanor.

(iii) Citizen complaints alleging racial or identity profiling, as defined in subdivision (e) of Section 13519.4. These statistics shall be disaggregated by the specific type of racial or identity profiling alleged, such as based on a consideration of race, color, ethnicity, national origin, religion, gender identity or expression, sexual orientation, or mental or physical disability.

(B) The statistics reported under this paragraph shall provide, for each category of complaint identified under subparagraph (A), the number of complaints within each of the following disposition categories:

(i) "Sustained," which means that the investigation disclosed sufficient evidence to prove the truth of allegation in the complaint by preponderance of evidence.

(ii) "Exonerated," which means that the investigation clearly established that the actions of the personnel that formed the basis of the complaint are not a violation of law or agency policy.

(iii) "Not sustained," which means that the investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation in the complaint.

(iv) "Unfounded," which means that the investigation clearly established that the allegation is not true.

(C) The reports under subparagraphs (A) and (B) shall be made available to the public and disaggregated for each individual law enforcement agency.

(b) It shall be the duty of the department to give adequate interpretation of the statistics and so to present the information that it may be of value in guiding the policies of the Legislature and of those in charge of the apprehension, prosecution, and treatment of the criminals and delinquents, or concerned with the prevention of

crime and delinquency. The report shall also include statistics which are comparable with national uniform criminal statistics published by federal bureaus or departments heretofore mentioned.

(c) Each year, on an annual basis, the Racial and Identity Profiling Board (RIPA), established pursuant to paragraph (1) of subdivision (j) of Section 13519.4, shall analyze the statistics reported pursuant to subparagraphs (A) and (B) of paragraph (5) of subdivision (a) of this section. RIPA's analysis of the complaints shall be incorporated into its annual report as required by paragraph (3) of subdivision (j) of Section 13519.4. The reports shall not disclose the identity of peace officers.

SEC. 4. Section 13519.4 of the Penal Code is amended to read:

13519.4. (a) The commission shall develop and disseminate guidelines and training for all peace officers in California as described in subdivision (a) of Section 13510 and who adhere to the standards approved by the commission, on the racial and cultural differences among the residents of this state. The course or courses of instruction and the guidelines shall stress understanding and respect for racial, identity, and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a diverse racial, identity, and cultural environment.

(b) The course of basic training for peace officers shall include adequate instruction on racial, identity, and cultural diversity in order to foster mutual respect and cooperation between law enforcement and members of all racial, identity, and cultural groups. In developing the training, the commission shall consult with appropriate groups and individuals having an interest and expertise in the field of racial, identity, and cultural awareness and diversity.

(c) For the purposes of this section the following shall apply:

(1) "Disability," "gender," "nationality," "religion," and "sexual orientation" have the same meaning as in Section 422.55.

(2) "Culturally diverse" and "cultural diversity" include, but are not limited to, disability, gender, nationality, religion, and sexual orientation issues.

(3) "Racial" has the same meaning as "race or ethnicity" in Section 422.55.

(4) "Stop" has the same meaning as in paragraph (2) of subdivision (g) of Section 12525.5 of the Government Code.

(d) The Legislature finds and declares as follows:

(1) The working men and women in California law enforcement risk their lives every day. The people of California greatly appreciate the hard work and dedication of peace officers in protecting public safety. The good name of these officers should not be tarnished by the actions of those few who commit discriminatory practices.

(2) Racial or identity profiling is a practice that presents a great danger to the fundamental principles of our Constitution and a democratic society. It is abhorrent and cannot be tolerated.

(3) Racial or identity profiling alienates people from law enforcement, hinders community policing efforts, and causes law enforcement to lose credibility and trust among the people whom law enforcement is sworn to protect and serve.

(4) Pedestrians, users of public transportation, and vehicular occupants who have been stopped, searched, interrogated, and subjected to a property seizure by a peace officer for no reason other than the color of their skin, national origin, religion, gender identity or expression, housing status, sexual orientation, or mental or physical disability are the victims of discriminatory practices.

(5) It is the intent of the Legislature in enacting the changes to this section made by the act that added this paragraph that additional training is required to address the pernicious practice of racial or identity profiling and that enactment of this section is in no way dispositive of the issue of how the state should deal with racial or identity profiling.

(e) "Racial or identity profiling," for purposes of this section, is the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider

or rely on characteristics listed in a specific suspect description. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.

(f) A peace officer shall not engage in racial or identity profiling.

(g) Every peace officer in this state shall participate in expanded training as prescribed and certified by the Commission on Peace Officers Standards and Training.

(h) The curriculum shall be evidence-based and shall include and examine evidence-based patterns, practices, and protocols that make up racial or identity profiling, including implicit bias. This training shall prescribe evidenced-based patterns, practices, and protocols that prevent racial or identity profiling. In developing the training, the commission shall consult with the Racial and Identity Profiling Advisory Board established pursuant to subdivision (j). The course of instruction shall include, but not be limited to, significant consideration of each of the following subjects:

(1) Identification of key indices and perspectives that make up racial, identity, and cultural differences among residents in a local community.

(2) Negative impact of intentional and implicit biases, prejudices, and stereotyping on effective law enforcement, including examination of how historical perceptions of discriminatory enforcement practices have harmed police-community relations and contributed to injury, death, disparities in arrest detention and incarceration rights, and wrongful convictions.

(3) The history and role of the civil and human rights movement and struggles and their impact on law enforcement.

(4) Specific obligations of peace officers in preventing, reporting, and responding to discriminatory or biased practices by fellow peace officers.

(5) Perspectives of diverse, local constituency groups and experts on particular racial, identity, and cultural and police-community relations issues in a local area.

(6) The prohibition against racial or identity profiling in subdivision (f).

(i) Once the initial basic training is completed, each peace officer in California as described in subdivision (a) of Section 13510 who adheres to the standards approved by the commission shall be required to complete a refresher course every five years thereafter, or on a more frequent basis if deemed necessary, in order to keep current with changing racial, identity, and cultural trends.

(j) (1) Beginning July 1, 2016, the Attorney General shall establish the Racial and Identity Profiling Advisory Board (RIPA) for the purpose of eliminating racial and identity profiling, and improving diversity and racial and identity sensitivity in law enforcement.

(2) RIPA shall include the following members:

(A) The Attorney General, or his or her designee.

(B) The President of the California Public Defenders Association, or his or her designee.

(C) The President of the California Police Chiefs Association, or his or her designee.

(D) The President of California State Sheriffs' Association, or his or her designee.

(E) The President of the Peace Officers Research Association of California, or his or her designee.

(F) The Commissioner of the California Highway Patrol, or his or her designee.

(G) A university professor who specializes in policing, and racial and identity equity.

(H) Two representatives of human or civil rights tax-exempt organizations who specialize in civil or human rights.

(I) Two representatives of community organizations who specialize in civil or human rights and criminal justice, and work with victims of racial and identity profiling. At least one representative shall be between 16 and 24

years of age.

(J) Two religious clergy members who specialize in addressing and reducing racial and identity bias toward individuals and groups.

(K) Up to two other members that the Governor may prescribe.

(L) Up to two other members that the President Pro Tempore of the Senate may prescribe.

(M) Up to two other members that the Speaker of the Assembly may prescribe.

(3) Each year, on an annual basis, RIPA shall do the following:

(A) Analyze the data reported pursuant to Section 12525.5 of the Government Code and Section 13012 of the Penal Code.

(B) Analyze law enforcement training under this section.

(C) Work in partnership with state and local law enforcement agencies to review and analyze racial and identity profiling policies and practices across geographic areas in California.

(D) Conduct, and consult available, evidence-based research on intentional and implicit biases, and law enforcement stop, search, and seizure tactics.

(E) Issue a report that provides RIPA's analysis under subparagraphs (A) to (D), inclusive, detailed findings on the past and current status of racial and identity profiling, and makes policy recommendations for eliminating racial and identity profiling. RIPA shall post the report on its Internet Web site. Each report shall include disaggregated statistical data for each reporting law enforcement agency. The report shall include, at minimum, each reporting law enforcement agency's total results for each data collection criteria under subdivision (b) of Section 12525.5 of the Government Code for each calendar year. The reports shall be retained and made available to the public by posting those reports on the Department of Justice's Internet Web site. The first annual report shall be issued no later than January 1, 2018. The reports are public records within the meaning of subdivision (d) of Section 6252 of the Government Code and are open to public inspection pursuant to Sections 6253, 6256, 6257, and 6258 of the Government Code.

(F) Hold at least three public meetings annually to discuss racial and identity profiling, and potential reforms to prevent racial and identity profiling. Each year, one meeting shall be held in northern California, one in central California, and one in southern California. RIPA shall provide the public with notice of at least 60 days before each meeting.

(4) Pursuant to subdivision (e) of Section 12525.5 of the Government Code, RIPA shall advise the Attorney General in developing regulations for the collection and reporting of stop data, and ensuring uniform reporting practices across all reporting agencies.

(5) Members of RIPA shall not receive compensation, nor per diem expenses, for their services as members of RIPA.

(6) No action of RIPA shall be valid unless agreed to by a majority of its members.

(7) The initial terms of RIPA members shall be four years.

(8) Each year, RIPA shall elect two of its members as cochairpersons.

SEC. 5. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Exhibit 2

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AB-1518 Criminal justice information. (2017-2018)

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Date Published: 09/28/2017 09:00 PM

Assembly Bill No. 1518

CHAPTER 328

An act to amend Section 12525.5 of the Government Code, and to amend Section 13012 of the Penal Code, relating to criminal justice.

[Approved by Governor September 27, 2017. Filed with Secretary of State September 27, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1518, Weber. Criminal justice information.

(1) Existing law requires each state and local agency that employs peace officers to annually report to the Attorney General data on all stops, as defined, conducted by the agency's peace officers, and requires that data to include specified information, including the time, date, and location of the stop, and the reason for the stop. Existing law requires agencies of differing staff sizes to issue the first annual report on or before specified dates. Existing law requires the Attorney General, not later than January 1, 2017, and in consultation with specified stakeholders, to issue regulations for the collection and reporting of the required data.

This bill would set dates for the various law enforcement agencies to begin collecting the required data and would make law enforcement agencies solely responsible for ensuring that personally identifiable information of the individual stopped or any other information that is exempt from disclosure is not transmitted to the Attorney General in an open text field. The bill would extend the date by which the Attorney General is required to issue regulations for the collection and reporting of data to January 1, 2018. By expanding the duties of local law enforcement, this bill would impose a state-mandated local program.

(2) Existing law requires the Department of Justice to prepare and present to the Governor an annual report containing the criminal statistics of the preceding calendar year, including, but not limited to, the total number of citizen complaints alleging racial or identity profiling, as specified.

This bill would delete references to citizens' complaints and instead refer to civilians' complaints.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 12525.5 of the Government Code is amended to read:

12525.5. (a) (1) Each state and local agency that employs peace officers shall annually report to the Attorney General data on all stops conducted by that agency's peace officers for the preceding calendar year.

(2) Each agency that employs 1,000 or more peace officers shall begin collecting data on or before July 1, 2018, and shall issue its first round of reports on or before April 1, 2019. Each agency that employs 667 or more but less than 1,000 peace officers shall begin collecting data on or before January 1, 2019, and shall issue its first round of reports on or before April 1, 2020. Each agency that employs 334 or more but less than 667 peace officers shall begin collecting data on or before January 1, 2021, and shall issue its first round of reports on or before April 1, 2022. Each agency that employs one or more but less than 334 peace officers shall begin collecting data on or before January 1, 2022, and shall issue its first round of reports on or before April 1, 2023.

(b) The reporting shall include, at a minimum, the following information for each stop:

(1) The time, date, and location of the stop.

(2) The reason for the stop.

(3) The result of the stop, such as, no action, warning, citation, property seizure, or arrest.

(4) If a warning or citation was issued, the warning provided or violation cited.

(5) If an arrest was made, the offense charged.

(6) The perceived race or ethnicity, gender, and approximate age of the person stopped, provided that the identification of these characteristics shall be based on the observation and perception of the peace officer making the stop, and the information shall not be requested from the person stopped. For motor vehicle stops, this paragraph only applies to the driver, unless any actions specified under paragraph (7) apply in relation to a passenger, in which case the characteristics specified in this paragraph shall also be reported for him or her.

(7) Actions taken by the peace officer during the stop, including, but not limited to, the following:

(A) Whether the peace officer asked for consent to search the person, and, if so, whether consent was provided.

(B) Whether the peace officer searched the person or any property, and, if so, the basis for the search and the type of contraband or evidence discovered, if any.

(C) Whether the peace officer seized any property and, if so, the type of property that was seized and the basis for seizing the property.

(c) If more than one peace officer performs a stop, only one officer is required to collect and report to his or her agency the information specified under subdivision (b).

(d) State and local law enforcement agencies shall not report the name, address, social security number, or other unique personal identifying information of persons stopped, searched, or subjected to a property seizure, for purposes of this section. Notwithstanding any other law, the data reported shall be available to the public, except for the badge number or other unique identifying information of the peace officer involved. Law enforcement agencies are solely responsible for ensuring that personally identifiable information of the individual stopped or any other information that is exempt from disclosure pursuant to this section is not transmitted to the Attorney General in an open text field.

(e) Not later than January 1, 2018, the Attorney General, in consultation with stakeholders, including the Racial and Identity Profiling Advisory Board (RIPA) established pursuant to paragraph (1) of subdivision (j) of Section 13519.4 of the Penal Code, federal, state, and local law enforcement agencies and community, professional, academic, research, and civil and human rights organizations, shall issue regulations for the collection and reporting of data required under subdivision (b). The regulations shall specify all data to be reported, and provide standards, definitions, and technical specifications to ensure uniform reporting practices across all reporting agencies. To the best extent possible, such regulations should be compatible with any similar federal data collection or reporting program.

(f) All data and reports made pursuant to this section are public records within the meaning of subdivision (e) of Section 6252, and are open to public inspection pursuant to Sections 6253 and 6258.

(g) (1) For purposes of this section, "peace officer," as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, is limited to members of the California Highway Patrol, a city or county law enforcement agency, and California state or university educational institutions. "Peace officer," as used in this section, does not include probation officers and officers in a custodial setting.

(2) For purposes of this section, "stop" means any detention by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person's body or property in the person's possession or control.

SEC. 2. Section 13012 of the Penal Code is amended to read:

13012. (a) The information published on the OpenJustice Web portal pursuant to Section 13010 shall contain statistics showing all of the following:

(1) The amount and the types of offenses known to the public authorities.

(2) The personal and social characteristics of criminals and delinquents.

(3) The administrative actions taken by law enforcement, judicial, penal, and correctional agencies or institutions, including those in the juvenile justice system, in dealing with criminals or delinquents.

(4) The administrative actions taken by law enforcement, prosecutorial, judicial, penal, and correctional agencies or institutions, including those in the juvenile justice system, in dealing with minors who are the subject of a petition or hearing in the juvenile court to transfer their case to the jurisdiction of an adult criminal court or whose cases are directly filed or otherwise initiated in an adult criminal court.

(5) (A) The total number of each of the following:

(i) Civilian complaints received by law enforcement agencies under Section 832.5.

(ii) Civilian complaints alleging criminal conduct of either a felony or a misdemeanor.

(iii) Civilian complaints alleging racial or identity profiling, as defined in subdivision (e) of Section 13519.4. These statistics shall be disaggregated by the specific type of racial or identity profiling alleged, including, but not limited to, based on a consideration of race, color, ethnicity, national origin, religion, gender identity or expression, sexual orientation, or mental or physical disability.

(B) The statistics reported pursuant to this paragraph shall provide, for each category of complaint identified under subparagraph (A), the number of complaints within each of the following disposition categories:

(i) "Sustained," which means that the investigation disclosed sufficient evidence to prove the truth of allegation in the complaint by preponderance of the evidence.

(ii) "Exonerated," which means that the investigation clearly established that the actions of the personnel that formed the basis of the complaint are not a violation of law or agency policy.

(iii) "Not sustained," which means that the investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation in the complaint.

(iv) "Unfounded," which means that the investigation clearly established that the allegation is not true.

(C) The reports under subparagraphs (A) and (B) shall be made available to the public and disaggregated for each individual law enforcement agency.

(b) The department shall give adequate interpretation of the statistics and present the information so that it may be of value in guiding the policies of the Legislature and of those in charge of the apprehension, prosecution, and treatment of criminals and delinquents, or those concerned with the prevention of crime and delinquency. This interpretation shall be presented in clear and informative formats on the OpenJustice Web portal. The Web portal shall also include statistics that are comparable with national uniform criminal statistics published by federal bureaus or departments.

(c) Each year, on an annual basis, the Racial and Identity Profiling Advisory Board (RIPA), established pursuant to paragraph (1) of subdivision (j) of Section 13519.4, shall analyze the statistics reported pursuant to subparagraphs (A) and (B) of paragraph (5) of subdivision (a) of this section. RIPA's analysis of the complaints shall be incorporated into its annual report as required by paragraph (3) of subdivision (j) of Section 13519.4

and shall be published on the OpenJustice Web portal. The reports shall not disclose the identity of peace officers.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

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Exhibit 3


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GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980] (*Title 2 enacted by Stats. 1943, Ch. 134.*)

DIVISION 3. EXECUTIVE DEPARTMENT [11000 - 15986] (*Division 3 added by Stats. 1945, Ch. 111.*)

PART 2. CONSTITUTIONAL OFFICERS [12001 - 12790] (*Part 2 added by Stats. 1945, Ch. 111.*)

CHAPTER 6. Attorney General [12500 - 12661] (*Chapter 6 added by Stats. 1945, Ch. 111.*)

ARTICLE 2. General Powers and Duties [12510 - 12532]

 (*Article 2 added by Stats. 1945, Ch. 111.*)

12525.5. (a) (1) Each state and local agency that employs peace officers shall annually report to the Attorney General data on all stops conducted by that agency's peace officers for the preceding calendar year.

(2) Each agency that employs 1,000 or more peace officers shall begin collecting data on or before July 1, 2018, and shall issue its first round of reports on or before April 1, 2019. Each agency that employs 667 or more but less than 1,000 peace officers shall begin collecting data on or before January 1, 2019, and shall issue its first round of reports on or before April 1, 2020. Each agency that employs 334 or more but less than 667 peace officers shall begin collecting data on or before January 1, 2021, and shall issue its first round of reports on or before April 1, 2022. Each agency that employs one or more but less than 334 peace officers shall begin collecting data on or before January 1, 2022, and shall issue its first round of reports on or before April 1, 2023.

(b) The reporting shall include, at a minimum, the following information for each stop:

(1) The time, date, and location of the stop.

(2) The reason for the stop.

(3) The result of the stop, such as, no action, warning, citation, property seizure, or arrest.

(4) If a warning or citation was issued, the warning provided or violation cited.

(5) If an arrest was made, the offense charged.

(6) The perceived race or ethnicity, gender, and approximate age of the person stopped, provided that the identification of these characteristics shall be based on the observation and perception of the peace officer making the stop, and the information shall not be requested from the person stopped. For motor vehicle stops, this paragraph only applies to the driver, unless any actions specified under paragraph (7) apply in relation to a passenger, in which case the characteristics specified in this paragraph shall also be reported for him or her.

(7) Actions taken by the peace officer during the stop, including, but not limited to, the following:

(A) Whether the peace officer asked for consent to search the person, and, if so, whether consent was provided.

(B) Whether the peace officer searched the person or any property, and, if so, the basis for the search and the type of contraband or evidence discovered, if any.

(C) Whether the peace officer seized any property and, if so, the type of property that was seized and the basis for seizing the property.

(c) If more than one peace officer performs a stop, only one officer is required to collect and report to his or her agency the information specified under subdivision (b).

(d) State and local law enforcement agencies shall not report the name, address, social security number, or other unique personal identifying information of persons stopped, searched, or subjected to a property seizure, for purposes of this section. Notwithstanding any other law, the data reported shall be available to the public, except for the badge number or other unique identifying information of the peace officer involved. Law enforcement agencies are solely responsible for ensuring that personally identifiable information of the individual stopped or any

other information that is exempt from disclosure pursuant to this section is not transmitted to the Attorney General in an open text field.

(e) Not later than January 1, 2018, the Attorney General, in consultation with stakeholders, including the Racial and Identity Profiling Advisory Board (RIPA) established pursuant to paragraph (1) of subdivision (j) of Section 13519.4 of the Penal Code, federal, state, and local law enforcement agencies and community, professional, academic, research, and civil and human rights organizations, shall issue regulations for the collection and reporting of data required under subdivision (b). The regulations shall specify all data to be reported, and provide standards, definitions, and technical specifications to ensure uniform reporting practices across all reporting agencies. To the best extent possible, such regulations should be compatible with any similar federal data collection or reporting program.

(f) All data and reports made pursuant to this section are public records within the meaning of subdivision (e) of Section 6252, and are open to public inspection pursuant to Sections 6253 and 6258.

(g) (1) For purposes of this section, "peace officer," as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, is limited to members of the California Highway Patrol, a city or county law enforcement agency, and California state or university educational institutions. "Peace officer," as used in this section, does not include probation officers and officers in a custodial setting.

(2) For purposes of this section, "stop" means any detention by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person's body or property in the person's possession or control.

(Amended by Stats. 2017, Ch. 328, Sec. 1. (AB 1518) Effective January 1, 2018.)

Exhibit 4

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Date of Hearing: April 21 2015

Counsel: Sandra Uribe

ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Bill Quirk, Chair

AB 953 (Weber) – As Amended April 16, 2015

SUMMARY: Modifies the definition of "racial profiling," requires local law enforcement agencies to report specified information on traffic, public transit, and pedestrian stops to the Attorney General's office; and establishes the Racial and Identity Profiling Advisory Board (RIPA). Specifically, **this bill:**

- 1) Requires, beginning July 1, 2017, each state and local agency that employs peace officers to report to the Attorney General's Office, at least on a quarterly basis, data on all traffic, public transportation, and pedestrian stops conducted by that agency's peace officers.
- 2) Requires the data collected to include the following information for each stop, search, or seizure:
 - a) The time, date, and location of the stop, search, or seizure;
 - b) The characteristics of each peace officer involved in the stop, including, but not limited to, his or her badge or identification number, race or ethnicity, gender, age, assignment, division or station, and shift, and whether he or she was in uniform;
 - c) The basis for the stop, including, but not limited to, the offense suspected, and whether the action was initiated in response to a call for service, and, if the action was initiated in response to a call for services, the incident identifier;
 - d) The result of the stop, such as no action, warning, citation, property seizure, or arrest;
 - e) If a warning or citation was issued, the warning provided or violation cited;
 - f) If an arrest was made, the offense charged;
 - g) A description of all persons detained during the stop. The description shall be based on the observation and perception of the peace officer making the stop, and the information shall not be requested from the person stopped, unless otherwise required by law. The description shall include, but not be limited to:
 - i) The number of people stopped;
 - ii) The race or ethnicity, gender, and age of all people stopped;
 - iii) The sexual orientation and religious affiliation, if any was perceived;

- iv) Whether the person stopped had limited English proficiency;
 - h) Any mental or physical disability of a person stopped;
 - i) Whether the officer previously stopped the person;
 - j) Specifically as to traffic stops, whether the person was a driver or passenger;
 - k) Actions taken by the officer during the stop, including, but not limited to, the following:
 - i) Whether the officer asked for consent to frisk or search any person, and if so, whether consent was provided;
 - ii) Whether the officer searched any person or property, and if so, which persons were searched and what property was searched, the basis for the search, and the type of contraband or evidence discovered, if any;
 - iii) Whether the officer seized any property and, if so, the type of property that was seized, the person from whom the property was seized, and the basis for seizing the property; and,
 - iv) Whether the officer used force during the encounter, and if so, the type of force used and reason for using the force.
 - l) A description of any person upon whom force was used. The description must be based on the officer's observations and perceptions, and cannot be obtained by asking the person, unless otherwise required by law. The description shall include, but not be limited to:
 - i) The person's race or ethnicity, gender, and age;
 - ii) The person's sexual orientation and religious affiliation, if any was perceived;
 - iii) Whether the person had limited English proficiency;
 - iv) Any perceived mental or physical disability or preexisting injury or medical condition of the person; and,
 - v) Whether the person was homeless.
 - m) Whether any other governmental or nongovernmental agency or service provider was called to respond to the scene, and if so, what agency or service provider, and the reason the agency or service provider was called to respond; and
 - n) Whether any person sustained any injuries during the encounter, and if so, which person, and the nature of the injuries and medical treatment provided, if any.
- 3) Prohibits state and local law enforcement agencies from reporting the name, address, social security number, or other unique personal identifying information of persons stopped,

searched, or subjected to a property seizure.

- 4) States that, notwithstanding any other law, the data reported shall be made available to the public to the extent which release is permissible under state law, with the exception of badge number, or other unique identifying information of the officer involved.
- 5) Requires the Attorney General, to issue regulations for the collection and reporting of the required data by January 1, 2017. The Attorney General should consult with specified stakeholders in issuing the regulations.
- 6) Mandates that the regulations specify all data to be reported, and provide standards, definitions, and technical specifications to ensure uniform reporting practices. To the extent possible, the regulations should also be compatible with any similar federal data collection or reporting program.
- 7) Requires each state and local law enforcement agency to publicly report the data on an annual basis beginning on July 1, 2018. The report should be posted on the law enforcement agency's Website, and in the event the agency does not have a Website, it shall be posted on the Department of Justice (DOJ) Website.
- 8) Requires retention of the reported data for at least five years.
- 9) Mandates that the Attorney General annually analyze the data collected and report its findings from the first analysis by July 1, 2018. Reports are to be posted on the DOJ Website.
- 10) Specifies that all data and reports made under these provisions are public records, as specified, and are open to public inspection.
- 11) Revises the content of the DOJ annual report on criminal statistics to report the total number of each of the following citizen complaints:
 - a) Citizen complaints against law enforcement personnel;
 - b) Citizen complaints alleging criminal conduct of either a felony or misdemeanor;
 - c) Citizen complaints alleging racial or identity profiling, disaggregated by the specific type of racial or identity profiling alleged.
- 12) Specifies that the statistics on citizen complaints must identify their dispositions as being sustained, exonerated, not sustained, unfounded, as specified.
- 13) Mandates the Attorney General establish RIPA beginning July 1, 2016 for the purpose of eliminating racial and identity profiling, and improving diversity and racial sensitivity in law enforcement.
- 14) Provides that RIPA shall include the following members:

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- a) the Attorney General, or a designee;
 - b) The President of the California Public Defenders Association, or a designee;
 - c) The President of the California Police Chiefs Association, or a designee;
 - d) The President of the California State Sheriffs' Association, or a designee;
 - e) The President of the Peace Officers Research Association of California, or a designee;
 - f) The President of the Chief Probation Officers of California, or a designee;
 - g) The Chair of the California Legislative Black Caucus, or designee;
 - h) The Chair of the California Latino Legislative Caucus, or designee;
 - i) The Chair of the California Asian and Pacific Islander Legislative Caucus, or designee;
 - j) The Chair of the California Lesbian, Gay, Bisexual, and Transgender Legislative Caucus, or designee;
 - k) A university professor who specializes in policing, and racial and identity equity;
 - l) Two representatives of civil or human rights tax-exempt organizations who specialize in civil and human rights and criminal justice;
 - m) Two representatives of community organizations specializing in civil or human rights and criminal justice and who work with victims of racial and identity profiling;
 - n) Two clergy members who specialize in addressing and reducing bias toward individuals and groups based on religious beliefs or practices; and,
 - o) Up to two other members that the Attorney General may prescribe.
- 15) Renames "racial profiling" as "racial or identity profiling" and redefines it as "consideration of or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to routine or spontaneous law enforcement activities or in deciding upon the scope and substance of law enforcement activities following an initial contact. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as, asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest."
- 16) Revises legislative findings and declarations regarding racial and identity profiling.
- 17) Requires any peace officer who has a sustained complaint of racial or identity profiling that is sustained to participate in training to correct racial and identity profiling at least every six

months for two years.

18) Tasks RIPA with the following:

- a) Analyzing data reported, as specified;
- b) Analyzing law enforcement training on racial and identity profiling;
- c) Investigating and analyzing law enforcement agencies' racial and identity profiling policies and practices;
- d) Issuing an annual report; and,
- e) Holding at least three annual public meetings to discuss racial and identity profiling and potential reforms, as specified.

EXISTING LAW:

- 1) Prohibits a law enforcement officer from engaging in racial profiling. (Pen. Code, § 13519.4, subd. (f).)
- 2) Defines "racial profiling," as "the practice of detaining a suspect based on a broad set of criteria which casts suspicion on an entire class of people without any individualized suspicion of the particular person being stopped." (Pen. Code, § 13519.4, subd. (e).)
- 3) Requires that the course of basic training for law enforcement officers include adequate instruction on racial and cultural diversity in order to foster mutual respect and cooperation between law enforcement and members of all racial and cultural groups. (Pen. Code, § 13519.4, subd. (b).)
- 4) Requires the DOJ to present to the Governor, on or before July 1st, an annual report containing the criminal statistics of the preceding calendar year. (Pen. Code, § 13010, subd. (g).)
- 5) Mandates that the annual report contain statistics showing all of the following:
 - a) The amount and the types of offenses known to the public authorities;
 - b) The personal and social characteristics of criminals and delinquents;
 - c) The administrative actions taken by law enforcement, judicial, penal, and correctional agencies or institutions, including those in the juvenile justice system, in dealing with criminals or delinquents;
 - d) The administrative actions taken by law enforcement, prosecutorial, judicial, penal, and correctional agencies, including those in the juvenile justice system, in dealing with minors who are the subject of a petition or hearing in the juvenile court to transfer their case to the jurisdiction of an adult criminal court or whose cases are directly filed or

otherwise initiated in an adult criminal court; and,

- e) The number of citizens' complaints received by law enforcement agencies, as specified. The statistics must indicate the total number of these complaints, the number alleging criminal conduct of either a felony or misdemeanor, and the number sustained in each category. The report shall not contain a reference to any individual agency but shall be by gross numbers only. (Pen. Code, § 13012.)
- 6) Requires state and local law enforcement agencies to report statistical data to the DOJ at those times and in the manner that the Attorney General prescribes. (Pen. Code, § 13020.)

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Author's Statement:** According to the author, "AB 953 will help eliminate the harmful and unjust practice of racial and identity profiling, and improve the relationship between law enforcement and the communities they serve. AB 953 promotes equal protection and prevents unreasonable searches and seizures.

"Peace officers risk their lives every day, and the people of California greatly appreciate their hard work and dedication to public safety. At the same time, a recent poll shows that 55% of Californians and 85% of African-Americans in California believe that 'blacks and other minorities do not receive equal treatment in the criminal justice system.'¹ Racial and identity profiling significantly contributes to this lack of confidence in our justice system.

"Racial and identity profiling occurs when law enforcement personnel stop, search, seize property from, or interrogate a person without evidence of criminal activity. Studies show that profiling often occurs due to unconscious biases about particular demographic identities.²

"AB 953 would prevent profiling by, among other things, clarifying and modernizing California's current prohibition against profiling to better account for the ways in which profiling occurs, establishing a uniform system for collecting and analyzing data on law enforcement-community interactions, and establishing an advisory board that investigates profiling patterns and practices and provides recommendations on how to curb its harmful impact."

- 2) **Racial Profiling:** Racial profiling is a violation of our constitutional rights against unreasonable searches and seizures, and equal protection. Existing state and federal law prohibits law enforcement officers from engaging in racial profiling. (Pen. Code, § 13519.4, subd. (f).) "Racial profiling" is currently defined as the practice of detaining a suspect based on a broad set of criteria which casts suspicion on an entire class of people without any

¹ Mark Aaldassare et al., *Californians & their government*, (PPIC Jan. 2015).

² Tracey G. Gove, *Implicit Bias and Law Enforcement*, Police Chief Magazine (Oct. 2011), <http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=2499&issue_id=102011>.)

individualized suspicion of the particular person being stopped. (Pen. Code, § 13519.4, subd. (e).)

Although racial profiling is prohibited, studies show that racial profiling by law enforcement does occur. For example, according to a report by the Oakland Police Department released last week, African-Americans, who compose 28 percent of Oakland's population, accounted for 62 percent of police stops from last April to November. The figures also showed that stops of African-Americans were more likely to result in felony arrests. And, while African-Americans were more likely to be searched after being stopped, police were no more likely to find contraband from searching African-Americans than members of other racial groups. (<http://www.mercurynews.com/crime-courts/ci_25410009/report-blacks-comprise-62-percent-oakland-police-stops>.)

Likewise, in 2010, the Los Angeles Times reported that "The U.S. Department of Justice has warned the Los Angeles Police Department that its investigations into racial profiling by officers are inadequate and that some cops still tolerate the practice."... "The Justice Department's concerns, which were conveyed in a recent letter obtained by The Times, are a setback for the LAPD, which remains under federal oversight on the issue." The article noted, "Profiling complaints typically occur after a traffic or pedestrian stop, when the officer is accused of targeting a person solely because of his or her race, ethnicity, religious garb or some other form of outward appearance. About 250 such cases arise each year, but more damaging is the widely held belief, especially among black and Latino men, that the practice is commonplace." (<<http://articles.latimes.com/2010/nov/14/local/la-me-lapd-bias-20101114>>.)

- 3) **Argument in Support:** According to the *Youth Justice Coalition*, a co-sponsor of this bill, "Racial and identity profiling – the practice of law enforcement stops, searches, property seizures, and/or interrogations in absence of evidence of criminal activity – have eroded public trust, led to humiliation and false detentions of thousands of Californians, and contribute to an increase in law enforcement use of force resulting in serious injury and death.

"In March 2015, the *President's Task Force on 21st Century Policing* recommended that profiling based on race, color, ethnicity, national origin, religion gender, sexual orientation, or mental or physical disability, and other demographic characteristics, be prohibited.³

"Here in California, people throughout our state have long been plagued by the humiliating and frightening act of racial and identity profiling. In 2000, the Legislature found that 'racial profiling is a practice that presents a great danger to the fundamental principles of a democratic society,' and declared that 'it is abhorrent and cannot be tolerated.'⁴ Subsequently, the Legislative Analyst's Office concluded that California's current prohibition against such acts is overvague (sic) and that law enforcement agencies have resisted following it.⁵

As one of numerous examples, a 2015 report by a police department in California found that

³ http://www.cops.usdoj.gov/pdf/taskforce/Interim_TF_Report.pdf

⁴ http://www.leginfo.ca.gov/pub/99-00/bill/sen/sb_1101-1150/sb_1102_bill_20000926_chaptered.html

⁵ http://www.lao.ca.gov/2002/racial_profiling/8-02_racial_profiling.pdf

blacks were stopped twice as often as their driving age demographic representation, and that blacks and Latinos were *less likely* to be arrested.⁶

"The persistence of profiling in our state violates the U.S. and California Constitutions by betraying the fundamental promise of equal protection, and infringing upon the guarantee that all people shall be free from unreasonable searches and seizures. It also misdirects limited resources away from evidence-based policing and the efficient pursuit of individuals who actually pose a threat to public safety, thus making all Californians less safe."

4) Arguments in Opposition:

- a) The *Peace Officers Research Association of California* writes, "Our officers pride themselves on the fact that all stops are made justly and for probable cause. They are rigorously trained by the Commission on Peace Officers Standards and Training (POST), which includes thorough training on racial profiling.

"In addition, our officers have already compiled, for many years now, a lot of the information set forth in your bill, including race, ethnicity, gender, age, reason for stop, result of stop, whether the vehicle was searched, and if so, why, whether a warrant was issued, etc. We believe the additional information required will take much more of the officer's time and result in less service to the public."

- b) The *California Police Chiefs Association* states, "The burden created by this mandate will result in significant officer time spent writing reports, thereby diminishing the time an officer is able to spend interacting with members of the community.

"Law enforcement agencies strive every day to maintain legitimacy within their communities. Currently, officers are trained to interact and engage with members of the communities in which they police whether an officer pulls someone over for a traffic stop or stops someone while out patrolling the streets on foot.

"Unfortunately, we believe that AB 953 would weaken the aforementioned relations. While we support legislation that would encourage, support, and strengthen law enforcement-community relations, we do not believe that AB 953 represents a productive or efficient means to this goal."

5) Related Legislation:

- a) AB 334 (Cooley) requires training for law enforcement officers on the profiling of motorcycle riders. AB 334 is pending hearing in the Assembly Appropriations Committee.
- b) AB 619 (Weber) requires the Attorney General to provide the Legislature an annual report on use-of-force incidents involving law enforcement and to make the information available on its Website. AB 619 is being heard in this Committee today.

⁶ <http://www.utsandiego.com/documents/2015/feb/25/san-diego-police-traffic-stops-report/>

6) Prior Legislation:

- a) AB 2133 (Torrico), of the 2005-2006 Legislative session, would have created a state policy of prohibiting racial profiling and provided for required information to be gathered and tracked regarding the specifics of traffic stops. AB 2133 was never heard by this Committee.
- b) AB 788 (Firebaugh), of the 2001-2002 Legislative session, would have clarified the definition of racial profiling and required data collection by specified law enforcement agencies. AB 788 died on the Assembly Inactive File.
- c) SB 1102 (Murray), Chapter 684, Statutes of 2000, states findings and declarations of the Legislature regarding racial profiling and requires law enforcement officers to participate in expanded training as prescribed and certified by POST.
- d) SB 78 (Murray) of the 1999-2000 Legislative Session, would have required the California Highway Patrol (CHP) Commissioner to gather specified data regarding traffic stops conducted by CHP officers, and would have required POST to present to the Legislature a report containing the information. SB 78 was vetoed.
- e) AB 1264 (Murray), of the 1997-98 Legislative session, would have required the Attorney General's office to annually report specified statistics regarding all motorists stopped by law enforcement officers. AB 1264 was vetoed.

REGISTERED SUPPORT / OPPOSITION:

Support

American Civil Liberties Union of California (Co-Sponsor)
Youth Justice Coalition (Co-Sponsor)
Alliance for Boys and Men of Color
Alliance San Diego
American Federation of State, County and Municipal Employees
Asian Law Alliance
Black Women for Wellness
Brown Boi Project
California Federation of Teachers
California Immigrant Policy Center
California Public Defenders Association
Californians United for a Responsible Budget
Center on Juvenile and Criminal Justice
Central American Resource Center, Los Angeles
Community Coalition
Council on American-Islamic Relations
Courage Campaign
Dignity and Power Now
Drug Policy Alliance
Ella Baker Center for Human Rights
Empowering Pacific Islander Communities

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Equality California
FACTS Education Fund & Fair Chance Project
Filipino Migrant Center of Southern California
Friends Committee on Legislation of California
GSA Network
Greenlining Institute
Immigrant Legal Resource Center
Immigrant Youth Coalition
Inland Empire Immigrant Youth Coalition
Inner City Struggle
Japanese American Citizens League
Justice for Immigrants Coalition of Inland Southern California
Justice Not Jails
K.W. Lee Center for Leadership
LA Voice
Long Beach Immigrant Rights Coalition
Los Angeles Black Worker Center
Los Angeles LGBT Center
Los Angeles Regional Reentry Partnership
Merced Organizing Project
National Center for Lesbian Rights
National Day Laborer Organizing Network
National Employment Law Project
New Covenant Church
New PATH, Parents for Addiction Treatment & Healing
New Way of Life Reentry Project
Pilipino Workers Center of Southern California
Placer People of Faith Together
Private Individual
Progressive Christians Uniting
Public Advocates
Reform California
Riverside Coalition for Police Accountability
Root & Rebound
Sacramento Area Congregations Together
Sadler Healthcare
San Francisco Organizing Project
San Francisco Tenants Union
Services, Immigrant Rights, and Education Network
Social Justice Learning Institute
Southeast Asia Resource Action Center
Starting Over, Inc.
Students for Sensible Drug Policy, Whittier Law School
Transgender Law Center
True North Organizing Network
W. Haywood Burns Institute

One Private Individual

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Opposition

Association for Los Angeles Deputy Sheriffs
California Association of Highway Patrolmen
California College and University Police Chiefs Association
California Correctional Supervisors Organization
California Police Chiefs Association
California State Sheriffs' Association
Los Angeles Police Protective League
Peace Officers Research Association of California
Riverside Sheriffs Association

Analysis Prepared by: Sandy Uribe / PUB. S. / (916) 319-3744

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Exhibit 5

Date of Hearing: May 13, 2015

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Jimmy Gomez, Chair
AB 953 (Weber) – As Amended April 16, 2015

Policy Committee: Public Safety

Vote: 5 - 2

Urgency: No

State Mandated Local Program: Yes

Reimbursable: Yes

SUMMARY:

This bill modifies the definition of "racial profiling"; requires, beginning January 1, 2017, state and local law enforcement agencies to report specified information on traffic, public transit, and pedestrian stops, searches, or seizures to the Attorney General's Office (AG), and post this information on the law enforcement agency's website; requires the AG to issue regulations on the collection and reporting of the information specified; and requires the AG to establish the Racial and Identity Profiling Advisory Board (RIPA) for specified purposes.

FISCAL EFFECT:

- 1) Significant reimbursable mandated costs (GF), in the hundreds of thousands of dollars, by requiring the collection of very specific additional information by local law enforcement personnel, and the reporting of this information by local law enforcement agencies in a format yet to be determined by the Department of Justice (DOJ).
- 2) Significant costs to the California Highway Patrol to update their California Automated Reporting System, in the \$1 million range Motor Vehicle Account. In addition, the additional time required to document the additional data points will result in the need for additional officers, or the current service provided will be reduced. CHP made over four million public contacts in 2013-14.
- 3) Moderate one-time cost to the DOJ in the range of \$175,000 (GF), a) \$100,000 to develop the required regulations in consultation with specified parties by January 1, 2017, and b) \$75,000 for information technology costs associated with the programming required to collect and publish the required reports.
- 4) Moderate ongoing costs to the DOJ in the range of \$300,000 (GF) to staff the proposed RIPA and for RIPA to conduct the required investigations and analysis.
- 5) Cost to the Commission on Peace Officers Standards and Training (POST) is absorbable if POST can update this definition the next time it updates its racial profiling curriculum.

COMMENTS:

- 1) **Author's Statement:** According to the author, "AB 953 will help eliminate the harmful and unjust practice of racial and identity profiling, and improve the relationship between law enforcement and the communities they serve. AB 953 promotes equal protection and prevents unreasonable searches and seizures.

"Peace officers risk their lives every day, and the people of California greatly appreciate their hard work and dedication to public safety. At the same time, a recent poll shows that 55% of Californians and 85% of African-Americans in California believe that 'blacks and other minorities do not receive equal treatment in the criminal justice system.' Racial and identity profiling significantly contributes to this lack of confidence in our justice system.

"Racial and identity profiling occurs when law enforcement personnel stop, search, seize property from, or interrogate a person without evidence of criminal activity. Studies show that profiling often occurs due to unconscious biases about particular demographic identities.

"AB 953 would prevent profiling by, among other things, clarifying and modernizing California's current prohibition against profiling to better account for the ways in which profiling occurs, establishing a uniform system for collecting and analyzing data on law enforcement-community interactions, and establishing an advisory board that investigates profiling patterns and practices and provides recommendations on how to curb its harmful impact."

This will requires law enforcement agencies to collect the following information for each stop, search, or seizure:

- a) The time, date, and location of the stop, search, or seizure;
- b) The characteristics of each peace officer involved in the stop, including, but not limited to, his or her badge or identification number, race or ethnicity, gender, age, assignment, division or station, and shift, and whether he or she was in uniform;
- c) The basis for the stop, including, but not limited to, the offense suspected, and whether the action was initiated in response to a call for service, and, if the action was initiated in response to a call for services, the incident identifier;
- d) The result of the stop, such as no action, warning, citation, property seizure, or arrest;
- e) If a warning or citation was issued, the warning provided or violation cited;
- f) If an arrest was made, the offense charged;
- g) A description of all persons detained during the stop. The description shall be based on the observation and perception of the peace officer making the stop, and the information shall not be requested from the person stopped, unless otherwise required by law. The description shall include, but not be limited to:
 - i. The number of people stopped;
 - ii. The race or ethnicity, gender, and age of all people stopped;
 - iii. The sexual orientation and religious affiliation, if any was perceived;
 - iv. Whether the person stopped had limited English proficiency;
- h) Any mental or physical disability of a person stopped;
- i) Whether the officer previously stopped the person;
- j) Specifically as to traffic stops, whether the person was a driver or passenger;
- k) Actions taken by the officer during the stop, including, but not limited to, the following:
 - i. Whether the officer asked for consent to frisk or search any person, and if so, whether consent was provided;
 - ii. Whether the officer searched any person or property, and if so, which persons were searched and what property was searched, the basis for the search, and the type of contraband or evidence discovered, if any;

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- iii. Whether the officer seized any property and, if so, the type of property that was seized, the person from whom the property was seized, and the basis for seizing the property; and,
 - iv. Whether the officer used force during the encounter, and if so, the type of force used and reason for using the force.
- l) A description of any person upon whom force was used. The description must be based on the officer's observations and perceptions, and cannot be obtained by asking the person, unless otherwise required by law. The description shall include, but not be limited to:
- i. The person's race or ethnicity, gender, and age;
 - ii. The person's sexual orientation and religious affiliation, if any was perceived;
 - iii. Whether the person had limited English proficiency;
 - iv. Any perceived mental or physical disability or preexisting injury or medical condition of the person; and,
 - v. Whether the person was homeless.
- m) Whether any other governmental or nongovernmental agency or service provider was called to respond to the scene, and if so, what agency or service provider, and the reason the agency or service provider was called to respond; and
- n) Whether any person sustained any injuries during the encounter, and if so, which person, and the nature of the injuries and medical treatment provided, if any.
- 2) **Background.** Current law prohibits law enforcement officers from engaging in racial profiling, "the practice of detaining a suspect based on a broad set of criteria which casts suspicion on an entire class of people without any individualized suspicion of the particular person being stopped."

Current law requires the DOJ to present to the Governor, on or before July 1st, an annual report containing the criminal statistics of the preceding calendar year, and requires local law enforcement agencies to report specified information to the DOJ.

CHP is currently collecting and reporting specific data, beyond what is required of other law enforcement agencies, on their contact with the public.

- 3) **Argument in Support:** According to the *Youth Justice Coalition*, a co-sponsor of this bill, "Racial and identity profiling – the practice of law enforcement stops, searches, property seizures, and/or interrogations in absence of evidence of criminal activity – have eroded public trust, led to humiliation and false detentions of thousands of Californians, and contribute to an increase in law enforcement use of force resulting in serious injury and death.
- 4) "In March 2015, the *President's Task Force on 21st Century Policing* recommended that profiling based on race, color, ethnicity, national origin, religion, gender, sexual orientation, or mental or physical disability, and other demographic characteristics, be prohibited."

Analysis Prepared by: Pedro R. Reyes / APPR. / (916) 319-2081

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Exhibit 6

000054

SENATE COMMITTEE ON APPROPRIATIONS

Senator Ricardo Lara, Chair
2015 - 2016 Regular Session

AB 953 (Weber) - Law enforcement: racial profiling

Version: June 30, 2015

Policy Vote: PUB. S. 5 - 1

Urgency: No

Mandate: Yes

Hearing Date: August 17, 2015

Consultant: Jolie Onodera

This bill meets the criteria for referral to the Suspense File.

Bill Summary: AB 953 would enact the Racial and Identity Profiling Act of 2015, which would do the following:

- Require each state and local agency that employs peace officers to collect and annually report data to the Attorney General (AG) on all "stops," as defined, for the preceding calendar year.
- Require any peace officer who has a complaint of racial or identity profiling that is sustained to participate in training to correct racial and identity profiling at least every six months for two years.
- Modify the definition of "racial profiling," as specified.
- Commencing July 1, 2016, require the AG to establish the Racial and Identity Profiling Advisory Board (RIPA), to conduct specified activities and issue a report annually on its analysis of specified reported data, training, and racial and identity profiling policies/practices.

Fiscal Impact:

- Data collection, reporting, retention, and training: Major one-time and ongoing costs, potentially in the tens of millions of dollars annually to local law enforcement agencies for data collection, reporting, and retention requirements specified in the bill. Additional costs for training on the process would likely be required. There are currently 482 cities and 58 counties in California. To the extent local agency expenditures qualify as a reimbursable state mandate, agencies could claim reimbursement of those costs (General Fund). While costs could vary widely, for context, the Commission on State Mandates' statewide cost estimate for *Crime Statistics Reports for the DOJ* reflects eligible reimbursement of over \$13.6 million per year for slightly over 50 percent of local agencies reporting.
- Racial profiling training: Unknown, potentially significant state-reimbursable costs (General Fund) for mandated training periodically over two years for peace officers with sustained complaints of racial or identity profiling.
- DOJ impact: Major one-time and ongoing costs of \$2.6 million in 2015-16, \$5.9 million in 2016-17, and \$5.1 million (General Fund) annually thereafter, for resources to create the database to collect and retain the data, complete data collection, reporting, and analysis requirements. Minor, absorbable impact to aggregate and post annual reports received to its website.
- RIPA: One-time costs of \$1.7 million in 2015-16, and \$3 million (General Fund) in 2016-17 and 2017-18 to establish and oversee activities of the Board. Ongoing costs of \$1.5 million annually (General Fund) for activities including analyzing data, issuing

annual reports, reviewing policies and procedures, and holding at least three annual public meetings.

- **CHP impact:** Potentially significant one-time costs of about \$1 million (Motor Vehicle Account) to modify its existing database, create the program to generate the report, and train personnel. Ongoing increase in workload costs potentially in the range of \$250,000 to \$500,000 (Motor Vehicle Account) for data collection and reporting activities. Data for 2013-14 from the CHP indicates approximately 3.1 million enforcement actions potentially subject to the data collection and reporting provisions of this bill.
- **CSU/UC police impact:** Potentially significant ongoing non-reimbursable costs to California State University police and University of California police officers – the CSM has determined CSU and UC use of campus police is a discretionary act, and therefore any mandated costs are not subject to state reimbursement.

Background: Existing law prohibits a law enforcement officer from engaging in racial profiling and provides that the course of basic training for law enforcement officers must include adequate instruction on racial and cultural diversity in order to foster mutual respect and cooperation between law enforcement and members of all racial and cultural groups. Existing law additionally requires every officer to participate in expanded training provided by the Commission on Peace Officer Standards and Training that examines the patterns, practices, and protocols that prevent racial profiling.

Under existing law, “racial profiling” is defined as the practice of detaining a suspect based on a broad set of criteria which casts suspicion on an entire class of people without any individualized suspicion of the particular person being stopped. (Penal Code § 13519.4.)

This bill seeks to facilitate the development of evidence-based policing by establishing a system of collecting and reporting information on law enforcement stops. As noted in the federal Department of Justice publication, *A Resource Guide on Racial Profiling Data Collection Systems: Promising Practices and Lessons Learned (2000)*, “

By providing information about the nature, characteristics, and demographics of police enforcement patterns, these data collection efforts have the potential for shifting the rhetoric surrounding racial profiling from accusations, anecdotal stories, and stereotypes to a more rational discussion about the appropriate allocation of police resources. Well-planned and comprehensive data collection efforts can serve as a catalyst for nurturing and shaping this type of community and police discussion.

Proposed Law: This bill would enact the Racial and Identity Profiling Act of 2015, as follows:

- Requires, beginning March 1, 2018, each state and local agency that employs peace officers to annually report to the AG data on all “stops,” as defined, conducted by that agency's peace officers for the preceding calendar year.
- Requires the reporting to include the following information for each stop:
 - The time, date, and location of the stop.
 - The reason for the stop.

- The result of the stop, such as no action, warning, citation, property seizure, or arrest.
- If a warning or citation was issued, the warning provided or violation cited.
- If an arrest was made, the offense charged.
- The perceived race or ethnicity, gender, and approximate age of the person stopped. The identification of these characteristics shall be based on the observation and perception of the peace officer making the stop. For motor vehicle stops, this requirement applies only to the driver unless actions taken by the officer apply in relation to a passenger, in which case his or her characteristics shall also be reported.
- Actions taken by the officer during the stop, including, but not limited to, the following:
 - Whether the officer asked for consent to search the person, and if so, whether consent was provided.
 - Whether the officer searched the person or any property, and if so, the basis for the search, and the type of contraband or evidence discovered, if any.
 - Whether the officer seized any property and, if so, the type of property that was seized, and the basis for seizing the property.
- Provides that if more than one peace officer performs a stop, only one officer is required to collect and report the necessary information.
- Prohibits state and local law enforcement agencies from reporting the name, address, social security number, or other unique personal identifying information of persons stopped, searched, or subjected to a property seizure.
- States that, notwithstanding any other law, the data reported shall be made available to the public to the extent which release is permissible under state law, with the exception of badge number, or other unique identifying information of the officer involved.
- Requires the AG, to issue regulations for the collection and reporting of the required data by January 1, 2017. States the AG should consult with specified stakeholders in issuing the regulations.
- Mandates that the regulations specify all data to be reported, and provide standards, definitions, and technical specifications to ensure uniform reporting practices. To the extent possible, the regulations should also be compatible with any similar federal data collection or reporting program.
- Requires each state and local law enforcement agency to publicly report the data on an annual basis beginning on July 1, 2018. The report should be posted on the law enforcement agency's website. In the event the agency does not have a website, it is to be posted on the DOJ website.
- Requires retention of the reported data for at least five years.
- Mandates that the AG annually analyze the data collected and report its findings from the first analysis by January 1, 2019. Reports are to be posted on the DOJ website.
- Specifies that all data and reports made under these provisions are public records, as specified, and are open to public inspection.
- Limits the definition of a "peace officer" for purposes of this section to "members of the California Highway Patrol, a city or county law enforcement agency and California state or university educational institutions." And, the definition explicitly

states that peace officer, as used in this section, does not include probation officers and officers in a custodial setting.

- Defines "stop" for purposes of this section, as "any detention by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person's body or property in the person's possession or control."
- Revises and expands the content of the DOJ annual report on criminal statistics to report the total number of each of the following citizen complaints, to be made available to the public and disaggregated for each law enforcement agency:
 - Citizen complaints against law enforcement personnel;
 - Citizen complaints alleging criminal conduct of either a felony or misdemeanor;
 - Citizen complaints alleging racial or identity profiling, disaggregated by the specific type of racial or identity profiling alleged.
- Specifies that the statistics on citizen complaints must identify their dispositions as being sustained, exonerated, not sustained, or unfounded, as specified.
- Renames "racial profiling" as "racial or identity profiling" and redefines it as "consideration of or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope and substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as, asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest."
- Requires any peace officer who has a complaint of racial or identity profiling that is sustained to participate in training to correct racial and identity profiling at least every six months for two years.
- Mandates the AG establish the RIPA beginning July 1, 2016, to include the Attorney General or a designee, and 18 other members, as specified.
- Tasks RIPA with the following:
 - Analyzing data reported both under this Act and other data, as specified;
 - Analyzing law enforcement training on racial and identity profiling;
 - Working in partnership with state and local law enforcement agencies to review and analyze racial and identity profiling policies and practices;
 - Issuing an annual report the first of which shall be issued by January 1, 2018, and posting the reports on its website; and,
 - Holding at least three annual public meetings to discuss racial and identity profiling and potential reforms, as specified.

Prior Legislation: AB 2133 (Torrico) 2006 would have created a state policy of prohibiting racial profiling and provided for required information to be gathered and tracked regarding the specifics of traffic stops. This bill was not provided a hearing in the Assembly Committee on Public Safety.

AB 788 (Firebaugh) 2001 would have required the CHP and specified law enforcement agencies to report to the DOJ statistical data regarding traffic stops until January 1, 2008. This bill died on the Assembly Floor.

SB 1102 (Murray) Chapter 684/2000 states findings and declarations of the Legislature regarding racial profiling and requires law enforcement officers to participate in expanded training as prescribed and certified by POST.

SB 78 (Murray) 1999 would have required the Commissioner of the CHP to gather data on traffic stops conducted by the CHP and law enforcement agencies of specified counties, and provide a report to the Legislature and the Governor. This bill was vetoed by the Governor.

AB 1264 (Murray) 1998 would have required the DOJ until January 1, 2003, in its annual report on criminal justice statistics to include specified statistics regarding all motorists stopped by law enforcement officers. This bill was vetoed by the Governor whose message stated in part:

This bill would require California law enforcement officers to collect information, including race or ethnicity and approximate age and gender, about all motorists subject to traffic stops during a three year reporting period. In addition, the DOJ would be required to collect and report statistical reports in its annual crime statistics report... Nonetheless, some officers, like members of every profession, may fail to fulfill their duties and indulge in biases. This bill would seek to record such incidents over a period of three years at a cost of tens of millions of dollars. The bill, however, ensures that neither officers nor motorists would be identified by name, only in the aggregate. Accordingly, it would be impossible to take meaningful corrective action.

This bill offers no certain or useful conclusion, assuredly nothing that would justify the major commitment of time, money, and manpower that this bill requires. The investment contemplated by AB 1264 could be more immediately and productively employed by enhancing officer training, encouraging dialogue between enforcement agencies and racially diverse community groups, and taking forceful action against those officers who abuse the privilege of serving all of California's citizens.

Staff Comments:

Data collection, reporting, retention, and training

This bill requires each state and local agency that employs peace officers to make an annual report including specified data on all "stops" conducted by that agency's peace officers to the DOJ. The bill defines peace officers to include members of the CHP, city or county law enforcement agencies, and the CSU and UC who would be subject to the data collection, reporting, and retention requirements of this bill. There are currently 482 cities and 58 counties in the State. While statewide costs cannot be estimated with certainty, given the large number of local agencies and the numerous types of data required to be collected, reported, and retained, these activities could result in major one-time and ongoing costs, potentially in the tens of millions of dollars annually. To the extent local agency expenditures qualify as a reimbursable state mandate, agencies could claim reimbursement of those costs (General Fund). As an example, the Commission on State Mandates' statewide cost estimate for *Crime Statistics Reports for*

the DOJ reflects eligible reimbursement of over \$13.6 million per year for slightly over 50 percent of local agencies reporting.

The costs to individual agencies would vary widely and depend on various factors, including but not limited to the size of the agency, the volume of stops to be reported by the agency, the method of collecting the data (which is not specified in the bill), the workload involved to collect the data elements required to be reported, the extent of training conducted by each agency, and storage requirements for each agency (whether electronic or paper). For example, while the workload involved to report the number of stops for an agency that already has an electronic data collection process in place may only require revisions to its existing process and minor training to its officers on the changes, the workload required for an agency that has no existing process in place would not only potentially incur the costs of development of a new system to collect and report the information, the costs of which would be dependent on how the agency decides to collect the data (whether manually or electronically), but would also incur substantial costs to test the system and train its officers. Whether through manual or electronic collection, agencies at a minimum would likely require the development of a central database and other system enhancements to aggregate the data, report to the DOJ, and retain the information for a minimum of five years as required by the bill.

Mandated racial profiling training

This bill requires law enforcement officers who have a complaint of racial or identity profiling that has been sustained to participate in training to correct racial and identity profiling at least every six months for two years. By mandating additional training on local law enforcement agencies, this bill could result in increased state-reimbursable costs to local agencies to provide training to officers and backfill behind these officers during the training period. Costs would be dependent on the number of officers with sustained complaints, the cost of the training course, and the frequency of the training attended (whether every six months or more frequently).

RIPA and mandated activities

The DOJ has indicated costs of \$1.7 million in 2015-16, and \$3 million in each of 2016-17 and 2017-18 to establish the 19-member RIPA and oversee/conduct its start-up activities. Ongoing costs are estimated at \$1.5 million for activities including but not limited to analyzing data and statistics, issuing annual reports, reviewing and analyzing racial profiling policies and procedures, and holding at least three annual public meetings, which would include costs for travel and overtime.

Amendments for consideration: To reduce the potential costs of this measure, the author may wish to consider reducing the scope of the bill to a pilot program narrowed to specified counties or agencies and/or include a sunset date for the bill's provisions. Narrowing the collection of data to vehicle stops would also reduce the potential costs of this bill.

Alternatively, revising the structure of the bill's language to require the DOJ to include data on stops in its annual report reflecting information from law enforcement agencies reporting this information would potentially remove the mandate on local law enforcement agencies, however, data received would be limited to those agencies voluntarily collecting and reporting this information and would preclude uniformity and the ability to analyze data on a statewide basis.

Additional amendments that could reduce the potential costs of the bill include 1) eliminating the mandated five-year data retention period, 2) eliminating the mandated training provision on specified peace officers, and 3) limiting the analysis of the stop data to either the AG or the RIPA, instead of requiring this analysis and separate annual reports by both entities.

-- END --

Exhibit 7

000062

REGULAR

(See Instructions on Reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2016-1129-03	REGULATORY ACTION NUMBER 2017-0926-028	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

RECEIVED DATE NOV 29 '16	PUBLICATION DATE DEC 09 '16	2017 SEP 26 P 2:10 OFFICE OF ADMINISTRATIVE LAW
Office of Administrative Law		
NOTICE	REGULATIONS	

AGENCY WITH RULEMAKING AUTHORITY Department of Justice	AGENCY FILE NUMBER (if any) DOJ-16-006
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Racial and Identity Profiling Act Regulations	TITLE(S) 11	FIRST SECTION AFFECTED 999.224	2. REQUESTED PUBLICATION DATE December 09, 2016
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Melan Noble	TELEPHONE NUMBER (916) 322-0908	FAX NUMBER (Optional) (916) 324-5033
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2016-50-2	PUBLICATION DATE 12-9-2016

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Racial and Identity Profiling Act Regulations	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
---	--

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)
ADOPT 999.224, 999.225, 999.226, 999.227, 999.228, and 999.229
AMEND
REPEAL
TITLE(S) 11

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Reread (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
August 1 through 16, 2017

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11349.4, 11346.1(d); Cal. Code Regs., title 1, §100)

Effective January 1, April 1, July 1, or October 1 (Gov. Code §11349.4(a)) Effective on filing with Secretary of State §100 Changes Without Regulatory Effect Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM §6660) Fair Political Practices Commission State Fire Marshal

Other (Specify) **Government Code §12525.5(e)** per agency request

7. CONTACT PERSON Melan Noble	TELEPHONE NUMBER (916) 210-7011	FAX NUMBER (Optional) (916) 324-5033	E-MAIL ADDRESS (Optional) Melan.Noble@doj.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

For use by Office of Administrative Law (OAL) only

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Sean McCluskie</i>	DATE 9/26/17
TYPED NAME AND TITLE OF SIGNATORY Sean McCluskie, Chief Deputy to the Attorney General	

000063

**State of California
Office of Administrative Law**

In re:
Department of Justice

Regulatory Action:

Title 11, California Code of Regulations

Adopt sections: 999.224, 999.225, 999.226,
999.227, 999.228, 999.229

Amend sections:

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3


OAL Matter Number: 2017-0926-02

OAL Matter Type: Regular (S)

Governor Brown signed the Racial and Identity Profiling Act of 2015 (AB 953) which requires state and local law enforcement agencies, as specified, to collect detailed data regarding stops of individuals, including perceived demographic information on the person stopped, and to report this data to the California Attorney General. The California Department of Justice is adopting six sections in title 11 of the California Code of Regulations to outline the reporting requirements of AB 953. These regulations set forth the information required to be reported by officers, definitions of terms used in the regulations, and specific guidance regarding the reporting required under Government Code section 12525.5, subdivision (b).

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 11/7/2017.

Date: November 7, 2017



Peggy J. Gibson
Senior Attorney

For: Debra M. Cornez
Director

Original: Xavier Becerra

Copy: Melan Noble

CALIFORNIA CODE OF REGULATIONS
TITLE 11. LAW
DIVISION 1. ENFORCEMENT
CHAPTER 19
FINAL TEXT OF REGULATIONS

Article 1. Definitions

Article 2. Law Enforcement Agencies Subject to Government Code section 12525.5

Article 3. Data Elements To Be Reported

Article 4. Reporting Requirements

Article 5. Technical Specifications and Uniform Reporting Practices

Article 6. Audits and Validation

Article 1. Definitions

§ 999.224

(a) For purposes of Government Code section 12525.5 and this chapter only, the following definitions shall apply:

(1) “Act” means the provisions of the Racial and Identity Profiling Act of 2015, also known as “AB 953,” which are contained in Government Code section 12525.5, Penal Code section 13012, and Penal Code section 13519.4.

(2) “Consensual search” is a search that occurs when a person gives a peace officer consent or permission to search the person or the person’s property. Consent can be given in writing or verbally, or may be implied by conduct.

(3) “Custodial setting” means correctional institutions, juvenile detention facilities, and jails, including parking lots and grounds within the perimeter of these enumerated facilities. “Custodial setting” does not include home detention or any circumstances where persons are under house arrest outside of correctional institutions, juvenile detention facilities, or jails.

(4) “Data element” refers to a category of information the peace officer must report regarding a stop. For example, “perceived gender of person stopped” is a data element that must be collected under Government Code section 12525.5.

(5) “Data value” is a component or characteristic of a data element to be used in reporting each data element. For example, “male,” “female,” “transgender man/boy,” “transgender woman/girl,” and “gender nonconforming” are each data values to use in reporting the data element “perceived gender of person stopped.” Reporting agencies shall ensure that the technical specifications for data values are consistent with these regulations and in doing so shall follow the data dictionary prepared by the Department.

(6) "Department" refers to the California Department of Justice or the California Attorney General.

(7) "Detention," unless otherwise provided in these regulations, means a seizure of a person by an officer that results from physical restraint, unequivocal verbal commands, or words or conduct by an officer that would result in a reasonable person believing that he or she is not free to leave or otherwise disregard the officer.

(8) "Firearm" means a weapon that fires a shot by the force of an explosion, and includes all handguns, rifles, shotguns, and other such devices commonly referred to as firearms.

(9) "K-12 Public School" means "California state educational institution," as defined in this chapter.

(10) "Probation officer" means an adult probation officer authorized by Penal Code section 1203.5, or a juvenile probation officer authorized by Welfare and Institutions Code section 270, whose duties are defined in Penal Code section 830.5 or Welfare and Institutions Code sections 280 and 283, respectively.

(11) "Reporting agency" means:

(A) Any city or county law enforcement agency that employs peace officers.

1. "Reporting agency" includes any city or county law enforcement agency that employs peace officers, including officers who are contracted to work at other government agencies or private entities. This includes, but is not limited to, peace officers assigned to work in cities or other jurisdictions that are not within the original jurisdiction of the city or county law enforcement agency; peace officers of city or county law enforcement agencies assigned to or contracted to work at housing or transit agencies; and school resource officers assigned to work in California state educational institutions.

(B) The California Highway Patrol.

(C) The law enforcement agencies of any California state or university educational institutions.

1. "California state educational institution" means any public elementary or secondary school; the governing board of a school district; or any combination of school districts or counties recognized as the administrative agency for public elementary or secondary schools.

a. "The law enforcement agencies of California state educational institutions" refers to any police department established by a public school district pursuant to Education Code section 38000, subdivision (b).

2. "California university educational institution" means the University of California, the California State University, and any college of the California Community Colleges.

a. “The law enforcement agencies of California university educational institutions” refers to the following:

(1) Police departments of all campuses of the California State University established pursuant to Education Code section 89560;

(2) Police departments of all campuses of the University of California established pursuant to Education Code section 92600; and

(3) Police departments of all California community colleges established pursuant to Education Code section 72330.

(12) “School resource officer” includes, but is not limited to, “school resource officer” as defined by 42 U.S.C. § 3796dd-8(4).

(13) “Search,” unless otherwise provided, means a search of a person’s body or property in the person’s possession or under his or her control, and includes a pat-down search of a person’s outer clothing as well as a consensual search, as defined in these regulations.

(14) “Stop” for purposes of these regulations means (1) any detention, as defined in these regulations, by a peace officer of a person; or (2) any peace officer interaction with a person in which the officer conducts a search, as defined in these regulations.

(15) “Stop data” refers collectively to the data elements and data values that must be reported to the Department.

(16) “Student” means any person who is enrolled in a K-12 Public School, or any person who is subject to California’s compulsory education law as provided in Education Code section 48200. A “student” includes persons between 6 and 18 years of age who are not otherwise exempt from the compulsory education laws as provided in Education Code section 48200. “Student” also refers to persons up to 22 years of age who are being provided special education and services, as provided under Education Code section 56026. The reporting requirements of this chapter regarding “students” apply only to interactions between officers and students that take place in a K-12 Public School.

(A) Example: A person between the ages of 6 and 18 who is not enrolled in a K-12 Public School because he or she has been expelled or is temporarily suspended from school is a student for purposes of these regulations.

(B) Example: A person between the ages of 6 and 18 who is enrolled as a student at one K-12 Public School but who is stopped by an officer at another school is a student for purposes of these regulations.

(C) Example: A 19-year old person who is enrolled in a K-12 Public School is a student for purposes of these regulations.

(D) Example: A 21-year old special education student enrolled in a K-12 Public School is a student for purposes of these regulations.

(E) Example: An interaction between an officer and a student that takes place at a mall must be reported pursuant to the general reporting requirements set forth in § 999.227, subdivision (a) of these regulations, and not the reporting requirements set forth at § 999.227, subdivision (e)(3) – (4) for interactions that take place between a student and an officer in a K-12 Public School.

(17) “Unique Identifying Information” means personally identifying information, the release of which, either alone or in combination with other data reported, is reasonably likely to reveal the identity of the individual officer who collected the stop data information. It does not include the minimum information that is specified in Government Code section 12525.5, subdivision (b).

(18) “Vehicle” means motor vehicles as defined in Vehicle Code section 670; motorcycles, mopeds, and motorized scooters as defined in Vehicle Code sections 400, 406, and 407.5, respectively; and any motorized vehicles, including boats.

Note: Authority cited: Section 12525.5, Government Code. Reference: Section 12525.5, Government Code.

Article 2. Law Enforcement Agencies Subject to Government Code Section 12525.5

§ 999.225

(a) The data collection requirements of this chapter apply only to peace officers, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, who are employed by “reporting agencies,” subject to the exceptions set forth below.

(b) Probation officers are not subject to this chapter.

(c) Peace officers shall not report stops that occur in a custodial setting. Peace officers who work in custodial settings are subject to this chapter for stops that occur in non-custodial settings.

(d) All peace officers employed by a reporting agency, except for probation officers, are subject to this chapter even if the officer makes a stop while assigned or contracted to work for another governmental agency or a private entity pursuant to a contract or memorandum of understanding between the reporting agency and the governmental agency or private entity.

(1) Example: A peace officer of a reporting agency who is also a member of a federal task force is subject to this chapter when stopping a person while the officer is performing duties as part of the task force, regardless of whether the officer must also comply with federal data collection policies, if any.

(2) Example: A peace officer of a reporting agency assigned to work as a school resource officer in a K-12 Public School pursuant to a memorandum of understanding or other contractual relationship is subject to this chapter when stopping a person while on that assignment.

(3) Example: A peace officer of a reporting agency hired pursuant to a memorandum of understanding or other contractual relationship between the reporting agency and a private entity to work at a private university or college, or sporting event, is subject to this chapter when stopping a person while working on that assignment.

Note: Authority cited: Section 12525.5, Government Code. Reference: Section 12525.5, Government Code.

Article 3. Data Elements To Be Reported

§ 999.226

(a) The data elements regarding stops that shall be collected by peace officers subject to this chapter are defined as follows:

(1) “ORI number” is the data element that refers to the reporting agency’s Originating Agency Identifier, a unique identification code number assigned by the Federal Bureau of Investigation.

(2) Date, Time, and Duration of Stop

(A) “Date of Stop” refers to the year, month, and day when the stop occurred. It shall be recorded as the date on which the stop began. If the stop extends over two days (e.g., if a stop began at 2330 hours on January 1st and concluded at 0030 hours on January 2nd), the “Date of Stop” should be recorded as the first date (in this example, January 1st).

(B) “Time of Stop” refers to the approximate time that the stop began and shall be recorded using a 24-hour clock (i.e., military time).

(C) “Duration of Stop” is the approximate length of the stop measured from the time the reporting officer, or any other officer, first detains or, if no initial detention, first searches the stopped person until the time when the person is free to leave or taken into physical custody. In reporting this data element, the officer shall enter the approximate length of the stop in minutes.

1. Example: Officer A stops a vehicle for suspected driving under the influence (DUI) at 1300 hours. Officer B then arrives at the scene 15 minutes later and conducts a field sobriety test on the driver, who fails the tests. Officer B then arrests and takes the driver into custody at 1345. “Duration of Stop” would be reported as 45 minutes.

2. Example: Officer A begins interviewing witnesses to a robbery at 1100 hours. After approximately 30 minutes of interviews with different witnesses, Officer A observes what looks like a switchblade knife protruding from the waistband of one of the witnesses. Officer A then searches that person. “Duration of Stop” is measured from the time the person is searched (1130 hours) and not the time during which the officer began interviewing the witnesses to the robbery (1100 hours).

(3) “Location of Stop” refers to the physical location where the stop took place and shall be reported as follows:

(A) The officer shall report one of the following options, which are provided in order of preference:

1. Block number and street name;
2. Closest intersection; or
3. Highway and closest highway exit.
4. If none of these options are applicable, the officer may report a road marker, landmark, or other description, except that the officer shall not provide a street address if the location is a residence.

(B) The officer shall report the city. To ensure uniformity, the Department shall provide a list of cities within the State of California.

(4) “Perceived Race or Ethnicity of Person Stopped” refers to the officer’s perception of the race or ethnicity of the person stopped. When reporting this data element, the officer shall make his or her determination of the person’s race or ethnicity based on personal observation only. The officer shall not ask the person stopped his or her race or ethnicity, or ask questions or make comments or statements designed to elicit this information.

(A) When reporting this data element, the officer shall select all of the following data values that apply:

1. Asian
2. Black/African American
3. Hispanic/Latino(a)
4. Middle Eastern or South Asian
5. Native American
6. Pacific Islander
7. White

a. Example: If a person appears to be both Black and Latino(a), the officer shall select both “Black/African American” and “Hispanic/Latino(a).”

(B) “Asian” refers to a person having origins in any of the original peoples of the Far East or Southeast Asia, including for example, Cambodia, China, Japan, Korea, Malaysia, the Philippine Islands, Thailand, and Vietnam, but who does not fall within the definition of “Middle Eastern or South Asian” or “Pacific Islander.”

(C) “Black/African American” refers to a person having origins in any of the Black racial groups of Africa.

(D) "Hispanic/Latino(a)" refers to a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

(E) "Middle Eastern or South Asian" refers to a person of Arabic, Israeli, Iranian, Indian, Pakistani, Bangladeshi, Sri Lankan, Nepali, Bhutanese, Maldivian, or Afghan origin.

(F) "Native American" refers to a person having origins in any of the original peoples of North, Central, and South America.

(G) "Pacific Islander" refers to a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands, but who does not fall within the definition of "Middle Eastern or South Asian" or "Asian."

(H) "White" refers to a person of Caucasian descent having origins in any of the original peoples of Europe and Eastern Europe.

(5) "Perceived Gender of Person Stopped" refers to the officer's perception of the person's gender. When reporting this data element, the officer shall make his or her determination of the person's gender based on personal observation only. The officer shall not ask the person stopped his or her gender or use the gender specified on the person's driver's license or other identification, recognizing that the officer's observation may not reflect the gender specified on the person's identification.

(A) When reporting this data element, the officer shall select at least one of the following data values. In doing so and when applicable, the officer may select "Gender nonconforming" in addition to one of the four enumerated gender data values of Male, Female, Transgender man/boy, or Transgender woman/girl. If the officer cannot perceive the person stopped to be within the categories of Male, Female, Transgender man/boy, or Transgender woman/girl, the officer must select "Gender nonconforming" as the only data value.

1. Male

2. Female

3. Transgender man/boy

4. Transgender woman/girl

5. Gender nonconforming

(B) For purposes of completing this data element, the officer shall refer to the following definitions:

1. "Transgender man/boy" means a person who was assigned female at birth but who currently identifies as a man, or boy if the person is a minor.

2. "Transgender woman/girl" means a person who was assigned male at birth but who currently identifies as a woman, or girl if the person is a minor.

3. “Gender nonconforming” means a person whose gender-related appearance, behavior, or both, differ from traditional conceptions about how males or females typically look or behave. A person of any gender or gender identity may be gender nonconforming. For this reason, an officer may select “Gender nonconforming” in addition to any of the other gender data values, if applicable.

(6) “Person Stopped Perceived to be LGBT” refers to the officer’s perception that the person stopped is LGBT. “LGBT” refers to lesbian, gay, bisexual or transgender. When reporting this data element, the officer shall select “Yes” or “No” and shall make his or her determination based on personal observation only, without asking whether the person is LGBT. If an officer selects “Transgender man/boy” or “Transgender woman/girl” in response to the data element for “Perceived Gender of Person Stopped,” he or she must also select “Yes” in response to this data element.

(7) “Perceived Age of Person Stopped” refers to the officer’s perception of the approximate age of the person stopped. When reporting this data element, the officer shall make his or her determination based on personal observation only. The officer shall not ask the person stopped his or her age or use the age specified on the person’s identification, recognizing that the officer’s observation may not reflect the age specified on the person’s identification. In providing this information, the officer shall input an Arabic numeral (e.g., 1, 2, 3, 4) rounded up to the closest whole number.

(8) “Person Stopped Has Limited or No English Fluency” refers to the officer’s perception that the person stopped has limited or no fluency in English. The officer shall only select this data element if it applies to the person stopped.

(9) “Perceived or Known Disability of Person Stopped” refers to the officer’s perception that the person stopped displayed signs of one or more of the following conditions; the officer’s knowledge that the person stopped has one or more of the following conditions because the person stopped so advised the officer; or the officer’s prior knowledge that the person stopped had one or more of the following conditions. Nothing in this provision alters any existing requirements to comply with reasonable accommodation and anti-discrimination laws with respect to the treatment of people with disabilities. When reporting this data element, the officer shall select all of the following data values that apply:

(A) Deafness or difficulty hearing

(B) Speech impairment or limited use of language

(C) Blind or limited vision

(D) Mental health condition

(E) Intellectual or developmental disability, including dementia

(F) Other disability

(G) None. If “None” is selected, no other data values can be selected.

(10) “Reason for Stop” refers to the primary reason why the officer stopped the person.

(A) When reporting this data element, the officer shall identify only the primary reason for stopping a person, by selecting one of the following data values. Justifications that did not inform the officer’s primary reason for the stop shall not be selected.

1. Traffic violation. When selecting this data value, the officer shall also identify the applicable Vehicle Code section and subdivision using the Department’s standard California Justice Information Services (CJIS) Offense Table. When the person stopped is the driver, the officer shall also designate the primary type of violation:

- a. Moving violation
- b. Equipment violation
- c. Non-moving violation, including registration violation

2. Reasonable suspicion that the person was engaged in criminal activity. This data value should not be selected if “Traffic violation” is the reason for the stop. When selecting this data value, the officer shall select all applicable circumstances that gave rise to the officer’s reasonable suspicion from the list provided below. In addition, using the Department’s standard CJIS Offense Table, the officer shall identify the primary code section and subdivision of the suspected violation of law that formed the basis for the stop, if known to the officer.

- a. Officer witnessed commission of a crime
- b. Matched suspect description
- c. Witness or victim identification of suspect at the scene
- d. Carrying suspicious object
- e. Actions indicative of casing a victim or location
- f. Suspected of acting as a lookout
- g. Actions indicative of a drug transaction
- h. Actions indicative of engaging in a violent crime
- i. Other reasonable suspicion of a crime

3. Known to be on parole/probation/PRCS/mandatory supervision. The officer shall select this data value if the officer stopped the person because the officer knows that the person stopped is a supervised offender on parole, on probation, on post-release community supervision (PRCS), or on mandatory supervision. The officer shall not select this data value if the officer learns that the person has this status only after the person is stopped.

4. Knowledge of outstanding arrest warrant/wanted person. The officer shall select this data value if the officer stopped the person because the officer knows that the person stopped is the subject of an outstanding arrest warrant or is a wanted person. The officer shall not select this data value if the officer learns, after the person is

stopped, that the person is the subject of an outstanding arrest warrant or is a wanted person.

5. Investigation to determine whether the person is truant.

6. Consensual encounter resulting in a search. A consensual encounter is an interaction in which the officer does not exert any authority over, or use any force on, a person, and the person is free to leave. The officer shall only select this data value if a consensual encounter results in a search, regardless of whether the resulting search is consensual.

a. Example: During the course of a witness interview in which the person is free to leave, the officer asks to search the person's bag, and the person consents. In this case the reason for stop is a "consensual encounter resulting in a search."

(B) When reporting the "Reason for Stop," the officer shall also provide a brief explanation (250-character maximum) regarding the reason for the stop. This explanation shall include additional detail beyond the general data values selected for the "Reason for Stop." Officers shall not include any personal identifying information of the persons stopped or Unique Identifying Information of any officer in this explanation.

1. Example: If the officer selected "Reasonable suspicion that the person was engaged in criminal activity/Actions indicative of a drug transaction," the officer must use this field to briefly note the specific nature of the actions indicative of a drug transaction and why they were suspicious.

2. Example: If the officer selected "Vehicle Code 26708 (Material Obstructing or Reducing the Driver's View)" from the Department's standard CJIS Offense Table, the officer shall use this field to briefly note the specific nature of the obstruction/reduction of the driver's view (i.e., what specifically did the officer observe and how was such item obstructing or reducing the driver's view).

(11) "Stop Made in Response to a Call for Service." The officer shall only select this data element if the stop was made in response to a call for service, radio call, or dispatch. An interaction that occurs when an officer responds to a call for service is only reportable if the interaction meets the definition of "stop," as specified in section 999.224, subdivision (a)(14). A call for service is not a reason for a stop.

(12) "Actions Taken by Officer During Stop" refers to an officer's actions toward the person stopped.

(A) The reporting officer shall select all of the following data values that apply, even if any or all of the actions were undertaken by another officer:

1. Person removed from vehicle by order
2. Person removed from vehicle by physical contact
3. Field sobriety test conducted

4. Curbside detention. This refers to any time an officer directs the person to sit on the sidewalk, curb, or ground.
5. Handcuffed or flex cuffed
6. Patrol car detention
7. Canine removed from vehicle or used to search
8. Firearm pointed at person
9. Firearm discharged or used
10. Electronic control device used
11. Impact projectile discharged or used (e.g., blunt impact projectile, rubber bullets or bean bags)
12. Canine bit or held person
13. Baton or other impact weapon used
14. Chemical spray used (e.g., pepper spray, mace, or other chemical irritants)
15. Other physical or vehicle contact. This refers to any of the following contacts by the officer, when the purpose of such contact is to restrict movement or control a person's resistance: any physical strike by the officer; instrumental contact with a person by an officer; or the use of significant physical contact by the officer. Examples of such contacts include, but are not limited to, carotid restraints, hard hand controls, the forcible taking of a subject to the ground, or use of vehicle in apprehension.
16. Person photographed
17. Asked for consent to search person
 - a. Consent given
 - b. Consent not given
18. Search of person was conducted. This data value should be selected if a search of the person was conducted, regardless of whether the officer asked for or received consent to search the person.
19. Asked for consent to search property
 - a. Consent given
 - b. Consent not given
20. Search of property was conducted. This data value should be selected if a search of the person's property was conducted, regardless of whether the officer asked for or received consent to search the property.
21. Property was seized
22. Vehicle impounded

23. None. This data value should only be selected if none of the enumerated data values apply. If “None” is selected, no other data values can be selected.

(B) “Basis for Search.” If, during the stop, the officer conducted a search of the person, the person’s property, or both, the officer shall report the basis for the search.

1. The officer shall identify the basis for the search by selecting all of the following data values that apply:

- a. Consent given
- b. Officer safety/safety of others
- c. Search warrant
- d. Condition of parole/probation/PRCS/mandatory supervision
- e. Suspected weapons
- f. Visible contraband
- g. Odor of contraband
- h. Canine detection
- i. Evidence of crime
- j. Incident to arrest
- k. Exigent circumstances/emergency
- l. Vehicle inventory (for search of property only)

2. When reporting the “Basis for Search,” the officer shall also provide a brief explanation (250-character maximum) regarding the basis for the search. This explanation shall include additional detail beyond the general data values selected for “Basis for Search.” Officers shall not include any personal identifying information of the persons stopped or Unique Identifying Information of any officer in this explanation. If the basis for the search is “Condition of parole/probation/PRCS/mandatory supervision,” this explanation is not required.

a. Example: If the officer selected “Suspected weapons” as the “Basis for Search,” the officer must use this field to explain the specific nature of the suspected weapons (i.e., what were the specific objects, shapes, and/or movements observed that made the officer suspicious and what type of weapons were suspected).

(C) “Contraband or Evidence Discovered, if Any.” The officer shall indicate whether contraband or evidence was discovered during the stop, including contraband or evidence discovered in plain view or as the result of a search, and the type of contraband or evidence discovered, by selecting all of the following data values that apply:

- 1. None. If “None” is selected, no other data values can be selected.
- 2. Firearm(s)
- 3. Ammunition

4. Weapon(s) other than a firearm
5. Drugs/narcotics
6. Alcohol
7. Money
8. Drug paraphernalia
9. Suspected stolen property
10. Cell phone(s) or electronic device(s)
11. Other contraband or evidence

(D) Additional Data Regarding Type of Property Seized.

1. "Basis for Property Seizure." If the officer seized property during the stop, regardless of whether the property belonged to the person stopped, the officer shall report the basis for the property seizure by selecting all of the following data values that apply:

- a. Safekeeping as allowed by law/statute
- b. Contraband
- c. Evidence
- d. Impound of vehicle
- e. Abandoned Property

2. "Type of Property Seized." If the officer seized property during the stop, regardless of whether the property belonged to the person stopped, the officer shall report the type of property seized, by selecting all of the following data values that apply:

- a. Firearm(s)
- b. Ammunition
- c. Weapon(s) other than a firearm
- d. Drugs/narcotics
- e. Alcohol
- f. Money
- g. Drug paraphernalia
- h. Suspected stolen property
- i. Cell phone(s) or electronic device(s)
- j. Vehicle
- k. Other contraband or evidence

(13) "Result of Stop" refers to the outcome of the stop. When reporting this data element, the officer shall select all of the following data values that apply. In addition, for warnings,

citations, cite and release, and custodial arrests (with the exception of an arrest pursuant to an outstanding warrant) the officer shall also, using the Department's standard CJIS Offense Table, identify the code, including the section number and appropriate subdivision, that is the basis for the warning, citation, cite and release, or custodial arrest, where applicable. If more than one code section forms the basis for the warning, citation, cite and release or custodial arrest, the officer shall identify all applicable code sections and subdivisions. If the Result of Stop is based on an ordinance, the officer shall select "local ordinance viol" from the Department's CJIS Offense Table without the need for the specific section number.

(A) No action. If "No Action" is selected, no other data values can be selected.

(B) Warning (verbal or written)

(C) Citation for infraction

(D) In-field cite and release

(E) Custodial arrest pursuant to outstanding warrant

(F) Custodial arrest without warrant

(G) Field interview card completed

(H) Noncriminal transport or caretaking transport. This includes transport by an officer, transport by ambulance, or transport by another agency.

(I) Contacted parent/legal guardian or other person responsible for the minor

(J) Psychiatric hold (pursuant to Welfare & Institutions Code sections 5150 and/or 5585.20)

(K) Contacted U.S. Department of Homeland Security (e.g., Immigration and Customs Enforcement, Customs and Border Protection)

(14) "Officer's Identification (I.D.) Number" refers to a permanent identification number assigned by the reporting agency to the reporting officer, which shall be used for all reporting to the Department required under this chapter. For purposes of these regulations, an Officer's I.D. Number shall be considered Unique Identifying Information.

(15) "Officer's Years of Experience" refers to the officer's total number of years he or she has been a peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code. When reporting this data element, the officer shall count the total number of years he or she has been a peace officer, and not the number of years at his or her current agency. If the officer has served as a peace officer intermittently or part-time, he or she shall only count the time actually worked as a peace officer. In providing this information, the officer shall input an Arabic numeral (e.g., 1, 2, 3, 4) rounded up to the closest whole number.

(16) "Type of Assignment of Officer" refers to the type of assignment to which an officer is assigned at the time of the stop. When reporting this data element, the officer shall select one of the following data values:

- (A) Patrol, traffic enforcement, field operations
- (B) Gang enforcement
- (C) Compliance check (e.g., parole/probation/PRCS/mandatory supervision)
- (D) Special events (e.g., sports, concerts, protests)
- (E) Roadblock or DUI sobriety checkpoint
- (F) Narcotics/vice
- (G) Task force
- (H) K-12 Public School, including school resource officer or school police officer
- (I) Investigative/detective
- (J) Other. If other is selected, the officer shall specify the type of assignment.

Note: Authority cited: Section 12525.5, Government Code. Reference: Section 12525.5, Government Code.

Article 4. Reporting Requirements

§ 999.227

(a) General Reporting Requirements.

- (1) Peace officers subject to the reporting requirements of this chapter shall submit the data elements described in section 999.226, subdivision (a) for every person stopped by the officer, except as provided in subdivisions (b), (c), (d) and (e) of this section.
- (2) The data elements described in section 999.226, subdivision (a) are the minimum that a reporting agency shall collect and report. Nothing in this section prohibits a reporting agency from voluntarily collecting additional data.
- (3) Nothing in this section prohibits an agency not subject to these regulations from submitting stop data voluntarily to the Department.
- (4) When two or more reporting agencies are involved in a stop, only the primary agency shall submit a report. The primary agency is the agency with investigative jurisdiction based on local, county, or state law or applicable interagency agreement or memoranda of understanding. If there is uncertainty as to the primary agency, the agencies shall agree on which agency is the primary agency for reporting purposes. If a stop is done in conjunction

with a reporting agency and an agency that is not subject to the reporting requirements of this chapter, the reporting agency is required to submit data on the stop, even if it is not the primary agency responsible for the stop.

(5) If more than one peace officer of a reporting agency conducts a stop, only one officer shall collect and report the information required to be reported in this chapter. The officer with the highest level of engagement with the person stopped shall submit the full report for all data elements, regardless of whether that officer performed the specific action(s) reported.

(A) Example: If Officer A stops a person, questions them, and conducts a subsequent consensual search that results in the discovery of narcotics, but Officer B handcuffs the person and takes the person into custody, Officer A would complete the stop report and include all relevant actions of both Officer A and B in that stop report.

(6) If multiple persons are stopped during one incident, then applicable stop data shall be submitted for each person within a single report, except that passengers in a vehicle that is stopped shall be reported only as set forth in subdivision (b) of this section.

(7) Nothing prohibits agencies subject to this chapter from providing information to the Department earlier than the deadlines set forth in Government Code section 12525.5, subdivision (a).

(8) On January 1 of each year until the agency begins reporting data to the Department, each reporting agency shall count the number of peace officers it employs who are subject to this chapter to determine the date that agency must start collecting stop data and reporting to the Department pursuant to Government Code section 12525.5, subdivisions (a)(1) and (a)(2).

(9) An officer shall complete all stop reports for stops made during his or her shift by the end of that shift, unless exigent circumstances preclude doing so. In such circumstances, the data shall be completed as soon as practicable.

(10) In order to ensure compliance with these regulations, a reporting agency, its officers, or both may review the stop data to correct errors before submitting the stop data to the Department. Once the stop data is submitted to the Department, however, an agency can only revise stop data through the Department's error resolution process.

(11) Reporting agencies shall create the Officer's I.D. Number defined at section 999.226, subdivision (a)(14) for each officer required to report stops under these regulations. Stop reports submitted to the Department shall include the Officer's I.D. Number, but shall not include the officer's name or badge number. However, each reporting agency shall maintain a system to match an individual officer to his or her Officer's I.D. Number.

(b) Reporting Requirements for Passengers in Vehicle Stops.

(1) Peace officers shall not submit the data elements described in section 999.226, subdivision (a) for passengers in vehicles subject to a stop unless either of the following applies:

(A) The passenger is observed or suspected of violating the Vehicle Code or any other applicable law or ordinance.

1. Example: An officer pulls over a vehicle because he or she observes the passenger of a vehicle throw a cigarette outside of the vehicle. The "Reason for Stop" is that the passenger was suspected of violating the Vehicle Code.

(B) The passenger is subjected to any of the actions identified as data values in section 999.226, subdivision (a)(12)(A), excluding "Vehicle impounded" and "None."

1. Example: An officer stops a speeding SUV containing a woman and her two small children. During the stop, the officer learns that the woman's license has been revoked. The officer then orders the family to exit the vehicle and sit on the curb while he or she questions the woman. The officer shall submit stop data for each person, because ordering persons to sit on the curb is a data value in section 999.226, subdivision (a)(12)(A).

2. Example: An officer stops a speeding truck containing a woman and her two teenage children. During the stop, the officer learns that the vehicle is stolen, and must impound the vehicle. The officer arrests the woman, and then asks the teenage children to exit the car so that he can impound the vehicle. The officer shall not submit stop data for the two children because "Vehicle impounded" is excluded from the data values under section 999.226, subdivision (a)(12)(A) that trigger the reporting of stop data regarding passengers.

(c) Peace Officer Interactions that Are Not Reportable. The following interactions, even if they otherwise meet the definition of "detention" set forth in this chapter, shall not be construed to be "detentions" and shall not be reported as stops.

(1) Stops during public safety mass evacuations, including bomb threats, gas leaks, flooding, earthquakes and other similar critical incidents, are not subject to the reporting requirements of this chapter.

(2) Stops during an active shooter incident, meaning an individual is actively engaged in killing or attempting to kill people in a populated area, are not subject to the reporting requirements of this chapter.

(3) Stops that occur during or as a result of routine security screenings required of all persons to enter a building or special event, including metal detector screenings, including any secondary searches that result from that screening, are not subject to the reporting requirements of this chapter.

(d) Peace Officer Interactions that Are Reportable Only if the Officer Takes Additional Specified Actions

(1) Interactions that take place during the following circumstances shall only be reported if the person is detained based upon individualized suspicion or personal characteristics and/or

the officer engages in any of the actions described in the data values set forth in section 999.226, subdivision (a)(12)(A), excluding "None":

(A) Traffic control of vehicles due to a traffic accident or emergency situation that requires that vehicles are stopped for public safety purposes.

(B) Any type of crowd control in which pedestrians are made to remain in a location or routed to a different location for public safety purposes.

(C) Interactions during which persons are detained at a residence only so that officers may check for proof of age for purposes of investigating underage drinking.

1. Example: An officer is dispatched to a residence to investigate a noise complaint. Upon arrival, the officer suspects that some of the persons at the house party are engaged in underage drinking and he or she detains the persons to request identification to verify proof of age. Because the only action the officer takes is to detain the persons for the sole purpose of verifying proof of age, these interactions are not reportable.

2. Example: At that same party, the officer, in addition to detaining a person to question him/her, also asks to search the person. Regardless of whether the person consents to the search or is actually searched, that interaction is reportable because asking for consent to search and/or conducting a search are data values under section 999.226, subdivision (a)(12)(A) that trigger reporting of stop data in these settings.

(D) Checkpoints or roadblocks in which an officer detains a person as the result of a blanket regulatory activity or neutral formula that is not based on individualized suspicion or personal characteristics.

1. Example: A checkpoint or roadblock, including a DUI sobriety checkpoint, that stops all vehicles or stops randomly selected vehicles using a neutral formula, i.e., not based on individualized suspicion or personal characteristics, is not subject to the reporting requirements of this chapter.

(2) Interactions that take place with a person in his or her residence who is the subject of a warrant or search condition are not subject to the reporting requirements of this chapter. A peace officer shall, however, report any interactions with persons in the home who are not the subject of the warrant or search condition, if the officer takes any of the following actions: handcuffs or flex cuffs the person; arrests the person; points a firearm at the person; discharges or uses a firearm, electronic control device, impact projectile, baton or other impact weapon, or chemical spray on the person; or if a canine bit/held the person.

(3) Interactions that take place with a person in his or her residence who is the subject of home detention or house arrest while an officer is on home detention or house arrest assignment, are not subject to the reporting requirements of this chapter. A peace officer shall, however, report any interactions with persons in the home who are not the subject of the home detention or house arrest, if the officer takes any of the following actions:

handcuffs or flex cuffs the person; arrests the person; points a firearm at the person; discharges or uses a firearm, electronic control device, impact projectile, baton or other impact weapon, or chemical spray on the person; or if a canine bit/held the person.

(e) Reporting Requirements for Stops of Students at a K-12 Public School.

(1) Stops of persons who are not students are subject to the reporting requirements set forth in section 999.227, subdivision (a) – (d), even if the stop takes place at a K-12 Public School.

(2) The exceptions to reporting set forth at section 999.227, subdivision (b), (c), and (d) shall apply to stops in K-12 Public School, regardless of whether the stops are of students or non-students.

(3) In addition, in a K-12 Public School, an officer shall report only the following interactions with students as stops:

(A) Any interaction that results in a temporary custody under Welfare and Institutions Code section 625, citation, arrest, permanent seizure of property as evidence of a criminal offense, or referral to a school administrator because of suspected criminal activity.

(B) Any interaction in which the student is questioned for the purpose of investigating whether the student committed a violation of law, including violations of Education Code sections 48900, 48900.2, 48900.3, 48900.4, and 48900.7, or to determine whether the student is truant.

(C) Any interaction in which an officer engages in one or more of the data values set forth in section 999.226, subdivision (a)(12)(A), excluding “None.” This does not include a detention or search that is conducted of all persons as part of a neutrally applied formula that is not based upon personal characteristics. This includes searches conducted at the entries and exits of school facilities by screening devices, and secondary screenings that result from that initial screening.

1. Example: All students entering a school are required to pass through a metal detector. A school police officer searches a student’s person or belongings because a metal detector is activated. The interaction shall not be reported.

2. Example: An officer searches a student’s backpack because he or she suspects the backpack contains narcotics. The interaction is reportable.

(4) In reporting interactions with students at a K-12 Public School, the officer shall utilize the data elements and corresponding data values set forth in section 999.226, with the addition of the following data values, which the officer shall select if applicable:

(A) “Location of Stop.” In addition to reporting the data values in section 999.226, subdivision (a)(3)(A) and (B) above, the officer shall provide the name of the school where the stop took place. To ensure uniformity, the Department of Justice shall provide a list of the names of K-12 Public Schools, using information obtained from the Department of Education. The officer shall also indicate that the stop is of a student.

(B) "Perceived or Known Disability." If the stop of a student takes place at a K-12 Public School, in addition to selecting all applicable data values in section 999.226, subdivision (a)(9) above, the officer shall also select the following data value if applicable:

1. Disability related to hyperactivity or impulsive behavior

(C) "Reason for Stop." When reporting this data element, the officer shall select the primary reason for the stop from among the data values in section 999.226, subdivision (a)(10) as well as the additional data values provided below. "Student violated school policy" should only be selected if other options related to violations of law (e.g., Penal Code or Education Code) do not apply.

1. Possible conduct warranting discipline under Education Code sections 48900, 48900.2, 48900.3, 48900.4, and 48900.7. When selecting this data value, the officer shall identify the primary code section and subdivision from the following options: 48900(a) through 48900(r); 48900.2; 48900.3; 48900.4; and 48900.7(a).

2. Determine whether the student violated school policy

(D) "Actions Taken by Officer During Stop." When reporting this data element, in addition to selecting the applicable data values in section 999.226, subdivision (a)(12)(A) above, the officer shall also select the following data value if applicable:

1. Admission or written statement obtained from student

(E) "Basis for Search." When reporting this data element, in addition to selecting the applicable data values in section 999.226, subdivision (a)(12)(B) above, the officer shall also select the following data value if applicable:

1. Suspected violation of school policy

(F) "Basis for Property Seizure." When reporting this data element, in addition to selecting the applicable data values in section 999.226, subdivision (a)(12)(D)1 above, the officer shall also select the following data value if applicable:

1. Suspected violation of school policy

(G) "Result of Stop." When reporting this data element, in addition to selecting the applicable data values in section 999.226, subdivision (a)(13) above, the officer shall also select the following data values if applicable:

1. Referral to school administrator
1. Referral to school counselor or other support staff

Note: Authority: Section 12525.5, Government Code. Reference: Section 12525.5, Government Code.

Article 5. Technical Specifications and Uniform Reporting Practices

§ 999.228

(a) Electronic System. The system developed by the Department shall require the electronic submission of data from reporting agencies.

(b) Submission of Data. Reporting agencies shall be provided with the following options to submit their stop data to the Department: (1) a web-browser based application, which shall include mobile capabilities for agencies that choose to use the Department's developed and hosted solution to submit stop data; (2) a system-to-system web service for agencies that elect to collect the data in a local system and then submit the data to the Department; and (3) a secured file transfer protocol for agencies that elect to collect the data in a local repository and then submit the data to the Department. Agencies that select option 3 shall be permitted to submit batch uploads of stop data in Excel spreadsheets and other delimited text formats of electronic documentation that complies with the Department's interface specifications.

(c) Reporting Schedule. Nothing in this section prohibits a reporting agency from submitting this data more frequently than required under Government Code section 12525.5, subdivision (a)(1). Due to the volume of the data, it is recommended that reporting agencies submit stop data on a monthly or quarterly basis. The Department shall accept data submitted on a more frequent basis, including data submitted daily.

(d) Reporting Responsibilities. Law enforcement agencies are solely responsible to ensure that neither personally identifiable information of the person stopped, nor any other information that is exempt from disclosure pursuant to Government Code section 12525.5, subdivision (d), is transmitted to the Department in the data element entitled "Location of Stop" required by section 999.226, subdivision (a)(3) and the explanatory fields required by section 999.226, subdivisions (a)(10)(B) and (12)(B)2. Unless otherwise provided, all information submitted in the stop data report, including the information entered into the data element entitled "Location of Stop" required by section 999.226, subdivision (a)(3) and the explanatory fields required by section 999.226, subdivisions (a)(10)(B) and (12)(B)2, is subject to public disclosure consistent with Government Code section 12525.5, subdivision (d).

(e) System Security. The Department shall design its system to be easily accessible for authorized users, confidential, and accurate. The system will provide role-based authorization services. Reporting agencies will be required to authorize and remove users to the system as necessary. Automated systems handling stop data and the information derived therein shall be secure from unauthorized access, alteration, deletion or release.

(f) Data Standards. The Department shall publish a data dictionary and interface specifications to ensure uniform and complete reporting of stop data. These documents will define each required data element and acceptable data values. These data standards shall be consistent with the definitions and technical specifications set forth in this chapter.

(g) Data Publication. Data submitted to the Department will be published, at the discretion of the Attorney General and consistent with Government Code section 12525.5, on the Department's OpenJustice website. The data published shall include disaggregated statistical data for each

reporting agency. The Department shall not release to the public the Officer's I.D. Number or Unique Identifying Information. Nothing in this section prohibits the Department from confidentially disclosing all stop data reported to the Department to advance public policy through scientific study and pursuant to the Department's data security protocols, which will ensure that the publication of any data, analyses, or research will not result in the disclosure of an individual officer's identity.

(h) Retention Period. The Department shall retain the stop data collected indefinitely. Each reporting agency shall keep a record of its source data for a minimum of three years, and shall make this data available for inspection by the Department should any issues arise regarding the transfer of data to the Department. If a reporting agency elects to use the Department's web-browser based application, the Department shall host the data for the agency for the requisite retention period of three years or transfer this data back to the agency for storage, at the agency's election.

Note: Authority cited: Section 12525.5, Government Code. Reference: Section 12525.5, Government Code.

Article 6. Audits and Validation

§ 999.229

(a) The Department shall keep an audit log of incoming and outgoing transactions for each agency's submission of stop data. The Department shall retain this audit log for a minimum of three years.

(b) The Department shall perform data validation on stop data submitted to ensure data integrity and quality assurance. Each reporting agency shall be responsible for ensuring that all data elements, data values, and narrative explanatory fields conform to these regulations and for correcting any errors in the data submission process, and shall do so through the Department's error resolution process.

(c) Agencies submitting records via the system-to-system web service or the secure file transfer protocol shall include a unique stop record number for each stop. The Department will use this record number to relay information on errors when necessary.

Note: Authority cited: Section 12525.5, Government Code. Reference: Section 12525.5, Government Code.

Exhibit 8

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PENAL CODE - PEN

PART 4. PREVENTION OF CRIMES AND APPREHENSION OF CRIMINALS [11006 - 14315] (Part 4 added by Stats. 1953, Ch. 1385.)

TITLE 4. STANDARDS AND TRAINING OF LOCAL LAW ENFORCEMENT OFFICERS [13500 - 13553] (Title 4 added by Stats. 1959, Ch. 1823.)

CHAPTER 1. Commission on Peace Officer Standards and Training [13500 - 13553] (Chapter 1 added by Stats. 1959, Ch. 1823.)

ARTICLE 2. Field Services and Standards for Recruitment and Training [13510 - 13519.15] (Heading of Article 2 amended by Stats. 1967, Ch. 1640.)

13519.4. (a) The commission shall develop and disseminate guidelines and training for all peace officers in California as described in subdivision (a) of Section 13510 and who adhere to the standards approved by the commission, on the racial and cultural differences among the residents of this state. The course or courses of instruction and the guidelines shall stress understanding and respect for racial, identity, and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a diverse racial, identity, and cultural environment.

(b) The course of basic training for peace officers shall include adequate instruction on racial, identity, and cultural diversity in order to foster mutual respect and cooperation between law enforcement and members of all racial, identity, and cultural groups. In developing the training, the commission shall consult with appropriate groups and individuals having an interest and expertise in the field of racial, identity, and cultural awareness and diversity.

(c) For the purposes of this section the following shall apply:

(1) "Disability," "gender," "nationality," "religion," and "sexual orientation" have the same meaning as in Section 422.55.

(2) "Culturally diverse" and "cultural diversity" include, but are not limited to, disability, gender, nationality, religion, and sexual orientation issues.

(3) "Racial" has the same meaning as "race or ethnicity" in Section 422.55.

(4) "Stop" has the same meaning as in paragraph (2) of subdivision (g) of Section 12525.5 of the Government Code.

(d) The Legislature finds and declares as follows:

(1) The working men and women in California law enforcement risk their lives every day. The people of California greatly appreciate the hard work and dedication of peace officers in protecting public safety. The good name of these officers should not be tarnished by the actions of those few who commit discriminatory practices.

(2) Racial or identity profiling is a practice that presents a great danger to the fundamental principles of our Constitution and a democratic society. It is abhorrent and cannot be tolerated.

(3) Racial or identity profiling alienates people from law enforcement, hinders community policing efforts, and causes law enforcement to lose credibility and trust among the people whom law enforcement is sworn to protect and serve.

(4) Pedestrians, users of public transportation, and vehicular occupants who have been stopped, searched, interrogated, and subjected to a property seizure by a peace officer for no reason other than the color of their skin,

national origin, religion, gender identity or expression, housing status, sexual orientation, or mental or physical disability are the victims of discriminatory practices.

(5) It is the intent of the Legislature in enacting the changes to this section made by the act that added this paragraph that additional training is required to address the pernicious practice of racial or identity profiling and that enactment of this section is in no way dispositive of the issue of how the state should deal with racial or identity profiling.

(e) "Racial or identity profiling," for purposes of this section, is the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.

(f) A peace officer shall not engage in racial or identity profiling.

(g) Every peace officer in this state shall participate in expanded training as prescribed and certified by the Commission on Peace Officers Standards and Training.

(h) The curriculum shall be evidence-based and shall include and examine evidence-based patterns, practices, and protocols that make up racial or identity profiling, including implicit bias. This training shall prescribe evidence-based patterns, practices, and protocols that prevent racial or identity profiling. In developing the training, the commission shall consult with the Racial and Identity Profiling Advisory Board established pursuant to subdivision (j). The course of instruction shall include, but not be limited to, significant consideration of each of the following subjects:

(1) Identification of key indices and perspectives that make up racial, identity, and cultural differences among residents in a local community.

(2) Negative impact of intentional and implicit biases, prejudices, and stereotyping on effective law enforcement, including examination of how historical perceptions of discriminatory enforcement practices have harmed police-community relations and contributed to injury, death, disparities in arrest detention and incarceration rights, and wrongful convictions.

(3) The history and role of the civil and human rights movement and struggles and their impact on law enforcement.

(4) Specific obligations of peace officers in preventing, reporting, and responding to discriminatory or biased practices by fellow peace officers.

(5) Perspectives of diverse, local constituency groups and experts on particular racial, identity, and cultural and police-community relations issues in a local area.

(6) The prohibition against racial or identity profiling in subdivision (f).

(i) Once the initial basic training is completed, each peace officer in California as described in subdivision (a) of Section 13510 who adheres to the standards approved by the commission shall be required to complete a refresher course every five years thereafter, or on a more frequent basis if deemed necessary, in order to keep current with changing racial, identity, and cultural trends.

(j) (1) Beginning July 1, 2016, the Attorney General shall establish the Racial and Identity Profiling Advisory Board (RIPA) for the purpose of eliminating racial and identity profiling, and improving diversity and racial and identity sensitivity in law enforcement.

(2) RIPA shall include the following members:

(A) The Attorney General, or his or her designee.

(B) The President of the California Public Defenders Association, or his or her designee.

(C) The President of the California Police Chiefs Association, or his or her designee.

(D) The President of the California State Sheriffs' Association, or his or her designee.

(E) The President of the Peace Officers Research Association of California, or his or her designee.

(F) The Commissioner of the California Highway Patrol, or his or her designee.

(G) A university professor who specializes in policing, and racial and identity equity.

(H) Two representatives of human or civil rights tax-exempt organizations who specialize in civil or human rights.

- (I) Two representatives of community organizations who specialize in civil or human rights and criminal justice, and work with victims of racial and identity profiling. At least one representative shall be between 16 and 24 years of age.
- (J) Two religious clergy members who specialize in addressing and reducing racial and identity bias toward individuals and groups.
- (K) Up to two other members that the Governor may prescribe.
- (L) Up to two other members that the President pro Tempore of the Senate may prescribe.
- (M) Up to two other members that the Speaker of the Assembly may prescribe.
- (3) Each year, on an annual basis, RIPA shall do the following:
- (A) Analyze the data reported pursuant to Section 12525.5 of the Government Code and Section 13012 of this code.
- (B) Analyze law enforcement training under this section.
- (C) Work in partnership with state and local law enforcement agencies to review and analyze racial and identity profiling policies and practices across geographic areas in California.
- (D) Conduct, and consult available, evidence-based research on intentional and implicit biases, and law enforcement stop, search, and seizure tactics.
- (E) Issue a report that provides RIPA's analysis under subparagraphs (A) to (D), inclusive, and detailed findings on the past and current status of racial and identity profiling, and makes policy recommendations for eliminating racial and identity profiling. RIPA shall post the report on its Internet Web site. Each report shall include disaggregated statistical data for each reporting law enforcement agency. The report shall include, at minimum, each reporting law enforcement agency's total results for each data collection criterion under subdivision (b) of Section 12525.5 of the Government Code for each calendar year. The reports shall be retained and made available to the public by posting those reports on the Department of Justice's OpenJustice Web portal. The first annual report shall be issued no later than January 1, 2018. The reports are public records within the meaning of subdivision (d) of Section 6252 of the Government Code and are open to public inspection pursuant to Sections 6253, 6256, 6257, and 6258 of the Government Code.
- (F) Hold at least three public meetings annually to discuss racial and identity profiling, and potential reforms to prevent racial and identity profiling. Each year, one meeting shall be held in northern California, one in central California, and one in southern California. RIPA shall provide the public with notice of at least 60 days before each meeting.
- (4) Pursuant to subdivision (e) of Section 12525.5 of the Government Code, RIPA shall advise the Attorney General in developing regulations for the collection and reporting of stop data, and ensuring uniform reporting practices across all reporting agencies.
- (5) Members of RIPA shall not receive compensation, nor per diem expenses, for their services as members of RIPA.
- (6) No action of RIPA shall be valid unless agreed to by a majority of its members.
- (7) The initial terms of RIPA members shall be four years.
- (8) Each year, RIPA shall elect two of its members as cochairpersons.
- (Amended by Stats. 2016, Ch. 418, Sec. 12. (AB 2524) Effective January 1, 2017.)*

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Exhibit 9

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PENAL CODE - PEN

PART 4. PREVENTION OF CRIMES AND APPREHENSION OF CRIMINALS [11006 - 14315] (Part 4 added by Stats. 1953, Ch. 1385.)

TITLE 3. CRIMINAL STATISTICS [13000 - 13326] (Title 3 added by Stats. 1955, Ch. 1128.)

CHAPTER 1. Department Of Justice [13000 - 13023] (Heading of Chapter 1 amended by Stats. 1986, Ch. 248, Sec. 169.)

ARTICLE 1. Duties of the Department [13000 - 13014] (Heading of Article 1 renumbered from Article 2 by Stats. 1986, Ch. 248, Sec. 170.)

13012. (a) The information published on the OpenJustice Web portal pursuant to Section 13010 shall contain statistics showing all of the following:

- (1) The amount and the types of offenses known to the public authorities.
- (2) The personal and social characteristics of criminals and delinquents.
- (3) The administrative actions taken by law enforcement, judicial, penal, and correctional agencies or institutions, including those in the juvenile justice system, in dealing with criminals or delinquents.
- (4) The administrative actions taken by law enforcement, prosecutorial, judicial, penal, and correctional agencies or institutions, including those in the juvenile justice system, in dealing with minors who are the subject of a petition or hearing in the juvenile court to transfer their case to the jurisdiction of an adult criminal court or whose cases are directly filed or otherwise initiated in an adult criminal court.
- (5) (A) The total number of each of the following:
 - (i) Civilian complaints received by law enforcement agencies under Section 832.5.
 - (ii) Civilian complaints alleging criminal conduct of either a felony or a misdemeanor.
 - (iii) Civilian complaints alleging racial or identity profiling, as defined in subdivision (e) of Section 13519.4. These statistics shall be disaggregated by the specific type of racial or identity profiling alleged, including, but not limited to, based on a consideration of race, color, ethnicity, national origin, religion, gender identity or expression, sexual orientation, or mental or physical disability.
- (B) The statistics reported pursuant to this paragraph shall provide, for each category of complaint identified under subparagraph (A), the number of complaints within each of the following disposition categories:
 - (i) "Sustained," which means that the investigation disclosed sufficient evidence to prove the truth of allegation in the complaint by preponderance of the evidence.
 - (ii) "Exonerated," which means that the investigation clearly established that the actions of the personnel that formed the basis of the complaint are not a violation of law or agency policy.
 - (iii) "Not sustained," which means that the investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation in the complaint.
 - (iv) "Unfounded," which means that the investigation clearly established that the allegation is not true.
- (C) The reports under subparagraphs (A) and (B) shall be made available to the public and disaggregated for each individual law enforcement agency.
- (b) The department shall give adequate interpretation of the statistics and present the information so that it may be of value in guiding the policies of the Legislature and of those in charge of the apprehension, prosecution, and

treatment of criminals and delinquents, or those concerned with the prevention of crime and delinquency. This interpretation shall be presented in clear and informative formats on the OpenJustice Web portal. The Web portal shall also include statistics that are comparable with national uniform criminal statistics published by federal bureaus or departments.

(c) Each year, on an annual basis, the Racial and Identity Profiling Advisory Board (RIPA), established pursuant to paragraph (1) of subdivision (j) of Section 13519.4, shall analyze the statistics reported pursuant to subparagraphs (A) and (B) of paragraph (5) of subdivision (a) of this section. RIPA's analysis of the complaints shall be incorporated into its annual report as required by paragraph (3) of subdivision (j) of Section 13519.4 and shall be published on the OpenJustice Web portal. The reports shall not disclose the identity of peace officers.

(Amended by Stats. 2017, Ch. 328, Sec. 2. (AB 1518) Effective January 1, 2018.)

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Exhibit 10

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**ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)**

STD. 399 (REV. 12/2013)

ECONOMIC IMPACT STATEMENT

DEPARTMENT NAME California Department of Justice	CONTACT PERSON Melan Noble	EMAIL ADDRESS Melan.Noble@doj.ca.gov	TELEPHONE NUMBER (916) 210-7011
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 AB 953 Stop Data Reporting Regulations to Implement Gov. Code Section 12525.5			NOTICE FILE NUMBER Z 2016-1129-03

A. ESTIMATED PRIVATE SECTOR COST IMPACTS *Include calculations and assumptions in the rulemaking record.*

1. Check the appropriate box(es) below to indicate whether this regulation:

- a. Impacts business and/or employees
- b. Impacts small businesses
- c. Impacts jobs or occupations
- d. Impacts California competitiveness
- e. Imposes reporting requirements
- f. Imposes prescriptive instead of performance
- g. Impacts individuals
- h. None of the above (Explain below):

*If any box in Items 1 a through g is checked, complete this Economic Impact Statement.
If box in Item 1.h. is checked, complete the Fiscal Impact Statement as appropriate.*

Department of Justice

2. The Department of Justice estimates that the economic impact of this regulation (which includes the fiscal impact) is:

(Agency/Department)

- Below \$10 million
- Between \$10 and \$25 million
- Between \$25 and \$50 million
- Over \$50 million *(If the economic impact is over \$50 million, agencies are required to submit a Standardized Regulatory Impact Assessment as specified in Government Code Section 11346.3(c))*

3. Enter the total number of businesses impacted: Unknown.

Describe the types of businesses (Include nonprofits): Technology and training vendors to law enforcement agencies may benefit.

Enter the number or percentage of total businesses impacted that are small businesses: Unknown.

4. Enter the number of businesses that will be created: Unknown. eliminated: None.

Explain: The statute and regulations may result in increased revenue to (or the creation of) technology and training vendor

5. Indicate the geographic extent of impacts: Statewide
 Local or regional (List areas): _____

6. Enter the number of jobs created: Unknown. and eliminated: None.

Describe the types of jobs or occupations impacted: The statute and regulations may result in increased demand for IT, software, and training professionals and support staff to help law enforcement agencies implement the reporting requirements.

7. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here? YES NO

If YES, explain briefly: _____

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**ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)**

STD. 399 (REV. 12/2013)

ECONOMIC IMPACT STATEMENT (CONTINUED)

B. ESTIMATED COSTS *Include calculations and assumptions in the rulemaking record.*

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? \$ Unknown.

a. Initial costs for a small business: \$ _____ Annual ongoing costs: \$ _____ Years: _____

b. Initial costs for a typical business: \$ _____ Annual ongoing costs: \$ _____ Years: _____

c. Initial costs for an individual: \$ _____ Annual ongoing costs: \$ _____ Years: _____

d. Describe other economic costs that may occur: Businesses and individuals may see an indirect cost of increased taxes and fees to fund the fiscal impact to state and local law enforcement agencies of the regulations (see attachment re: fiscal impacts).

2. If multiple industries are impacted, enter the share of total costs for each industry: Unknown.

3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. *Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted.* \$ None.

4. Will this regulation directly impact housing costs? YES NO
If YES, enter the annual dollar cost per housing unit: \$ _____

Number of units: _____

5. Are there comparable Federal regulations? YES NO

Explain the need for State regulation given the existence or absence of Federal regulations: Govt. Code section 12525.5 (e) requires the DOJ to issue regulations that must specify all data to be reported, and provide standards, definitions, and technical specifications.

Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ None.

C. ESTIMATED BENEFITS *Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State's environment: See attachment. Business may benefit from increased IT, software, and training revenues to help agencies implement the regulations; Californians will benefit from improved public safety and elimination of racial and identity profiling. These benefits are primarily attributable to the statute.

2. Are the benefits the result of: specific statutory requirements, or goals developed by the agency based on broad statutory authority?
Explain: The potential benefits to individuals and businesses (see attachment) are primarily attributable to the statute.

3. What are the total statewide benefits from this regulation over its lifetime? \$ Unknown.

4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: It is possible that the proposed regulations may expand business providers of IT, software, hardware, and training services to law enforcement agencies; these effects are primarily attributable to the statute.

D. ALTERNATIVES TO THE REGULATION *Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: See attachment.

ECONOMIC AND FISCAL IMPACT STATEMENT

(REGULATIONS AND ORDERS)

STD. 399 (REV. 12/2013)

ECONOMIC IMPACT STATEMENT (CONTINUED)

2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:

Regulation: Benefit: \$ _____ Cost: \$ _____

Alternative 1: Benefit: \$ _____ Cost: \$ _____

Alternative 2: Benefit: \$ _____ Cost: \$ _____

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives:

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs? [] YES [] NO

Explain: _____

E. MAJOR REGULATIONS Include calculations and assumptions in the rulemaking record.

California Environmental Protection Agency (Cal/EPA) boards, offices and departments are required to submit the following (per Health and Safety Code section 57005). Otherwise, skip to E4.

1. Will the estimated costs of this regulation to California business enterprises exceed \$10 million? [] YES [] NO

If YES, complete E2, and E3
If NO, skip to E4

2. Briefly describe each alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

Alternative 1: _____

Alternative 2: _____

(Attach additional pages for other alternatives)

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

Regulation: Total Cost \$ _____ Cost-effectiveness ratio: \$ _____

Alternative 1: Total Cost \$ _____ Cost-effectiveness ratio: \$ _____

Alternative 2: Total Cost \$ _____ Cost-effectiveness ratio: \$ _____

4. Will the regulation subject to OAL review have an estimated economic impact to business enterprises and individuals located in or doing business in California exceeding \$50 million in any 12-month period between the date the major regulation is estimated to be filed with the Secretary of State through 12 months after the major regulation is estimated to be fully implemented?

[] YES [X] NO

If YES, agencies are required to submit a Standardized Regulatory Impact Assessment (SRIA) as specified in Government Code Section 11346.3(c) and to include the SRIA in the Initial Statement of Reasons.

5. Briefly describe the following:

The increase or decrease of investment in the State: _____

The incentive for innovation in products, materials or processes: _____

The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency: _____

ECONOMIC AND FISCAL IMPACT STATEMENT

(REGULATIONS AND ORDERS)

STD. 399 (REV. 12/2013)

FISCAL IMPACT STATEMENT

A. FISCAL EFFECT ON LOCAL GOVERNMENT *Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year which are reimbursable by the State. (Approximate)
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ _____

a. Funding provided in _____
Budget Act of _____ or Chapter _____, Statutes of _____

b. Funding will be requested in the Governor's Budget Act of _____
Fiscal Year: _____

2. Additional expenditures in the current State Fiscal Year which are NOT reimbursable by the State. (Approximate)
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ _____

Check reason(s) this regulation is not reimbursable and provide the appropriate information:

a. Implements the Federal mandate contained in _____

b. Implements the court mandate set forth by the _____ Court.

Case of: _____ vs. _____

c. Implements a mandate of the people of this State expressed in their approval of Proposition No. _____

Date of Election: _____

d. Issued only in response to a specific request from affected local entity(s).

Local entity(s) affected: _____

e. Will be fully financed from the fees, revenue, etc. from: _____

Authorized by Section: _____ of the _____ Code;

f. Provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each;

g. Creates, eliminates, or changes the penalty for a new crime or infraction contained in _____

3. Annual Savings. (approximate)

\$ _____

4. No additional costs or savings. This regulation makes only technical, non-substantive or clarifying changes to current law regulations.

5. No fiscal impact exists. This regulation does not affect any local entity or program.

6. Other. Explain Please see pages 15-16 of the attached addendum regarding potential estimated costs to local agencies.

**ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)**

STD. 399 (REV. 12/2013)

FISCAL IMPACT STATEMENT (CONTINUED)

B. FISCAL EFFECT ON STATE GOVERNMENT *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ Less than \$2.1m (see attached).

It is anticipated that State agencies will:

a. Absorb these additional costs within their existing budgets and resources.

b. Increase the currently authorized budget level for the _____ Fiscal Year

2. Savings in the current State Fiscal Year. (Approximate)

\$ _____

3. No fiscal impact exists. This regulation does not affect any State agency or program.

4. Other. Explain _____

C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ _____

2. Savings in the current State Fiscal Year. (Approximate)

\$ _____

3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.

4. Other. Explain _____

FISCAL OFFICER SIGNATURE



DATE

11-1-17

The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.

AGENCY SECRETARY

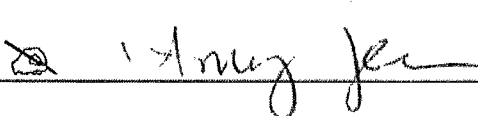


DATE

11-1-17

Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.

DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER



DATE

11/3/17

AB 953 Stop Data Reporting Regulations
ADDENDUM TO STD 399
Submitted by the California Department of Justice

(OAL File No. Z-2016-1129-03)

INTRODUCTION

The attached STD 399 form and this addendum are intended to replace the prior STD 399 form and addendum published by the Department of Justice (DOJ) on December 9, 2016.

California's Racial and Identity Profiling Act of 2015 (Stats. 2015, ch. 466 (AB 953)) requires the DOJ to draft and issue regulations to implement the stop data reporting requirements of Government Code section 12525.5. (Gov. Code, § 12525.5, subd. (e).) This new statutory program requires specified state and local law enforcement agencies to collect data on "stops" (as that term is defined in the statute) by their officers and to report that data to the DOJ at least annually. (*Id.*, subd. (a)(1).) The statute defines "stop" as "any detention by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person's body or property in the person's possession or control." (*Id.*, subd. (g)(2).) The statute sets forth a schedule for compliance based on the size of each agency. (*Id.*, subd. (a)(2).) The Legislative Counsel's Digest of AB 953 notes that costs incurred by local agencies because of this state-mandated program are reimbursable:

By imposing a higher level of service on local entities that employ peace officers, the bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

(Legis. Counsel's Dig., Assem. Bill No. 953, Stats. 2015, ch. 466, pp. 4153-4154.) Further, Section 5 of AB 953 provides:

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

(Stats. 2015, ch. 466, § 5, p. 4159.) Accordingly, costs imposed by the statute itself are reimbursable through the state mandates process. The actual costs that will be incurred by local agencies as a result of the statute's implementation are unknown, and can likely only be determined by the Commission on State Mandates once "test claims" are filed by city and county agencies subject to the stop data reporting requirement of Government Code section 12525.5.

Separate from the statutory costs, the Administrative Procedure Act (APA) requires rulemaking agencies to estimate both the economic costs and fiscal impacts of proposed regulations. Following is a summary of the estimated economic costs to businesses and individuals and fiscal impact of the proposed stop data regulations to state and local agencies.

ECONOMIC COSTS TO CALIFORNIA BUSINESSES AND INDIVIDUALS

The DOJ has determined these proposed regulations will not impose any significant economic costs on California businesses and individuals.

The DOJ received several comments from law enforcement agencies and individuals during the public comment period suggesting that the stop data collection requirements imposed by Government Code section 12525.5 would result in public safety costs by decreasing officer efficiency or providing a disincentive for officers to conduct "proactive" police work. The commenters did not, however, provide any evidence that prior data collection programs have resulted in any negative public safety outcomes.

Although some of these comments attempted to link the additional officer time to collect data on those elements added by the proposed regulations, these comments as a whole reflected a general concern about the statutory requirement to collect stop data rather than any costs specifically attributable to the proposed regulations. Any such costs, therefore, are more properly attributed to the statute than the regulations.

The DOJ has nevertheless carefully evaluated these comments and consulted with police practice/criminal justice researchers on this issue. These consultations confirmed there is no empirical evidence linking stop data collection to decreased public safety.¹ Accordingly, DOJ reiterates its assessment that the proposed regulations do not impose any significant economic costs on California businesses or individuals.

ESTIMATED REGULATORY FISCAL IMPACT ON LOCAL AND STATE GOVERNMENT

A. Agencies Affected

Government Code section 12525.5, subdivision (a) requires "each state and local agency that employs peace officers" to comply with the stop data reporting requirements set forth in subdivisions (b) and (c). The statute incorporates the definition of "peace officer" set forth in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, but then limits that definition "to members of the California Highway Patrol, a city or county law enforcement agency, and California state or university education institution." (Gov. Code § 12525.5, subd. (g)(1).) The statute further limits the definition of "peace officer" to exclude "probation officers and officers in a custodial setting."

Using publicly-available data from the Commission on Peace Officer Standards and Training (POST), the DOJ has identified 415 local and 34 state agencies that will be required to collect

¹ For example, Professor Emily Owens of the University of California, Irvine, explains: "I believe that assertions that there will be a substantial impact of the reporting requirements rely on two assumptions that are not obviously supported by existing empirical evidence: first, that the data collection will result in a large reduction in FTEs, and second, that the reduction in FTEs will cause a meaningful increase crime." A copy of Professor Owens letter, and similar comments from academics, has been added to the rulemaking file [Z-2016-1129-03-01884].

and submit stop data pursuant to Government Code section 12525.5.² Each of these 449 agencies will, in turn, be subject to the proposed implementing regulations.

Section 12525.5, subdivision (a) sets forth a schedule for agencies to begin collecting and reporting stop data. Subdivision (a)(1) requires each agency to report annually to the Attorney General data on all stops conducted by that agency's peace officers for the preceding calendar year (i.e., January 1 through December 31). Subdivision (a)(2) sets out a schedule of reporting deadlines for the initial stop data report to the Attorney General by agency size according to the following schedule:

Reporting Tier	Size of Agency	Deadline to Report Data to the DOJ	Deadline to Begin Data Collection	Approx. No. of Agencies	
				Local	State
1	1,000+	4/1/2019	1/1/2018	8	1
2	667-999	4/1/2020	1/1/2019	5	0
3	334-666	4/1/2022	1/1/2021	10	0
4	1-333	4/1/2023	1/1/2022	392	33
Total Agencies (449):				415	34

Therefore, the total estimated fiscal impacts will not accrue within one calendar year. Rather, agencies' one-time costs will accrue on a rolling basis until the last agencies' deadline to first begin reporting stop data, with additional annual ongoing costs thereafter.

B. Prior Estimates

The legislative history of AB 953 provides some analysis of the total cost to local and state agencies to implement the statutory reporting requirement. In addition, the DOJ conducted its own survey of law enforcement agencies in May-June 2016 in order to inform its rulemaking process. That survey provided an opportunity for agencies to estimate the cost to implement the data collection and reporting requirements. Because the survey was conducted before these proposed regulations were drafted, the survey estimates—like those estimates provided to the Legislature—were necessarily limited to the statutory rather than regulatory costs. Nevertheless, a brief summary of both is included below to provide greater context to the DOJ's estimated fiscal impact of the regulations.

1. Legislative History (Statutory Costs)

On August 17, 2015, the Senate Committee on Appropriations held a hearing on AB 953. Its analysis of the bill included the following information regarding AB 953's fiscal impact related to data collection and reporting by local agencies:

² The actual number of officers and agencies in each reporting tier may vary as agencies add or subtract officers prior to the start of stop data collection. (See proposed 11 CCR § 999.227, subd. (a)(8) ["On January 1 of each year, each reporting agency shall count the number of peace officers it employs that are subject to this chapter to determine the date that agency must start collecting stop data and reporting to the Department pursuant to Government Code section 12525.5, subdivisions (a)(1) and (a)(2)."].)

Fiscal Impact:

Data collection, reporting, retention, and training: Major one-time and ongoing costs, potentially in the tens of millions of dollars annually to local law enforcement agencies for data collection, reporting, and retention requirements specified in the bill. Additional costs for training on the process would likely be required. There are currently 482 cities and 58 counties in California. To the extent local agency expenditures qualify as a reimbursable state mandate, agencies could claim reimbursement of those costs (General Fund). While costs could vary widely, for context, the Commission on State Mandates' statewide cost estimate for *Crime Statistics Reports for the DOJ* reflects eligible reimbursement of over \$13.6 million per year for slightly over 50 percent of local agencies reporting.

(Sen. Comm. on Approp., Rep. on Assem. Bill No. 953 (2015-2016 Reg. Sess.) as amended June 30, 2016, p. 1 [Z-2016-1129-03-01247].)

In addition, on August 4, 2015, the California Police Chiefs Association (CPCA) issued a report voicing its concerns and costs estimates regarding AB 953. In that report, 86 police agencies throughout California provided estimates of the costs associated with implementing the bill's requirements. (California Police Chiefs Association, AB 953: CPCA Concerns and Cost Estimates (Aug. 4, 2015) pp. 6-18 [Z-2016-1129-03-00161].) Of the 86 agencies that reported, two stated they would incur no additional costs, and 26 stated that additional costs were unknown. The remaining 58 agencies provided estimates ranging from \$5,000 to more than \$500,000 of fiscal impacts. Many estimates did not distinguish between one-time and ongoing costs.

2. DOJ Survey (Statutory Costs)

Following the passage of AB 953, the DOJ surveyed local and state law enforcement agencies to obtain information on their anticipated one-time technical development and personnel costs, and anticipated costs for training, equipment, and on-going system maintenance to comply with Government Code section 12525.5. For those agencies that declined to complete a survey or omitted fiscal estimates, the DOJ supplemented the survey data with data included in the CPCA report referenced in the previous paragraph.

According to feedback provided by agencies, the anticipated costs of initially implementing the stop data reporting program ranged from \$0 to \$2 million, with additional ongoing costs anticipated, but not specified, in most responses. As these significant variances demonstrate, and based on discussions the Department has had with law enforcement agencies, the cost to local governments will vary widely based on the degree to which their current technical environments can be leveraged to perform the required new functions for the collection and reporting of stop data.

Based on these surveys, the Department estimated that the fiscal impact on state and local agencies to implement the stop data collection program required by Government Code section 12525.5 (and excluding the amount already provided in the DOJ's approved BCP) would be

approximately \$89.9 million in total costs for local agencies and \$5.0 million in total costs for state agencies. The methodology used to obtain that overall estimate is described below:

Factors to Consider: One-time technical development costs generally will be less for those agencies with existing record management systems that can be readily modified to accommodate additional data elements. Further, costs relating to data collection will be less for agencies that currently have mobile data capture equipment and systems. Some agencies are currently collecting stop data and thus reported minimal cost estimates for the implementation of AB 953. Local governments will also incur varied personnel-related costs based on the time needed to enter stop data in the field and associated data processing support. These costs will be greatly affected by the number of peace officers in the agencies and the volume of stops conducted.

Basis of Estimate: AB 953 separates agencies into four reporting categories based on the number of sworn peace officers at the agency (excluding those in a custodial setting). The larger the agency, the sooner it is required to report stop data. The average estimated one-time cost to the vast majority of agencies (those with less than 334 peace officers) totaled \$169,959 based on data submitted by 113 such agencies. Details from 26 of these agencies indicate that roughly 57% of the costs are tied to technical development and 43% are tied to personnel. Estimates from five larger agencies varied considerably, from no cost to \$2 million, depending mainly on the extent of required technical development and whether the agencies are already collecting stop data.

We took the average for each category of agency size, multiplied it by the number of agencies in that category statewide, and calculated the following totals for each category:

	Size of Agency	Average Estimated Fiscal Impact	Number of Agencies	Total Estimated Fiscal Impact ³
Local	1,000 +	\$2,540,941	8	\$20,327,528
	667 - 999	\$272,500	5	\$1,362,500
	334 - 666	\$201,000	10	\$2,010,000
	1 - 333	\$168,959	392	\$66,231,928
	Local Agencies Subtotal:		415	\$89,931,956
State	CHP	\$1,940,000	1	\$1,940,000
	UC, CSU	\$93,917	33	\$3,099,261
	State Agencies Subtotal:		34	\$5,039,261
	Statewide Total:		449	\$94,971,217

Limitations on Estimates Provided Many agencies from whom we solicited input did not differentiate between one-time costs (system development) and ongoing costs (personnel and system maintenance). Thus, the estimates they provided may have overlooked some cost factors.

³ Unless otherwise indicated, cost estimates have been rounded up to the nearest whole dollar throughout this document. The summed totals in individual charts may therefore appear to be slightly off as a result of rounding in the underlying calculation.

It should also be noted that many agencies indicated they were currently unable to provide cost estimates regarding the implementation of Government Code section 12525.5.

In addition, at the time of the survey the DOJ had not yet developed its plan to provide a no-cost DOJ-hosted web application to collect and report stop data. As set forth below, agencies that elect to use the DOJ-hosted application may be able to implement the stop data collection program at significantly lower costs.

C. Fiscal Estimate Methodology

In order to estimate the total statewide costs to implement the proposed regulations, the DOJ has developed the following methodology to identify the specific costs an agency would accrue to implement each of four plausible methods of data collection: paper collection, relay-to-dispatch, DOJ-hosted application, and agency-hosted data collection process. Each method is described in greater detail below. The regulations do not require any one particular method of data collection; therefore, the DOJ considered each plausible means of data collection to implement the statute itself as part of this fiscal estimate. Each method carries costs and benefits from a fiscal perspective:

- **DOJ-hosted application** may require up-front costs in technology investment to equip officers in the field with a laptop, tablet, or smartphone (although many departments already provide some or all of their officers with such tools), but it eliminates the need for data input services, paper publication, and data storage costs.
- **Paper-based collection** will require few upfront costs but significant ongoing resources to produce paper forms and to input the data. It will also require some minimal costs to store the data.
- **Relay-to-dispatch** eliminates the need for paper forms but requires similar costs for data input. It will also require some minimal costs to store the data.
- Modifying an existing **agency-hosted data collection process** to accommodate the statutory and regulatory requirements—or acquiring such a system—may result in significant upfront costs for technology, as well as ongoing vendor costs to maintain and support the system, but may streamline the data collection process by syncing with other agency data collection requirements. It may be especially challenging and costly for some law enforcement agencies with older record management systems to modify these systems to allow for the collection of stop data. Some agencies are using systems that are 20+ years old. If agencies are unable to make modifications to their existing systems due to the age or other limitations, an alternative would be to use the DOJ AB 953 application or other acceptable submission methods.

Based on the initial survey responses and focus group meetings with law enforcement prior to the initial notice of rulemaking issued December 9, 2016, and insight from the California Justice Information Systems (CJIS), the DOJ has constructed a model to measure the estimated fiscal impact to implement each of the first three methods of data collection: paper-based collection, relay-to-dispatch, and the DOJ-hosted application.

Each of the calculations set forth below relies on three key factors: (1) the estimated number of officers subject to the data collections requirements of Government Code section 12525.5 and

the AB 953 regulations; (2) the estimated number of stops per year upon which agencies will be required to collect and report information; and (3) the method of data collection. Our methodology follows:

1. Estimated Number of Officers

To estimate the number of agencies and peace officers subject to AB 953 and these regulations, as well as the number of agencies in each reporting tier, the DOJ obtained data on the number of non-jail, sworn personnel as of October 31, 2015 from the Commission on Peace Officer Standards and Training (POST). The actual number of officers and agencies in each reporting tier may vary as agencies add or subtract officers prior to the start of stop data collection.

Using the POST data, the DOJ calculated the following number of agencies and officers subject to these reporting requirements:

Tier	Agency Type	Agencies	Officers
1	Local	8	25,772
	State	1	7,226
2	Local	5	3,807
	State	0	0
3	Local	10	4,536
	State	0	0
4	Local	392	23,382
	State	33	799
Statewide Totals:		449	65,522

2. Estimated Number of Stops

The DOJ considered several methods of calculating the total number of stops, including extrapolation from the responses received in our 2016 survey to law enforcement, and determined that the best estimate should be based on comments received from law enforcement agencies during the initial public comment period:

1. The California Police Chief Association provided the following estimate for the total number of stops per year:

The California Highway Patrol (CHP) employs over 7,200 sworn officers and initiates roughly four million total public contacts per year. Since they are almost all vehicle stops, nearly every one would be reportable under these regulations. Conversely, municipal police departments employ over 37,000 officers in California, which does not include the additional 32,000 sworn and reserve sheriff officers. Even with the most conservative estimates, it is not unlikely we will see over 10 million stops reported under these regulations each year when AB953 is fully implemented. With such a high volume of reporting, the individual time it takes to fill out each report becomes increasingly significant.

(Rulemaking File Z-2016-1129-03-01503 to -01504.)

Although it is not clear whether this estimate was intended to include stops by sheriffs' departments, the DOJ elected to assume for purposes of this analysis that sheriffs' departments were excluded from that estimate. In addition, in order to ensure that our fiscal estimate was not too conservative, DOJ assumed that the CHP was also excluded from this estimate. Therefore, for purposes of this analysis, the DOJ assumes that the 10 million annual stops estimated by the California Police Chief Association are apportioned between police departments and state agencies other than the CHP. Using the same POST data discussed above, we determined that these agencies collectively employ 38,710 non-jail sworn officers, resulting in an estimated 258 stops per year per officer employed by a local or state agency other than a sheriff's department or the California Highway Patrol.

2. The DOJ then reviewed comments submitted by sheriff's departments and determined that the highest estimated stops per officer was provided by the Ventura County Sheriff's Department:

The data collection guidelines proposed by your office will have a detrimental impact on public safety in Ventura County and throughout the state. To put the impacts in perspective, in 2016, my deputies responded to more than 35,000 calls for service and conducted more than 62,000 traffic and pedestrian stops that resulted in detentions. This amounts to roughly 100,000 events that would trigger reporting pursuant to AB 953.

(Rulemaking File Z-2016-1129-03-01618.) Using the same POST data discussed above, we determined that the Ventura County Sheriff's Department employs 498 non-jail sworn officers, resulting in an estimated 201 stops per year for each of the 19,586 officers employed by a sheriff's department.

3. Next, the DOJ reviewed comments received from the California Highway Patrol, which estimated a total of 2.8 million stops per year by the 7,226 California Highway Patrol officers.

Extrapolating across the entire universe of agencies identified through the POST data results in the following estimated stops per year by agency type:

Estimated Stops, by Agency Type (State and Local Combined)			
	Total Officers	Total Stops	Stops per officer
Sheriff	19,586	3,936,786	201
CHP	7,226	2,800,000	387
Other	38,710	10,000,000	258
Statewide Totals:	65,522	16,736,786	255

3. Method of Data Collection

Although the fiscal estimate provided here is limited to the regulatory costs—as distinct from those costs imposed by existing laws including Government Code section 12525.5—the DOJ's outreach to law enforcement agencies, including the survey discussed above, makes it clear that agencies are thinking about stop data collection holistically in terms of what is required by the statute and regulations together. For that reason, it is our assessment that agencies will select

among the various possible methods of data collection based on the cost of each method as a whole.

In order to determine the most likely method of data collection, the DOJ therefore constructed a model to estimate each agency's cost to collect the stop data elements and values required by both the statute and the proposed regulations using each of three potential methods. For each of method, the DOJ relied upon the following costs, which are explained in greater detail below:

Cost calculations (statute plus regulations)				
	Type	Cost Item	Description	Per Unit Cost
DOJ Application	One-time	Devices	\$150 per device (one-time)	\$150.00
	Ongoing	Officer time:	150 total seconds per stop; ⁴ \$111,800 annual salary; ⁵ 1920 hours of officer time per year	\$2.43
	Ongoing	Device replacement	full replacement cost (\$150) amortized over estimated 3-year lifespan	\$50.00
	Ongoing	Connectivity	\$100/device/year for connectivity (ongoing)	\$100.00
Paper Collection	One-Time	Computers	one computer (terminal, monitor, keyboard and mouse) per data input personnel	\$700.00
	Ongoing	Printing costs:	one additional sheet of paper (\$0.08 per page) per stop	\$0.08
	Ongoing	Officer time:	150 total seconds per stop; \$111,800 annual salary; 1920 hours of officer time per year	\$2.43
	Ongoing	Data input time:	167 seconds per stop (DOJ estimate of time to transfer paper to excel); \$60,758.24 annual salary; 1920 hours of time per year	\$2.05
	Ongoing	Data storage	1 gigabyte of storage is sufficient to store data for 50,000 stops; \$200 per gigabyte for 3 years storage	\$0.0013
Relay-to-Dispatch	One-Time	Computers	one computer (terminal, monitor, keyboard and mouse) per data input personnel	\$700.00
	Ongoing	Officer time:	300 total seconds per stop (double the field test time); \$111,800 annual salary; 1920 hours of officer time per year	\$4.85
	Ongoing	Data input time:	300 seconds per stop (double field test time); \$60,758.24 annual salary; 1920 hours of time per year	\$3.69
	Ongoing	Data storage	1 gigabyte of storage is sufficient to store data for 50,000 stops; \$200 per gigabyte for 3 years storage	\$0.0013

⁴ As explained below, the median time to complete the complete stop data form in field testing was 145 seconds. For simplicity, we have rounded that time estimate up to 150 seconds (two and a half minutes) for this calculation.

⁵ "California police officers made, on average, \$111,800 during 2015, according to a Sacramento Bee analysis of new data from the State Controller's Office. That figure reflects base pay, as well as overtime, incentive pay and payouts upon retirement." Phillip Reese, *See what California cities pay police, firefighters*, Sacramento Bee (Feb. 27, 2016), <http://www.sacbee.com/site-services/databases/article2573210.html> [Z-2016-1129-03-01916.]

Explanation of Costs Associated with the DOJ-hosted web application:

Technology investment: Agencies that elect to collect stop data using the DOJ application will need to provide all officers in the field with a smartphone, laptop, tablet, or other handheld web-enabled device installed with the application. The DOJ is developing the application to be compatible with all common operating systems.

Many law enforcement agencies already collect stop data electronically, as reported in the DOJ's survey; the officers employed by these agencies are likely to already have sufficient technology available in the field to utilize the DOJ application. Other agencies already provide officers in the field with smartphone or similar devices as discovered during our outreach meetings with law enforcement agencies before the regulations were posted for comment. In addition, many if not all patrol cars are equipped with mobile data terminals (MDTs). The DOJ-hosted application will be compatible with that system; therefore, no additional technology purchase or service will be required for officers with access to an MDT in order to collect stop data via the DOJ-hosted app.

As part of a recent grant proposal, CJIS determined that the cost to provide an officer in the field with a compatible device would be \$150 per device (one-time cost) plus \$100 per device per year for connectivity to the DOJ system (ongoing costs) and \$50 per device per year to account for replacement costs, which we have assumed would be amortized over an estimated three-year lifespan of the devices.

Again, these technology costs are not necessarily attributable to the proposed regulations, because an agency that elected to use a DOJ-hosted application to fulfill only the statutory-minimum data collection program (were such an application available) would incur the same costs. Nevertheless, these estimates are provided to illustrate the cost-effectiveness of this method of data collection and to provide an outer limit of the DOJ's estimated statewide costs to implement the statute and the proposed regulations.

Officer time: In order to assess the amount of officer time to complete a stop data collection form—including the specific time attributable to the additional data elements added by the proposed regulations—the DOJ conducted a field test. Nine law enforcement agencies participated in a field test for the AB 953 project in order to provide a measure of the time to complete the stop data form and to test out certain data elements and values in the field. The LEAs were chosen among the nine (9) largest LEAs and designated first reporters, as well as additional LEAs that expressed interest during the initial outreach conducted by the AB 953 team. Those agencies that participated are:

- | | |
|--|---|
| 1. California Highway Patrol | 6. San Bernardino County Sheriff's Office |
| 2. Gardena Police Department | 7. San Diego County Sheriff's Office |
| 3. Los Angeles County Sheriff's Department | 8. San Diego Police Department |
| 4. Los Angeles Police Department | 9. Ventura City Police Department |
| 5. Orange County Sheriff's Department | |

These LEAs were provided 30 individualized survey links (one for each officer participating) that would allow each testing officer to enter 14 stops and provide comments during a final

feedback survey. The web tool used to complete the field test randomly placed officers into one of two groups: the first group was assigned to complete a statute-only form for its first seven stops, followed by a statute-plus-regulations form for the remaining stops; the second group started with the statute-plus-regulations form and then finished with the statute-only form. Both forms included a narrative box requiring officers to explain (in 150 characters or fewer) the reason for the stop and, if applicable, the basis for search. In total, 2,928 individual stop records were utilized for analyses. A complete description of the field testing methodology and results has been added to the rulemaking file.

Results of the field test showed a median completion time of approximately 2.5 minutes (145 seconds) per stop. This included 27 seconds to complete the seven (7) additional eliminates added by the regulations based on the definition of “racial profiling” set forth in the Penal Code as well as the recommendations of the Racial and Identity Profiling Advisory Board and public comments to the regulations as originally proposed in December 2016.⁶ Those additional data elements are:

1. Stop made in response to a call for service (check if “yes”).
2. Other actions taken by officer during stop (in addition to searches and seizures).
3. Officer’s perception that the person stopped had limited or no English fluency.
4. Perceived or known disability of person stopped.
5. Number of officers engaged in actions taken during the stop.
6. Officer’s years of experience.
7. Type of assignment of officer.

It also includes the time to complete the text field for reason for stop (required for all stops) and the text field for “basis for search,” which was applicable to only 20% of the stops conducted during the field test. The DOJ has determined that the text fields for these two data values are necessary to satisfy the statutory requirement that officer record the reason for stop and basis for search; therefore, the time to complete these narrative fields has not been included in the fiscal estimate attributed to the regulations. The median time to complete the text field for “reason for stop” was 16.1 seconds; the median time to complete the text field for “basis for search” was 22.4 seconds.

Data transmission: Stop data reports collected via the DOJ-hosted web application will be reported directly to the DOJ. Agencies will not accrue any additional costs for data transmission beyond the connectivity cost set forth above.

⁶ The templates used in the field test reflect the current data elements and values set forth in the modified proposed regulations to be noticed for a 15-day public comment period in June 2017. Since the time of the field test, the DOJ has simplified or eliminated certain data values and replaced the prior data element “reason for presence at scene” with a simple box to be checked if the stop was made in response to a call for service. The DOJ has also added a new data element for the officer to indicate whether the officer perceives the person stopped to be lesbian, gay, bisexual, or transgender (single yes/no response). The DOJ has determined that none of these changes is likely to increase the time required to complete the form; in fact, replacing the more detailed “reason for presence at scene” with these two yes/no questions is likely to reduce the time to complete the form.

Storage and related costs: Agencies that use the DOJ web application to collect stop data will have two options for data storage:

- Agencies may elect to have the DOJ retain sole possession of the transmitted stop data. In this case, the DOJ will assume responsibility for the requisite 3-year retention period. Because these records will remain in the DOJ's control, agencies will not be responsible for any storage costs.
- As an alternative, agencies may elect to have the DOJ transmit data back to the agency for storage. Because this option is not required by the regulations, any costs associated with this option are not attributable to the regulations.

Because the regulations do not require any minimum period of data storage for those agencies that elect to collect data using the DOJ-hosted application, these agencies will not incur any costs attributable to the regulations to store the data at DOJ.

Explanation of Costs Associated with Paper Data Collection:

Printing Costs: An agency that elects to implement Government Code section 12525.5 via paper data collection would be required to produce and distribute a stop data form to officers to complete in the field. The main costs to produce the form are attributable to the statute itself, with only de minimus additional costs to produce the slightly longer form that includes the additional data elements set forth in the regulations.

In order to assess these additional costs, the DOJ created two mock forms: one limited to the statutory elements ("statute form") and a second including the additional data elements set forth in these regulations ("statute plus regulations form"). The statute form is two pages; the statute plus regulations form is three pages. Assuming a standard production cost of \$0.08 for the single additional page required to produce the statute plus regulations form will cost \$.08 more per stop compared to the statute form.

Officer Time: In addition to the physical forms, agencies will incur costs in the form of the time it takes an officer to complete the paper forms. For purpose of this analysis, the DOJ assumes that the time to complete a paper form will be less than or equal to the time to complete the web form used in our field test.

Data Input and Transmission: Section 12525.5, subdivision (a) requires agencies "to annually report to the Attorney General data on all stops conducted by that agency's peace officers for the preceding calendar year." The statute is silent on the method of data transmission, although the statutory requirement that the DOJ promulgate regulations that "provide standards, definitions, and technical specifications to ensure uniform reporting practices across all reporting agencies" could readily be understood to indicate that the Legislature intended that all stop data be transmitted electronically to the DOJ. This is consistent with other data transmitted to the DOJ in other law enforcement contexts such as Live Scan fingerprinting.

Although data input is not properly a regulatory cost, the DOJ nevertheless provides an estimate here in the interest of completeness. The data input staff at CJIS determined that the average time required to input a paper stop data form into a spreadsheet would require 167 seconds of time per

stop. Based on an average annual salary of \$60,758.24 for a data clerk (including benefits), the data input cost attributable to the regulations is \$2.05 per stop. Based on this calculation, local agencies would accrue total costs of \$2,814,7276 annually to input 13,730,379 local stop data forms.

Each data input personnel (or fraction thereof) would also require a computer, including a terminal, monitor, keyboard, and mouse. Based on CJIS's research, the DOJ has determined that the necessary computer equipment would cost no more than \$700 per data input person (or fraction thereof).

In addition, AB 953 requires agencies to transmit (or report) data at least annually to the DOJ. The proposed regulations do not increase the reporting frequency, but do provide three methods of data transmission to the DOJ:

Submission of Data. Agencies shall be provided with the following options to submit their stop data to the Department: (1) a web-browser based application, which shall include mobile capabilities for agencies that choose to use the Department's developed and hosted solution to submit stop data; (2) a system-to-system web service for agencies that elect to collect the data in a local system and then submit the data to the Department; and (3) a secured file transfer protocol for agencies that elect to collect the data in a local repository and then submit the data to the Department. Agencies that select option 3 shall be permitted to submit batch uploads of stop data in Excel spreadsheets and other delimited text formats of electronic documentation that complies with the Department's interface specifications.

(Proposed 11 CCR § 999.228, subd. (b).)

Of these three options, only option three (secured file transfer) is applicable for agencies that use paper data collection. The use of secured file transfer is not, however, specific to these regulations, but rather a standard procedure used by law enforcement agencies to transmit sensitive information electronically. To the extent an agency does not already have a secured file transfer protocol in place, CJIS staff intend to provide technical support, bringing the cost at or near zero for this requirement.

Data Storage: An agency that elects to collect data using paper forms will be required by the regulations to maintain that data for three years. The DOJ estimates that one gigabyte of storage is sufficient to store data for 50,000 stops. At an estimated cost of \$200 per gigabyte for three years of storage, an agency will accrue ongoing costs of approximately \$0.0013 per stop.

Explanation of Costs Associated with Relay-to-Dispatch:

This method eliminates the need for paper forms. Therefore, the in-field data collection costs will be limited to the officer's time to complete the stop data report.

Because data input would happen real-time via a radio or telephone conversation with the officer in the field (rather than input of a completed stop-data form), the data input time would be equal to the entire time required for an officer to complete the stop data form (including both statutory

and regulatory elements). According to the field test, the average total time to complete a stop data report is 150 seconds. Assuming that it will take twice as long to verbally complete a stop data form, the DOJ estimates that the average time to complete a stop data form via relay-to-dispatch will be 300 seconds, including 54 seconds attributable to regulatory elements. The data input time in this scenario will be equal to the officer's time on the phone or radio to complete the report (300 seconds).

The same options for data transmission and data storage discussed above for paper collection apply to relay-to-dispatch.

4. Agency Costs, by Method of Data Collection

The following chart provides a summary of the one-time, ongoing, and 5-year total (one-time costs plus 4 years of data collection) to implement each of these three methods of data collections, based on the average number of officers in each reporting tier and an estimated 255 stops per year per officer (as explained above). For the purpose of this estimate only, the DOJ assumes that the agency using the DOJ-application would need to purchase a new device for every officer, including ongoing connectivity and replacement costs for each of those devices. In reality, many officers already have access to the necessary hardware and connectivity, as explained above. Nevertheless, even with this assumption, the DOJ application proves to be significantly more cost effective across all levels of agency size:

Per-Agency Cost Calculations, By Data Collection Method						
Tier	Avg. Officers	Estimated Stops	Collection	One-time	Ongoing	5-year total
1	3,666	934,943	DOJ Application	\$549,967	\$2,818,340	\$11,823,329
			Paper	\$16,100	\$4,264,485	\$17,074,042
			Relay-to-Dispatch	\$28,700	\$7,987,221	\$31,977,584
2	761	194,157	DOJ Application	\$114,210	\$585,277	\$2,455,317
			Paper	\$3,500	\$885,593	\$3,545,874
			Relay-to-Dispatch	\$6,300	\$1,658,683	\$6,641,033
3	454	115,668	DOJ Application	\$68,040	\$348,675	\$1,462,742
			Paper	\$2,100	\$527,588	\$2,112,450
			Relay-to-Dispatch	\$4,200	\$988,152	\$3,956,807
4	57	14,509	DOJ Application	\$8,534	\$43,735	\$183,476
			Paper	\$700	\$66,177	\$265,408
			Relay-to-Dispatch	\$700	\$123,947	\$496,488

Based on this analysis, it is the DOJ assessment that most agencies—if not all—will elect to use the free DOJ application to collect stop data. The exception may for agencies with existing agency-hosted data collection systems that are able to negotiate with their vendors to modify existing systems at a lower cost (including hardware, software, and officer time). The DOJ therefore assumes for purposes of this fiscal estimate that the costs associated with the DOJ application provide an upper limit on the estimated fiscal impact to implement these regulations.

D. Estimated Fiscal Impact on State and Local Agencies

The DOJ's fiscal estimate for local and state agencies applies the same methodology set forth above, with two exceptions:

1) The officer's time to collect the required data in the field. As noted above, only 27 seconds of the 150-second median time to complete the stop data form is attributable to the regulations. Therefore, using the same calculations set forth above, this results in an average regulatory cost of \$0.44 per stop (compared to a combined statute-and-regulatory cost of \$2.43).

2) Number of devices. As noted above, many officers in the field already possess the necessary equipment and connectivity to use the DOJ application. For purposes of our statewide fiscal estimates, the DOJ assumes (conservatively) that only 25 percent of officers have such equipment and that 75 percent of officers will require new devices, as well as the associated ongoing costs for connectivity and device replacement.

Although the APA only requires a two-year fiscal estimate, the DOJ provides here an estimate of the annual fiscal costs through full implementation in FY 2023 in order to demonstrate that the proposed regulations remain below the major regulation threshold set forth in the APA. These estimates account for an estimated annual inflation rate of 3%. In addition, the DOJ has assumed that the number of officers and stops will increase at a rate of 0.43% annually. This number is based on the average increase in law enforcement personnel statewide from 2012 through 2016, the time period during which agency employment began to increase again following the great recession. In contrast, the average annual growth from 2003 through 2015 was just 0.23%.⁷

The following costs are accrued in each fiscal year, based on the collection and reporting schedule set forth in Government Code section 12525.5, subdivision (a):

- **FY2017-2018:** Tier 1 one-time costs and 9 months of data collection
- **FY2018-2019:** Tier 1 ongoing costs; Tier 2 one-time costs and 9 months of collection
- **FY2019-2020:** Tiers 1-2 ongoing costs
- **FY2020-2021:** Tiers 1-2 ongoing costs; Tier 3 one-time costs and 9 months of collection
- **FY2021-2022:** Tiers 1-3 ongoing costs; Tier 4 one-time costs and 9 months of collection
- **FY2022-2023:** Tiers 1-4 ongoing costs

⁷ Source: Department of Justice, OpenJustice: Criminal Justice Personnel, at <https://openjustice.doj.ca.gov/crime-statistics/criminal-justice-personnel>.

AB 953 Stop Data Reporting Regulations: Estimated Fiscal Impact

State/ Local	Reporting Tier	No. of Agencies	FY2017-2018			FY2018-2019			FY2019-2020		
			Total Officers	Estimated Stops	Costs	Total Officers	Estimated Stops	Costs	Total Officers	Estimated Stops	Costs
Local	1	8	25,772	6,571,860	\$7,226,403	25,888	6,601,433	\$5,969,228	26,004	6,631,140	\$6,175,972
Local	2	5	3,807	970,785	none	3,824	975,154	\$1,104,445	3,841	979,542	\$912,305
Local	3	10	4,536	1,156,680	none	4,556	1,161,885	none	4,577	1,167,114	none
Local	4	392	23,382	5,962,410	none	23,487	5,989,241	none	23,593	6,016,192	none
Local Totals:		415	57,497	14,661,735	\$7,226,403	57,756	14,727,713	\$7,073,673	58,016	14,793,988	\$7,088,277
State	1	1	7,226	1,842,630	\$2,026,152	7,259	1,850,922	\$1,673,663	7,291	1,859,251	\$1,731,630
State	2	0	0	0	none	0	0	\$0	0	0	\$0
State	3	0	0	0	none	0	0	none	0	0	none
State	4	33	799	203,745	none	803	204,662	none	806	205,583	none
State Totals:		34	8,025	2,046,375	\$2,026,152	8,061	2,055,584	\$1,673,663	8,097	2,064,834	\$1,731,630
Combined Total:		449	65,522	16,708,110	\$9,252,555	65,817	16,783,296	\$8,747,336	66,113	16,858,821	\$8,819,907

State/ Local	Reporting Tier	No. of Agencies	FY2020-2021			FY2021-2022			FY2022-2023		
			Total Officers	Estimated Stops	Costs	Total Officers	Estimated Stops	Costs	Total Officers	Estimated Stops	Costs
Local	1	8	26,121	6,660,980	\$6,389,877	26,239	6,690,954	\$6,611,190	26,357	6,721,064	\$6,840,169
Local	2	5	3,859	983,950	\$943,903	3,876	988,377	\$976,595	3,893	992,825	\$1,010,419
Local	3	10	4,598	1,172,366	\$1,689,830	4,618	1,177,641	\$0	4,639	1,182,941	\$1,203,904
Local	4	392	23,699	6,043,265	none	23,806	6,070,460	\$9,012,368	23,913	6,097,777	\$6,205,837
Local Totals:		415	58,277	14,860,560	\$9,023,610	58,539	14,927,433	\$16,600,153	58,802	14,994,606	\$15,260,328
State	1	1	7,324	1,867,618	\$1,791,605	7,357	1,876,022	\$1,853,657	7,390	1,884,464	\$1,917,859
State	2	0	0	0	\$0	0	0	\$0	0	0	\$0
State	3	0	0	0	\$0	0	0	\$0	0	0	\$0
State	4	33	810	206,508	none	813	207,437	\$307,967	817	208,371	\$212,063
State Totals:		34	8,134	2,074,126	\$1,791,605	8,170	2,083,459	\$2,161,624	8,207	2,092,835	\$2,129,922
Combined Total:		449	66,411	16,934,686	\$10,815,215	66,709	17,010,892	\$18,761,777	67,010	17,087,441	\$17,390,251

E. Statutory Implementation Costs Not Affected by the Regulations

As required by the APA, the above analysis is limited to the additional costs to state and local agencies to implement the proposed regulations beyond the minimum cost to implement the statute itself. In order to provide additional context to that analysis, the following is a brief summary of the ways in which the proposed regulations do not expand the data collection and reporting obligations on officers and agencies set forth in Government Code section 12525.5:

1. Officers/Agencies Subject to Reporting

The proposed regulations do not expand the basic reporting requirements of section 12525.5, which mandates that every “state and local agency that employs peace officers shall annually report to the Attorney General data on all stops conducted by that agency’s peace officers for the preceding calendar year.” (Gov. Code, § 12525.5, subd. (a)(1).) The statute further defines “peace officer,” as used in this section, to be “limited to members of the California Highway Patrol, a city or county law enforcement agency, and California state or university educational institutions” and to exclude “probation officers and officers in a custodial setting.” The regulations do not extend the reporting requirements to any officers or agencies not otherwise required to report stop data by the statute.

2. “Stops”

The proposed regulations do not expand the definition of “stop” set forth in section 12525.5, subdivision (g)(2), which provides: “For purposes of this section, ‘stop’ means any detention by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person’s body or property in the person’s possession or control.” For clarity, the regulations reiterate the same definition of “stop.” (See proposed 11 CCR § 999.225, subd. (a)(14).) The regulations provide the DOJ’s interpretation of how the statutory definition of “stop” should be applied in certain special settings, including schools, emergencies (bomb threats, active shooters, etc.), building and event security, and the execution of search warrants. The regulations mirror the definition of “stop” in the statute, and, in fact, make clear that a number of incidents that might otherwise technically fit the statutory definition of “stop” should be excluded in order to maintain the integrity of the data and to collect information relevant and consistent with the intent of the statute. As a result, the regulations are likely to result in some cost savings to agencies by clarifying that some incidents that might otherwise within the statutory definition of “stop” are not subject to stop data collection.

3. Data Collection

The regulations do not impose any limitations on how an agency might instruct its officers to collect the data required by the statute and the proposed regulations. The DOJ, in this STD 399, has identified four potential methods of data collection: paper, relay-to-dispatch, a DOJ-provided web application, or an agency-hosted data collection process. The regulations permit agencies to use any of these methods—or any other method that an agency might identify to collect stop data—to collect that data elements set forth in the statute and proposed regulations.

4. Data Transfer

The regulations require the DOJ to accept stop data reports from agencies using any one of the three plausible methods of data transmission available for electronic records: direct upload through a web based browser, system-to-system file transfer, or secure file transfer protocol. The regulations require the DOJ to permit agencies to use any one of these three methods.

5. Review and Redaction

Although the regulations instruct officers not to include personal identifying information in any narrative field and instruct agencies that they must redact any personal identifying information from stop records before they are transmitted to the DOJ (proposed 11 CCR § 999.228, subd. (d)), that provision is included for clarity purposes only. Government Code section 12525.5, subdivision (d) already provides: "State and local law enforcement agencies shall not report the name, address, social security number or other unique personal identifying information of persons stopped, searched, or subjected to a property seizure, for purposes of this section."

In order to comply with this statutory requirement, any agency that collects stop data internally (via paper forms, relay-to-dispatch, or agency-hosted data collection) before transmitting it to the DOJ will be required to review those records and redact any personal identifying information before submitting those records to the DOJ. Similarly, the Information Practices Act only permit agencies to disclose personal identifying information to another government agency "when required by state or federal law." (Civil Code § 1789.24, subd. (f).) Because this review and redaction requirement derives from Government Code section 12525.5 itself (as well as the Information Practices Act), these costs are not attributable to the proposed regulations.

6. Reporting Frequency

Although the regulations permit agencies to submit stop data to the DOJ as frequently as they choose, the regulations do not require agencies to submit data any more frequently than once per year, as required by Government Code section 12525, subdivision (a).

7. Unique Identifier

Although the regulations provide some direction to agencies on how to develop and use unique officer identifiers in order to protect officer confidentiality while satisfying the statutory requirement that agencies report incident-level data to the DOJ, the requirement to develop and maintain such a system flows from the statute and not the proposed regulations.

8. Narratives

The original version of the regulations did not require an open narrative in any categories, instead offering an "other" category for certain elements, such as reason for stop and reason for search. However, we received numerous comments from advocates, academics, as well as the Racial and Identity Profiling Advisory (RIPA) Board, arguing that open narratives, particularly for reason for stop and basis for search, are essential to any data collection of stops.

Based on the public comment received, as well as an analysis of nearly 3,000 stop reports collected during our field test, the DOJ has concluded that a narrative field is necessary in order to collect and report two of the required statutory elements: reason for stop and basis for search. Solely providing officers with a list of pre-determined data values, including an “other” category, from which to select would not satisfy the statutory requirement that reason for stop and basis for search be reported. For that reason, the DOJ has determined that the time to complete these two narrative fields (and any associated technology costs to collect and report these fields) are attributable to the statute itself and not the regulations.

9. Error Correction

The proposed regulations provide for an optional error resolution process by which an agency may correct its data after the data has been transmitted to the DOJ:

In order to ensure compliance with these regulations, a reporting agency, its officers, or both may review the stop data to correct errors before submitting the stop data to the Department. Once the stop data is submitted to the Department, however, an agency can only revise stop data through the Department’s error resolution process.

(Proposed 11 CCR § 999.227, subd. (a)(10).) As provided in the regulations, this error correction process is optional; the regulations do not impose any affirmative obligation on agencies to utilize that process.

F. Benefits of Data Collection

The benefits of collecting data regarding stops by law enforcement officers have been recognized by law enforcement agencies, advocates, academics, and other stakeholders. The ACLU of North Carolina describes three broad types of benefits that result from enhanced data collection efforts like those required by AB 953 and the proposed regulations:

Data collection has benefits recognized by the law enforcement community, including the Police Executive Research Forum. First, data collection can provide significant information about a department’s traffic stops and their results, which can improve a department’s efficiency. It can help departments discern whether racial disparities are rooted in the department’s culture or in a small number of officers who may need additional training. Most importantly, data collection can help guide dialogue within communities about racially biased policing and show affected community members a police department’s willingness to work with them in addressing the issue.

(ACLU of North Carolina, Road Work Ahead, p. 1 (May 2014) at [http://acluofnc.org/files/Road Work Ahead - Data collection report May 2014.pdf](http://acluofnc.org/files/Road_Work_Ahead_-_Data_collection_report_May_2014.pdf) [as of Jan. 5, 2017] [Z-2016-1129-03-01721].)

Using this framework, the remainder of this memorandum expands upon the specific benefits we anticipate to result from implementation of AB 953 and the proposed regulations, as originally set forth in the ISOR. Please note, however, that it is difficult to quantify these benefits. As the U.S. Department of Justice explains:

Calculating the benefits from engaging in data collection and analysis is a very difficult matter. In many respects, only potential benefits can be cited. Individual departments will have to determine how far they are willing to go in using the data collected and for what purposes they are willing to use the data.

(Community Oriented Policing Services, *How to Correctly Collect and Analyze Racial Profiling Data: Your Reputation Depends on It!*, p. 107 (2002) at https://cops.usdoj.gov/html/cd_rom/inaction1/pubs/HowToCorrectlyCollectAnalyzeRacialProfilingData.pdf [as of Jan. 4, 2017] [Z-2016-1129-03-00727].) Unfortunately, the DOJ has no means at this time to more specifically estimate the economic benefits that may result from either AB 953 or the proposed regulations.

a. Improved Agency Efficiency

The first category of anticipated benefits from implementation of AB 953 is improved agency efficiency. Studies have shown that biased policing—whether it is the result of implicit or explicit bias—results in inefficiencies and resource misallocation. As the ACLU of North Carolina explains:

[A] report by the Institute of Race and Justice lists several potential benefits of a strong data collection program. First, it can help provide important information about the characteristics of different types of stops and their results. Second, data on traffic stops could allow law enforcement agencies to be able to address questions about the effectiveness of their traffic stops. This is an often overlooked but important benefit of data collection, given the aforementioned evidence suggesting that officers need to complete an exorbitant number of stops to find contraband.

(Road Work Ahead, p. 12 [fns. omitted].)

For example, a recent assessment of traffic stop data from the San Francisco Police Department found that officers there were significantly more likely to search black drivers after a traffic stop compared to white drivers, and that searches of black drivers were significantly less likely to result in contraband compared to searches of white drivers. (Community Oriented Policing Services, U.S. Department of Justice, Collaborative Reform Initiative: An Assessment of the San Francisco Police Department, p. 75 (Oct. 2016), at <https://ric-zai-inc.com/Publications/cops-w0817-pub.pdf> [as of Jan. 4, 2017] [Z2016-11129-03-00270]; see also New York Civil Liberties Union, Stop-and-Frisk Data, at <http://www.nyclu.org/content/stop-and-frisk-data> [as of Jan. 7, 2017] [revealing that nearly 9 out of 10 people stopped and frisked were completely innocent] [Z-2016-1129-03-01908].)

AB 953 and these proposed regulations will enable the Department and the RIPA Board to conduct similar analysis for agencies statewide and develop training recommendations to promote more equitable and efficient policing.

In addition to addressing racial bias, the data collected pursuant to AB 953 and the proposed regulations will help to inform training recommendations across other metrics. For example, data regarding the number of stops of persons with perceived disabilities or limited English proficiency may help alert an agency of the need for enhanced training to provide better, more efficient services to those communities.

b. Understanding and Addressing Disparities

Biased policing—whether implicit or explicit, individual or systemic—results in both tangible and intangible costs for law enforcement agencies. At a minimum, agencies expend financial and staff resources to investigate and respond to citizen complaints about racial profiling. (See, e.g., Community Oriented Policing Services, U.S. Department of Justice, Collaborative Reform Initiative: An Assessment of the San Francisco Police Department, p. 62 (Oct. 2016), at <https://ric-zai-inc.com/Publications/cops-w0817-pub.pdf> [as of Jan. 4, 2017] [Z2016-1129-03-000257] [SFPD report discussing the number of complaints received by the SFPD annually alleging racial bias].) In other cases, law enforcement agencies and municipalities may pay steep financial costs to litigate and settle claims related to allegations of bias. (See, e.g., Susanna Capelouto, *Racial profiling costs Arizona county \$22 million*, CNN (Jan. 3, 2014), available at <http://www.cnn.com/2014/01/03/us/racial-profiling-payments> [as of Jan. 4, 2017] [Z2016-1129-03-02076].)

The data collection required by the proposed regulations will provide invaluable information to understand where disparities exist, address those disparities, and reduce the high costs of both real and perceived disparities. For example, a recent study of the Oakland Police Department's stop data recommended additional targeted training for new officers based upon its findings that less-experienced officers show more racial disparities in their stops. (See ISOR, p. 20, citing Jennifer L. Eberhardt, et al., *Strategies for Change: Research Initiatives and Recommendations To Improve Police Community Relations in Oakland, Calif.*, p. 5 (June 20, 2016), at <https://stanford.box.com/v/Strategies-for-Change> [as of Nov. 21, 2016] [Z-2016-1129-03-01079].) By requiring similar data collection and analysis statewide, AB 953 and the proposed regulations will enable the Department and RIPA Board to detect similar patterns and craft targeted training recommendations to eliminate such disparities.

c. Improved Community Relations

In addition to the immediate benefit to law enforcement agencies with respect to obtaining data regarding stops of their officers, an equally important benefit, albeit less quantifiable, of such data collection is its role in enhancing trust between agencies and the communities they serve, as a result of increased transparency and accountability. As the President's Task Force on 21st Century Policing explained:

[L]aw enforcement's obligation is not only to reduce crime but also to do so fairly while protecting the rights of citizens. Any prevention strategy that unintentionally violates civil rights, compromises police legitimacy, or undermines trust is counterproductive from both ethical and cost-benefit perspectives. Ignoring these considerations can have both financial costs (e.g., lawsuits) and social costs (e.g., loss of public support).

(Final Report of the President's Task Force on 21st Century Policing, p. 42 (May 2015) at https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf [as of Jan. 4, 2017] [Z-2016-1129-03-01974].)

Agencies expend both financial and staff resources to compensate for a lack of community cooperation as a result of the trust deficit between some law enforcement agencies and the

communities they serve. Although the link between enhanced data collection and improved community relations is well-recognized, it remains the most difficult benefit to quantify:

[I]t has so far been difficult to quantify the benefits of releasing data for the purpose of improved police community relations. “Better community relations” have been loosely observed, with unstandardized, qualitative measurements not fitting neatly into a metrics report.

(R. Sibley, P. Gibbs, and E. Shaw, The benefits of data in criminal justice: Improving police community relations, The Sunlight Foundation (Apr. 30, 2015) at <https://sunlightfoundation.com/2015/04/30/thebenefitsofdataincriminaljusticeimprovingpolicecommunityrelations/> [as of Jan. 5, 2017] [Z-2016-1129-03-02064].)

Just as policing strategies that undermine legitimacy and trust accrue both financial and social costs, efforts to counteract such trends—like AB 953 and the Department’s implementing regulations—accrue corresponding financial and social benefits. The U.S. Department of Justice has recognized similar benefits to data collection:

An additional benefit from data collection is that it focuses attention on the issue, and may result in making members of the community feel that their concerns are at least being addressed in a substantive fashion. If police departments begin to engage their communities and interact with community groups and leaders, as part of the attempt to defuse racial profiling accusations, there may be positive benefits from this as well. The results from analysis of data collected will offer much new information about police practices and patterns, which will allow for valuable discussion and consideration of the appropriate roles for police and community members. And finally, the data collected can show police managers a great deal of information about the efficiency and productivity of the staffing patterns and practices currently employed.

(Community Oriented Policing Services, How to Correctly Collect and Analyze Racial Profiling Data: Your Reputation Depends on It!, p. 107 (2002) at https://cops.usdoj.gov/html/cd_rom/inaction1/pubs/HowToCorrectlyCollectAnalyzeRacialProfilingData.pdf [as of Jan. 4, 2017] [Z-2016-1129-03-00727]; see also U.S. Department of Justice, A Resource Guide on Racial Profiling Data Collection Systems: Promising Practices and Lessons Learned, p. 55 (Nov. 2000) at <http://permanent.access.gpo.gov/lps47663/184768.pdf> [as of Jan. 4, 2017] [Z-2016-1129-03-01454] [similar].)

Ultimately, as explained in the ISOR:

Increased transparency, including the publication of this data, as required by AB 953, will be an important step in building bridges between the public and law enforcement agencies that will ultimately promote overall public safety for officers and the communities they serve.

(ISOR, p. 3.)

Exhibit 11

000122

Stops by Rank by Fiscal Year
June 27, 2018 through June 30, 2019

Rank	FY2017-2018	FY2018-2019
Captain	0	3
Executive Assistant Chief	0	2
Lieutenant	0	70
Police Detective	52	1,712
Police Investigative Service Officer II	1	32
Police Officer I	274	33,908
Police Officer II	1,737	115,434
Police Officer III	23	1,504
Police Records Clerk	3	25
Police Recruit	20	856
Recruit	2	646
Reserve Lieutenant	0	1
Reserve Officer	0	11
Reserve Sergeant	0	13
Sergeant	75	2,856
Sergeant/Detective	11	329
Dispatcher II	0	19
Unknown	73	1,336
Total	2,271	158,757

RIPA Stop Data
Stop Date between 06/27/2018 and 06/30/2019

StopDate	Person Count	Stop Count
06/27/2018	432	415
06/28/2018	722	669
06/29/2018	653	601
06/30/2018	662	586
07/01/2018	596	558
07/02/2018	470	415
07/03/2018	730	679
07/04/2018	713	654
07/05/2018	513	463
07/06/2018	545	499
07/07/2018	533	488
07/08/2018	466	431
07/09/2018	541	492
07/10/2018	565	518
07/11/2018	589	542
07/12/2018	599	544
07/13/2018	625	557
07/14/2018	467	423
07/15/2018	408	372
07/16/2018	464	416
07/17/2018	609	539
07/18/2018	704	664
07/19/2018	561	501
07/20/2018	502	464
07/21/2018	452	399
07/22/2018	398	365
07/23/2018	563	500
07/24/2018	581	510
07/25/2018	560	516
07/26/2018	660	598
07/27/2018	561	485
07/28/2018	507	459
07/29/2018	528	492

000124

StopDate	Person Count	Stop Count
07/30/2018	472	419
07/31/2018	609	560
08/01/2018	513	472
08/02/2018	719	635
08/03/2018	581	523
08/04/2018	517	468
08/05/2018	422	396
08/06/2018	502	447
08/07/2018	576	518
08/08/2018	605	556
08/09/2018	555	508
08/10/2018	484	449
08/11/2018	379	336
08/12/2018	385	338
08/13/2018	376	330
08/14/2018	595	548
08/15/2018	655	602
08/16/2018	713	658
08/17/2018	662	596
08/18/2018	441	400
08/19/2018	382	355
08/20/2018	520	463
08/21/2018	587	517
08/22/2018	679	632
08/23/2018	578	547
08/24/2018	589	536
08/25/2018	501	457
08/26/2018	405	358
08/27/2018	398	361
08/28/2018	546	492
08/29/2018	377	334
08/30/2018	579	537
08/31/2018	599	529
09/01/2018	572	501
09/02/2018	368	327
09/03/2018	519	454

000125

StopDate	Person Count	Stop Count
09/04/2018	442	394
09/05/2018	646	560
09/06/2018	527	477
09/07/2018	516	464
09/08/2018	401	373
09/09/2018	341	306
09/10/2018	513	450
09/11/2018	463	395
09/12/2018	547	490
09/13/2018	438	390
09/14/2018	478	413
09/15/2018	425	378
09/16/2018	313	282
09/17/2018	465	403
09/18/2018	499	451
09/19/2018	408	372
09/20/2018	421	365
09/21/2018	360	321
09/22/2018	343	306
09/23/2018	287	238
09/24/2018	454	424
09/25/2018	537	476
09/26/2018	663	607
09/27/2018	603	535
09/28/2018	539	494
09/29/2018	470	414
09/30/2018	446	393
10/01/2018	517	439
10/02/2018	546	495
10/03/2018	592	511
10/04/2018	615	537
10/05/2018	522	464
10/06/2018	393	349
10/07/2018	381	340
10/08/2018	554	477
10/09/2018	522	458

StopDate	Person Count	Stop Count
10/10/2018	580	516
10/11/2018	564	502
10/12/2018	517	447
10/13/2018	437	384
10/14/2018	378	326
10/15/2018	414	368
10/16/2018	546	500
10/17/2018	553	499
10/18/2018	566	502
10/19/2018	492	420
10/20/2018	421	375
10/21/2018	427	377
10/22/2018	403	353
10/23/2018	448	405
10/24/2018	511	443
10/25/2018	439	397
10/26/2018	392	353
10/27/2018	291	257
10/28/2018	315	285
10/29/2018	354	322
10/30/2018	438	393
10/31/2018	420	377
11/01/2018	432	393
11/02/2018	409	369
11/03/2018	389	335
11/04/2018	386	319
11/05/2018	462	395
11/06/2018	475	427
11/07/2018	437	386
11/08/2018	482	434
11/09/2018	476	427
11/10/2018	447	400
11/11/2018	421	372
11/12/2018	557	482
11/13/2018	576	500
11/14/2018	507	449

StopDate	Person Count	Stop Count
11/15/2018	576	504
11/16/2018	520	463
11/17/2018	460	392
11/18/2018	387	360
11/19/2018	448	383
11/20/2018	507	436
11/21/2018	544	480
11/22/2018	310	269
11/23/2018	484	425
11/24/2018	517	445
11/25/2018	427	377
11/26/2018	462	414
11/27/2018	546	468
11/28/2018	518	451
11/29/2018	329	297
11/30/2018	399	352
12/01/2018	438	384
12/02/2018	465	394
12/03/2018	478	415
12/04/2018	514	466
12/05/2018	356	310
12/06/2018	274	248
12/07/2018	489	424
12/08/2018	432	385
12/09/2018	436	386
12/10/2018	473	427
12/11/2018	459	408
12/12/2018	581	524
12/13/2018	401	371
12/14/2018	608	520
12/15/2018	405	365
12/16/2018	373	327
12/17/2018	438	385
12/18/2018	451	401
12/19/2018	518	473
12/20/2018	489	418

StopDate	Person Count	Stop Count
12/21/2018	482	427
12/22/2018	486	424
12/23/2018	343	313
12/24/2018	312	284
12/25/2018	225	198
12/26/2018	434	374
12/27/2018	561	487
12/28/2018	453	399
12/29/2018	392	339
12/30/2018	388	358
12/31/2018	378	343
01/01/2019	386	349
01/02/2019	450	410
01/03/2019	477	413
01/04/2019	499	437
01/05/2019	435	387
01/06/2019	429	388
01/07/2019	414	366
01/08/2019	481	426
01/09/2019	508	457
01/10/2019	449	396
01/11/2019	347	306
01/12/2019	402	349
01/13/2019	401	346
01/14/2019	289	261
01/15/2019	400	352
01/16/2019	437	395
01/17/2019	440	394
01/18/2019	577	501
01/19/2019	512	447
01/20/2019	394	343
01/21/2019	497	423
01/22/2019	520	459
01/23/2019	549	475
01/24/2019	639	548
01/25/2019	550	470

000129

StopDate	Person Count	Stop Count
01/26/2019	488	423
01/27/2019	435	391
01/28/2019	481	422
01/29/2019	651	561
01/30/2019	562	487
01/31/2019	434	373
02/01/2019	544	482
02/02/2019	344	305
02/03/2019	403	363
02/04/2019	343	321
02/05/2019	437	391
02/06/2019	582	523
02/07/2019	510	446
02/08/2019	550	482
02/09/2019	545	494
02/10/2019	421	383
02/11/2019	499	444
02/12/2019	521	470
02/13/2019	403	359
02/14/2019	223	186
02/15/2019	475	427
02/16/2019	508	450
02/17/2019	311	297
02/18/2019	481	419
02/19/2019	536	465
02/20/2019	357	331
02/21/2019	375	331
02/22/2019	546	483
02/23/2019	405	367
02/24/2019	423	382
02/25/2019	438	377
02/26/2019	460	417
02/27/2019	426	385
02/28/2019	499	445
03/01/2019	478	416
03/02/2019	491	429

000130

StopDate	Person Count	Stop Count
03/03/2019	481	439
03/04/2019	535	491
03/05/2019	441	398
03/06/2019	393	335
03/07/2019	675	617
03/08/2019	519	472
03/09/2019	564	500
03/10/2019	460	410
03/11/2019	410	354
03/12/2019	498	435
03/13/2019	584	512
03/14/2019	631	569
03/15/2019	589	508
03/16/2019	531	463
03/17/2019	420	379
03/18/2019	457	403
03/19/2019	586	538
03/20/2019	495	429
03/21/2019	524	464
03/22/2019	545	466
03/23/2019	510	449
03/24/2019	431	381
03/25/2019	439	391
03/26/2019	701	628
03/27/2019	712	628
03/28/2019	565	493
03/29/2019	561	484
03/30/2019	537	479
03/31/2019	446	399
04/01/2019	586	501
04/02/2019	535	469
04/03/2019	492	450
04/04/2019	613	562
04/05/2019	576	476
04/06/2019	551	475
04/07/2019	452	414

StopDate	Person Count	Stop Count
04/08/2019	453	409
04/09/2019	591	533
04/10/2019	534	480
04/11/2019	669	609
04/12/2019	541	484
04/13/2019	549	480
04/14/2019	448	395
04/15/2019	530	455
04/16/2019	485	436
04/17/2019	594	524
04/18/2019	650	574
04/19/2019	552	497
04/20/2019	551	503
04/21/2019	407	362
04/22/2019	571	502
04/23/2019	532	479
04/24/2019	601	534
04/25/2019	585	527
04/26/2019	568	481
04/27/2019	439	377
04/28/2019	370	316
04/29/2019	362	322
04/30/2019	346	305
05/01/2019	419	344
05/02/2019	591	497
05/03/2019	495	423
05/04/2019	507	448
05/05/2019	416	379
05/06/2019	470	411
05/07/2019	496	437
05/08/2019	674	589
05/09/2019	543	473
05/10/2019	501	446
05/11/2019	461	414
05/12/2019	434	385
05/13/2019	501	423

StopDate	Person Count	Stop Count
05/14/2019	515	444
05/15/2019	528	495
05/16/2019	445	392
05/17/2019	509	448
05/18/2019	387	327
05/19/2019	420	366
05/20/2019	399	361
05/21/2019	487	434
05/22/2019	465	420
05/23/2019	793	702
05/24/2019	646	561
05/25/2019	642	523
05/26/2019	458	400
05/27/2019	653	536
05/28/2019	462	423
05/29/2019	612	530
05/30/2019	503	438
05/31/2019	600	506
06/01/2019	554	457
06/02/2019	459	368
06/03/2019	545	458
06/04/2019	463	425
06/05/2019	546	484
06/06/2019	563	474
06/07/2019	566	457
06/08/2019	567	455
06/09/2019	483	405
06/10/2019	375	345
06/11/2019	486	431
06/12/2019	491	422
06/13/2019	574	452
06/14/2019	553	453
06/15/2019	515	393
06/16/2019	389	315
06/17/2019	539	457
06/18/2019	422	374

StopDate	Person Count	Stop Count
06/19/2019	566	522
06/20/2019	565	453
06/21/2019	570	453
06/22/2019	448	333
06/23/2019	364	294
06/24/2019	458	411
06/25/2019	440	388
06/26/2019	482	437
06/27/2019	627	493
06/28/2019	545	426
06/29/2019	525	377
06/30/2019	488	375
Grand Total:	182194	161028

000134

Exhibit 12

Command Leadership Training 2018

1. Mid-City Division	July 23-24
2. Western Division	July 25-26
3. Training/Traffic Division	July 30-31 ****
4. IA/PSU/Neighborhood Policing Division	August 1-2 ****
5. Investigations II	August 6-7 ****
6. Investigations I	August 8-9 ****
7. Central Division	August 13-14
8. Eastern Division	August 15-16
9. Northern Division	August 20-21
10. Ops Support/Northwestern Division	August 22-23
11. Southern Division/Northeastern Division	August 27-28
12. Southeastern Division	August 29-30

If you are unable to attend on your scheduled date, please attend any other class. Be sure to sign in on the class roster to receive credit for your attendance.

Command Training will take place at NTC. The classroom will be designated the morning of the training.

****Classes 3, 4, 5 and 6 will be held at the Chabad Academy, located at 10785 Pomerado Rd San Diego, Ca 92131****

Enter off Pomerado Road and turn onto Chabad Center Drive then enter through security gate.

Also, please send this to all people attending the training – we don't want any popped tires and damaged roofs.

- 1) The gate only allows ONE car per green
- 2) Gate code is #~~XXXX~~ (need to press buttons hard)
- 3) There are two entry lanes – one on the left to enter the code and one on the right for RFID tags

Some parents and teachers have RFID tags that open the gate automatically. They are able to pass the vehicle entering the code. Even if someone has entered the code and a vehicle passes them on the right hand side (RFID tag lane) – DO NOT FOLLOW THAT CAR IN – tires will get popped. The person will need to re-enter the code before proceeding. Parents/teachers know that RFID tags have right of way.

2018 COMMAND LEADERSHIP TRAINING

JULY 23-AUGUST 30 2018

DAY ONE (Monday Wednesday)

<u>TIME</u>	<u>UNIT</u>	<u>TOPIC</u>
0600-0700	Chief's Office / POA	Greeting and POA
0700-0800	Chief's Office/Special Projects	AB 953/Racial Identity Profiling Act
0800-0900	In-Service Training Unit	Use of Force Report Reviewing
0900-1100	City Attorney	Civil Liability Update
1100-1200	Lunch	
1200-1400	Internal Affairs	Unit Update
1400-1500	Communications and Branding	Public Interaction and Unit Update
1500-1600	Special Investigations	Electronic Communication Privacy Act

DAY TWO (Tuesday Thursday)

<u>TIME</u>	<u>UNIT</u>	<u>TOPIC</u>
0600-0700	Commands	Decision Making (Facilitated By Command Cpts)
0700-0900	Neighborhood Policing Division	New Unit Update
0900-1100	Critical Incident Mgmt. Unit	MFF Training / Drones
1100-1200	Lunch	
1200-1300	Leadership Development Unit	How To Give Negative Feedback
1300-1500	ICAC / FBI	Social Media and Related Topics
1500-1600	Commands	Command's Free Time

000137

35
Total

MID CITY
7/23/18 -
7/24/18

COMMAND TRAINING 2018

NAME (LAST, FIRST)	ID NUMBER	ASSIGNMENT	DAY #1- INITIAL	DAY #2- INITIAL
PICKARD, SCOTT	5899	MID-CITY	SP	SP
Bowell, Shane	4599	MC	SH	Lth.
PETERSON, VERLON	5605	MC	SP	SP
POTTIN, LIANNE	6357	MC	LP	LP
CHAMBERS, NATHAN	7021	MC	NC	NC
DAVIS, ROBERT	6781	MC	RD	RD
BROOKS, ERIC	6211	MC	EB	EB
KETCHUM, NICK	5955	MC	NK	NK
SHAW, STEVEN	4375	MC	SN	SN
VERIZ, SYLVIA	4986	MC	SV	SV
NOBLE, GARRETT	5319	MC	GN	GN
MORALES, SAM	6858	MC	SM	SM
SEITER, ERIC	5461	INV II	SE	SE
MASCHMEYER, M	4465	MC	MM	MM
POWER, MICHAEL	6180	MC	MP	MP
LACO, PATRICK	5804	MC	PL	PL
DEVORE, BRENT	6742	MC	BD	BD
LAURENDEAU, EDWARD	6542	SE-2	TL	TL
LOWERS, ROBERT	6195	MC 2	RL	RL
AMBITO, ALBERT	6190	MC	AL	
FORD, M. JIM	5582	MC	FL	FL
COLLINS, TO	5800	MC	CL	CL
VALENTUELA, KEVIN	6102	NW-1	KV	KV
WILLIAMS, DON	5387	MC	SW	SW

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000138

QUINTOS, YASMINA	5635	MC	ML	ML
MOSTELLEZ, JAKE	5412	MC	SAM	SAM
MARCELO POPOLU	5126	K9	WD	
OMAR SINCALIN	5195	MC	OTM	OTM
JUD CAMDELL	6367	MC	JA	JA
LARRY ADAR	4716	K9	K	L
Adrian Lee	5244	MC	AD	AD
SHUMAKER, BEN	5983	MC	SH	SH
Barnes, Scott	5101	CIU	SC	SC
NORRIS PAT	5017	MC	NO	NO
MORALES SAM	6858	M	MO	MO
		35		

Western

7/25/18 - 7/26/18

22 Total

COMMAND TRAINING 2018

NAME (LAST, FIRST)	ID NUMBER	ASSIGNMENT	DAY #1- INITIAL	DAY #2- INITIAL
SERIDANO, MICHAEL	6186	W-3	MS	MS
KELLY, PATRICK	6540	W-1	PK	PK
SITRANSKI, MICHAEL	5092	W-INV	MS	MS
POTUS, BILL	5382	W-INV	WP	WP
CLENDENEN, TAMMY	6236	JUV ADMIN	TLC	TLC
BELZ, BRIGITTA	4996	W-2	BJB	BJB
HAYS, ERIC	3907	W ADMIN	EA	EA
WAGNER, KEN	4287	W-INV	KE	KE
Grubbs, Dan	4776	W-Admin	DD	DD
GROSS, Ron	4030	W-1	RDG	RDG
HALL, PATRICK	5585	W-2	PK	PK
LAVE, BART	5977	W-3	BK	BK
WAGNER, MICHAEL	7147	W2	MW	MW
TURNER, CODY	6518	W-1	CT	CT
COLON LUIS	5918	W-2	LC	
SMYTH, DAN	4500	CEN	SD	SD
ZWANEK, HANS	5474	W-3	HB	HB
MYERS, ANDORRA	4201	W-C	Am	Am
STELATT, KELLY	6558	W-3	WZ	KS
TAI, RUDY	4709	W	RT	RT
Zwaneck, Hans	5474	W-		HB
POPULNI, MARCEL	5126	K9		MD

29
total

July 30 & 31, 2018
Training Division & Traffic

COMMAND TRAINING 2018

NAME (LAST, FIRST)	ID NUMBER	ASSIGNMENT	DAY #1- INITIAL	DAY #2- INITIAL
DOUGHERTY, TYLER	6372	T3	TD	TD
JOHNSON, Buddy	4934	T-2 CIB	B&J	B&J
Cimmeransti, Raphael	4525	SPECIAL EVTS	RC	RC
Mcnean, Laura	5119	Traffic	LM	LM
WONG, KEVIN	5136	SPECIAL EVTS	KW	KW
FLAKE, LEONNARD	4135	TRAFFIC	LF	LF
KARSH, ALAN	5176	T-1	ABK	ABK
SAROT, CHRIS	4689	1ST/PAGE	CMS	CMS
STEPHENS, MARC	5865	CIB T-3	MS	MS
MCDONALD, ROBERT	4687	CIB T2	Rm	Rm
HOUSEMAN, VICTORIA	5262	TRAFFIC	VA	VA
SORBIE, BRANDY	5926	TRAFFIC	BS	BS
CARTER, WILLIAM	5477	TRAFFIC	WC	WC
LOPEZ, SERGIO	4281	TRAFFIC	SL	SL
KRIES, DAVID K	4222	TRAFFIC	DK	DK
CLARK, JOSEPH	5496	TRAFFIC	SC	SC
BURLISON, BOB	5624	TRAFFIC	BB	BB
ROZSA, DAVID	6097	TRAFFIC	DR	DR
DAWN, ROBERT	4202	OP SUBJECT	RW	RW
COLON, BERNIE	4614	BACKGROUNDS	BTC	BTC
LEDS, ALBERTO	5060	TRAINING	AL	AL
LEWAN, JOHN	5369	BACKGROUNDS	JD	JD
CASTRO, RICKY	4280	INV. & D.V.U	RC/CA	RC/CA
Cedrun, Misty	5183	TRNG - LOU	(MC)	(MC)

24

QUENTEN KAWAHARA	9651	RES. ADMIN	FR	FR
Mike Torres	9570	TRAFFIC	MS	MS
JONATHAN LOWE	5568	RECRUITING	@	@
PETERSON, JEFFREY	5188	JUVENILE ADMIN	JAP	JAP
Voss, Duane	4857	TRAFFIC	DAV	DAV
SERGE LAFER	4784	TRAFFIC		
	<u>29</u>			

34
Total

COMMAND TRAINING 2018

NAME (LAST, FIRST)	ID NUMBER	ASSIGNMENT	DAY #1- INITIAL	DAY #2- INITIAL
HARBERTH, JOHN	5169	NPD	JH	JH
WADL, SCOTT	5467	NPD	SW	SW
PHILLIPS, PAUL	4882	IA	PP	PP
MORRIS, J. WES	5490	EA	ow	ow
HOLT, JESSIE	5002	WESTERN	JAH	JAH
METZ, RICHARD	4671	PSU	Rm	Rm
MANANSALA, ERWIN	6010	PSU	EM	EM
DELGADILLO, RAUL	4978	PSU	RD	RD
EBLON, LUIS	5915	NDU	RL	RL
GUTTERREZ, RUBEN	5948	IA	Rb.	Rb.
MINTER, GREG	6052	IA	GR	GR
BISESTO, MATHAN	5797	IA	MB	MB
JUNON, COSEY	6593	IA	CJ	CJ
Heller, PATRICK	5400	NP	PH	PH
Randolph, Matt	6183	DV	MR	MR
RIGHTHOUSE, BRET A.	4173	IA	BAR	BAR BAR
SAYASANG, DAN	5680	CHEF'S OFFICE	DS	DS
HUYS, JOHN	5097	IA	JH	JH
BENNETT, MARK	4559	IA	MB	MB
GROSSMAN, ROBERT	4249	IA	RG	RG
SANCHEZ, JUAN	5378	CIU	JS	JS
HUFF, JEREMY	6929	NPD	JH	JH
ROBERTSON, NICOLE	6292	NPD	NR	NR
BOTSFORD, STACEE	5264	NPD	SB	SB

WOODSELL, PHANOMSACK	5491	NPD/HOT	PW	PW
TANGOLA, LERRAINE	5132	NPD/C-2	PLZ	LV-3
WILLETT, CHRIS	6888	NPD/W-1	CW	CW
EDWARDS, EMER	4875	NPD/HOT	EME	EME
PICH, COUSSA	6727	NPD	(N)	(N)
LARA, CHARLES	5591	NPD/HOT	CL	CL
HINZO, RICH	5547	NPD	RH	RH
HIGDON, DAN	5057	PSU	(DA)	(DA)
MERRIMAN, LEVI	6546	NPD	LE	LSL
FOX, RICHARD	5050	IA	RF	RF
RICHARD				
	<u>34</u>			

INVI, Aug 8-9, 2018

33
Total

COMMAND TRAINING 2018

NAME (LAST, FIRST)	ID NUMBER	ASSIGNMENT	DAY #1-INITIAL	DAY #2-INITIAL
SAFUAR, JOHN	5193	CHILD ABUSE	[Signature]	[Signature]
WELDEN, SASON	5563	SEX CRIM	[Signature]	[Signature]
CASILLAS, ROBERTO	5391	HITF	RM	RM
FLAMAND, DALE	4385	ILAC	DF	DF
BULKOWSKI, JOE	4781	CHILD ABUSE	JB	JB
CASTRO, NYDIA	5440	SEX CRIMES	NMC	NMC
BERSON, CAROLE	5260	VICE	[Signature]	[Signature]
BAILIFF, RON	5100	SCU	RB	RB
DE DONATO, NICK	6076	VICE	NA	ND
PEN, VAN	5924	NORTHERN	UP	UP
STINSON, ROBERT	5527	VICE	[Signature]	[Signature]
MEYER, DANIEL	6072	VICE	DM	DM
MCGILVRAY, BRIAN	6078	VICE	BM	BM
MCCURRY, BEN	5781	VICE	BM	BM
HILL, ALICIA	6589	INVI/DV	AM	-
JONES, MITCHELL	6595	M/C	MJ	[Signature]
BASSETT, TINA	5116	INVI/NST	JB	JB
Alex de Armas	4013	INVI/NTF	AA	AA
WILLIAMS, DAVID	3994	INVI/NTF	DW	DW
CHAVEZ, JOSE	5575	INVI/NARC	JC	[Signature]
AGUILAR, RICK	5386	INVI/NARC	RA	RA
BASSETT, TOD	4451	INVI/NTF	JB	JB
NOJAK, MATT	5098	INVI/NST	MN	MN
BROWN, BILL	5379	INVI/NTF	UB	UB

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STIASNY, ELLIOTT	4187	INV I / NST	CS	CS
TIVANIAN, CHRIS	5871	INV I / NST	CT	CT
WINKER, DEREK	5600	INV I / NST	DW	DW
ZWIBEL, EDWARD	5475	WATCH COMMAND	EG	EG
DOLAN, DAVID	4332	CIU	NA	NA
GRIFFIN, LINDA	4357	INV I - 290	SO	SO
FREEDMAN, RICHARD	4910	INV I	SO	SO
NGUYEN, TU	4664	INV-I	TN	TN
BALZIFF				
CHILTON, ALAN	4341			
	33			

INV II

Aug 6-7, 2018

32
Total

COMMAND TRAINING 2018

NAME (LAST, FIRST)	ID NUMBER	ASSIGNMENT	DAY #1- INITIAL	DAY #2- INITIAL
WHITE, MARSHALL	4100	INV II GANGS	MKL	MKL
ROWE, RAY	5251	INV II GANGS	RD	RD
FORTIER, KEN	3721	INV II GANGS	KF	KF
Behrendt, Steve	4528	INV II ECU	SB	SB
ALBRIGHT, DANIEL	3923	INV II ECU	OD	OD
TURNER, TODD	5093	INV II GST	TNT	TNT
Mathew E. Sainz	4907	INV II	MS	MS
DISHNO, TRACY	4927	INV II - ECU	2B	2B
CHERSKI, MELISSA	5852	ELDER	mc	mc
LANE, BART	5977	INV II GST	BK	BK
TSUI, JASON	6560	NORTHERN	AL	AL
SPURLOCK, STEVEN	4710	INV II / SIU	SBS	SBS
DAVIS, KELLY	5025	INV II / GSP	KPD	KPD
BUTCHART, ALLAN	5153	INV II / GST	AMB	AMB
VELOVICH, MICHAEL	5353	INV II / HUM	ME	ME
Conley, Paul	4673	INV II / HOM	PPL	PPL
DUPRES, ANTHONY	5048	INV II / HOM	ALD	ALD
MAGGI, LOUIS	5595	INV II / HOM	UM	UM
DOBBS, MATT	5228	INV II / HOM	MS	MS
DEL TORO, MANUEL	4754	CIU	MDA	MDA
Johnson, Luke	5954	INV II / HOM	fg	fg
MACINOWSKI, DUANE	4941	INV II / HOM	AM	AM
DECESARI, GEOFFREY	6026	INV II / HOM	MSL	MSL
UNDERWOOD, TOM	5001	INV II	U	U

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Dobbs Lewis, RONED	4425	INV II	WR	WR
Cowz V.A.	4297	INV II	VC	VG
Flood, GREG	4673	INV II	RP	RP
Fechin, RICK	4880	INV II	RP	RP
CAMERON, CHRIS	4597	JNV II	CC	CC
HILL, ALI	0589	INV I		AN
YU, DAVE	9043	MAV		RP
MACON, KEVIN	5117	INV II		RP
	<u>32</u>			

26
total

Central Division

8/13/18 - 8/14/18

COMMAND TRAINING 2018

NAME (LAST, FIRST)	ID NUMBER	ASSIGNMENT	DAY #1- INITIAL	DAY #2- INITIAL
WALLACE, MICHAEL	6404	CENTRAL - 3RD	MW	MW
OH, TAERANCE	5963	WESTERN - 2ND	TO	TO
BRINKERHOFF, DAN	5717	CENTRAL INV	RP	RP
MATTELY, JUSTIN	6143	CENTRAL - SEV	JM	JM
BACUS, VINCE	5873	CENTRAL	W	W
SHUMAKER, BEN	5903	CENTRAL	BS	BS
DUNGAN, JONATHAN	6137	CENTRAL	JMO	JMO
SPURLOOK, DESIREE	4856	"	dl	dl
MCANNALLY, JASON	4553	CENTRAL	DM	DM
McCLAIR, DANIEL	6013	CENTRAL	DM	DM
KORENKOV, ANDREW	6276	CENTRAL	AK	AK
TIEN, JOEL	6128	F. A.	JT	JT
NGUMEN, NICK	6179	CENTRAL	NN	NN
KELWINGTON, MICHAEL	6384	CENTRAL	MK	MK
GREEN, BRAD	6820	CENTRAL	BR	BR
ESPERSON, JULIE	5111	CENTRAL	JES	JES
THOMAS, DEAN	5425	CENTRAL	DT	DT
BISHOP, DEAN	5937	CENTRAL	DRB	DRB
McANDREW, KRISTOPHER	6099	CENTRAL	KM	KM
HOLDEN, MIKE	4997	CENTRAL	MDH	MDH
SCOTT, ARTHUR	6029	CENTRAL	AS	AS
FORSY, RICH	5172	CENTRAL	R.F.	R.F.
BOTKIN, MATTHEW	5875	CENTRAL	MB	MB
MCANNALLY, JASON	4553	CENTRAL	DM	DM

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WADHAMS, KEVIN	5802	CENTRAL	K	K
HOISLAC, SCOTT	5304	K9	SA	SA
	26			

000150

Eastern Division

8/15/18
8/16/18

24
total

COMMAND TRAINING 2018

NAME (LAST, FIRST)	ID NUMBER	ASSIGNMENT	DAY #1- INITIAL	DAY #2- INITIAL
CLEM, DEBORAH	5769	E-2	DC	DC
EMILIO RAMIREZ	6086	E-1	ER	ER
DAW HAO	5398	E-INV	DA	DA
Salinas, Jeffrey	5069	MAU	JS	JS
MORA, ROBERT	5671	E-1	JM	JM
RUVIDO, JOSEPH	5509	E-3	JR	JR
FRENCH, BRIAN	070514	E-2	BF	BF
THOMAS, JOE	5861	E-3	JT	JT
RADTKE, TIM	6554	W-1	R	R
NEWQUIST, ROB	5015	E-INV	NR	NR
MOYNO, KEVIN	5506	INTERNAL AFFAIRS	MO	MO
ESTRADA, ELIAS	5771	INTERNAL AFFAIRS	EE	E.E.
GOLDROP, BRIAN	4573	EACI	GR	GR
WINTZ, Michael	5438	E	WR	WR
UNWALS, JEFFREY	5783	E	JW	W
Brown, Andra	3950	WC-3	ARB	ARB
LAKE, JOHN	6344	E-3	LA	LA
LITTLE, HIGHHORSE	6219	E-3	HL	HL
SAVAGE, ARCEL	6059	E-2	AS	AS
VARBUS, MIKE	5081	TRAINING	V	
LEAHY, CHRISTOPHER	5869	W-2	L	L
Hoffman Andrew	4147	E	OH	OH
JORDON, JEFF	5316	ADMIN	J	J
LACANAN, ED	5987	E	L	L

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19
Total

Northern Division

8/20/18
8/21/18

COMMAND TRAINING 2018

NAME (LAST, FIRST)	ID NUMBER	ASSIGNMENT	DAY #1- INITIAL	DAY #2- INITIAL
Mayer, Kevin	4510	Northern	Km	Km
Burton, Chris	4123	N/INV.	CB	CB
SHARP, CHRIS	4855	WC	CS	CS
DENNY JOHN	6371	NORTHERN	JD	JD
BRECHT, DAVID	5807	NORTHERN	DB	DB
BURR, GEOFF	6066	NORTHERN	GB	GB
ADAMS, SIMON	5970	NOR	AS	AS
ODOM, JOSH	5981	NOR	JO	JO
BANKS, STEVE	5719	NORTHERN	SB	SB
MCEWEN, MICHAEL	5370	NORTHERN	MM	MM
LAYTON, FARRELL	4877	NORTHERN	FL	FL
JOSE, MAZE	4217	NORTHERN	JM	JM
WILSON, JAMES	6262	NORTHERN	WJ	WJ
GIBSON, KEVIN	4171	NORTHERN	KG	KG
WALDHEIM, STEVE	5514	NORTHERN	SW	SW
Shebloski, STEPHEN	5317	MIDCITY	SS	SS
SWADENER, ARTHUR	5753	CIU	CS	CS
Scott, Jason	5712	Northern	JS	JS
BERNSTEIN, MERYL	4667	NORTHERN	MB	MB

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OPS Support + North Western

Aug 22-23, 2018

(26)

358 total

COMMAND TRAINING 2018

(27)

NAME (LAST, FIRST)	ID NUMBER	ASSIGNMENT	DAY #1-INITIAL	DAY #2-INITIAL
LACANGAN, ED	5957	E-2	EA	
SEHMOTZACH, TRISTAN	5682	OPS	TS	TS
Lesca, Tony	4926	K9	TL	TL
PORTNOY, BRIE	6315	NW/1	ENP	ENP
LINK, NICHOLAS	6278	OPS	NL	NL
BYANG, PAUL	5257	OPS	Py	Py
CANTEN, LAWRENCE	4007	OPS	LC	LC
MARTEN, SHANE	4621	ABLE	Sh	Sh
HAWKINS, ROBERT	5029	W/C	R	R
RANNEY, MIKE	5141	W/C	MR	MR
DWENS, JERRY	5602	RAP	JD	JD
SAUNDERS, MANN	4501	NW	MS	MS
RESCH JACOB	5829	K9	R	R
CARLTON, TOM	5269	K9	TC	TC
SANDERS, BRIAN	6611	N-1	BS	BS
WILKINSON, MARK	4506	OP-SUPPORT	MS	MS
JANSEY, MICHAEL	4189	W/C	MS	MS
GIWI, CASEY	5711	K9-3	CS	CS
Hovson, Darryl	4720	Comms	DA	DA
Scott Holshw	6156	W/C	SH	
Jess Hovson	3750	K9-2	JKH	JKH
ED LYNCH	4939	NW-3	EL	EL
JOHN SZAKONA	5530	INV#	J	J
Stephanie Rose	4991	OPS	SR	SR

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COMMAND TRAINING 2018

(14)

AUG-22-23, 2018

NAME (LAST, FIRST)	ID NUMBER	ASSIGNMENT	DAY #1- INITIAL	DAY #2- INITIAL
CAROPRESO, DAN	5363	AC	✓	✓
CAROPRESO FRANK	4735	NW	✓	✓
EVANS, CRAIG	5493	ASU	CE	CE
RIVERA, CARMELIN	5336	NW	CR	CR
PIEDGEON, MIKE	5005	K9	MP	MP
DUNNIGAN, CHARLES	4969	TMI	COD	CD
TAKEUCHI, SHAWN	5375	BACKGROUNDS	ST	ST
PHILLOWER, RONNIE	5371	EIS	RP	RP
JARRELLS, JASON	5470	CI/MU	JP	JP
BORRICHINI, SCOTT	5094	NW	SDR	SDR
TAGABAW, EMERITA	5794	TRAINING	WT	WT
STERLING J	4994	NW	JS	JS
ALBERYS, WES	4622	NW	WT	WT
LINK, MICHAEL	6298	OPS		
YANG, PAUL	5257	OPS	MY	MY

Southern & N.E. Divisions

August 27-28, 2018

COMMAND TRAINING 2018

35
total

NAME (LAST, FIRST)	ID NUMBER	ASSIGNMENT	DAY #1- INITIAL	DAY #2- INITIAL
AVALOS, GARY	5323	S-1		
AVALOS, GARY	5323	S-1	Su	Su
DE LOS REYES, DEANA	4988	S-INV	DA	DA
SHARR, ADAM	5780	S	AS	AS
ZIEGLER, EVAN	4450	S	E2	E2
CISNEROS, CRYSTAL	5884	S	CC	CC
RODRIGUEZ, VICTOR	6801	S	VR	VR
DEMPSHI, BRYAN	6136	NE	BD	BD
MIRANDA, MIKE	5989	NE	MM	MM
MESSINEO, VITO	5278	NE	VM	VM
KOZ, PHIL	5240	N/E		
LEISE, CLINTON	5778	N/E	C.L.	C.L.
MILLAN, TED	5787	S	T.M.	T.M.
VILLALOBOS, STEVEN	4792	NE	SDV	SDV
KELLY, PEPPER	5309	NE	PK	PK
STONE, NATALIE	4481	NE	N	N
VALENTIN, RAY	4398	NE	V	V
ELLSWORTH, SCOTT	6576	S	S	S
ZIMMERMAN, JONATHAN	6323	S	Z	Z
OCHOA, JESSE	6449	S	OO	OO
SULLIVAN, TOM	4676	W.C. OFF.	TS	TS
PEARSON, JACK	5282	INV II/BCU	JP	JP
MARONA, ROBERT	9634	NE	PH	PH
WHITE, TYLER	6286	NE	W	W
STETJEVICH, DANIEL	6670	NE	RE	RE

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			DAY 1	DAY 2
PIZZA CARL	5284	NE1	CP	CP
BROWN, PETE	5994	S2	CP	CP
Terhaar, Philip	4723	S-JST	CP	CP
Lawrence, Kosylee	5380	NE3	CP	CP
BROWN, JOH	5341	S-2	CP	CP
AL AMBITO	6190	SO	CP	CP
CHRIS ASBELL	4417	SO	CP	CP
L. KNIGHTEN	5357	NE	CP	CP
BRIAN BRIAN AVERA	6266	VICE	SA	
BREISE, ANTHONY	6637	S	AMB	AMB.
VARBOS, MERLE	5081	FTD ADM		W

South eastern
8/29/18 8/30/18

29
Total

COMMAND TRAINING 2018

NAME (LAST, FIRST)	ID NUMBER	ASSIGNMENT	DAY #1- INITIAL	DAY #2- INITIAL
KELSO, BEN	4702	SE	BK	BK
SWANSON, MICHAEL	5860	w/c	MJS	MJS
NAPORA, SCOTT	5601	SE	SDH	SDH
JOHNSON, JAMES	5174	SE	JD	JD
VALENZUELA, LOUIS	4291	SE	LEV	LEV
SERVIN, ERNESTO	4834	SE	ES	ES
HOLLAND, VANESSA	4933	NW	VH	VH
RODRIGUEZ, RAMIRO	5857	SE	ROR	ROR
MC GUIRE, ED	5736	SE	GM	GM
BURROW, DAN	5268	SE	DB	DB
TEWARI, JON	6258	SE	JST	JST
WILCKEN, CHRISTOPHER	6019	SE	W	W
THOMPSON, JARED	6359	SE	W	W
CZAS, MARIUSZ	5916	SE	MC	MC
WHITE, FRANK	6187	SE	F	F
PEREZ, MARIO	6312	SE	M.P.	M.P.
OLIVER, HAROLD	5492	SE	OH	OH
MACON, KEVIN	5117	SG4	GM	
MELHORN, SKIP	4261	S	SM	SM
JOHNSON, MATTHEW	6080	SE	MJ	MJ
ALEXANDER, MONZO	4638	SE	AA	AA
REESE, ANTHONY	5517	SE	ARB	ARB
HARA, JERRY	4973	SE	JH	JH
HURTADO, SAL	5448	NW	SH	SH

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DAVE YU	5643	MAU	BA	BA
O'DONNELL, BRAD	5018	NW	BA	BA
MCKEAN, LISA	5931	N	BA	BA
GARCIA, IVAN	5445	OPS	1-7.	BA
AVERA, BRIAN	6266	VICE		BA

Exhibit 13

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RIPA COUNT - TRAINING VIDEO

Row Labels	Count of Rank
Assistant Chief	6
Captain	16
Chief of Police	1
Executive Assistant Chief	1
Lieutenant	52
Police Detective	241
Police Investigative Service Officer II	2
Police Officer I	151
Police Officer II	955
Police Officer III	9
Recruit	9
Sergeant	166
Sergeant/Detective	103
Grand Total	1712

Item ID	Last Name	First Name	User Last Activity	User Credit Given	Object	Object Last
SDPD_AB953	Ellsworth	Philip	6/26/2018 03:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Lopez	Sergio	6/19/2018 11:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Plein	Dan	8/3/2018 06:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/3/2018 Diego
SDPD_AB953	Lee	Adrian	6/27/2018 08:48 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Limon	Ildefonso	6/21/2018 03:27 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Alvarez	Martin	6/18/2018 08:27 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Caropreso	Daniel	6/20/2018 12:01 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Fletes	Eduardo	6/18/2018 08:23 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Mercado	Jose	6/26/2018 02:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Impellizeri	Kenneth	7/11/2018 07:19 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018 Diego
SDPD_AB953	Hall	Jenny	6/19/2018 04:40 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Amezcuca	Carlos	6/28/2018 09:28 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Kilby	Christopher	INDUSTRIAL LV 6/27/2018 12:58 PM America/San Diego	NO		
SDPD_AB953	Wahl	Scott	7/15/2018 10:06 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/15/2018 Diego
SDPD_AB953	Avalos	Gary	7/9/2018 08:43 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/9/2018 Diego
SDPD_AB953	Albright	Donald	7/9/2018 08:43 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/9/2018 Diego

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SDPD_AB953	Albright	Daniel	6/21/2018 01:53 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Stephens	Marc	8/15/2018 02:11 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/15/2018 Diego
SDPD_AB953	Sullivan	Thomas	6/29/2018 12:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018 Diego
SDPD_AB953	Norris	Patrick	6/18/2018 12:09 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Hurtado	Salvador	7/20/2018 07:41 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/20/2018 Diego
SDPD_AB953	Dobbs	Matthew	6/21/2018 10:01 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Gonzales	Florante	6/23/2018 02:20 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018 Diego
SDPD_AB953	Coore	Vicki	6/20/2018 02:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Bendixen	Michael	6/22/2018 06:52 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Hoover	Darryl	6/19/2018 07:13 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Alberts	Michael	6/18/2018 03:43 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Mangum	Wesley	6/19/2018 03:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Rodriguez	Elias	6/23/2018 09:24 AM America/San Diego 6/23/18	NO YES	Racial & Identity Profiling Act- AB 953	6/23/2018 Diego
SDPD_AB953	Huys	John	6/27/2018 12:14 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Simpson	Robert	6/21/2018 06:43 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Romero	Fausto	6/19/2018 07:55 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Mc Donald	Robert	6/19/2018 08:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego

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SDPD_AB953	Martinez	Jeffrey	6/27/2018 10:41 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Williams	David	6/19/2018 01:52 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Jordon	Jeffrey	7/18/2018 12:27 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018 Diego
SDPD_AB953	Kries	David	7/12/2018 07:03 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Drilling	Eric	6/18/2018 07:40 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Flood	Gregory	8/14/2018 01:08 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/14/2018 Diego
SDPD_AB953	Yu	Dave	7/5/2018 07:08 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/5/2018 Diego

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SDPD_AB953	Delgadillo	Maria	6/28/2018 08:33 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Willhelm	Mark	8/7/2018 12:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/7/2018
SDPD_AB953	Fleming	Samantha	6/20/2018 01:59 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Tivanian	Christopher	6/19/2018 06:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Real	Carlos	6/20/2018 02:18 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Populin	Marcelo	6/16/2018 10:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Sorbie	Brandy	6/21/2018 06:44 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Pollock	Erik	6/21/2018 10:08 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Casillas	Roberto	7/12/2018 02:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Davies	Lisa	7/12/2018 11:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Jedlicka	Scott	6/21/2018 11:15 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Goldberg	Brian	11/19/2018 03:55 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	11/19/2018 Diego
SDPD_AB953	Caropreso	Frank	7/17/2018 06:09 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/17/2018 Diego
SDPD_AB953	Castillo	Joseph	6/19/2018 01:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Negron	Adrian	6/19/2018 10:50 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Martinez	Chrissy	6/26/2018 04:45 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Levenberg	Thomas	8/14/2018 01:25 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/14/2018 Diego

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SDPD_AB953	Milloy	John	6/21/2018 11:12 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Powers	Jason	7/2/2018 01:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/2018
SDPD_AB953	Krueger	Richard	6/27/2018 03:49 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Leek	Gordon	6/15/2018 04:35 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Lavalle	Edmund	6/18/2018 07:02 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Anderson	Peggy	6/28/2018 10:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Dierdorff	Daniel	6/21/2018 01:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Sanchez	Juan	6/22/2018 11:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Sandefur	Scott	6/29/2018 08:41 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018 Diego
SDPD_AB953	Roman	Luis	8/16/2018 02:12 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/16/2018 Diego
SDPD_AB953	Almos	Karen	7/19/2018 09:47 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/19/2018 Diego
SDPD_AB953	Dunnigan	Charles	7/13/2018 08:47 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/13/2018 Diego
SDPD_AB953	Fellows	Andrew	6/21/2018 09:24 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Miller	Douglas	8/14/2018 01:42 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/14/2018 Diego
SDPD_AB953	Withers	Robert	6/20/2018 02:38 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Hoover	Dana	6/19/2018 08:19 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Grubbs	Daniel	6/21/2018 08:54 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego

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SDPD_AB953	Flores	Raul	6/21/2018 10:51 AM America/San Diego 6/20/18	No YES	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Saflar	John	6/27/2018 02:36 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Day	Michael	6/18/2018 09:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Holt	Christopher	6/15/2018 08:20 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Mendez	Jose	6/27/2018 04:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	White	Marshall	6/18/2018 03:51 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego

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SDPD_AB953	Sweet	Michael	6/20/2018 08:57 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Gain	Mark	6/19/2018 08:14 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Rodriguez	Victor	6/22/2018 06:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Bisesto	Gregory	6/18/2018 01:03 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Jose	Marc	6/26/18 7/4/2018 09:11 AM America/San Diego	No YES	Racial & Identity Profiling Act- AB 953	7/4/2018
SDPD_AB953	Rodriguez	Ana	7/16/2018 12:39 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/16/2018 Diego
SDPD_AB953	Kindred	Vernon	8/2/2018 04:31 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/2/2018
SDPD_AB953	Martinez	William	7/18/2018 09:02 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018 Diego
SDPD_AB953	Heims	Robert	11/28/2018 08:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	11/28/2018 Diego
SDPD_AB953	Layton	Farrell	6/22/2018 06:00 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Beard	Jana	9/4/2018 08:54 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/4/2018
SDPD_AB953	Mosteller	Jacob	6/20/2018 07:09 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Arguelles	Jose	6/20/2018 05:03 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Weeden	Jason	6/28/2018 09:07 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Jones	James	6/19/2018 07:47 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Resch	Jacob	6/21/2018 07:01 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Havin	Jess	6/22/2018 03:53 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego

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SDPD_AB953	Villalobos	Steven	6/22/2018 10:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Lacangan	Edwin	6/21/2018 01:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Lindstrom	Gregory	6/19/2018 08:28 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Cameron	Christen	6/15/2018 07:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Tangog	Lorraine	6/21/2018 12:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Cimmarrusti	Raphael	6/26/2018 06:59 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Dishno	Tracy	6/18/2018 09:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Terhaar	Philip	6/20/2018 06:47 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Bautista	David	7/16/2018 10:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/16/2018 Diego
SDPD_AB953	Bernstein	Meryl	6/19/2018 02:36 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Beamesderfer	Michael	6/20/2018 12:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Troussel	James	6/19/2018 01:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Ford	Mitchell	6/26/2018 02:38 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Swanson	Michael	6/19/2018 09:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Melhorn	Skip	6/19/2018 01:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Castro	Rudy	8/23/2018 11:32 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/23/2018 Diego
SDPD_AB953	Servin	Ernesto	8/1/2018 12:52 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/1/2018

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SDPD_AB953	Rose	Stephanie	6/28/2018 11:49 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Lopez	Mark	7/11/2018 07:48 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018
SDPD_AB953	Durand	Joseph	6/19/2018 08:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Mayer	Kevin	7/12/2018 11:38 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018
SDPD_AB953	Kelly	Pepper	8/15/2018 10:24 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/15/2018

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SDPD_AB953	Alexander	Alonzo	6/20/2018 03:14 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Connelly	Paul	6/27/2018 12:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018
SDPD_AB953	Derrough	Jovanna	10/24/2018 07:46 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/24/2018
SDPD_AB953	Morris	John	6/18/2018 12:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Mc Carvel	Roger	6/18/2018 07:33 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Millan	Teophilson	6/19/2018 03:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Sinclair	Lori	6/19/2018 08:05 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Reif	John	6/21/2018 12:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Padilla	Javier	8/14/2018 02:36 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/14/2018
SDPD_AB953	Nunez	Javier	7/26/2018 01:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/26/2018
SDPD_AB953	Zamora	Sergio	7/11/2018 08:50 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018
SDPD_AB953	Tagaban	Esmeralda	6/18/2018 12:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Mendoza	Joel	6/20/2018 10:08 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Howell	Larry	7/19/2018 12:54 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/19/2018
SDPD_AB953	Johnson	Buddy	6/26/2018 08:03 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Needham	James	6/26/2018 06:19 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Pechin	Richard	6/18/2018 08:13 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018

SDPD_AB953	Brent	Daniel	6/19/2018 06:52 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Holt	Jessie	7/12/2018 12:31 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018
SDPD_AB953	Lovio	Arturo	10/8/2018 09:55 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/8/2018
SDPD_AB953	Westney	Daniel	6/18/2018 02:39 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Hoyte	Hector	6/19/2018 06:25 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Slater	Thomas	6/20/2018 03:16 PM America/San Diego 6/20/18	NO YES	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Bannan	Sean	7/14/2018 05:31 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/14/2018
SDPD_AB953	Witt	Steven	6/19/2018 05:02 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Seiter	Eric				
SDPD_AB953	Botkin	Matthew	6/15/2018 11:46 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Zaldivar	Jesse	6/21/2018 08:19 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Vancleave	Ron	6/16/2018 02:55 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Navarro	Carlos	6/26/2018 06:04 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Dolan	David	6/18/2018 11:59 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Gasteiger	Mark	7/24/2018 06:20 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/24/2018
SDPD_AB953	Carranza	Javier	6/26/2018 05:55 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Clark	Raymond	6/19/2018 06:04 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018

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SDPD_AB953	Carlyon	Thomas	6/20/2018 11:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Gutierrez	Ruben	6/28/2018 06:43 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Flamand	Dale	7/10/2018 10:43 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/10/2018
SDPD_AB953	Morales	Miguel	7/26/2018 05:27 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/26/2018
SDPD_AB953	Lucchesi	Brian	6/26/2018 06:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Lucchesi	Mark	6/16/2018 02:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018

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SDPD_AB953	Lewak	Kazimierz	6/21/2018 08:02 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Ruckle	Jeffrey	6/19/2018 09:31 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	McKean	Lisa	6/20/2018 01:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Cleavinger	Jeffrey	10/5/2018 08:14 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/5/2018 Diego
SDPD_AB953	Taylor	Dana	8/1/2018 06:19 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/1/2018
SDPD_AB953	Flores	Gilbert	7/12/2018 01:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Winker	Derek	6/18/2018 07:44 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Kellner	William	6/21/2018 08:16 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Stewart	Jeffrey	7/14/2018 07:14 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/14/2018 Diego
SDPD_AB953	Delgadillo	Roberto	7/24/2018 02:27 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/24/2018 Diego
SDPD_AB953	Pen	Vanthoeun	6/21/2018 04:35 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Rowe	Raymond	6/18/2018 08:49 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Eckard	Wende	6/21/2018 08:03 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Phillips	Paul	6/19/2018 08:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Peregrina	Efren	6/18/2018 12:35 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Szakara	John	6/18/2018 03:39 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Sainz	Martha	10/29/2018 11:49 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/29/2018 Diego

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SDPD_AB953	Robertson	Larry	6/26/2018 06:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Malinowski	Duane	6/26/2018 07:08 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Flake	Leonard	8/15/2018 11:00 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/15/2018
SDPD_AB953	Cruz	Vedasto	7/18/2018 10:19 AM America/San Diego 7/18/18	No YES	Racial & Identity Profiling Act- AB 953	7/18/2018
SDPD_AB953	Flores	Riter	6/26/2018 10:38 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	James	Scott	6/20/2018 02:58 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Richmond	Brenda	6/28/2018 02:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Barnes	Scott	6/26/2018 06:14 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Saunders	Mark	6/21/2018 06:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Delgadillo	Raul	6/20/2018 12:26 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Miller	Derek	6/27/2018 08:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018
SDPD_AB953	Williams	Tina	6/20/2018 02:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Vargas	Michael	7/5/2018 09:08 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/5/2018
SDPD_AB953	Kelley	Kyle	6/20/2018 10:33 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Stonier	Roger	6/15/2018 06:17 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Moyna	Kevin	6/28/2018 11:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Macawili	Albert	6/19/2018 01:54 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018

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SDPD_AB953	Estrada	Elias	7/17/2018 03:09 PM America/San Diego 7/17/18	No YES	Racial & Identity Profiling Act- AB 953	7/17/2018
SDPD_AB953	Graves	James	7/14/2018 01:21 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/14/2018
SDPD_AB953	Odom	Scotty	6/22/2018 02:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Medina	Llanina	6/18/2018 12:57 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Kulbeck	Jeff	6/18/2018 08:01 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018

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SDPD_AB953	Laco	Patrick	6/17/2018 10:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018
SDPD_AB953	White	Troy	6/19/2018 06:48 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Maley	David	6/18/2018 07:43 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Messineo	Vito	6/15/2018 04:23 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Bowen	Gary	6/21/2018 07:34 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Mackay	James	6/18/2018 04:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Cephas	Juan	6/19/2018 07:20 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Slater	Charles	6/18/2018 05:59 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Besker	Kelly	11/6/2018 07:36 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	11/6/2018
SDPD_AB953	Cherski	Melissa	6/19/2018 07:18 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Shumaker	Benjamin	6/26/2018 11:27 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Clark	Lamont	6/26/2018 07:01 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Curran	Christopher	7/18/2018 11:34 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018
SDPD_AB953	Romano	Mario	7/25/2018 07:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/25/2018
SDPD_AB953	Nigro	Michael	6/18/2018 12:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Cali	Francis	6/19/2018 09:54 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Haas	Mark	8/16/2018 07:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/16/2018

SDPD_AB953	Filley	Robert	6/21/2018 08:04 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Brecht	David	11/17/2018 11:36 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	11/17/2018
SDPD_AB953	Williams	Donald	6/27/2018 01:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018
SDPD_AB953	Lawrence	Kaseylee	6/27/2018 01:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018
SDPD_AB953	Munoz	Juan	6/19/2018 08:12 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Iversen	Pia	6/21/2018 01:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Ferguson	Blaine	10/16/2018 09:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/16/2018
SDPD_AB953	Davis	John	6/21/2018 08:03 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Gaines	Brandon	8/14/2018 11:00 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/14/2018
SDPD_AB953	Hewitt	Bryan	6/21/2018 11:45 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	O'Donnell	Bradley	8/17/2018 06:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/17/2018
SDPD_AB953	Amado	Oscar	7/12/2018 03:24 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018
SDPD_AB953	Guaderrama	Tracy	6/28/2018 08:20 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Delimitros	Constandinos				
SDPD_AB953	Buttle	John	6/17/2018 06:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018
SDPD_AB953	Tungcab	Roel	6/21/2018 12:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Leiber	Larry	6/20/2018 08:25 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018

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SDPD_AB953	Philhower	Ronnie	6/21/2018 11:06 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Surwilo	David	6/26/2018 09:21 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Salvador	Jericho	6/19/2018 06:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Morales	Eric	7/17/2018 03:57 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/17/2018
SDPD_AB953	Moody	Diann	6/18/2018 06:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Mc Ewen	Michael	6/20/2018 02:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018

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SDPD_AB953	Winans	David	6/22/2018 04:08 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Hallahan	Ryan	9/18/2018 11:19 AM America/San Diego 9/18/18	No YES	Racial & Identity Profiling Act- AB 953	9/18/2018 Diego
SDPD_AB953	Peterson	Vernon	6/27/2018 01:10 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Jarvis	Philip	6/28/2018 03:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Leos	Alberto	6/26/2018 01:50 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Renwick	James	6/19/2018 07:40 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	De Los Reyes	Romeo	6/15/2018 12:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Pira	Carl	6/17/2018 01:04 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Thorn	Stephen	6/19/2018 07:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Gonzalez	Tristan	6/15/2018 08:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Brown	Jon	6/18/2018 02:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Pettus	William	6/20/2018 08:34 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Konz	Phillip	6/16/2018 08:23 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Lara	Charles	7/18/2018 06:06 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018 Diego
SDPD_AB953	Garrette	Edwin	6/26/2018 07:03 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Van Proyen	Joel	6/16/2018 04:39 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Bulette	Richard	6/20/2018 06:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego

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SDPD_AB953	Ruvido	Joseph	6/17/2018 11:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Hernandez	Ruben	6/15/2018 12:51 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Kremer	Laura	10/9/2018 10:43 AM America/San Diego 10/9/18	NO YES	Racial & Identity Profiling Act- AB 953	10/9/2018 Diego
SDPD_AB953	Quintos	Yesenia	6/19/2018 08:47 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Amado	Andrea	8/27/2018 06:59 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/27/2018 Diego
SDPD_AB953	Robbins	Kenneth	6/19/2018 02:38 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Kirchhoff	Richard	6/26/2018 12:35 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Leach	Daniel	6/21/2018 03:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Kosugi	Johni	7/6/2018 06:51 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/6/2018 Diego
SDPD_AB953	Hodges	Diana	6/19/2018 07:05 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Zasueta	Steven	6/20/2018 02:51 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Weaver	Ross	7/18/2018 09:38 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018 Diego
SDPD_AB953	Boerum	Thomas	6/18/2018 09:43 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Speck	David	6/27/2018 08:36 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Wiese	Jonathan	6/22/2018 09:09 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Griffin	Linda	6/26/2018 01:47 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Suarez	Sophia	6/19/2018 03:35 PM America/San Diego 6/19/18	NO YES	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego

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SDPD_AB953	Shiraishi	Michael	9/6/2018 07:31 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/6/2018
SDPD_AB953	Castro	Henry	1/14/2019 09:57 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	1/14/2019
SDPD_AB953	Rapalee		6/26/2018 08:06 AM America/San Diego		Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Albrektsen	Sandra	6/20/2018 07:33 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Ramirez	Fernando	7/16/2018 09:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/16/2018
SDPD_AB953	Benavides	Luis	11/20/2018 07:37 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	11/20/2018
SDPD_AB953	Haley	Christine	6/18/2018 11:12 AM America/San Diego	No	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Vasquez	Kevin	7/12/2018 11:47 AM America/San Diego	YES	Racial & Identity Profiling Act- AB 953	7/12/2018
SDPD_AB953	Reichner	Richard	6/15/2018 12:57 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Lincoln	Steven	6/15/2018 10:08 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Gibson	David	7/17/2018 02:49 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/17/2018
SDPD_AB953	Santos	Alejandro	7/12/2018 07:12 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018
SDPD_AB953	Lowe	Jonathan	6/21/2018 06:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Pich	Corissa	6/15/2018 08:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Usrey	Michael	6/26/2018 03:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Yee	Bernadette	6/25/2018 01:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018
SDPD_AB953	Vitug	Mitchell	7/5/2018 01:44 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/5/2018
SDPD_AB953	Del Toro	Manuel				

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SDPD_AB953	Meyer	Cindy	8/27/2018 07:18 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/27/2018
SDPD_AB953	Camarena	Bertha	6/26/2018 01:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Gomez	Juan	6/20/2018 05:03 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Sanchez	Jesus	6/21/2018 10:04 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Cordero	Noe	6/19/2018 03:54 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Valenzuela	Louis	11/27/2018 12:07 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	11/27/2018
SDPD_AB953	Wintz	Michael	6/19/2018 08:31 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Fortier	Kenneth	6/21/18	NO YES	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Gonzales	Gary	7/3/2018 09:55 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/3/2018
SDPD_AB953	Sainsanoy	Lem	6/27/2018 10:34 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018
SDPD_AB953	De La Pena	Susan	7/12/2018 06:20 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018
SDPD_AB953	Groff	Michael	6/29/2018 09:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018
SDPD_AB953	Garcia	Ivan	7/27/2018 03:43 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/27/2018
SDPD_AB953	Gapusan	Gerry	6/19/2018 07:18 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Johnson	Janine	6/19/2018 06:50 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Karsh	Alan	6/18/2018 10:48 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Clem	Deborah	6/29/2018 04:24 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018

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SDPD_AB953	Newquist	Ronald	6/19/2018 11:21 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20: Diego
SDPD_AB953	Newquist	Robert	6/20/2018 10:28 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/20: Diego
SDPD_AB953	Jarrells	Jason	6/21/2018 10:50 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/20: Diego
SDPD_AB953	Van Antwerp	Janine	<i>IND LV</i>	<i>NO</i>		
SDPD_AB953	Zaitz	Mathew	6/26/2018 09:34 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/20: Diego
SDPD_AB953	Kremer	James	6/17/2018 08:06 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/20: Diego
SDPD_AB953	Charlot	Terence	6/27/2018 07:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/20: Diego
SDPD_AB953	Adams	Kristen	6/17/2018 12:01 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/20: Diego
SDPD_AB953	Surratt	Colonel	6/28/2018 06:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/20: Diego
SDPD_AB953	Oliveras	Shannah	6/21/2018 12:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/20: Diego
SDPD_AB953	Belz	Brigitta	6/18/2018 04:49 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20: Diego
SDPD_AB953	Aguilar	Jason	11/10/2018 02:52 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	11/10/20: Diego
SDPD_AB953	Cahill	Lawrence	6/20/2018 06:48 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/20: Diego
SDPD_AB953	Pidgeon	E. Michael	6/18/2018 03:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20: Diego
SDPD_AB953	Black	Lori	6/23/2018 11:23 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/20: Diego
SDPD_AB953	Hunter	James	7/11/2018 01:04 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/20: Diego
SDPD_AB953	Oberndorfer	Eric	6/15/2018 09:43 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/20: Diego

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SDPD_AB953	Atwood	Jennifer	6/19/2018 09:00 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Tansey	Michael	6/30/2018 08:39 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/30/20 Diego
SDPD_AB953	Browder	Neal	6/20/2018 01:34 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/20 Diego
SDPD_AB953	Martinez	Boris	6/21/2018 03:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/20 Diego
SDPD_AB953	Day	Colin	7/6/2018 12:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/6/2018 Diego
SDPD_AB953	Oh	Taerance	6/19/2018 06:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Nisleit	David	7/10/2018 05:25 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/10/20 Diego
SDPD_AB953	Adams	Julie	6/20/2018 07:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/20 Diego
SDPD_AB953	De La Cruz	Charles	6/22/2018 05:00 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/20 Diego
SDPD_AB953	Miles	William				
SDPD_AB953	Mauzy	Kathleen	7/11/2018 03:04 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/20 Diego
SDPD_AB953	Nugent	Edward	6/18/2018 09:38 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20 Diego
SDPD_AB953	Cupples	David	8/15/2018 06:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/15/20 Diego
SDPD_AB953	Miller	Thomas	2/19/2019 11:36 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	2/19/20 Diego
SDPD_AB953	Sadri	Mariam	2/12/2019 07:07 AM America/San Diego	YES	Racial & Identity Profiling Act- AB 953	2/12/20 Diego
SDPD_AB953	Navarro-Moran	Angelica	7/17/2018 03:17 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/17/20 Diego
SDPD_AB953	Shore	Daniel	7/3/2018 08:05 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/3/2018 Diego

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SDPD_AB953	Ingram	Henry	6/22/2018 09:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Adair	Larry	6/26/2018 09:46 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Cheam	Sopheap	6/17/2018 09:01 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Smith	George	6/19/2018 11:31 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Willis	Darryl	6/20/2018 07:50 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Hara	Jerry	6/19/2018 03:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Bauman	Cody	6/22/2018 10:09 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Sharp	Christian	6/18/2018 04:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Lujan	Kelvin	6/26/2018 07:59 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Pschera	Katarina	8/27/2018 11:51 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/27/2018 Diego
SDPD_AB953	Frodente	Aaron	6/22/2018 07:14 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Aguilar	Richard	6/19/2018 01:51 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Rocha	Stephen	6/19/2018 04:33 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Santos	Christina	6/21/2018 03:36 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Tai	Rudolph	7/10/2018 04:17 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/10/2018 Diego
SDPD_AB953	Castro	Nydia	6/29/2018 09:28 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018 Diego
SDPD_AB953	Holland	Vanessa	8/3/2018 08:51 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/3/2018 Diego

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SDPD_AB953	Yang	Paul	6/19/2018 07:21 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Woodell	Phanomsack	6/18/2018 10:20 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20 Diego
SDPD_AB953	Wong	Roger	6/22/2018 09:21 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/20 Diego
SDPD_AB953	Nguyen	Tu	7/18/2018 10:44 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/20 Diego
SDPD_AB953	Sayasane	Thourarith	6/18/2018 07:11 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20 Diego
SDPD_AB953	Castro	Ricky	6/20/2018 09:25 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/20 Diego
SDPD_AB953	Legrand	Houshawn	6/16/2018 08:43 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/20 Diego
SDPD_AB953	Fortier	Natalie	6/20/2018 12:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/20 Diego
SDPD_AB953	Kaszycki	Edward	6/18/2018 08:38 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20 Diego
SDPD_AB953	Banning	Amber	6/18/2018 10:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20 Diego
SDPD_AB953	Clark	Joseph	7/12/2018 09:25 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/20 Diego
SDPD_AB953	Carter	Tony	6/20/2018 12:21 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/20 Diego
SDPD_AB953	Wood	Andrea	6/19/2018 02:17 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Dupree	Anthony	6/18/2018 09:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20 Diego
SDPD_AB953	Pappert	Nori	6/23/2018 02:24 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/20 Diego
SDPD_AB953	Blackford	Jeffrey	6/21/2018 07:00 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/20 Diego
SDPD_AB953	Johnson	Luke	7/17/2018 03:08 PM America/San Diego 6/21/18	NO YES	Racial & Identity Profiling Act- AB 953	7/17/20 Diego

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SDPD_AB953	Czas	Mariusz	6/19/2018 01:58 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Thomas	Joseph I	7/3/2018 09:55 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/3/2018 Diego
SDPD_AB953	Miller	David	6/18/2018 01:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Herrera	Victor	6/16/2018 02:00 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Forsey	Colin	6/21/2018 05:40 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Rozsa	Lamar	6/19/2018 03:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Walb	Kristopher	6/20/2018 02:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Collins	James	6/27/2018 09:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Butchart	Allan	6/15/2018 08:25 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Kong	Mari	6/28/2018 02:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Ledezma	Arnoldo	7/11/2018 06:39 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018 Diego
SDPD_AB953	Luce	Christopher	6/28/2018 08:08 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Johnson	William	6/19/2018 03:56 PM America/San Diego 6/19/18	NO YES	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Resch	Danielle	6/19/2018 07:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Queen	Corinne	6/19/2018 11:49 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Sottile	Carla	7/3/2018 11:08 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/3/2018 Diego
SDPD_AB953	Kern	Jacob	6/20/2018 02:22 PM America/San Diego 6/20/18	NO YES	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego

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SDPD_AB953	Rozsa	Angela	6/20/2018 06:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/20 Diego
SDPD_AB953	Hinzo	Richard	6/18/2018 08:16 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20 Diego
SDPD_AB953	Vasquez	Yvette	7/12/2018 06:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/20 Diego
SDPD_AB953	Smyth	Laura	6/27/2018 06:45 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/20 Diego
SDPD_AB953	Zwibel	Edward	8/14/2018 05:12 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/14/20 Diego
SDPD_AB953	Carroll	John	6/21/18	NO YES	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Takeuchi	Shawn	7/11/2018 03:14 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/20 Diego
SDPD_AB953	Mills	Denise	6/19/2018 04:07 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Stone	Natalie	6/18/2018 10:01 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20 Diego
SDPD_AB953	Roshanzaer	Ashkan	7/17/2018 08:25 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/17/20 Diego
SDPD_AB953	Waldheim	Steven	7/11/2018 11:52 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/20 Diego
SDPD_AB953	Dewitt	Michael	6/20/2018 03:03 PM America/San Diego 6/20/18	NO YES	Racial & Identity Profiling Act- AB 953	6/20/20 Diego
SDPD_AB953	Sharrieff	Sabakhan	6/15/2018 10:49 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/20 Diego
SDPD_AB953	Dearmas	Alexander	6/20/2018 03:34 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/20 Diego
SDPD_AB953	Odom	Joshua	6/18/2018 09:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20 Diego
SDPD_AB953	Sharki	Adam	6/26/2018 01:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/20 Diego
SDPD_AB953	Lane	Bart	6/22/2018 09:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/20 Diego

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SDPD_AB953	Herring	Mark	8/9/2018 07:17 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/9/2018
SDPD_AB953	Fernandez	Junar	6/29/2018 08:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018
SDPD_AB953	Hernandez	Humberto	9/18/2018 03:47 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/18/2018
SDPD_AB953	Adams	Simon	6/16/2018 12:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Wallace	Justin	6/19/2018 07:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Koerber	Matthew	6/18/2018 01:12 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Bock	Ruby	7/11/2018 08:42 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018
SDPD_AB953	Miranda	Michael	11/19/2018 10:20 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	11/19/2018
SDPD_AB953	Bigbie	Tyler	6/18/2018 04:57 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Brown	Peter	6/16/2018 01:27 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Wallin	Eddie	6/18/2018 08:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Costanza	Jason	7/11/2018 03:03 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018
SDPD_AB953	Cortez	John	6/16/2018 03:49 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Hall	Michael	10/30/2018 01:07 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/30/2018
SDPD_AB953	Hartman	Lisa	6/19/2018 11:40 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Livermore	Jeffrey	6/19/2018 08:55 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Manansala	Benjerwin	6/26/2018 10:05 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018

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SDPD_AB953	McClain	Daniel	7/19/2018 12:00 AM America/San Diego 6/22/18	No YES	Racial & Identity Profiling Act- AB 953	7/19/20 Diego
SDPD_AB953	Wilcken	Christopher	6/19/2018 09:45 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Terranova	Tobia	7/20/2018 07:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/20/20 Diego
SDPD_AB953	Thibault-Hamill	Kelly	6/19/2018 08:37 AM America/San Diego 6/19/18	No YES	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Shadoan	Claudia	6/19/2018 10:14 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Padgett	Michael	6/18/2018 11:57 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20 Diego
SDPD_AB953	Bua	Mark	7/17/2018 06:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/17/20 Diego
SDPD_AB953	Doherty	Tyler	7/16/2018 12:18 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/16/20 Diego
SDPD_AB953	Clayton	John	6/21/2018 01:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/20 Diego
SDPD_AB953	Wilson	Jared	6/26/2018 10:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/20 Diego
SDPD_AB953	Scott	Arthur	6/17/2018 10:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/20 Diego
SDPD_AB953	Decesari	Geoffrey	6/29/2018 09:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/20 Diego
SDPD_AB953	West	David	8/14/2018 10:33 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/14/20 Diego
SDPD_AB953	Waggaman	Joseph	10/10/2018 12:59 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/10/20 Diego
SDPD_AB953	Conley	Paul	7/17/2018 03:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/17/20 Diego
SDPD_AB953	Burr	Geoff	6/22/2018 10:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/20 Diego
SDPD_AB953	Bainbridge	Ross	6/27/2018 09:50 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/20 Diego

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SDPD_AB953	Ampol	John				
SDPD_AB953	Luth	Christopher				
SDPD_AB953	King	Shawn	6/20/2018 06:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/20 Diego
SDPD_AB953	Roth	Matthew	6/16/2018 03:34 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/20 Diego
SDPD_AB953	Ramirez	Emilio	6/19/2018 09:45 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Minx	Nicholas	9/19/2018 11:55 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/19/20 Diego
SDPD_AB953	Crenshaw	Chad	6/19/2018 09:27 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Vollmar	Timothy	6/21/2018 07:19 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/20 Diego
SDPD_AB953	Steffen	John	6/18/2018 03:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20 Diego
SDPD_AB953	Lawry	Nicholas	6/16/2018 12:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/20 Diego
SDPD_AB953	Campfield	Gordon	6/18/2018 09:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20 Diego
SDPD_AB953	Garlow	Justin	6/20/2018 03:03 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/20 Diego
SDPD_AB953	Savage	Ariel	6/19/2018 04:10 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Humphrey	Gregg	6/26/2018 06:31 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/20 Diego
SDPD_AB953	Minter	Gregory	7/26/2018 10:17 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/26/20 Diego
SDPD_AB953	Zdunich	Jason	7/11/2018 07:03 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/20 Diego
SDPD_AB953	Tom	Paul	6/26/2018 07:05 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/20 Diego
SDPD_AB953	Jimenez	Daniel	6/28/2018 10:37 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/20 Diego

SDPD_AB953	Ascencio	Agustin	6/20/2018 03:21 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/20 Diego
SDPD_AB953	Lockwood	Scott	7/15/2018 06:07 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/15/20 Diego
SDPD_AB953	Edwards	Elmer	6/19/2018 12:03 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Meyer	Daniel	6/26/2018 01:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/20 Diego
SDPD_AB953	Davis	Brett	7/12/2018 11:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/20 Diego
SDPD_AB953	Kaiser	Geoffrey	6/18/2018 12:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20 Diego
SDPD_AB953	Tafoya	Andrew	6/27/18	NO YES	Racial & Identity Profiling Act- AB 953	6/27/20 Diego
SDPD_AB953	Rowlett	Pamela	6/20/2018 08:28 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/20 Diego
SDPD_AB953	Dedonato	Nicholas	6/28/2018 04:22 PM America/San Diego 6/26/18	NO YES	Racial & Identity Profiling Act- AB 953	6/28/20 Diego
SDPD_AB953	Weaver	James	6/22/2018 07:50 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/20 Diego
SDPD_AB953	Luellen	John	6/20/2018 05:03 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/20 Diego
SDPD_AB953	Johnson	Matthew	6/23/2018 02:38 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/20 Diego
SDPD_AB953	Valenzuela	Kevin	6/19/2018 08:42 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Louret	Cassie	6/19/2018 02:19 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Estepa	Marlon	6/26/2018 04:10 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/20 Diego
SDPD_AB953	Escamilla	Eduardo	6/18/2018 07:54 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20 Diego
SDPD_AB953	Tien	Joel	6/22/2018 07:57 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/20 Diego

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SDPD_AB953	Craft	Daniel	6/19/2018 07:14 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Fernandez	Alejandro	1/23/2019 01:27 PM America/San Diego 7/13/18	NO YES	Racial & Identity Profiling Act- AB 953	1/23/2018 Diego
SDPD_AB953	Thomas	Akaan	6/18/2018 02:39 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Murray	Christopher	6/20/2018 03:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Ruggiero	Matthew	6/19/2018 02:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Murillo	Rene	7/19/2018 07:11 AM America/San Diego 6/27/18	NO YES	Racial & Identity Profiling Act- AB 953	7/19/2018 Diego
SDPD_AB953	Miller	Eric	6/21/2018 04:03 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Alvarez	Mario	7/23/2018 01:43 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/23/2018 Diego
SDPD_AB953	Barrera	James	6/19/2018 08:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Rozsa	David	6/21/2018 10:52 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Reilly	Arden	6/26/2018 02:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Stirk	Michael	6/19/2018 12:04 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Dungan	Jonathan	6/22/2018 07:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Margolis	Jeremy	7/12/2018 12:52 PM America/San Diego 7/12/18	NO YES	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Stanley	Daniel	6/21/2018 08:30 AM America/San Diego 6/21/18	YES	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Dempsey	Bryan	6/17/2018 08:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Mattly	Justin	6/21/2018 03:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego

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SDPD_AB953	Kriebel	Jerry	8/16/2018 09:27 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/16/2018
SDPD_AB953	Shadoan	Patrick	6/20/2018 07:41 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Taitague	Geraldine	6/19/2018 06:41 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Weaver	Michael	6/21/2018 07:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Welch	Ryan	6/20/2018 02:18 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Bennett	Erich	6/18/2018 06:20 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Harbin	Levi	6/21/2018 11:00 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Cabello	Phillip	6/21/2018 06:32 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018

SDPD_AB953	Zweifach	Richard	6/21/2018 06:45 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Naputi	Tony	6/20/2018 08:59 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Lennier	Aletha	6/21/2018 11:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Power	Michael	6/16/2018 02:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Douglas	Benjamin	6/21/2018 09:50 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Lefler	Robert	6/16/2018 02:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Gibson	Kevin	6/20/2018 04:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Dayes	Paul	11/27/2018 08:55 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	11/27/2018
SDPD_AB953	Randolph	Matthew	6/18/2018 07:07 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Serrano	Michael	6/19/2018 11:35 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Jackson	Dulani	8/18/2018 12:55 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/18/2018
SDPD_AB953	Nguyen	Nicholas	6/21/2018 06:23 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	McGilvray	Brian	6/19/2018 07:00 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	White	Franklin	6/19/2018 02:25 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Hamby	Travis	2/7/2019 04:01 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	2/7/2019
SDPD_AB953	Boykin	Jeffery	6/18/2018 05:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Dragt	Julie	6/16/2018 07:03 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018

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SDPD_AB953	Zendejas	Antonette	6/19/2018 01:12 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Duerr	Crystal	7/25/2018 09:21 AM America/San Diego 7/25/18	NO YES	Racial & Identity Profiling Act- AB 953	7/25/2018 Diego
SDPD_AB953	Lutz	Jeremiah C	6/26/2018 06:46 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Ambito	Albert	6/26/2018 10:52 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Edwards	Bret	6/21/2018 11:35 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Pimienta	Justin	6/18/2018 12:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	McAndrew	Kristopher	6/17/2018 09:35 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Wells	Adam	6/28/2018 10:04 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Ta	Truong	6/22/2018 02:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Campbell	Douglas	6/20/2018 09:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Brown	Michael	6/24/2018 07:55 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/24/2018 Diego
SDPD_AB953	Peralta	Joseph	6/22/2018 09:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Howard	Robert	6/27/2018 10:31 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Worthington	Phillip	IND LI	NO		
SDPD_AB953	Conkle	Kevin	6/27/2018 10:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Beason	Carole	6/26/2018 06:49 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Hernandez	Nestor	12/6/2018 06:24 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	12/6/2018 Diego

SDPD_AB953	McDonald	Wesley	6/21/2018 08:12 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Barnes	Errick	6/27/2018 03:19 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Myers	Andrea	6/28/2018 09:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Thompson	John	6/29/2018 11:53 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018 Diego
SDPD_AB953	Hansel	Doru	7/2/2018 05:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/2018 Diego
SDPD_AB953	Little	Highhorse	6/22/2018 03:43 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Lenahan	Brian	6/19/2018 08:23 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Reinhold	Martin	6/15/2018 10:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Rhoten	Michael	6/19/2018 06:31 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Parga	Nathan	6/21/2018 06:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Gutierrez	Armando	6/19/2018 02:14 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Volker	Joseph	6/27/2018 02:34 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Beal	Justin	6/19/2018 09:51 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Conde	Jose	7/19/2018 07:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/19/2018 Diego
SDPD_AB953	Hwang	David	6/19/2018 04:20 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Ford	Allyson	6/22/2018 01:31 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Euler	Samuel	6/19/2018 08:26 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego

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SDPD_AB953	Ott	Stephanie	6/23/2018 06:41 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018 Diego
SDPD_AB953	Thomas	Rodney	6/26/2018 06:48 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Armentano	Kevin	6/20/2018 09:02 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Clendenen	Tammy	6/20/2018 03:42 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Deyling	Tyler	6/18/2018 04:59 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Hernandez	William	7/18/2018 06:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018 Diego
SDPD_AB953	Montoya	Jason	6/16/2018 02:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Temnick	Jonathan	6/17/2018 10:38 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Williams	Kyle	6/21/2018 01:43 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Serrano	Gerardo	10/10/2018 07:37 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/10/2018 Diego
SDPD_AB953	McGruder	Michael	6/17/2018 02:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Schrom	Adam	6/21/18	NO YES	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Stinnette	Sam	6/20/2018 03:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Hone	Natalie	7/11/2018 01:08 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018 Diego
SDPD_AB953	Avera	Brian	6/28/2018 08:20 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Wolfe	Tyler	6/23/2018 10:03 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018 Diego
SDPD_AB953	Gagliardi	Matthew	8/15/2018 08:06 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/15/2018 Diego

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SDPD_AB953	Dominguez	Manuel	6/21/2018 07:20 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Creazzo	Anthony				
SDPD_AB953	Woodland	Brandon	9/4/2018 03:21 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/4/2018
SDPD_AB953	Link	Nicholas	6/18/2018 07:20 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Korenkov	Andrew	6/18/2018 10:15 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Novak	Matthew	6/15/2018 03:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Cara	Bismarck	6/26/2018 01:47 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Burris	Brian	6/26/2018 05:34 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Hilton	Joseph	6/21/2018 07:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Clabough	Joshua	6/30/2018 08:20 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/30/2018 Diego
SDPD_AB953	Perez	Mario	6/19/2018 07:04 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Sainte-Agathe	Rodolphe	6/19/2018 06:34 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Jankowski	Kevin	6/26/2018 06:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Felber	Christian	6/19/2018 01:54 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Robertson	Nicole	10/29/2018 12:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/29/2018 Diego
SDPD_AB953	Brou	Aziz	6/16/2018 09:23 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Tennebaum	Justin	6/20/2018 02:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego

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SDPD_AB953	Portnoy	Eric	7/16/2018 12:08 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/16/2018 Diego
SDPD_AB953	Zimmerman	Jonathan	6/20/2018 01:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Signorino	John	6/27/2018 08:37 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Hone	Matthew	6/20/2018 12:17 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Gudoy	Stephen	7/12/2018 08:24 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Korbecki	Robert	7/17/2018 03:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/17/2018 Diego
SDPD_AB953	Johnson	Bobby	6/21/2018 12:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Miranda	Kristel	6/19/2018 06:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Rojas	Michael	6/23/2018 04:15 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018 Diego
SDPD_AB953	Haughey	Christopher	6/18/2018 02:54 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Cockrell	Tyler	6/25/2018 07:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018 Diego
SDPD_AB953	Martinez	Anthony	6/25/2018 09:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018 Diego
SDPD_AB953	Colglazier	Vernon	6/28/2018 02:07 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Pottin	Lianne	6/20/2018 07:08 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Harrison	Christopher	6/26/2018 05:15 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Erpelding	John	6/21/2018 02:03 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Pajita	Radford	6/18/2018 06:07 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego

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SDPD_AB953	Kenney	George	6/26/2018 09:27 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Bell	Robert	6/21/2018 03:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Thompson	Jared	6/19/2018 09:39 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Bamba	Jonathan	10/8/2018 08:57 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/8/2018 Diego
SDPD_AB953	Lane	John	6/19/2018 04:55 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Armstrong	James	6/22/2018 12:55 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Tortorella	Matthew	9/19/2018 07:14 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/19/2018 Diego
SDPD_AB953	Robinson	Brandon	6/18/2018 02:04 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Garcia	Christine	7/9/2018 08:44 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/9/2018 Diego
SDPD_AB953	Valdez	Erick	6/22/2018 05:40 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Campbell	Judson	6/15/2018 12:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Velasquez	Joshua	6/22/2018 05:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Denny	John	6/21/2018 08:13 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Gallegos	Sergio	10/8/2018 02:44 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/8/2018 Diego
SDPD_AB953	Stasch	Corey	6/18/2018 06:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Romano	Dante	6/22/2018 04:25 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Robinson	Keith	6/19/2018 07:44 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego

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SDPD_AB953	Romberger	Timothy	7/18/2018 08:15 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018 Diego
SDPD_AB953	Siemer	Ryan	6/19/2018 08:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Wallace	Michael	8/2/2018 07:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/2/2018 Diego
SDPD_AB953	Kellington	Michael	6/15/2018 09:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Posada	Oskar	6/21/2018 06:48 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Irwin	Wade	6/16/2018 11:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Runyen	Steven	7/12/2018 09:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Rodriguez	David	7/14/2018 10:20 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/14/2018 Diego
SDPD_AB953	Hesselgesser	Alex	6/23/2018 07:07 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018 Diego
SDPD_AB953	Jauregui	Joshua	8/15/2018 06:42 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/15/2018 Diego
SDPD_AB953	Wentz	Nathan	6/15/2018 01:08 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Didelot	John	6/15/18	YES		
SDPD_AB953	Taylor	Andrea	6/21/2018 08:13 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Quinn	Ryan	11/7/2018 01:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	11/7/2018 Diego
SDPD_AB953	Wilson	Melinda	6/21/2018 06:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Barton	Brian	6/15/2018 07:43 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Uzarraga	Gerald	6/28/2018 05:24 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego

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SDPD_AB953	Campbell	Casey	7/12/2018 06:34 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Duffy	Kevin	6/16/2018 03:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Do	Michael	6/26/2018 07:06 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Mayer	Justin	6/17/2018 12:14 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Vanesler	Micah	6/15/2018 07:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Harrison	Steven	6/16/2018 09:04 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Giddens	Michael	6/23/2018 09:36 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018 Diego
SDPD_AB953	Rzucidlo	John	6/26/2018 05:33 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Valenzuela	Richard	<i>IND. LV</i>	<i>NO</i>		
SDPD_AB953	Jordan	Brandon	6/23/2018 12:55 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018 Diego
SDPD_AB953	Sullivan	John	7/18/2018 12:58 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018 Diego
SDPD_AB953	Ochoa	Jesse	6/17/2018 02:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Erickson	Mark	6/16/2018 02:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Bundy	Steven	6/21/2018 09:49 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Goebel	Jon	6/29/2018 05:27 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018 Diego
SDPD_AB953	Barton	Richard	6/20/2018 04:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Welsh	Dustin	6/21/2018 06:28 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego

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SDPD_AB953	Gonzalez	John	6/21/2018 02:23 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Hayes	Michael				
SDPD_AB953	Jackson	Kellen	6/28/2018 02:12 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Schultz	Ryan	6/19/2018 06:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Pavle	Christopher	6/18/2018 06:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Beam	Daniel	6/23/2018 03:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018 Diego
SDPD_AB953	Herrera	Berenice	6/18/2018 09:02 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	McPartland	Scott	6/19/2018 02:26 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Krupp	Ave	7/12/2018 10:18 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	McGowan	David	6/26/2018 05:00 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Edington	Carlos	7/2/2018 07:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/2018
SDPD_AB953	Sherbondy	Michael	6/20/2018 07:06 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Turner	Cody	7/13/2018 10:23 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/13/2018 Diego
SDPD_AB953	Bayless	Ekaterina	7/9/2018 01:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/9/2018
SDPD_AB953	Pate	Christopher	6/26/2018 07:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Sielken	Jeremy	7/11/2018 05:16 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018 Diego
SDPD_AB953	Crumb	Katherine	6/19/2018 01:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego

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SDPD_AB953	Hopper	Robert	6/23/2018 11:13 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018 Diego
SDPD_AB953	Gault	Ryan	6/18/2018 06:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Mills	Randall	6/20/2018 02:18 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Montayre	Philippe	6/19/2018 06:58 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Plunkett	Brian	6/19/2018 08:18 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Tannhauser	William	6/26/2018 05:00 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Obregon	Anthony	6/26/2018 01:34 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Drahosova	Zuzana	6/18/2018 07:33 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Medina	Dionisio	6/18/2018 11:16 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Dumaplin	Carlo	6/19/2018 06:23 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Ryan	James	6/15/2018 09:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Barrett	Michael	6/20/2018 05:50 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Demas	Travis	6/28/2018 01:04 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Flood	Christopher	6/29/2018 07:46 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018 Diego
SDPD_AB953	Kaiser	Christopher	7/2/2018 06:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/2018
SDPD_AB953	Nilsen	David	6/15/2018 03:42 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Pfannenstiel	Zachary	7/17/2018 09:19 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/17/2018 Diego

SDPD_AB953	Ailes	Clinton	6/20/2018 06:12 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Radasa	Ricky	6/26/2018 03:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Baker	James	6/15/2018 10:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Cooper	Eric	7/18/2018 07:08 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018
SDPD_AB953	Newton	Benjamin	6/28/2018 05:34 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Castillo	Bryan	6/26/2018 06:38 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Neifer	Daniel	6/20/2018 07:54 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Kelly	Patrick	7/11/2018 09:23 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018
SDPD_AB953	Willkomm	Jenna	7/26/2018 07:37 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/26/2018
SDPD_AB953	Riis	Daniel	6/27/2018 07:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018
SDPD_AB953	Voss	Joel	6/19/2018 09:53 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Ellis	Daniel	1/11/2019 02:51 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	1/11/2019
SDPD_AB953	Schimpf	Brian	7/3/2018 06:11 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/3/2018
SDPD_AB953	Merriman	Levi	6/18/2018 09:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Laurendeau	Edward	6/19/2018 02:12 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Medina	Rogelio	6/21/2018 04:51 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Valdez	David	6/22/2018 06:32 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018

SDPD_AB953	Tena	Paul	6/20/2018 04:24 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Walker	James	6/18/2018 06:27 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Duarte	Andrew	6/21/2018 01:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Stewart	Kelly	6/16/2018 01:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Nunez	Joseph	6/20/2018 06:47 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Ealson	James	7/17/2018 02:27 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/17/2018
SDPD_AB953	Tsui	Jason	6/28/2018 09:34 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Radtke	Timothy	7/2/2018 09:12 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/2018
SDPD_AB953	Perdue	John	6/20/2018 02:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Pardue	Joseph	6/15/2018 08:40 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Werner	Thomas	7/3/2018 11:34 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/3/2018
SDPD_AB953	Santos	Tito	6/18/2018 02:59 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Klotz	Paul	6/18/2018 07:27 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Ellsworth	Scott	6/18/2018 07:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Bakhshizadeh	Ali	6/21/2018 07:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Berg	Christina	6/15/2018 02:40 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Robinson	Monica	10/30/2018 08:41 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/30/2018

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SDPD_AB953	Woods	Marlo	7/3/2018 10:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/3/2018
SDPD_AB953	Underwood	Joseph	7/19/2018 06:34 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/19/2018
SDPD_AB953	Wansa	Clint	6/21/2018 06:26 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Whann	Nathan	6/25/2018 06:59 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018
SDPD_AB953	Zastrow	Nicholas	6/25/2018 10:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018
SDPD_AB953	Sanchez	Anthony	6/26/2018 01:51 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Stephens	Brian	6/23/2018 02:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018
SDPD_AB953	Tavares	Expedy	6/19/2018 09:44 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Sanchez	Brian	6/28/2018 08:26 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Sanders	Brian	6/26/2018 03:06 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Ruiz	Andres	6/17/2018 09:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018
SDPD_AB953	Robles	Carlos	6/18/2018 09:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Jones	Mitchell	6/28/2018 09:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Stanley	Benjamin	6/19/2018 02:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Torres	Oscar	6/21/2018 07:07 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Cameron	Arthur	6/16/2018 01:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Diaz	Alfredo	6/16/2018 02:23 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018

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SDPD_AB953	Calderson	Victor	6/19/2018 02:52 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Jimenez	Cesar	6/20/2018 03:35 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Hill	Alicia	7/25/2018 12:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/25/2018 Diego
SDPD_AB953	Hernandez	Carlos	6/26/2018 05:06 AM America/San Diego 6/26/18	No YES	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Verduzco	Max	7/2/2018 09:26 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/2018
SDPD_AB953	Bianco	Joseph	6/28/2018 10:25 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Page	Richard	6/21/2018 02:14 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Bolton	Jeffrey	6/21/2018 04:47 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	McSweeney	Robert	6/16/2018 04:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Sarot	Christopher	6/20/2018 03:10 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Perrin	Gerald	6/20/2018 08:07 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Hamby	Tyler	1/28/2019 10:08 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	1/28/2019 Diego
SDPD_AB953	Stetkevich	Daniel	6/20/2018 10:17 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Pinon	Ricardo	6/23/2018 01:03 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018 Diego
SDPD_AB953	Pilkington	Gregory	7/1/2018 07:12 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/1/2018
SDPD_AB953	Olivo	Joshua	6/26/2018 06:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Dagostino	Paul	8/26/2018 02:28 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/26/2018 Diego

SDPD_AB953	Weisenfluh	Daniel	6/21/2018 04:47 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Curtis	Dustin	6/20/2018 03:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Longen	Andrew	7/12/2018 04:10 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Briggs	Robert	7/12/2018 01:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Harris	Christopher	6/15/2018 10:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Fish	Michael	6/26/2018 03:40 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Ohlwiler	Cory	6/16/2018 06:25 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Zimmerman	Sarah	8/14/2018 10:44 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/14/2018 Diego
SDPD_AB953	Rhoades	James	7/3/2018 07:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/3/2018
SDPD_AB953	Cummings	Kevin	6/26/2018 06:27 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Lopez	Eduardo	6/20/2018 07:28 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Andal	Billy	6/20/2018 02:50 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Dyemartin	Alan	6/19/2018 10:02 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Whipple	Travis	6/26/2018 07:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Bigler	Frank	6/28/2018 01:44 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Sutter	Sarah	6/19/2018 11:25 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Breise	Anthony	6/16/2018 07:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego

SDPD_AB953	Hoskins	Terry	7/19/2018 12:59 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/19/2018 Diego
SDPD_AB953	Williams	Brent	6/18/2018 07:48 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Smith	Scott	6/18/2018 07:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Conde	Karla	6/21/2018 02:10 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	McCullough	Keelan	7/23/2018 01:50 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/23/2018 Diego
SDPD_AB953	Hagel	Jason	6/19/2018 07:17 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Larrea	Mario	6/26/2018 01:04 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Cardenas	Carlos	6/26/2018 08:44 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Philips	Trevor	10/29/2018 03:55 PM America/San Diego 7/24/18	NO YES	Racial & Identity Profiling Act- AB 953	10/29/2018 Diego
SDPD_AB953	Makwana	Joanna	7/13/2018 05:43 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/13/2018 Diego
SDPD_AB953	Knutson	Matthew	6/19/2018 02:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Carrington	Brian	6/20/2018 12:52 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Morales	Javier	6/21/2018 11:44 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Ramirez	David	10/8/2018 09:40 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/8/2018 Diego
SDPD_AB953	Yoder	William	6/20/2018 06:05 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Sedeno	Ignacio	6/15/2018 11:01 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Enriquez	Emery	6/26/2018 07:00 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego

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SDPD_AB953	Featherly	Justin	6/22/2018 02:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Easter	Travis	7/23/2018 01:58 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/23/2018
SDPD_AB953	Calvert	Sarah	6/18/2018 09:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Breuninger	Adam	6/20/2018 08:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Gonzalez	Yovanna	6/20/2018 07:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Handley	Kevin	8/29/2018 11:07 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/29/2018
SDPD_AB953	Dillon	Thomas	6/26/2018 12:26 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Low	Osborne	7/13/2018 07:32 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/13/2018
SDPD_AB953	Adair	Kristopher	6/19/2018 06:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Whitaker	Maria	6/22/2018 11:55 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Notterman	Christopher	6/28/2018 02:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Pickel	Laura	6/27/2018 08:36 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018
SDPD_AB953	Cox	Darrell	6/28/2018 05:26 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	McLean	Laura	6/20/2018 11:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Ulovec	Geoffrey	6/21/2018 04:28 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Nazarov	Vladimir	6/19/2018 02:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Tafoya	Holland	6/21/2018 03:36 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018

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SDPD_AB953	Schmidt	Robert	6/29/2018 03:35 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018 Diego
SDPD_AB953	Zoller	Joshua	6/25/2018 11:31 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018 Diego
SDPD_AB953	Stinnette Hernandez-	Kelly	7/17/2018 12:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/17/2018 Diego
SDPD_AB953	Cooper	Marisela	7/17/2018 10:30 AM America/San Diego 7/17/18	No YES	Racial & Identity Profiling Act- AB 953	7/17/2018 Diego
SDPD_AB953	Blomberg	Christopher	8/15/2018 08:08 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/15/2018 Diego
SDPD_AB953	Cote	Samuel	7/18/2018 05:53 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018 Diego
SDPD_AB953	Holmes	Tristan	6/20/2018 03:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Mullins	David	6/30/2018 09:34 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/30/2018 Diego
SDPD_AB953	Walker	Susannah	7/26/2018 10:43 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/26/2018 Diego
SDPD_AB953	Dewey	Tyler	6/18/2018 06:24 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	McCooole	Eric	6/26/2018 01:04 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Soto	Esteban	6/16/2018 10:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Mariota	Sean	7/13/2018 07:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/13/2018 Diego
SDPD_AB953	Schnautz	Jerrad				
SDPD_AB953	Orso	Lawrence	6/28/2018 02:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Humes	Maria	7/19/2018 08:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/19/2018 Diego
SDPD_AB953	Minton	Frances	12/14/2018 05:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	12/14/2018 Diego

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SDPD_AB953	Carbajal	Luis	7/13/2018 02:50 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/13/2018
SDPD_AB953	Devore	Brenton	6/27/2018 09:23 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018
SDPD_AB953	Williams	Mark	6/20/2018 05:55 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Slade	Richard	6/20/2018 10:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Williams	Tracey	7/17/2018 09:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/17/2018
SDPD_AB953	George	Adam	6/18/2018 03:49 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Mora	Deanna	6/23/2018 09:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018
SDPD_AB953	Iwasaki	Kevin	6/22/2018 06:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Peterson	Zane	8/21/2018 06:40 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/21/2018
SDPD_AB953	Roode	Mark	6/21/2018 03:18 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Houchins	Jeffrey	6/19/2018 06:43 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Jones	Eric	6/20/2018 02:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Gates	Norman	6/17/2018 10:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018
SDPD_AB953	Smith	Christopher	6/19/2018 12:38 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	DaCosta-Muniz	Amaryllis	6/19/2018 10:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Rodriguez	Victor	6/30/2018 12:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/30/2018
SDPD_AB953	Blevins	Jacob	6/27/2018 01:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018

SDPD_AB953	Horvat	Monika	6/22/2018 01:13 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Montoya	Justin	6/21/2018 06:59 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Markland	Cecilia	8/14/2018 10:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/14/2018 Diego
SDPD_AB953	McCarthy	Jonathan	6/18/2018 03:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Amato	Dominic	6/18/2018 09:11 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Hendricks	Mark	6/22/2018 05:14 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Condon	Matthew	6/19/2018 06:54 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Maciel	Ryan	6/19/2018 10:34 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Durrant	Trevor	6/21/2018 09:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Skiba	Jeffrey	6/26/2018 02:20 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Gardner	Samuel	6/16/2018 02:26 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Davis	Robert	6/19/2018 09:12 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Speicher	Kevin	7/3/2018 10:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/3/2018
SDPD_AB953	Rodriguez		6/21/2018 06:40 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Bahena	Daniel	6/22/2018 05:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Triba	Kyle	6/18/2018 07:03 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Angulo	Luis	6/21/2018 01:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Arosemena	Eder	6/21/2018 01:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego

SDPD_AB953	Ochab	Cary	7/12/2018 09:29 PM America/San Diego 7/13/18	NO YES	Racial & Identity Profiling Act- AB 953	7/12/2018
SDPD_AB953	Stiasny	Elliott	6/19/2018 07:02 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Brinkerhoff	Paul	6/17/2018 09:28 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018
SDPD_AB953	Mc Lellan	Scott	6/21/2018 07:07 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Lynch	Edward	6/28/2018 10:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Bulkowski	Joseph	7/12/2018 02:43 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018
SDPD_AB953	Rude	Robert	6/20/2018 03:03 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Colon	Luis	6/18/2018 02:36 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Colon	Bernie	6/18/2018 02:21 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Righthouse	Susan	6/26/2018 11:23 AM America/San Diego 6/26/18	NO YES	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Cochran	John	7/21/2018 10:17 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/21/2018
SDPD_AB953	Martin	R. Shane	6/19/2018 11:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Cedrun	Misty	6/28/2018 01:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Mc Grath	Thomas	7/10/2018 04:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/10/2018
SDPD_AB953	Brenner	Mark	6/18/2018 09:14 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Valentin	Ramon	6/21/2018 12:25 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Bostedt	Thomas	1/22/2019 09:33 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	1/22/2019

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SDPD_AB953	Coyle	Timothy	6/24/2018 04:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/24/2018 Diego
SDPD_AB953	Epperson	Julie	7/11/2018 03:03 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018 Diego
SDPD_AB953	Gregory	Emmett	8/19/2018 06:54 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/19/2018 Diego
SDPD_AB953	Peregud	Paul	7/12/2018 10:41 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Mendenhall	Chad	6/26/2018 09:37 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Chinn	Michael	6/18/2018 12:54 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Vaquero	Daniel	6/21/2018 01:57 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Short	Willis				
SDPD_AB953	Davis	Jadarric	6/15/2018 09:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Green	Bradford	7/14/2018 02:56 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/14/2018 Diego
SDPD_AB953	Scheidecker	Andrew	6/27/2018 02:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Bull	Angela	6/23/2018 02:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018 Diego
SDPD_AB953	Carbajal	Edwin	8/17/2018 06:09 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/17/2018 Diego
SDPD_AB953	Gripp	Christopher	6/19/2018 06:19 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Seddon	Heather	6/21/2018 09:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Vidrios	Angel	6/26/2018 09:34 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Rojas	Michael	6/30/2018 02:31 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/30/2018 Diego

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SDPD_AB953	Fisher	Patrick	6/19/2018 03:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Pogue	Matthew	6/20/2018 09:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Wallace	Briana	7/13/2018 07:18 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/13/2018 Diego
SDPD_AB953	Starrett	Tiffany	6/28/2018 07:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Boer	Michael	6/16/2018 10:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Sisto	David	6/21/2018 02:25 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Lotz	Kevin	7/13/2018 07:31 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/13/2018 Diego
SDPD_AB953	Doll	Curtis	7/27/2018 08:31 AM America/San Diego 7/13/18	NO YES	Racial & Identity Profiling Act- AB 953	7/27/2018 Diego
SDPD_AB953	Lee	David	6/20/2018 12:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Johnson	Bryan	6/17/2018 08:44 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Ponce	Juan	6/18/2018 12:55 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Cameron	Ryan	6/16/2018 10:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Morales	Samuel	8/1/2018 06:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/1/2018
SDPD_AB953	Gibson	Brandon	6/18/2018 02:54 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Milligan	Caitlin	6/19/2018 06:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Betley	Travis	6/15/2018 09:56 PM America/San Diego 6/16/18	NO YES	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Ansari	Addam	6/20/2018 03:09 PM America/San Diego 6/20/18	NO YES	Racial & Identity Profiling Act- AB 953	

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SDPD_AB953	Hodge	Joshua	6/15/2018 03:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Munoz	Carlos	7/18/2018 07:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018 Diego
SDPD_AB953	Estrada	Carlos	6/20/2018 08:55 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Jimenez	Hector	7/12/2018 02:55 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Valente	Kyle	6/27/2018 05:42 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Kean	David	6/18/2018 08:16 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	McPherson	Miles	6/21/2018 10:33 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Willett	Chris	6/22/2018 12:21 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Bunch	Sean	6/21/2018 03:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Barton	Lindsay	6/28/2018 07:13 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Serrano	David	6/20/2018 03:00 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Delatorre	Jordan	6/21/2018 02:25 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Peplowski	David	6/26/2018 06:54 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Bohorquez	Erika	6/24/2018 06:37 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/24/2018 Diego
SDPD_AB953	Morgan	Katherine	7/17/2018 04:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/17/2018 Diego
SDPD_AB953	Hovdey	Meghan				
SDPD_AB953	Contreras	Jonathan	6/16/2018 03:45 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego

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SDPD_AB953	Nielsen	Brian	6/15/2018 02:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Thomas	Matthew	6/28/2018 03:48 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Johnson	Angela	6/21/2018 07:59 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Keefe	Asa	6/26/2018 10:40 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Arreola	Timothy	6/17/2018 02:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Turman	Maurice	8/20/2018 10:13 AM America/San Diego 8/20/18	No YES	Racial & Identity Profiling Act- AB 953	8/20/2018 Diego
SDPD_AB953	Sterling	Trevor	6/20/2018 02:38 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Junker	Jonathan	6/22/2018 03:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Tamagni	Nicholas	6/19/2018 09:47 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Choy	Steven	6/18/2018 12:31 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Hinzo	Katrina	7/11/2018 03:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018 Diego
SDPD_AB953	Troche	Mauricio	6/29/2018 02:43 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018 Diego
SDPD_AB953	Tuthill	Collin	6/27/2018 03:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Foxworthy	Jennifer	6/28/2018 08:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Governski	Colin	7/18/2018 01:25 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018 Diego
SDPD_AB953	Huntley-Park	Jamie	6/20/2018 09:35 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Steinbach	Matthew	6/19/2018 11:40 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego

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SDPD_AB953	Paniagua	Matthew	6/18/2018 11:59 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Park	Ryan	6/18/2018 11:42 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Rodriguez	Samuel	6/20/2018 06:13 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Durbin	Lawrence	6/25/2018 11:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018 Diego
SDPD_AB953	Abron	James	6/18/2018 09:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Huff	Jeremy	6/26/2018 12:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Vasinda	Jacob	6/21/2018 10:14 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Jimenez	Amanda	8/16/2018 09:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/16/2018 Diego
SDPD_AB953	Knaack	Peter	6/22/2018 02:53 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Moss	Casey	6/20/2018 02:40 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Duncan	Jarrett	6/27/2018 12:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Estrada	Amanda	6/21/2018 10:13 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Baldwin	David	6/16/2018 06:17 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Clay	Phillip	10/4/2018 10:58 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/4/2018 Diego
SDPD_AB953	Crawford	Brett	6/26/2018 09:05 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Sevilla	Adrian	1/3/2019 02:54 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	1/3/2019
SDPD_AB953	Bush	James	6/19/2018 09:26 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego

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SDPD_AB953	Bernard	Christopher	6/21/2018 06:16 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Smith	Yusuf	7/12/2018 07:02 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Eysie	Daniel	6/19/2018 06:23 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Gregory	Jennifer	6/16/2018 09:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	White	John	6/20/2018 04:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Johnson	Kai	6/26/2018 06:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Young	Evan				
SDPD_AB953	Askew	Mark	6/16/2018 04:35 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Coats	Eric	6/26/2018 05:50 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Didlake	Stephanie	11/14/2018 06:17 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	11/14/2018 Diego
SDPD_AB953	Higgins	Taylor	6/25/2018 09:50 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018 Diego
SDPD_AB953	Gonzalez	Micheal	6/19/2018 02:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Norcia	Kimberly	6/19/2018 03:00 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	McNett	Eron	7/12/2018 03:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Tani	Mitchel	6/27/2018 03:18 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Snodgrass	Danielle	7/20/2018 10:04 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/20/2018 Diego
SDPD_AB953	Cockrell	Stephanie	7/20/2018 04:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/20/2018 Diego

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SDPD_AB953	Bandy	Elizabeth	6/28/2018 10:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Dowler	Matthew	9/11/2018 07:44 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/11/2018 Diego
SDPD_AB953	Liu	Denise	7/12/2018 02:36 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Namhie	Kasey	6/16/2018 02:44 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Personius	Robert	6/19/2018 02:43 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Dozier	Sharon	7/13/2018 06:52 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/13/2018 Diego
SDPD_AB953	Vories	Krista	6/26/2018 06:19 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Morales	Arturo	6/16/2018 02:44 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Kashouty	Brian	8/15/2018 06:27 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/15/2018 Diego
SDPD_AB953	Giovanetty	Walfrido	6/21/2018 02:58 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Evans	Kayla	6/20/2018 01:36 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Curtis	Richard	6/29/2018 10:31 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018 Diego
SDPD_AB953	Escalante	Ricardo	6/26/2018 03:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Hadland	Cora	6/25/2018 11:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018 Diego
SDPD_AB953	South	Paul	6/29/2018 05:05 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018 Diego
SDPD_AB953	Orr	Brandon	6/21/2018 09:50 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Chambers	Nathan	6/16/2018 06:11 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego

SDPD_AB953	Woods	Brian	6/19/2018 05:51 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Alt	Bryan	6/15/2018 11:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Parrilla	Thomas	6/18/2018 10:22 AM America/San Diego 6/19/18	No YES	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Cobb	Matthew	6/20/2018 06:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Senior	Christopher	6/15/2018 09:44 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Denherder	Darik	6/26/2018 03:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018

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SDPD_AB953	Sandoval	Joel	8/14/2018 10:21 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/14/2018
SDPD_AB953	Grindley	Sean	8/11/2018 04:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/11/2018
SDPD_AB953	Loughlin	Timothy	6/19/2018 02:19 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Macintyre	Paul	10/19/2018 03:20 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/19/2018
SDPD_AB953	McMichael	Nancy	9/22/2018 10:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/22/2018
SDPD_AB953	Shields	Milo	7/2/2018 09:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/2018
SDPD_AB953	Maraschiello	Moriah	7/1/2018 01:01 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/1/2018
SDPD_AB953	Sims	Cory	7/24/2018 04:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/24/2018
SDPD_AB953	Poorsaleh	Saum	6/26/2018 10:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Carlson	Robert	7/11/2018 08:52 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018
SDPD_AB953	Campbell	Andrew	6/19/2018 11:12 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Kelly	Susan	6/18/2018 06:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Barber	Neil	6/19/2018 06:28 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Andreen	Kevin	6/16/2018 10:19 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Fugett	Mackenzie	6/17/2018 02:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018
SDPD_AB953	Gachalian	Andrew	6/17/2018 09:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018
SDPD_AB953	Lawyer	Robert	6/22/2018 07:11 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018

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SDPD_AB953	Larson	Peter	6/20/2018 12:47 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Hudnall	Justin	6/26/2018 06:24 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Komlosy	Michael				
SDPD_AB953	Fritsch	James	6/16/2018 04:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Kauler	Nicholas	6/21/2018 06:28 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Harvey	Patrick	6/21/2018 06:32 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Wasco	Michael	6/21/2018 09:42 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Tello	Anthony	7/24/2018 11:50 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/24/2018 Diego
SDPD_AB953	McGrath	Thomas	8/24/2018 09:31 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/24/2018 Diego
SDPD_AB953	McCoy	Jeffrey				
SDPD_AB953	Brown	Conner	6/20/2018 06:55 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Abot	Joshua	6/27/2018 10:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Armstrong	William	10/16/2018 11:42 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/16/2018 Diego
SDPD_AB953	Barrios	Jeffrey	6/22/2018 02:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Brantley	Gene	6/18/2018 04:52 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Chappell	Doka	6/19/2018 09:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Dunleavy	Ryan	7/2/2018 02:59 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/2018 Diego
SDPD_AB953	Liufau	Aida	7/12/2018 01:53 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego

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SDPD_AB953	Okeson	Kyle	6/18/2018 09:27 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Dabbaghian	Katherine	6/26/2018 02:35 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Martinez	Cesar	6/27/2018 09:09 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018
SDPD_AB953	Burnett	James	6/21/2018 08:17 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Garzanti	Jean Carlo	8/17/2018 03:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/17/2018
SDPD_AB953	Koehne	Kaitlin	6/21/2018 06:53 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Iwatsuru	Jeffrey	6/19/2018 02:58 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Denny	Julia	6/23/2018 02:19 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018
SDPD_AB953	Baker	Bryan	6/19/2018 06:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Wagner	Michael	7/7/2018 06:09 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/7/2018
SDPD_AB953	Skyhar	Erik	7/14/2018 07:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/14/2018
SDPD_AB953	Ruby	Benjamin	6/16/2018 10:51 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Gross	Jeremiah	6/26/2018 09:38 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Dabbaghian	Nicholas	9/25/2018 07:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/25/2018
SDPD_AB953	Chang	Stephanie	6/18/2018 09:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Fuerte	Atilano	6/16/2018 02:56 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Fitzgerald	Kyle	6/21/2018 02:20 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018

SDPD_AB953	Dao	Vincent	7/13/2018 07:54 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/13/20
SDPD_AB953	Dower	Boe	7/19/2018 01:40 PM America/San Diego 6/20/18	No YES	Racial & Identity Profiling Act- AB 953	7/19/20
SDPD_AB953	Nisleit	Ryan	6/27/2018 10:08 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/20
SDPD_AB953	Albright	David	6/26/2018 05:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/20
SDPD_AB953	Morris	Chase	6/21/2018 10:24 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/20
SDPD_AB953	Castillo	Jacob	6/19/2018 08:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20
SDPD_AB953	Darby	Jason	6/16/2018 06:13 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/20
SDPD_AB953	Maraschiello	Tony	6/22/2018 09:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/20
SDPD_AB953	Neal	William	6/22/2018 05:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/20
SDPD_AB953	Coleman	Gregory	6/28/2018 06:32 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/20
SDPD_AB953	Cummings	Joshua	7/14/2018 02:40 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/14/20
SDPD_AB953	Ellison	Kara	6/16/2018 01:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/20
SDPD_AB953	Hungarter	Eric	8/13/2018 06:31 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/13/20
SDPD_AB953	Herzog	Jordan	6/19/2018 09:31 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20
SDPD_AB953	Ayala	Luis	6/19/2018 02:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20
SDPD_AB953	Stein	Kevin	6/27/2018 06:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/20
SDPD_AB953	Ortega	Gabriela	6/18/2018 09:57 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/20

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SDPD_AB953	Boggeman	Shawn	7/20/2018 03:42 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/20/2018
SDPD_AB953	Coleman	Austin	7/15/2018 05:19 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/15/2018
SDPD_AB953	Soto	Julio	7/1/2018 10:09 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/1/2018
SDPD_AB953	Cooper	Thomas	6/27/2018 05:38 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018
SDPD_AB953	Pierre-Antoine	Clifford	6/20/2018 07:01 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Tutt	Kalena	6/26/2018 02:36 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Losee	Sean	6/22/2018 05:25 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Klos	William	7/29/2018 09:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/29/2018
SDPD_AB953	Nicholas	Javier	6/21/2018 08:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Vina	Jordan	6/18/2018 03:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Yi	Paul	6/16/2018 05:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Langley	Jason	6/29/2018 03:38 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018
SDPD_AB953	McNett	Ian	6/21/2018 06:31 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Garbutt	Wilton	6/16/2018 08:49 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Jones	Christopher	6/20/2018 08:10 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Knipp	Joseph	6/23/2018 08:49 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018
SDPD_AB953	Nafarrete	Alfredo	6/15/2018 07:20 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018

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SDPD_AB953	Pulido	Luis	7/11/2018 06:08 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/20 Diego
SDPD_AB953	Downing	Benjamin	6/19/2018 02:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Chiappone	Alexander	6/19/2018 06:02 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Acevedo	Eugenio	11/4/2018 05:42 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	11/4/20 Diego
SDPD_AB953	Yanofsky	Richard	10/15/2018 10:42 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/15/20 Diego
SDPD_AB953	Booth	Joseph	6/17/2018 04:42 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/20 Diego
SDPD_AB953	Bernard	Brian	6/26/2018 05:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/20 Diego
SDPD_AB953	Bellatti	Mark	6/16/2018 02:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/20 Diego
SDPD_AB953	Baker	Samuel	6/22/2018 10:07 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/20 Diego
SDPD_AB953	Walker	Taylor	6/30/2018 08:27 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/30/20 Diego
SDPD_AB953	Shields Rogstad	Bryan	6/19/2018 02:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/20 Diego
SDPD_AB953	Lingenhol	Christopher	6/26/2018 12:26 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/20 Diego
SDPD_AB953	Grinik	Serge	6/16/2018 06:34 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/20 Diego
SDPD_AB953	Torres	Jesse	6/21/2018 07:01 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/20 Diego
SDPD_AB953	Chesney	Britnee	7/11/2018 02:52 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/20 Diego
SDPD_AB953	Fiorillo	Anthony	6/27/2018 12:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/20 Diego
SDPD_AB953	Johanson	Brendon	6/22/2018 02:34 PM America/San Diego 6/22/18	NO YES	Racial & Identity Profiling Act- AB 953	6/22/20 Diego

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SDPD_AB953	Judge	David	6/22/2018 01:35 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Hickox	Stephen	6/18/2018 06:34 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Dunaj	James	7/14/2018 09:17 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/14/2018
SDPD_AB953	Casciola	Nicholas	7/1/2018 01:54 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/1/2018
SDPD_AB953	Saltzman	Petra	6/18/2018 07:46 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Richards	Patrick	6/18/2018 04:35 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Peterson	Timothy	7/18/2018 07:12 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018
SDPD_AB953	Brinkerhoff	Daniel	6/21/2018 08:26 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Quintanilla	Connor	7/1/2018 08:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/1/2018
SDPD_AB953	Uch	Techeakboth	6/16/2018 04:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Wright	Richard	6/22/2018 09:49 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Scull	Jonathan	6/22/2018 09:21 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Rivera	Isaac	6/21/2018 06:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Sandoval	Loui	6/21/2018 09:42 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Riley	Evan	7/13/2018 07:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/13/2018
SDPD_AB953	Leiber	Joshua	6/23/2018 02:15 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018
SDPD_AB953	Lang	Ryan	7/10/2018 01:23 PM America/San Diego 6/26/18	NO YES	Racial & Identity Profiling Act- AB 953	7/10/2018

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SDPD_AB953	Sultan	Aaron	6/21/2018 06:54 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Rollefson	Brian	6/17/2018 07:57 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018
SDPD_AB953	Rosas	Irving	6/16/2018 02:48 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Luedeke	Joelle	6/21/2018 09:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Devor	Adam	6/19/2018 09:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Duke	William	6/16/2018 03:12 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Lopez	Ernesto				
SDPD_AB953	Firkus	Catherine	6/29/2018 02:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018
SDPD_AB953	Marin	Charles	6/19/2018 02:47 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Frias	Brian	6/27/2018 05:40 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018
SDPD_AB953	Almond	Daniel	6/27/2018 05:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018
SDPD_AB953	Milburn	Lauren	7/13/2018 12:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/13/2018
SDPD_AB953	Gonzalez	Jason	6/26/2018 06:12 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Hernandez	Milton	7/20/2018 08:40 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/20/2018
SDPD_AB953	Hills	David	6/20/2018 09:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Krout	William	6/17/2018 07:47 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018
SDPD_AB953	Sanchez	Anthony	6/19/2018 03:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018

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SDPD_AB953	Link	Melissa	6/21/2018 11:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Tasior	Joshua	6/21/2018 02:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Lasley	Drake	6/16/2018 06:42 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Lull	Brandon	6/21/2018 06:44 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Diaz	Francisco	6/18/2018 04:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Marks	Kyle	6/16/2018 05:27 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Lull	Tania	6/26/2018 12:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Mondello	Nicole	6/18/2018 07:08 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Flores	Douglas	7/20/2018 09:12 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/20/2018
SDPD_AB953	Flanagan	Sean	6/22/2018 03:17 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Davis	Jarrel	6/19/2018 08:05 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Rack	Kyle	6/19/2018 07:38 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Saleha	Rohullah	6/21/2018 10:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Herkelman	Matthew	6/21/2018 03:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Heinze	Ryan	6/21/2018 03:17 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Olguin	Angela	6/18/2018 08:46 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Gilchrist	Andrea	6/26/2018 03:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018

SDPD_AB953	Roman	Francisco	6/22/2018 09:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2020 Diego
SDPD_AB953	Quillin	Brittany	6/20/2018 09:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2020 Diego
SDPD_AB953	Young	Tyler	6/16/2018 06:23 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2020 Diego
SDPD_AB953	Taub	Jason	6/25/2018 11:23 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2020 Diego
SDPD_AB953	Paris	Carly	6/16/2018 06:28 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2020 Diego
SDPD_AB953	Torres	Angelica	6/16/2018 02:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2020 Diego
SDPD_AB953	Wells	Jonathan	6/16/2018 06:52 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2020 Diego
SDPD_AB953	Garcia	Mike	6/19/2018 02:27 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2020 Diego
SDPD_AB953	Cattera	Dominic	8/15/2018 06:20 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/15/2020 Diego
SDPD_AB953	Burgess	Artie	6/21/2018 07:07 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2020 Diego
SDPD_AB953	Purdy	Matthew	6/16/2018 07:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2020 Diego
SDPD_AB953	King	Brandon				
SDPD_AB953	Zepeda Serrano	Moises	6/17/2018 08:08 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2020 Diego
SDPD_AB953	Hamilton	Ronald	6/19/2018 03:09 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2020 Diego
SDPD_AB953	Kaup	Cormac	6/16/2018 05:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2020 Diego
SDPD_AB953	Raynor V	Robert	6/19/2018 10:55 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2020 Diego
SDPD_AB953	Kitchen	Anthony	6/21/2018 01:18 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2020 Diego

SDPD_AB953	Larson	Travis	6/19/2018 08:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Keyes	Brad	6/21/2018 11:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Belanger	Peter	6/19/2018 09:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Rodriguez	Jose	6/26/2018 03:03 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Engel	Christopher	6/16/2018 06:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Norris	David	6/19/2018 02:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Hughes	Evan	6/26/2018 02:23 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Johnson	Christopher	6/26/2018 09:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Lap	Vara	6/27/2018 09:49 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018
SDPD_AB953	Dudley	John	6/26/2018 10:24 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Castellanos	Daniel	6/18/2018 06:00 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Varns	Stephen	6/23/2018 07:15 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018
SDPD_AB953	Villanueva	Alfred	6/18/2018 02:55 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Quillin	Summer	7/10/2018 02:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/10/2018
SDPD_AB953	Mallory	Eric	7/20/2018 05:18 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/20/2018
SDPD_AB953	Medina	Nicholas	6/19/2018 10:17 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Hawksley	Daniel	6/16/2018 06:55 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018

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SDPD_AB953	Maraschiello	Mallory	6/17/2018 09:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018
SDPD_AB953	Huynh	Nicholas	6/21/2018 05:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Foley-Shipitalo	Jennifer	6/21/2018 05:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Rostamzadeh	Ramin	6/23/2018 06:47 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018
SDPD_AB953	Ybanez	Ace	6/19/2018 09:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Leavell	Heather	6/29/2018 11:36 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018
SDPD_AB953	Thorpe	Andrew	6/21/2018 06:11 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Gonzalez-Zuniga	Andres	6/26/2018 02:04 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Vela	Lorena	6/21/2018 09:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Olson	Kyle	6/27/2018 02:34 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018
SDPD_AB953	DeRisio	Thomas	6/21/2018 05:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Allen	Amanda	6/21/2018 10:12 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Quintana	Christian	8/9/2018 10:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/9/2018
SDPD_AB953	Peterson	Nickolas	7/2/2018 12:34 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/2018
SDPD_AB953	Kruse	Destiny	6/26/2018 12:18 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Payton	Daniel	6/18/2018 10:52 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Oberndorfer	Joseph	6/21/2018 11:00 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018

SDPD_AB953	Maldonado	Efrain	6/20/2018 02:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Johns	Joshua	6/22/2018 11:00 PM America/San Diego 6/23/18	NO YES	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Lowry	Jackilyn	6/26/2018 02:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Springer	Scott	6/26/2018 02:18 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Bognuda	Melanie	6/21/2018 09:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Simmers	Megan	6/17/2018 10:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018
SDPD_AB953	Armbruster	David	6/21/2018 06:51 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Henry	Robert	8/27/2018 06:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/27/2018
SDPD_AB953	Sullivan	Richard	6/22/2018 11:31 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Elisma	Joseph	6/29/2018 08:25 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018
SDPD_AB953	Sullivan	Mark	6/21/2018 05:41 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Robinson	Kristin	6/22/2018 06:59 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Hansen	Eric	6/16/2018 05:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Bryant	Curtis	6/26/2018 03:45 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Uribe-Lopez	Everardo	6/15/2018 09:42 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Hankel	James	6/28/2018 10:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Levan	John	6/18/2018 08:13 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018

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SDPD_AB953	Ali	Abdul Malik	6/27/2018 02:59 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018
SDPD_AB953	Rocha	Jasmin	7/21/2018 10:17 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/21/2018
SDPD_AB953	Smith	Patrick	7/6/2018 09:18 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/6/2018
SDPD_AB953	Van Orsdel	Andrew	7/11/2018 03:12 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018
SDPD_AB953	Moore	Sherika	6/20/2018 06:49 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Miranda	Don Tommy	6/27/2018 02:40 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018
SDPD_AB953	Gonzalez	Steven	7/20/2018 06:50 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/20/2018
SDPD_AB953	Harris-Gleason	Chloe	9/27/2018 12:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/27/2018
SDPD_AB953	LaurelTorres	Salvador	6/29/2018 07:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018
SDPD_AB953	Nelson	Robert	6/16/2018 05:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Marcinko	Amber	6/21/2018 11:51 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Speakman	Brenna	6/24/2018 03:43 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/24/2018
SDPD_AB953	Trainor	Garrett	10/12/2018 06:32 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/12/2018
SDPD_AB953	Turner	Larry	8/8/2018 01:10 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/8/2018
SDPD_AB953	Cox	Theonymfi	6/22/2018 02:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Kielbus	Malwina	6/22/2018 02:32 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Card	Jason	6/25/2018 09:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018

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SDPD_AB953	Bryant	Jennifer	6/18/2018 09:12 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2020 Diego
SDPD_AB953	Breck	Timothy	6/29/2018 10:47 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2020 Diego
SDPD_AB953	Boxell	Michael	6/21/2018 09:54 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2020 Diego
SDPD_AB953	Aristide	Dominic	6/29/2018 10:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2020 Diego
SDPD_AB953	Zajda	Matthew	7/11/2018 01:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2020 Diego
SDPD_AB953	Yellin	David	6/22/2018 05:36 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2020 Diego
SDPD_AB953	Krick	Jacquelyn	7/24/2018 12:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/24/2020 Diego
SDPD_AB953	Gordanier	Jacqueline	6/19/2018 09:42 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2020 Diego
SDPD_AB953	Arcinue	Christian	6/27/2018 10:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2020 Diego
SDPD_AB953	Cairns	Thomas	6/22/2018 02:49 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2020 Diego
SDPD_AB953	Deans	Matthew	6/18/2018 01:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2020 Diego
SDPD_AB953	Franken	Shane	6/22/2018 03:32 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2020 Diego
SDPD_AB953	Jung	Sharon	6/29/2018 01:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2020 Diego
SDPD_AB953	Stark	Victoria	7/5/2018 06:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/5/2020
SDPD_AB953	Smith	Justin	6/28/2018 05:27 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2020 Diego
SDPD_AB953	Slade	Rebecca	6/26/2018 06:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2020 Diego
SDPD_AB953	Usma	Diego	6/27/2018 02:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2020 Diego

SDPD_AB953	Coston	Akilah	6/21/2018 09:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Martinez	Angelina	6/15/2018 10:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Longacre	Jeffrey	6/22/2018 04:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Orozco	Justin	6/17/2018 02:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Petchel	Matthew	6/17/2018 02:26 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Powers	Margaret	6/18/2018 03:14 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Perales	Jose	6/21/2018 07:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Fadness	Aletheia	6/19/2018 02:21 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Fuentes	Theresa	7/5/2018 05:26 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/5/2018
SDPD_AB953	Fernandez	Joshua	7/19/2018 06:40 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/19/2018 Diego
SDPD_AB953	Muniz	Michael	7/14/2018 11:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/14/2018 Diego
SDPD_AB953	Wester Lehr	Kyle	7/12/2018 07:51 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Aaland	Sean	6/16/2018 06:15 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Johnson	Nasira	6/27/2018 11:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Wilson	Braden	6/22/2018 02:21 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Vedder	Ian	6/16/2018 06:19 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Thomas	Andre	6/22/2018 03:04 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego

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SDPD_AB953	Sheehan	Garrett	6/20/2018 08:23 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Sisneros	Zane	6/16/2018 10:24 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Clark	Emily	6/21/18	NO YES	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Dawson	Jacob	6/22/2018 06:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	DiGioia	Zachary	7/13/2018 12:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/13/2018 Diego
SDPD_AB953	Rueda	Jorge	6/19/2018 03:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Sanchez	Ismael	8/27/2018 01:38 PM America/San Diego 8/27/18	NO YES	Racial & Identity Profiling Act- AB 953	8/27/2018 Diego
SDPD_AB953	Carroll	Jackson	6/25/2018 10:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018 Diego
SDPD_AB953	Anikanova	Anna	8/2/2018 02:46 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/2/2018 Diego
SDPD_AB953	Alvarado	Edwin	6/22/2018 02:07 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Ahmed	Guled	6/21/2018 06:34 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Valenzuela	Jorge	8/13/2018 10:59 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/13/2018 Diego
SDPD_AB953	Stroud	Mark	6/22/2018 02:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Wolf	Cody	8/1/2018 07:40 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/1/2018 Diego
SDPD_AB953	Padilla	Anthony				
SDPD_AB953	Martinez	Serafina	6/30/2018 02:36 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/30/2018 Diego
SDPD_AB953	Orban	Dominic	6/25/2018 09:47 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018 Diego
SDPD_AB953	Haines	Benjamin	6/23/2018 09:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018 Diego

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SDPD_AB953	White	Donald	6/16/2018 06:24 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Wittlieff	Ethan	6/25/2018 10:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018
SDPD_AB953	Hall	Benjamin	6/22/2018 07:02 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Huizar	Anthony	6/19/2018 09:51 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Heil	Cassandra	6/24/2018 08:31 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/24/2018
SDPD_AB953	Langley	Emery	6/19/2018 03:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Hammond	Luke	6/21/2018 06:45 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Marino	Anthony	6/18/2018 04:31 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Reeves	Addison	6/19/2018 09:42 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Marino	Nicholas	6/21/2018 09:39 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Ferraro	Jonathan	6/16/2018 01:53 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Briggs	John	6/15/2018 09:21 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Reyes	Luis	6/22/2018 09:35 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Frost	James	6/22/2018 06:49 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Austin	Brandon	7/11/2018 03:09 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018
SDPD_AB953	Adieh	Amir	7/7/2018 05:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/7/2018
SDPD_AB953	Oller	Joshua	6/19/2018 06:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018

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SDPD_AB953	Navarijo	Micah	6/23/2018 02:18 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018
SDPD_AB953	Ortiz	Elizabeth	6/16/2018 08:17 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Prats	Steven	6/30/2018 02:25 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/30/2018
SDPD_AB953	Monreal	Erika	6/22/2018 04:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Noble	Brooks	7/11/2018 03:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018
SDPD_AB953	Oh	Paul	6/17/2018 08:03 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018
SDPD_AB953	Gonzalez	Eduardo	6/16/2018 02:14 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Aguilar	Jose	7/4/2018 04:36 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/4/2018
SDPD_AB953	Burns	David	6/30/2018 04:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/30/2018
SDPD_AB953	Morelia	Kevin	6/21/2018 10:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Duncan	Anthony	6/25/2018 09:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018
SDPD_AB953	Neglia	Philip	7/28/2018 06:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/28/2018
SDPD_AB953	Le	Andrew	6/25/2018 09:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018
SDPD_AB953	Jamsetjee	Darius	6/19/2018 11:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Iufer	Kimberly	6/19/2018 07:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Pitts	Corey	6/20/2018 02:47 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Charlot	Joseph	7/28/2018 06:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/28/2018

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SDPD_AB953	Mattis	Christopher	6/20/2018 06:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Schrader	Blaise	116 ACAD- GRAD. 11/15/18	No	Racial & Identity Profiling Act- AB 953	Diego
SDPD_AB953	Navarro-Casillas	Manuel	117 ACAD- GRAD 2/21/19	NO		
SDPD_AB953	Del Toro	Dallas	SETC NO LONGER LE	NO N/A	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Gosnell	Scott	6/28/2018 08:51 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Willdigg	Lucas	6/20/2018 03:24 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Yeatman	Jared	6/28/2018 06:23 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Zaki	Tevar	6/15/2018 09:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Stancil	Kevin	6/15/2018 08:42 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Vaccarello	Courtney	6/29/2018 02:20 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018
SDPD_AB953	Warner	Kevin	6/16/2018 09:51 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Sullivan	Nicholas	6/28/2018 05:43 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Thatcher	Robert	7/11/2018 02:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018
SDPD_AB953	Tovias	Eduardo	6/21/2018 09:34 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Schram	Gary	8/20/2018 06:55 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/20/2018
SDPD_AB953	Simon	Gregory	6/15/2018 09:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Stefan	Bryan	6/15/2018 09:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Martinez	Michael	6/26/2018 09:50 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018

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SDPD_AB953	Montalbano	Nicholas	6/21/2018 10:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Murphy	Alexander	6/22/2018 12:21 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Kaub	Jason				
SDPD_AB953	Kobylarz	Matthew	6/22/2018 07:00 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Payne	Joshua	6/29/2018 09:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018
SDPD_AB953	Rosenbloom	Chelsea	6/15/2018 09:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Rustvold	Nathan				
SDPD_AB953	Pockett	Alex	6/16/2018 05:25 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Verduzco	Jorge	6/29/2018 01:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018
SDPD_AB953	Hernandez	Martin	7/15/2018 10:03 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/15/2018
SDPD_AB953	Hall	Meghan	6/19/2018 09:04 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Cazares	Mollie	7/12/2018 11:18 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018
SDPD_AB953	Hernandez	Maximo	6/30/2018 07:44 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/30/2018
SDPD_AB953	Huff	Grants	6/15/2018 09:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Illiano	Dominic	6/20/2018 11:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Jordan	Ashley	6/16/2018 06:16 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018
SDPD_AB953	Propati	Joseph	7/11/2018 03:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018
SDPD_AB953	Alcantara	Cesar	6/16/2018 03:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018

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SDPD_AB953	Dewoody	Adam	6/19/2018 10:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Flood	Ian	6/22/2018 06:08 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Rhoten	Elias	7/2/2018 04:43 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/2018
SDPD_AB953	Rincon	Fernando	7/11/2018 03:12 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018 Diego
SDPD_AB953	Gonzalez	Miguel	6/21/2018 10:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Mills	Dillon	7/1/2018 10:18 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/1/2018
SDPD_AB953	Salinas	Marco	6/30/2018 03:43 PM America/San Diego 6/30/18	NO YES	Racial & Identity Profiling Act- AB 953	6/30/2018 Diego
SDPD_AB953	Songu	Ricky	6/18/2018 02:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Williams	Tiffany	6/16/2018 03:54 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Boraus	Michael	6/16/2018 03:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Meredith	Brandon	6/29/2018 07:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018 Diego
SDPD_AB953	Hallios	Yianni	6/15/2018 04:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Luangamath	Ko	6/19/2018 07:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Lucas	Chad	6/18/2018 02:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Lucas	Jonathon	6/17/2018 02:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Brady	Victoria	6/23/2018 02:49 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018 Diego
SDPD_AB953	Guzman	Raymond	6/27/2018 04:46 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego

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SDPD_AB953	Jachim	Kyle	6/25/2018 11:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018 Diego
SDPD_AB953	Ball	Kyle	6/26/2018 12:59 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Rivezzo	Carly	6/19/2018 09:58 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Jorgensen	Alyce	6/18/2018 08:19 PM America/San Diego 6/18/18	NO YES	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Garcia	Edgar	6/27/2018 09:08 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Berton	Ruben	6/20/2018 02:54 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Hopkins	Cortney	6/21/2018 10:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Staab	Tyler	6/21/2018 09:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Padron	Shelbie	6/18/2018 09:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Stransky	Lindsay	6/26/2018 09:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Rodriguez	Manuel	6/19/2018 11:45 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	McGhee	Joshua	6/25/2018 08:17 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018 Diego
SDPD_AB953	Nicholes	George	6/22/2018 02:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Albini	Torrie	6/26/2018 09:23 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Hofrichter	Colton	6/26/2018 09:26 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Gaines	Brian	6/29/2018 09:21 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018 Diego
SDPD_AB953	Ramirez	Barnaby	6/27/2018 11:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego

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SDPD_AB953	Vasquez	Matthew	6/16/2018 06:01 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Woods	Kyle	6/25/2018 07:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018 Diego
SDPD_AB953	Johnson	Devion	8/28/2018 03:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/28/2018 Diego
SDPD_AB953	Diaz Rangel	Carlos	6/26/2018 11:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Oriarte	Ariel	6/22/2018 12:40 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Elliott	Anthony	6/28/2018 05:48 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Levasseur	Matthew	6/22/2018 05:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Maguire	Jarrold	7/23/2018 02:34 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/23/2018 Diego
SDPD_AB953	McGill	Dylan	6/20/2018 02:39 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Kochsiek	Clayton	6/23/2018 08:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018 Diego
SDPD_AB953	Porper	Joseph	6/20/2018 05:28 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Cass	Shannon	6/21/2018 07:54 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Martinez	Daniel	6/26/2018 06:49 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Kain	Garett	7/7/2018 12:05 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/7/2018 Diego
SDPD_AB953	Hardman	Blake	6/18/2018 12:53 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Christman	Tyler	7/7/2018 09:50 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/7/2018 Diego
SDPD_AB953	Arvelo	Ashley	6/21/2018 11:10 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego

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SDPD_AB953	Álvarez-Tostado	Joshua	6/21/2018 10:43 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Arcamo	Jake	6/17/2018 02:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Carter Torres	William	6/18/2018 09:28 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Capron	Joshua	6/18/2018 07:32 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Thorne	Taylor	6/16/2018 11:10 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	García	Samuel	6/19/2018 07:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Pitcock	Rhett	7/4/2018 10:00 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/4/2018
SDPD_AB953	Newman	Anthony				
SDPD_AB953	Lorenzen	Matthew	6/20/2018 09:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Cooper	Emanuel	6/18/2018 07:04 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Velasquez	Jose	6/27/2018 11:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Silva	Samuel	6/16/2018 02:54 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Swankosky	Jonathan	6/21/2018 08:44 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Shaak	Ryan	6/29/2018 10:13 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018 Diego
SDPD_AB953	David	Antonio	7/4/2018 05:27 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/4/2018
SDPD_AB953	Sanchez	Jordan	6/29/2018 05:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018 Diego
SDPD_AB953	Meza	Adrian	6/22/2018 09:00 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego

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SDPD_AB953	Wallace	Jordan	6/30/2018 04:41 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/30/2018
SDPD_AB953	Kilby	Jacob	6/29/2018 09:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018
SDPD_AB953	Medlam	Nathan	6/30/2018 10:17 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/30/2018
SDPD_AB953	Maciel	Stephanie	7/3/2018 03:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/3/2018
SDPD_AB953	Kinnally	Sean	6/26/2018 05:27 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Jugao	Ronald				
SDPD_AB953	Gallagher	Ross	6/28/2018 03:09 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Borgonia					
SDPD_AB953	Cademas	Philippe	7/9/2018 06:26 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/9/2018
SDPD_AB953	Avigdor	Alexander	6/28/2018 11:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Parker	Dante	6/25/2018 10:57 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018
SDPD_AB953	Giunta	Marissa	7/2/2018 09:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/2018
SDPD_AB953	Esparza	Katharine	6/28/2018 11:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Rosbrook	Matthew	7/5/2018 10:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/5/2018
SDPD_AB953	Davoren	Taylor	6/26/2018 09:44 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Zasueta	Zacgary	6/26/2018 03:10 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	Vuletich	Candis	6/28/2018 09:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Van Dyk	Mitchell	6/29/2018 06:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018

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SDPD_AB953	Tellam	Justin	7/1/2018 08:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/1/201
SDPD_AB953	Stone	Jarod	6/27/2018 10:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/20
SDPD_AB953	Gray	Gabriel	6/23/2018 02:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/20
SDPD_AB953	Herrera	Esteban	6/29/2018 02:38 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/20
SDPD_AB953	Briones	Ramon	6/26/2018 06:32 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/20
SDPD_AB953	Sowers	Jennifer	7/2/2018 08:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/201
SDPD_AB953	Solomon	Ronnie	6/26/2018 02:34 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/20
SDPD_AB953	Shaw	Linda	7/11/2018 06:13 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/20
SDPD_AB953	Schroder	Erik	7/2/2018 08:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/201
SDPD_AB953	Jennings	Katherine	115 ACAD GRAD 8/16/18	No	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Flores	Gustavo	115 ACAD GRAD 8/16/18	No	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Fitch	Matthew	115 ACAD GRAD 8/16/18	No	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Bustamante	Robert	12/30/2018 07:17 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	12/30/2
SDPD_AB953	Collins	Dominic	9/27/2018 08:34 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/27/20
SDPD_AB953	Hanrahan	Jennifer	9/10/2018 03:15 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/10/20
SDPD_AB953	Hardy	Luke	11/19/2018 03:52 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	11/19/2
SDPD_AB953	Buell	Amy	115 ACAD GRAD 8/16/18	No	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Blouin	Ryan	9/20/2018 08:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/20/20
SDPD_AB953	Crawford	Romero	115 ACAD GRAD 8/16/18	No	Racial & Identity Profiling Act- AB 953	

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SDPD_AB953	Amado	Jeff Ryan	10/2/2018 08:06 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/2/2018
SDPD_AB953	Alesi	Joel	115TH ACAD GRAD 8/16/18	No	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Duke	David	115TH ACAD GRAD 8/16/18	No	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Haar	Paige	115TH ACAD GRAD 8/16/18	No	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Greenan	Daniel	115TH ACAD GRAD 8/16/18	No	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Smith	John	115TH ACAD GRAD 8/16/18	No	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Thrift	JessicaMarie	115TH ACAD GRAD 8/16/18	NO		
SDPD_AB953	Mohr	Jakob	115TH ACAD GRAD 8/16/18	No	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Billberry	Daniel	6/19/2018 12:14 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Nevarez	Jesus	2/7/2019 10:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	2/7/2019
SDPD_AB953	Reyes	Reynaldo	11/9/2018 09:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	11/9/2018
SDPD_AB953	Prudham	Kaley	10/30/2018 09:27 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/30/2018
SDPD_AB953	Quinonez	Cristino	115TH ACAD GRAD 8/16/18	No	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Luna	Nicholas	115TH ACAD GRAD 8/16/18	No	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Lopez	David	9/14/2018 06:07 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/14/2018
SDPD_AB953	McCormick	William	115TH ACAD GRAD 8/16/18	NO		
SDPD_AB953	Tapia	Filiberto	10/16/18 1/9/2019 05:28 AM America/San Diego	YES	Racial & Identity Profiling Act- AB 953	1/9/2019
SDPD_AB953	Thomson	Seth	115TH ACAD GRAD 8/16/18	No	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Lopez Tonche	Juan	115TH ACAD GRAD 8/16/18	No	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Killinger	Jardin	115TH ACAD GRAD 8/16/18	No	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Jittu	Aaron	9/10/2018 06:11 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/10/2018
SDPD_AB953	Rickert	Elijah	2/12/2019 01:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	2/12/2019
SDPD_AB953	Calafato	Patrick	1/3/2019 03:05 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	1/3/2019

SDPD_AB953	Granados	Adrian	10/3/2018 05:30 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/3/2018
SDPD_AB953	Butera	Richard	6/21/2018 09:11 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Stanek	Austin	7/3/2018 02:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/3/2018
SDPD_AB953	Dortenzio	Kristina				
SDPD_AB953	Connor	Alexander				
SDPD_AB953	Belchamber	Jordan				
SDPD_AB953	Baeza Ortiz	Emanuel				
SDPD_AB953	Allahwardy	Deshnay				
SDPD_AB953	Davalos	Manuel				
SDPD_AB953	Spears	William	1/24/2019 10:08 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	1/24/2019
SDPD_AB953	Webb	Kyle				

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SDPD_AB953	Hernandez	Juan	116TH ACAD GRAD 11/15/18	No	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Lavelle	William	116TH ACAD GRAD 11/15/18 12/21/2018 09:38 AM America/San	NO	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Huerta	Edgar	Diego 2/27/2019 06:50 AM America/San	Yes	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Campante	Felix	Diego 1/12/2019 10:20 PM America/San	Yes	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Wages	Leah	Diego 116TH ACAD GRAD 11/15/18 12/18/2018 02:33 PM America/San	No	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Heu	Stephanie	Diego 12/12/2018 10:26 PM America/San	Yes	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Dryer	Justin	Diego	Yes	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Fanlo	Luisito	116TH ACAD GRAD 11/15/18	No	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Fernandez	Fernando	116TH ACAD GRAD 11/15/18 12/16/2018 10:21 PM America/San	No	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Elizondo	Erik	Diego	Yes	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Taggart	Colleen	116TH ACAD GRAD 11/15/18 1/30/2019 06:22 AM America/San	No	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Steidley	Alicia	Diego	Yes	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Zambrano	Ricardo	1/1/2019 10:17 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Hesse	Donald	116TH ACAD GRAD 11/15/18 12/19/2018 10:42 AM America/San	No	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Perez Quintero	Andres	Diego	Yes	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Wilkin	Matthew	116TH ACAD GRAD 11/15/18	NO	
SDPD_AB953	Bloemendaal	Dominic	116TH ACAD GRAD 11/15/18	NO	
SDPD_AB953	Burries	Alexandra	116TH ACAD GRAD 11/15/18	No	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Collins	Trace	116TH ACAD GRAD 11/15/18	NO	
SDPD_AB953	Flores	Eliana	116TH ACAD GRAD 11/15/18	No	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Virgen	Brandon	116TH ACAD GRAD 11/15/18	No	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Ulibarri	Chelsea	116TH ACAD GRAD 11/15/18	NO	
SDPD_AB953	Tran	Phi	116TH ACAD GRAD 11/15/18	NO	
SDPD_AB953	Luzuriaga	Omar	116TH ACAD GRAD 11/15/18	No	Racial & Identity Profiling Act- AB 953

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SDPD_AB953	Maser	Kevin	116TH ACAD GRAD 11/15/18	No	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Lazaga	Dominic	116TH ACAD GRAD 11/15/18	NO	
SDPD_AB953	Merris	Aaron	116TH ACAD GRAD 11/15/18	No	Racial & Identity Profiling Act- AB 953
			12/19/2018 09:57 PM America/San		Racial & Identity Profiling Act- AB 12/19/20
SDPD_AB953	Neri Rodriguez	Catherine	Diego	Yes	953 Diego
SDPD_AB953	Zaragoza	Francisco	116TH ACAD GRAD 11/15/18	No	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Jodar	Nicholas	114TH LATERAL EFF. 7/26/18	No	Racial & Identity Profiling Act- AB 953
SDPD_AB953	Araoz	Matthew	117TH ACAD GRAD 2/21/19	NO	
SDPD_AB953	Arellanes	Diego	117TH ACAD GRAD 2/21/19	NO	
SDPD_AB953	Bullock	Joseph	117TH ACAD GRAD 2/21/19	NO	
SDPD_AB953	Crosby	Seth	117TH ACAD GRAD 2/21/19	NO	
SDPD_AB953	Diaz	Danny	117TH ACAD GRAD 2/21/19	NO	
SDPD_AB953	Fuston	Dillon	117TH ACAD GRAD 2/21/19	NO	

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SDPD_AB953	Gabat	Richard	6/23/2018 09:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018
SDPD_AB953	Riley	Trevor	6/15/2018 07:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Stinson	Robert	6/23/2018 09:04 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018
SDPD_AB953	McAnnally	David	7/12/2018 03:40 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018
SDPD_AB953	Stafford	Eric	6/21/2018 06:42 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Belz	Michael	6/20/2018 02:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Tews	Christopher	6/22/2018 08:00 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Heller	Patrick	6/20/2018 10:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Macon	Kevin	7/24/2018 01:20 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/24/2018
SDPD_AB953	Bueno	Anthony	6/19/2018 10:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Fisher	Lawanda	8/23/2018 03:10 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/23/2018
SDPD_AB953	Kelso	Benjamin	6/18/2018 07:14 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Jager	Todd	6/21/2018 09:36 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Whitfield	David	6/22/2018 09:14 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Hall	Daniel	6/19/2018 08:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Tate	John		Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Cook	Lloyd	7/2/2018 11:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/2018

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SDPD_AB953	Phillips	Gary	6/26/2018 02:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Bland	Michael	6/21/2018 12:36 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Rawls	Kenneth	6/16/2018 08:27 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Johnson	Sarah	7/12/2018 06:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Charlot	Joseph	7/16/2018 10:32 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/16/2018 Diego
SDPD_AB953	Annis	Mark	6/21/2018 05:16 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Patrick	Kevin	6/25/2018 11:19 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018 Diego
SDPD_AB953	Stephens	Blair	10/9/2018 10:26 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/9/2018 Diego
SDPD_AB953	Garren	David	6/18/2018 02:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Bishop	Dean	7/11/2018 09:15 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018 Diego
SDPD_AB953	Ty	Simon	6/19/2018 07:33 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Teer	James	6/21/2018 01:31 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Ketchum	Nicholas	7/2/2018 09:36 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/2018
SDPD_AB953	Escalante	Manuel	6/26/2018 10:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Hall	Patrick	6/19/2018 03:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Pottin	Alberto	6/26/2018 04:57 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Thomas	Dean	6/19/2018 02:54 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego

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SDPD_AB953	Henderson	Scott	6/20/2018 09:24 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Gonzalez-Reed	Hilda	7/18/2018 08:44 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018 Diego
SDPD_AB953	Barr	Tracey	7/6/2018 09:48 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/6/2018
SDPD_AB953	Glass	Ronald	6/18/2018 12:54 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Rodriguez	Ramiro	6/20/2018 03:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	De Los Reyes	Deana	6/18/2018 03:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	McCurry	Benjamin	6/20/2018 02:32 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Queen	John	6/19/2018 07:06 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Bourasa	Steven	6/16/2018 05:21 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Albers	Wesley	6/19/2018 05:38 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Mora	Robert	6/23/2018 07:51 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/23/2018 Diego
SDPD_AB953	Sterling	Jeffrey	6/18/2018 01:34 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Houseman	Victoria	6/19/2018 07:00 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Witt	Daniel	6/26/2018 08:23 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Hinds	Richard	6/20/18	NO YES	Racial & Identity Profiling Act- AB 953	
SDPD_AB953	Krouss	Joseph	7/12/2018 06:46 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Skinn	Randall	8/20/2018 12:54 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/20/2018 Diego

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SDPD_AB953	Davis	Kelly	11/8/2018 07:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	11/8/2018 Diego
SDPD_AB953	Davis	Garry	6/25/2018 11:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018 Diego
SDPD_AB953	Spurlock	Steven	6/19/2018 06:03 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Silva	Raymond	6/19/2018 07:13 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Evans	Craig	6/15/2018 11:41 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Fabregas	Robert	6/21/2018 10:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Gross	Jeffrey	6/21/2018 08:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Wuehler	Jeffrey	6/18/2018 07:50 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Bales	Vincent	10/8/2018 09:31 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/8/2018 Diego
SDPD_AB953	Maschmeier	Michael	6/27/2018 09:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Gilmore	Cory	6/19/2018 06:25 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Wilson	Frank	6/21/18 6/19/2018 12:14 PM America/San Diego	NO YES	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Olson	Gregory	6/18/2018 02:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Gini	Casey	6/18/18 6/19/2018 07:24 AM America/San Diego	NO YES	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Owens	Jerry	6/27/2018 11:57 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Griffin	William	6/16/2018 03:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Brown	Troy	6/16/2018 03:37 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego

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SDPD_AB953	Behrendt	Steven	6/18/2018 09:17 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Salinas	Jeffrey	7/5/2018 07:48 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/5/2018
SDPD_AB953	Righthouse	Bret	6/18/2018 03:34 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Joy	Thomas	8/15/2018 02:39 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/15/2018 Diego
SDPD_AB953	Lazare	Jenard	6/19/2018 06:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Janzen	Michael	6/29/2018 07:14 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/29/2018 Diego
SDPD_AB953	Howard	John	10/8/2018 08:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/8/2018 Diego
SDPD_AB953	Perez	Marco	6/22/2018 07:09 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Scott	Jason				
SDPD_AB953	Miller	Eric	6/22/2018 08:00 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Gassmann	Robert	6/20/2018 11:22 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Dickinson	Steven	7/10/2018 01:56 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/10/2018 Diego
SDPD_AB953	Brown	Andra	7/9/2018 10:58 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/9/2018
SDPD_AB953	Millett	Catherine	6/18/2018 06:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Nichols	Jeffrey	6/21/2018 01:11 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Daun	Robert	8/15/2018 01:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/15/2018 Diego
SDPD_AB953	Mapston	Cory	6/22/2018 04:24 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego

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SDPD_AB953	Hanna	Cynthia	6/20/2018 04:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Napora	Scott	6/19/2018 02:47 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Olsen	William	7/19/2018 09:02 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/19/2018 Diego
SDPD_AB953	Zdunich	Matthew	6/15/2018 05:18 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Maggi	Louis	6/20/2018 01:59 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Foster	Sarah	12/7/2018 10:52 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	12/7/2018 Diego
SDPD_AB953	Bisesto	Meghan	6/21/2018 06:20 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Dragula	Frank	6/18/2018 07:51 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Mobley	Michael	6/18/2018 03:05 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Waldecker	Curtis	6/15/2018 09:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Kelbaugh	Nicholas	6/20/2018 07:58 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Valentin	Wendy	6/15/2018 08:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Marvel	Brian	6/28/2018 11:00 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Wadhams	Kevin	7/3/2018 11:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/3/2018
SDPD_AB953	Sells	Gaylon	7/14/2018 04:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/14/2018 Diego
SDPD_AB953	Thach	Alvin	6/18/2018 12:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Headley	David	6/27/2018 09:21 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego

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SDPD_AB953	Leahy	Christopher	6/20/2018 01:47 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Voss	Duane	6/22/2018 09:57 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Lacarra	Carlos	7/12/2018 02:07 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018
SDPD_AB953	Clippinger	Michael	7/18/2018 07:38 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018
SDPD_AB953	Ramsay	Michael	10/19/2018 07:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/19/2018
SDPD_AB953	Wong	Kevin	7/2/2018 06:02 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/2018
SDPD_AB953	Eastep	Donna	7/3/2018 11:14 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/3/2018
SDPD_AB953	Jillard	John	6/19/2018 07:33 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Freedman	Richard	6/28/2018 04:12 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Holden	Mike	6/19/2018 10:06 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Holden	Scott	6/12/2018 03:02 PM America/San Diego	No YES	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Hammerstrand	James	6/26/2018 01:26 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	McElroy	Adam	10/24/2018 02:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/24/2018
SDPD_AB953	Shebloski	Stephen	6/15/2018 07:04 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018
SDPD_AB953	Bowman	Roger	6/21/2018 08:51 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Shaw	Steven	6/18/2018 11:50 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Burgess	Randy	6/18/2018 11:50 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018

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SDPD_AB953	Zirpolo	James	7/16/2018 07:58 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/16/2018 Diego
SDPD_AB953	Broadus	Brandon	7/18/2018 06:21 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018 Diego
SDPD_AB953	Letteri	John	8/15/2018 09:20 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/15/2018 Diego
SDPD_AB953	Savage	Dennis	7/17/2018 08:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/17/2018 Diego
SDPD_AB953	Ganley	Deborah	6/20/2018 09:31 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Botsford	Stacey	6/16/2018 08:03 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Yepiz	Sylvia	6/27/2018 09:21 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Call	John	6/27/2018 06:35 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Rocha	Jason	7/12/2018 02:04 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Underwood	Timothy	10/8/2018 10:46 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/8/2018 Diego
SDPD_AB953	Underwood	Thomas	6/19/2018 08:50 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Gustafson	Karin	7/12/2018 12:36 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Castle	Clinton	6/27/2018 06:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Speer	Edwin	8/24/2018 09:44 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/24/2018 Diego
SDPD_AB953	Perez	Jose	8/28/2018 03:00 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/28/2018 Diego
SDPD_AB953	Peterson	Jeffrey	6/15/2018 05:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	McCoy	Richard	6/19/2018 03:55 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego

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SDPD_AB953	Rivas	Ricardo	6/27/2018 10:03 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	James	Danica E	8/14/2018 10:21 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/14/2018 Diego
SDPD_AB953	Hays	Eric	7/12/2018 06:16 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Bennett	Mark	6/21/2018 01:10 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Cornell	Brian	7/9/2018 09:44 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/9/2018 Diego
SDPD_AB953	Clark	John	6/20/2018 07:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Perkins	Richard	6/26/2018 10:42 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Ziegler	Evan	6/19/2018 06:28 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Hawkins	Robert	8/16/2018 06:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/16/2018 Diego
SDPD_AB953	Spurlock	Desiree	6/21/2018 11:01 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Schnick	Steve	6/19/2018 06:44 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Pearson	Jack	6/26/2018 06:08 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	French	Brian	6/17/2018 02:20 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Leisz	Clinton	6/17/2018 07:09 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018 Diego
SDPD_AB953	Schmottlach	Tristan	6/20/2018 05:36 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Haley	Michael	7/3/2018 01:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/3/2018 Diego
SDPD_AB953	Labo	John	7/16/2018 01:50 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/16/2018 Diego

SDPD_AB953	Harper	Joseph	6/18/2018 06:09 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Higdon	Daniel	6/26/2018 05:31 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Hernandez	Frank	6/18/2018 07:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Lovell	Warren	7/12/2018 10:42 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Jobe	Grant	6/28/2018 02:20 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Swadener	Arturo	6/26/2018 11:07 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Willkomm	Jeff	6/26/2018 07:51 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Schaeffer	Jack	7/10/2018 11:02 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/10/2018 Diego
SDPD_AB953	Allison	Katherine	6/19/2018 05:59 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Hoolihan	Joel	6/21/2018 08:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Kries	Kenneth	6/19/2018 09:24 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Gibson	Troy	6/22/2018 12:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018 Diego
SDPD_AB953	Dunhoff	David	6/25/2018 09:27 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018 Diego
SDPD_AB953	Marciniak	Charles	6/18/2018 05:26 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Bassett	Tod	6/18/2018 06:45 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Menard	Renee	6/19/2018 12:30 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Ellison	Karl	6/19/2018 06:52 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego

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SDPD_AB953	Mrvich	Gregory	6/28/2018 06:31 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Guaderrama	Albert	6/18/2018 02:44 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Harberth	John	6/19/2018 01:58 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Adams	Lori	7/19/2018 09:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/19/2018 Diego
SDPD_AB953	Burow	Daniel	6/20/2018 10:50 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Nabizadeh	Homayoun	7/12/2018 01:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Gutierrez	Mike	7/17/2018 03:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/17/2018 Diego
SDPD_AB953	Wiseman	Eric	11/20/2018 07:42 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	11/20/2018 Diego
SDPD_AB953	Skinner	Steven	6/19/2018 07:07 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Sidhu	Amalia	6/19/2018 03:21 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Tousley	Linda	6/26/2018 08:07 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Reese	Anthony	6/20/2018 02:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Gottfried	Michael	6/26/2018 01:19 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Salas	Paul				
SDPD_AB953	Smith	Timothy	6/16/2018 03:38 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Burlison	Robert	7/11/2018 03:09 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018 Diego
SDPD_AB953	Alvarado	Jaime	6/18/2018 09:36 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego

SDPD_AB953	Carranza	Jorge	7/11/2018 12:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018 Diego
SDPD_AB953	Glazewski	Dewayne	6/26/2018 01:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Moore	Brian	6/26/2018 10:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Johnson	James	6/19/2018 01:01 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Cisneros	Crystal	9/11/2018 12:38 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/11/2018 Diego
SDPD_AB953	Harvey	Ulysses	9/20/2018 08:29 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/20/2018 Diego
SDPD_AB953	Luna	Ernesto	6/21/2018 01:22 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Velovich	Michelle	9/25/2018 03:38 PM America/San Diego 7/11/14	NO YES	Racial & Identity Profiling Act- AB 953	9/25/2018 Diego
SDPD_AB953	Moran	Michael	6/18/2018 03:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Zingheim	Hans	10/21/2018 04:09 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	10/21/2018 Diego
SDPD_AB953	Quintanilla	May	7/18/2018 08:51 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/18/2018 Diego
SDPD_AB953	Cole	Rex	6/25/2018 07:57 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018 Diego
SDPD_AB953	Burkhardt	Joshua	6/20/2018 09:16 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Dafoe	Joshua	6/19/2018 02:41 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Lessa	Tony	7/11/2018 08:24 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018 Diego
SDPD_AB953	Thim	Michael	6/20/2018 03:38 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Garcia	Miguel	6/19/2018 06:56 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego

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SDPD_AB953	Markland	Steven	6/18/2018 09:50 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Fox	Richard	6/18/2018 08:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Macphee	Gary	7/12/2018 03:19 PM America/San Diego 7/12/18	NO YES	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	Lucas	Keith	7/11/2018 10:04 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/11/2018 Diego
SDPD_AB953	O'Brien	David	7/17/2018 11:48 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/17/2018 Diego
SDPD_AB953	Hansen	Michelle	6/21/2018 10:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Holslag	Scott	6/21/2018 09:31 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Belland	Kevin	6/18/2018 10:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Hufford	Dona	6/27/2018 12:29 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Bassett	Tina	6/18/2018 07:24 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Voss	Gary	6/19/2018 06:31 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Parpart	Richard	6/18/2018 06:53 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Pickard	Scott	6/16/2018 02:44 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	Root	David	7/12/2018 06:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/12/2018 Diego
SDPD_AB953	McCiver	Perry	6/27/2018 08:40 AM America/San Diego 6/27/18	NO YES	Racial & Identity Profiling Act- AB 953	6/27/2018 Diego
SDPD_AB953	Mc Cullough	Mark	8/16/2018 05:32 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/16/2018 Diego
SDPD_AB953	Yamane	Joseph	8/16/2018 06:04 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/16/2018 Diego

000270

SDPD_AB953	Knighnten	Christopher	6/20/2018 04:44 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Asbell	Christopher	6/21/2018 11:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Natal	Raymond	6/26/2018 04:46 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018 Diego
SDPD_AB953	Gasca	Martha	9/18/2018 02:24 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/18/2018 Diego
SDPD_AB953	Metz	Richard	6/21/2018 10:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Bihum	Dannie	6/21/2018 03:58 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018 Diego
SDPD_AB953	Mondesir	Gary	9/28/2018 02:56 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/28/2018 Diego
SDPD_AB953	Brown	William	6/20/2018 12:04 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Santagata	Scott	6/18/2018 01:14 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Roberts	Bryan	6/19/2018 02:18 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018 Diego
SDPD_AB953	Flores	Miguel	6/15/2018 12:38 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Paxton	Paul	6/20/2018 10:24 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018 Diego
SDPD_AB953	Carter	William	6/28/2018 01:48 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018 Diego
SDPD_AB953	Turner	Todd	6/16/2018 08:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/16/2018 Diego
SDPD_AB953	McGuire	Edward	6/15/2018 10:46 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/15/2018 Diego
SDPD_AB953	Anschick	Robert	6/18/2018 10:33 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018 Diego
SDPD_AB953	Puente	Jesus				

000271

SDPD_AB953	Piceno	Bernie	6/18/2018 03:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Punches	Bretton	7/26/2018 02:56 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/26/2018
SDPD_AB953	Oliver	Harold	10/31/2018 03:58 PM America/San Diego 6/19/18	No YES	Racial & Identity Profiling Act- AB 953	10/31/2018
SDPD_AB953	Rivera	Carmelin	6/25/2018 06:20 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/25/2018
SDPD_AB953	Krall	Patricia	6/18/2018 02:06 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Quentin-King	Colleen	6/19/2018 03:18 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Chavez	Jose	6/19/2018 08:26 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Abrams	David	6/19/2018 08:36 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	Hesselgesser	Larry	6/22/2018 12:47 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/22/2018
SDPD_AB953	Smyth	Daniel	6/21/2018 02:44 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Cairncross	Laurie	8/15/2018 01:24 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/15/2018
SDPD_AB953	Pollom	Eric	6/21/2018 10:58 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Bartolomei	Scott	6/20/2018 04:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/20/2018
SDPD_AB953	Horvath	John	6/21/2018 06:39 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Bailiff	Ronald	7/20/18	No YES	Racial & Identity Profiling Act- AB 953	7/20/18
SDPD_AB953	Sinclair	Omar	6/18/2018 08:45 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Luna	Shelly	8/14/2018 01:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	8/14/2018

000272

SDPD_AB953	Crisostomo	Marco	6/17/2018 11:10 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/17/2018
SDPD_AB953	Yankovich	Anna	6/21/2018 07:56 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/21/2018
SDPD_AB953	Amancio	Mark	7/2/2018 10:10 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	7/2/2018
SDPD_AB953	Peck	Charles	6/26/2018 03:13 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/26/2018
SDPD_AB953	John	Didelot	6/28/2018 12:02 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/28/2018
SDPD_AB953	Torres	Michael	6/30/2018 02:16 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/30/2018
SDPD_AB953	Salas	Paul	9/13/2018 09:16 AM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	9/13/2018
SDPD_AB953	Kawahara	Quinton	6/18/2018 02:40 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/18/2018
SDPD_AB953	Marotta	Robert	6/24/2018 12:28 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/24/2018
SDPD_AB953	Diaz	Derek	6/19/2018 03:24 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018
SDPD_AB953	De Priest	Sean	6/19/2018 01:33 PM America/San Diego	Yes	Racial & Identity Profiling Act- AB 953	6/19/2018

1834
 - 82 (NO)
 2 (N/A)

TOTAL WATCHED RIPA 1750 YES

→ DUPS REMOVED
 1712

000273

Exhibit 14

000274

**SAN DIEGO POLICE DEPARTMENT
ORDER**

DATE/TIME: JUNE 15, 2018 – 1125 HOURS

NUMBER: OR 18-16

SUBJECT: AB 953 RACIAL AND IDENTITY PROFILING ACT DATA
COLLECTION MANDATE

COST CENTER: 1914131211

SCOPE: ALL SWORN MEMBERS OF THE DEPARTMENT

DEPARTMENT PROCEDURE AFFECTED: 7.01

On October 3, 2015, the State of California passed the Racial and Identity Profiling Act (RIPA), also known as Assembly Bill 953. This law requires the collection and submission of data to the Attorney General and is mandated for the following: **ALL** stops, detentions, searches, including consensual searches, along with interactions that result in force being used.

RIPA has very specific reporting requirements and exceptions for certain events. The Research, Analysis, and Planning/Special Projects Unit has developed an instructional training video to illustrate the legal requirements under RIPA. The video can be found in SuccessFactors and must be viewed by June 26, 2018.

Effective June 27, 2018, all sworn members of the Department shall collect data required per RIPA regulations. Officers must submit the required data before the end of their shift unless exigent circumstances exist.

The data will be collected and submitted via a Department system application that can be accessed through a link on the SDPD Intranet website or through the Mobile for Public Safety (MPS) application. Additionally, all sworn members shall indicate on their officer daily journal when data is collected per RIPA using the MPS application. In the event that the MPS system is temporarily unavailable, the RIPA data will be collected using form PD-953 and entered into the electronic database as soon as possible. The form is located in F: Templates/Patrol Based Forms/AB-953.

Information related to RIPA, along with a PowerPoint that outlines the data collection application and journal instructions can be found in the Department's online resource library. If you have any questions concerning the video or legal requirements, please e-mail Lieutenant Jeff Jordon at jjordon@pd.sandiego.gov.

000275

Note: Please print a copy of the completion certificate at the end of the video and send it to Officer Shannah Oliveras at In-Service Training, MS #731A.

Please read at squad conferences and give a copy to all personnel.

000276

**SAN DIEGO POLICE DEPARTMENT
ORDER**

DATE/TIME: SEPTEMBER 26, 2018 – 1415 HOURS

NUMBER: OR 18-25

SUBJECT: MANADATED SUBMISSION OF RACIAL AND IDENTITY
PROFILING ACT DATA

COST CENTER: 1914131211

SCOPE: ALL SWORN MEMBERS OF THE DEPARTMENT

DEPARTMENT PROCEDURE AFFECTED: 4.01, 6.01, and 7.01

As of June 27, 2018, all sworn members of the Department are mandated to comply with the requirements of the Racial and Identity Profiling Act (RIPA). This includes the collection and submission of data related to the following: all stops, detentions, searches, including consensual searches, along with interactions that result in force being used.

Effective immediately, to ensure RIPA compliance, officers shall submit the requisite data upon the completion of every detention and/or arrest report. The narrative of these reports shall include that the RIPA information was submitted for every person being arrested or detained. Supervisors will verify this language is included in the report prior to its approval. For example:

“For the arrest of NAME, a RIPA entry was submitted.”

“For the detention of NAME, a RIPA entry was submitted.”

As a reminder, the data **will be collected and submitted** through the SDPD Intranet website or through the Mobile for Public Safety application. Officers will submit the RIPA data before the end of their shift, unless exigent circumstances exist.

Department Procedures 4.01, 6.01 and 7.01 will reflect this change.

Please read at squad conferences and give a copy to all personnel.

000277

**SAN DIEGO POLICE DEPARTMENT
ORDER**

DATE/TIME: OCTOBER 8, 2018 – 0830 HOURS

NUMBER: OR 18-27

SUBJECT: SUBMISSION OF RACIAL IDENTITY PROFILING ACT DATA
FOR FIELD INTERVIEWS

COST CENTER: 1914000020

SCOPE: ALL SWORN MEMBERS OF THE DEPARTMENT

DEPARTMENT PROCEDURE AFFECTED: 6.03

As of June 27, 2018, all sworn members of the Department are mandated to comply with the requirements of the Racial and Identity Profiling Act (RIPA). This includes the collection and submission of data related to the following: all stops, detentions, searches, including consensual searches, along with interactions that result in force being used.

A Field Interview (FI) is any contact or stop in which an officer reasonably suspects that a person has committed, is committing, or is about to commit a crime. Field Interviews require officers to document the crime potential for the individual stopped, and information from the FI is retained in ARJIS and CRMS databases.

Effective immediately, to ensure compliance with the Racial and Identity Profiling Act, a RIPA entry must be completed for every individual listed in a Field Interview (FI) report or ARJIS-1 submitted by an officer.

As a reminder, the data **will be collected and submitted** through the SDPD Intranet website or through the Mobile for Public Safety application. Officers will submit the RIPA data before the end of their shift, unless exigent circumstances exist.

Department Procedure 6.03 will reflect this change.

Please read at squad conferences and give a copy to all personnel.

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San Diego Police Department

TRAINING BULLETIN

A PUBLICATION OF THE SAN DIEGO POLICE DEPARTMENT

DAVID NISLEIT
CHIEF OF POLICE

19-03

JANUARY 28, 2019

AUDITING RIPA DATA COLLECTED BY DEPARTMENT MEMBERS

I. PURPOSE

To ensure compliance with the Racial and Identity Profiling Act, supervisors and command staff will systematically audit collected data and document their findings through the inspection and Quarterly Management Report (QMR) process. This will be accomplished by verifying officers are completing RIPA entries, journalizing them, and properly documenting information in their arrest and detention reports.

II. BACKGROUND:

Effective July 1, 2018, the Racial and Identity Profiling Act of 2015, otherwise known as "RIPA" or AB 953, required all sworn members of the Department to collect data mandated under the law's provisions.

Department Orders 18-16, 18-25, and 18-27 were sent to all personnel to ensure compliance with this statute. Additionally, all Department Procedures associated with RIPA were updated with the law's requirements and disseminated. Contained within those directions was an advisement that personnel should access the Department's digital resource library and review the AB 953 - RIPA file to meet expectations.

III. INSPECTIONS:

1. MONTHLY INSPECTIONS:

Effective immediately, each Commanding Officer will have their sergeants audit the RIPA entries for two (2) members of their squad on a rotating basis monthly and at least twice annually. They will include the information listed below in the note section of their monthly inspections in the format shown.

000279

- a. Sergeants will review the selected officers' daily journals to determine if the journals are being fully completed and RIPA entries are being properly documented on the journal.
- b. The officers' activities for two (2) shifts per month will be analyzed to confirm their arrests, citations and field interviews were accompanied by required RIPA entries.
- c. Two (2) arrest or detention reports completed by the selected officers will be inspected to verify RIPA information documented in Department Order 18-25 was included in the narrative.
- d. Discrepancies must be noted by the sergeant, addressed with the officers inspected, and the next level supervisor should be verbally briefed on missing documentation to determine if ongoing issues are present that need additional corrective action.
- e. Documented contacts (arrests, citations and field interviews) are not always immediately available in ARJIS, at times with delays as long as several weeks. For this reason, a December inspection would utilize data collected from October.

Example Format – Inspection Notes Section:

Officer John Doe #1111

Journals Complete	Dates Audited	Activities Audited	Reports Reviewed	Discrepancies Noted/ Addressed
Yes/No	10/1/18		18-xxxxxx	Yes/No
	10/2/18		18-xxxxxx	

If these categories are not applicable to the selected officer, document with N/A and provide a brief explanation.

- f. Commanding Officers will be notified if audits conducted by Data Systems requires an additional review of their personnel's RIPA entries.

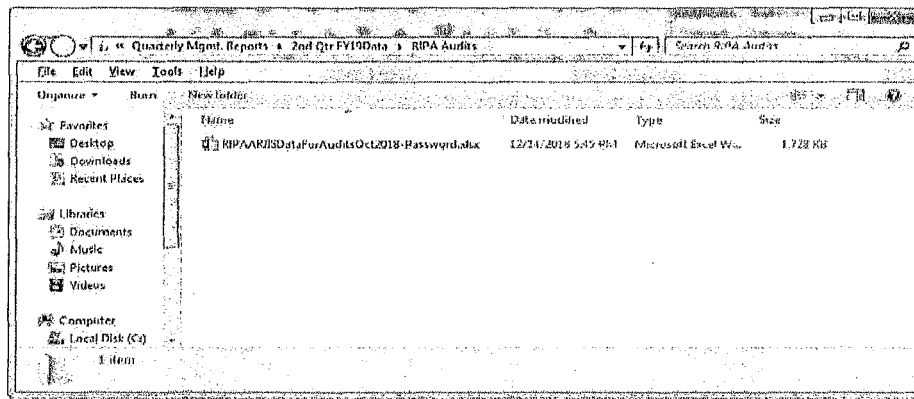
2. QUARTERLY MANAGEMENT REPORTS:

Monthly inspections that indicate discrepancies were noted by supervisors while reviewing RIPA information will be explained in the QMR for the command. A brief description about how the discrepancies were addressed shall be documented under the additional audit section of the QMR.

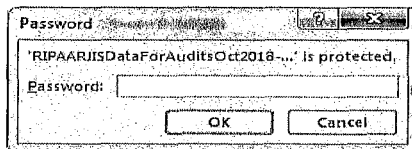
000280

IV. VERIFYING RIPA ENTRIES

1. RIPA contacts made by officers that resulted in an arrest, citation or field interview, as well as their ARJIS documented contacts for arrests, citations and field interviews, are compiled in excel sheets located in the Quarterly Management Reports area under the RIPA Audits folder in the F drive.
2. For example, October 2018 can be found at:
F:\Quarterly Mgmt. Reports\2nd Qtr FY19Data\RIPA Audits



3. The Excel workbook is protected. Contact Program Manager, Chris Haley, for access.



- The Excel workbook has three tabs of information located at the bottom of the application for arrests, citations and field interviews. Each tab contains relevant RIPA entries and ARJIS data for that type of activity.

Activity Number	Activity Type	Activity Date	Activity Time	Sex	Age	Height	Weight	Location	Name	RIPA Assign/ExpYears	Identification Number	Assignment
18165311	ARREST	10/30/2018	14:53	MALE	35	180(AH)	170	250 PARK BOULEVARD	511			Central
18165320	ARREST	10/7/2018	15:30	FEMALE	18	5120	240	2400 COMERCIAL STREET	512			Central
18165346	ARREST	10/4/2018	1:29	MALE	38	180(B)	200	200 W MARKET STREET	522			Central
18165400	ARREST	10/25/2018	5:45	MALE	24	181A1	512	512 28TH AVENUE	523			Central
18165426	ARREST	10/16/2018	13:30	FEMALE	51	54WTDK	300	300 IMPERIAL AVENUE	518			Central
18165471	RIPA Arrest	10/21/2018	13:18	Male	33			1022 LOGAN AVENUE	512	Patrol, traffic enforcement, field operations / 15 yrs		Central
18165471	ARREST	10/19/2018	15:00	MALE	33	979	1600	1600 LOGAN AVENUE	521			Central
18165500	ARREST	10/29/2018	22:10	MALE	18	58.00(A)	150	1500 COMMERCIAL STREET	521			Central
18165511	RIPA Arrest	10/30/2018	22:10	Female	18			1500 COMMERCIAL ST	512	Patrol, traffic enforcement, field operations / 15 yrs		Central
18165511	RIPA Arrest	10/10/2018	19:23	Female	27			1700 Logan Ave	512	Patrol, traffic enforcement, field operations / 15 yrs		Central
18165577A	ARREST	10/18/2018	19:15	FEMALE	27	953.7	1700	1700 LOGAN AVENUE	511			Central
18165602	ARREST	10/15/2018	1:10	MALE	25	1815C1	1100	1100 MARKET STREET	521			Central
18165621	RIPA Arrest	10/31/2018	3:10	Male	25			1100 Market St	521	Patrol, traffic enforcement, field operations / 15 yrs		Central
18165631	RIPA Arrest	10/1/2018	6:55	Male	40			300 17th	521	Patrol, traffic enforcement, field operations / 1 yrs		Central
18165637	RIPA Arrest	10/4/2018	8:01	Male	61			1700 E	521	Patrol, traffic enforcement, field operations / 1 yrs		Central
18165651	RIPA Arrest	10/4/2018	11:31	Male	32			1600 aland	521	Patrol, traffic enforcement, field operations / 1 yrs		Central
18165671	RIPA Arrest	10/15/2018	7:00	Male	50			1700 E street	521	Patrol, traffic enforcement, field operations / 1 yrs		Central
18165681	RIPA Arrest	10/17/2018	7:15	Male	43			500 CESAR CHAVEZ	512	Patrol, traffic enforcement, field operations / 1 yrs		Central
18165687	ARREST	10/16/2018	7:35	MALE	78	979	500	500 CESAR E CHAVEZ PARKWAY	512			Central
18165712	RIPA Arrest	10/18/2018	11:49	Male	38			500 16th	521	Patrol, traffic enforcement, field operations / 1 yrs		Central
18165849	ARREST	10/19/2018	13:37	MALE	32	979	800	800 18TH STREET	521			Central
18165971	RIPA Arrest	10/23/2018	21:00	Male	50			1500 commercial st	521	Patrol, traffic enforcement, field operations / 1 yrs		Central
18165971	RIPA Arrest	10/14/2018	0:00	Male	50			401 15th	521	Patrol, traffic enforcement, field operations / 1 yrs		Central
18165971	RIPA Arrest	10/11/2018	22:13	Male	50			500 19th Avenue	521	Patrol, traffic enforcement, field operations / 15 yrs		Central
18165981	ARREST	10/11/2018	22:38	MALE	41	164(AH)	400	400 GAY AVENUE	525			Central
18165981	RIPA Arrest	10/12/2018	3:45	Male	25			200 05TH ST	523	Patrol, traffic enforcement, field operations / 4 yrs		Central
18165979	ARREST	10/12/2018	1:11	MALE	49	1815(E)	600	600 GAY AVENUE	521			Central
18165971	RIPA Arrest	10/27/2018	1:11	Male	40			400 9th Avenue	523	Patrol, traffic enforcement, field operations / 10 yrs		Central
18165971	RIPA Arrest	10/27/2018	0:40	Male	23			700 9th Avenue	523	Patrol, traffic enforcement, field operations / 10 yrs		Central
18165971	RIPA Arrest	10/17/2018	9:11	Female	47			1400 E ST	521	Patrol, traffic enforcement, field operations / 10 yrs		Central
18166218	ARREST	10/17/2018	9:35	FEMALE	55	241(C1)	1400	1400 E STREET	521			Central
18166370	ARREST	10/14/2018	7:37	MALE	21	1155(A)	1200	1200 IMPERIAL AVENUE	541			Central
18167371	RIPA Arrest	10/14/2018	7:37	Male	23			0 13th Street 11th Street and Imperial Aven	521	Patrol, traffic enforcement, field operations / 10 yrs		Central
18167371	RIPA Arrest	10/30/2018	9:00	Female	25			300 9th ave	521	Patrol, traffic enforcement, field operations / 10 yrs		Central
18167371	RIPA Arrest	10/16/2018	9:40	Male	40			700 9th st	526	Patrol, traffic enforcement, field operations / 10 yrs		Central
18168403	ARREST	10/16/2018	8:55	MALE	41	1155(A)	700	700 8TH STREET	526			Central
18168271	RIPA Arrest	10/27/2018	23:15	Male	60			0 22ND ST IMPERIAL AVE	521	Patrol, traffic enforcement, field operations / 3 yrs		Central
18168413	ARREST	10/6/2018	21:51	MALE	41	979	800	800 28TH AVENUE	523			Central
18168371	RIPA Arrest	10/7/2018	3:25	Male	40			800 05TH AVE	523	Patrol, traffic enforcement, field operations / 3 yrs		Central
18168271	RIPA Arrest	10/25/2018	20:36	Male	40			600 N ST	523	Patrol, traffic enforcement, field operations / 3 yrs		Central
18168271	RIPA Arrest	10/24/2018	1:50	Male	40			500 5ST	523	Patrol, traffic enforcement, field operations / 3 yrs		Central
18168280	ARREST	10/17/2018	15:32	MALE	40	3056	2000	2000 B STREET	517			Central
18165971	RIPA Arrest	10/17/2018	16:24	Male	40			2000 B	517	Patrol, traffic enforcement, field operations / 10 yrs		Central
18165979	ARREST	10/16/2018	15:47	FEMALE	45	2485A	270	270 18TH STREET	525			Central

- To review data for a specific officer, click on the down arrow next to “IdentificationNumber” (column L), and enter the officer’s ID number to filter or narrow the data field.

Sort Smallest to Largest
 Sort Largest to Smallest
 Sort by Color
 Clear Filter or From: IdentificationNumber
 Filter by Color
 Number Filters
 9999
 (Select All Search Results)
 Add current selection to filter
 9999

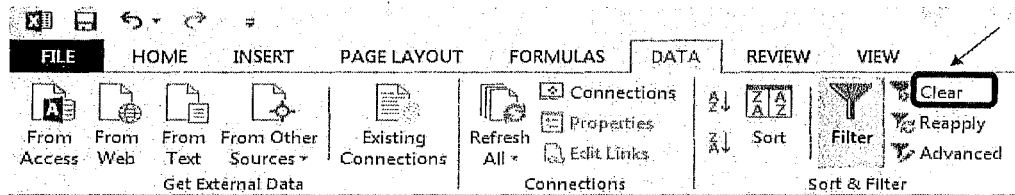
OK Cancel

- When a filter is utilized with an officer's ID number on the *Arrests* tab, the results show **ARREST** reports from ARJIS and **RIPA Arrest** entries. Look for possible discrepancies by comparing the data by dates, times and locations. In most cases, there should be a one-to-one match between ARJIS arrests and RIPA arrests.

The following example in red highlights arrests from ARJIS and RIPA that are likely associated. In this example, there appear to be 6 ARJIS arrests that do not have a corresponding RIPA arrest and 1 RIPA arrest that does not have a corresponding ARJIS arrest. Further research to determine the cause of the possible mismatches should be completed under this scenario.

activityNumbr	activityTy	ActivityDa	ActivityTin	sex	ageM	violationSectic	Location	be
1892 18163125	ARREST	10/2/2018	20:30	MALE	69	979	1500 K STREET	521 C
1893 18163571	ARREST	10/4/2018	16:10	MALE	21	21510(B)	100 06TH AVENUE	521 C
1894 18164477	ARREST	10/8/2018	17:20	MALE	26	11364.1(A)	100 06TH AVENUE	521 C
1895 18166446	ARREST	10/17/2018	16:45	MALE	24	11377(A)	100 S 17TH STREET	511 C
1896 52859/1	RIPA Arrest	10/17/2018	21:24	Male	27		100 s 17th street	511 d
1897 18167580	ARREST	10/22/2018	21:29	MALE	36	979	1500 10TH AVENUE	526 C
1898 18167772	ARREST	10/23/2018	16:55	MALE	55	3056	1400 10TH AVENUE	526 C
1899 18168051A	ARREST	10/24/2018	17:25	MALE	35	11377(A)	1200 11TH AVENUE	524 C
1900 56863/1	RIPA Arrest	10/27/2018	23:15	Male	28		600 5th Avenue	523 d

- To clear the officer ID filter so that a different officer can be audited, go to the *Data* menu then click on the *Clear* button located next to the highlighted filter button.

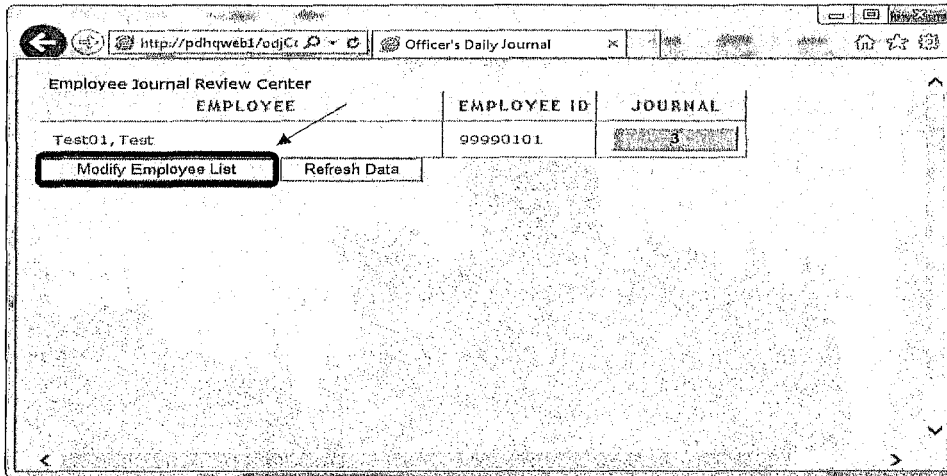


V. VERIFYING JOURNAL ENTRIES

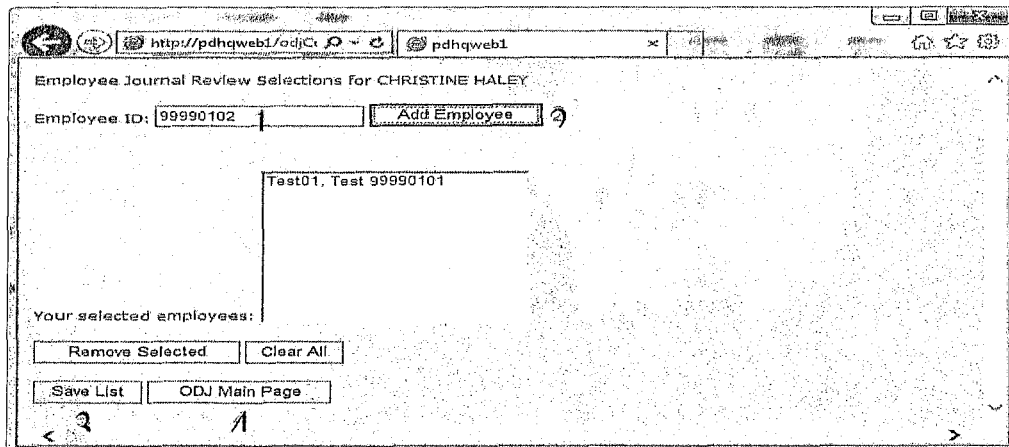
- Supervisors will compare RIPA documentation and ARJIS activity from the Excel workbook with Officer Daily Journals (ODJ) to ensure officers are properly journalizing their activity and documenting their completion of a RIPA entry.

Journals can be found via the Department's Intranet site, by selecting *Officer Daily Journal* from the *SDPD Applications* menu.

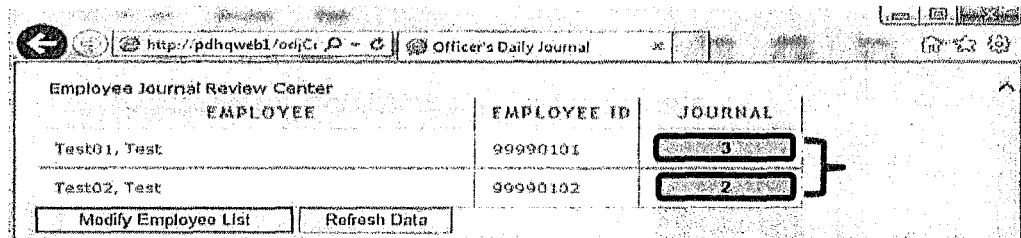
- In order to review journals for an officer, supervisors must make sure their squad members are current by checking the Employee Journal Review Center page of the ODJ application. To add or delete an officer, Select - *Modify Employee List* button.



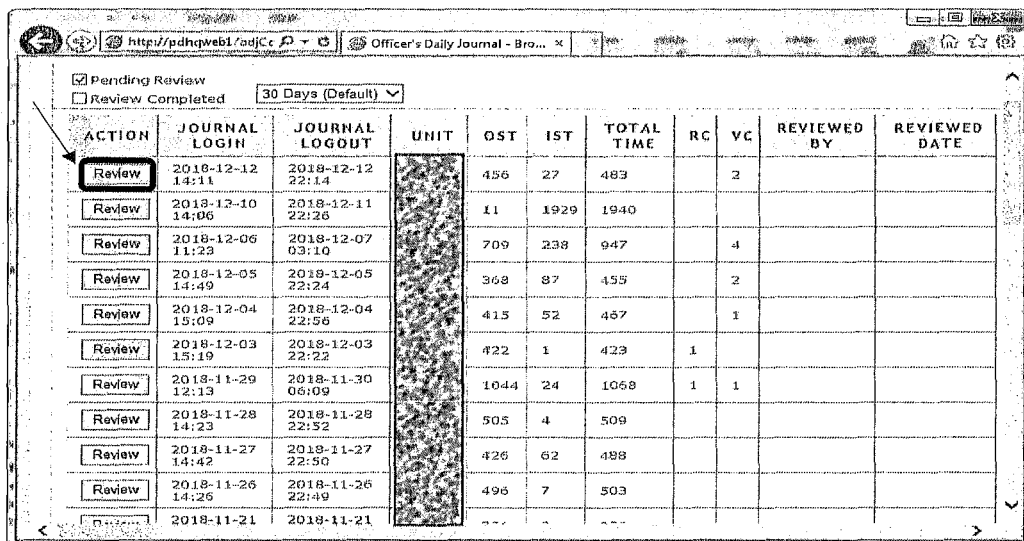
- Enter the employee ID of the officer journal you wish to review and click *Add Employee* button. When finished, click the *Save List* button, then the *ODJ Main Page* button.



- To review journals for an officer, select the orange button in the *Journal* column of the grid that corresponds to the officer.



- To review a specific journal, click the *Review* button next to the journal date you want to review.



6. Items to note in the *Journal Summary* section of the report include the *RIPA Stops* counter, *BWC* counter and individual counters for activities logged.

The screenshot displays a web browser window with the URL <http://pdhqweb1/eoj/Co...> and the page title "Officer Daily Journal - Journ...". The main content is a report divided into two sections: "Journal Summary" and "Journal Details".

The "Journal Summary" section, which is highlighted with a black border, contains the following data:

OST:	IST:	Total Mins:	Calls/Outs:	Other/Outs:	Vehicle#:	RIPA Stops:
459	2	461	3	1	3777	0
					Mileage:	BWC: 0
					54030	

Below the summary, there are three small boxes containing the text: "FR:1", "MAR:1", and "NCT:3".

The "Journal Details" section is a table with the following columns: START, END, OST, TYPE, INCIDENT #, LOCATION, EVENT DESCRIPTION, and DII. The table contains the following rows:

START	END	OST	TYPE	INCIDENT #	LOCATION	EVENT DESCRIPTION	DII
1434			LN				
1434			UC				
1444			DC				
1444			DC				
1444			DC				
1444			DC				
1444			UC				
1516			UC				
1525			UC		1400 2ND		

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- Specific entries can be reviewed in the *Journal Details* section of the report. In the example below, the officer correctly journalized a misdemeanor arrest, but did not indicate whether a RIPA entry was made or BWC captured. In the MPS journal process, officers should toggle to select either *yes* or *no* for RIPA and BWC on each contact. If no value is shown in the ODJ report (as seen in this example that lacks a *yes/no*), the officer did not select a value for the required item.

Time	Location	Status	Address	Notes
1712	TR		BRADWAY ST SD: @HQ	1016
1712	TA			1016
1825	97			1016
1825	TR		1173 FRONT ST SD: @CENTRAL JAIL	1016
1850	TA			1016
1939	UC		100 S 17TH ST	1016 REF#: [Type: MAR]Form: [Time:]Name: [BWC: RIPA:]
1940	UC			1016 REF#: [Type: NCT]Form: [Time:]Name: [BWC: RIPA:]Comments: 54.0110
1954	DC		1173 FRONT ST SD: @CENTRAL JAIL	[Large redacted area]
1954	DC			
1954	DC			
1954	DC			
1954	DC			
1954	UC			
2041	215	AV		
2043	DP		51 25TH ST SD	
2043	97			
2212	UC		330 PARK	

VI. VERIFYING INFORMATION IN REPORTS

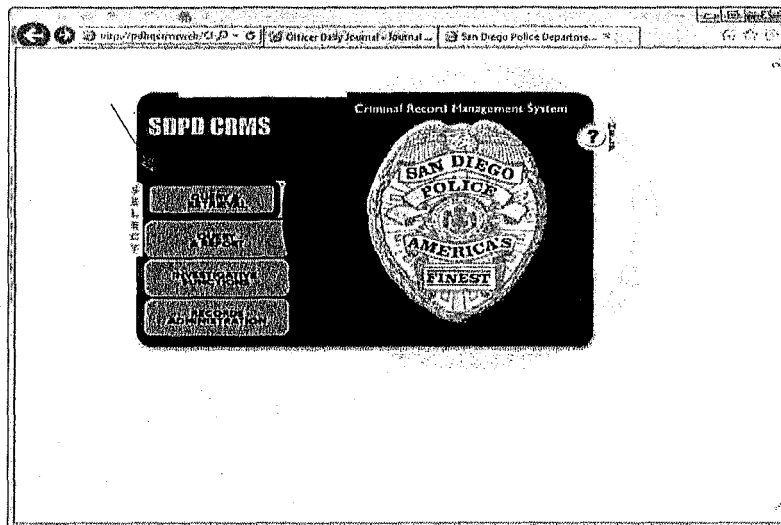
- Department Order 18-25 requires officers to document within each arrest or detention report narrative that RIPA information was submitted for each suspect.

- To ensure compliance with this order, supervisors can review an arrest report from the Excel workbook previously outlined. Click within the cell of the arrest report number to be reviewed and click Ctrl-C keys to copy the booking number. The item selected must be an *ARREST* activity type, and not a *RIPA Arrest* activity type, in order to copy a valid booking number to paste into CRMS or NetRMS.

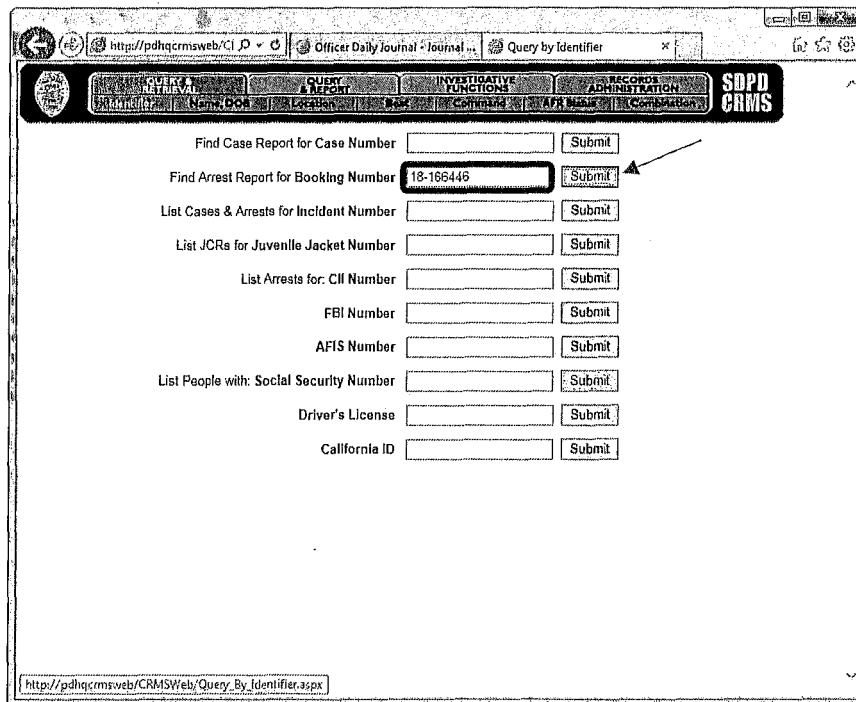
	A	B	C	D	E	F	G	H	I
1	activityNum	activityTyp	ActivityDa	ActivityTin	sex	ageM	violationSectio	Location	be
1892	18163125	ARREST	10/2/2018	20:30	MALE	69	979	1500 K STREET	521
1893	18163571	ARREST	10/4/2018	16:10	MALE	21	21510(B)	100 06TH AVENUE	521
1894	18164477	ARREST	10/8/2018	17:20	MALE	26	11364.1(A)	100 06TH AVENUE	521
1895	18166446	ARREST	10/17/2018	16:45	MALE	24	11377(A)	100 S 17TH STREET	511
1896	52859/1	RIPA Arrest	10/17/2018	21:24	Male	27		100 s 17th street	511
1897	18167580	ARREST	10/22/2018	21:29	MALE	36	979	1500 10TH AVENUE	526
1898	18167772	ARREST	10/23/2018	16:55	MALE	55	3056	1400 10TH AVENUE	526
1899	18168051A	ARREST	10/24/2018	17:25	MALE	35	11377(A)	1200 11TH AVENUE	524
1900	56863/1	RIPA Arrest	10/27/2018	23:15	Male	28		600 5th Avenue	523
4749									
4750									
4751									
4752									
4753									
4754									
4755									
4756									
4757									
4758									
4759									
4760									
4761									
4762									
4763									
4764									

- CRMS can be found via the Department's Intranet site, by selecting *CRMS Web* from the *SDPD Applications* menu.

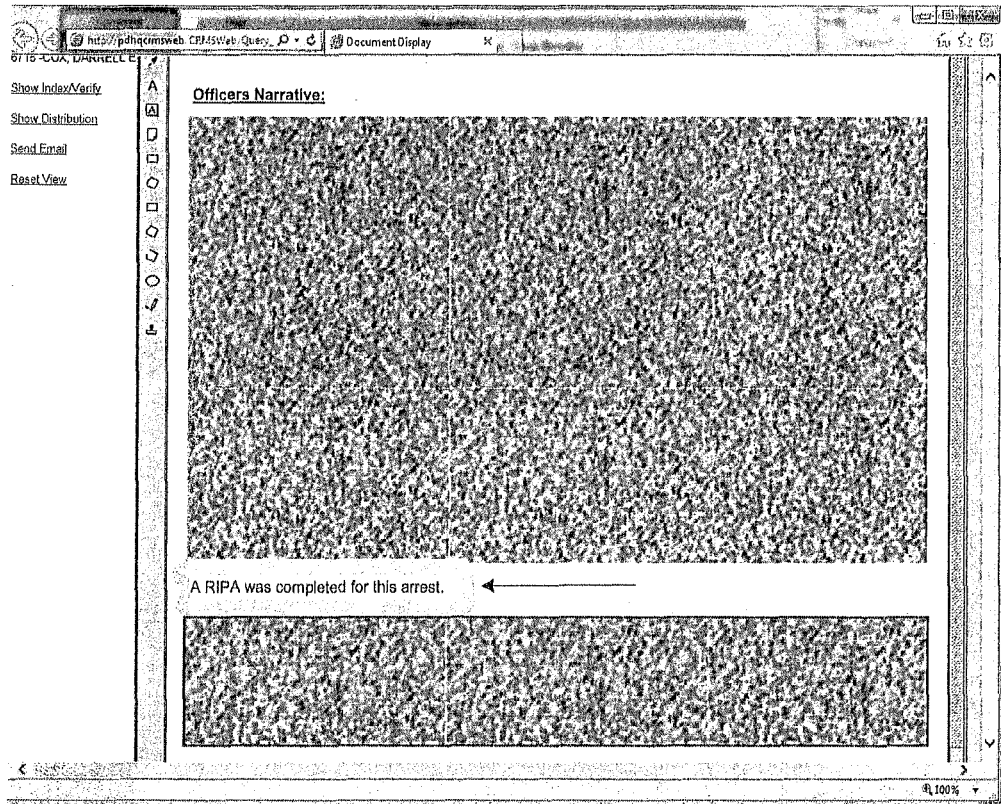
4. From the CRMS Web main page, click the *Query & Retrieval* button.



5. Then paste the booking number into the Booking Number box, using Ctrl-V, and select the *Submit* button



6. Navigate to the Documents page and select the arrest report for viewing. Once the report is visible, review the narrative for the necessary RIPA statement.



If you have any questions regarding the RIPA Audit workflow, please contact Program Manager Chris Haley at 619- 531-2401 or e-mail at chaley@pd.sandiego.gov.

If you have any questions concerning the legal requirements of AB 953, please e-mail Lieutenant Jeff Jordon at jjordon@pd.sandiego.gov.

For additional documents related to this law, refer to the AB 953-RIPA folder within the Department's Resource Library.

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Exhibit 15

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Here are the tickets and hours used for RIPA so far.

C2No	Res Name	Application	TSDate	Minutes	Hours	Activity
33458	Moore,	500 RIPA (AB 953)	10/1/2018	60	1	PD 19
33458	Moore,	500 RIPA (AB 953)	10/2/2018	60	1	PD 19
33718	Moore,	500 RIPA (AB 953)	10/24/2018	180	3	PD 19
33718	Moore,	500 RIPA (AB 953)	10/31/2018	180	3	PD 19
33954	Moore,	500 RIPA (AB 953)	1/2/2019	120	2	PD 19
33954	Moore,	500 RIPA (AB 953)	1/3/2019	240	4	PD 19
33954	Moore,	500 RIPA (AB 953)	1/7/2019	180	3	PD 19
33954	Moore,	500 RIPA (AB 953)	1/8/2019	240	4	PD 19
33954	Moore,	500 RIPA (AB 953)	1/22/2019	180	3	PD 19
33954	Moore,	500 RIPA (AB 953)	1/28/2019	300	5	PD 19
33954	Moore,	500 RIPA (AB 953)	1/29/2019	180	3	PD 19
33954	Moore,	500 RIPA (AB 953)	1/30/2019	120	2	PD 19
33954	Moore,	500 RIPA (AB 953)	2/7/2019	120	2	PD 19
33954	Moore,	500 RIPA (AB 953)	2/8/2019	60	1	PD 19
33954	Moore,	500 RIPA (AB 953)	2/14/2019	240	4	PD 19
34887	Moore,	500 RIPA (AB 953)	2/19/2019	300	5	PD 19
34887	Moore,	500 RIPA (AB 953)	2/20/2019	240	4	PD 19
34887	Moore,	500 RIPA (AB 953)	2/21/2019	180	3	PD 19
34887	Moore,	500 RIPA (AB 953)	2/28/2019	180	3	PD 19

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Exhibit 16

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**SAN DIEGO POLICE DEPARTMENT
RACIAL AND IDENTITY PROFILING ACT
DATA COLLECTION FORM**

BASELINE STOP INFORMATION

1. Date of Stop:	2. Time of Stop:	3. Duration of Detention with Person: _____ (approx. length of time in minutes)	4a. K-12 Public Schools: Student: <input type="checkbox"/> Yes <input type="checkbox"/> No Name of school where stop took place: _____
4. Location of Stop (report City, Beat and one of the following options, in order of preference): City: _____ Beat: _____ <input type="checkbox"/> Block number and street name: _____ <input type="checkbox"/> Closest intersection: _____ <input type="checkbox"/> Highway and closest exit: _____ <input type="checkbox"/> None of the above (road marker, landmark, or other description. May not provide street address if the location is a residence. _____			

SUBJECT INFORMATION OF PERSON STOPPED, DETAINED, SEARCHED or ARRESTED

5. Perceived Race/Ethnicity: <input type="checkbox"/> Asian <input type="checkbox"/> Black/African American <input type="checkbox"/> Hispanic/Latino(a) <input type="checkbox"/> Middle Eastern or South Asian <input type="checkbox"/> Native American <input type="checkbox"/> Pacific Islander <input type="checkbox"/> White	6. Perceived Gender: <input type="checkbox"/> Male <input type="checkbox"/> Transgender man/boy <input type="checkbox"/> Female <input type="checkbox"/> Transgender woman/girl <input type="checkbox"/> Gender nonconforming <input type="checkbox"/> Lesbian, gay, bisexual or transgender (LGBT)	7. Perceived or Known Disability: <input type="checkbox"/> Deafness or difficulty hearing <input type="checkbox"/> Speech impairment/limited use language <input type="checkbox"/> Blind or limited vision <input type="checkbox"/> Mental health condition <input type="checkbox"/> Intellectual or developmental disability <input type="checkbox"/> Other disability <input type="checkbox"/> None (no other data may be selected)	7a. K-12 Public Schools: <input type="checkbox"/> Disability related to hyperactivity or impulsive behavior
8. Limited English Fluency: <input type="checkbox"/> Yes <input type="checkbox"/> No	9. Perceived Age: _____ (Whole Number.)		

REASON FOR STOP

10. Primary Reason for Stop, Detention, or Search: Response to Call for Service? <input type="checkbox"/> Yes <input type="checkbox"/> No	10a. K-12 Public Schools:
Traffic Violation: (select one) <input type="checkbox"/> Traffic/Moving <input type="checkbox"/> Traffic/Equipment <input type="checkbox"/> Traffic/Non-moving (including registration violations) Section: _____	<input type="checkbox"/> Possible conduct warranting discipline under Ed Code
Reasonable suspicion or knowledge the person was engaged in criminal activity: (select all that apply)	<input type="checkbox"/> 48900(a) through 48900(r)(1)-(r)(2)(iii) Section: _____
<input type="checkbox"/> Officer witnessed commission of a crime <input type="checkbox"/> Matched suspect description <input type="checkbox"/> Witness or Victim identification of suspect at the scene <input type="checkbox"/> Carrying suspicious object <input type="checkbox"/> Actions indicative of casing a victim or location <input type="checkbox"/> Suspected of acting as a lookout <input type="checkbox"/> Actions indicative of a drug transaction <input type="checkbox"/> Actions indicative of engaging in a violent crime <input type="checkbox"/> Other reasonable suspicion <input type="checkbox"/> Known to be on parole/probation/PRCS/mandatory supervision <input type="checkbox"/> Knowledge of outstanding arrest warrant/wanted person <input type="checkbox"/> Investigation to determine whether the person was truant <input type="checkbox"/> Consensual encounter resulting in search <input type="checkbox"/> Response to a call for service Primary Section _____ <input type="checkbox"/> Community Caretaking	<input type="checkbox"/> 48900.2 <input type="checkbox"/> 48900.3 <input type="checkbox"/> 48900.4 <input type="checkbox"/> 48900.7(a) <input type="checkbox"/> Student violated school Policy (only select if other options related to violations of law do not apply)
11. Include a brief narrative (250-character maximum) regarding the reason for the stop. Include additional details beyond the general data values selected above.	

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RACIAL AND IDENTITY PROFILING ACT DATA COLLECTION FORM

EVENT ACTIONS

12. Action Taken by Officer During Stop or Detention: (Select all that apply)			12a. K-12 Public Schools:
<input type="checkbox"/> Person removed from vehicle by order <input type="checkbox"/> Person removed from vehicle by physical contact <input type="checkbox"/> Field sobriety test conducted <input type="checkbox"/> Curbside detention <input type="checkbox"/> Handcuffed or flex cuffed <input type="checkbox"/> Patrol car detention <input type="checkbox"/> Canine removed from vehicle or used in search <input type="checkbox"/> Person photographed <input type="checkbox"/> Firearm pointed a person <input type="checkbox"/> Firearm discharged or used	<input type="checkbox"/> Asked for consent to search person <input type="checkbox"/> Consent given <input type="checkbox"/> Consent not-given <input type="checkbox"/> Search of person was conducted <input type="checkbox"/> Asked for consent to search property <input type="checkbox"/> Consent given <input type="checkbox"/> Consent not-given <input type="checkbox"/> Search of property was conducted <input type="checkbox"/> Property was seized <input type="checkbox"/> Vehicle impounded <input type="checkbox"/> None	<input type="checkbox"/> Admission or written statement obtained from student <input type="checkbox"/> Electronic control device used <input type="checkbox"/> Impacted projectile discharge/used <input type="checkbox"/> Canine bites or held person <input type="checkbox"/> Baton or other impact weapon used <input type="checkbox"/> Chemical spray used <input type="checkbox"/> Other physical or vehicle contact	
13. Basis of Search: (Select all that apply)			13a. K-12 Public Schools:
<input type="checkbox"/> Consent given <input type="checkbox"/> Officer safety/Safety of others <input type="checkbox"/> Exigent circumstances/Emergency <input type="checkbox"/> Condition of Parole / Probation / PRCS / Mandatory Supervision	<input type="checkbox"/> Search Warrant <input type="checkbox"/> Evidence of crime <input type="checkbox"/> Canine detection <input type="checkbox"/> Incident to arrest	<input type="checkbox"/> Suspected weapons <input type="checkbox"/> Visible contraband <input type="checkbox"/> Odor of contraband <input type="checkbox"/> Vehicle Inventory	<input type="checkbox"/> Suspected violation of school policy
14. Include a brief narrative (250-character maximum) regarding the basis for the search. Include additional details beyond the general data values selected above. (This section is not needed if Parole/Probation/PRCS/Mand. Supv. is selected in Box 17)			
15. Contraband or Evidence Discovered (Select all that apply)			
<input type="checkbox"/> Firearm(s) <input type="checkbox"/> Ammunition <input type="checkbox"/> Weapon (Non-firearm) <input type="checkbox"/> Drugs/Narcotics	<input type="checkbox"/> Drug paraphernalia <input type="checkbox"/> Alcohol <input type="checkbox"/> Money <input type="checkbox"/> Suspected stolen property	<input type="checkbox"/> Cell phones or electronic device(s) <input type="checkbox"/> Other contraband or evidence <input type="checkbox"/> None of the above	
16. Basis for Property Seizure: (Select all that apply)			16a. K-12 Public Schools:
<input type="checkbox"/> Safekeeping <input type="checkbox"/> Contraband	<input type="checkbox"/> Evidence <input type="checkbox"/> Vehicle Impound	<input type="checkbox"/> Abandoned property	<input type="checkbox"/> Suspected violation of school policy
17. Type of Property Seized (Select all that apply)			
<input type="checkbox"/> Firearm(s) <input type="checkbox"/> Ammunition <input type="checkbox"/> Weapon (Non-firearm) <input type="checkbox"/> Drug/Narcotics	<input type="checkbox"/> Drug paraphernalia <input type="checkbox"/> Alcohol <input type="checkbox"/> Money <input type="checkbox"/> Suspected stolen property	<input type="checkbox"/> Cell phones or electronic device(s) <input type="checkbox"/> Vehicle <input type="checkbox"/> Other contraband or evidence	
18. Results of Stop or Detention: (Select all that apply)			18a. K-12 Public Schools
<input type="checkbox"/> No action <input type="checkbox"/> Warning: <input type="checkbox"/> Verbal <input type="checkbox"/> Written <input type="checkbox"/> Citation - Infraction <input type="checkbox"/> Cite and Release in-field (Misd.) <input type="checkbox"/> Custodial arrest-without warrant <input type="checkbox"/> Custodial arrest-outstanding warrant Note all code/section/ordinances: _____	<input type="checkbox"/> Field Interview Card completed <input type="checkbox"/> Non-Criminal/Caretaking transport <input type="checkbox"/> Contacted parent/legal guardian or other person responsible for minor <input type="checkbox"/> Psychiatric hold/5150 <input type="checkbox"/> Contacted/Referred to USDHS _____		Referred to: <input type="checkbox"/> School Administrator <input type="checkbox"/> School Counselor/Support Staff

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Exhibit 17

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Appendix 2

The San Diego Police Department Vehicle Stop Data Card

VEHICLE STOP

Northern 110 120 130
 Northeastern 230 240
 Eastern 310 320
 Southeastern 430 440
 Central 510 520 530
 Western 610 620 630
 Southern 710 720
 Mid-City 810 820 830 840

Date ____ / ____ / ____ Time _____

1. Primary cause for stop (Check only one)

- Moving violation Personal knowledge/Informant
 Equipment violation Suspect info (I.S., Bulletin, Log)
 Radio call/Citizen contact Muni, County, H&S Code

2. Race _____

3. Sex _____

4. Age _____

5. Action taken (check all that apply)

- Citation
 Written warning
 Verbal warning
 FI
 Other _____

6. Resident Type?

City of San Diego Resident? Yes No

7. Arrested? Yes No

8. Searched? Yes No

(If yes on #8, answer questions 9-13)

9. Search type? (check all that apply)

Vehicle Driver Passenger(s)

10. Basis for Search? (check all that apply)

- Contraband visible Odor of contraband
 Canine alert Consent search
 4th Waiver search Search incident to arrest
 Inventory search (prior to impound)
 Observed evidence related to criminal activity
 Other _____

11. Obtained Consent Search form? Yes No

12. Contraband found? Yes No

13. Property seized? Yes No

RACE	A=OTHER ASIAN	F=FILIPINO	J=JAPANESE	P=PACIFIC	V=VIET
CODE	B=BLACK	G=GUAMANIAN	K=KOREAN	ISLANDER	W=WHITE
LEGEND	C=CHINESE	H=HISPANIC	L=LAOTIAN	S=SAMOAN	Z=ASIAN
	D=CAMBODIAN	I=INDIAN	O=OTHER	U=HAWAIIAN	INDIAN

PD-2000N (9-02) *This information is available in alternative formats upon request.*

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Test Claim Certification

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- Relevant portions of state constitutional provisions, federal statutes, and executive orders that may impact the alleged mandate. Pages _____ to _____.
- Administrative decisions and court decisions cited in the narrative. (Published court decisions arising from a state mandate determination by the Board of Control or the Commission are exempt from this requirement.) Pages _____ to _____.
- Evidence to support any written representation of fact. *Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. (Cal. Code Regs., tit. 2, § 1187.5).* Pages 20 to 22.

Section 8 –TEST CLAIM CERTIFICATION Pursuant to Government Code section 17553

- The test claim form is signed and dated at the end of the document, under penalty of perjury by the eligible claimant, with the declaration that the test claim is true and complete to the best of the declarant's personal knowledge, information, or belief.

Read, sign, and date this section. Test claims that are not signed by authorized claimant officials pursuant to California Code of Regulations, title 2, section 1183.1(a) (1-5) will be returned as incomplete. In addition, please note that this form also serves to designate a claimant representative for the matter (if desired) and for that reason may only be signed by an authorized local government official as defined in section 1183.1(a)(1-5) of the Commission's regulations, and not by the representative.

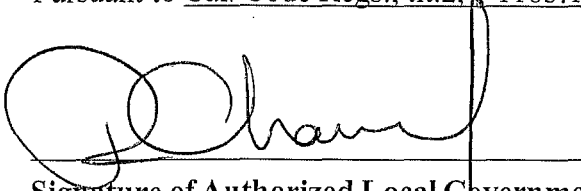
This test claim alleges the existence of a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. I hereby declare, under penalty of perjury under the laws of the State of California, that the information in this test claim is true and complete to the best of my own personal knowledge, information, or belief. All representations of fact are supported by documentary or testimonial evidence and are submitted in accordance with the Commission's regulations. (Cal. Code Regs., tit.2, §§ 1183.1 and 1187.5.)

Rolando Charvel

Chief Financial Officer

Name of Authorized Local Government Official
Pursuant to Cal. Code Regs., tit.2, § 1183.1(a) (1-5)

Print or Type Title



July 30, 2019

Signature of Authorized Local Government Official
Pursuant to Cal. Code Regs., tit.2, § 1183.1(a) (1-5)

Date

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On August 20, 2019, I served the:

- **Notice of Complete Test Claim, Schedule for Comments, and Notice of Tentative Hearing Date issued August 20, 2019**
- **Test Claim filed by the City of San Diego on June 14, 2019**

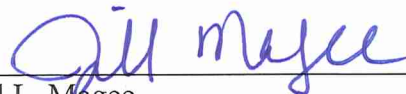
Racial and Identity Profiling, 18-TC-02

Government Code Section 12525.5 and Penal Code Sections 13012 and 13519.4; Statutes 2015, Chapter 466 (AB 953); Statutes 2017, Chapter 328 (AB 1518); California Code of Regulations, Title 11, Sections 999.224, 999.225, 999.226, 999.227, 999.228, and 999.229, Register 2017, No. 46, effective November 7, 2017¹

City of San Diego, Claimant

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on August 20, 2019 at Sacramento, California.



Jill L. Magee
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814
(916) 323-3562

¹ Although the claimant incorrectly pled Notice Register Number 2016, 50-2 regarding changes to California Code of Regulations, Title 11, Sections 999.224, 999.225, 999.226, 999.227, 999.228, and 999.229 with a file and effective date of November 7, 2017, the Commission can take judicial notice of Register 2017, No. 46. In this case, Westlaw incorrectly indicates in the history of each of these sections that the update appears in Register 2017, No. 45 when in fact the adoption of these changes appears in Register 2017, No. 46.

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 8/20/19

Claim Number: 18-TC-02

Matter: Racial and Identity Profiling

Claimant: City of San Diego

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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Office of the State Controller
State-Mandated Costs Claiming Instructions No. 2020-03
Racial and Identity Profiling – Program No. 375
December 22, 2020

In accordance with Government Code (GC) sections 17560 and 17561, eligible claimants may submit claims to the State Controller's Office (SCO) for reimbursement of costs incurred for state-mandated cost programs. This document contains claiming instructions and forms that eligible claimants must use for filing claims for the Racial and Identity Profiling program. SCO issues these claiming instructions subsequent to the Commission on State Mandates (CSM) adopting the program's Parameters and Guidelines (Ps & Gs). The [Ps & Gs](#) are an integral part of the claiming instructions and are located on CSM's website.

On September 25, 2020, CSM adopted a Statement of Decision finding that the test claim legislation imposed a reimbursable state-mandated program on city and county law enforcement agencies within the meaning of Article XIII B, section 6 of the California Constitution and GC section 17514.

Exception

There will be no reimbursement for any period in which the Legislature has suspended the operation of a mandate pursuant to state law.

Eligible Claimants

Any city, county, city and county is eligible to claim reimbursement for increased costs incurred as a result of this mandate for the city or county's law enforcement agencies that meet the following criteria:

- Employ peace officers (other than probation officers and officers in a custodial setting) to perform the requirements of the test claim statute and regulations for stops within their own jurisdictions; or
- Contract for peace officers from other cities or counties in order to carry out their basic and essential function of providing police protection services in their jurisdictions.

K-12 school districts and community college districts are not eligible to claim for this program. Cities and counties may not claim the costs of their peace officer employees that are incurred while they are assigned out to work for other government or private entities based on a contract or memorandum of understanding.

Reimbursement Claim Deadline

- **Initial Reimbursement Claims**

Initial reimbursement claims must be filed within 120 days from the issuance date of the claiming instructions. Costs incurred for compliance with this mandate are reimbursable for the period beginning November 7, 2017, through June 30, 2018,

for fiscal year 2017-18; the period beginning July 1, 2018, through June 30, 2019 for fiscal year 2018-19; and the period beginning July 1, 2019, through June 30, 2020 for fiscal year 2019-20, must be filed with the SCO by **April 21, 2021**.

- **Annual Reimbursement Claims**

Annual reimbursement claims for subsequent fiscal years may be filed by **February 15** following the fiscal year in which costs were incurred. If the deadline falls on a weekend or holiday, claims are due the following business day.

Claims filed more than one year after the specified deadline will not be accepted.

Penalty

- **Initial Reimbursement Claims**

When filed within one year of the initial filing deadline, claims are assessed a late penalty of 10% of the total amount of the initial claim without limitation pursuant to GC section 17561(d)(3).

- **Annual Reimbursement Claims**

When filed within one year of the annual filing deadline, claims are assessed a late penalty of 10% of the claim amount, not to exceed \$10,000, pursuant to GC section 17568.

Minimum Claim Cost

GC section 17564(a), states that no claim may be filed pursuant to GC sections 17551 and 17561, unless such a claim exceeds one thousand dollars (**\$1,000**).

Reimbursement of Claims

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. These costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Declarations must include a certification or declaration stating: "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5.

Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal

government requirements. However, these documents cannot be substituted for source documents.

Audit of Costs

All claims submitted to SCO are subject to review to determine if costs are related to the mandate, are reasonable and not excessive, and if the claim was prepared in accordance with the SCO's claiming instructions and the Ps & Gs adopted by CSM. If any adjustments are made to a claim, the claimant will be notified of the amount adjusted, and the reason for the adjustment.

On-site audits will be conducted by SCO as deemed necessary. Pursuant to GC section 17558.5(a), a reimbursement claim for actual costs filed by a claimant is subject to audit by SCO no later than three years after the date the actual reimbursement claim was filed or last amended, whichever is later. However, if no funds were appropriated or no payment was made to a claimant for the program for the fiscal year for which the claim was filed, the time for SCO to initiate an audit will commence to run from the date of initial payment of the claim.

All documents used to support the reimbursable activities must be retained during the period subject to audit. If an audit has been initiated by SCO during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings. Supporting documents must be made available to SCO on request.

Record Retention

All documentation to support actual costs claimed must be retained and must be made available to the SCO on request (GC section 17558.5(a)) for a minimum period of three years after the date of initial payment of the claim and/or until the ultimate resolution of any audit finding.

Claim Submission

Submit a signed original Form FAM-27 and one copy with required documents. **Please sign the Form FAM-27 in blue ink and attach the copy to the top of the claim package.**

[Mandated costs claiming instructions and forms](#) are available on SCO's website.

Use the following mailing addresses:

If delivered by U.S. Postal Service:

Office of the State Controller
Attn: Local Reimbursements Section
Local Government Programs and Services Division
P.O. Box 942850
Sacramento, CA 94250

If delivered by other delivery service:

Office of the State Controller
Attn: Local Reimbursements Section
Local Government Programs and Services Division
3301 C Street, Suite 700
Sacramento, CA 95816

For more information, contact the Local Reimbursements Section by [email](#), by telephone at (916) 324-5729, or by writing to the address above.

RACIAL AND IDENTITY PROFILING CLAIM FOR PAYMENT FORM		For State Controller's Office Use Only		Program 375
		(19) Program Number 00375	(20) Date Filed	
		(21) LRS Input		
(01) Claimant Identification Number		Reimbursement Claim Data		
(02) Claimant Name		(22)	FORM 1, (04) A. 1. (f)	
County of Location		(23)	FORM 1, (04) A. 2. (f)	
Street Address or P.O. Box and Suite		(24)	FORM 1, (04) B. 1. (f)	
City, State, and Zip Code		(25)	FORM 1, (04) B. 2. (f)	
(03)	Type of Claim	(26)	FORM 1, (04) B. 3. (f)	
(04)	(09) Reimbursement	(27)	FORM 1, (04) B. 4. (f)	
(05)	(10) Combined	(28)	FORM 1, (04) B. 5. (f)	
(06)	(11) Amended	(29)	FORM 1, (06)	
(07)	(12) Fiscal Year of Cost	(30)	FORM 1, (07)	
(08)	(13) Total Claimed Amount	(31)	FORM 1, (09)	
(14) Less: 10% Late Penalty		(32)	FORM 1, (10)	
(15) Less: Prior Claim Payment Received		(33)		
(16) Net Claimed Amount		(34)		
(17) Due from State		(35)		
(18) Due to State		(36)		

(37) CERTIFICATION OF CLAIM

In accordance with the provisions of Government Code sections 17560 and 17561, I certify that I am the officer authorized by the local agency to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Article 4, Chapter 1 of Division 4 of Title 1 of the Government Code.

I further certify that there was no application other than from the claimant, nor any grant(s) or payment(s) received for reimbursement of costs claimed herein, and claimed costs are for a new program or increased level of services of an existing program. All offsetting revenues and reimbursements set forth in the parameters and guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.

The amount for this reimbursement is hereby claimed from the State for payment of actual costs set forth on the attached statements.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature of Authorized Officer	Date Signed	
	Telephone Number	
Type or Print Name and Title of Authorized Signatory	Email Address	

(38) Name of Agency Contact Person for Claim	Telephone Number	
	Email Address	
Name of Consulting Firm/Claim Preparer	Telephone Number	
	Email Address	

Program 375	RACIAL AND IDENTITY PROFILING CLAIM FOR PAYMENT INSTRUCTIONS	FORM FAM-27
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- (01) Enter the claimant identification number assigned by the State Controller's Office.
- (02) Enter claimant official name, county of location, street or postal office box address, city, state, and zip code.
- (03) to (08) Leave blank.
- (09) If filing a reimbursement claim, enter an "X" in the box on line (09) Reimbursement.
- (10) Not applicable.
- (11) If filing an amended reimbursement claim, enter an "X" in the box on line (11) Amended.
- (12) Enter the fiscal year in which actual costs are being claimed. If actual costs for more than one fiscal year are being claimed, complete a separate Form FAM-27 for each fiscal year.
- (13) Enter the amount of the reimbursement claim as shown on Form 1, line (11). The total claimed amount must exceed \$1,000; minimum claim must be \$1,001.
- (14) Initial reimbursement claims must be filed as specified in the claiming instructions. Annual reimbursement claims must be filed by **February 15**, or as specified in the claiming instructions following the fiscal year in which costs were incurred. Claims filed after the specified date must be reduced by a late penalty. Enter zero if the claim was filed on time. Otherwise, enter the result from the following penalty calculation formula:
 - Late Initial Reimbursement Claims: Form FAM-27, line (13) multiplied by 10%, without limitation; or
 - Late Annual Reimbursement Claims: Form FAM-27, line (13) multiplied by 10%, late penalty not to exceed \$10,000.
- (15) Enter the amount of payment, if any, received for the claim. If no payment was received, enter zero.
- (16) Enter the net claimed amount by subtracting the sum of lines (14) and (15) from line (13).
- (17) If line (16), Net Claimed Amount, is positive, enter that amount on line (17), Due from State.
- (18) If line (16), Net Claimed Amount, is negative, enter that amount on line (18), Due to State.
- (19) to (21) Leave blank.

Program 375	RACIAL AND IDENTITY PROFILING CLAIM FOR PAYMENT INSTRUCTIONS (CONTINUED)	FORM FAM-27
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(22) to (32) Bring forward the cost information as specified in the left-hand column of lines (22) through (32) for the reimbursement claim, e.g., Form 1, (04) A. 1. (f), means the information is located on Form 1, block (04), line A. 1., column (f). Enter the information on the same line but in the right-hand column. Cost information should be rounded to the nearest dollar, i.e., no cents. The indirect costs percentage should be shown as a whole number and without the percent symbol, i.e., 35.19% should be shown as 35. Completion of this data block will expedite the process.

(33) to (36) Leave blank.

(37) Read the statement of Certification of Claim. The claim must be signed and dated by the agency's authorized officer, and include their typed or printed name, title, telephone number, and email address. Claims cannot be paid unless accompanied by an original signed certification. (Please sign the Form FAM-27 in blue ink and attach the copy to the top of the claim package.)

(38) Enter the name, telephone number, and email address of the agency contact person for the claim. If the claim was prepared by a consultant, type or print the name of the consulting firm, claim preparer, telephone number, and email address.

SUBMIT A SIGNED ORIGINAL FORM FAM-27 AND ONE COPY WITH ALL OTHER FORMS TO:

Address, if delivered by U.S. Postal Service:

**Office of the State Controller
Attn: Local Reimbursements Section
Local Government Programs and Services Division
P.O. Box 942850
Sacramento, CA 94250**

Address, if delivered by other delivery service:

**Office of the State Controller
Attn: Local Reimbursements Section
Local Government Programs and Services Division
3301 C Street, Suite 700
Sacramento, CA 95816**

PROGRAM 375	RACIAL AND IDENTITY PROFILING CLAIM SUMMARY					FORM 1		
(01) Claimant			(02)		Fiscal Year 20__/20__			
(03) Department								
Direct Costs			Object Accounts					
			(a)	(b)	(c)	(d)	(e)	(f)
(04) Reimbursable Activities			Salaries and Benefits	Materials and Supplies	Contract Services	Fixed Assets	Training	Total
A. One-Time Activities								
1. Training per peace officer employee and supervisor assigned to perform the reimbursable activities								
2. Installation and testing of software necessary to comply with the state-mandated requirements								
B. Ongoing Activities								
1. Identification of the peace officers required to report stops, and maintenance of a system to match individual officers to their Officer I.D. number								
2. Collection and reporting data on all stops								
3. Electronic submission of data to Department of Justice and retention of stop data collected								
4. Audits and validation of data collected								
5. For stop data collected, ensure the identities of the individual and the peace officer involved are not transmitted to the Attorney General in an open text field								
(05) Total Direct Costs								
Indirect Costs								
(06) Indirect Cost Rate			[From ICRP or 10%]				%	
(07) Total Indirect Costs			[Refer to Claim Summary Instructions]					
(08) Total Direct and Indirect Costs			[Line (05)(f) + line (07)]					
Cost Reduction								
(09) Less: Offsetting Revenues								
(10) Less: Other Reimbursements								
(11) Total Claimed Amount			[Line (08) minus {(line (09) + line (10))}]					

PROGRAM 375	RACIAL AND IDENTITY PROFILING CLAIM SUMMARY INSTRUCTIONS	FORM 1
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- (01) Enter the name of the claimant.
- (02) Enter the fiscal year of costs.
- (03) If more than one department has incurred costs for this mandate, give the name of each department. A separate Form 1 should be completed for each department.
- (04) For each reimbursable activity, enter the totals from Form 2, line (05), columns (d) through (h), to Form 1, block (04), columns (a) through (e), in the appropriate row. Total each row.

Note: Please refer to the parameters and guidelines for the details of the reimbursable activities.
- (05) Total columns (a) through (f).
- (06) Indirect costs may be computed as 10% of direct labor costs, excluding fringe benefits, without preparing an Indirect Cost Rate Proposal (ICRP). If an indirect cost rate of greater than 10% is used, include the ICRP with the claim.
- (07) Local agencies have the option of using the flat rate of 10% of direct labor costs or using a department's ICRP in accordance with the Office of Management and Budget Circular 2 CFR, Chapter I and Chapter II, Part 200 et al. If the flat rate is used for indirect costs, multiply Total Salaries, line (05)(a), by 10%. If an ICRP is submitted, multiply applicable costs used in the distribution base for the computation of the indirect cost rate by the Indirect Cost Rate, line (06). If more than one department is reporting costs, each must have its own ICRP for the program.
- (08) Enter the sum of Total Direct Costs, line (05)(f), and Total Indirect Costs, line (07).
- (09) If applicable, enter any offsetting revenue received by the claimant for this mandate from any state or federal source. Submit a schedule detailing the revenue sources and amounts.
- (10) If applicable, enter the amount of other reimbursements received from any source including, but not limited to, service fees collected, federal funds, and other state funds that reimbursed any portion of the mandated cost program. Submit a schedule detailing the reimbursement sources and amounts.
- (11) From Total Direct and Indirect Costs, line (08), subtract the sum of Offsetting Revenues, line (09), and Other Reimbursements, line (10). Enter the remainder on this line and carry the amount forward to Form FAM-27, line (13) of the Reimbursement Claim.

PROGRAM 375	RACIAL AND IDENTITY PROFILING ACTIVITY COST DETAIL	FORM 2
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(01) Claimant	(02)	Fiscal Year 20__/20__
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(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.

<p>A. One-Time Activities</p> <p><input type="checkbox"/> 1. Training per peace officer employee and supervisor assigned to perform the reimbursable activities</p> <p><input type="checkbox"/> 2. Installation and testing of software necessary to comply with the state-mandated requirements</p>	<p>B. Ongoing Activities</p> <p><input type="checkbox"/> 1. Identification of the peace officers required to report stops, and maintenance of a system to match individual officers to their Officer I.D. number</p> <p><input type="checkbox"/> 2. Collection and reporting data on all stops</p> <p><input type="checkbox"/> 3. Electronic submission of data to Department of Justice and retention of stop data collected</p> <p><input type="checkbox"/> 4. Audits and validation of data collected</p> <p><input type="checkbox"/> 5. For stop data collected, ensure the identities of the individual and the peace officer involved are not transmitted to the Attorney General in an open text field</p>
---	--

(04) Description of Expenses			Object Accounts				
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Training
(05) Total <input type="checkbox"/> Subtotal <input type="checkbox"/> Page: _____ of _____							

PROGRAM 375	RACIAL AND IDENTITY PROFILING ACTIVITY COST DETAIL INSTRUCTIONS	FORM 2
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- (01) Enter the name of the claimant.
- (02) Enter the fiscal year of costs.
- (03) Check the box which indicates the activity being claimed. Check only one box per form. A separate Form 2 must be prepared for each applicable activity.

Note: Please refer to the parameters and guidelines for the details of the reimbursable activities.

- (04) The following table identifies the type of information required to support reimbursable costs. To itemize costs for the activity checked in block (03), enter each employee name, job classification, a brief description of the activities performed, productive hourly rate, actual time spent, fringe benefits, supplies used, contract services, fixed assets, and training. The descriptions required in column (04)(a) must be of sufficient detail to explain the cost of activities or items being claimed.

Required Documentation to Support Reimbursable Costs									
Object Accounts	Columns								Submit Supporting Documents with the Claim
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	
Salaries and Benefits	Employee Name and Job Classification	Hourly Rate	Hours Worked	Salaries equal Hourly Rate times Hours Worked					
	Activities Performed	Benefit Rate		Benefits equal Benefit Rate times Salaries					
Materials and Supplies	Description of Supplies Used	Unit Cost	Quantity Used		Costs equal Unit Cost times Quantity Used				
Contract Services	Name of Contractor and Specific Tasks Performed	Hourly Rate	Hours Worked and Inclusive Dates of Service			Costs equal Hourly Rate times Hours Worked or Total Contract Cost			Copy of Contract and Invoices
Fixed Assets	Description of Equipment Purchased	Unit Cost times Quantity	Usage				Costs equal Total Cost times Usage		Copy of Contract and/or Invoices
Training	Employee Name, Classification, and Name of Class		Dates Attended					Registration Fee	

- (05) Total line (04), columns (d) through (h) and enter the sums on this line. Check the appropriate box to indicate if the amount is a total or subtotal. If more than one form is needed to detail activity costs, number each page. Enter totals from line (05), columns (d) through (h) to Form 1, block (04), columns (a) through (e) in the appropriate row.

State Controller's Office
 Local Government Programs and Services Division
 Local Reimbursements Section
 Racial and Identity Profiling - Program 375
 Initial Claims for Fiscal Years 2017-18 through 2019-20
 As of April 30, 2021

Exhibit D

RECEIVED
 May 19, 2021
 Commission on
 State Mandates

Fiscal Year	Claimant Name	Claimed Amount
2017-18	CITY OF CUDAHY	\$ 1,047
	CITY OF EASTVALE	\$ 2,047
	CITY OF HAWAIIAN GARDENS	\$ 1,046
	CITY OF HESPERIA	\$ 2,444
	CITY OF HIGHLAND	\$ 2,275
	CITY OF LA PUENTE	\$ 1,916
	CITY OF LAKE ELSINORE	\$ 3,109
	CITY OF LAKEWOOD	\$ 3,054
	CITY OF LOS ANGELES	\$ 190,865
	CITY OF LYNWOOD	\$ 3,151
	CITY OF MENIFEE	\$ 36,026
	CITY OF MORENO VALLEY	\$ 88,982
	CITY OF NORWALK	\$ 3,448
	CITY OF PALMDALE	\$ 6,976
	CITY OF PARAMOUNT	\$ 1,987
	CITY OF RANCHO CUCAMONGA	\$ 5,553
	CITY OF RANCHO PALOS VERDES	\$ 1,815
	CITY OF SACRAMENTO	\$ 1,311
	CITY OF SAN DIEGO	\$ 41,384
	CITY OF SAN JACINTO	\$ 5,455
	CITY OF TEMECULA	\$ 89,758
	CITY OF VICTORVILLE	\$ 4,623
	CITY OF WEST HOLLYWOOD	\$ 5,053
	CITY OF WILDOMAR	\$ 1,280
	COUNTY OF LOS ANGELES	\$ 795,090
	COUNTY OF RIVERSIDE	\$ 74,593
	COUNTY OF SACRAMENTO	\$ 11,133
	COUNTY OF SAN BERNARDINO	\$ 26,836
	TOWN OF APPLE VALLEY	\$ 2,151
2017-18 Total		\$ 1,414,408
2018-19	CITY OF ADELANTO	\$ 31,877
	CITY OF ALISO VIEJO	\$ 14,407
	CITY OF BELLFLOWER	\$ 33,215
	CITY OF CHINO HILLS	\$ 116,280
	CITY OF COACHELLA	\$ 2,910
	CITY OF CUDAHY	\$ 3,729
	CITY OF DANA POINT	\$ 10,184
	CITY OF EASTVALE	\$ 11,384
	CITY OF ENCINITAS	\$ 48,734
	CITY OF FRESNO	\$ 266,750
	CITY OF HAWAIIAN GARDENS	\$ 11,214

State Controller's Office
 Local Government Programs and Services Division
 Local Reimbursements Section
 Racial and Identity Profiling - Program 375
 Initial Claims for Fiscal Years 2017-18 through 2019-20
 As of April 30, 2021

Fiscal Year	Claimant Name	Claimed Amount
	CITY OF HESPERIA	\$ 111,522
	CITY OF HIGHLAND	\$ 36,790
	CITY OF JURUPA VALLEY	\$ 36,052
	CITY OF LA PUENTE	\$ 37,952
	CITY OF LA QUINTA	\$ 30,766
	CITY OF LAGUNA HILLS	\$ 6,041
	CITY OF LAGUNA NIQUEL	\$ 83,253
	CITY OF LAKE ELSINORE	\$ 27,312
	CITY OF LAKE FOREST	\$ 42,274
	CITY OF LAKEWOOD	\$ 36,800
	CITY OF LEMON GROVE	\$ 6,173
	CITY OF LOS ANGELES	\$ 5,602,429
	CITY OF LYNWOOD	\$ 33,199
	CITY OF MENIFEE	\$ 34,258
	CITY OF MISSION VIEJO	\$ 33,612
	CITY OF MORENO VALLEY	\$ 97,211
	CITY OF NORWALK	\$ 52,769
	CITY OF OAKLAND	\$ 250,812
	CITY OF PALM DESERT	\$ 9,203
	CITY OF PALMDALE	\$ 160,948
	CITY OF PARAMOUNT	\$ 37,944
	CITY OF PASADENA	\$ 10,416
	CITY OF RANCHO CUCAMONGA	\$ 265,646
	CITY OF RANCHO PALOS VERDES	\$ 21,774
	CITY OF RANCHO SANTA MARGARITA	\$ 11,140
	CITY OF ROSEMEAD	\$ 18,563
	CITY OF SACRAMENTO	\$ 612,415
	CITY OF SAN CLEMENTE	\$ 25,580
	CITY OF SAN DIEGO	\$ 583,292
	CITY OF SAN JACINTO	\$ 6,629
	CITY OF SAN JOSE	\$ 789,431
	CITY OF SAN JUAN CAPISTRANO	\$ 32,417
	CITY OF SAN MARCOS	\$ 43,834
	CITY OF SANTEE	\$ 43,424
	CITY OF STANTON	\$ 30,544
	CITY OF TEMECULA	\$ 103,172
	CITY OF TWENTYNINE PALMS	\$ 19,420
	CITY OF VICTORVILLE	\$ 110,662
	CITY OF VISTA	\$ 14,214
	CITY OF WEST HOLLYWOOD	\$ 87,386
	CITY OF WILDOMAR	\$ 8,839

State Controller's Office
 Local Government Programs and Services Division
 Local Reimbursements Section
 Racial and Identity Profiling - Program 375
 Initial Claims for Fiscal Years 2017-18 through 2019-20
 As of April 30, 2021

Fiscal Year	Claimant Name	Claimed Amount
	CITY OF YORBA LINDA	\$ 8,205
	COUNTY OF LOS ANGELES	\$ 706,760
	COUNTY OF ORANGE	\$ 136,819
	COUNTY OF RIVERSIDE	\$ 23,877
	COUNTY OF SACRAMENTO	\$ 428,685
	COUNTY OF SAN BERNARDINO	\$ 540,530
	COUNTY OF SAN DIEGO	\$ 729,067
	COUNTY OF SANTA CLARA	\$ 3,866
	TOWN OF APPLE VALLEY	\$ 118,196
	TOWN OF YUCCA VALLEY	\$ 25,925
2018-19 Total		\$ 12,878,732
2019-20	CITY OF ADELANTO	\$ 15,986
	CITY OF ALISO VIEJO	\$ 23,195
	CITY OF ANAHEIM	\$ 3,823
	CITY OF BAKERSFIELD	\$ 100,043
	CITY OF BELLFLOWER	\$ 16,987
	CITY OF CHINO HILLS	\$ 100,502
	CITY OF CLOVIS	\$ 52,676
	CITY OF COACHELLA	\$ 3,133
	CITY OF DANA POINT	\$ 10,386
	CITY OF EASTVALE	\$ 9,158
	CITY OF ENCINITAS	\$ 42,679
	CITY OF FRESNO	\$ 150,944
	CITY OF HAWAIIAN GARDENS	\$ 1,330
	CITY OF HESPERIA	\$ 73,035
	CITY OF HIGHLAND	\$ 26,708
	CITY OF JURUPA VALLEY	\$ 12,747
	CITY OF LA PUENTE	\$ 21,134
	CITY OF LA QUINTA	\$ 29,561
	CITY OF LAGUNA HILLS	\$ 8,287
	CITY OF LAGUNA NIQUEL	\$ 86,353
	CITY OF LAKE ELSINORE	\$ 24,961
	CITY OF LAKE FOREST	\$ 38,090
	CITY OF LAKEWOOD	\$ 19,894
	CITY OF LEMON GROVE	\$ 3,852
	CITY OF LOS ANGELES	\$ 4,647,465
	CITY OF LYNWOOD	\$ 16,111
	CITY OF MENIFEE	\$ 13,904
	CITY OF MISSION VIEJO	\$ 41,918
	CITY OF MORENO VALLEY	\$ 107,081
	CITY OF NORWALK	\$ 21,284

State Controller's Office
 Local Government Programs and Services Division
 Local Reimbursements Section
 Racial and Identity Profiling - Program 375
 Initial Claims for Fiscal Years 2017-18 through 2019-20
 As of April 30, 2021

Fiscal Year	Claimant Name	Claimed Amount
	CITY OF OAKLAND	\$ 312,939
	CITY OF PALM DESERT	\$ 11,707
	CITY OF PALMDALE	\$ 114,277
	CITY OF PARAMOUNT	\$ 31,483
	CITY OF RANCHO CUCAMONGA	\$ 198,760
	CITY OF RANCHO PALOS VERDES	\$ 10,330
	CITY OF RANCHO SANTA MARGARITA	\$ 12,321
	CITY OF ROSEMEAD	\$ 8,934
	CITY OF SACRAMENTO	\$ 701,450
	CITY OF SAN CLEMENTE	\$ 46,645
	CITY OF SAN DIEGO	\$ 601,120
	CITY OF SAN JACINTO	\$ 6,902
	CITY OF SAN JOSE	\$ 729,789
	CITY OF SAN JUAN CAPISTRANO	\$ 40,060
	CITY OF SAN MARCOS	\$ 27,828
	CITY OF SANTEE	\$ 46,294
	CITY OF STANTON	\$ 37,790
	CITY OF TEMECULA	\$ 107,255
	CITY OF TWENTYNINE PALMS	\$ 14,328
	CITY OF VICTORVILLE	\$ 113,942
	CITY OF VISTA	\$ 14,870
	CITY OF WEST HOLLYWOOD	\$ 50,277
	CITY OF WILDOMAR	\$ 14,592
	CITY OF YORBA LINDA	\$ 14,370
	COUNTY OF FRESNO	\$ 119,535
	COUNTY OF LOS ANGELES	\$ 307,313
	COUNTY OF ORANGE	\$ 86,983
	COUNTY OF RIVERSIDE	\$ 36,435
	COUNTY OF SACRAMENTO	\$ 578,520
	COUNTY OF SAN BERNARDINO	\$ 332,725
	COUNTY OF SAN DIEGO	\$ 605,948
	TOWN OF APPLE VALLEY	\$ 122,766
	TOWN OF YUCCA VALLEY	\$ 22,097
2019-20 Total		\$ 11,203,812
Grand Total		\$ 25,496,952

State Controller's Office
 Local Government Programs and Services Division
 Local Reimbursements Section
 Racial and Identity Profiling - Program 375
 Annual and Late Claims for Fiscal Year 2020-21
 As of May 16, 2022

RECEIVED
 May 17, 2022
 Commission on
 State Mandates

Exhibit E

Fiscal Year	Claimant Name	Claimed Amount
2020-21	CITY OF ALBANY	\$ 9,850
	CITY OF ALISO VIEJO	\$ 24,238
	CITY OF ANAHEIM	\$ 122,644
	CITY OF ARCADIA	\$ 8,054
	CITY OF BAKERSFIELD	\$ 79,426
	CITY OF BALDWIN PARK	\$ 1,435
	CITY OF BELLFLOWER	\$ 21,456
	CITY OF BELMONT	\$ 36,653
	CITY OF CERES	\$ 6,418
	CITY OF CHINO	\$ 12,877
	CITY OF CHULA VISTA	\$ 3,524
	CITY OF CLAREMONT	\$ 8,994
	CITY OF COACHELLA	\$ 15,223
	CITY OF CORONA	\$ 2,109
	CITY OF COSTA MESA	\$ 2,943
	CITY OF COTATI	\$ 4,572
	CITY OF CUDAHY	\$ 1,457
	CITY OF CULVER CITY	\$ 145,520
	CITY OF CYPRESS	\$ 25,231
	CITY OF DALY CITY	\$ 5,378
	CITY OF DOWNEY	\$ 12,507
	CITY OF EASTVALE	\$ 28,454
	CITY OF ENCINITAS	\$ 20,403
	CITY OF FOSTER CITY	\$ 4,128
	CITY OF FRESNO	\$ 75,637
	CITY OF GLENDORA	\$ 3,135
	CITY OF HAWAIIAN GARDENS	\$ 3,731
	CITY OF HESPERIA	\$ 73,964
	CITY OF HIGHLAND	\$ 26,235
	CITY OF IMPERIAL BEACH	\$ 5,951
	CITY OF IRVINE	\$ 1,985
	CITY OF JURUPA VALLEY	\$ 17,022
	CITY OF LA PUENTE	\$ 12,047
	CITY OF LA QUINTA	\$ 16,759
	CITY OF LAGUNA HILLS	\$ 11,591
	CITY OF LAGUNA NIQUEL	\$ 117,422
	CITY OF LAKE ELSINORE	\$ 28,027
	CITY OF LAKE FOREST	\$ 69,638
	CITY OF LAKEWOOD	\$ 29,908
	CITY OF LEMON GROVE	\$ 3,467
	CITY OF LOMA LINDA	\$ 8,061

State Controller's Office
 Local Government Programs and Services Division
 Local Reimbursements Section
 Racial and Identity Profiling - Program 375
 Annual and Late Claims for Fiscal Year 2020-21
 As of May 16, 2022

Fiscal Year	Claimant Name	Claimed Amount
	CITY OF LOMITA	\$ 11,317
	CITY OF LOS ANGELES	\$ 3,214,856
	CITY OF LYNWOOD	\$ 18,263
	CITY OF MILL VALLEY	\$ 10,322
	CITY OF MISSION VIEJO	\$ 45,329
	CITY OF MONROVIA	\$ 20,949
	CITY OF MORENO VALLEY	\$ 121,229
	CITY OF NEEDLES	\$ 13,153
	CITY OF NEWARK	\$ 16,562
	CITY OF NORCO	\$ 16,896
	CITY OF NORWALK	\$ 27,795
	CITY OF OAKLAND	\$ 237,505
	CITY OF PALM DESERT	\$ 17,584
	CITY OF PALMDALE	\$ 87,963
	CITY OF PARAMOUNT	\$ 26,647
	CITY OF PETALUMA	\$ 16,796
	CITY OF PICO RIVERA	\$ 12,557
	CITY OF PLEASANTON	\$ 17,053
	CITY OF POWAY	\$ 10,864
	CITY OF RANCHO CUCAMONGA	\$ 249,916
	CITY OF RANCHO MIRAGE	\$ 8,284
	CITY OF RANCHO PALOS VERDES	\$ 10,364
	CITY OF RANCHO SANTA MARGARITA	\$ 21,770
	CITY OF RIPON	\$ 3,769
	CITY OF RIVERSIDE	\$ 49,762
	CITY OF ROCKLIN	\$ 13,809
	CITY OF ROHNERT PARK	\$ 28,493
	CITY OF ROSEMEAD	\$ 9,144
	CITY OF ROSEVILLE	\$ 40,268
	CITY OF SAN BUENAVENTURA	\$ 18,343
	CITY OF SAN CLEMENTE	\$ 39,123
	CITY OF SAN DIEGO	\$ 446,818
	CITY OF SAN JACINTO	\$ 29,765
	CITY OF SAN JOSE	\$ 412,119
	CITY OF SAN JUAN CAPISTRANO	\$ 60,404
	CITY OF SAN MARCOS	\$ 19,998
	CITY OF SAN PABLO	\$ 2,072
	CITY OF SANTA ANA	\$ 177,993
	CITY OF SANTA BARBARA	\$ 5,196
	CITY OF SANTA CLARA	\$ 52,466
	CITY OF SANTA CLARITA	\$ 212,956

State Controller's Office
 Local Government Programs and Services Division
 Local Reimbursements Section
 Racial and Identity Profiling - Program 375
 Annual and Late Claims for Fiscal Year 2020-21
 As of May 16, 2022

Fiscal Year	Claimant Name	Claimed Amount
	CITY OF SANTA CRUZ	\$ 20,397
	CITY OF SANTA ROSA	\$ 4,324
	CITY OF SANTEE	\$ 23,819
	CITY OF SEAL BEACH	\$ 13,612
	CITY OF SOUTH PASADENA	\$ 571,000
	CITY OF STANTON	\$ 75,120
	CITY OF STOCKTON	\$ 201,073
	CITY OF TEMECULA	\$ 101,086
	CITY OF TWENTYNINE PALMS	\$ 13,868
	CITY OF UKIAH	\$ 2,159
	CITY OF VICTORVILLE	\$ 63,808
	CITY OF VISTA	\$ 13,383
	CITY OF WEST COVINA	\$ 34,064
	CITY OF WEST HOLLYWOOD	\$ 24,485
	CITY OF WILDOMAR	\$ 17,013
	CITY OF YORBA LINDA	\$ 32,313
	CITY OF YREKA	\$ 2,114
	CITY OF YUCAIPA	\$ 43,514
	COUNTY OF ALAMEDA	\$ 47,567
	COUNTY OF INYO	\$ 18,739
	COUNTY OF KERN	\$ 215,431
	COUNTY OF LOS ANGELES	\$ 503,790
	COUNTY OF MARIN	\$ 66,240
	COUNTY OF ORANGE	\$ 188,496
	COUNTY OF PLACER	\$ 9,835
	COUNTY OF RIVERSIDE	\$ 42,792
	COUNTY OF SACRAMENTO	\$ 369,541
	COUNTY OF SAN BERNARDINO	\$ 257,824
	COUNTY OF SAN DIEGO	\$ 548,330
	COUNTY OF SANTA BARBARA	\$ 7,984
	COUNTY OF SANTA CLARA	\$ 48,843
	COUNTY OF SONOMA	\$ 2,589
	COUNTY OF VENTURA	\$ 139,613
	TOWN OF APPLE VALLEY	\$ 91,546
	TOWN OF YUCCA VALLEY	\$ 13,180
2020-21 Total		\$ 10,794,038
Grand Total		\$ 10,794,038



June 3, 2022

Captain Jeffrey Jordon
City of San Diego
San Diego Police Department
1401 Broadway
San Diego, CA 92101

Ms. Natalie Sidarous
State Controller's Office
Local Government Programs and
Services Division
3301 C Street, Suite 740
Sacramento, CA 95816

And Parties, Interested Parties, and Interested Persons (See Mailing List)

**Re: Draft Proposed Statewide Cost Estimate, Schedule for Comments,
and Notice of Hearing**

Racial and Identity Profiling, 18-TC-02

Government Code Section 12525.5, as added and amended by Statutes 2015, Chapter 466 (AB 953); Statutes 2017, Chapter 328 (AB 1518); California Code of Regulations, Title 11, Sections 999.224, 999.225, 999.226, 999.227, 999.228, and 999.229, as added by Register 2017, No. 46¹

Dear Captain Jordon and Ms. Sidarous:

The Draft Proposed Statewide Cost Estimate for the above-captioned matter is enclosed for your review and comment.

Written Comments

Written comments may be filed on the Draft Proposed Statewide Cost Estimate not later than **5:00 p.m. on June 13, 2022**. You are advised that comments filed with the Commission are required to be electronically filed (e-filed) in an unlocked legible and searchable PDF file, using the Commission's Dropbox. (Cal. Code Regs., tit. 2, § 1181.3(c)(1).) Refer to http://www.csm.ca.gov/dropbox_procedures.php on the Commission's website for electronic filing instructions. If e-filing would cause the filer undue hardship or significant prejudice, filing may occur by first class mail, overnight delivery or personal service only upon approval of a written request to the executive director. (Cal. Code Regs., tit. 2, § 1181.3(c)(2).)

Hearing

This matter is set for hearing on **Friday, July 22, 2022, in person at 10:00 a.m., at Park Tower, 980 9th Street, Second Floor Conference Room, Sacramento, California, 95814**. The Proposed Statewide Cost Estimate will be issued on or about July 8, 2022.

This matter is proposed for the Consent Calendar. Please let us know in advance if you oppose having this item placed on the Consent Calendar.

¹ Note that Register 2016, 50-2 was incorrectly cited in the test claim filing. The correct register is Register 2017, No. 46.

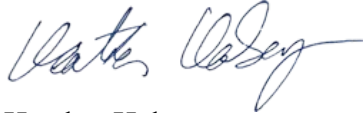
Captain Jordon and Ms. Sidarous

June 3, 2022

Page 2

Please also notify Commission staff not later than the Wednesday prior to the hearing that you or a witness you are bringing plan to testify and please specify the names of the people who will be speaking for inclusion on the witness list. The last communication from Commission staff will be the Proposed Statewide Cost Estimate, which will be issued approximately 2 weeks prior to the hearing, and it is incumbent upon the participants to let Commission staff know if they wish to testify or bring witnesses.

Sincerely,

A handwritten signature in cursive script, appearing to read "Heather Halsey".

Heather Halsey
Executive Director

ITEM ____

DRAFT PROPOSED STATEWIDE COST ESTIMATE

\$25,523,241¹

For the Initial Claiming Period of 2017-2018, 2018-2019, and 2019-2020

\$10,792,578- \$11,763,910

Estimated Annual Costs for Fiscal Year 2020-2021²

Government Code Section 12525.5 as added and amended by
Statutes 2015, Chapter 466 (AB 953); Statutes 2017, Chapter 328 (AB 1518)

California Code of Regulations, Title 11, Sections 999.224, 999.225, 999.226, 999.227, 999.228,
and 999.229 as added by Register 2017, No. 46³

Racial and Identity Profiling

18-TC-02

The Commission on State Mandates (Commission) adopted this Statewide Cost Estimate by a vote of [vote count will be included in the adopted Statewide Cost Estimate] during a regularly scheduled hearing on July 22, 2022 as follows:

Member	Vote
Lee Adams, County Supervisor	
Jeannie Lee, Representative of the Director of the Office of Planning and Research	
Renee Nash, School District Board Member	
Gayle Miller, Representative of the Director of the Department of Finance, Chairperson	
Sarah Olsen, Public Member	

¹ Since the deadline to file late claims for the initial reimbursement period passed on April 21, 2022, this number reflects all claims that may be filed on this program for these fiscal years.

² The Government Code requires a statewide costs estimate for the initial claiming period and the year following, and that usually provides the Legislature with a rough estimate for future annual costs. However, due to the structure of this program, it is estimated that annual costs will increase by at least 12.5 percent in 2021-2022 and 25 percent in 2022-2023, as additional waves are required to collect and report data, after which one-time costs will significantly reduce and annual costs will stabilize.

³ Note that Register 2016, 50-2 was incorrectly cited in the test claim filing. The correct register is Register 2017, No. 46.

Member	Vote
Shawn Silva, Representative of the State Controller	
Spencer Walker, Representative of the State Treasurer, Vice Chairperson	

STAFF ANALYSIS

Background and Summary of the Mandate

This Statewide Cost Estimate (SCE) addresses the State’s subvention costs for the mandated activities arising from Government Code section 12525.5, as added and amended by Statutes 2015, chapter 466 (AB 953); Statutes 2017, chapter 328 (AB 1518) and California Code of Regulations, Title 11, sections 999.224, 999.225, 999.226, 999.227, 999.228, and 999.229 as added by Register 2017, No. 46⁴ (test claim statutes and regulations). The Commission found that the test claim statutes and regulations impose a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. Specifically, the Commission found a mandate imposed on “city and county law enforcement agencies that employ peace officers (other than probation officers and officers in a custodial setting) to electronically report to the Attorney General, on an annual basis, data on all “stops” within their own jurisdiction, conducted by the agency’s peace officers; and on those city and county law enforcement agencies that contract for peace officers from other cities or counties in order to carry out their basic and essential function of providing police protection services in their jurisdictions.”⁵ The Decision and Parameters and Guidelines specify the reimbursable activities.⁶

On September 25, 2020, the Commission adopted the Decision and Parameters and Guidelines for claiming costs incurred beginning November 7, 2017.⁷

The State Controller’s Office (Controller) issued claiming instructions on December 22, 2020.⁸ Eligible claimants were required to file initial reimbursement claims with the Controller for costs incurred beginning November 7, 2017, through June 30, 2018, for fiscal year 2017-2018 and for fiscal years 2018-2019, and 2019-2020 by April 21, 2021.⁹ Late initial reimbursement claims may be filed until April 21, 2022, but will incur a 10 percent late filing penalty of the total amount of the initial claim without limitation.¹⁰ Annual reimbursement claims for subsequent fiscal years, starting with 2020-2021, must be filed with the Controller by February 15 following

⁴ Note that Register 2016, 50-2 was incorrectly cited in the test claim filing. The correct register is Register 2017, No. 46.

⁵ Exhibit A, Decision and Parameters and Guidelines, adopted September 25, 2020, page 4.

⁶ Exhibit A, Decision and Parameters and Guidelines, adopted September 25, 2020, pages 15-19.

⁷ Exhibit A, Decision and Parameters and Guidelines, adopted September 25, 2020, page 3.

⁸ Exhibit C, Controller’s Claiming Instructions Program No. 375, page 1.

⁹ Exhibit C, Controller’s Claiming Instructions Program No. 375, pages 1-2; Government Code section 17561(d)(1)(A).

¹⁰ Government Code section 17561(d)(3).

the fiscal year in which costs were incurred.¹¹ Claims filed more than one year after the deadline will not be accepted, and late annual claims filed within one year of the deadline will incur a 10 percent late filing penalty not to exceed \$10,000.¹²

During the test claim process, the claimant filed evidence regarding its alleged increased costs, most but not all of which are tied to the activities found by the Commission to be reimbursable. The claimant also provided a statewide cost estimate (as required by Government Code 17553(a)(1)(E)) of \$18 million in costs for the law enforcement agencies in “Wave 1” and “Wave 2” for fiscal year 2018-2019.¹³ The claimant based its estimate on its own costs and relative size compared to other departments in Waves 1 and 2 and on the analysis from the Department of Justice (DOJ) Fiscal Impact Statement Addendum.¹⁴

Additionally, in its bill analysis for the test claim statute, the Senate Committee on Appropriations found that this mandate would impose “major one-time and ongoing costs, potentially in the tens of millions of dollars annually to local law enforcement agencies for data collection, reporting, and retention requirements specified in the bill. Additional costs for training on the process would likely be required.”¹⁵ The Senate Committee on Appropriations further stated “while costs could vary widely, for context, the Commission on State Mandates’ statewide cost estimate for Crime Statistics Reports for the DOJ reflects eligible reimbursement of over \$13.6 million per year for slightly over 50 percent of local agencies reporting.”¹⁶

For the reasons discussed below, the Commission finds that the costs for this program are \$25,523,241 for the initial reimbursement period of 2017-2018 through 2019-2020 and are estimated to be from \$10,792,578 to \$11,764,238, for fiscal year 2020-2021. Costs are projected to significantly increase by approximately 12.5 percent in 2021-2022 and 25 percent in 2022-2023, when Wave 3 will first claim for a full fiscal year and Wave 4 will be required to begin collecting and reporting stop data. Thereafter, it is anticipated that costs will reduce (based on the ending or minimization of one-time costs) and stabilize going forward.

Eligible Claimants and Period of Reimbursement

Any city, county, city and county, is eligible to claim reimbursement for increased costs incurred as a result of this mandate for the city or county’s law enforcement agencies that meet the following criteria:

¹¹ Government Code section 17560(a).

¹² Government Code section 17568.

¹³ Exhibit B, Test Claim, filed June 14, 2019 (Narrative), pages 16-17.

¹⁴ Exhibit B, Test Claim, filed June 14, 2019 (Narrative), pages 16-17 and (DOJ Fiscal Impact Statement Addendum), pages 100-121.

¹⁵ Exhibit X, Senate Committee on Appropriations Committee Bill Analysis for AB 953, as amended June 30, 2015, page 1.

¹⁶ Exhibit X, Senate Committee on Appropriations Committee Bill Analysis for AB 953, as amended June 30, 2015, page 1.

- Employ peace officers (other than probation officers and officers in a custodial setting) to perform the requirements of the test claim statute and regulations for stops within their own jurisdictions; *or*
- Contract for peace officers from other cities or counties in order to carry out their basic and essential function of providing police protection services in their jurisdictions.

K-12 school districts and community college districts are not eligible to claim for this program. Cities and counties may not claim the costs of their peace officer employees that are incurred while they are assigned out to work for other government or private entities based on a contract or memorandum of understanding.¹⁷

Government Code section 17557(e) states that a test claim shall be submitted on or before June 30 following a given fiscal year to establish eligibility for reimbursement for that fiscal year. The claimant filed the Test Claim on June 14, 2019, establishing eligibility for reimbursement for the 2017-2018 fiscal year, beginning July 1, 2017.¹⁸ However, the regulations adopted by DOJ to implement section 12525.5 (Cal. Code Regs., tit. 11, §§ 999.224 through 999.229, Register 2017, No. 46) became operative and effective on November 7, 2017,¹⁹ establishing the period of reimbursement beginning November 7, 2017.²⁰

Additionally, the mandated ongoing activities B.2.- B.5. began on or before July 1, 2018 (FY 2018-2019) for Wave 1 agencies, on or before January 1, 2019 (FY 2018-2019) for Wave 2 agencies, on or before January 1, 2021 (2020-2021) for Wave 3 agencies, and on or before January 1, 2022 (FY 2021-2022) for Wave 4 agencies.²¹

Reimbursable Activities

The Parameters and Guidelines authorize reimbursement as follows:²²

A. One-Time Activities

1. One-time training per peace officer employee and supervisor assigned to perform the reimbursable activities listed in Section IV.B. of these Parameters and Guidelines.
2. One-time installation and testing of software necessary to comply with the state-mandated requirements for the collection and reporting of data on all applicable stops.

¹⁷ Exhibit A, Decision and Parameters and Guidelines, adopted September 25, 2020, pages 13-14.

¹⁸ Exhibit A, Decision and Parameters and Guidelines, adopted September 25, 2020, page 14.

¹⁹ The Legislature, in Government Code section 12525.5(a)(2) and (e), delayed local agency compliance with the program to a date after the regulations were required to be adopted.

²⁰ Exhibit A, Decision and Parameters and Guidelines, adopted September 25, 2020, page 14.

²¹ Government Code section 12525.5(a)(2).

²² Exhibit A, Decision and Parameters and Guidelines, adopted September 25, 2020, pages 15-19.

B. Ongoing Activities

1. Identification of the peace officers required to report stops, and maintenance of a system to match individual officers to their Officer I.D. number.
 - a. On January 1 of each year until the agency begins reporting data to the DOJ, each reporting agency shall count the number of peace officers it employs who are required to report stops to determine the date that agency must start collecting stop data and reporting to the DOJ pursuant to Government Code section 12525.5(a)(1)(2). (Cal. Code Regs, tit. 11, § 999.227(a)(8) [Register 2017, No. 46].)
 - b. Reporting agencies shall create the Officer's I.D. Number for each officer required to report stops. (Cal. Code Regs, tit. 11, § 999.227(a)(11) [Register 2017, No. 46].)
 - c. Reporting agencies shall maintain a system to match an individual officer required to report stops to his or her Officer's I.D. Number. (Cal. Code Regs, tit. 11, § 999.227(a)(11) [Register 2017, No. 46].)
2. Collection and reporting data on all stops, as defined,²³ conducted by that agency's peace officers for the preceding calendar year in accordance with sections 999.226(a) and 999.227 of the regulations.
 - a. Begin collecting and reporting data on all stops on or before the following dates (Gov. Code, § 12525.5(a)(2), Stats. 2017, ch. 328):
 - (1) An agency that employs 1,000 or more peace officers shall begin collecting data on or before July 1, 2018, and shall issue its first round of reports on or before April 1, 2019.
 - (2) An agency that employs 667 or more but less than 1,000 peace officers shall begin collecting data on or before January 1, 2019, and shall issue its first round of reports on or before April 1, 2020.
 - (3) An agency that employs 334 or more but less than 667 peace officers shall begin collecting data on or before January 1, 2021, and shall issue its first round of reports on or before April 1, 2022.
 - (4) An agency that employs one or more but less than 334 peace officers shall begin collecting data on or before January 1, 2022, and shall issue its first round of reports on or before April 1, 2023.

²³ See Government Code section 12525.5(g)(2) (Stats.2015, ch.466) and California Code of Regulations, title 11, section 999.224(a)(14) (Register 2017, No. 46), which define a "stop" as "any detention by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person's body or property in the person's possession or control;" section 999.227(b) and (c) for interactions that are not reportable as "stops;" and section 999.227(d) for peace officer interactions that are reportable only if the officer takes additional specified actions.

The following are **not** reportable:

- Data elements described in section 999.226(a) for passengers in vehicles subject to a stop who have not been observed or suspected of violating the law, or who have not been subjected to the officer’s actions listed in section 999.226(a)(12)(A), excluding “Vehicle impounded” and “None.”²⁴
- Stops made during public safety mass evacuations.²⁵
- Stops during an active shooter incident.²⁶
- Stops that occur during or as a result of routine security screenings required of all persons to enter a building or special event, including metal detector screenings, including any secondary searches that result from the screening.²⁷
- The following interactions are **not** reportable unless a person is detained based upon individualized suspicion or personal characteristics, or the officer engages in the actions described in the data values in section 999.226(a)(12)(A)(1)-(22): Interactions during: traffic control of vehicles due to a traffic accident or emergency situation that requires that vehicles are stopped for public safety purposes; any type of crowd control in which pedestrians are made to remain in a location or routed to a different location for public safety purposes; interactions during which persons are detained at a residence so that the officer may check for proof of age for purposes of investigating underage drinking; and checkpoints and roadblocks in which an officer detains a person as the result of a blanket regulatory activity or neutral formula that is not based on individualized suspicion or personal characteristics.²⁸
- Interactions that take place with a person in his or her residence who is the subject of a warrant or search condition.²⁹
- Interactions that take place with a person in his or her residence who is the subject of home detention or house arrest while an officer is on home detention or house arrest assignment.³⁰
- Stops in a custodial setting.³¹

²⁴ California Code of Regulations, title 11, section 999.227(b) (Register 2017, No. 46).

²⁵ California Code of Regulations, title 11, section 999.227(c)(1) (Register 2017, No. 46).

²⁶ California Code of Regulations, title 11, section 999.227(c)(2) (Register 2017, No. 46).

²⁷ California Code of Regulations, title 11, section 999.227(c)(3) (Register 2017, No. 46).

²⁸ California Code of Regulations, title 11, section 999.227(d)(1).

²⁹ California Code of Regulations, title 11, section 999.227(d)(2) (Register 2017, No. 46).

³⁰ California Code of Regulations, title 11, section 999.227(d)(3) (Register 2017, No. 46).

³¹ California Code of Regulations, title 11, section 999.225(c) (Register 2017, No. 46).

- Stops that occur while the officer is off-duty.³²
- b. The agency’s peace officers shall collect the following required categories of stop data, and all applicable “data elements,” “data values,” and narrative explanatory fields described in section 999.226(a) for every person stopped, and in accordance with section 999.227(a)(4)-(6), (b) and (d) of the regulations, and complete all stop reports for stops made during the officer’s shift by the end of the officer’s shift, or if exigent circumstances preclude doing so, as soon as practicable: (Gov. Code, §12525.5(b), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, §§999.226(a), 999.227(a)(1)(2)(4)(5)(6)(9), (b) and (d) [Register 2017, No. 46].)
- (1) “ORI number,” which is “the data element that refers to the reporting agency’s Originating Agency Identifier, a unique identification code number assigned by the Federal Bureau of Investigation.” (Cal Code Regs., tit. 11, § 999.226(a)(1) [Register 2017, No. 46].)
 - (2) “Date, Time, and Duration of Stop.” (Gov. Code, §12525.5(b)(1), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.226(a)(2) [Register 2017, No. 46].)
 - (3) “Location of Stop.” (Gov. Code, §12525.5(b)(1), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.226(a)(3) [Register 2017, No. 46].)
 - (4) “Perceived Race or Ethnicity of Person Stopped.” (Gov. Code, § 12525.5(b)(6), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.226(a)(4) [Register 2017, No. 46].)
 - (5) “Perceived Gender of Person Stopped.” (Gov. Code, §12525.5(b)(6), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.226(a)(5) [Register 2017, No. 46].)
 - (6) “Person Stopped Perceived to be LGBT.” (Cal Code Regs., tit. 11, § 999.226(a)(6) [Register 2017, No. 46].)
 - (7) “Perceived Age of Person Stopped.” (Gov. Code, §12525.5(b)(6), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.226(a)(7) [Register 2017, No. 46].)
 - (8) “Person Stopped Has Limited or No English Fluency.” (Cal Code Regs., tit. 11, § 999.226(a)(8) [Register 2017, No. 46].)
 - (9) “Perceived or Known Disability of Person Stopped.” (Cal Code Regs., tit. 11, § 999.226(a)(9) [Register 2017, No. 46].)
 - (10) “Reason for Stop.” (Gov. Code, §12525.5(b)(2), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.226(a)(10) [Register 2017, No. 46].)
 - (11) “Stop Made in Response to a Call for Service.” (Cal Code Regs., tit. 11, § 999.226(a)(11) [Register 2017, No. 46].)

³² Citation to the Test Claim Decision, included in the Parameters and Guidelines, omitted.

- (12) “Actions Taken by Officer During Stop.” (Gov. Code, §12525.5(b)(7), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.226(a)(12) [Register 2017, No. 46].)
 - (13) “Result of Stop.” (Gov. Code, §12525.5(b)(3)(4)(5), Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.226(a)(13) [Register 2017, No. 46].)
 - (14) “Officer's Identification (I.D.) Number.” (Cal Code Regs., tit. 11, § 999.226(a)(14) [Register 2017, No. 46].)
 - (15) “Officer's Years of Experience.” (Cal Code Regs., tit. 11, § 999.226(a)(15) [Register 2017, No. 46].)
 - (16) “Type of Assignment of Officer.” (Cal Code Regs., tit. 11, § 999.226(a)(16) [Register 2017, No. 46].)
- c. The following additional data values shall be reported for stops (as defined in section 999.227(e)(3) of the regulations) at a K-12 school: the name of the school where the stop took place; indicate if the stop is of a student, whether there is a perceived disability related to hyperactivity or impulsive behavior of the student, the possible conduct warranting discipline under the Education Code, whether there was an admission or written statement obtained from the student, whether the student is suspected of violating school policy, and whether the student was referred to a school administrator or counselor. (Cal Code Regs., tit. 11, § 999.227(e)(3)(4) [Register 2017, No. 46].)
3. Electronic submission of data to DOJ and retention of stop data collected
- a. Submit all required stop data to the system developed by the DOJ in electronic format that complies with the DOJ interface specifications via one of the three approved submission methods: (1) a web-browser based application developed by the DOJ; (2) a system-to-system web service; and (3) a secured file transfer protocol. (Cal Code Regs., tit. 11, § 999.228(a), (b) [Register 2017, No. 46].)
 - b. Authorize and remove users to the system as necessary. Automated systems handling stop data and the information derived therein shall be secure from unauthorized access, alteration, deletion or release. (Cal Code Regs., tit. 11, § 999.228(e) [Register 2017, No. 46].)
 - c. Each reporting agency, *except* those agencies that report stop data via the DOJ web-browser based application, shall keep a record of its source data for three years and to make it available for inspection by DOJ. (Cal Code Regs., tit. 11, § 999.228(h) [Register 2017, No. 46].)
4. Audits and validation of data collected
- a. Ensure that the technical specifications for data values are consistent with the regulations and follow the data dictionary prepared by DOJ. (Cal Code Regs., tit. 11, § 999.224(a)(5) [Register 2017, No. 46].)
 - b. Ensure that all data elements, data values, and narrative explanatory fields conform to the regulations and correct any errors in the data submission process

through the DOJ's error resolution process. (Cal Code Regs., tit. 11, § 999.229(b) [Register 2017, No. 46].)

- c. Agencies submitting records via the system-to-system web service or the secure file transfer protocol shall include a unique stop record number for each stop, so that DOJ can use the record number to relay information on errors when necessary. (Cal Code Regs., tit. 11, § 999.229(c) [Register 2017, No. 46].)
5. For stop data collected, ensure that the name, address, social security number, or other unique personally identifiable information of the individual stopped, searched, or subjected to property seizure, and the badge number or other unique identifying information of the peace officer involved, is not transmitted to the Attorney General in an open text field. (Gov. Code, § 12525.5, Stats. 2015, ch. 466; Cal Code Regs., tit. 11, § 999.228(d) [Register 2017, No. 46].)

Offsetting Revenues and Reimbursements.

The Parameters and Guidelines provide the following:

Any offsetting revenue the claimant experiences in the same program as a result of the same statutes or executive orders found to contain the mandate shall be deducted from the costs claimed. In addition, reimbursement for this mandate from any source, including but not limited to, service fees collected, federal funds, and other applicable state funds, shall be identified and deducted from any claim submitted for reimbursement.³³

Statewide Cost Estimate

Commission staff reviewed the 157 reimbursement claims submitted by 60 cities, 8 counties, and zero cities and counties, and data compiled by the Controller for the initial reimbursement period.³⁴ The unaudited reimbursement claims data compiled by claimant totals \$1,414,407 for the partial fiscal year of 2017-2018, \$12,884,394 for fiscal year 2018-2019, and \$11,224,440 for fiscal year 2019-2020 totaling \$25,523,241 for the initial reimbursement period.³⁵

Initial Reimbursement Period

The statewide cost for the initial reimbursement period, is \$25,523,241, the total amount of timely and late filed, unaudited claims for fiscal years 2017-2018, 2018-2019, and 2019-2020, less a 10 percent late filing penalty of \$1,594 on three late claims. The costs segregated by activity, are as follows:

³³ Exhibit A, Decision and Parameters and Guidelines, adopted September 25, 2020, page 22.

³⁴ Exhibit D, Claims data reported as of May 19, 2021.

³⁵ Exhibit D, Claims data reported as of May 19, 2021 (note that the total above includes the following \$26,294 in additional costs not reflected in Exhibit D: one late claim filed by the City of Norco for fiscal year 2018-2019 (\$5,664), one late claim filed by the City of Norco for fiscal year 2019-2020 (\$4,901), and one late claim filed by the City of Riverside for fiscal year 2019-2020 (\$3,776), and, indirect costs of \$11,953 omitted by the County of Fresno on its cover sheet, but included in the claim detail).

\$1,526,219	Activity A.1. (One-time training per peace officer employee and supervisor assigned to perform the reimbursable activities)
\$1,085,884	Activity A.2. (One-time installation and testing of software)
\$6,716 ³⁶	Activity B.1. (Identification of peace officers required to report stops, and maintenance of a system to match individual officers to their Officer I.D. number)
\$14,919,313	Activity B.2. (Collection and reporting data on all stops)
\$787,876 ³⁷	Activity B.3. (Electronic submission of data to DOJ and retention of stop data collected)
\$731,856 ³⁸	Activity B.4. (Audits and validation of data collected)
\$43,861 ³⁹	Activity B.5. (For stop data collected, ensure identities of the individual and the peace officer involved are not transmitted to the Attorney General in an open text field)
\$6,423,110	Indirect Costs
\$0 ⁴⁰	Offsetting Revenues
(\$1,594)	Less 10 Percent Late Filing Penalty ⁴¹
\$25,523,241	Total Costs for the Initial Reimbursement Period

³⁶ During the initial reimbursement period, only two local agencies claimed costs for activity B.1: City of San Jose for FY 2018-2019 and 2019-2020 and City of Bakersfield for FY 2019-2020.

³⁷ During the initial reimbursement period, only 7 local agencies claimed costs for activity B.3: County of Riverside for all three FYs; City of Sacramento, City of San Diego, City of San Jose, and County of San Diego for 2018-2019 and 2019-2020; and City of Bakersfield and County of Orange for fiscal year 2019-2020. All but City of Bakersfield are in either Wave 1 or 2.

³⁸ The City of Oakland provided only a number of hours and no dollar amount for activity B.4. and indicated this activity was claimed as part of its indirect costs: fiscal year 2018-2019 (96 hours), and fiscal year 2019-2020 (40 hours).

³⁹ During the initial reimbursement period, only two local agencies claimed costs for activity B.5: City of San Diego, FYs 2018-2019 and 2019-2020 and City of Bakersfield FY 2019-2020.

⁴⁰ No offsetting revenues were reported in any claims filed during the initial reimbursement period.

⁴¹ Only three claims were filed late and assessed the following penalties: City of Norco \$629 for 2018-2019 and \$545 for 2019-2020 and City of Riverside \$420 for 2019-2020.

Fiscal Year 2020-2021

The statewide cost estimate for annual state liability for this program for fiscal year 2020-2021 is estimated at \$10,792,578- \$11,763,910, based on actual claiming data for 2020-2021. The low end of the estimated costs is based on the actual costs claimed for 2020-2021, including three late claims filed as of May 16, 2022.⁴² The high end of the estimated costs assumes that an additional 10 percent of costs already claimed may be claimed in additional late claims filed on or before February 15, 2023. The range of costs by activity is estimated as follows:

\$653,892- \$719,281	Activity A.1. (One-time training per peace officer employee and supervisor assigned to perform the reimbursable activities)
\$1,127,827- \$1,240,610	Activity A.2. (One-time installation and testing of software)
\$31,700- \$34,870	Activity B.1. (Identification of peace officers required to report stops, and maintenance of a system to match individual officers to their Officer I.D. number)
\$6,060,511- \$6,666,562	Activity B.2. (Collection and reporting data on all stops)
\$320,524 - \$352,576	Activity B.3. (Electronic submission of data to DOJ and retention of stop data collected)
\$354,050- \$389,455	Activity B.4. (Audits and validation of data collected)
\$99,412- \$109,353	Activity B.5. (For stop data collected, ensure identities of the individual and the peace officer involved are not transmitted to the Attorney General in an open text field)
\$2,148,301- \$2,363,131	Indirect Costs
\$0	Offsetting Revenues ⁴³
(\$3,639) – (\$111,601)	Less 10 Percent Late Filing Penalty ⁴⁴
\$10,792,578- \$11,763,910	Estimated Costs for 2020-2021

Assumptions

Based on the claims data and other publically available information, staff made the following assumptions and used the following methodology to develop the Statewide Cost Estimate for this program.

- *The total amount claimed for the initial reimbursement period may increase as a result of late or amended initial claims.*

⁴² Exhibit E, Claims Data reported as of May 16, 2022.

⁴³ None of the claims filed for 2020-2021 included offsetting revenue. This estimate makes no assumptions regarding offsetting revenues or reimbursements for additional late claims or future fiscal years.

⁴⁴The high end is the 10 percent late fee on the estimated additional late claims amounting to 10 percent of the actual costs already claimed, plus the late fee for the claims already filed, rounded to the dollar.

There are approximately 481 cities, 57 counties, 1 city and county,⁴⁵ each of which will eventually incur costs for this program, when it is fully implemented in 2022-2023. And, there are a total of 415 city and county law enforcement agencies (LEAs) who will eventually be required to implement the mandated requirements. Some of these city and county law enforcement agencies are contracted out to perform law enforcement duties for other jurisdictions and it is unknown exactly how many cities and counties contract out for their law enforcement.

Per the Test Claim, there were only seven city and county law enforcement agencies in Wave 1 subject to the mandate for fiscal year 2017-2018.⁴⁶ Seven additional city and county law enforcement agencies in Wave 2 became subject to the mandate in fiscal year 2018-2019,⁴⁷ for a total of 14 city and county law enforcement agencies required to implement the mandate in the initial claiming period. And there will also be a total of 14 city and county law enforcement agencies required to implement the mandated program in the following fiscal year of 2019-2020.⁴⁸

However, a cross-reference between two data sets provided by the DOJ, the OpenJustice Data Portal, Agency Name – Jurisdiction Listing data set that “provides mapping information between the NCIC code, agency name, and the years the agency actively reported”⁴⁹ and the Law Enforcement Personnel data set for which the DOJ “collects the Law Enforcement Personnel data through a one-day survey taken on October 31st of each reporting year”⁵⁰ reveals the following.⁵¹

⁴⁵ For the purposes of this analysis, the City and County of San Francisco is added to the total number of counties (58) and is included in the averages as a county.

⁴⁶ Exhibit B, Test Claim, filed June 14, 2019 (Narrative), page 16.

⁴⁷ Exhibit B, Test Claim, filed June 14, 2019 (Narrative), page 16. Please note that the list of Wave 2 agencies provided by the claimant in the Test Claim omitted the Sacramento Police Department, which when added makes for a total of 7 agencies in Wave 2.

⁴⁸ Exhibit B, Test Claim, filed June 14, 2019 (Narrative), pages 16-17. Please note that the list of Wave 2 agencies provided by the claimant in the Test Claim omits the Sacramento Police Department, for a total of 7 agencies in Wave 2.

⁴⁹ Exhibit X, DOJ, OpenJustice Data Portal, <https://openjustice.doj.ca.gov/data> (accessed on May 26, 2021).

⁵⁰ Exhibit X, DOJ, OpenJustice Data Portal, <https://openjustice.doj.ca.gov/data> (accessed on May 26, 2021).

⁵¹ Exhibit X, DOJ Law Enforcement Agency Number of Sworn Non-Jail Personnel per Agency in Waves 1-3 of RIPA Reported as of 2017, 2018, and 2019, <https://openjustice.doj.ca.gov/data> (accessed on May 26, 2021). Please note that the CA CHP and the Capital DPR are not eligible claimants for this program but are provided to explain the inconsistency in the number of agencies provided in the Test Claim by the DOJ as its estimates did not isolate state from local agencies or account for the size of agencies to change during the implementation period.

WAVE	AGENCY NAME	COUNTY	NCIC CODE	FUNDED NON-JAIL SWORN PERSONNEL 2017 ⁵²	FUNDED NON-JAIL SWORN PERSONNEL 2018	FUNDED NON-JAIL SWORN PERSONNEL 2019
1 (1000+)	City of Los Angeles	Los Angeles	1942	9920	9923	9947
1 (1000+)	CA CHP	Sacramento	3499	7401	7286	7230
1 (1000+)	LA County Sheriff	Los Angeles	1900	6541	6502	6647
1 (1000+)	City of San Francisco	San Francisco	3801	2332	2306	2279
1 (1000+)	City of San Diego	San Diego	3711	1752	1731	1764
1 (1000+)	Riverside County Sheriff	Riverside	3300	1466	1077	1453
1 (1000+)	San Diego County Sheriff	San Diego	3700	1400	1384	1400
1 (1000+)	San Bernardino County Sheriff	San Bernardino	3600	1251	1312	1314
1 (1000+)	City of San Jose	Santa Clara	4313	940	1113	1150
1 (1000+)	Orange County Sheriff	Orange	3000	1079	1077	1090
2 (667-999)	Sacramento County Sheriff	Sacramento	3400	688	871	865
2 (667-999)	City of Long Beach	Los Angeles	1941	794	819	809
2 (667-999)	City of Fresno	Fresno	1005	786	811	806
2 (667-999)	City of Oakland	Alameda	109	744	731	740

⁵² Please note that the City of San Jose would have been classified as Wave 2 in 2017 and met the requirements of Wave 1 in 2018; the City of Sacramento would have been classified as Wave 3 in 2017 and 2018 and met the requirements of Wave 2 in 2019; the County of Kern would have been classified as Wave 4 in 2017 but met the requirements of Wave 3 in 2018 and 2019; and the City of Santa Ana would have been classified as Wave 4 in 2017 and 2018 but met the requirements for Wave 3 in 2019. All other jurisdictions in Waves 1, 2, and 3 remained in the same Wave during the initial reporting period.

WAVE	AGENCY NAME	COUNTY	NCIC CODE	FUNDED NON-JAIL SWORN PERSONNEL 2017 ⁵²	FUNDED NON-JAIL SWORN PERSONNEL 2018	FUNDED NON-JAIL SWORN PERSONNEL 2019
2 (667-999)	City of Sacramento	Sacramento	3404	644	651	678
3 (334-666)	Alameda County Sheriff	Alameda	100	559	515	522
3 (334-666)	Capital DPR	Sacramento	3422	523	493	493
3 (334-666)	Santa Clara County Sheriff	Santa Clara	4300	455	475	481
3 (334-666)	City of Stockton	San Joaquin	3905	441	469	459
3 (334-666)	Ventura County Sheriff	Ventura	5600	462	467	449
3 (334-666)	Fresno County Sheriff	Fresno	1000	402	420	403
3 (334-666)	City of Anaheim	Orange	3001	397	396	395
3 (334-666)	City of Bakersfield	Kern	1502	364	398	380
3 (334-666)	City of Riverside	Riverside	3313	350	370	366
3 (334-666)	San Francisco County Sheriff	San Francisco	3800	399	353	361
3 (334-666)	Kern County Sheriff	Kern	1500	325	337	343
3 (334-666)	City of Santa Ana	Orange	3019	325	313	339

In sum, in October 2017, there were eight Wave 1 local agencies, and as of October 2018 and October 2019 there were nine Wave 1 local agencies. Further, in October 2017 and October 2018 there were four Wave 2 local agencies and as of October 2019 there were five Wave 2 local agencies. Therefore, for the initial reimbursement period, fiscal years 2017-2018, 2018-2019, and 2019-2020 there were 14 local Wave 1 and 2 local agencies, required to implement activities A.1., A.2., and B.1.

In addition, for fiscal year 2018-2019, there were nine Wave 1 and four Wave 2 for a total of 13 local agencies also eligible to claim costs for activities B.2., - B.5. Finally, for fiscal year 2019-2020, there were nine Wave 1 and five Wave 2 for a total of 14 local agencies also eligible to claim costs for activities B.2., - B.5.

For fiscal year 2020-2021, there will be 11 agencies in Wave 3 subject to the stop data requirements and presumably also claiming for activities A.1., A. 2., and B.1., based on the numbers of sworn personnel provided to the DOJ for 2019 and then for fiscal year 2021-2022 all of the approximately 415 city and county LEAs in all four waves will be required to implement the mandate and all 539 cities and counties will be eligible to claim costs for all activities.

Twelve of the 14 eligible claimants subject to activities B.2., - B.5., in the initial reimbursement period, six Wave 1 local agencies and six Wave 2 local agencies, and 49 cities that contract with Wave 1 agencies for law enforcement services filed timely claims for the initial reimbursement period. And, the remaining claimant in Wave 1, the City of San Francisco, and the remaining claimant in Wave 2, the City of Long Beach, did not file late claims by the April 21, 2022 deadline to do so. Only the cities of Norco and Riverside submitted late claims for the initial reimbursement period, totaling \$15,935, and reduced by a late penalty of 10 percent (\$1,594).⁵³

Although, one Wave 3 and one Wave 4 local agency submitted claims for 2018-2019 and four Wave 3 and one Wave 4 local agencies submitted claims for 2019-2020, these costs totaled only \$306,008 or 12 percent of the total costs claimed in the initial reimbursement period. The test claim statute requires that Wave 3 and Wave 4 agencies begin collecting and reporting stop data “on or before” the specified date (January 1, 2021 for Wave 3) and therefore those agencies that implement before the date are eligible for reimbursement. However, the overwhelming majority of Wave 3 and Wave 4 agencies did not implement the program or file timely or late claims for the initial claiming period before the deadline for late claims.

There may be several reasons that eligible agencies did not file reimbursement claims during the initial claiming period, including but not limited to the following: they did not incur costs of more than \$1,000 during a fiscal year; or they had a relatively low number of stops in a given fiscal year; they completed installation and testing of software necessary to comply with the program prior to the beginning of the reimbursement period; or they determined that it was not cost-effective to participate in the reimbursement claim process.

⁵³ Government Code sections 17561(d)(3).

- *The costs for this program may be lower than the Statewide Cost Estimate based on the Controller’s audit findings.*

The Controller may conduct audits and reduce any claim it deems to be excessive or unreasonable. Therefore, costs may be lower than the Statewide Cost Estimate based on the audit findings.

- *Future annual costs will increase due to Wave 3 and Wave 4 jurisdictions becoming subject to the stop data reporting requirements in 2020-2021 and 2021-2022, respectively.*

The test claim statute requires that Wave 3 and Wave 4 agencies begin collecting and reporting stop data “on or before” the specified date (July 1, 2021 for Wave 3) and therefore those agencies that implement before the date are eligible for reimbursement. However, the overwhelming majority of Wave 3 and Wave 4 agencies did not implement the program or file claims for the initial claiming period. However, Wave 3 began collecting and reporting stop data in 2020-2021 as will Wave 4 in 2021-2022, and that will significantly increase the annual costs.

Waves 3 and 4 make up the majority of the LEA jurisdictions, and about half of the sworn officers in California that perform the mandated activities. The costs for Wave 3 LEAs are being claimed in annual claims, beginning with 2020-2021 for the first six months of implementation, and costs will peak with the 2022-2023 claims, when all agencies including Wave 4 LEAs will have a full fiscal year of costs for collecting and reporting stop data.

Estimates of the number of agencies in each Wave and of sworn personnel were updated in the recent RIPA Board Reports issued in 2020 and 2021 and provide the following:⁵⁴

Reporting Wave	Size of Agency	Data Collection Begins	Data Must be Reported to DOJ	Approximate Number of Agencies⁵⁵
1	1,000	July 1, 2018	April 1, 2019	8
2	667-999	Jan. 1, 2019	April 1, 2020	7
3	334-666	Jan. 1, 2021	April 1, 2022	10
4	1-333	Jan. 1, 2022	April 1, 2023	400+

Also, the 2020 RIPA Board Report and the 2021 RIPA Board Report provide its updated summary of the agencies and numbers of sworn personnel, in waves 1 2, and 3:⁵⁶

⁵⁴ Exhibit X, RIPA Board Report 2020, page 19; Exhibit X, RIPA Board Report 2021, page 23.

⁵⁵ Please note that these numbers do not distinguish between state and local agencies. Specifically, CHP is included in Reporting Wave 1.

⁵⁶ Exhibit X, RIPA Board Report 2020, pages 77-78; Exhibit X, RIPA Board Report 2021, page 17. Note that CHP and the Los Angeles World Airport Police have been omitted, the tables from both reports have been combined, and totals have been added, both RIPA Board Reports indicate that the numbers of sworn personnel are from the same source as that provided earlier in this

Reporting Wave	Agency	Total Complaints Received	Profiling Allegations Reported	Total Sworn Personnel
1	Los Angeles County Sheriff's Department	1,010	68	9,565
1	Los Angeles Police Department	2,205	426	10,002
1	Riverside County Sheriff's Department	33	0	1,788
1	San Bernardino County Sheriff's Department	113	39	1,927
1	San Diego County Sheriff's Department	214	74	2,601
1	San Diego Police Department	102	25	1,764
1	San Francisco Police Department	842	0	2,279
Wave 1 Total Sworn Personnel				29,926
2	Fresno Police Department	231	13	806
2	Long Beach Police Department	182	9	817
2	Oakland Police Department	1,215	36	740
2	Orange County Sheriff's Department	129	11	1,888
2	Sacramento County Sheriff's Department	205	5	1,348
2	Sacramento Police Department	146	6	678
2	San Jose Police Department	205	36	1,150
Wave 2 Total Sworn Personnel Total				7,427
3	Santa Clara County Sheriff's Office	30	2 (7%)	1,279
3	Alameda County Sheriff's Office	62	1 (2%)	939
3	San Francisco County Sheriff Department	66	1 (2%)	860
3	Kern County Sheriff's Office	142	3 (2%)	806
3	Ventura County Sheriff's Office	67	12 (18%)	760
3	Stockton Police Department	11	4 (36%)	469
3	Santa Barbara Sheriff's Office	27	3 (11%)	454
3	Anaheim Police Department	71	4 (6%)	419
3	Fresno County Sheriff's Office	38	11 (29%)	430
3	Bakersfield Police Department	49	0	398
3	Riverside Police Department	58	2 (3%)	370
Wave 3 Total Sworn Personnel Total				7,184
Waves 1-3 Sworn Personnel Total				44,537

analysis, and that the RIPA Board Report 2020 does not specify the year associated with the numbers of sworn personnel provided in the table for Wave 3.

Compared to DOJ’s initial estimates provided to the Legislature in 2015, referred to in the Test Claim,⁵⁷ the 2020 and 2021 RIPA Board Reports’ data most recently available for 2019 reflects an overall 31 percent increase in the number of sworn personnel between 2015 and 2019 (or 7.75 percent growth annually). The distribution of sworn officers in each Wave, is as follows:

Wave	Agency Type	Agencies 2015	Agencies 2019	Sworn Officers 2015 ⁵⁸	Sworn Officers 2019 ⁵⁹
1	Local	8	7	25,772	29,926
2	Local	5	7	3,807	7,427
Wave 1-2 Total			14	29,579	37,353
3	Local	10	10	4,536	7,184
4	Local	392	400+	23,382	22,614 ⁶⁰
Wave 3-4 Total		402	410+	27,918	29,798
Waves 1-4 Total		415		57,497	67,151

- *The total amount that may be claimed for the one-time activities A.1., and B.1., for the initial reimbursement period and for future annual costs will increase before decreasing and then stabilizing when all costs for these activities will be as a result of turnover and growth.*

For the years for which data is available, the total number of sworn city and county peace officers has grown. The total growth in the numbers of sworn full-time law enforcement personnel between the years of 2014 and 2018 (4 years) for all police departments in California was 3.3 percent and for all Sheriff’s departments was 3.1 percent, the weighted average of which is .8 percent annually.⁶¹ The percentage of growth in the numbers of sworn full-time law enforcement personnel for police departments in 2018-2019 was about the same as the average for the prior years with police departments at .8 percent and sheriff’s departments at .7 percent, with a weighted average of .8 percent.⁶² Based on this data, we could assume an average of .8

⁵⁷ Exhibit B, Test Claim, filed June 14, 2019 (DOJ Fiscal Impact Statement Addendum), pages 100-121.

⁵⁸ Exhibit B, Test Claim, filed June 14, 2019 (DOJ Fiscal Impact Statement Addendum), page 106.

⁵⁹ Exhibit X, RIPA Board Report 2020 (Wave 3), pages 77-78; Exhibit X, RIPA Board Report 2021 (Waves 1 and 2), page 17.

⁶⁰ Exhibit X, DOJ Law Enforcement Agency Number of Sworn Non-Jail Personnel per Agency in 2019 (Wave 4), <https://openjustice.doj.ca.gov/data> (accessed on May 26, 2021), page 12.

⁶¹ Exhibit X, Crime in California 2019, Xavier Becerra, Attorney General, California Department of Justice, California Justice Information Services Division, Justice Data and Investigative Services Bureau, Criminal Justice Statistics Center, page 62, <https://data-openjustice.doj.ca.gov/sites/default/files/2020-06/Crime%20In%20CA%202019.pdf> (accessed on January 19, 2021).

⁶² Exhibit X, Crime in California 2019, Xavier Becerra, Attorney General, California Department of Justice, California Justice Information Services Division, Justice Data and Investigative Services Bureau, Criminal Justice Statistics Center, page 62, <https://data->

annual growth in the numbers of sworn city and county officers, based on the average growth rates over the years for which data is available.

Separate and apart from the issue of growth, total turnover rates for law enforcement (i.e. the number of officers that separated from their employer and whose positions were refilled) in the state of California were reported to be 9.19 percent in 2003 and 8.28 percent in 2008. Nationally, turnover rates varied considerably between rural areas (14.11 in 2003, 14.16 in 2008), suburban areas (9.89 in 2003 and 10.98 in 2008), and urban areas (7.57 in 2003 and 6.94 in 2008) and also between types of agency Municipal (11.59 in 2003 and 11.14 in 2008) and County (7.94 in 2003 and 9.23 in 2008).⁶³ For the purposes of this estimate, an 8.73 percent turnover rate is assumed based on the average turnover rate for California law enforcement in the years for which we have data available. Unlike growth, turnover is only eleventh to the one-time costs for activities A.1. and B.1.

Further, both growth and turnover rates of sworn law enforcement personnel will impact the number required to be trained (A.1.) and identified and put into a system that matches the individual officer to their Officers I.D. number (B.1.).

- *The future annual costs for this program will decrease and stabilize with the eventual minimization of costs for activities A.1., and B.1., beginning in fiscal year 2022-2023.*

The annual costs incurred for activity A.1., (one-time training per peace officer employee and supervisor assigned to perform the reimbursable activities) and B.1., (identification of peace officers required to report stops, and maintenance of a system to match individual officers to their Officer I.D. number) are not expected to end after the initial reimbursement period, because these activities will continue to be required to be completed as Wave 3 and 4 agencies comply with the mandate in 2020-2021 and 2021-2022.⁶⁴ In addition, activities A.1., and B.1., will continue after all agencies have complied and these costs are assumed to remain relatively stable, requiring the training and identification of peace officers required to report stops due to turnover and growth in the number of peace officer employees, based on the data available.

- *The future annual costs for this program will decrease with the eventual elimination of costs for activity A.2.*

The annual costs incurred for activity A.2., (one-time installation and testing of software) are not expected to end after the initial reimbursement period, because activity A.2., will continue to be required to be completed as additional agencies begin to comply with the mandate.⁶⁵ However,

openjustice.doj.ca.gov/sites/default/files/2020-06/Crime%20In%20CA%202019.pdf (accessed on January 19, 2021).

⁶³ Exhibit X, Excerpt from the Jennifer Wareham et al, *Rates and Patterns of Law Enforcement Turnover: A Research Note*, 26-4 Criminal Justice Policy Review, 345 (2013), pages 2-5, <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.846.1028&rep=rep1&type=pdf> (accessed on March 23, 2020).

⁶⁴ Government Code section 12525.5 (a)(2).

⁶⁵ Government Code section 12525.5 (a)(2).

the costs for activity A.2., (one-time installation and testing of software) will eventually be eliminated after all agencies have complied, likely by fiscal year 2022-2023.

- *The future annual costs for this program will increase with the eventual stabilization of costs for ongoing activities, in fiscal year 2022-2023.*

Based on this analysis, the bulk of costs during the initial reimbursement period and in annual claims going forward will likely be incurred to perform activity B.2., (collection and reporting data on all stops). The estimate originally provided to the Legislature by the DOJ and included in the Test Claim was based on the estimated number of officers performing stops, provided to the DOJ by POST in 2015, on a 2016 survey of law enforcement, and on the comments received from law enforcement agencies during the initial public comment period on the implementing regulations.⁶⁶ The number of officers and stops per year by agency type was estimated by the DOJ as follows:⁶⁷

Estimated Stops, by Agency Type			
Agency	Total Officers	Total Stops	Average Stops Per Officer
Sheriff	19,586	3,936,786	201
Other	38,710	10,000,000	258
Statewide Total	58,296	13,936,786	239

However, based on the actual stops reported for 2019, 239 stops per officer is a significant an overestimation of stops. The 2021 RIPA Board Report indicates the following:

The 15 largest law enforcement agencies in California, referred to as Wave 1 and Wave 2 agencies in this Report, collected data on pedestrian and vehicle stops and submitted these data to the Department. Reporting agencies collected data on 3,992,074 million stops between January 1, 2019 and December 31, 2019. The California Highway Patrol conducted the most stops (54.4%) of all reporting agencies, which was expected given the size and geographic jurisdiction of the agency and its primary mission with respect to highway safety.⁶⁸

Of the 3,992,074 stops conducted by Wave 1 and 2 agencies in 2019, 54 percent, or approximately 2,171,688 were conducted by CHP, leaving 1,820,385 stops actually conducted by Wave 1 and 2 local agencies in 2019. Further, the 2022 RIPA Board Report indicates a significant reduction in the number of stops between 2019 and 2020:⁶⁹

⁶⁶ Exhibit B, Test Claim, filed June 14, 2019 (DOJ Fiscal Impact Statement Addendum), page 107.

⁶⁷ Exhibit B, Test Claim, filed June 14, 2019 (DOJ Fiscal Impact Statement Addendum), page 107. Please note that the data regarding CHP has been omitted from this table.

⁶⁸ Exhibit X, RIPA Board Report 2021, page 9 (footnote omitted).

⁶⁹ Exhibit X, RIPA Board Report 2021, page 17; Exhibit X, RIPA Board Report 2022, page 28-29. This table reorders and omits non-Wave 1 and Wave 2 agencies.

Reporting Wave	Agency	# of Stops 2019	# of Stops 2020	Difference	% point difference from 2019
1	Los Angeles Police Department	712,807	521,426	-191,381	-26.8%
1	Los Angeles County Sheriff's Department	196,850	104,275	-92,575	-47.0%
1	San Diego Police Department	187,231	150,611	-36,620	-19.6%
1	San Bernardino County Sheriff's Department	157,715	109,024	-48,691	-30.9%
1	San Francisco Police Department	101,614	38,615	-62,999	-62.0%
1	San Diego County Sheriff's Department	65,029	38,824	-26,205	-40.3%
1	Riverside County Sheriff's Department	58,379	56,339	-2,040	-3.5%
	Total Stops Wave 1	1,479,625	1,019,114	-460,511	-28.76%
2	Sacramento Police Department	68,012	51,446	-16,566	-24.4%
2	Sacramento County Sheriff's Department	60,944	43,881	-17,063	-28.0%
2	Fresno Police Department	51,849	14,738	-37,111	-71.6%
2	Orange County Sheriff's Department	50,396	39,855	-10,541	-20.9%
2	San Jose Police Department	44,306	17,988	-26,318	-59.4%
2	Long Beach Police Department	40,524	17,210	-23,314	-57.5%
2	Oakland Police Department	24,395	21,076	-3,319	-13.6%
	Total Stops Wave 2	340,426	206,194	-134,232	-39.34%
	Total Stops Wave 1-2	1,820,051	1,225,308	-594,743	-34.05%

Based on this data, a rate of 49 stops per officer provides a closer estimate of the actual stops per sworn officer.⁷⁰ 1,820,051 stops conducted by 37,353⁷¹ officers averages 49 stops per officer for Waves 1 and 2 in 2019, and provides a closer estimate for Waves 3 and 4 and future costs as follows:

⁷⁰ Exhibit X, RIPA Board Report 2021, page 17; Exhibit X, RIPA Board Report 2022, page 28-29. This table reorders and omits non-Wave 1 and Wave 2 agencies.

⁷¹ Exhibit X, RIPA Board Report 2020, pages 77-78; Exhibit X, RIPA Board Report 2021, page 17.

Wave	Agency Type	Sworn Officers 2015 ⁷²	Estimated Stops 2015 ⁷³	Sworn Officers 2019 ⁷⁴	Estimated Stops in 2019 at 49 per Officer ⁷⁵
1	Local	25,772	6,159,508	29,926	1,466,374
2	Local	3,807	909,873	7,427	363,923
Wave 1-2 Total		29,579	7,069,381	37,353	1,830,297
3	Local	4,536	1,084,104	7,184	352,016
4	Local	23,382	5,588,298	22,614 ⁷⁶	1,108,086
Wave 3-4 Total		27,918	6,672,402	29,798	1,460,102
Waves 1-4 Total		57,497	13,741,783	67,151	3,290,399

The annual costs incurred for all ongoing activities will continue to increase as additional agencies begin to comply with the mandate.⁷⁷ In addition, costs for these activities, will stabilize and continue after all agencies have begun to comply, since this is an ongoing requirement of the program. Once the program is fully implemented, the costs for activities B.3., B.4., and B.5. are not expected to fluctuate significantly.

Draft Proposed Statewide Cost Estimate

On June 3, 2022, Commission staff issued the Draft Proposed Statewide Cost Estimate.⁷⁸

Staff Recommendation

Staff recommends that the Commission adopt this Proposed Statewide Cost Estimate of \$25,523,241 for the initial reimbursement period of fiscal years 2017-2018, 2018-2019, and 2019-2020 and the estimated cost for fiscal year 2020-2021 of \$10,792,578- \$11,763,910.

⁷² Exhibit B, Test Claim, filed June 14, 2019 (DOJ Fiscal Impact Statement Addendum), page 106.

⁷³ Exhibit B, Test Claim, filed June 14, 2019 (DOJ Fiscal Impact Statement Addendum), page 107. Stops per officer are estimated based on 239 stops per officer, as estimated by the DOJ in 2015.

⁷⁴ Exhibit X, RIPA Board Report 2020, pages 77-78; Exhibit X, RIPA Board Report 2021, page 17.

⁷⁵ Exhibit X, RIPA Board Report 2021, page 17; Exhibit X, RIPA Board Report 2022, page 28-29. Stops per officer are estimated based on 49 stops per officer, as reported by Waves 1 and 2 data.

⁷⁶ Exhibit X, DOJ Law Enforcement Agency Number of Sworn Non-Jail Personnel per Agency in 2019 (Wave 4), <https://openjustice.doj.ca.gov/data> (accessed on May 26, 2021), page 12.

⁷⁷ Government Code section 12525.5 (a)(2).

⁷⁸ Exhibit F, Draft Proposed Statewide Cost Estimate, issued June 3, 2022.

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On June 3, 2022, I served the:

- **Draft Proposed Statewide Cost Estimate issued June 3, 2022**

Racial and Identity Profiling, 18-TC-02

Government Code Section 12525.5, as added and amended by Statutes 2015, Chapter 466 (AB 953); Statutes 2017, Chapter 328 (AB 1518); California Code of Regulations, Title 11, Sections 999.224, 999.225, 999.226, 999.227, 999.228, and 999.229, as added by Register 2017, No. 46¹

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on June 3, 2022 at Sacramento, California.



Jill L. Magee
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¹ Note that Register 2016, 50-2 was incorrectly cited in the test claim filing. The correct register is Register 2017, No. 46.

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 5/13/22

Claim Number: 18-TC-02

Matter: Racial and Identity Profiling

Claimant: City of San Diego

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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Senator Ricardo Lara, Chair
2015 - 2016 Regular Session

AB 953 (Weber) - Law enforcement: racial profiling**Version:** June 30, 2015**Policy Vote:** PUB. S. 5 - 1**Urgency:** No**Mandate:** Yes**Hearing Date:** August 27, 2015**Consultant:** Jolie Onodera

***** **ANALYSIS ADDENDUM – SUSPENSE FILE** *****

**The following information is revised to reflect amendments
adopted by the committee on August 27, 2015**

Bill Summary: AB 953 would enact the Racial and Identity Profiling Act of 2015, which would do the following:

- Pursuant to a specified phased-in schedule based on the number of peace officers employed by an agency, require each state and local agency that employs peace officers to collect and annually report data to the Attorney General (AG) on all “stops,” as defined, for the preceding calendar year.
- Modify the definition of “racial profiling,” as specified.
- Commencing July 1, 2016, require the AG to establish the Racial and Identity Profiling Advisory Board (RIPA), to conduct specified activities and issue a report annually on its analysis of specified reported data, training, and racial and identity profiling policies/practices.

Fiscal Impact:

- Data collection, reporting, retention, and training: Major future one-time and ongoing costs, potentially in the millions to tens of millions of dollars annually, once fully phased in, to local law enforcement agencies for data collection, reporting, and retention requirements specified in the bill. Additional costs for training on the process would likely be required. There are currently 482 cities and 58 counties in California. To the extent local agency expenditures qualify as a reimbursable state mandate, agencies could claim reimbursement of those costs (General Fund). While costs could vary widely, for context, the Commission on State Mandates’ statewide cost estimate for *Crime Statistics Reports for the DOJ* reflects eligible reimbursement of over \$13.6 million per year for slightly over 50 percent of local agencies reporting.
- DOJ impact: Major one-time and ongoing costs of \$2.6 million in 2015-16, \$5.9 million in 2016-17, and \$5.1 million (General Fund) annually thereafter, for resources to create the database to collect and retain the data, complete data collection and reporting requirements. Minor, absorbable impact to aggregate and post annual reports received to its website.
- RIPA: One-time costs of \$1.7 million in 2015-16, and \$3 million (General Fund) in 2016-17 and 2017-18 to establish and oversee activities of the Board. Ongoing costs of \$1.5 million annually (General Fund) for activities including analyzing data, issuing annual reports, reviewing policies and procedures, and holding at least three annual public meetings.

- CHP impact: Potentially significant one-time costs of about \$1 million (Motor Vehicle Account) to modify its existing database, create the program to generate the report, and train personnel. Ongoing increase in workload costs potentially in the range of \$250,000 to \$500,000 (Motor Vehicle Account) for data collection and reporting activities. Data for 2013-14 from the CHP indicates approximately 3.1 million enforcement actions potentially subject to the data collection and reporting provisions of this bill.
- CSU/UC police impact: Potentially significant ongoing non-reimbursable costs to California State University police and University of California police officers – the CSM has determined CSU and UC use of campus police is a discretionary act, and therefore any mandated costs are not subject to state reimbursement.

Author Amendments:

- Phase-in the mandated data reporting requirement on law enforcement agencies, as follows:
 - Each agency that employs 1,000 or more peace officers shall issue its first round of reports on or before April 1, 2019.
 - Each agency that employs 667 or more but less than 1,000 peace officers shall issue its first round of reports on or before April 1, 2020.
 - Each agency that employs 334 or more but less than 667 peace officers shall issue its first round of reports on or before April 1, 2022.
 - Each agency that employs one or more but less than 334 peace officers shall issue its first round of reports on or before April 1, 2023.
- Delete the provision requiring any peace officer who has a complaint of racial or identity profiling that is sustained to participate in training to correct racial and identity profiling at least every six months for two years.
- Delete the provision requiring reporting agencies to retain data records for a minimum of five years.
- Delete the overlapping requirement of data analysis by both the AG and the RIPA to specify the RIPA will retain this responsibility.
- Revise the RIPA membership, as specified, specify a term of four years for RIPA members, and specify that members of RIPA shall not receive compensation, nor per diem expenses, for their services as RIPA members.
- Specify that no action of RIPA shall be valid unless agreed to by a majority of its members.
- Make other technical and clarifying changes.

-- END --

AGENCY INFORMATION

Data Set	Description	Download
Agency Name - Jurisdiction Listing	This file provides mapping information between then NCIC code, agency name, and the years the agency actively reported.	Agency Name Mapping - XLSX, 45.9 kB

CRIMINAL JUSTICE DATA

Data Set	Description	Download
Adult Probation	The Adult Probation (AP) data is submitted monthly by county probation agencies, and the file is used to produce gross counts that provide a statistical profile for felony and misdemeanor probation by county, type of placement, reasons for removal from probation and the number of persons on supervision	Summary - CSV, 1.2 MB README - PDF, 501.3 kB

caseloads.

Anti-Reproductive Rights Crimes

Anti-Reproductive Rights Crimes (ARRC) is reported by various law enforcement agencies (LEA) throughout the State, on a monthly basis. The data set contains information on crimes that are committed against reproductive health services providers, clients, assistants or the facilities where these services are provided or at a place of worship because of the church's beliefs regarding reproductive rights and includes the location of the crime, victim type (individual/property), race/ethnicity, gender of victims and suspects, weapon involved, and property loss or damage.

[Summary - CSV, 19.4 kB](#) □

[README - PDF, 529.3 kB](#) □

Arrests

California LEAs report monthly information on felony, misdemeanor, and status offense arrests occurring within the state as part of the Monthly Arrest and Citation Register (MACR). This dataset includes aggregated counts of arrests by county, gender, race/ethnic group, age group, and offense level.

[Arrests - CSV, 5.9 MB](#) □

[Arrest Dispositions - CSV, 32.6 MB](#) □

[README - PDF, 545.3 kB](#) □

Civilians' Complaints Against Peace Officers

State and local law enforcement agencies that employ peace officers provide Civilians' Complaints Against Peace Officers (CCAPO) data via an annual summary. The information includes the number of criminal and non-criminal complaints reported by civilians and the number of complaints sustained. Assembly Bill 953 (2015) modified the reporting requirements to expand the types of findings and also include complaints based upon racial and identity profiling claims. 2016 was the first year of collection under the new reporting requirements.

[Summary - CSV, 1.3 kB](#) □

[Agencies 2016-2019 - XLSX, 1.0 MB](#) □

[README - PDF, 149.3 kB](#) □

Crimes and Clearances (including Arson)

Crimes and Clearances are reported monthly by

[Summary - CSV, 5.2](#)

LEAs throughout the state. The data is reported as part of the Federal Bureau of Investigation's (FBI), Uniform Crime Reporting (UCR) Program and includes the number of actual offenses as well as the number of clearances as per the UCR guidelines. Supplemental data are also collected on the nature of some of the crime types and the value of property stolen and recovered. The information is used to provide statistical data on the offenses of: criminal homicide, rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson.

[MB](#)
[README - PDF, 565.6 kB](#)

Death in Custody & Arrest-Related Deaths

State and local law enforcement agencies and correctional facilities report information on deaths that occur in custody or during the process of arrest in compliance with Section 12525 of the California Government Code. Contributors include: California law enforcement agencies, county probation departments, state hospitals, and state correctional facilities. Data are subject to revision as reports are received by the California Department of Justice (DOJ); figures in previous and current releases may not match.

[Raw - XLSX, 931.3 kB](#)
[README - PDF, 532.0 kB](#)
[Raw \(Archive\) - CSV, 2.6 MB](#)
[Summary \(Archive\) - CSV, 184.1 kB](#)

Domestic Violence Related Calls for Assistance

Domestic Violence-Related Calls for Assistance (DVRCA) are reported by various LEAs throughout the State on a monthly basis. The DVRCA data set provides summary statistical data on the total number of domestic violence related calls for assistance received by the LEAs, the number of cases involving weapons, and the type of weapon used during the reported incident.

[Summary - CSV, 9.1 MB](#)
[README - PDF, 484.3 kB](#)

Hate Crime


Hate Crime data are submitted monthly by various LEAs throughout the state. Hate crime acts involve the intent to cause physical injury, emotional suffering, or property damage where there is a reasonable cause to believe that the crime was motivated by the victim's race, ethnicity, religion,

[Raw - CSV, 4.4 MB](#)
[README - PDF, 535.0 kB](#)

gender, sexual orientation, or physical or mental disability. Hate data includes information on the hate crime event, hate crime offense, bias type, location, and the number of hate crime victims and suspects.

Hate Crime Prosecution Data


The Hate Crime Prosecution Survey data are submitted annually by district attorneys and elected city attorneys. Hate crime acts involve the intent to cause physical injury, emotional suffering, or property damage where there is a reasonable cause to believe that the crime was motivated by the victim's race, ethnicity, religion, gender, sexual orientation, or physical or mental disability. Hate Crime Prosecution data includes the number of hate crime cases referred to prosecutors, the number of cases filed in court, and the outcome of the cases reaching a disposition in the report year.


[Summary - CSV, 49.6 kB](#) 

[README - PDF, 105.9 kB](#) 


Homicide

Information on homicides in California are reported by various LEAs as part of the reporting requirements for the Federal Uniform Crime Reporting (UCR) Program. These data provide detailed information about the circumstances of each homicide in addition to personal characteristics of the victim.

[Actuals - CSV, 6.1 MB](#) 

[Justifiable - CSV, 411.3 kB](#) 

[Manslaughter - CSV, 57.9 kB](#) 


[README - PDF, 518.6 kB](#) 

Juvenile Court and Probation

The Juvenile Court and Probation Statistical System (JCPSS) data are reported monthly by county probation offices. The JCPSS includes basic demographic information of the juvenile referred and the juvenile probation or court disposition (the system does not track individuals through the system).


[Raw 2007-2011 - CSV, 130.8 MB](#) 


[Raw 2012-2019 - CSV, 95.7 MB](#) 

[README - PDF, 563.7 kB](#) 

Law Enforcement and Criminal Justice Personnel


California LEAs report counts of the number of full-time sworn and non-sworn, male and female law enforcement personnel (LEP) employed. The DOJ also collects the number of attorneys, investigators, and clerical and other criminal justice personnel (CJP) employed by district attorneys and public defenders; and probation officers and other staff employed by probation departments. The DOJ collects the Law Enforcement and Criminal Justice Personnel (LECJP) data through one-day surveys of each reporting year: criminal justice personnel counts are taken on June 30th and law enforcement personnel counts are taken on October 31st.


[Summary - CSV, 128.4 kB](#) 

[README - PDF, 127.0 kB](#) 

Law Enforcement Officers Killed or Assaulted

Law Enforcement Officers Killed or Assaulted (LEOKA) data are reported as part of the Federal Uniform Crime Reporting (UCR) Program by LEAs throughout the state. LEOKA data are summary data, meaning it is a collection of information describing the totality of incidents, not a collection at the detailed, incident level. LEOKA is a federally mandated collection. From the 1960's until 1990, the CJSC did not retain any of the LEOKA data; the forms were passed along to the Federal Bureau of Investigation (FBI). In 1990, the DOJ began to collect and retain the data from the LEOKA form for statistical purposes, but it wasn't until 2000, that full retention at the State level was defined and standardized.


[Summary - CSV, 17.9 MB](#) 

[README - PDF, 580.5 kB](#) 

Law Enforcement Personnel

California LEAs report counts of the number of full-time sworn and non-sworn, male and female law enforcement personnel (LEP) employed. The DOJ collects the Law Enforcement Personnel data through a one-day survey taken on October 31st of each reporting year.

[Summary - CSV, 516.1 kB](#) 

[README - PDF, 514.1 kB](#) 

RIPA Stop Data

Assembly Bill 953 (AB 953) requires each state and

[RIPA Stop Data 2019](#)

local agency in California that employs peace officers to annually report to the Attorney General data on all stops, as defined in Government Code 12525.5(g) (2), conducted by the agency's peace officers. The bill requires officers to collect specific information on each stop, including elements of the stop circumstances and the perceived identity characteristics of the individual(s) stopped. Law enforcement agencies collect and submit this data on a rolling basis according to the number of sworn peace officers they employ. The most recent dataset (RIPA Stop Data 2019.csv) includes information collected between January 1st and December 31st of 2019 by agencies that employ 667 or more officers.

AB 953 also mandates that each reporting law enforcement agency's total results be provided for each data collection criteria under subdivision (b) of Section 12525.5 of the Government Code. The tables presenting these results (Statutorily Mandated Tables 2019.xlsx) and supporting documentation (Statutorily Mandated Tables README 2019.pdf) are provided here.

For information on the Department's Secure Data Lab, please click the link below.

<https://oag.ca.gov/research-center/request-process>

[- CSV, 1.2 GB](#)

[README 2019 - PDF, 248.8 kB](#)

[Statutorily Mandated Tables 2019 - XLSX, 93.7 kB](#)

[Statutorily Mandated Tables README 2019 - PDF, 177.0 kB](#)

[RIPA Stop Data 2018 - CSV, 641.4 MB](#)

[README 2018 - PDF, 404.6 kB](#)

[Appendix B Table 3 2018 - CSV, 31.7 kB](#)

URSUS - Use of Force

The use of force (URSUS) incidents that result in serious bodily injury or death or involved the discharge of a firearm are reported annually from LEAs and other entities throughout the state that employ peace officers. The URSUS data is narrowly defined and does not represent the totality of use of force incidents that occur in California. LEAs are only required to report use of force incidents that result in serious bodily injury or death of either the civilian or the officer and all incidents where there is a discharge of a firearm. As such, caution must be used when using the data for comparisons or in calculating rates.

[Incident 2019 - CSV, 87.5 kB](#)

[Civilian-Officer 2019 - CSV, 565.6 kB](#)

[README 2019 - PDF, 531.2 kB](#)

[Incident 2018 - CSV, 78.4 kB](#)

[Civilian-Officer 2018 - CSV, 513.5 kB](#)

[README 2018 - PDF, 529.8 kB](#)

Incident 2017 - CSV, 89.5 kB
Civilian-Officer 2017 - CSV, 562.3 kB
README 2017 - PDF, 510.5 kB
Incident 2016 - CSV, 112.0 kB
Civilian-Officer 2016 - CSV, 692.6 kB
README 2016 - PDF, 628.4 kB
ORI-Agency Names - CSV, 19.8 kB

Values Act Transfer Data

California LEAs report on the transfer of an individual to immigration authorities for immigration purposes pursuant to The Values Act (SB54, 2017). This data is submitted annually during the first two weeks in January for the previous reporting year.

Summary - CSV, 82.3 kB
README - PDF, 81.1 kB

Violent Crimes Committed Against Senior Citizens

Violent Crimes Committed Against Senior Citizens (VCASC) data are collected from various LEAs throughout the state on a monthly basis. The data set provides summary statistical data on the total number persons 60 years of age or older who were victims of homicide, rape, robbery, or aggravated assault.

Summary - CSV, 3.6 MB
README - PDF, 100.6 kB

OTHER DATA

Data Set

Description

Download

California's county and agency level context data

Data on California county and agency educational attainment, unemployment rate, % below poverty line, median earnings, and household income.

[Summary - CSV, 259.5 kB](#)

[Data Dictionary - PDF, 30.8 kB](#)

Electronic Search Warrant Notifications

California law requires any government entity that executes a warrant, or obtains information in an emergency from an electronic communication service provider or from an electronic device shall notify the identified targets of the warrant or emergency request that information about them has been compelled or obtained. The law requires that the government entity provide specific information about the investigation under which the information is sought and provide a copy of the warrant or a written statement setting forth facts giving rise to the emergency. (California Penal Code s. 1546.2)

[2016 Data Set - XLSX, 180.9 kB](#)

[2017 Data Set - XLSX, 154.4 kB](#)

[2018 Data Set - XLSX, 168.2 kB](#)

[2019 Data Set - XLSX, 189.3 kB](#)

[Raw - CSV, 615.9 kB](#)

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Law Enforcement Agency Number of Sworn Non-Jail Personnel per Agency in Waves 1-3 of RIPA
Reported in 2017, 2018, and 2019

WAVE	NAME	COUNTY	NCIC_AGENCY	YEAR	FUNDED_ NON_JAIL _SWORN_ TOTAL		FUNDED_ NON_JAIL _SWORN_ TOTAL		FUNDED_ ON_JAIL_S WORN_TO TAL	
					YEAR	YEAR	YEAR	YEAR		
1 (1000+)	CITY OF LOS ANGELES	LOS ANGELES	1942	2017	9920	2018	9923	2019	9947	
1 (1000+)	CA HIGHWAY PATROL	SACRAMENTO	3499	2017	7401	2018	7286	2019	7230	
1 (1000+)	LA CO. SHERIFF	LOS ANGELES	1900	2017	6541	2018	6502	2019	6647	
1 (1000+)	CITY OF SAN FRANCISCO	SAN FRANCISCO	3801	2017	2332	2018	2306	2019	2279	
1 (1000+)	CITY OF SAN DIEGO	SAN DIEGO	3711	2017	1752	2018	1731	2019	1764	
1 (1000+)	RIVERSIDE CO. SHERIFF	RIVERSIDE	3300	2017	1466	2018	1077	2019	1453	
1 (1000+)	SAN DIEGO CO. SHERIFF	SAN DIEGO	3700	2017	1400	2018	1384	2019	1400	
1 (1000+)	SAN BERNARDINO CO. SHERIFF	SAN BERNARDINO	3600	2017	1251	2018	1312	2019	1314	
1 (1000+)	CITY OF SAN JOSE	SANTA CLARA	4313	2017	940	2018	1113	2019	1150	
1 (1000+)	ORANGE CO. SHERIFF	ORANGE	3000	2017	1079	2018	1077	2019	1090	
2 (667-999)	SACRAMENTO CO. SHERIFF	SACRAMENTO	3400	2017	688	2018	871	2019	865	
2 (667-999)	CITY OF LONG BEACH	LOS ANGELES	1941	2017	794	2018	819	2019	809	
2 (667-999)	CITY OF FRESNO	FRESNO	1005	2017	786	2018	811	2019	806	
2 (667-999)	CITY OF OAKLAND	ALAMEDA	109	2017	744	2018	731	2019	740	
2 (667-999)	CITY OF SACRAMENTO	SACRAMENTO	3404	2017	644	2018	651	2019	678	
3 (334-666)	ALAMEDA CO. SHERIFF	ALAMEDA	100	2017	559	2018	515	2019	522	
3 (334-666)	CAPITAL DPR	SACRAMENTO	3422	2017	523	2018	493	2019	493	
3 (334-666)	SANTA CLARA CO. SHERIFF	SANTA CLARA	4300	2017	455	2018	475	2019	481	
3 (334-666)	CITY OF STOCKTON	SAN JOAQUIN	3905	2017	441	2018	469	2019	459	
3 (334-666)	VENTURA CO. SHERIFF	VENTURA	5600	2017	462	2018	467	2019	449	
3 (334-666)	FRESNO CO. SHERIFF	FRESNO	1000	2017	402	2018	420	2019	403	
3 (334-666)	CITY OF ANAHEIM	ORANGE	3001	2017	397	2018	396	2019	395	
3 (334-666)	CITY OF BAKERSFIELD	KERN	1502	2017	364	2018	398	2019	380	
3 (334-666)	CITY OF RIVERSIDE	RIVERSIDE	3313	2017	350	2018	370	2019	366	
3 (334-666)	SAN FRANCISCO CO. SHERIFF	SAN FRANCISCO	3800	2017	399	2018	353	2019	361	
3 (334-666)	KERN CO. SHERIFF	KERN	1500	2017	325	2018	337	2019	343	
3 (334-666)	CITY OF SANTA ANA	ORANGE	3019	2017	325	2018	313	2019	339	

See <https://openjustice.doj.ca.gov/data>

#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
1	1 (1000+)	CITY OF LOS ANGELES	LOS ANGELES	2019	1942	9,947
2	1 (1000+)	LA CO. SHERIFF	LOS ANGELES	2019	1900	6,647
3	1 (1000+)	CITY OF SAN FRANCISCO	SAN FRANCISCO	2019	3801	2,279
4	1 (1000+)	CITY OF SAN DIEGO	SAN DIEGO	2019	3711	1,764
5	1 (1000+)	RIVERSIDE CO. SHERIFF	RIVERSIDE	2019	3300	1,453
6	1 (1000+)	SAN DIEGO CO. SHERIFF	SAN DIEGO	2019	3700	1,400
7	1 (1000+)	SAN BERNARDINO CO. SHERIFF	SAN BERNARDINO	2019	3600	1,314
8	1 (1000+)	CITY OF SAN JOSE	SANTA CLARA	2019	4313	1,150
9	1 (1000+)	ORANGE CO. SHERIFF	ORANGE	2019	3000	1,090
Total Wave 1						27,044
10	2 (667-999)	SACRAMENTO CO. SHERIFF	SACRAMENTO	2019	3400	865
11	2 (667-999)	CITY OF LONG BEACH	LOS ANGELES	2019	1941	809
12	2 (667-999)	CITY OF FRESNO	FRESNO	2019	1005	806
13	2 (667-999)	CITY OF OAKLAND	ALAMEDA	2019	109	740
14	2 (667-999)	CITY OF SACRAMENTO	SACRAMENTO	2019	3404	678
Total Wave 2						3,898
15	3 (334-666)	ALAMEDA CO. SHERIFF	ALAMEDA	2019	100	522
16	3 (334-666)	SANTA CLARA CO. SHERIFF	SANTA CLARA	2019	4300	481
17	3 (334-666)	CITY OF STOCKTON	SAN JOAQUIN	2019	3905	459
18	3 (334-666)	VENTURA CO. SHERIFF	VENTURA	2019	5600	449
19	3 (334-666)	FRESNO CO. SHERIFF	FRESNO	2019	1000	403
20	3 (334-666)	CITY OF ANAHEIM	ORANGE	2019	3001	395
21	3 (334-666)	CITY OF BAKERSFIELD	KERN	2019	1502	380
22	3 (334-666)	CITY OF RIVERSIDE	RIVERSIDE	2019	3313	366
23	3 (334-666)	SAN FRANCISCO CO. SHERIFF	SAN FRANCISCO	2019	3800	361
24	3 (334-666)	KERN CO. SHERIFF	KERN	2019	1500	343
25	3 (334-666)	CITY OF SANTA ANA	ORANGE	2019	3019	339
Total Wave 3						4,498
26	4 (1-333)	CONTRA COSTA CO. SHERIFF	CONTRA COSTA	2019	700	283
27	4 (1-333)	ONTARIO	SAN BERNARDINO	2019	3607	283
28	4 (1-333)	TULARE CO. SHERIFF	TULARE	2019	5400	283
29	4 (1-333)	SAN JOAQUIN CO. SHERIFF	SAN JOAQUIN	2019	3900	266
30	4 (1-333)	SAN MATEO CO. SHERIFF	SAN MATEO	2019	4100	245

See <https://openjustice.doj.ca.gov/data>

#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
31	4 (1-333)	SANTA BARBARA CO. SHERIFF	SANTA BARBARA	2019	4200	245
32	4 (1-333)	SAN BERNARDINO	SAN BERNARDINO	2019	3610	244
33	4 (1-333)	CHULA VISTA	SAN DIEGO	2019	3702	232
34	4 (1-333)	GLENDALE	LOS ANGELES	2019	1925	231
35	4 (1-333)	OXNARD	VENTURA	2019	5604	230
36	4 (1-333)	STANISLAUS CO. SHERIFF	STANISLAUS	2019	5000	228
37	4 (1-333)	IRVINE	ORANGE	2019	3026	224
38	4 (1-333)	PASADENA	LOS ANGELES	2019	1953	222
39	4 (1-333)	SONOMA CO. SHERIFF	SONOMA	2019	4900	222
40	4 (1-333)	SANTA MONICA	LOS ANGELES	2019	1965	218
41	4 (1-333)	SUNNYVALE	SANTA CLARA	2019	4316	217
42	4 (1-333)	TORRANCE	LOS ANGELES	2019	1972	205
43	4 (1-333)	MODESTO	STANISLAUS	2019	5002	205
44	4 (1-333)	OCEANSIDE	SAN DIEGO	2019	3710	203
45	4 (1-333)	HUNTINGTON BEACH	ORANGE	2019	3010	196
46	4 (1-333)	INGLEWOOD	LOS ANGELES	2019	1933	192
47	4 (1-333)	FONTANA	SAN BERNARDINO	2019	3604	188
48	4 (1-333)	FREMONT	ALAMEDA	2019	105	181
49	4 (1-333)	HAYWARD	ALAMEDA	2019	106	180
50	4 (1-333)	PLACER CO. SHERIFF	PLACER	2019	3100	180
51	4 (1-333)	SANTA ROSA	SONOMA	2019	4905	166
52	4 (1-333)	RICHMOND	CONTRA COSTA	2019	710	163
53	4 (1-333)	GARDEN GROVE	ORANGE	2019	3009	163
54	4 (1-333)	SAN LUIS OBISPO CO. SHERIFF	SAN LUIS OBISPO	2019	4000	161
55	4 (1-333)	BERKELEY	ALAMEDA	2019	103	158
56	4 (1-333)	ESCONDIDO	SAN DIEGO	2019	3706	154
57	4 (1-333)	SANTA CLARA	SANTA CLARA	2019	4314	150
58	4 (1-333)	EL DORADO CO. SHERIFF	EL DORADO	2019	900	149
59	4 (1-333)	POMONA	LOS ANGELES	2019	1955	147
60	4 (1-333)	VISALIA	TULARE	2019	5407	147
61	4 (1-333)	CONCORD	CONTRA COSTA	2019	704	146
62	4 (1-333)	SALINAS	MONTEREY	2019	2708	146
63	4 (1-333)	ORANGE	ORANGE	2019	3015	143

See <https://openjustice.doj.ca.gov/data>

#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
64	4 (1-333)	CORONA	RIVERSIDE	2019	3315	143
65	4 (1-333)	NEWPORT BEACH	ORANGE	2019	3014	142
66	4 (1-333)	SANTA CRUZ CO. SHERIFF	SANTA CRUZ	2019	4400	140
67	4 (1-333)	ELK GROVE	SACRAMENTO	2019	340H	140
68	4 (1-333)	BURBANK	LOS ANGELES	2019	1912	139
69	4 (1-333)	SANTA MARIA	SANTA BARBARA	2019	4204	135
70	4 (1-333)	VENTURA	VENTURA	2019	5608	135
71	4 (1-333)	FULLERTON	ORANGE	2019	3008	134
72	4 (1-333)	SANTA BARBARA	SANTA BARBARA	2019	4203	132
73	4 (1-333)	BEVERLY HILLS	LOS ANGELES	2019	1910	131
74	4 (1-333)	ROSEVILLE	PLACER	2019	3105	130
75	4 (1-333)	COSTA MESA	ORANGE	2019	3004	127
76	4 (1-333)	CARLSBAD	SAN DIEGO	2019	3701	126
77	4 (1-333)	EL CAJON	SAN DIEGO	2019	3705	120
78	4 (1-333)	SOLANO CO. SHERIFF	SOLANO	2019	4800	120
79	4 (1-333)	SIMI VALLEY	VENTURA	2019	5609	119
80	4 (1-333)	EL MONTE	LOS ANGELES	2019	1922	118
81	4 (1-333)	WHITTIER	LOS ANGELES	2019	1976	118
82	4 (1-333)	DOWNEY	LOS ANGELES	2019	1920	117
83	4 (1-333)	MARIN CO. SHERIFF	MARIN	2019	2100	116
84	4 (1-333)	MONTEREY CO. SHERIFF	MONTEREY	2019	2700	116
85	4 (1-333)	FAIRFIELD	SOLANO	2019	4803	116
86	4 (1-333)	CULVER CITY	LOS ANGELES	2019	1918	111
87	4 (1-333)	MERCED CO. SHERIFF	MERCED	2019	2400	110
88	4 (1-333)	VACAVILLE	SOLANO	2019	4806	110
89	4 (1-333)	CHINO	SAN BERNARDINO	2019	3602	109
90	4 (1-333)	ANTIOCH	CONTRA COSTA	2019	701	106
91	4 (1-333)	SAN MATEO	SAN MATEO	2019	4116	103
92	4 (1-333)	RIALTO	SAN BERNARDINO	2019	3609	102
93	4 (1-333)	BUTTE CO. SHERIFF	BUTTE	2019	400	101
94	4 (1-333)	PALM SPRINGS	RIVERSIDE	2019	3311	101
95	4 (1-333)	DALY CITY	SAN MATEO	2019	4106	101
96	4 (1-333)	REDDING	SHASTA	2019	4502	101

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#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
97	4 (1-333)	VALLEJO	SOLANO	2019	4807	101
98	4 (1-333)	CLOVIS	FRESNO	2019	1001	100
99	4 (1-333)	IMPERIAL CO. SHERIFF	IMPERIAL	2019	1300	99
100	4 (1-333)	NAPA CO. SHERIFF	NAPA	2019	2800	99
101	4 (1-333)	MURRIETA	RIVERSIDE	2019	3342	99
102	4 (1-333)	MOUNTAIN VIEW	SANTA CLARA	2019	4311	96
103	4 (1-333)	LIVERMORE	ALAMEDA	2019	107	95
104	4 (1-333)	CHICO	BUTTE	2019	402	95
105	4 (1-333)	HUMBOLDT CO. SHERIFF	HUMBOLDT	2019	1200	93
106	4 (1-333)	MERCED	MERCED	2019	2406	93
107	4 (1-333)	REDONDO BEACH	LOS ANGELES	2019	1956	91
108	4 (1-333)	TUSTIN	ORANGE	2019	3022	90
109	4 (1-333)	HEMET	RIVERSIDE	2019	3308	90
110	4 (1-333)	GARDENA	LOS ANGELES	2019	1924	89
111	4 (1-333)	BUENA PARK	ORANGE	2019	3003	89
112	4 (1-333)	WEST COVINA	LOS ANGELES	2019	1975	88
113	4 (1-333)	MILPITAS	SANTA CLARA	2019	4308	88
114	4 (1-333)	SAN LEANDRO	ALAMEDA	2019	112	87
115	4 (1-333)	HAWTHORNE	LOS ANGELES	2019	1928	87
116	4 (1-333)	MADERA CO. SHERIFF	MADERA	2019	2000	86
117	4 (1-333)	TRACY	STOCKTON	2019	3906	86
118	4 (1-333)	KINGS CO. SHERIFF	KINGS	2019	1600	85
119	4 (1-333)	REDLANDS	SAN BERNARDINO	2019	3608	85
120	4 (1-333)	CITRUS HEIGHTS	SACRAMENTO	2019	3496	84
121	4 (1-333)	NATIONAL CITY	SAN DIEGO	2019	3709	84
122	4 (1-333)	REDWOOD CITY	SAN MATEO	2019	4113	84
123	4 (1-333)	YOLO CO. SHERIFF	YOLO	2019	5700	83
124	4 (1-333)	PITTSBURG	CONTRA COSTA	2019	708	82
125	4 (1-333)	WALNUT CREEK	CONTRA COSTA	2019	712	82
126	4 (1-333)	SANTA CRUZ	SANTA CRUZ	2019	4402	81
127	4 (1-333)	SOUTH SAN FRANCISCO	SAN MATEO	2019	4117	80
128	4 (1-333)	WESTMINSTER	ORANGE	2019	3024	79
129	4 (1-333)	PLEASANTON	ALAMEDA	2019	111	77

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#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
130	4 (1-333)	PALO ALTO	SANTA CLARA	2019	4312	77
131	4 (1-333)	ALHAMBRA	LOS ANGELES	2019	1901	76
132	4 (1-333)	WATSONVILLE	SANTA CRUZ	2019	4403	75
133	4 (1-333)	ROHNERT PARK	SONOMA	2019	4904	75
134	4 (1-333)	TURLOCK	STANISLAUS	2019	5007	75
135	4 (1-333)	ALAMEDA	ALAMEDA	2019	101	74
136	4 (1-333)	FOLSOM	SACRAMENTO	2019	3401	74
137	4 (1-333)	LODI	SAN JOAQUIN	2019	3902	74
138	4 (1-333)	MANTECA	SAN JOAQUIN	2019	3903	74
139	4 (1-333)	MONTEBELLO	LOS ANGELES	2019	1947	72
140	4 (1-333)	SOUTH GATE	LOS ANGELES	2019	1969	72
141	4 (1-333)	NAPA	NAPA	2019	2802	72
142	4 (1-333)	UNION CITY	ALAMEDA	2019	113	71
143	4 (1-333)	UPLAND	SAN BERNARDINO	2019	3611	71
144	4 (1-333)	BALDWIN PARK	LOS ANGELES	2019	1906	70
145	4 (1-333)	MENDOCINO CO. SHERIFF	MENDOCINO	2019	2300	70
146	4 (1-333)	MONTEREY PARK	LOS ANGELES	2019	1948	69
147	4 (1-333)	LA HABRA	ORANGE	2019	3012	69
148	4 (1-333)	SHASTA CO. SHERIFF	SHASTA	2019	4500	69
149	4 (1-333)	WEST SACRAMENTO	YOLO	2019	5704	69
150	4 (1-333)	INDIO	RIVERSIDE	2019	3309	68
151	4 (1-333)	TULARE	TULARE	2019	5406	67
152	4 (1-333)	SAN RAMON	CONTRA COSTA	2019	724	66
153	4 (1-333)	ARCADIA	LOS ANGELES	2019	1902	66
154	4 (1-333)	MADERA	MADERA	2019	2002	66
155	4 (1-333)	PORTERVILLE	TULARE	2019	5405	65
156	4 (1-333)	WOODLAND	YOLO	2019	5703	65
157	4 (1-333)	GILROY	SANTA CLARA	2019	4304	64
158	4 (1-333)	PETALUMA	SONOMA	2019	4908	63
159	4 (1-333)	MANHATTAN BEACH	LOS ANGELES	2019	1944	62
160	4 (1-333)	LA MESA	SAN DIEGO	2019	3708	62
161	4 (1-333)	EL SEGUNDO	LOS ANGELES	2019	1923	61
162	4 (1-333)	SAN LUIS OBISPO	SAN LUIS OBISPO	2019	4006	61

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#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
163	4 (1-333)	BRENTWOOD	CONTRA COSTA	2019	702	60
164	4 (1-333)	SAN RAFAEL	MARIN	2019	2109	60
165	4 (1-333)	TUOLUMNE CO. SHERIFF	TUOLUMNE	2019	5500	60
166	4 (1-333)	FOUNTAIN VALLEY	ORANGE	2019	3007	59
167	4 (1-333)	YUBA CITY	SUTTER	2019	5102	59
168	4 (1-333)	HANFORD	KINGS	2019	1602	58
169	4 (1-333)	NOVATO	MARIN	2019	2106	58
170	4 (1-333)	ROCKLIN	PLACER	2019	3104	58
171	4 (1-333)	SAN PABLO	CONTRA COSTA	2019	711	57
172	4 (1-333)	NEVADA CO. SHERIFF	NEVADA	2019	2900	57
173	4 (1-333)	DAVIS	YOLO	2019	5701	57
174	4 (1-333)	YUBA CO. SHERIFF	YUBA	2019	5800	57
175	4 (1-333)	CALAVERAS CO. SHERIFF	CALAVERAS	2019	500	56
176	4 (1-333)	AZUZA	LOS ANGELES	2019	1905	56
177	4 (1-333)	HUNTINGTON PARK	LOS ANGELES	2019	1931	56
178	4 (1-333)	BREA	ORANGE	2019	3002	56
179	4 (1-333)	LAGUNA BEACH	ORANGE	2019	3011	54
180	4 (1-333)	NEWARK	ALAMEDA	2019	108	53
181	4 (1-333)	COVINA	LOS ANGELES	2019	1916	52
182	4 (1-333)	COLTON	SAN BERNARDINO	2019	3603	52
183	4 (1-333)	DELANO	KERN	2019	1503	51
184	4 (1-333)	SAN GABRIEL	LOS ANGELES	2019	1962	51
185	4 (1-333)	CYPRESS	ORANGE	2019	3005	51
186	4 (1-333)	GLENDORA	LOS ANGELES	2019	1926	50
187	4 (1-333)	CATHEDRAL CITY	RIVERSIDE	2019	3325	50
188	4 (1-333)	LAKE CO. SHERIFF	LAKE	2019	1700	49
189	4 (1-333)	MONTEREY	MONTEREY	2019	2706	49
190	4 (1-333)	CERES	STANISLAUS	2019	5001	49
191	4 (1-333)	SUTTER CO. SHERIFF	SUTTER	2019	5100	49
192	4 (1-333)	AMADOR CO. SHERIFF	AMADOR	2019	300	48
193	4 (1-333)	MENLO PARK	SAN MATEO	2019	4109	48
194	4 (1-333)	EUREKA	HUMBOLDT	2019	1203	47
195	4 (1-333)	CORONADO	SAN DIEGO	2019	3703	47

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#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
196	4 (1-333)	BELL GARDENS	LOS ANGELES	2019	1909	46
197	4 (1-333)	MONROVIA	LOS ANGELES	2019	1946	46
198	4 (1-333)	SISKIYOU CO. SHERIFF	SISKIYOU	2019	4700	46
199	4 (1-333)	SAN BRUNO	SAN MATEO	2019	4114	45
200	4 (1-333)	PLEASANT HILL	CONTRA COSTA	2019	709	44
201	4 (1-333)	EL CENTRO	IMPERIAL	2019	1304	44
202	4 (1-333)	MONTCLAIR	SAN BERNARDINO	2019	3605	44
203	4 (1-333)	CAMPBELL	SANTA CLARA	2019	4302	44
204	4 (1-333)	PLACENTIA	ORANGE	2019	3016	43
205	4 (1-333)	BEAUMONT	RIVERSIDE	2019	3302	43
206	4 (1-333)	MARIPOSA CO. SHERIFF	MARIPOSA	2019	2200	42
207	4 (1-333)	VERNON	LOS ANGELES	2019	1973	41
208	4 (1-333)	MORGAN HILL	SANTA CLARA	2019	4310	41
209	4 (1-333)	EMERYVILLE	ALAMEDA	2019	104	39
210	4 (1-333)	SANGER	FRESNO	2019	1013	39
211	4 (1-333)	CLAREMONT	LOS ANGELES	2019	1913	39
212	4 (1-333)	BARSTOW	SAN BERNARDINO	2019	3601	39
213	4 (1-333)	SOUTH LAKE TAHOE	EL DORADO	2019	902	38
214	4 (1-333)	SEAL BEACH	ORANGE	2019	3020	38
215	4 (1-333)	BURLINGAME	SAN MATEO	2019	4104	38
216	4 (1-333)	EL CERRITO	CONTRA COSTA	2019	705	37
217	4 (1-333)	LA VERNE	LOS ANGELES	2019	1938	37
218	4 (1-333)	LOMPOC	SANTA BARBARA	2019	4202	37
219	4 (1-333)	LOS GATOS	SANTA CLARA	2019	4307	37
220	4 (1-333)	SELMA	FRESNO	2019	1015	36
221	4 (1-333)	LOS BANOS	MERCED	2019	2405	36
222	4 (1-333)	PASO ROBLES	SAN LUIS OBISPO	2019	4004	36
223	4 (1-333)	PLUMAS CO. SHERIFF	PLUMAS	2019	3200	35
224	4 (1-333)	FOSTER CITY	SAN MATEO	2019	4120	35
225	4 (1-333)	EAST PALO ALTO	SAN MATEO	2019	4127	34
226	4 (1-333)	TEHAMA CO. SHERIFF	TEHAMA	2019	5200	34
227	4 (1-333)	DINUBA	TULARE	2019	5401	34
228	4 (1-333)	LEMOORE	KINGS	2019	1603	33

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#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
229	4 (1-333)	SOUTH PASADENA	LOS ANGELES	2019	1970	33
230	4 (1-333)	SEASIDE	MONTEREY	2019	2710	33
231	4 (1-333)	GALT	SACRAMENTO	2019	3402	33
232	4 (1-333)	HOLLISTER	SAN BENITO	2019	3501	33
233	4 (1-333)	MARTINEZ	CONTRA COSTA	2019	714	32
234	4 (1-333)	GLENN CO. SHERIFF	GLENN	2019	1100	32
235	4 (1-333)	HERMOSA BEACH	LOS ANGELES	2019	1929	32
236	4 (1-333)	SIGNAL HILL	LOS ANGELES	2019	1967	32
237	4 (1-333)	PACIFICA	SAN MATEO	2019	4111	32
238	4 (1-333)	SANTA PAULA	VENTURA	2019	5606	32
239	4 (1-333)	RIDGECREST	KERN	2019	1506	31
240	4 (1-333)	LASSEN CO. SHERIFF	LASSEN	2019	1800	31
241	4 (1-333)	SAN FERNANDO	LOS ANGELES	2019	1961	31
242	4 (1-333)	BELMONT	SAN MATEO	2019	4102	30
243	4 (1-333)	LOS ALTOS	SANTA CLARA	2019	4305	30
244	4 (1-333)	ARCATA	HUMBOLDT	2019	1201	29
245	4 (1-333)	BELL	LOS ANGELES	2019	1907	29
246	4 (1-333)	GRASS VALLEY	NEVADA	2019	2901	29
247	4 (1-333)	REEDLEY	FRESNO	2019	1012	28
248	4 (1-333)	ATASCADERO	SAN LUIS OBISPO	2019	4008	28
249	4 (1-333)	BENICIA	SOLANO	2019	4801	28
250	4 (1-333)	COLUSA CO. SHERIFF	COLUSA	2019	600	27
251	4 (1-333)	IRWINDALE	LOS ANGELES	2019	1934	27
252	4 (1-333)	MARINA	MONTEREY	2019	2712	27
253	4 (1-333)	PINOLE	CONTRA COSTA	2019	707	26
254	4 (1-333)	BRAWLEY	IMPERIAL	2019	1301	26
255	4 (1-333)	SHAFTER	KERN	2019	1507	26
256	4 (1-333)	SAN MARINO	LOS ANGELES	2019	1963	26
257	4 (1-333)	UKIAH	MENDOCINO	2019	2303	26
258	4 (1-333)	BANNING	RIVERSIDE	2019	3301	26
259	4 (1-333)	ARROYO GRANDE	SAN LUIS OBISPO	2019	4001	26
260	4 (1-333)	ATWATER	MERCED	2019	2401	25
261	4 (1-333)	DIXON	SOLANO	2019	4802	25

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#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
262	4 (1-333)	RED BLUFF	TEHAMA	2019	5202	25
263	4 (1-333)	HERCULES	CONTRA COSTA	2019	706	24
264	4 (1-333)	TRUCKEE	NEVADA	2019	2908	24
265	4 (1-333)	HILSBOROUGH	SAN MATEO	2019	4108	24
266	4 (1-333)	CLEARLAKE	LAKE	2019	1702	23
267	4 (1-333)	DESERT HOT SPRINGS	RIVERSIDE	2019	3306	23
268	4 (1-333)	ALBANY	ALAMEDA	2019	102	22
269	4 (1-333)	GREENFIELD	MONTEREY	2019	2704	22
270	4 (1-333)	SAN BENITO CO. SHERIFF	SAN BENITO	2019	3500	22
271	4 (1-333)	OAKDALE	STANISLAUS	2019	5004	22
272	4 (1-333)	OROVILLE	BUTTE	2019	404	21
273	4 (1-333)	MILL VALLEY	MARIN	2019	2105	21
274	4 (1-333)	PACIFIC GROVE	MONTEREY	2019	2707	21
275	4 (1-333)	LINCOLN	PLACER	2019	3103	21
276	4 (1-333)	RIPON	SAN JOAQUIN	2019	3904	21
277	4 (1-333)	PISMO BEACH	SAN LUIS OBISPO	2019	4005	21
278	4 (1-333)	DEL NORTE CO. SHERIFF	DEL NORTE	2019	800	20
279	4 (1-333)	CALEXICO	IMPERIAL	2019	1302	20
280	4 (1-333)	INYO CO. SHERIFF	INYO	2019	1400	20
281	4 (1-333)	PALOS VERDES ESTATES	LOS ANGELES	2019	1951	20
282	4 (1-333)	LIVINGSTON	MERCED	2019	2404	20
283	4 (1-333)	MONO CO. SHERIFF	MONO	2019	2600	20
284	4 (1-333)	LA PALMA	ORANGE	2019	3006	20
285	4 (1-333)	AUBURN	PLACER	2019	3101	20
286	4 (1-333)	CAPITOLA	SANTA CRUZ	2019	4401	20
287	4 (1-333)	ANDERSON	SHASTA	2019	4501	20
288	4 (1-333)	SUISUN	SOLANO	2019	4805	20
289	4 (1-333)	IMPERIAL	IMPERIAL	2019	1306	19
290	4 (1-333)	CORCORAN	KINGS	2019	1601	19
291	4 (1-333)	COLMA	SAN MATEO	2019	4105	19
292	4 (1-333)	SHASTA COUNTY MARSHAL	SHASTA	2019	4591	19
293	4 (1-333)	TRINITY CO. SHERIFF	TRINITY	2019	5300	19
294	4 (1-333)	PORT HUENEME	VENTURA	2019	5605	19

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#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
295	4 (1-333)	PLACERVILLE	EL DORADO	2019	901	18
296	4 (1-333)	ARVIN	KERN	2019	1501	18
297	4 (1-333)	CHOWCHILLA	MADERA	2019	2001	18
298	4 (1-333)	BLYTHE	RIVERSIDE	2019	3303	18
299	4 (1-333)	MARYSVILLE	YUBA	2019	5801	18
300	4 (1-333)	PIEDMONT	ALAMEDA	2019	110	17
301	4 (1-333)	KERMAN	FRESNO	2019	1007	17
302	4 (1-333)	KINGSBURG	FRESNO	2019	1008	17
303	4 (1-333)	PARLIER	FRESNO	2019	1011	17
304	4 (1-333)	TEHACHAPI	KERN	2019	1509	17
305	4 (1-333)	AVENAL	KINGS	2019	1607	17
306	4 (1-333)	SAUSALITO	MARIN	2019	2110	17
307	4 (1-333)	KING CITY	MONTEREY	2019	2705	17
308	4 (1-333)	LOS ALAMITOS	ORANGE	2019	3013	17
309	4 (1-333)	GROVER BEACH	SAN LUIS OBISPO	2019	4002	17
310	4 (1-333)	ATHERTON	SAN MATEO	2019	4101	17
311	4 (1-333)	SCOTTS VALLEY	SANTA CRUZ	2019	4404	17
312	4 (1-333)	HEALDSBURG	SONOMA	2019	4903	17
313	4 (1-333)	EXETER	TULARE	2019	5402	17
314	4 (1-333)	FORTUNA	HUMBOLDT	2019	1205	16
315	4 (1-333)	SUSANVILLE	LASSEN	2019	1801	16
316	4 (1-333)	SOLEDAD	MONTEREY	2019	2711	16
317	4 (1-333)	SIERRA MADRE	LOS ANGELES	2019	1966	15
318	4 (1-333)	FORT BRAGG	MENDOCINO	2019	2301	15
319	4 (1-333)	MORRO BAY	SAN LUIS OBISPO	2019	4003	15
320	4 (1-333)	LINDSAY	TULARE	2019	5404	15
321	4 (1-333)	COALINGA	FRESNO	2019	1002	14
322	4 (1-333)	MENDOTA	FRESNO	2019	1009	14
323	4 (1-333)	TAFT	KERN	2019	1508	14
324	4 (1-333)	CARMEL	MONTEREY	2019	2701	14
325	4 (1-333)	YREKA	SISKIYOU	2019	4709	14
326	4 (1-333)	SEBASTOPOL	SONOMA	2019	4906	14
327	4 (1-333)	FARMERSVILLE	TULARE	2019	5403	14

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#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
328	4 (1-333)	ALPINE CO. SHERIFF	ALPINE	2019	200	13
329	4 (1-333)	HURON	FRESNO	2019	1006	13
330	4 (1-333)	TIBURON	MARIN	2019	2111	13
331	4 (1-333)	BRISBANE	SAN MATEO	2019	4103	13
332	4 (1-333)	CLOVERDALE	SONOMA	2019	4901	13
333	4 (1-333)	NEWMAN	STANISLAUS	2019	5003	13
334	4 (1-333)	CORNING	TEHAMA	2019	5201	13
335	4 (1-333)	GRIDLEY	BUTTE	2019	403	12
336	4 (1-333)	FOWLER	FRESNO	2019	1004	12
337	4 (1-333)	BISHOP	INYO	2019	1401	12
338	4 (1-333)	MAMMOTH LAKES	MONO	2019	2601	12
339	4 (1-333)	GONZALES	MONTEREY	2019	2703	12
340	4 (1-333)	COTATI	SONOMA	2019	4902	12
341	4 (1-333)	PARADISE	BUTTE	2019	405	11
342	4 (1-333)	WILLIAMS	COLUSA	2019	602	11
343	4 (1-333)	MORAGA	CONTRA COSTA	2019	716	11
344	4 (1-333)	CRESCENT CITY	DEL NORTE	2019	801	11
345	4 (1-333)	FIREBAUGH	FRESNO	2019	1003	11
346	4 (1-333)	ORANGE COVE	FRESNO	2019	1010	11
347	4 (1-333)	ORLAND	GLENN	2019	1101	11
348	4 (1-333)	LAKEPORT	LAKE	2019	1701	11
349	4 (1-333)	FAIRFAX	MARIN	2019	2103	11
350	4 (1-333)	MODOC CO. SHERIFF	MODOC	2019	2500	11
351	4 (1-333)	ST. HELENA	NAPA	2019	2803	11
352	4 (1-333)	ESCALON	SAN JOAQUIN	2019	3901	11
353	4 (1-333)	GUADALUPE	SANTA BARBARA	2019	4201	11
354	4 (1-333)	WOODLAKE	TULARE	2019	5408	11
355	4 (1-333)	WINTERS	YOLO	2019	5702	11
356	4 (1-333)	CLAYTON	CONTRA COSTA	2019	703	10
357	4 (1-333)	CALIFORNIA CITY	KERN	2019	1511	10
358	4 (1-333)	DEL REY OAKS	MONTEREY	2019	2702	10
359	4 (1-333)	SAND CITY	MONTEREY	2019	2709	10
360	4 (1-333)	NEVADA CITY	NEVADA	2019	2902	10

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#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
361	4 (1-333)	BROADMOOR	SAN MATEO	2019	4119	10
362	4 (1-333)	RIO VISTA	SOLANO	2019	4804	10
363	4 (1-333)	SONORA	TUOLUMNE	2019	5501	10
364	4 (1-333)	IONE	AMADOR	2019	302	9
365	4 (1-333)	JACKSON	AMADOR	2019	303	9
366	4 (1-333)	DOS PALOS	MERCED	2019	2402	9
367	4 (1-333)	WEED	SISKIYOU	2019	4708	9
368	4 (1-333)	MCFARLAND	KERN	2019	1505	8
369	4 (1-333)	ROSS	MARIN	2019	2107	8
370	4 (1-333)	WILLITS	MENDOCINO	2019	2304	8
371	4 (1-333)	CALISTOGA	NAPA	2019	2801	8
372	4 (1-333)	MOUNT SHASTA	SISKIYOU	2019	4706	8
373	4 (1-333)	WHEATLAND	YUBA	2019	5802	8
374	4 (1-333)	ANGELS CAMP	CALAVERAS	2019	501	7
375	4 (1-333)	KENSINGTON	CONTRA COSTA	2019	713	7
376	4 (1-333)	BELVEDERE	MARIN	2019	2101	7
377	4 (1-333)	ALTURAS	MODOC	2019	2501	7
378	4 (1-333)	COLUSA	COLUSA	2019	601	6
379	4 (1-333)	RIO DELL	HUMBOLDT	2019	1207	6
380	4 (1-333)	GUSTINE	MERCED	2019	2403	6
381	4 (1-333)	SIERRA CO. SHERIFF	SIERRA	2019	4600	6
382	4 (1-333)	FERNDALE	HUMBOLDT	2019	1204	5
383	4 (1-333)	CALIPATRIA	IMPERIAL	2019	1303	5
384	4 (1-333)	WESTMORLAND	IMPERIAL	2019	1307	5
385	4 (1-333)	BEAR VALLEY	KERN	2019	1515	5
386	4 (1-333)	SUTTER CREEK	AMADOR	2019	305	4
387	4 (1-333)	ETNA	SISKIYOU	2019	4703	3
388	4 (1-333)	TULELAKE	SISKIYOU	2019	4707	3
389	4 (1-333)	STALLION SPRINGS	KERN	2019	1514	2
390	4 (1-333)	LAKE SHASTINA	SISKIYOU	2019	4710	2
Total Wave 4						22,614
Total Waves 1-4						35,440

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#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
1	UNKNOWN	DUBLIN	ALAMEDA	NL	130	NOT LISTED
2	UNKNOWN	AMADOR	AMADOR	NL	301	NOT LISTED
3	UNKNOWN	PLYMOUTH	AMADOR	NL	304	NOT LISTED
4	UNKNOWN	BIGGS	BUTTE	NL	401	NOT LISTED
5	UNKNOWN	DANVILLE	CONTRA COSTA	NL	723	NOT LISTED
6	UNKNOWN	OAKLEY	CONTRA COSTA	NL	734	NOT LISTED
7	UNKNOWN	ORINDA	CONTRA COSTA	NL	726	NOT LISTED
8	UNKNOWN	WILLOWS	GLENN	NL	1102	NOT LISTED
9	UNKNOWN	BLUE LAKE	HUMBOLDT	NL	1202	NOT LISTED
10	UNKNOWN	TRINIDAD	HUMBOLDT	NL	1206	NOT LISTED
11	UNKNOWN	HOLTVILLE	IMPERIAL	NL	1305	NOT LISTED
12	UNKNOWN	CHINA LAKE	KERN	NL	1513	NOT LISTED
13	UNKNOWN	MARICOPA	KERN	NL	1504	NOT LISTED
14	UNKNOWN	WASCO	KERN	NL	1510	NOT LISTED
15	UNKNOWN	AGOURA HILLS	LOS ANGELES	NL	191F	NOT LISTED
16	UNKNOWN	AVALON	LOS ANGELES	NL	1904	NOT LISTED
17	UNKNOWN	BELLFLOWER	LOS ANGELES	NL	1908	NOT LISTED
18	UNKNOWN	BRADBURY	LOS ANGELES	NL	1911	NOT LISTED
19	UNKNOWN	CALABASAS	LOS ANGELES	NL	192H	NOT LISTED
20	UNKNOWN	CARSON	LOS ANGELES	NL	1977	NOT LISTED
21	UNKNOWN	CERRITOS	LOS ANGELES	NL	1919	NOT LISTED
22	UNKNOWN	COMMERCE	LOS ANGELES	NL	1914	NOT LISTED
23	UNKNOWN	COMPTON	LOS ANGELES	NL	1915	NOT LISTED
24	UNKNOWN	CUDAHY	LOS ANGELES	NL	1917	NOT LISTED
25	UNKNOWN	DIAMOND BAR	LOS ANGELES	NL	191W	NOT LISTED
26	UNKNOWN	DUARTE	LOS ANGELES	NL	1921	NOT LISTED
27	UNKNOWN	HAWAIIAN GARDENS	LOS ANGELES	NL	1927	NOT LISTED
28	UNKNOWN	HIDDEN HILLS	LOS ANGELES	NL	1930	NOT LISTED
29	UNKNOWN	INDUSTRY	LOS ANGELES	NL	1932	NOT LISTED
30	UNKNOWN	LA CANADA-FLINTRIDGE	LOS ANGELES	NL	1990	NOT LISTED
31	UNKNOWN	LA HABRA HEIGHTS	LOS ANGELES	NL	190D	NOT LISTED
32	UNKNOWN	LA MIRADA	LOS ANGELES	NL	1936	NOT LISTED
33	UNKNOWN	LA PUENTE	LOS ANGELES	NL	1937	NOT LISTED

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#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
34	UNKNOWN	LAKEWOOD	LOS ANGELES	NL	1935	NOT LISTED
35	UNKNOWN	LANCASTER	LOS ANGELES	NL	1996	NOT LISTED
36	UNKNOWN	LAWNDALE	LOS ANGELES	NL	1939	NOT LISTED
37	UNKNOWN	LOMITA	LOS ANGELES	NL	1940	NOT LISTED
38	UNKNOWN	LYNWOOD	LOS ANGELES	NL	1943	NOT LISTED
39	UNKNOWN	MALIBU	LOS ANGELES	NL	192J	NOT LISTED
40	UNKNOWN	MAYWOOD	LOS ANGELES	NL	1945	NOT LISTED
41	UNKNOWN	NORWALK	LOS ANGELES	NL	1949	NOT LISTED
42	UNKNOWN	PALMDALE	LOS ANGELES	NL	1950	NOT LISTED
43	UNKNOWN	PARAMOUNT	LOS ANGELES	NL	1952	NOT LISTED
44	UNKNOWN	PICO RIVERA	LOS ANGELES	NL	1954	NOT LISTED
45	UNKNOWN	RANCHO PALOS VERDES	LOS ANGELES	NL	1980	NOT LISTED
46	UNKNOWN	ROLLING HILLS	LOS ANGELES	NL	1957	NOT LISTED
47	UNKNOWN	ROLLING HILLS ESTATES	LOS ANGELES	NL	1958	NOT LISTED
48	UNKNOWN	ROSEMEAD	LOS ANGELES	NL	1959	NOT LISTED
49	UNKNOWN	SAN DIMAS	LOS ANGELES	NL	1960	NOT LISTED
50	UNKNOWN	SANTA CLARITA	LOS ANGELES	NL	191P	NOT LISTED
51	UNKNOWN	SANTA CLARITA	LOS ANGELES	NL	191R	NOT LISTED
52	UNKNOWN	SANTA FE SPRINGS	LOS ANGELES	NL	1964	NOT LISTED
53	UNKNOWN	SOUTH EL MONTE	LOS ANGELES	NL	1968	NOT LISTED
54	UNKNOWN	WALNUT	LOS ANGELES	NL	1974	NOT LISTED
55	UNKNOWN	WEST HOLLYWOOD	LOS ANGELES	NL	191H	NOT LISTED
56	UNKNOWN	WESTLAKE VILLAGE	LOS ANGELES	NL	190X	NOT LISTED
57	UNKNOWN	CORTE MADERA	MARIN	NL	2102	NOT LISTED
58	UNKNOWN	SAN ANSELMO	MARIN	NL	2108	NOT LISTED
59	UNKNOWN	TWIN CITIES	MARIN	NL	2104	NOT LISTED
60	UNKNOWN	POINT ARENA	MENDOCINO	NL	2302	NOT LISTED
61	UNKNOWN	AMERICAN CANYON	NAPA	NL	2809	NOT LISTED
62	UNKNOWN	YOUNTVILLE	NAPA	NL	2810	NOT LISTED
63	UNKNOWN	ALISO VIEJO	ORANGE	NL	3049	NOT LISTED
64	UNKNOWN	DANA POINT	ORANGE	NL	3036	NOT LISTED
65	UNKNOWN	LAGUNA HILLS	ORANGE	NL	3042	NOT LISTED
66	UNKNOWN	LAGUNA NIGUEL	ORANGE	NL	3039	NOT LISTED

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#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
67	UNKNOWN	LAGUNA WOODS	ORANGE	NL	3047	NOT LISTED
68	UNKNOWN	LAKE FOREST	ORANGE	NL	3043	NOT LISTED
69	UNKNOWN	MISSION VIEJO	ORANGE	NL	3035	NOT LISTED
70	UNKNOWN	RANCHO SANTA MARGARITA	ORANGE	NL	3048	NOT LISTED
71	UNKNOWN	SAN CLEMENTE	ORANGE	NL	3017	NOT LISTED
72	UNKNOWN	SAN JUAN CAPISTRANO	ORANGE	NL	3018	NOT LISTED
73	UNKNOWN	STANTON	ORANGE	NL	3021	NOT LISTED
74	UNKNOWN	VILLA PARK	ORANGE	NL	3023	NOT LISTED
75	UNKNOWN	YORBA LINDA	ORANGE	NL	3025	NOT LISTED
76	UNKNOWN	COLFAX	PLACER	NL	3102	NOT LISTED
77	UNKNOWN	PORTOLA	PLUMAS	NL	3201	NOT LISTED
78	UNKNOWN	CALIMESA	RIVERSIDE	NL	3340	NOT LISTED
79	UNKNOWN	CANYON LAKE	RIVERSIDE	NL	3341	NOT LISTED
80	UNKNOWN	COACHELLA	RIVERSIDE	NL	3305	NOT LISTED
81	UNKNOWN	EASTVALE	RIVERSIDE	NL	3379	NOT LISTED
82	UNKNOWN	ELSINORE	RIVERSIDE	NL	3307	NOT LISTED
83	UNKNOWN	INDIAN WELLS	RIVERSIDE	NL	3316	NOT LISTED
84	UNKNOWN	JARUPA VALLEY	RIVERSIDE	NL	33A0	NOT LISTED
85	UNKNOWN	LA QUINTA	RIVERSIDE	NL	3331	NOT LISTED
86	UNKNOWN	LAKE ELSINORE	RIVERSIDE	NL	3330	NOT LISTED
87	UNKNOWN	MENIFEE	RIVERSIDE	NL	3378	NOT LISTED
88	UNKNOWN	MORENO VALLEY	RIVERSIDE	NL	3332	NOT LISTED
89	UNKNOWN	NORCO	RIVERSIDE	NL	3310	NOT LISTED
90	UNKNOWN	PALM DESERT	RIVERSIDE	NL	3318	NOT LISTED
91	UNKNOWN	PERRIS	RIVERSIDE	NL	3312	NOT LISTED
92	UNKNOWN	RANCHO MIRAGE	RIVERSIDE	NL	3317	NOT LISTED
93	UNKNOWN	SAN JACINTO	RIVERSIDE	NL	3314	NOT LISTED
94	UNKNOWN	TEMECULA	RIVERSIDE	NL	3338	NOT LISTED
95	UNKNOWN	WILDOMAR	RIVERSIDE	NL	3377	NOT LISTED
96	UNKNOWN	ISLETON	SACRAMENTO	NL	3403	NOT LISTED
97	UNKNOWN	RANCHO CORDOVA	SACRAMENTO	NL	3455	NOT LISTED
98	UNKNOWN	SAN JUAN BAUTISTO	SAN BENITO	NL	3502	NOT LISTED
99	UNKNOWN	ADELANTO	SAN BERNARDINO	NL	3613	NOT LISTED

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#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
100	UNKNOWN	APPLE VALLEY	SAN BERNARDINO	NL	3633	NOT LISTED
101	UNKNOWN	BIG BEAR	SAN BERNARDINO	NL	3620	NOT LISTED
102	UNKNOWN	CHINO HILLS	SAN BERNARDINO	NL	3640	NOT LISTED
103	UNKNOWN	GRAND TERRACE	SAN BERNARDINO	NL	3621	NOT LISTED
104	UNKNOWN	HESPERIA	SAN BERNARDINO	NL	3632	NOT LISTED
105	UNKNOWN	HIGHLAND	SAN BERNARDINO	NL	3630	NOT LISTED
106	UNKNOWN	LOMA LINDA	SAN BERNARDINO	NL	3622	NOT LISTED
107	UNKNOWN	NEEDLES	SAN BERNARDINO	NL	3606	NOT LISTED
108	UNKNOWN	TWENTYNINE PALMS	SAN BERNARDINO	NL	3631	NOT LISTED
109	UNKNOWN	VICTORVILLE	SAN BERNARDINO	NL	3612	NOT LISTED
110	UNKNOWN	YUCAIPA	SAN BERNARDINO	NL	3635	NOT LISTED
111	UNKNOWN	YUCCA VALLEY	SAN BERNARDINO	NL	3641	NOT LISTED
112	UNKNOWN	DEL MAR	SAN DIEGO	NL	3704	NOT LISTED
113	UNKNOWN	ENCINITAS	SAN DIEGO	NL	37A4	NOT LISTED
114	UNKNOWN	IMPERIAL BEACH	SAN DIEGO	NL	3707	NOT LISTED
115	UNKNOWN	LEMON GROVE	SAN DIEGO	NL	37A1	NOT LISTED
116	UNKNOWN	POWAY	SAN DIEGO	NL	37A3	NOT LISTED
117	UNKNOWN	SANTEE	SAN DIEGO	NL	37A2	NOT LISTED
118	UNKNOWN	SOLANA BEACH	SAN DIEGO	NL	37A5	NOT LISTED
119	UNKNOWN	VISTA	SAN DIEGO	NL	3713	NOT LISTED
120	UNKNOWN	HALF MOON BAY	SAN MATEO	NL	4107	NOT LISTED
121	UNKNOWN	MILLBRAE	SAN MATEO	NL	4110	NOT LISTED
122	UNKNOWN	SAN CARLOS	SAN MATEO	NL	4115	NOT LISTED
123	UNKNOWN	BUELTON	SANTA BARBARA	NL	4212	NOT LISTED
124	UNKNOWN	CARPINTERIA	SANTA BARBARA	NL	4205	NOT LISTED
125	UNKNOWN	GOLETA	SANTA BARBARA	NL	4214	NOT LISTED
126	UNKNOWN	SOLVANG	SANTA BARBARA	NL	4210	NOT LISTED
127	UNKNOWN	CUPERTINO	SANTA CLARA	NL	4303	NOT LISTED
128	UNKNOWN	LOS ALTOS HILLS	SANTA CLARA	NL	4306	NOT LISTED
129	UNKNOWN	MONTE SERENO	SANTA CLARA	NL	4309	NOT LISTED
130	UNKNOWN	SARATOGA	SANTA CLARA	NL	4315	NOT LISTED
131	UNKNOWN	LOYALTON	SIERRA	NL	4601	NOT LISTED
132	UNKNOWN	DORRIS	SISKIYOU	NL	4701	NOT LISTED

See <https://openjustice.doj.ca.gov/data>

#	WAVE	NAME	COUNTY	YEAR	NCIC_AGENCY	FUNDED_NON_JAIL_SWORN_TOTAL
133	UNKNOWN	DUNSMUIR	SISKIYOU	NL	4702	NOT LISTED
134	UNKNOWN	FORT JONES	SISKIYOU	NL	4704	NOT LISTED
135	UNKNOWN	MONTAGUE	SISKIYOU	NL	4705	NOT LISTED
136	UNKNOWN	SONOMA	SONOMA	NL	4907	NOT LISTED
137	UNKNOWN	WINDSOR	SONOMA	NL	4915	NOT LISTED
138	UNKNOWN	HUGHSON	STANISLAUS	NL	5009	NOT LISTED
139	UNKNOWN	PATTERSON	STANISLAUS	NL	5005	NOT LISTED
140	UNKNOWN	RIVERBANK	STANISLAUS	NL	5006	NOT LISTED
141	UNKNOWN	WATERFORD	STANISLAUS	NL	5008	NOT LISTED
142	UNKNOWN	TEHAMA	TEHAMA	NL	5203	NOT LISTED
143	UNKNOWN	CAMARILLO	VENTURA	NL	5601	NOT LISTED
144	UNKNOWN	FILLMORE	VENTURA	NL	5602	NOT LISTED
145	UNKNOWN	MOORPARK	VENTURA	NL	5614	NOT LISTED
146	UNKNOWN	OJAI	VENTURA	NL	5603	NOT LISTED
147	UNKNOWN	THOUSAND OAKS	VENTURA	NL	5607	NOT LISTED
148	UNKNOWN	VENTURA MARSHAL	VENTURA	NL	5691	NOT LISTED

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RACIAL &
IDENTITY
PROFILING
ADVISORY
BOARD

ANNUAL
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RACIAL AND IDENTITY PROFILING ADVISORY (RIPA) BOARD

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The RIPA Board appreciates the participation of community members, members of law enforcement, advocates, researchers, and other stakeholders. Public participation is essential to this process, and the RIPA Board thanks all Californians who have attended meetings, submitted letters, and otherwise engaged with the work of the Board. We look forward to continuing input from the public.

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EXECUTIVE SUMMARY

California's Racial and Identity Profiling Advisory Board (Board) is pleased to release its Third Annual Report. The Board was created by the Racial and Identity Profiling Act of 2015 (RIPA) to shepherd data collection and provide public reports with the ultimate objective to eliminate racial and identity profiling and improve and understand diversity in law enforcement through training, education, and outreach. For the first time, the Board's report includes an analysis of the stop data collected under RIPA, which requires nearly all California law enforcement agencies to submit demographic data on all detentions and searches. This report also provides recommendations that law enforcement can incorporate to enhance their policies, procedures, and trainings on topics that intersect with bias and racial and identity profiling. This report provides the Board's recommendations for next steps for all stakeholders – advocacy groups, community members, law enforcement, and policymakers – who can collectively advance the goals of RIPA. In rendering these recommendations, the Board hopes to further carry out its mission to eliminate racial and identity profiling and improve law enforcement and community relations.

Recommendations for Law Enforcement Agencies

The Board has engaged in an extensive review of best practices to provide law enforcement with concrete recommendations focused on improving bias-free policing and civilian complaint policies and procedures. The Board recommends that law enforcement engage with their communities as they develop and improve policies and practices that are strong and effective while also enhancing transparency, building trust, and promoting the safety and, well-being of all parties. Below we provide an overview of the recommendations included in this year's report, and we strongly encourage stakeholders to review the detailed policies set forth later in this report and in the attached Appendix.

Policies: This report contains model language for the following: a clear, written bias-free policing policy; definitions related to bias; the limited circumstances when personal characteristics of an individual may be considered; training; data collection and analysis; encounters with the community; accountability and adherence to the policy; and supervisory review. The Board recommends that all agency personnel, both sworn and civilian, receive training on their bias-free policing policies. Agencies are further encouraged to develop policies and training on how to prevent bias by proxy when responding to a call for service. In addition to including model language, the Board conducted a policy review to assist Wave 1 agencies in identifying areas of opportunity to incorporate the best practices and model language presented in this report and the 2019 RIPA Annual Report. For the purposes of this report, Wave 1 agencies refers to the eight largest law enforcement agencies in the state that began collecting stop data on July 1, 2018, and reported it to the department on April 1, 2019.

Civilian Complaints: Law enforcement agencies should evaluate their civilian complaint process and align their complaint forms, where practical, with the best practices laid out in this report. The Board conducted a review of the complaint forms of the Wave 1 agencies to identify areas of opportunity to adopt additional best practices. The report examines the civilian complaint data, including data on reported racial and identity profiling allegations submitted to the Department of Justice by all RIPA reporting agencies in 2018; the report then highlights the factors that impact the disparities in the number of reported complaints by each agency.

Recommendations for Community Members

The 2020 Annual Report contains recommendations that advocates and community members can use to engage with law enforcement to improve policies, accountability, and enforcement measures. The Board hopes community members can take the model language and best practices delineated in the report to push law enforcement agencies to improve their policies and procedures. The Board also thanks members of the community for attending Board and subcommittee meetings and providing public comment. The Board hopes community members will continue to engage with the Board regarding its work.

Recommendations for Policymakers

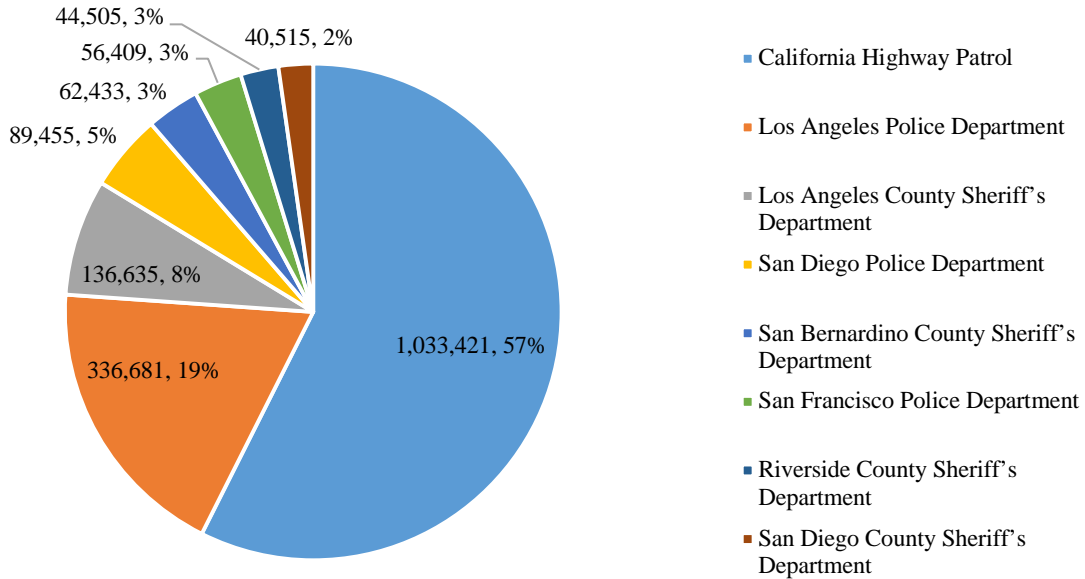
The Board hopes the California Legislature and local governments can increase funding to law enforcement agencies to implement RIPA by supporting not only the data collection itself, but also in supporting law enforcement's evaluation of the collected data as well as the development of anti-bias training and policies. To effectively fulfill their mandate under RIPA, law enforcement agencies must develop and further refine their data collection systems for stops, review and revise their policies and practices, and make other changes to personnel, supervision, and training. They cannot do so without additional funding and support.

With respect to civilian complaints, the Board recommends that the Legislature amend Penal Code section 148.6 by striking the language imposing criminal sanctions for filing a false complaint. By doing so, the Board hopes to resolve a conflict between state and federal law, as well as remove cautionary language that is potentially chilling to the filing of a civilian complaint.

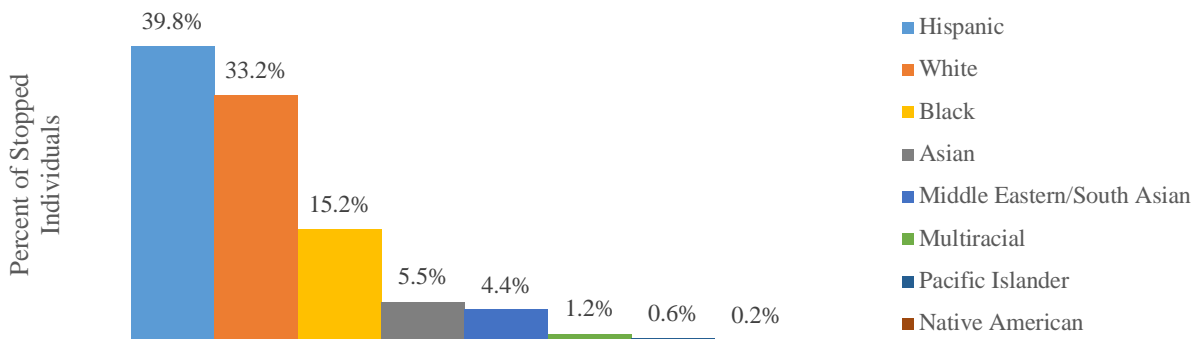
Findings Regarding RIPA Stop Data

- Between July 1, 2018 and December 31, 2018, the eight largest agencies in California, referred to as Wave 1 agencies in this report, collected data on vehicle and pedestrian stops. RIPA defines a stop as a detention and/or search by a peace officer.
- Reporting agencies stopped over 1.8 million individuals during the stop data collection period. The California Highway Patrol conducted the most stops of all reporting agencies, which is unsurprising given the size and geographic jurisdiction of the agency and its primary mission with respect to highway safety.

Number of Stops by Agency

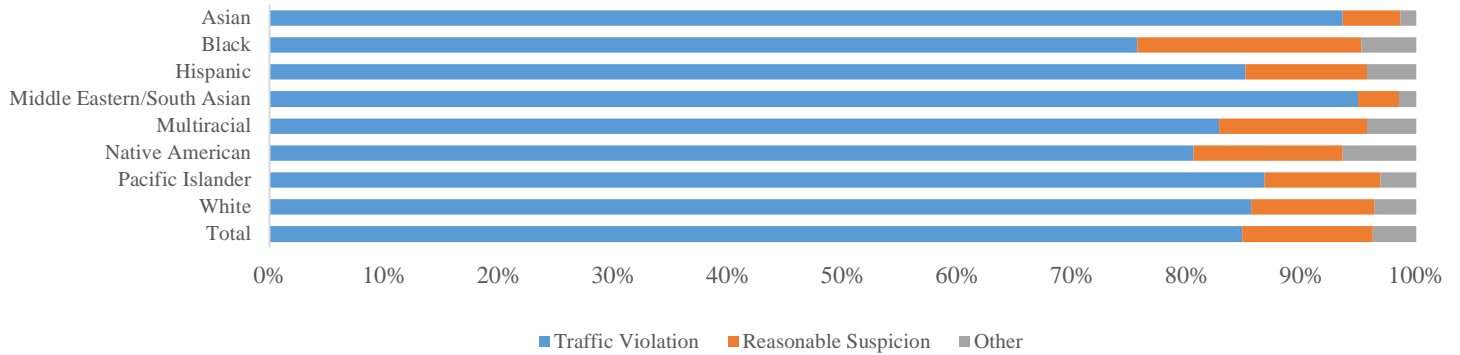


- 95.3 percent of stops were officer-initiated, while 4.7 percent of stops were in response to a call for service, radio call, or dispatch.



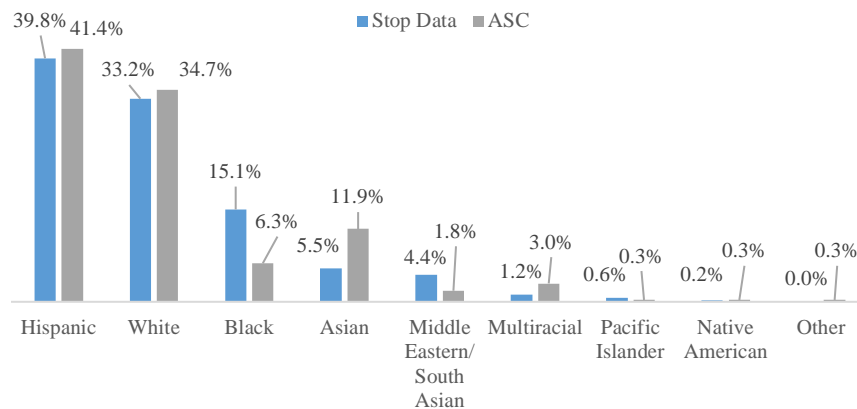
- Individuals perceived to be Hispanic (39.8%), White (33.2%), or Black (15.2%) comprised the majority of stopped individuals.

- The most commonly reported reason for a stop across all racial/ethnic groups was traffic violations, followed by reasonable suspicion. A higher percentage of Black individuals were stopped for reasonable suspicion than any other racial identity group.

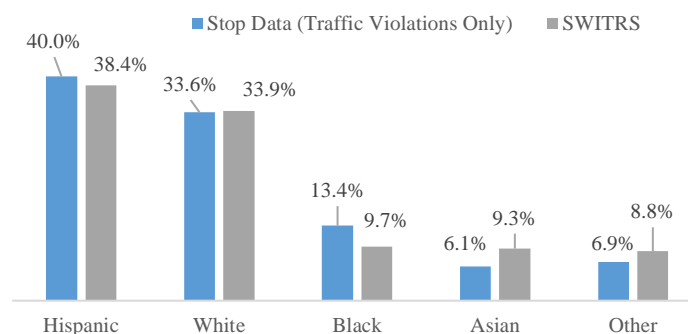


- To provide context for the racial distribution of stopped individuals, the Board compared the distribution to two benchmark data sources: 1) the American Community Survey (ACS) and 2) the Statewide Integrated Traffic Records System (SWITRS). Black individuals represented a higher proportion of stopped individuals than their relative proportion of the population in both benchmark datasets.

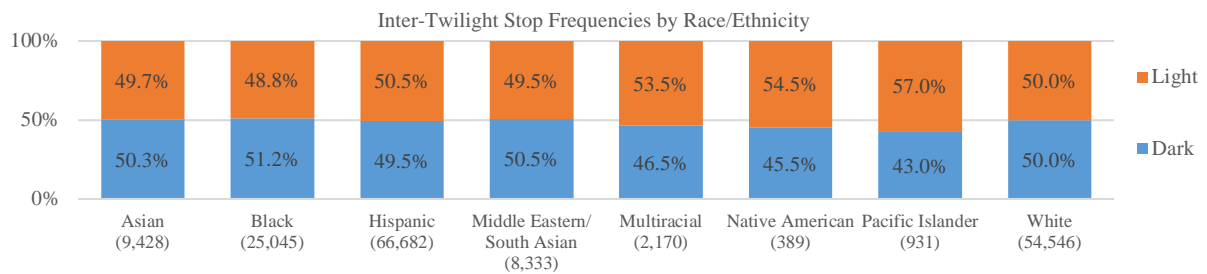
2017 American Community Survey (ACS)



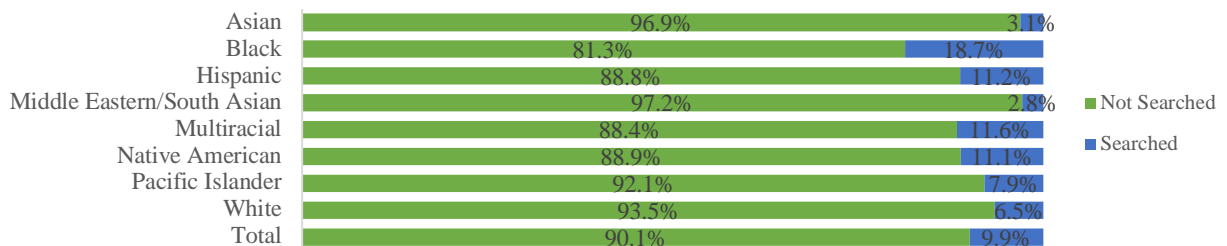
Statewide Integrated Traffic Records System (SWITRS)



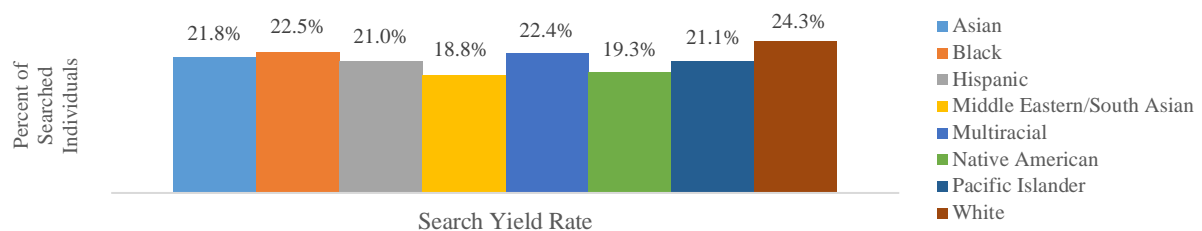
- The veil of darkness (VOD) method is a third benchmarking method used this year. The VOD analysis compares the proportion of individuals stopped during daylight hours to the proportion of individuals stopped when it is dark outside during the *intertwilight period*, i.e., the time of day that is dark during Standard Time, but light during Daylight Savings Time. Having a higher proportion of stops of individuals of a particular racial or ethnic group occur in the light, compared to White individuals, may be considered evidence of bias towards that group. The VOD analysis of this year's data indicated disparities in stops during light hours vs. dark hours for some racial and ethnic identity groups. For example, individuals perceived to be Pacific Islander or Multiracial had a higher proportion of their stops occur during light hours than individuals perceived to be White.



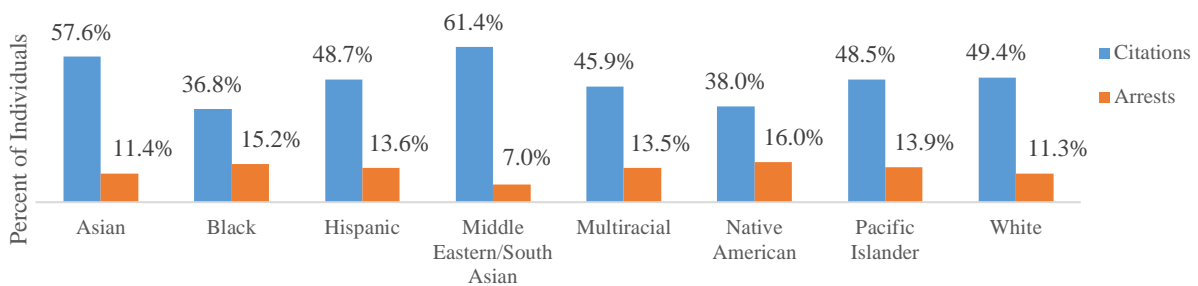
- Overall, 9.9 percent of stopped individuals were subject to a person or property search.
- Officers searched Black individuals at a rate 2.9 times the rate at which they searched White individuals (18.7% vs. 6.5%).
- Middle Eastern/South Asian individuals had the lowest search rate (2.8%).



- Search yield rate analyses showed that, when officers searched individuals, contraband or evidence was generally found on White individuals at higher rates than individuals from all other groups.

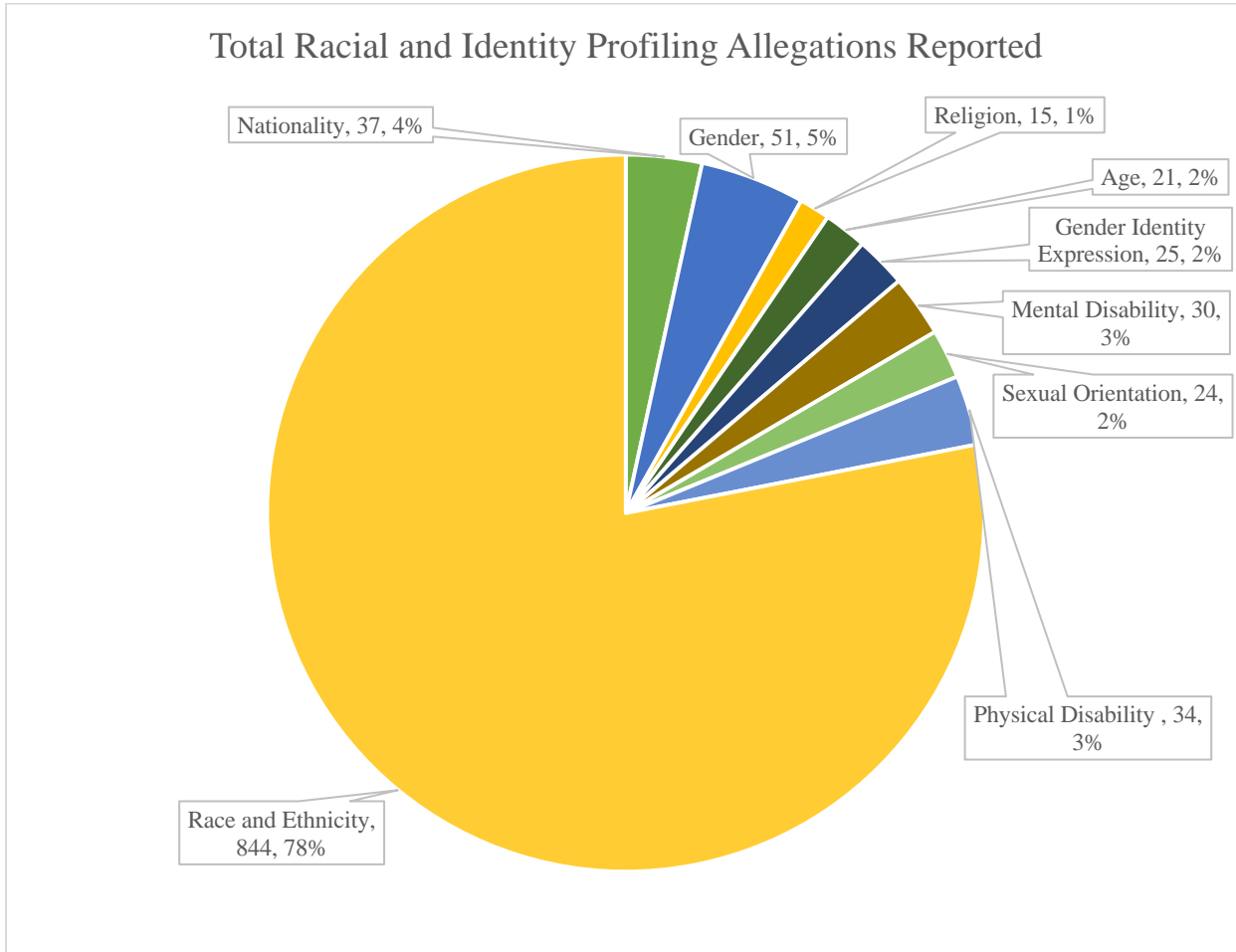


- When examining search yield rates by the presumed level of discretion available to the officer in deciding to conduct a search, yield rates for racial/ethnic groups of color were lower than for White individuals for higher-discretion searches, i.e., searches for which the only basis for search was “consent given.” This was also true for most racial/ethnic groups of color when only examining lower discretion searches (searches in which the basis for search was incident to arrest, vehicle inventory, or search warrant), with the exception of Black and Multiracial individuals, who had higher yield rates than White individuals for lower discretion searches.
- 60.3 percent of all individuals stopped were issued a citation and/or arrested. Native American and Black individuals had the highest arrest rates and the lowest rates of citation. Middle Eastern/South Asian and Asian individuals had the highest citation rates and the lowest arrest rates.



Findings Regarding Civilian Complaint Data

There were 1,081 allegations of racial or identity profiling filed in 2018 with the 134 law enforcement agencies subject to RIPA. Of these, 78 percent of the complaints included allegations of racial or identity profiling.



The following table shows the total number of civilian complaints reported in 2018 by Wave 1 agencies, the number of allegations of racial or identity profiling, and the number of sworn personnel each agency employed in 2018. There were notable disparities in the total complaints and racial and identity profiling allegations reported by agency. The reasons for these disparities likely include: 1) lack of uniformity regarding what constitutes a “civilian complaint” and how to quantify and document complaints; 2) lack of uniformity regarding how to process civilian complaints; 3) varying accessibility and knowledge of an agency’s complaint process; 4) disparate accessibility for people with disabilities; and 5) the potential deterrent impact of Penal Code section 148.6.

*Wave 1 Agency Complaints Reported and
Number of Sworn Personnel Employed in 2018*

Agency	Total Complaints Reported	Profiling Complaints Reported	Sworn Personnel
Los Angeles Police Department	1,907	274 (14%)	9,974
Los Angeles County Sheriff's Department	986	67 (6.7%)	9,426
California Highway Patrol	287	35 (12%)	7,286
San Diego County Sheriff's Department	9	1 (11%)	2,572
San Francisco Police Department	678	21 (3%)	2,306
San Bernardino County Sheriff's Department	104	35 (33%)	2,018
Riverside County Sheriff's Department	46	4 (9%)	1,795
San Diego Police Department	74	15 (20%)	1,731

Opening Letter from RIPA Board Co-Chairs

Last year marked a major milestone for the Racial and Identity Profiling Act of 2015 (RIPA), the Racial and Identity Profiling Advisory Board (Board), and the State of California. In 2019, the California Department of Justice (Department) received its first set of stop data from the eight largest law enforcement agencies in the state (Wave 1 agencies). The Board has analyzed this data and incorporated the results into this year's report. Specifically, the Board reviewed comprehensive demographic data on all stops and searches reported by the California Highway Patrol, Los Angeles Police Department, Los Angeles County Sheriff's Department, Riverside County Sheriff's Department, San Bernardino County Sheriff's Department, San Diego County Sheriff's Department, San Diego Police Department, and San Francisco Police Department. This first wave of data documented approximately 1.8 million police detentions and searches across California. This is only the beginning. All California law enforcement agencies will begin reporting data on a rolling basis through 2023, generating public data on statewide stops and searches on an unprecedented scale.

To understand the momentousness of this accomplishment, we must reflect on how this began and the work ahead needed to eliminate racial and identity profiling. In 2015, the California Legislature passed RIPA, groundbreaking legislation that requires all law enforcement agencies statewide to uniformly collect and report demographic data on all police stops and searches. RIPA also mandated the creation of the Board, with the bold intention of eliminating racial and identity profiling in policing. In 2016, its inaugural year, the Board made recommendations to the Attorney General's Office on its drafting of regulations to implement RIPA. Under this stop data program, reporting officers must collect data on the reason for each detention or search, as well as detailed demographic data, including the perceived race or ethnicity, gender, age, LGBT identity, disability, and limited English fluency of the person detained or searched.

Since its inception, the Board has engaged in a thorough study and examination of several civilian-facing aspects of law enforcement that relate to racial and identity profiling, including law enforcement training, civilian complaint processes, policies regarding racial and identity profiling and accountability, and policies regarding calls for service. In this year's report as well as in previous ones, the Board has compiled comprehensive, evidence-based best practice recommendations and model policies.

Now that RIPA and the Board have been in effect for four years, what does the future hold and what are the next steps?

The Board urges all law enforcement agencies to compare their own policies to the best practice recommendations offered by the Board. However, the Board's recommendations are only a starting point; we encourage agencies to think about how they can strive to go beyond the Board's recommendations. We urge law enforcement agencies to work with and engage their home communities to develop policies and practices that advance equity and root out bias and harmful practices of racial profiling in all aspects of operations. Additionally, we urge law enforcement, advocates, and community members to reflect on and make use of the stop data reported for their home communities. We are hopeful that the stop data can serve as a starting point for meaningful collaboration and change, and look forward to supporting the community and law enforcement agencies in these endeavors.

We also strongly support increased funding for the implementation of RIPA. To date, the Board is unaware of any state funding allocated to local law enforcement agencies to implement these sweeping changes. The future will depend on fully funding the implementation of this important legislation which left unfunded, may soon hinder much of the work. Many agencies, especially small ones, are struggling from the lack of sufficient funding. We cannot let this legislation fail. Funding for this legislation must be a priority to ensure that this important work is done right.

Finally, we extend our sincere appreciation and gratitude to everyone who has been on this journey with the Board throughout the last several years. The work of the Board to help identify and eliminate racial and identity profiling cannot be done without the continued engagement of the community and the commitment of law enforcement. We would especially like to recognize members of the public, particularly individuals who have shared their experiences of racial profiling, who have been indispensable participants in the Board's work. We thank you for sharing your expertise, your time, your stories, and your pain with us over the years.

We also thank law enforcement agencies around the state for embracing RIPA, sharing your implementation of this law, and ensuring complete and comprehensive data collection and reporting. We know this was no small feat and look forward to continued partnership with you in coming years.

-Co-Chairs Sahar Durali and David Robinson

Introduction

The Racial and Identity Profiling Act of 2015 (RIPA) created the Racial and Identity Profiling Advisory Board (Board), which is tasked with the ambitious charge of improving racial and identity sensitivity in law enforcement with the hope of eliminating bias in policing.¹ The Board is composed of 19 members representing a wide range of sectors and expertise, including civil and human rights, law enforcement, and academia.

The Board's work is enhanced by the diverse perspectives and backgrounds of its members, as well as by the vibrant discourse brought to Board and subcommittee meetings by advocates, individuals impacted by racial profiling issues, members of the law enforcement community, and members of the public at large. Together, the Board and its stakeholders share the common goals of improving law enforcement-community relations, building trust, making policing more equitable, and striving to make all Californians feel respected and safe. These goals can be achieved through collaboration, transparency, and accountability.

Background

Since its inception, the Board has engaged with diverse stakeholders who share the goal of eliminating racial and identity profiling. The Board has heard from the community at Board and subcommittee meetings, consulted with the Department, and collaborated with the Commission on Peace Officer Standards and Training (POST) on its trainings related to racial and identity profiling. The Board also produced and released two annual reports describing the ongoing efforts to assess and prevent racial and identity profiling in California.

These annual reports give the Board an opportunity to share detailed findings on the impact that race and identity may have in shaping law enforcement activities in California, as well as identifying best practices and policy recommendations to identify and eliminate racial and identity profiling.² To that end, RIPA requires each annual report to include:

- An analysis of law enforcement data regarding stops made by officers and civilian complaints;
- An analysis of law enforcement training on racial and identity differences discussed in Penal Code section 13519.4;
- A review and analysis of racial and identity profiling policies and practices across geographic areas in California; and
- Evidence-based research on intentional and implicit biases that affect law enforcement stop, search, and seizure tactics.³

¹ Pen. Code, § 13519.4, subd. (j)(1).

² Pen. Code, § 13519.4, subd. (j)(3)(E).

³ Pen. Code, § 13519.4, subd. (j)(3).

RIPA also requires POST to consult with the Board in developing its trainings on racial and identity differences to better educate law enforcement about unlawful profiling and bias. In addition, RIPA mandates that:⁴

- The majority of California’s law enforcement agencies (LEAs) **collect information on stops made by their officers**, and report this information to the Department; RIPA also tasked the Department with **writing the regulations to implement this data collection**, in consultation with the Board and other stakeholders;⁵
- The **stop data collected be made publicly available**, except for the personal information of the person stopped and the unique identifying information of the reporting officer, which shall be protected from disclosure; and
- Several changes to the civilian complaint data be reported to and published by the Department.⁶

Type of Data Collected for Each Stop

The data collected about each stop includes three categories of information: 1) information about the stop itself, 2) information perceived by the officer about the person stopped, and 3) information about the officer making the stop. Table 1, below, spells out in more detail the information the officer must report in each of those three categories.⁷

Table 1: Officer Reporting Requirements

<i>Information Regarding Stop</i>
1. Date, Time, and Duration
2. Location
3. Reason for Stop
4. Was Stop in Response to Call for Service?
5. Actions Taken During Stop
6. Contraband or Evidence Discovered
7. Property Seized
8. Result of Stop

⁴ Assem. Bill No. 1518 (2017-2018 Reg. Sess.) § 1-2.

⁵ Gov. Code, § 12525.2, subds. (a), (e).

⁶ Pen. Code, § 13012.

⁷ For more information on the specific data collected, please see State of California Department of Justice Office of the Attorney General. (2017). AB 953: Template Based on the Final Regulations. Available at <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/regs-template.pdf>.

Information Regarding Officer's Perception of Person Stopped

1. Perceived Race or Ethnicity
2. Perceived Age
3. Perceived Gender
4. Perceived to be LGBT
5. Limited or No English Fluency
6. Perceived or Known Disability

Information Regarding Officer

1. Officer's Identification Number
2. Years of Experience
3. Type of Assignment

When reporting this information for each stop, the reporting officer selects from a standardized list of responses. These drop-down menus streamline the reporting process and, importantly, ensure that the data that is collected is uniform across all agencies. Separate from and in addition to these drop-down menus, officers are further required to complete an explanatory field (of no more than 250 characters) providing in their own words the Reason for Stop and Basis for the Search (if one is conducted).

Methods of Submitting Data to the Statewide Repository

In the spirit of facilitating a large and diverse array of individual law enforcement agencies to successfully implement the stop data requirements, the size of an agency determines when it is required to begin collecting and submitting data to the Department. Stop data collection for the eight largest agencies in the state began on July 1, 2018. These agencies have informally been termed the "Wave 1" agencies due to the rolling nature of the stop data collection time line. Accordingly, the next set of agencies to begin data collection are thus termed "Wave 2" and so on until the final group, "Wave 4" begins collecting the data (Table 2). Additionally, the data submission regulations provide agencies with three methods to submit data. These three methods of submitting data to the statewide repository are: 1) a DOJ-hosted Web Application, 2) Web Services, and 3) Secure File Transfer Protocol. The Department developed these three submission methods to provide flexibility to meet the needs of an agency's local infrastructure. Importantly, the data standards for each of these methods are the same; each method utilizes standard fields and validation checks, which will be discussed in the next section of this chapter. Table 3 details the submission methods that Wave 1 agencies are currently using.

Table 2: Collection and Reporting Deadlines by “Wave”

Reporting Wave	Size of Agency	Data Collection Begins	Data Must be Reported to DOJ	Approximate Number of Agencies
1	1,000+	July 1, 2018	April 1, 2019	8
2	667-999	Jan. 1, 2019	April 1, 2020	7
3	334-666	Jan. 1, 2021	April 1, 2022	10
4	1-333	Jan. 1, 2022	April 1, 2023	400+

Table 3: Wave 1 Agency Submission Methods

Agency	Type of Data Submission
California Highway Patrol	Web Services
Los Angeles Police Department	Secure File Transfer Protocol
Los Angeles Sheriff’s Office	Web Services
Riverside Sheriff’s Office	Secure File Transfer Protocol*
San Bernardino Sheriff’s Office	Web Services*
San Diego Police Department	Web Services*
San Diego Sheriff’s Office	Web Services*
San Francisco Police Department	DOJ-hosted Web Application

**These agencies are using a locally installed copy of an application developed by the San Diego Sheriff’s Office and submitting data to the Department through Web Services or Secure File Transfer Protocol.*

All records submitted to the Department are stored in a statewide repository called the Stop Data Collection System (SDCS). The SDCS uses a series of rules and user permissions to protect the quality and integrity of the data. Some of these rules are listed below.

- Reported data must be complete and must follow uniform standards.

- Access to stop records is restricted.
- A specified error resolution process must be followed.
- Once submitted, perception data (i.e., perceived demographic data about the person stopped) is locked and cannot be changed by the officer or agency.
- Transactions are stored in system audit logs.

Analysis of Wave 1 Stop Data: July 1, 2018 – December 31, 2018

In the first wave of reporting (Wave 1), the eight largest law enforcement agencies in California collected data about stops conducted from July 1, 2018 to December 31, 2018. Officers collected data on over 1.8 million stops. RIPA defines stops as a detention and/or search of an individual.

The records include data on the demographic information of the stopped individuals as *perceived* by the officer.⁸ The demographic information includes race/ethnicity, gender, LGBT identity, age, disability status, and English fluency, as well as a range of descriptive information designed to provide context for the reason for the stop, what occurred during the stop, and the resolution of the stop. The purpose of collecting this data is to attempt to systematically document and analyze detentions and/or searches of all individuals to determine whether disparities occur depending on race and/or identity.

For this year's Report, the Board presents stop data analyses focused on the race/ethnicity of the person stopped.⁹ Addressing racial profiling was a driving force in enacting RIPA. The different types of analyses used in this year's report were included after significant discussion in Board subcommittee meetings, full Board meetings, and input by members of the public. The analyses were conducted to answer the question of whether the perceived race/ethnicity of a stopped individual plays a role in whether they are stopped and/or in the actions an officer takes during a stop. In future reports, the Board intends to focus its analyses on other demographic characteristics of this rich dataset.

The decisions made, or actions taken, by the officer can be broken into two types: "pre-stop" and "post-stop." "Pre-stop" decisions refer to an officer's decision to stop an individual in the first place. Our pre-stop inquiry analyzes the number of stops of members of the various perceived racial and ethnic groups. This analysis is important because it gives us the ability to examine whether different groups are stopped at different rates, which might indicate that potential bias is present.

Because of the difficulty in establishing "benchmarks" – meaning how people would behave in an unbiased world – we have employed several established methodologies to analyze Wave 1 stop data and consider whether the data indicates evidence of racial bias in officers' pre-stop decisions. First, we compared the demographics of persons stopped to two datasets intended to approximate the general population of residents and drivers, respectively, within the jurisdictions of the Wave 1 LEAs. Specifically, the two datasets we used are (1) the weighted residential population data from the American Community Survey (ACS) (to obtain a resident population benchmark) and (2) the not-at-fault vehicle collision data from a database maintained by the California Highway Patrol (CHP) (to obtain a driver population benchmark). In addition to these population comparisons, we also analyzed the Wave 1 stop data using the *veil of darkness* methodology. As discussed in prior Board Reports¹⁰, this methodology compares stop frequencies during daylight hours, when it could be more likely for an

⁸ RIPA requires that the demographic information be recorded based upon the officer's perception, meaning that an officer should not use information from documents or ask individuals directly about their demographic information when completing the stop data form. However, nothing in RIPA prohibits an officer from obtaining such information within the course and scope of their lawful duties.

⁹ Although the data collected contains officers' perception of various identity groups and other demographics, this chapter focuses only on their perceptions of race/ethnicity. See the Technical Report for analyses of the data from more identity groups, as well as disaggregated statistical information for each agency.

¹⁰ See page 23 of the [2019 RIPA Board](#) report for an explanation of the Veil of Darkness methodology.

officer to perceive race, to stop frequencies at night, when it could be more difficult for an officer to perceive race before stopping someone.

Another way to get around the issue of benchmarks is to examine post-stop decisions made by the officer. Conducting a search, for example, is conditional on already having stopped an individual. Thus, we can be more confident in comparing the rates at which different identity groups are searched because we know for certain in calculating these ratios what the denominator is: people who have already been stopped. Searches are worth exploring for another reason – they come with their own outcome, namely whether or not the search resulted in, or *yielded*, the recovery of any contraband or evidence. The *yield rate* is a measure of the “efficacy of the search.” If the success of searches (i.e. the search yielding contraband) differs across different identity groups, it could be indicative of officers having higher or lower thresholds for searching some groups relative to others and it allows for a stronger case that bias may be a driving factor for searching an individual, as opposed to some other variable like crime rate. We also examined the enforcement rates by race and ethnicity, meaning the rate by which an individual who was stopped is given a citation and/or arrested as a result of the stop.

To introduce these methodologies, we first set forth the data regarding the perceived racial and ethnic identity demographics of individuals stopped by the Wave 1 agencies. We then present the results by race and ethnicity for the other elements of the stop, beginning with the reported conditions underlying an officer’s decision to initiate the stop, such as the primary reason for the stop and the circumstances leading to the stop. We then apply the methods discussed above in an effort to see whether the data demonstrate evidence of potential bias in officer pre-stop and post-stop decisions.

Summary of Main Results

The Board’s analysis of Wave 1 data suggests that officers from these agencies stopped each racial or ethnic group at frequencies that differed from both the weighted ACS residential population estimates and the CHP driver information. These differences were most pronounced for Black individuals, who composed a significantly larger proportion of the individuals who were stopped than they did in either of the two comparison datasets (i.e., the weighted residential population or the driver population). The opposite was true for Asian individuals; Asian individuals represented a smaller proportion of the individuals officers stopped than they did in the comparison datasets.

Using the veil of darkness method, the analysis of Wave 1 data shows that stop frequencies differed between racial or ethnic groups based on the level of presumed visibility given the time of day. Individuals perceived as Pacific Islander had the highest proportion of their stops occur in the light. Officers stopped White individuals almost equally in the light and dark. A higher proportion of stops of Black individuals were in the dark hours as opposed to the light hours.

As for post-stop outcomes, using the yield rate analysis, the data showed that certain groups of people of color may experience higher degrees of scrutiny by law enforcement compared to White individuals, particularly with respect to search activity. For example, officers searched Hispanic, Black, Native American, and Multiracial individuals at a higher rate than they

“Perceived” Identity

All racial and ethnic groups referenced in this section are based on the reporting officer’s perception of the race or ethnicity of stopped individuals. Officers may perceive individuals differently than how the individuals self-identify.

searched White individuals, despite discovering contraband on members of these groups less frequently when searched.

Finally, Wave 1 data shows that the outcome of an enforcement action varied by racial or ethnic group, with Native American and Black individuals having the highest arrest rates and the lowest rates of citation. Middle Eastern/South Asian and Asian individuals had the highest citation rates and among the lowest arrest rates.

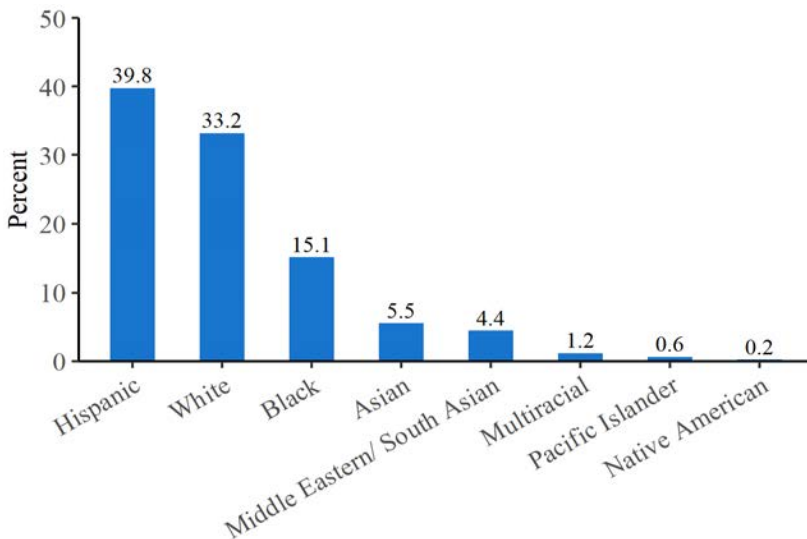
As discussed in prior Board Reports, any one methodology that aims to evaluate bias suffers from some limitations, suggesting that it is often useful to employ multiple methodologies. Therefore, the use of certain methodologies this year should not be interpreted to mean that the Board will limit itself to these methodologies in future Board reports. Indeed, to gain a fuller understanding of the issues underlying the Board’s goals to develop policy recommendations based upon fact-based evidence, the Board welcomes suggestions from all stakeholders – including academics, law enforcement and the community – about supplemental analysis or alternative methods to examine the stop data in the future.

Stop Demographics

Wave 1 agencies submitted data regarding stops of more than 1.8 million individuals. RIPA requires officers to record a person’s identity based upon the officer’s perception. Officers may not ask individuals to self-identify their identity group when completing the stop data form. Because of this, the data reflects what the officer perceived the individual’s identity group to be.

Of the approximately 1.8 million reported stops, individuals perceived by officers as Hispanic (39.8%) constituted the highest proportion of stopped individuals, followed by White (33.2%), Black (15.1%), Asian (5.5%), Middle Eastern/South Asian (4.4%) and all other groups (2%; includes Pacific Islander, Native American, and Multiracial¹¹ individuals; see Figure 1).

Figure 1. Race/Ethnicity Distribution of Stopped Individuals



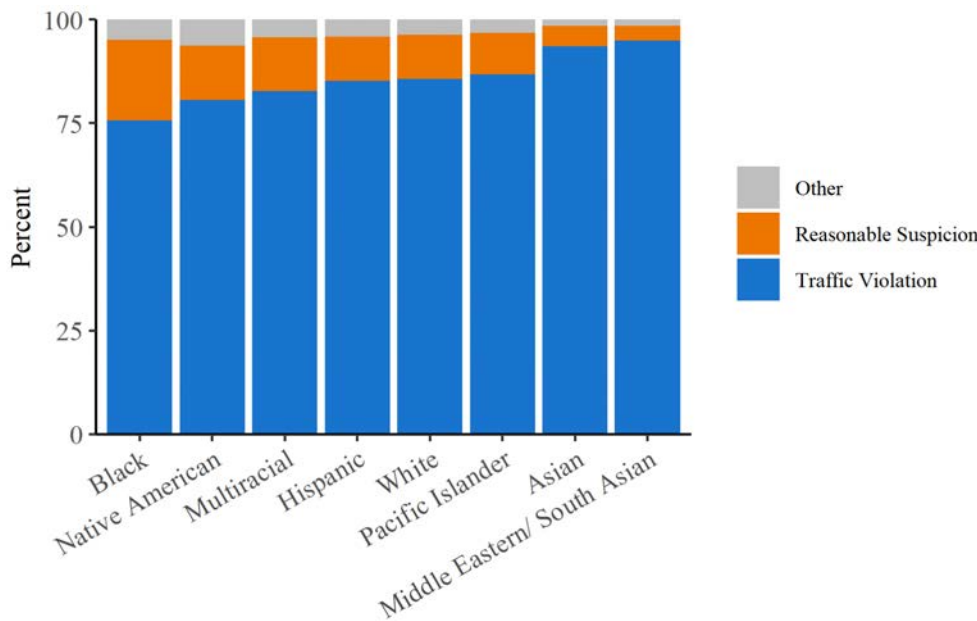
¹¹ Officers can select multiple perceived identity categories per stopped individual, if appropriate. For example, an officer could perceive a person as being both White and Black. In our analyses, we categorize all such persons as Multiracial.

Decision to Stop

Reason for stop: Across all racial and ethnic groups, the most common primary reason officers reported for initiating a stop was a traffic violation, which includes moving and non-moving violations and equipment violations (84.8 percent of all stops; see Figure 2).¹² Approximately 85 percent of stops of White and Hispanic individuals were stopped for traffic violations, while 76 percent of stops of Black individuals were for traffic violations. For Asian and Middle Eastern/South Asian individuals, traffic violation was the reason given for initiating 93.6 percent and 94.9 percent of the stops, respectively.

The second most common reported reason for stop was reasonable suspicion of criminal activity (11.4 percent of all stops), referred to as “reasonable suspicion” hereafter (see Figure 2).¹³ Black individuals were stopped for reasonable suspicion in 19.5 percent of their stops, while 10.8 percent of stops of White individuals and 10.6 percent of stops of Hispanic individuals were for reasonable suspicion. Only 3.6 percent of Middle Eastern/South Asian individuals were stopped for reasonable suspicion. All other reasons for stop constituted less than 4 percent of the data.¹⁴

Figure 2. Primary Reason for Stop by Race/Ethnicity



¹² See Technical Report Section 1 Table 2.3.2 for the racial/ethnic breakdown by traffic violation subtype.

¹³ The Board understands that an officer may initiate contact with a person as part of his/her community caretaking function without suspecting that the person is engaged in criminal activity. However, officers currently must record community caretaking stops under the “reasonable suspicion” reason for stop. Officers indicated that 3.5 percent of stops initiated due to reasonable suspicion were for community caretaking purposes. This constituted only 0.4 percent of stops overall. Since a percentage this small would not be viewable in Figure 2, community caretaking stops were not separated out from the reasonable suspicion stops.

¹⁴ Other reasons for stop included mandatory supervision (0.6 %), warrants (0.7 %), truancy (0.3 %), possible violations of the Education Code (<0.1 %), to determine whether student violated school policy (>0.1 %), or consensual encounters that resulted in a search (2.2 %). We aggregated these reasons for stop into the category labeled “Other” in Figure 2.

Stop circumstance: Stops take place within a broader context. Stops can be initiated either by an officer (“officer-initiated stop”) or in response to a call for service, radio call, or dispatch (“call for service”).¹⁵ A call for service is *not* a reason for a stop. Whether or not a person was stopped in response to a call for service provides additional information that is helpful to contextualize stop data.

Approximately 5 percent of all stopped individuals were reportedly stopped in response to a call for service, as opposed to a stop initiated by an officer (see Table 4). This percentage varied by race/ethnicity, but no more than 8 percent of stopped individuals from any racial or ethnic group were stopped in response to calls for service.

The Wave 1 data also shows that individuals of different racial or ethnic groups varied in their stop rates for officer-initiated stops and calls for service (see Figure 3).¹⁶

Key Terms: Stop Circumstance

Call for service: when an officer indicates that the stop of an individual was made in response to a call for service, radio call, or dispatch.

Officer-initiated stop: when an officer *does not* indicate that the stop of an individual was made in response to a call for service, radio call, or dispatch.

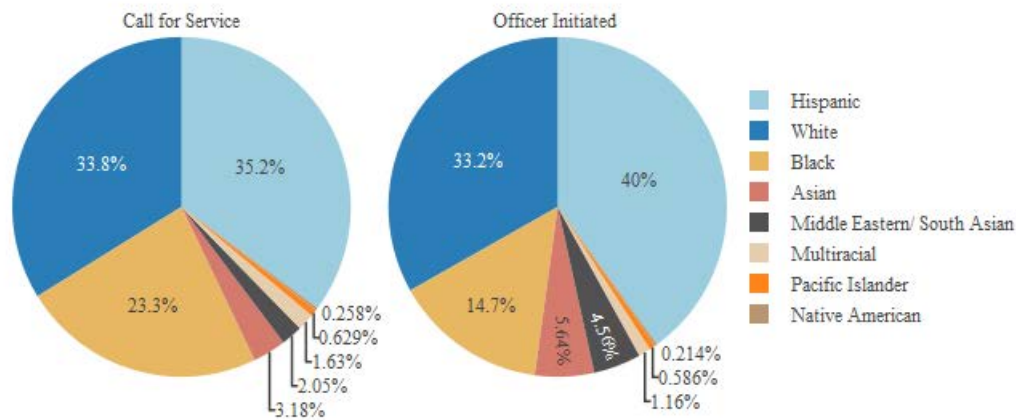
Table 4. Stop Circumstance by Race/Ethnicity

Stop Circumstance	Race/Ethnicity of Stopped Individual							
	White	Hispanic	Black	Asian	Middle Eastern/South Asian	Pacific Islander	Native American	Multiracial
Officer Initiated	568,900 95.2 %	686,017 95.8 %	251,291 92.7 %	96,734 97.3 %	78,171 97.8 %	10,047 94.9 %	3,665 94.3 %	19,851 93.5 %
Call for Service	28,865 4.8 %	30,012 4.2 %	19,897 7.3 %	2,713 2.7 %	1,746 2.2 %	537 5.1 %	220 5.7 %	1,388 6.5 %
Total	597,765 100 %	716,029 100 %	271,188 100 %	99,447 100 %	79,917 100 %	10,584 100 %	3,885 100 %	21,239 100 %

¹⁵ Officers are required to indicate if a stop was in response to a call for service (also known as a radio call or dispatch). An interaction that occurs when an officer responds to a call for service is only reportable if the interaction meets the definition of “stop” for data collection purposes, meaning any detention by a peace officer of a person or any peace officer interaction with a person in which the officer conducts a search. 11 CCR § 999.224. This information is collected independently from the reason for a stop.

¹⁶ “Officer-initiated stops” are defined as any stop where an officer did not indicate that the stop of an individual was made in response to a call for service, radio call, or dispatch.

Figure 3. Stop Circumstance by Race/Ethnicity



Comparisons to Reference Data

As noted above, several methodologies can assist researchers in analyzing stop data to determine the existence of racial bias. As will be discussed below, there are notable concerns with relying entirely on one comparison method. Accordingly, our analysis instead presents the results of three separate methods designed to provide reference points from which to compare the stop frequencies by racial/ethnic group in these data. These methods contextualize stop frequencies using: (1) residential population data; (2) vehicle collision data; and (3) light condition data.

Residential population data: We used residential population estimate data from the 2017 American Community Survey (ACS) to provide a contextual residential benchmark for the race/ethnicity of individuals stopped by Wave 1 agencies during the data collection period.¹⁷ The United States Census Bureau administers the ACS annually. Our weighting methodology made the ACS data more reflective of the areas within the jurisdictions of Wave 1 agencies, rather than the state or country as a whole.¹⁸ Figure 4 displays the racial/ethnic distribution of: (1) stopped individuals from the 2018 data; and (2) estimated residential population of the areas within the jurisdiction of Wave 1 agencies.¹⁹ Because the CHP conducted more than half of the stops during the data collection period, we also provide the residential population data table excluding CHP data in the Technical Report.²⁰

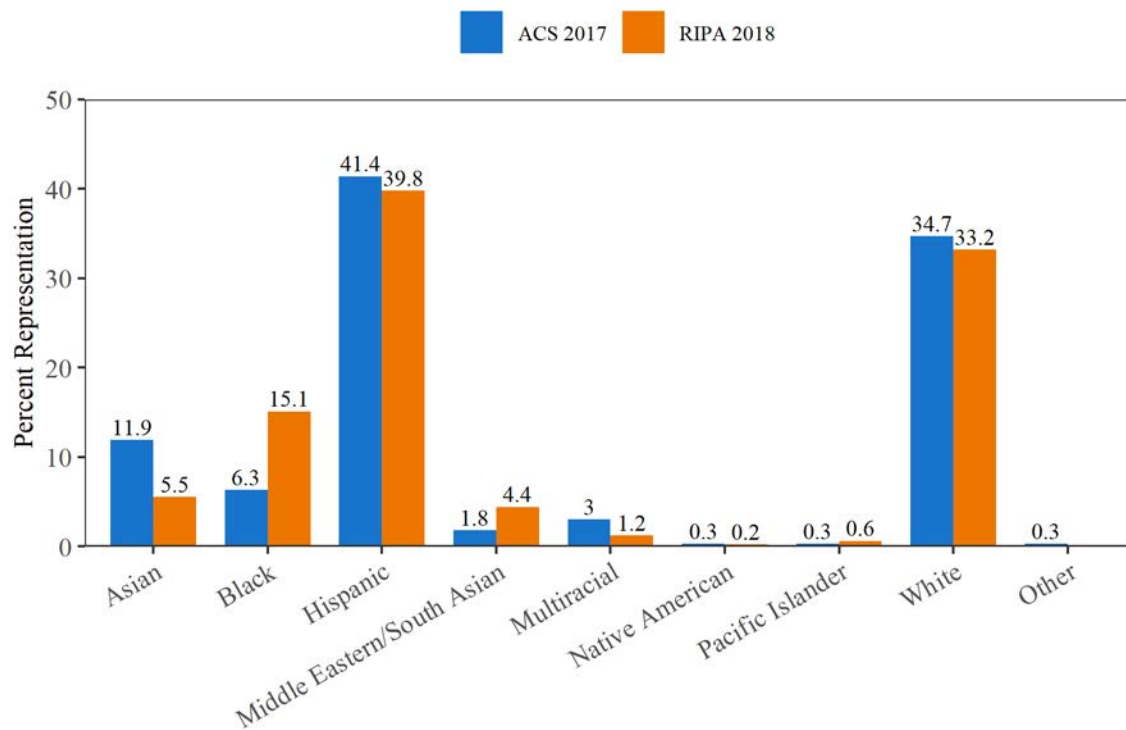
¹⁷ At the time we sourced the ACS data (October 2019), 2017 was the most recent year available.

¹⁸ For a description of the weighting scheme, see the ACS table notes in the Technical Report Section 1 Subsection 2.

¹⁹ See Table 2.13.2 in the Technical Report for a weighted ACS breakdown by race for all agencies without California Highway Patrol data.

²⁰ See Table 2.13.2 in the Technical Report for a weighted ACS breakdown by race for all agencies without CHP data. In general, when exempting CHP from analysis, the disparities between stop frequencies and residential population representation increase for Asian, Black, Hispanic, and White individuals. Of these racial/ethnic groups, Black individuals represented a larger proportion of stopped individuals than their share of the residential population data. The opposite was true for Asian, Hispanic, and White individuals.

Figure 4. Residential Population Comparison to Stop Data



Considerations for and limitations of residential population data: Like all approaches for examining law enforcement stop data, there are important considerations and limitations to recognize when using residential population data within this context. To start, RIPA stop data regulations and the ACS categorize racial/ethnic groups differently (e.g., RIPA regulations explicitly include Israeli individuals in the Middle Eastern/South Asian group, but the ACS does not have an Israeli ethnic category). ACS data also have a category for “Other,” which we could not map to any RIPA race/ethnicity group.

Additionally, race/ethnicity information collected for RIPA is based on officer perception, while ACS respondents self-identify their own race/ethnicity. This distinction reflects a difference in purpose between the two databases. The objective of the stop data is to approach the problem of racial and identity profiling, which is why the agencies collect the officer’s perception of race/ethnicity. The ACS, on the other hand, is to provide an accurate representation of information regarding community residents (i.e. social, economic, housing, and demographic characteristics). The RIPA and ACS data collection also occurred during different years (the second half of 2018, and 2017, respectively).

The ACS data comparison has other limitations. ACS contains information collected from residents within particular areas. However, officers often stop individuals who are not residents of the areas where the stops take place, but rather are in those areas for other reasons (e.g., going to work, going shopping, visiting friends/family, etc.). Jurisdictions likely vary in the proportion of non-residents they stop, but the stop data does not contain information regarding a person’s residence.²¹ Moreover,

²¹ Missouri is an example of a state that is collecting this information, to an extent. The Missouri Attorney General’s Office added data collection procedures to collect information on the residency of stopped individuals for vehicle stops in 2018. This information is available in Appendix C of the 2018 Vehicle Stops Report, available

some locations tend to have large-scale events (e.g., concerts, parades, conferences, etc.), are tourist destinations, or have large populations of individuals experiencing homelessness, all of which may present considerations that are even more difficult to account for. Furthermore, officers may concentrate their patrol efforts in certain areas and thus may not have equal probabilities of encountering residents of all areas in their jurisdiction. Additionally, ACS data may not accurately count certain groups that may be less inclined to respond to surveys (e.g. homeless or undocumented individuals). For all of these reasons, the demographics (perceived or actual) of the population of people stopped by law enforcement may not always match the self-reported demographics of residential populations at the city, county, or state level.²²

Vehicle collision data: Another type of data that some studies have employed to provide context to stop data is vehicle collision data. Accordingly, as an alternative set of comparison data to ACS, we also provide vehicle collision data as context for the RIPA stop data. California law enforcement agencies submit data gathered from collision scenes to the CHP. The CHP stores these data in a database called the Statewide Integrated Traffic Records System (SWITRS).²³ We obtained a dataset containing all reported collision records from reporting agencies for calendar year 2018. We limited the data from SWITRS to not-at-fault parties from collisions reported by Wave 1 agencies, with the idea that this group of drivers is selected somewhat randomly because another driver struck them with their vehicle.²⁴ This is important because the purpose of the data we selected is to serve as a benchmark of drivers in general, not just the less-skilled or inattentive drivers that may tend to be at fault more frequently. We then employed a similar method used for the ACS data to make the SWITRS data more reflective of stop activity that occurred in the jurisdictions of Wave 1 agencies. Figure 5 displays the distribution of the perceived race/ethnicity of (1) individuals stopped for traffic violations from the 2018 RIPA data and (2) the weighted not-at-fault party SWITRS data reported by Wave 1 agencies in 2018. This figure is specific to traffic violations, which constitute a majority (84.8%) of stops in the RIPA stop data (see Figure 2). As we did with the residential population data, we also provide these data with CHP excluded in the Technical Report.²⁵

at <https://ago.mo.gov/docs/default-source/public-safety/2018appendixc.pdf?sfvrsn=2>. The experiences of Missouri law enforcement agencies may not directly compare to those of California law enforcement agencies, however.

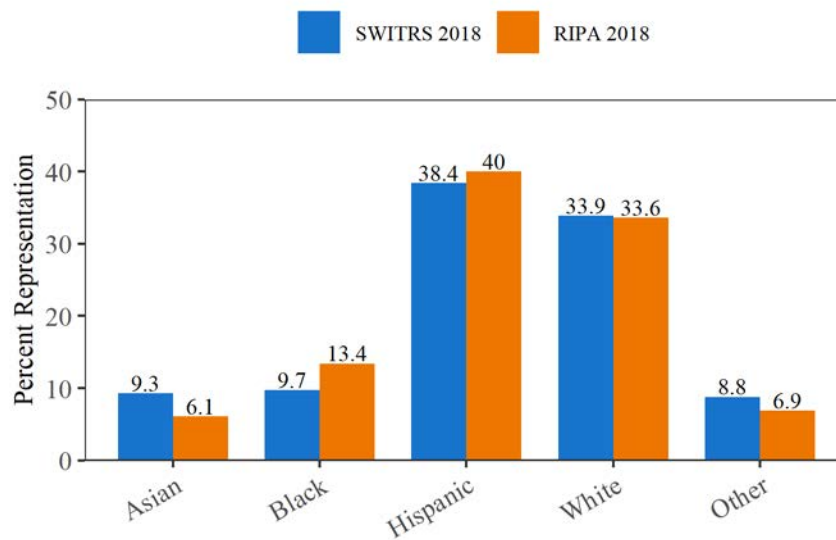
²² For more information on this issue, see previous RIPA reports or the following publication by the United States Community Oriented Policing Services, available at <https://ric-zai-inc.com/ric.php?page=detail&id=COPS-P044>.

²³ See <https://www.chp.ca.gov/programs-services/services-information/switrs-internet-statewide-integrated-traffic-records-system> for more information on SWITRS.

²⁴ Not all studies that employ vehicle collision data utilize only the not-at-fault party data (e.g., Withrow, Brian L., and Howard Williams. “Proposing a Benchmark Based on Vehicle Collision Data in Racial Profiling Research.” *Criminal Justice Review* 40, no. 4 (2015): 449–69. <https://doi.org/10.1177/0734016815591819>.)

²⁵ See Table 2.13.4 in the Technical Report for a weighted SWITRS breakdown for race/ethnicity without CHP data. In general, when CHP data is excluded from analysis, the disparity between the stop data and the vehicle collision data increased for Black and White individuals, as well as the group categorized as “Other” for this analysis (Middle Eastern/South Asian, Multiracial, Native American, and Pacific Islander individuals). Of the three groups where disparities increased by exempting CHP, Black individuals comprised a greater proportion of those stopped relative to their representation in the collision data. The opposite was true of White and “Other” individuals.

Figure 5. Vehicle Collision Data Comparison to Stop Data



Considerations for and limitations of vehicle collision data: As with residential population data, there are important caveats

about making comparisons between RIPA and SWITRS data. First, SWITRS collects race/ethnicity information for fewer groups than are present in the RIPA regulations. As a result, some RIPA race/ethnic groups were aggregated into an “Other” category for Figure 5.²⁶ Second,

SWITRS Quick-Reference Limitations

1. RIPA stop data collection and SWITRS categorize racial/ethnic groups differently.
2. RIPA data does not expressly identify drivers; rather, it identifies persons stopped for traffic violations.
3. Officers may be incorrect in determining which party was at fault, in some cases.
4. Identity groups could differ in their likelihood of being captured in the SWITRS data.
5. SWITRS data collection policies are not uniform across the entire state.

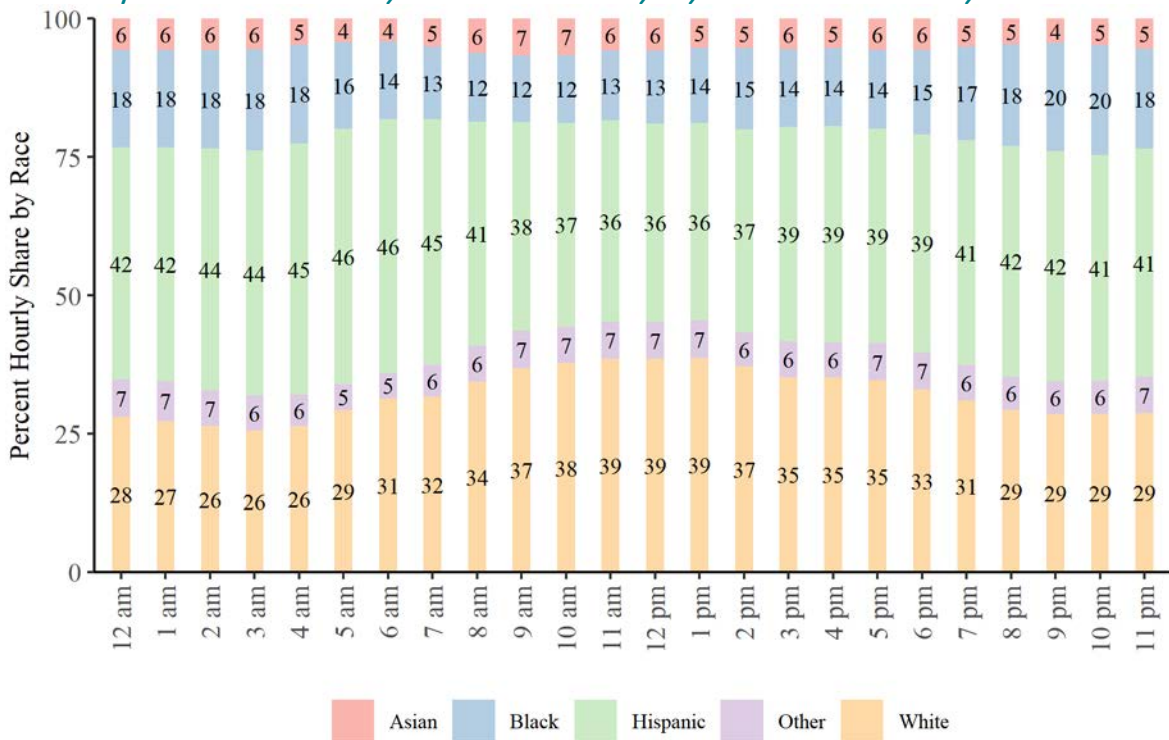
officers may collect race/ethnicity information differently between the two datasets; RIPA relies solely on officer-perception data, while officers may enter the race/ethnicity data in SWITRS after examining documentation or having an individual self-identify. Third, there is no specific data element to differentiate motorists from pedestrians in the RIPA dataset; the closest within the RIPA data is to examine stops that officers indicated they initiated for traffic violations. However, several Vehicle Codes regulate pedestrian behavior; this means that some individuals stopped for traffic (e.g. Vehicle Code) violations could be pedestrians. Fourth, although there is a variable that indicates what party was at fault in the SWITRS database, it is possible that officers are incorrect in determining which party

²⁶ In this analysis, the “Other” category consists of Middle Eastern/South Asian, Multiracial, Native American, and Pacific Islander individuals.

was at fault when entering the data in some cases. Fifth, the likelihood of becoming a not-at-fault party to a vehicle collision could differ amongst identity groups in some areas. Sixth, not all agencies in the state respond to collisions where there were no injuries and not all agencies determine which party was at fault for the collision, so not all collisions are reflected in the dataset.²⁷ Lastly, fewer empirical studies employ this type of data than residential population data; in part, this is because it is generally harder to access than residential population data made readily available by the U.S. Census Bureau, meaning that there is less known regarding other potential issues about this benchmark.

Light condition data: The proportion of stops represented by different racial or ethnic groups varied by time of day (see Figure 6).²⁸ White individuals composed a higher percentage of stops during daylight hours, as compared to evening hours when there was less light out. Conversely, Black and Hispanic individuals composed a higher relative percentage of stops during evening hours than daylight hours.²⁹ Hourly stop shares for Asian persons were relatively consistent over time. These data could indicate that light conditions may affect the likelihood of being stopped differently by race/ethnicity.

Figure 6. Stop Distribution by Race/Ethnicity by Hour of the Day



To more directly test whether light conditions affect stop frequencies, the Board adopted a method introduced by two researchers working for the RAND Corporation on a study of Oakland Police

²⁷ All Wave 1 agencies reported some parties in their 2018 SWITRS data to be at-fault. This limitation of SWITRS data may be more relevant in future years when more agencies are included in the analyses.

²⁸ Middle Eastern/South Asian, Multiracial, Native American, and Pacific Islander individuals are grouped into the “Other” category in this figure.

²⁹ Hispanic and White individuals were stopped in the highest proportions at all hours of the day.

Department vehicle stop data.³⁰ These researchers suggested that differences in stop frequencies by race/ethnicity could be contextualized using civil twilight data.³¹ This approach, often referred to as the “veil of darkness” (VOD), hypothesizes that if officers target some individuals for stops more than others based on their race, evidence of profiling should be most apparent during daylight when the race of drivers is presumably most visible. Conversely, if race were more difficult to see in darkness, then officers would be less able to rely on race as a factor in making decisions about whom they stop during the night. Since the original study that established the VOD approach, many other studies have adopted variations of this framework to analyze stop data.

RIPA Board’s decision to include VOD methodology: The inclusion of the VOD test was a topic of robust discussion at the November 20, 2019 Board meeting. Some members of the RIPA Board expressed concerns about the VOD methodology while other members believed it was beneficial to include this analysis.

Some Board Members presented the following arguments for the exclusion of the VOD analysis:

- VOD is based only on traffic stops during a certain period in the day.
- The CHP stop data makes up more than half of the stops analyzed in the VOD test and the nature of their stops are categorically different than those of other agencies. First, the number of traffic violation stops varied widely across Wave 1 agencies: for example, they made up 98.5 percent of the CHP’s stops, but only 42.5 percent for San Diego Police Department’s stops. Second, the CHP noted that it was more difficult to perceive the identity of people stopped on the highway with or without daylight. In response, some Board members believed the test was an unfavorable method for use on data collected for stops on highways.
- The Board believed that this methodology did not adequately address other limitations such as lighting from street lights in urban areas; this was of additional concern given that the agencies that submitted data in 2018 were primarily ones that police urban areas.
- Several published studies have shown that with the loss of light during daylight savings time there is an increase in crime; this might alter the behavior of law enforcement officers and it may interact with race in a complex way.
- Compared to other methods utilized in this report, the Board believed that the VOD is excessively technical and, therefore, requires a disproportionate amount of explanation to communicate how the analysis was performed. The report gives the residential data one page of analysis, the collision data one page of analysis, and the VOD five pages of analysis.

³⁰ Grogger & Ridgeway, Testing for Racial Profiling in Traffic Stops from Behind a Veil of Darkness (2006) RAND Corporation.

³¹ Civil twilight is defined as the illumination level sufficient for most ordinary outdoor activities to be done without artificial lighting before sunrise or after sunset. Therefore, it is dark outside when civil twilight ends; civil twilight ends when the sun is six degrees below the horizon.

- Given the complicated framework underlying the VOD analysis, the subtleties of results produced by these methods are difficult to interpret and may lead to confusion. The Board was concerned that it may seem that it was providing conflicting results to the public.

Other Board members made the following arguments for inclusion of the VOD analysis:

- In the 2019 Report, the Board identified VOD as one of several methodologies that might be used in analyzing the data and excluding the methodology now that the analysis had been completed might signal a lack of transparency to some stakeholders.
- This methodology has a research base, including articles published in academic publications, such as the Journal of the American Statistical Association.
- There is a desire to present the results from multiple analytical methods. This will allow for judgments to be made about the appropriateness of each methodology for agencies to analyze their data.
- There is an interest in seeing if it will be possible to draw comparisons between the VOD analyses in this year's report to those in the future when a larger dataset will be available.

After the discussion, a motion was made to exclude the VOD analysis pending further review by the Stop Data Subcommittee, given the concerns with whether the VOD test had validity. The Board vote was evenly divided (five ayes, five nays, one abstention) and thus the motion to remove the VOD test did not pass. The Board is including the VOD analysis in this year's report with the hope that it will receive feedback from the community, academics, and law enforcement with respect to the efficacy of using this type of analysis in the future. Certainly, the Board has a strong interest in continuing to pursue multiple different analytical methods that will be useful to both the public and law enforcement moving forward. Accordingly, the Board requested that the Stop Data Subcommittee continue to review VOD and any other methods of which it becomes aware and to make recommendations to the full Board with respect to methodologies to include in future reports.

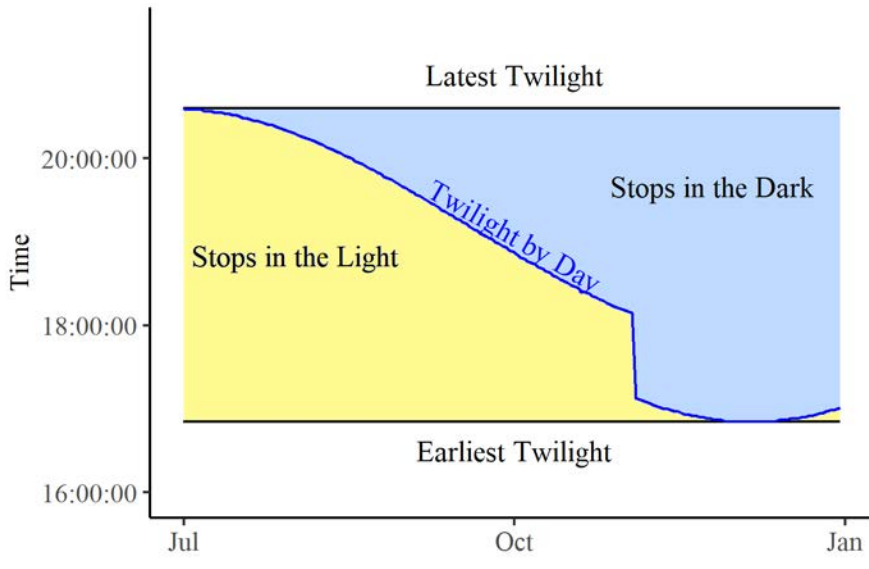
Although the VOD methodology has its own limitations, it avoids issues that surround population-based benchmarking. Instead, it compares the proportion of stopped individuals of a given race during daylight to the group's proportion during dark hours. Thus, we employ the VOD approach as one of the multiple comparative approaches in this report to analyze the stop data.

Veil of Darkness methodology: The VOD technique examines stops that occur during a standardized inter-twilight period, or the time of day that is dark during Standard Time but light during Daylight Savings Time. By limiting the analysis to only those stops that occurred during this period, frequency comparisons are less susceptible to factors that vary by time of day (e.g... commuting patterns). To identify the inter-twilight period for the 2018 data, we sourced civil twilight times for each stop date and location using the United States Naval Observatory database.³² We bounded the inter-twilight period using the earliest and latest instances of civil twilight for each location across the entire reporting period (approximately 4:54 pm to 9:30 pm). As shown in Figure 7, stops that occurred between the earliest end of civil twilight and the latest end of civil twilight would be included in the analyses. The blue line represents the end of civil twilight for a given day. Stops that occurred with

³² This information is sensitive to location. Civil twilight can vary by over an hour on the same day across the state.

sunlight fall under the blue line, while those without sunlight occurred above the blue line. The large dip in the trajectory of the blue line on November 4th is when the time switched from Daylight Savings Time back to Standard Time.

Figure 7: Inter-Twilight Period Example Using 2018 Data for San Francisco, CA



Only officer-initiated stops for traffic violations were included in this analysis for several reasons. First, many studies that employ a VOD framework utilize vehicle stop data only; traffic violations are the closest proxy to vehicle stops found in RIPA stop data. Second, the assumptions underlying VOD are most likely to hold true for stops made outdoors, for people who are obscured by their vehicle, and for stops where officers are not called to the scene; these criteria are truer of stops made for traffic violations than those made for other reasons, including reasonable suspicion. It is important to note that stops made for reasonable suspicion may often be more discretionary than those made for traffic violations, and may therefore be more likely to reveal instances of racial profiling; however, these stops are more likely to introduce additional confounding factors that violate the assumptions of VOD. Accordingly, reasonable suspicion stops are included in the analyses provided in other sections of this report.

Considerations and limitations of the VOD: The VOD approach was developed to address limitations of benchmarking comparisons; however, this does not mean that the VOD is without limitations of its own. To start, even under dark outdoor conditions with no artificial light, it is likely that some officers are able to perceive the race of individuals from close distances. Additionally, many patrol areas have some artificial light (e.g. streetlights, store signage, porch lights, etc.) that reduces the degree to which darkness may hinder their ability to perceive race. There may also be

certain types of violations (e.g. equipment violations) that some racial groups may have different propensities to commit due to economic or other reasons, which can be differently visible depending on whether it is light or dark outside.³³ Drivers belonging to some identity groups may also change their driving behavior based on the perceived likelihood of officers being able to correctly perceive their identity group membership.³⁴ Separate from the issue of lighting conditions is the potential issue that seasonal differences in driving patterns of certain groups could also influence the racial composition of drivers on roadways. The VOD test also only examines data from within the inter-twilight period, meaning that obtaining large sample sizes for smaller racial groups (e.g. Native American persons) requires many reporting agencies or a dataset that contains more historical data than the RIPA dataset does currently. The VOD is also a test best fit for vehicle stop data, but RIPA data do not explicitly differentiate vehicle stops from pedestrian stops; therefore, analysts must narrow the data using an approximate method by examining traffic violations. Lastly, there may be observable proxies for race (e.g., the make and model of the vehicle, the location of the stop, etc.) that officers could utilize to guess the race of drivers that could affect the assumptions of the test.

Stop frequencies by race and sunlight availability: Across the reporting period, there was a near 50/50 split between the proportion of individuals stopped during the inter-twilight period under light (50.1%) and dark conditions (49.9%). White persons had the closest stop distribution to a 50/50 split. Asian, Middle Eastern/South Asian, and Black individuals had slightly more of their members stopped under dark conditions than light within the inter-twilight period (50.3% - 51.2%). Pacific Islander individuals

VOD Quick-Reference Limitations

1. Reduced visibility under darker conditions does not mean no visibility, so officers may still be able to perceive race prior to initiating stops.
2. The likelihood of some identity groups to commit certain offenses or be stopped for certain offenses could differ across lighting conditions.
3. Seasonal differences in driving patterns of certain identity groups could also influence the identity group composition of drivers.
4. The method only examines data from a set period of time and for a single type of stop (traffic violations).
5. Officers could use observable proxies to guess the race of drivers.

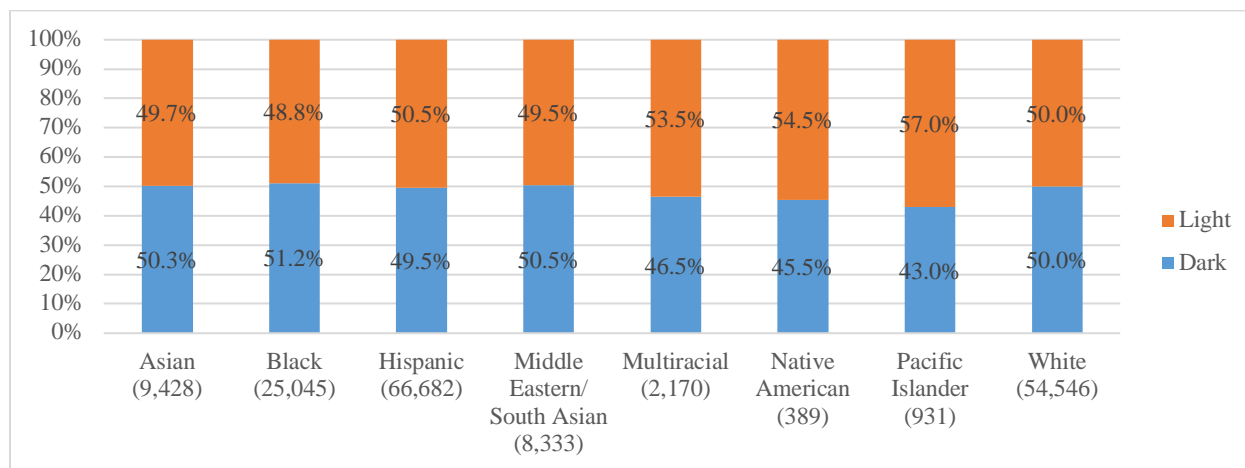
³³ Ritter, Joseph A. "How Do Police Use Race in Traffic Stops and Searches? Tests Based on Observability of Race." *Journal of Economic Behavior & Organization* 135 (2017): 82–98.

<https://doi.org/10.1016/j.jebo.2017.02.005>.

³⁴ Kalinowski, Jesse, Ross, Stephen L. & Ross, Matthew B. "Endogenous Driving Behavior in Veil of Darkness Tests for Racial Profiling." Working Paper, Human Capital and Economic Opportunity Global Working Group, The University of Chicago, February 2017.

had the highest proportion of their members stopped in the light (57.0%), followed by Native American, Multiracial, and Hispanic individuals. Under the assumptions of VOD, having a higher proportion of a group stopped under light conditions may be considered as evidence of bias towards that group. Figure 8 displays the proportion of each race/ethnicity group stopped under each condition. Compared to White individuals, Multiracial, and Pacific Islander individuals were more likely to be stopped in the light, while Black individuals were more likely to be stopped in the dark.³⁵ Given that CHP made over half the stops during the data collection period, and that most of the stops that CHP made were for traffic violations, we also conducted this analysis without CHP data and provide the table in the Technical Report.³⁶

Figure 8: Inter-Twilight Stop Frequencies by Race/Ethnicity



Post-Stop Outcomes

Search rates: Conducting a search of a person or their property was the most common reportable action officers took during a stop. Overall, officers conducted a search of a person or their property in 9.9 percent ($n = 178,975$) of the stops reported.³⁷ Figure 9 shows the percentage by race/ethnicity of all individuals who were subjected to a search of their person and/or property.³⁸ The racial/ethnic

³⁵ We used logistic regression and the same model specification as Grogger & Ridgeway, 2006. For detailed information regarding the model specifications and results, see Table 2.14.3 of Section 1, Subsection 2 in the Technical Report. Tables 2.14.5 through 2.14.6 also display alternative VOD analyses without California Highway Patrol and for the change in stop frequency before and after daylight savings.

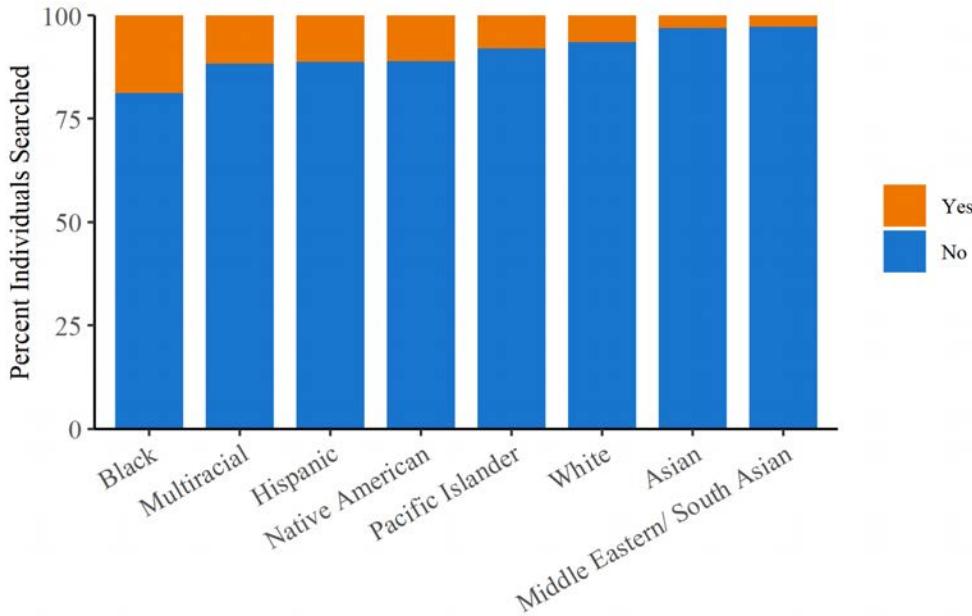
³⁶ See Table 2.14.4 in the Technical Report for VOD regression results excluding California Highway Patrol data. Compared to analyzing all agencies together, excluding CHP in subsequent analyses produced contrasting results. With the exception of Hispanic persons, the strength of the disparity reversed for all other groups. Specifically, if the disparity in stop probability at night was significant for a group in the full analysis, significance was lost with the exclusion of CHP. But, if the disparity in stop probability was not significant in the full analysis, significance was gained with the exclusion of CHP. For example, the disparity between Black and White individuals was significant when all data was included, but was no longer significant when CHP data was excluded.

³⁷ This includes both searches of the person (9.2 percent of individuals) and searches of their property (4 percent of individuals). Officers could conduct both a person and property search of the same person, which is why both these search types taken together amount to 9.9 percent of individuals, rather than 13.2 percent. These figures do not include canine searches (0.1 % of individuals).

³⁸ Middle Eastern/South Asian (2.8 %) and Asian (3.1 %) persons had lower search rates than White persons.

group with the highest percentage of stops where a search occurred was Black individuals; stops of Black individuals involved a search 18.7 percent of the time, while the racial/ethnic group with the next closest search rate (Multiracial individuals) had a search rate less than two thirds as high as Black individuals. Officers searched Black individuals whom they stopped at a rate that was 2.9 times the rate they searched White individuals.

Figure 9. Search Frequency by Race/Ethnicity



Basis for search: We created search discretion categories in our data, adapting what previous studies have done to explore the issue of officer discretion for searches.³⁹ We examined searches in two categories: “higher discretion” and “lower discretion” (Figure 10).⁴⁰ Administrative, or “lower discretion,” searches are most often required under department policy and include those performed following an arrest, pursuant to a warrant, or after impounding a vehicle.⁴¹ On the contrary, “higher discretion” searches are those where officers have the most flexibility in determining who to search, and include only those occurrences where consent is the only basis provided.⁴² Individuals for whom

³⁹ See Chanin, J., Welsh, M., & Nurge, D. (2018). *Criminal Justice Policy Review*, 29(6–7), 561–583 or Mosher, C., & Pickerill, J. (2011). *Seattle University Law Review*, 35(3), 769.

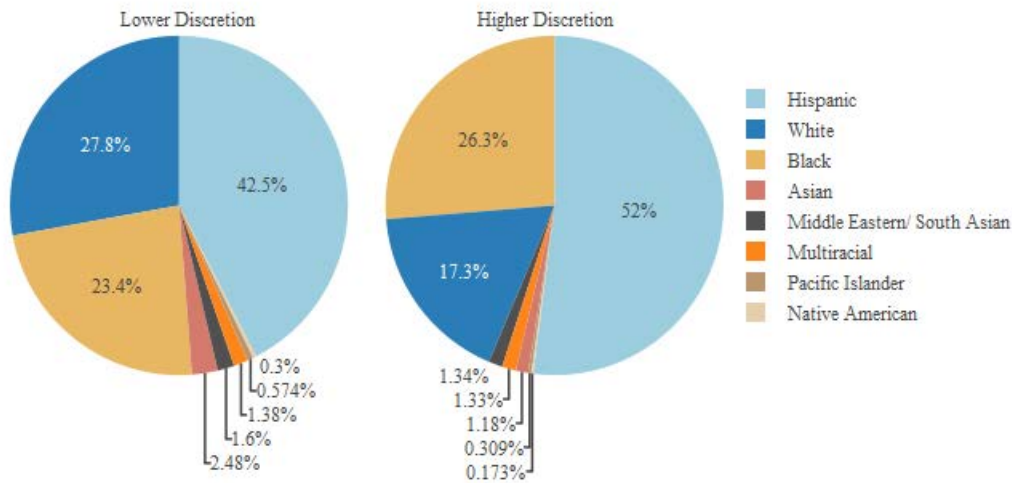
⁴⁰ For a more thorough review on the distinctions between lower and higher discretion searches, see Chanin et al. (2018). For the purposes of this report, searches conducted with a warrant were also included in the “low” discretion category.

⁴¹ Corresponding bases for search found in the RIPA Stop Data include incident to arrest, search warrant, and vehicle inventory.

⁴² Also of note, some studies include “Terry” searches or frisks (see *Terry v. Ohio*) in the higher discretion search category as well. Terry Searches include those justified as a protective search (pat search) for weapons based on reasonable belief that the person is dangerous or carrying a weapon. Terry searches do not have a direct analog in the RIPA regulations. However, the Board has received public comments about proxies for Terry searches in the stop data. In response, an additional version of the yield rate analysis using an alternate higher-discretion categorization was included in the Technical Report (Table 2.15.8); the alternate higher-discretion scheme includes searches based on consent, officer safety, or suspected weapons and excludes all other potential search bases. See footnote 45 for a synopsis of how this alternative categorization scheme affected results.

officers provided other search bases (e.g. canine detection, officer safety) are not included in either of the two discretion categories. Thus, these individuals were not included in the discretion level analyses. Figure 10 displays the racial and ethnic distribution of individuals searched by officers in higher and lower discretion searches.

Figure 10. Search Discretion by Race/Ethnicity



Search efficacy: There are a number of factors that an officer may use when deciding to undertake a discretionary search. A central factor is the strength of an officer’s suspicion that the stopped individual has contraband and that a search will reveal that contraband. If an officer’s suspicion is a primary factor and the officer is not using race as part of their decision to search, then we would expect individuals would have to exhibit roughly the same level of suspicious behavior (e.g. the frequency of furtive movements) for an officer to decide to conduct a search. We also would expect that the more suspicious a person appears, the more likely it is that they have contraband. Combining these two assumptions creates a statistical test for whether or not officers apply different standards to people from different identity groups. If officers are less likely to find contraband after searching people of a particular identity group, then we assume this means that the searched individuals in that identity group are objectively less suspicious, and thus subject to search because of their identity rather than any suspicious behavior. Alternatively, if searches yield comparable rates of contraband and evidence across all racial groups, this would suggest officers’ thresholds of suspicion justifying a search are similar across race. The following sections employ various analyses to explore this possibility.

Key Terms

Yield rate: proportion of searched individuals found in possession of contraband or evidence.

Officer-discretion level: level of discretion available to the officer in deciding to conduct a search.

- **Higher:** includes searches where the only listed basis for search was “consent given”.
- **Lower:** incident to arrest, vehicle inventory, and search warrants.

We examine search yield rates in the following sections. A search yield rate is the proportion of *individuals that were subject to a search* that officers found to be in possession of contraband or evidence.⁴³ Yield rates are calculated in the following manner:

$$\frac{\text{Number of Searched Individuals With Contraband or Evidence}}{\text{Total Number Searched Individuals}} * 100$$

Search yield rate is a measure of search efficacy. Thus, higher rates indicate that searches were successful and resulted in finding contraband or evidence (a “hit”) more often. Understanding the efficacy of searches can help reveal whether certain identity groups are under a greater degree of unwarranted scrutiny during stops.

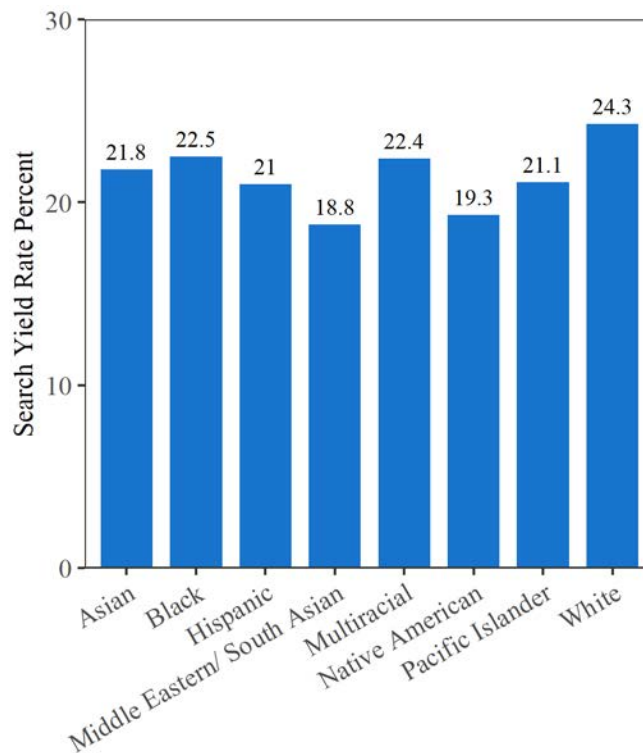
Before discussing yield rates, it is important to note that conducting searches is not the only way officers discover contraband or evidence. RIPA data collection allows officers to report that they discovered contraband or evidence regardless of whether or not they searched an individual. Wave 1 officers discovered contraband or evidence on 3.4 percent (60,792) of individuals they stopped. Of the individuals who had contraband or evidence discovered during their stop, 65.3 percent (39,676) of individuals were searched, while the remaining 34.7 percent (21,115) were not searched.⁴⁴ Only searched individuals are included in yield rate analyses.

Search yield rates: Figure 11 displays the search yield rates of the racial/ethnic groups collected under RIPA. The search yield rate for White individuals was 24.3 percent. Yield rates were *lower* for all racial groups of color compared to White individuals (1.8 to 5.6 percentage points lower). This shows that officers were *less successful* at finding contraband or evidence of wrongdoing when searching individuals of color than White individuals.

⁴³ RIPA regulations do not differentiate between cases where contraband is found in plain view prior to conducting a search versus cases where no contraband or evidence is viewed prior to the search.

⁴⁴ While 72.7 percent of yields from searches came from drug-related contraband, the most frequently discovered contraband or evidence type from stops without a search was alcohol (43.1%). Black individuals (2.17%) had the highest intra-group rates of contraband discovered in the absence of a search while Middle Eastern/South Asian individuals (0.33%) had the lowest. In this section, we did not perform further analyses surrounding contraband or evidence discovered in cases where individuals were not searched. Future analyses may examine these circumstances.

Figure 11. Search Yield Rates by Race/Ethnicity

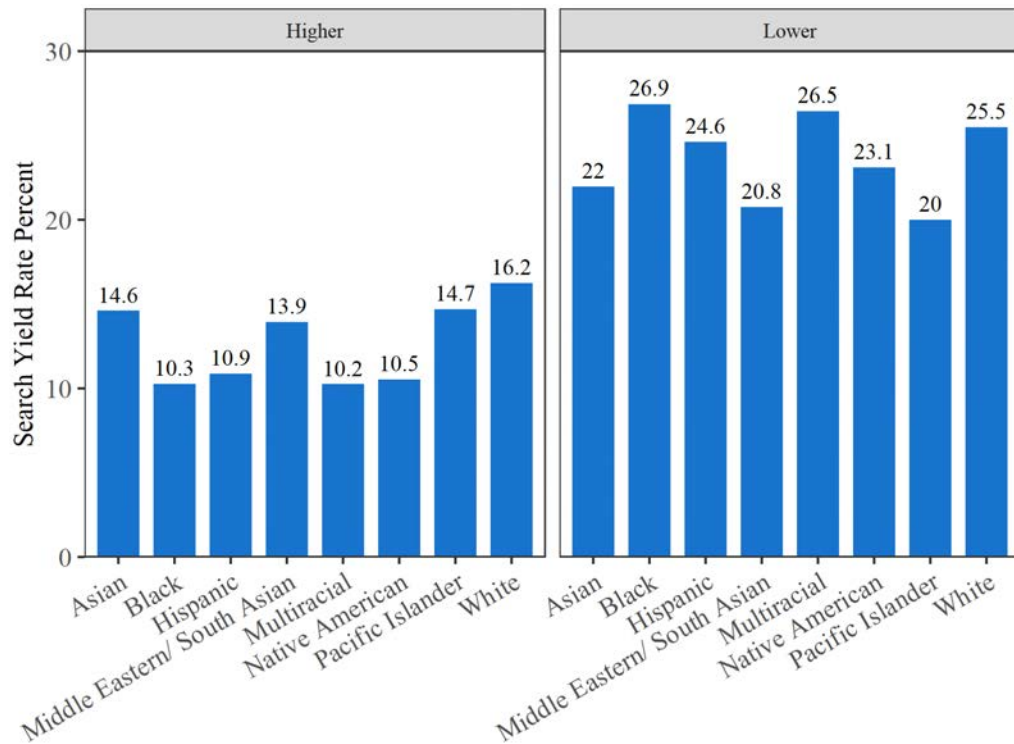


Yield rates by discretion level: In addition to examining overall search yield rates, we examine yield rates based on the level of discretion the officer had in deciding to conduct the search (see Figure 12).⁴⁵ When officers conducted highly discretionary searches of individuals (only basis was consent), officers had higher yield rates for White persons than for all other racial/ethnic groups. Most racial or ethnic groups also had lower yield rates than White persons for searches where officers are presumed to have less discretion (lower-discretion searches); however, yield rates for Black persons were 1.3 percentage points higher for lower-discretion searches—despite experiencing a smaller proportion of searches with this level of discretion (see Figure 10).⁴⁶

⁴⁵ Searches that were not categorized as lower or higher discretion constituted 48.3 percent of stops with searches. See Table 2.15.7 in Section 1, Subsection 2 of the Technical Report for a breakdown of search yield rates by each individual basis for search.

⁴⁶ Under the alternative higher discretion categorization scheme (see footnote 41), individuals of color, except persons perceived to be Pacific Islander, had lower yield rates than White persons. With the exception of Middle Eastern/South Asian and Native American individuals, yield rate differences between White individuals and other racial or ethnic groups decreased when including searches for officer safety and suspected weapons in the higher discretion category.

Figure 12. Search Yield Rates by Search Discretion by Race/Ethnicity



Stop circumstance: The stops for 95.3 percent of all individuals were officer-initiated, while 4.7 percent of all stops were in response to a call for service.⁴⁷ Thus, the findings in the yield rate analysis overall are largely driven by officer-initiated stops. All individuals of color had lower yield rates compared to White individuals overall (see Figure 11). When analyzed calls for service separately to better understand the issue, the difference in yield rates between White individuals and many persons of color was less pronounced.⁴⁸ It is worth noting that stops made in response to a call for service may or may not be of the subject of the call.

Considerations and limitations of search yield rates: Search yield rate tests avoid some of the issues of other tests because yield rates do not require the stop data to be matched with, or compared to, another set of data. However, one consideration when examining yield rates is that there can be observable factors that influence officers' decisions to search individuals related to the identity of the stopped individual that RIPA stop data collection may not capture. If this were the case, then we could incorrectly attribute this identity-neutral reason for differences in search frequency to identity.

⁴⁷ CHP conducted the fewest stops in response to a call for service. To ensure the results of the overall yield rate analysis were not driven solely by CHP, we also analyzed the data without their records (Appendix D, Table 7). When we exclude CHP data, the direction of all significant disparities between White and Non-White groups matched the results of analyses from all reporting agencies together (e.g. Asian persons had lower overall rates than White persons regardless of whether CHP data were included). For this reason, the CHP data was included in all results discussed in the main report body.

⁴⁸ The percentage point difference in yield rates between Multiracial, Pacific Islander, Native American, Hispanic, and Black individuals and White individuals was less when examining only individuals stopped in response to calls for services than when we examined all searched individuals, regardless of the stop circumstance.

Further, since the analysis is based on all discoveries of contraband, differences in the frequency with which people in one identity group are very suspicious and would always be searched, can mask racial differences in the frequency with which people who are only slightly suspicious are searched.⁴⁹

Enforcement Rates for Stops with Searches: To understand how frequently officers searched individuals and then decided to take an enforcement action afterwards, we examined enforcement rates for searched individuals. For the purpose of this report, we define enforcement rates as the proportion of a group of stopped individuals who were arrested or received a citation. We excluded stops where officers listed “incident to arrest” or “vehicle inventory” as a basis for the search.⁵⁰ After excluding these stops, we learned that officers took enforcement action with 26 percent of the individuals they searched. The proportion of the searched individuals that were subject to an enforcement action varied by race/ethnicity, with Black individuals having the lowest rate (21.2%) and White individuals having the highest rate (33%).

Officer-initiated stops with searches appear to drive the overall enforcement rates of searched individuals. When examining only officer-initiated stops with searches, White individuals (35.8%) had higher enforcement rates than all other racial or ethnic groups; Black individuals had the lowest enforcement rates (20.9%). The distribution of enforcement rates for the small proportion of searched individuals who were stopped in response to a call for service was different from the overall and officer-initiated enforcement rates.

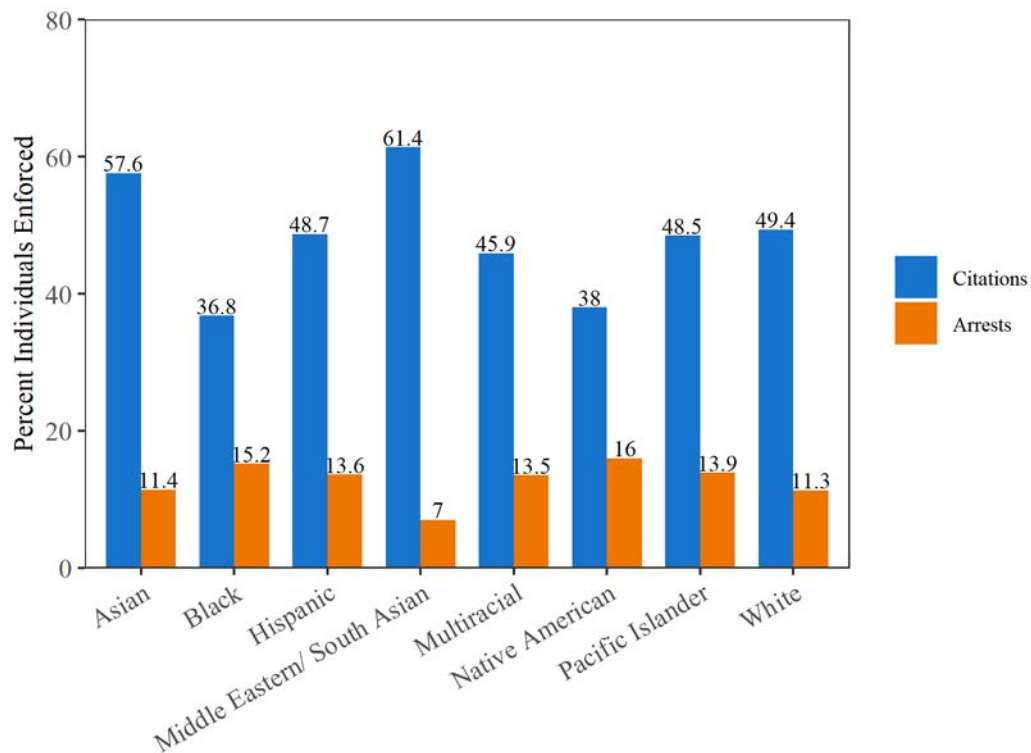
Enforcement Rates for all Stops: Officers took enforcement action on 60.3 percent of all individuals stopped during the reporting period, ranging from 51.6 percent of Black individuals to 68.7 percent of Asian individuals (Figure 13).⁵¹ These trends were driven by officer-initiated stops where Black individuals (52.2%) continued to have the lowest enforcement rates overall and Asian individuals (69.4%) the highest. White individuals (38.9%) had lower enforcement rates than other racial or ethnic groups (41.4 – 49.5%) when analyzing calls for service independently.

⁴⁹ See page 26 of the [2019 RIPA Board](#) report for an example that illustrates infra-marginality.

⁵⁰ By definition, these searches would come after the officer had already decided to take enforcement action and therefore do not follow the progression from search to enforcement that this analysis seeks to examine.

⁵¹ Enforcement action is a citation for infraction, in-field cite and release, custodial arrest without a warrant, custodial arrest with a warrant, or any combination of these four results of stop.

Figure 13. Citation and Arrest Rates by Race/Ethnicity⁵²



Analyzing enforcement by type of offense revealed a more nuanced pattern. Relative to other groups, a lower percentage of Black and Native American individuals were issued citations (36.8% – 38.0%), while Asian and Middle Eastern/South Asian individuals had higher citation rates (57.6% – 61.4%). Conversely, Black and Native American individuals were arrested at relatively high rates (15.2% – 16.0%) compared to Middle Eastern/South Asian and White individuals (7.0% – 11.3%), who had lower percentages of arrests overall (see Figure 13).

Ongoing Training to Ensure the Continued Integrity of Data Collection and Submission

To gain insight into the specific needs of law enforcement agencies with respect to the technical aspects of data collection and submission to the Department, the Department’s Client Services Program (CSP) facilitated two Lessons Learned sessions during the fall of 2019. The Department’s business, legal, technical, and research teams participated with law enforcement staff representing the fifteen agencies currently collecting stop data (the Wave 1 and Wave 2 agencies), as well as some from the Wave 3 agencies who are scheduled to begin collecting data on January 1, 2021. The goal of the sessions was to elicit feedback on training, outreach, technology, timelines, annual close-out process, the designation and handling of persons’ personally identifiable information and officers’ unique identifying information, as well as responses to Public Records Act requests, data analysis, and future enhancements. The agencies were able to share their experiences and feedback, trade advice, and discuss gaps in training with the Department. These sessions served as an open forum to share the lessons learned during the initial implementation process of the data collection and identified a need

⁵² The arrest category in Figure 13 includes custodial arrests (both with and without a warrant), as well as in-field cite and releases.

for more scenario-based training. The CSP will incorporate the feedback to improve the implementation process for the next group of agencies.

Data Integrity Video

In May 2019, the RIPA Board released a five-minute video in which six diverse stakeholders address data integrity for the RIPA stop data. The video outlines the role of law enforcement agencies and the Department in performing data integrity checks, as described by Dr. Sharad Goel, Stanford University Assistant Professor and Founder and Executive Director of the Stanford Computational Policy Lab: “The integrity of the stop data is checked at several phases of the collection and analysis process... If discrepancies are discovered anywhere in the [collection/reporting] pipeline, State officials can work with local jurisdictions to improve the quality of collected data.”

Dr. Jack Glaser, Professor at the Goldman School of Public Policy at the University of California, Berkeley, and recognized expert on racial profiling, explained what data integrity means and how it is achieved:

“Data integrity, at its core, means that the numbers reflect reality. This happens when officers record all stops fully and forthrightly, and when these records are stored and shared consistently and transparently. In order for people to be able to trust the data, it is crucial that reporting requirements and guidelines be consistent across and within departments.”

The Data Integrity video is available on YouTube⁵³ and a link is provided on the RIPA Board webpage.

⁵³ California Department of Justice. (2019, May 2). RIPA - Data Integrity [Video file]. Available at <https://www.youtube.com/watch?v=F2evScIOFo0&t=3s>.

Racial and Identity Profiling Policies and Accountability

Both the United States and California Constitutions provide for equal protection under the law and the right to be free from unreasonable searches and seizures conducted by government. California law further guarantees these rights for all people, regardless of the actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability of the individual.⁵⁴ Police action that is biased is illegal and violates these rights. Biased-based policing, furthermore, alienates the public, fosters distrust of police, and undermines legitimate law enforcement efforts.⁵⁵ As stated by the California Legislature, racial and identity profiling is “abhorrent and cannot be tolerated.”⁵⁶

RIPA directs the Board to review and analyze “racial and identity profiling policies and practices across geographic areas in California, working in partnership with state and local law enforcement agencies.”⁵⁷ In its 2019 report, the Board surveyed all California law enforcement agencies subject to stop data reporting on their current policies and practices relevant to preventing racial and identity profiling and their efforts to enhance law enforcement-community relations and reduce bias in policing. The Board found that while most agencies did have a specific policy or portion of a policy addressing racial and identity profiling, there was little consistency in the substance of the policies across agencies.⁵⁸

In light of this lack of consistency, this year’s report provides model language that law enforcement can include in their bias-free policing policies. This model language is based on existing evidence-based best practices provided in the Board’s last report. The Board provides this language with the caveat that this model language is only a starting point for protecting the constitutional rights of Californians. Bias-free policing is constantly evolving, and thus policies will need frequent updating to track with the latest police practices. The Board encourages law enforcement agencies to collaborate with community members to develop their bias-free policing policies and to adapt the language of the recommended policies to fit the communities they serve.

Recommendations for Model Bias-Free Policing Policies

A model bias-free policing policy is a stand-alone policy devoted to bias-free policing. It uses clear language, including definitions of relevant terms, and expresses the agency or department’s responsibility to identify and eliminate racial and identity profiling. In addition to stating the agency or department’s core values and its commitment to bias-free policing, a model policy includes relevant federal and state law. A model policy is based on best practices, well researched, and regularly updated with changes in the law or best practices. A model bias-free policing policy includes cross references to other relevant agency policies on subjects such as civilian complaints, stops, use of force, training, and accountability. It also includes references to relevant training that agency or department

⁵⁴ Pen. Code, §13519.4.

⁵⁵ Pen. Code, §13519.4, subd. (d)(1)-(4).

⁵⁶ Pen. Code, §13519.4, subd. (d)(2).

⁵⁷ Pen. Code, §13519.4, subds. (j)(3) & (A)-(E).

⁵⁸ Of the 425 law enforcement agencies in the State that were sent the survey, 114 agencies participated, and thus the responses may not be representative of all agencies in the State. The current report focuses on the bias-free policing policies of the eight Wave 1 agencies that began collecting data on July 1, 2018.

personnel receive on subjects such as implicit bias, civilian complaint procedures, human and community relations, etc. A model stand-alone policy is easily accessible to both agency personnel and the public.

All personnel, including dispatchers and non-sworn personnel, should receive training on the bias-free policing policy. Specific examples of behavior that violates the bias-free policing should be included in either the training or the policy itself.

Below is model policy language and definitions that LEAs can consider including in their bias-free policing policies. The Board notes that these recommendations are the floor, and not the ceiling, of best practice recommendations for bias-free policing policies.

A. Model Policy Language for Bias-Free Policing Policy

- The [agency] expressly prohibits racial and identity profiling.
- The [agency] is committed to providing services and enforcing laws in a professional, nondiscriminatory, fair, and equitable manner that keeps both the community and officers safe and protected.
- The [agency] recognizes that explicit and implicit bias can occur at both an individual and an institutional level and is committed to addressing and eradicating both.
- The intent of this policy is to increase the [agency's] effectiveness as a law enforcement agency and to build mutual trust and respect with the [city, county or state's] diverse groups and communities.
- A fundamental right guaranteed by the Constitution of the United States is equal protection under the law guaranteed by the Fourteenth Amendment. Along with this right to equal protection is the fundamental right to be free from unreasonable searches and seizures by government agents as guaranteed by the Fourth Amendment.
- The [agency] is charged with protecting these rights. Police action that is biased is unlawful and alienates the public, fosters distrust of police, and undermines legitimate law enforcement efforts.
- All employees of [agency] are prohibited from taking actions based on actual or perceived personal characteristics, including but not limited to race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability, except when engaging in the investigation of appropriate suspect-specific activity to identify a particular person or group.
- [Agency] personnel must not delay or deny policing services based on an individual's actual or perceived personally identifying characteristics.

B. Model Policy Language for Definitions Related to Bias

- **Racial or Identity Profiling:** the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability⁵⁹ in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. Such activities include, but are not limited to, traffic or pedestrian stops, or actions taken during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.⁶⁰
- **Bias-Based Policing:** conduct by peace officers motivated, implicitly or explicitly, by the officer's beliefs about someone based on the person's actual or perceived personal characteristics, i.e., race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability.
- **Implicit Bias:** the attitudes or stereotypes that affect a person's understanding, actions, and decisions in an unconscious manner. These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control. Implicit biases are different from known biases that individuals may choose to conceal.
- **Bias by Proxy:** when an individual calls/contacts the police and makes false or ill-informed claims of misconduct about persons they dislike or are biased against based on explicit racial and identity profiling or implicit bias.⁶¹ When the police act on a request for service based in unlawful bias, they risk perpetuating the caller's bias. Members should use their critical decision-making skills, drawing upon their training to assess whether there is criminal conduct.
- **Reasonable Suspicion to Detain:** reasonable suspicion is a set of specific facts that would lead a reasonable person to believe that a crime is occurring, had occurred in the past, or is about to occur. Reasonable suspicion to detain is also established whenever there is any violation of law. Reasonable suspicion cannot be based solely on a hunch or instinct.
- **Detention:** a seizure of a person by an officer that results from physical restraint, unequivocal verbal commands, or words or conduct by an officer that would result in a reasonable person believing that he or she is not free to leave or otherwise disregard the officer.⁶²
- **Reasonable Suspicion to Conduct a Pat Search:** officers are justified in conducting a pat search if officers have a factual basis to suspect that a person is carrying a weapon, dangerous instrument, or an object that can be used as a weapon, or if the person poses a danger to the safety of the officer or others. Officers must be able to articulate specific facts that support an

⁵⁹ Some agencies include other personal characteristics in their racial or identity profiling policies, such as socioeconomic status or immigration status.

⁶⁰ Cal. Pen. Code, § 13519.4, subd. (e).

⁶¹ Fridell, A. (2017). *Comprehensive Program to Produce Fair and Impartial Policing*. USA: Springer International Publishing, p. 90.

⁶² 11 CCR § 999.224(a)(7).

objectively reasonable apprehension of danger under the circumstances and not base their decision to conduct a pat search on any perceived individual characteristics. Reasonable suspicion to conduct a pat search is different than reasonable suspicion to detain. The scope of the pat search is limited only to a cursory or pat down search of the outer clothing to locate possible weapons. Once an officer realizes an object is not a weapon, or an object that can be used as a weapon, the officer must move on.

- **Probable Cause to Arrest:** under the Fourth Amendment to the United States Constitution, arrests must be supported by probable cause. Probable cause to arrest is a set of specific facts that would lead a reasonable person to objectively believe and strongly suspect that a crime was committed by the person to be arrested.

C. Model Policy Language for Limited Circumstances in which Characteristics of an Individual May Be Considered

- [Agency] members may only consider or rely on characteristics listed in a specific description of a suspect, victim, or witness based on trustworthy and relevant information that links a specific person to a particular unlawful incident.
- Except as provided above, [agency] officers shall not consider personal characteristics in establishing either reasonable suspicion or probable cause.

D. Model Policy Language for Encounters with Community

- To cultivate and foster transparency and trust with all communities, each [agency] member shall do the following when conducting pedestrian or vehicle stops or otherwise interacting with members of the public, unless circumstances indicate it would be unsafe to do so:
 - Be courteous, professional, and respectful.
 - Introduce themselves to the community member, providing name, agency affiliation, and badge number. [Agency] members should also provide this information in writing or on a business card.⁶³
 - State the reason for the stop as soon as practicable, unless providing this information will compromise officer or public safety or a criminal investigation.
 - Answer questions that the individual may have about the stop.
 - Ensure that a detention is no longer than necessary to take appropriate action for the known or suspected offense and [agency] member convey the purpose of any reasonable delays.

⁶³ President's Task Force on 21st Century Policing. (2015). *Final Report of the President's Task Force on 21st Century Policing*. Washington, DC: Office of Community Oriented Policing Services, p. 27. Available at <http://elearning-courses.net/iacp/html/webinarResources/170926/FinalReport21stCenturyPolicing.pdf> (identified as recommendation 2.11, with accompanying Action Item 2.11.1 for promoting effective crime reduction while building public trust).

- All [agency] personnel, including dispatchers and non-sworn staff, shall not use harassing, intimidating, derogatory, or prejudiced language, including profanity or slurs, particularly when related to an individual’s actual or perceived individual characteristics.
- Dispatchers and sworn personnel shall be aware of and take steps to curb the potential for bias by proxy in a call for service.
- Officers should draw upon their training and use their critical decision-making skills to assess whether there is criminal conduct and to be aware of implicit bias and bias by proxy when carrying out their duties.
- All [agency] personnel, including dispatchers and non-sworn personnel, shall aim to build community trust through all actions they take, especially in response to bias-based reports.

E. Model Policy Language for Training

- The [agency] will ensure that, at a minimum, all officers and employees are compliant with requirements regarding bias-free policing training.
- The [agency] will ensure that management includes a discussion of its bias-free policing policy with its officers and staff on an annual basis.
- [Agency] officers should be mindful of their training on implicit bias and regularly reflect on specific ways their decision-making may be vulnerable to implicit bias.

F. Model Policy Language for Data Collection and Analysis

- As required by the California Racial and Identity Profiling Act of 2015, [agency] is required to collect data on: (a) civilian complaints that allege racial and identity profiling and (b) perceived demographic and other detailed data regarding pedestrian and traffic stops. The data to be collected for stops includes, among other things, perceived race or ethnicity, approximate age, gender, LGBT identity, limited or no English fluency, or perceived or known disability, as well as other data such as the reason for the stop, whether a search was conducted, and the results of any such search. All agencies must report this data to the California Department of Justice.
- The [agency] should regularly analyze data, in consultation with [academics, police commissions, civilian review bodies, or advisory boards], to assist in identifying practices that may have a disparate impact on any group relative to the general population.

G. Model Policy Language for Accountability and Adherence to the Policy

- All [agency] personnel, including dispatchers and non-sworn personnel, are responsible for understanding and complying with this policy. Any violation of this policy will subject the member to remedial action.
 - Types of remedial action should be outlined.

- All [agency] personnel, including dispatchers and non-sworn personnel, shall not retaliate against any person who complains of biased policing or expresses negative views about them or law enforcement in general.
- All [agency] personnel, including dispatchers and non-sworn personnel, share the responsibility of preventing bias-based policing. Personnel shall report any violations of this policy they observe or of which they have knowledge.
 - *Processes and procedures for reporting violations should be included.*

H. Model Policy Language for Supervisory Review

- Supervisors shall ensure that all personnel under their command, including dispatchers and non-sworn personnel, understand the content of this policy and comply with it at all times.
 - Supervisory processes and procedures for monitoring should be included.
- Any employee who becomes aware of any instance of bias-based policing or any violation of this policy shall report it in accordance with established procedure.
- Supervisors who fail to respond to, document, or review allegations of bias-based policing will be subject to remedial action.
 - Types of remedial action should be outlined.
 - Supervisor processes and *procedures for review should be included.*

Wave 1 Agency Bias-Free Policing Policy Review

This year, the Board undertook a review of the bias-free policing or equivalent policies for all eight Wave 1 agencies. The matrix below summarizes the Board’s review of the most recent policies the Department obtained, based on the best practices outlined in the 2019 RIPA Board Report. Following the matrix is a more detailed review of each agency’s bias-free policing policy and related policies that contain relevant information.

In the 2019 Report, the Board recommended various best practices to assist agencies with having clear, thoughtful, and robust bias-free policing policies. To that end, the Board reviewed the factors below. First, the Board assessed whether the policy was clear about the agency’s prohibition against bias-based policing and whether that commitment was furthered by having a stand-alone policy. Additionally, the Board reviewed whether the policy defined bias-based policing and explained in what limited circumstances personal characteristics may be considered. Next, the Board evaluated whether the policy was accessible to the public and whether the policy discussed guidelines according to which agency members should interact with the community. The Board also assessed whether the policy included a component on training related to racial and identity profiling. Lastly, the Board evaluated the accountability built into the policy by looking at whether the policy discussed analysis of data collected and supervisory review. In its review, the Board was not expecting each agency to exactly follow the above-mentioned model language. Instead, the Board looked for instances where the concepts above were incorporated into the policies.

These recommendations represent an accumulation of best practices identified by the United States Department of Justice (USDOJ) and other relevant empirical research conducted by well-regarded

organizations, including the Police Executive Research Forum (PERF),⁶⁴ the International Association of Chiefs of Police (IACP),⁶⁵ the Vera Institute,⁶⁶ Fair and Impartial Policing,⁶⁷ Stanford SPARQ,⁶⁸ and the Center for Policing Equity (CPE).⁶⁹ The Department shared this review with the subject LEAs to ensure accuracy before including this information in the report.

The RIPA Board encourages all Wave 1 agencies to re-examine their policies. The Policy Review that follows may assist agencies in identifying areas of opportunity to incorporate the best practices outlined in the Board’s 2019 report and the aforementioned model language.

Wave 1 Agency	Stand-Alone Bias-Free Policing Policy?	Clearly Written?	Easily Accessible?	Uses Concrete Definitions of Bias-Free Policing and/or Racial & Identity Profiling?	Component on Limited Circumstances in which Characteristics of Individual May Be Considered?
San Francisco PD	✓	✓	✓	✓	✓
CHP	✗	✓	✗	✓	✓
Los Angeles PD	✓	✓	✓	✓	✓
Riverside Sheriff	✓	✓	✗	✓	✓
San Bernardino Sheriff	✓	✓	✗	✗	✗
San Diego PD	✓	✓	✗	✓	✗
San Diego Sheriff	✓	✓	✓	✗	✓
Los Angeles Sheriff	✗	✓	✗	✗	✗

⁶⁴ Police Executive Research Forum (PERF). Information available at <https://www.policeforum.org/>.

⁶⁵ International Association of Chiefs of Police (IACP). Information available at <https://www.theiacp.org/>.

⁶⁶ The Vera Institute of Justice. Information available at <https://www.vera.org/>.

⁶⁷ Fair and Impartial Policing. Information available at <https://fipolicing.com/>.

⁶⁸ Stanford SPARQ. Information available at <https://sparq.stanford.edu/>.

⁶⁹ Center for Policing Equity (CPE). Information available at <http://policingequity.org/>.

Wave 1 Agency	Component on Encounters with Community?	Component on Racial and Identity Profiling Training?	Component on Data Analysis?	Component Requiring Accountability?	Supervisory Review?
San Francisco PD	✓	✗	✓	✓	✓
CHP	✓	✓	✓	✓	✓
Los Angeles PD	✓	✗	✗	✓	✓
Riverside Sheriff	✗	✓	✗	✓	✗
San Bernardino Sheriff	✓	✓	✗	✗	✗
San Diego PD	✗	✗	✗	✓	✗
San Diego Sheriff	✗	✗	✗	✗	✗
Los Angeles Sheriff	✗	✗	✗	✓	✗

San Francisco PD: The San Francisco Police Department is in the process of revising Department General Order 5.17.⁷⁰ The information in the above chart is from a review of the current policy, which was revised in May 2011. The 2011 policy, which is available in English on the SFPD website⁷¹ mentions equal protection and Fourth Amendment laws and contains a definition of biased policing. In line with the Board’s best practice recommendations, it includes a component on the limited circumstances in which characteristics of individuals may be considered, as well as a component on communication with the community to prevent perceptions of biased policing. However, the policy does not contain a

⁷⁰ In updating its anti-bias policy, the SFPD gathered various stakeholders from the community and local government, including the San Francisco Police Commission and the San Francisco Department of Police Accountability, to help draft the soon to be approved policy. Other law enforcement agencies should consider a similar approach to improve community and law enforcement relations.

⁷¹ See San Francisco Police Department. (2011). General Order 5.17: Policy Prohibiting Biased Policing [PDF file]. Available at <https://www.sanfranciscopolice.org/sites/default/files/2018-11/DGO5.17%20Policy%20Prohibiting%20Biased%20Policing.pdf>.

component on racial and identity profiling training. It includes components for accountability and supervisory review. A separate policy, San Francisco Administration Code, section 96A.3, mandates SFPD to conduct analysis and reporting of collected data. Quarterly reports with the data analysis, including an executive summary, are available on the agency's website.

CHP: The California Highway Patrol does not have a stand-alone bias-free policing policy. Relevant content is integrated into the Enforcement Policy Manual and is additionally reflected in the Drug Programs Manual; neither of these manuals is available online. The Enforcement Policy Manual includes information on the requirements under current state and federal law. CHP policies define racial and identity profiling, as well as probable cause, consent, and reasonable suspicion. They include a component on the limited circumstances in which characteristics of individuals may be considered, as well as a component on encounters with the community. Annual cultural awareness training is provided to all employees and includes training on racial profiling; an eight-hour classroom-training course is alternated with an online refresher course every odd-numbered calendar year. The policies include components for the analysis of the collected data, accountability, and supervisory review.

LAPD: The Los Angeles Police Department has a three-paragraph, stand-alone Policy Prohibiting Biased Policing that is clearly written and available in English on the LAPD website.⁷² The policy was updated in November 2019, expanding protected classes to include immigration or employment status, language fluency, and homeless circumstance. The policy defines bias-free policing. It includes a component on the limited circumstances in which characteristics of individuals may be considered. Furthermore, it designates failure to comply as an act of serious misconduct and requires employees to report violations of the policy. Related content is included in other policy sections, including encounters with the community. Supervisory review is addressed in a separate section of the *Department Manual. Section 4/202.2 – Automated Field Data Reports (AFDR)/Completion and Tracking* outlines officers' responsibilities for completing AFDRs and describes supervisors' responsibilities for:

- reviewing AFDRs promptly to ensure that officers are properly completing the AFDR per the AFDR Completion Guide and Supervisor AFDR Completion Guide;
- editing or directing the completing officer to revise the narrative portions of the AFDR, when appropriate;
- ensuring that a legal basis for the detention and search (if applicable) is adequately articulated in the narrative; and,
- ensuring that no identifying characteristics of the person(s) being stopped or the officer(s) involved are listed.

Watch Commanders and Commanding Officers' responsibilities related to AFDR are also specified.

The LAPD policy does not include a component on racial and identity training. However, LAPD provided to the Board a ten-page *Police Training and Education – 2019 Biased Policing Reduction*

⁷² See Los Angeles Police Department. (2019). *2019 2nd Quarter Manual*. Available at http://lapdonline.org/lapd_manual/volume_1.htm#345.

Strategy document that includes detailed information about current training courses required of officers, supervisors, and command staff.

The LAPD policy does not include a component on data analysis. LAPD did, however, share a document, *Efforts to Reduce the Number of Biased Policing Complaints Report*, which outlines the LAPD's data analysis efforts. In a letter to the Department, dated December 2, 2019, the LAPD provided additional details about data analysis by a Steering Committee that meets every four weeks. The letter also describes a Stop Data Dashboard that the LAPD is developing to provide commanding officers insight into the types of stops being conducted, reasons for stops, searches conducted, and actions taken by officers in the field.

Riverside Sheriff: The Riverside County Sheriff's Department has a clearly written stand-alone⁷³ policy that was last revised October 7, 2019. The policy is not available online. It defines bias-based policing and includes a component on the limited circumstances in which characteristics of individuals may be considered. There is no component on encounters with the community. The policy includes a component on officer training and encourages members to familiarize themselves with racial and cultural differences if they have not yet received training. The policy does not include a component on data analysis; it does delineate, however, what data is collected for RIPA. The policy requires members to be responsible for reporting any biased-based policing they suspect or have knowledge of and encourages members to intervene whenever they see bias-based actions. The policy does not address supervisory review.

San Bernardino Sheriff: The San Bernardino County Sheriff's Department has a clearly written two-sentence, stand-alone policy prohibiting biased policing. This policy is not available on the agency's website; the agency submitted it to the RIPA Board. It does not include definitions of bias-free policing or racial and identity profiling nor a component on the limited circumstances in which characteristics of individuals may be considered. The policy contains a component on interaction with the public and states that the Sheriff's Department must provide initial and continuing training in community relations. The policy discusses data collection but does not address analysis, accountability, or supervisory review.

San Diego PD: The San Diego Police Department has a clearly written stand-alone policy that was last revised in 2015. The policy is available in English on the SDPD website.⁷⁴ The policy defines bias-based policing. It does not include recommended components on the limited circumstances in which characteristics of individuals may be considered, communication with the community, training, data analysis, or supervisory review. SDPD requires members to make every effort to prevent and report bias-based policing by fellow members.

⁷³ A private corporation provides Riverside's policy through a paid subscription service offered to law enforcement agencies around the country.

⁷⁴ See San Diego Police Department. (2016). *Policy Manual* [PDF file], p. 35. Available at https://s3.amazonaws.com/themis.datasd.org/policies_procedures/Policies/Complete%20Policy%20Manual.pdf

San Diego Sheriff: The San Diego County Sheriff's Department has a clearly written, seven-paragraph section in the Procedures Manual concerning their stand-alone policy, which was last revised in August 2018. The policy and procedures are available in English on their website.⁷⁵ The policy mentions Fourth Amendment laws and refers to the updated definition of racial or identity profiling, but the definition is not included in the policy itself. It contains a component on the limited circumstances in which characteristics of individuals may be considered, but does not address encounters with the community, training, accountability, or supervisory review. The policy discusses RIPA data collection, but not data analysis.

Los Angeles County Sheriff: The Los Angeles County Sheriff's Department (LASD) does not have a stand-alone policy; the policy is integrated into the Policy of Equality. Additionally, the LASD's Constitutional Policing Policy emphasizes the Department's commitment to equal protection without bias. It is clearly written and available in English on the Sheriff's website.⁷⁶ The policy does not include definitions of bias-free policing or racial and identity profiling. The policy does not include components on the limited circumstances in which characteristics of individuals may be considered, encounters with the community, training, or analysis of the collected data. It contains general supervisory review statements and refers to an Equity Oversight Panel that reviews each Equity Unit internal complaint investigation and the effectiveness of the policies and procedures. The Affirmative Action unit receives and processes external complaints of discrimination, harassment, and retaliation, who then forwards the complaints to the Equity Unit for investigation and resolution.

Vision for Future Reports

In the coming years, the Board hopes to review the bias-free policing policies of the Wave 2 and Wave 3 agencies as they begin to submit stop data. It will also seek to incorporate any revisions or updates agencies may make to their bias-free policing policies in its review. Future reports will also include any changes to best practices that may inform law enforcement agencies' bias-free policing policies and practices.

⁷⁵ See San Diego County Sheriff's Department. (2018). *Policy and Procedure Manual* [PDF file]. Available at <https://www.sdsheiff.net/documents/pp/pp-20160321.pdf>.

⁷⁶ See Los Angeles County Sheriff's Department. (2018). Policy and Ethics. In *Manual of Policy and Procedures*. Available at <http://shq.lasdnews.net/shq/mpp/3-01.pdf>; Los Angeles County Sheriff's Department. (2017). Miscellaneous Line Procedures. In *Manual of Policy and Procedures*. Available at <http://shq.lasdnews.net/shq/mpp/5-09.pdf>.

Calls for Service and Bias by Proxy

In its 2019 Report, the RIPA Board introduced the topic of bias by proxy in the context of calls for service. Bias by proxy occurs in a call for service “when an individual calls the police and makes false or ill-informed claims about persons they dislike or are biased against.”⁷⁷ Because calls for service are the most common way in which law enforcement officers make contact with the public, it is critical that law enforcement agencies have policies and training in place about how to prevent bias by proxy when responding to a call for service.

Best Practices for Responding to Biased-Based Calls for Service

We were unable to find any law enforcement agency in California that had a policy that addresses the circumstances in which members of the public make bias-based calls for service.⁷⁸ The Board reviewed evidence-based best practices for responding to bias-based calls for service and identified the following best practices:

- Agencies should have a policy detailing how sworn personnel and dispatchers should respond to bias-based reports, reports regarding bias, or bias by proxy from the community. This policy could be a stand-alone policy or integrated into the bias-free policing policy.
- An agency policy covering biased-based calls for service should include:
 - How an officer should identify a biased-based call for service.
 - It should first instruct the officer to determine whether there is evidence of criminal misconduct or if there is a need to engage in a community caretaking function.
 - It should include clear direction on next steps with respect to the caller and subject of the call (see below) if an officer determines that there is no criminal conduct or no need to conduct a well-being check.
 - It should allow officers to respond to the area and independently assess the subject’s behavior from a distance. If no suspicious criminal behavior is observed, then the officer can report the call to dispatch as “unfounded.”
 - How sworn personnel and dispatchers should interact with the community member who has made a bias-based call for service.
 - It should detail ways personnel can courteously explore if the call is bias-based and concerns an individual’s personal characteristics (e.g., call regarding a

⁷⁷ Fridell, A. (2017). A Comprehensive Program to Produce Fair and Impartial Policing. In *Producing Bias-Free Policing*. Springer, p. 90.

⁷⁸ We are aware that the San Francisco Police Department is in the process of incorporating bias by proxy into the new draft of its anti-bias policing policy. If adopted, we believe this would be the first policy in California, certainly of a major police department, to incorporate concepts of bias by proxy into its department general orders.

person of color walking in the “wrong neighborhood”) or if there are specific behaviors that warrant a call for police response. If the complainant can offer no further, concrete information, the complainant may be advised that the shift supervisor will be in contact at the first opportunity.

- Specifically, dispatchers could have a series of questions or a flexible script, which enables them to ask questions and explore whether there are concrete, observable behaviors that form the basis of the suspicious activity or crime the caller is reporting. Is the person looking into cars, checking doors, casing homes, etc.? What specific crime or activity does the person claim to be witnessing?⁷⁹
- If a call turns out to be a bias-based call for service, the shift supervisor may follow up with the caller to let them know that they found no suspicious or criminal activity. This way of “closing the call” may help educate callers about appropriate calls for service and possibly alleviate dispatching calls that have no merit, while serving to build trust between police and the community.
- How an officer should interact with a community member who is the subject of a bias-based call.
 - It should detail methods on how to approach the subject of a bias-based call in a manner that respects their dignity and does not alarm them, but informs them about the reason that the officer is on scene.
 - It should include methods to account for situations in which the responding officer encounters both the caller and the subject of a potential bias-based call at the scene.
 - Such methods should include de-escalation, respectful listening, and procedural justice techniques to ensure the scene is safe, the parties have an opportunity to communicate, and the officer has the opportunity to explain why no violation has occurred.
- How the shift supervisor should interact with the caller:
 - It should detail how the shift supervisor can explain that the agency does not respond to calls for service based on an individual’s personal characteristics and

⁷⁹ One illustrative example is what Nextdoor, a neighborhood communication platform, has developed in collaboration with community groups, local law enforcement, academic experts, and neighbors to try to prevent racial profiling and make crime reporting more useful to neighbors and law enforcement. Nextdoor has the following tips: “1) Focus on behavior. What was the person doing that concerned you, and how does it relate to a possible crime?; 2) Give a full description, including clothing, to distinguish between similar people. Consider unintended consequences if the description is so vague that an innocent person can be targeted.; and 3) Don’t assume criminality based on someone’s race or ethnicity. Racial profiling is expressly prohibited.” See Nextdoor. (2017). Preventing Racial Profiling on Nextdoor. Available at <http://us.nextdoor.com/safety/preventing-profiling-approach>.

that lawful activities are not more suspicious because of the individual's personal characteristics.

- It should detail ways the shift supervisor can educate the caller on the agency's bias-free policing policy and philosophy and explain that officers respond to behaviors/actions of individuals that appear suspicious, threatening, illegal, etc., and not to hunches or situations based on an individual's personal characteristics.
 - In the case of a call for service that is based on a caller's suspicion that an individual present in the jurisdiction is an undocumented immigrant, the supervisor could inform the caller that California law enforcement agencies are not responsible for enforcing federal immigration law, as provided for in the California Values Act (Cal. Gov. Code, §§ 7284 et seq.). These interactions should be documented by the supervisor.
- Agencies should have a training for officers and dispatchers that covers responding to bias-based calls for service. It should include:
 - Foundational instruction on how poor or inadequate responses to such calls can impair the agency's legitimacy and undermine other agency efforts to build community trust and communication.
 - How to be mindful of their training on implicit bias and regularly reflect on whether such bias is affecting a caller's decision-making (e.g., assuming a higher or lower threat level presented by an individual based upon his or her race, gender, or other personal characteristics).
 - How to assess a call for bias-based motivations.
 - How information regarding a call for service should be relayed without including biased assumptions.
 - How to collect enough information necessary to verify reasonable suspicion of criminal activity.
 - How to record and track any bias-based call in the agency's tracking systems.
 - How on-scene responses to calls for service may require officers to apply de-escalation, communications, and procedural justice techniques.
 - The subject of biased-based calls for service should also be included in supervisor and leadership training as desktop exercises so that attendees grasp the challenge bias-based calls present to the agency's overall mission.

It would be beneficial for dispatchers and officers to jointly attend training on calls for service so that the training can address the intersecting roles and responsibilities of both positions in dealing with bias-based calls for service. The Board also recommends that dispatchers go on a ride-along with a field officer as part of their training, and that field officers do a sit-along in the dispatch center so that

each can build a better understanding of what the other job entails. This will open up the lines of communication between the two positions and enable them to better handle not only calls rooted in bias by proxy, but all dispatch calls generally.

Vision for Future Reports

In the coming years, the Board hopes to examine model language to incorporate into policies regarding bias-based calls for service and any training on this topic. In addition, the Board hopes to assess best practices for law enforcement agency responses to calls for service that may require special training or assistance from a Critical Intervention Team to address mental health issues.

Civilian Complaints: Policies and Data Analyses

Introduction

California law requires “[e]ach department or agency in this state that employs peace officers shall establish a procedure to investigate complaints by members of the public against the personnel of these departments or agencies, and shall make a written description of the procedure available to the public.”⁸⁰ Police agencies have been submitting this complaint information to the Department since 1981.

In 2016, RIPA required all law enforcement agencies to include the numbers of complaints alleging racial or identity profiling.⁸¹ State law also requires agencies to include the number of complaints that reached the dispositions of “sustained,” “exonerated,” “not sustained,” and “unfounded.” Once submitted, the Department then disaggregates and analyzes the data for inclusion in the Board’s annual report.⁸²

Below, the Board provides an overview of the civilian complaint data submitted by agencies in 2018; analyzes complaints submitted to the Department from 1981 to the present; and engages in a more focused examination of civilian complaint data provided by the agencies required to submit stop data. The Board has also reviewed the civilian complaint policies of the Wave 1 agencies and provides recommendations for agencies to consider in assessing their civilian complaint policies and procedures.

Overview of Civilian Complaint Data Submitted by All Reporting Agencies

The most recent data on civilian complaints submitted to the Department are from 2018. In that year, 702 agencies that employ peace officers in California reported 16,525 civilian complaints to the Department.⁸³ The agencies report the total number of complaints in 3 categories: non-criminal, misdemeanor, and felony. We learned that a majority of the complaints (15,635, or 94.6%) alleged conduct that was non-criminal in nature. Complaints alleging behavior that constituted a misdemeanor offense accounted for 3.5 percent (576) of the complaints, and felony allegations represented 1.9 percent (314) of complaints.

Agencies also report the total number of racial profiling complaints and further break down those complaints by type.⁸⁴ Currently, law enforcement agencies submit data to the Department regarding

⁸⁰ Pen. Code, § 832.5, subd. (a)(1).

⁸¹ Pen. Code, § 13012, subd. (a)(5)(A)(iii).

⁸² Pen. Code, §§ 13012, subds. (a)(5)(C), (c).

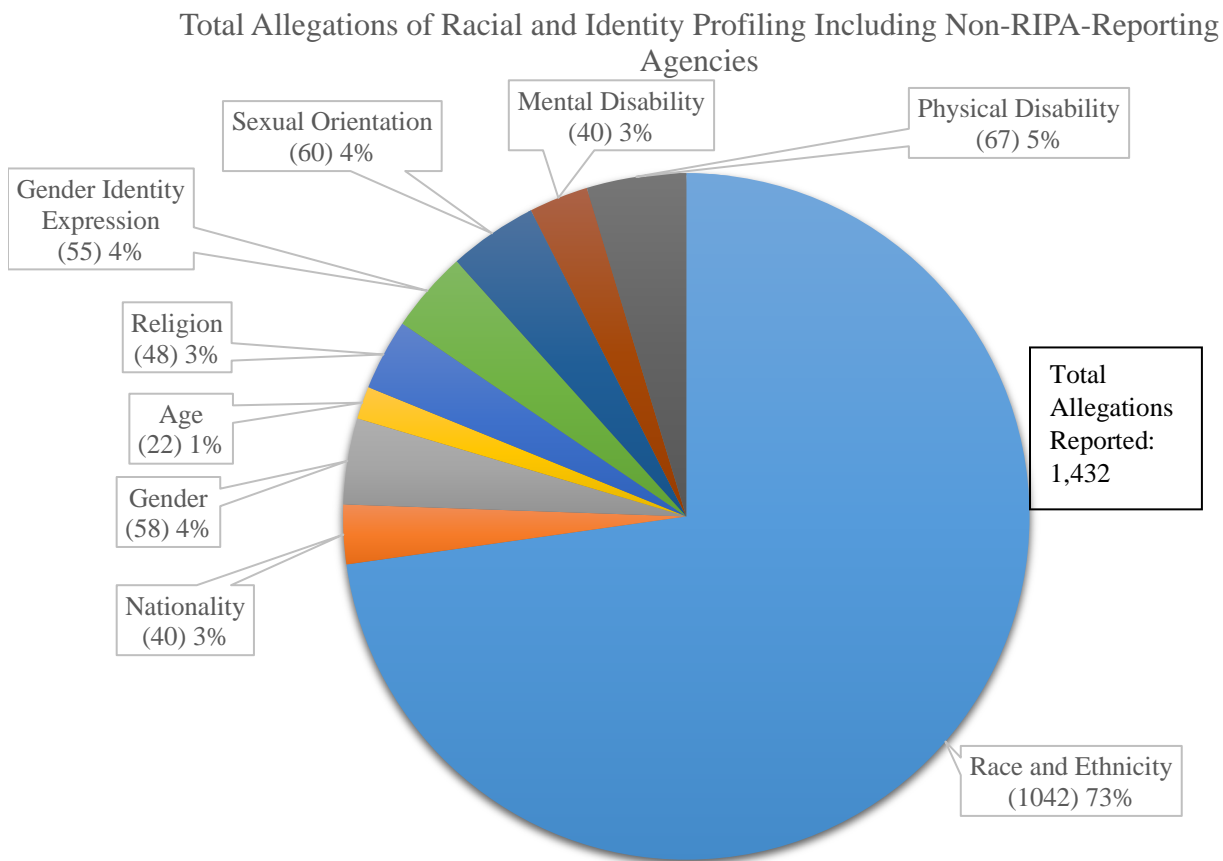
⁸³ Some of the 702 agencies reported zero civilian complaints. Civilian complaint data includes complaints against both peace officers and non-peace officer employees of the agency, as well as complaints against custodial officers and those that take place in a custodial setting (e.g., complaints by inmates). As noted below, the Board recommends that civilian complaints be disaggregated to distinguish these differing types of complaints.

⁸⁴ Though racial profiling is against the law, the form to report civilian complaints against peace officers does not delineate the categories of racial profiling complaints (e.g. non-criminal or misdemeanor).

racial and identity profiling complaints based on nine identity groups: mental disability, physical disability, sexual orientation, gender identity/expression, religion, age, gender, race/ethnicity, and nationality. This year’s data showed that complainants alleged an element, or elements, of racial or identity profiling in 1,193 (7.2%) of the total number of complaints submitted in 2018.

Figure 14, below, displays the total number of allegations of racial and identity profiling (1,432) reported to the Department in 2018; note that this exceeds the total number of complaints (1,193) because complainants may allege profiling based on more than one identity group within the same complaint. For example, a civilian may file a complaint alleging they experienced profiling based on their religion and gender. This example would count as one complaint with two types of alleged racial and identity profiling. Thus, the numbers in the figure show the number of allegations of different types of profiling rather than the total number of complaints.

Figure 14. Profiling Allegations Submitted to All California Agencies, Reported by Type, 2018



Analysis of Civilian Complaint Data Submitted by Agencies Subject to RIPA

In total, 453 agencies subject to RIPA's stop data reporting requirements submitted information regarding the civilian complaints they received for 2018.⁸⁵ This includes all city and county law enforcement agencies, the California Highway Patrol, and the law enforcement agencies of the University of California, California State Universities, California Community Colleges, and K-12 school district police departments.

Civilian Complaints for All Agencies Required to Report Stop Data

The 453 agencies that are subject to RIPA reported 10,044 civilian complaints. Most complaints alleged noncriminal conduct (9290, or 92.5%), followed by complaints for conduct that constitutes a misdemeanor offense (523, or 5.2%); felony complaints were the least common (231, or 2.3%). Of the complaints that reached a disposition in the 2018 calendar year, 919 (10.8%) were sustained, 2,308 (27.2%) were exonerated, 1094 (12.9%) were not sustained, and 4167 (49.1%) were unfounded. As stated above, not every complaint reached a disposition during the same year reported; therefore, it is possible that some complaints that appeared in the 2018 disposition categories were reported in 2017 or earlier.

Of the 453 agencies subject to RIPA, 76 (16.8%) indicated they received no civilian complaints during the 2018 calendar year. The remaining 377 (83.2%) reported they received one or more civilian complaints; within this category, 134 (35.5%) agencies reported one or more civilian complaints alleging racial or identity profiling. These 134 agencies reported 896 complaints alleging racial or identity profiling.

Of the 751 racial and identity profiling complaints that reached a disposition in 2018, 10 (1.3%) were sustained, 99 (13.2%) were not sustained, 91 (12.1%) were exonerated, and 551 (73.4%) were determined to be unfounded.

Figure 15 below displays the 1,081 allegations of racial or identity profiling filed in 2018 with the 134 agencies subject to RIPA that reported receiving at least one such complaint. The type of profiling alleged further breaks down these complaints by race or ethnicity,

Key Terms

Reported: the number of civilian complaints reported for the calendar year (January 1 – December 31).

Sustained: investigation disclosed sufficient evidence to prove truth of allegation in complaint by preponderance of evidence.

Exonerated: investigation clearly established that employee's actions that formed basis of allegations in complaint were not a violation of law or agency policy.

Not sustained: investigation failed to disclose sufficient evidence to clearly prove or disprove complaint's allegation.

Unfounded: investigation clearly established that allegation is not true.

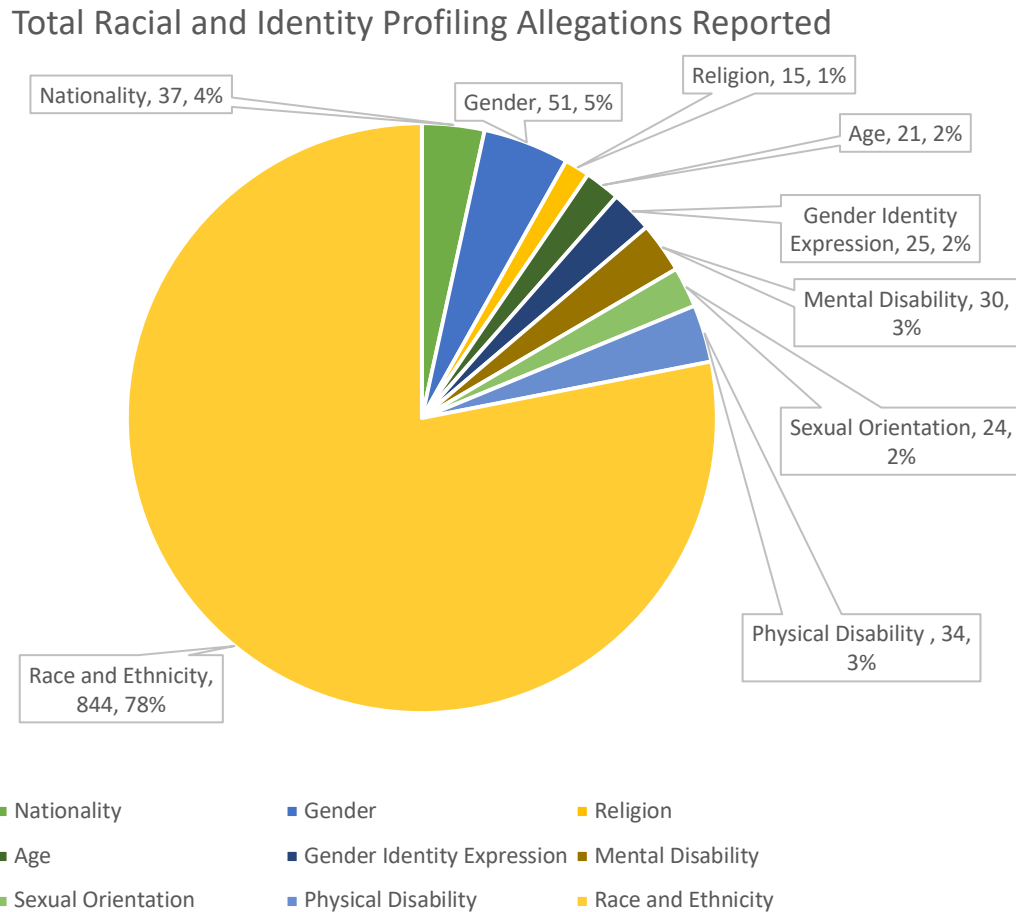
Pending: number of complaints reported in the current year that are currently awaiting disposition.

⁸⁵ Data for the full set of agencies that reported civilian complaint information in 2018, including agencies not subject to RIPA's stop data collection requirements (e.g., Probation Departments and most California state law enforcement agencies) is available on the Department's OpenJustice Data Portal:

<https://openjustice.doj.ca.gov/data>.

nationality, physical or mental disability, sexual orientation, gender identity or expression, religion, age, and gender.⁸⁶

Figure 15. Profiling Allegations Filed with RIPA Agencies, Reported by Type, 2018



Agency-Level Data Snapshot: 2018 Civilian Complaints for Wave 1 Agencies

As a starting point for its analysis of agency-level data, the Board looked at the civilian complaint data for all Wave 1 agencies. Table 5 provides information on the total number of complaints reported by Wave 1 agencies for sworn personnel, including custodial officers; the number of complaints alleging racial or identity profiling; and the number of sworn personnel each agency employed in 2018.

⁸⁶ Just as with Figure 1, the number of allegations of profiling in Figure 15 (1,081) exceeds the number of total profiling complaints (896) because one complainant may allege profiling based on multiple identities.

Table 5: Wave 1 Agency Complaints and Sworn Personnel

Agency	Total Complaints Reported	Profiling Allegations Reported	Sworn Personnel
Los Angeles Police Department	1,907	274 (14%)	9,974
Los Angeles County Sheriff's Department	986	67 (6.7%)	9,426
California Highway Patrol	287	35 (12%)	7,286
San Diego County Sheriff's Department	9	1 (11%)	2,572
San Francisco Police Department	678	21 (3%)	2,306
San Bernardino County Sheriff's Department	104	35 (33%)	2,018
Riverside County Sheriff's Department	46	4 (9%)	1,795
San Diego Police Department	74	15 (20%)	1,731

Note: The percentages in the Profiling Allegations Reported column display the proportion of the Total Complaints Reported column that alleged racial or identity profiling for each agency.

Figures 15 and 16 display the number of total complaints reported (Figure 15) as well as the total number of racial and identity profiling allegations reported (Figure 16) for Wave 1 agencies across the three years the agencies have been required by RIPA to submit expanded civilian complaint data to the Department. The total number of civilian complaints for all Wave 1 agencies was 3,904 in 2016, 3,679 in 2017 (a 5.8 percent decrease from 2016), and 4,091 in 2018 (an 11.2 percent increase from 2017, and a 4.8 percent increase from 2016).

Half of the Wave 1 agencies experienced an increase in the number of civilian complaints reported between 2017 and 2018, and the other half experienced a decrease. The agency that experienced the largest percentage increase in 2018 was the San Diego County Sheriff's Department (SDSD), with a 50 percent increase. To put this increase in context, it is important to know that relative to the rest of the Wave 1 agencies, this agency experienced very low numbers of complaints across the three years covered in Figure 15, making it more susceptible to large percentage changes from year to year. Of the other seven Wave 1 agencies, the San Francisco Police Department (SFPD) had the largest increase in reported complaints from 2017 to 2018 (28.7% increase). The agency that experienced the highest percentage decrease in reported complaints from 2017 to 2018 was the San Bernardino County Sheriff's Department (SBSD), which saw a 41 percent decrease from their number of complaints in 2017 (78) to 2018 (46).

Figure 15. Wave 1 Complaints Reported by Year (2016-2018)

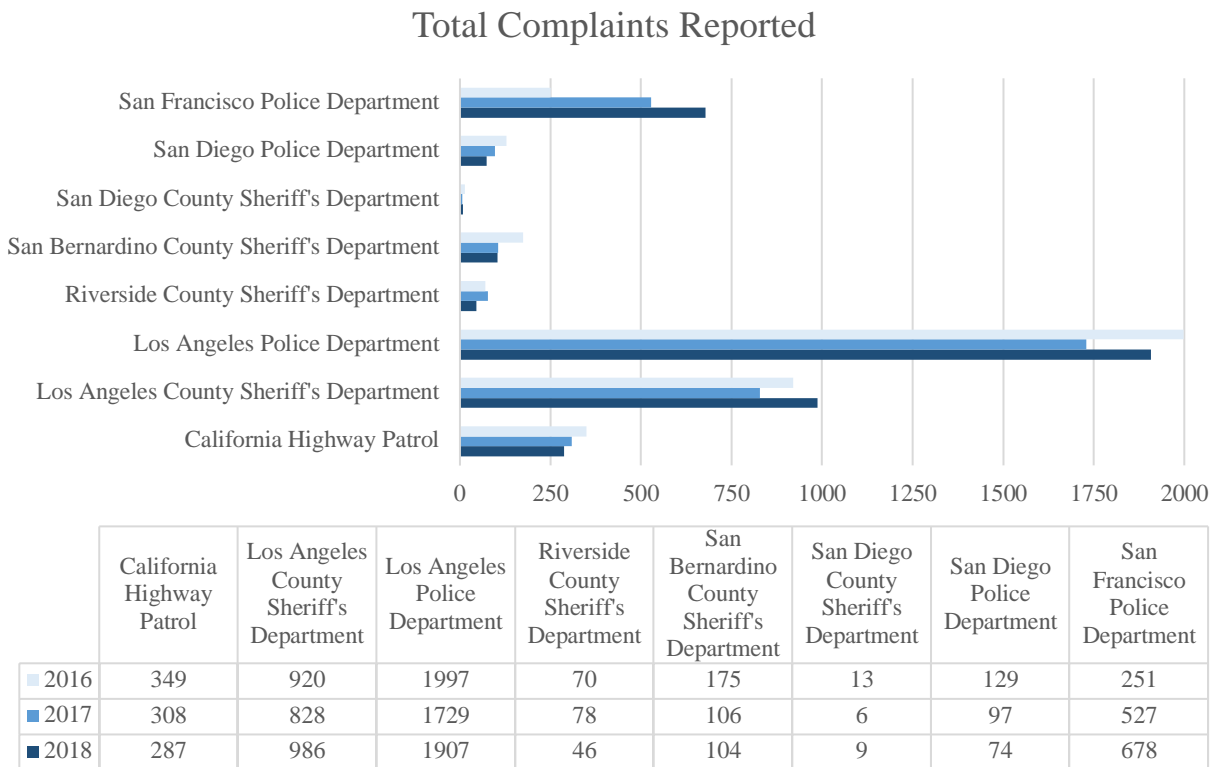


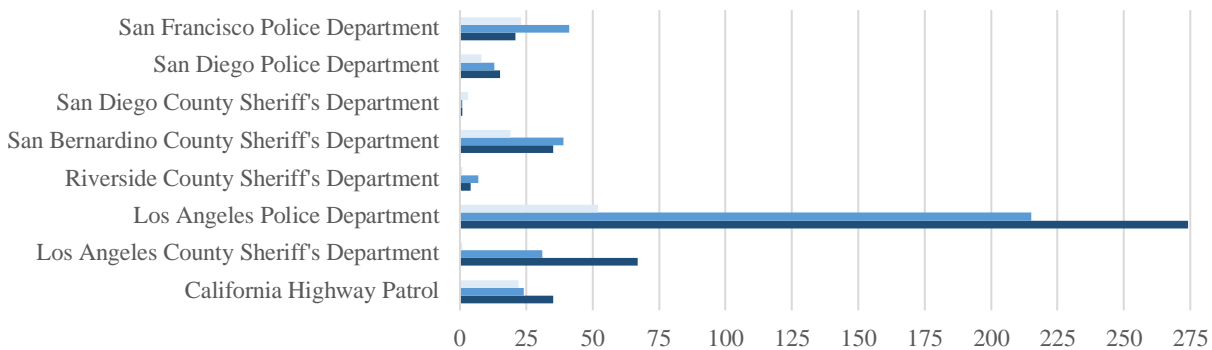
Figure 16 displays the total number of racial and identity profiling allegations reported by Wave 1 agencies for years 2016 through 2018. The total number of racial and identity profiling allegations was 129 in 2016, 371 in 2017 (a 187.6 percent increase from 2016), and 452 in 2018 (a 21.8 percent increase from 2017, and a 250.4 percent increase from 2016). Both 2017 and 2018 saw stark increases in the number of racial and identity profiling allegations reported by Wave 1 agencies in comparison to 2016. However, 2016 was the first year that agencies were required to track the annual number of racial and identity profiling allegations and report it to the Department. As a result, the comparatively low number of racial and identity profiling allegations reported in 2016, compared to subsequent

years, may be the result of the learning curve of agencies having to collect the data in a different way from the past.

Of the eight agencies in Figure 16, five experienced an increase in the number of reported racial and identity profiling civilian allegations between 2017 and 2018, while the other three experienced a decrease. The LASD had the largest relative increase: it reported 31 racial and identity profiling allegations in 2017 and more than double in 2018 at 67 (a 116.1 percent increase). On the other end of the spectrum, the SFPD had the second largest increase in total civilian complaints reported from 2017 to 2018 and the largest percentage decrease in the number of reported racial and identity profiling allegations from 2017 to 2018 (48.8%).

Figure 16. Wave 1 Racial and Identity Complaints Reported by Year (2016-2018)

Total Racial and Identity Profiling Complaints Reported



	California Highway Patrol	Los Angeles County Sheriff's Department	Los Angeles Police Department	Riverside County Sheriff's Department	San Bernardino County Sheriff's Department	San Diego County Sheriff's Department	San Diego Police Department	San Francisco Police Department
2016	22	1	52	1	19	3	8	23
2017	24	31	215	7	39	1	13	41
2018	35	67	274	4	35	1	15	21

Factors to Consider in Analyzing Data

When reviewing the data presented above, it is important to recognize that the reporting policies and practices of the agencies may account for some disparities in the number of complaints submitted by agencies of similar size. In other words, the fact that one agency has documented or reported disproportionately more or fewer complaints than another may be the product of factors unrelated to the agency's performance or community satisfaction with the agency. The Board has discussed various factors that may result in differences in the numbers of complaints reported across agencies, including inconsistency in the complaint processes across the state and accessibility issues. Below is a brief discussion of several factors that likely impact disparities in the number of complaints between agencies as well as disparities in the number of complaints submitted by all agencies in California over a multi-year period.

Lack of Uniformity Regarding What Constitutes a “Civilian Complaint” and How to Quantify Complaints

First, disparities in the numbers of complaints documented, investigated, and reported by agencies may arise in part because the agencies in question do not necessarily share a common understanding of what counts as a “complaint.” Penal Code section 832.5 does not include a definition of “complaint” for reporting purposes, and there is no professional consensus within California on a definition.

Factors to Consider When Defining a “Civilian Complaint”

- Verbal complaints – whether there is a duty to document, investigate, and report.
- Complaints – verbal or written – by arrested individuals.
- Complaints by uninvolved third parties who witness misconduct.
- Multiple complaints by third parties about one incident
 - Is every complaint logged or are all logged as one incident?
- Is an officer required to self-report when verbally accused of racial profiling or other forms of biased policing?

Instead, agencies in California have the discretion to adopt or develop various definitions and systems for handling civilian complaints. One might suspect, then, that an agency with a relatively narrow definition of a civilian complaint — such as submitting a completed civilian complaint form signed under penalty of perjury — would have fewer reported complaints than an agency that has a broader policy that also includes oral complaints that are later memorialized in writing.

The lack of an agreed-upon definition or process for responding to complaints can contribute to wide differences in reported data, even if all agencies examined are acting in the utmost good faith. Even a brief consideration of the many ways community members might express dissatisfaction or allege misconduct will identify potential areas of disagreement. Consider the following:

- Community Member A informs a Sergeant she knows that a patrol officer has regularly been running red lights without any apparent emergency. She adds, “I don’t want make out one of those citizen complaints, because I like that officer. But there are lots of children out here, and thought you might speak to him.” The allegations, if true, would violate agency policy and possibly traffic laws. Should this communication count as a “complaint” within Penal Code section 832.5?
- Community Member B informs a Sergeant that an officer “roughed up” her neighbor’s teenage son. The teenager and his family state they do not wish to become involved “because we have to live in this neighborhood.” Should the allegation count as a “complaint” for reporting purposes?

- Community Member C is driving on her way home from work when she is pulled over by an officer. The officer checks Community Member C’s driver’s license and finds she has an outstanding arrest warrant for failure to appear at a court hearing. Upon arrest, Member C accused the officer of racial profiling. Does this allegation trigger the agency’s reporting, investigation, and retention requirements for civilian complaints? Should the accused officer be required to self-report the allegation, even if Community Member C does not take further action, such as completing a complaint form or otherwise making a more formal complaint?
 - Even if Community Member C did later submit a written statement that includes the racial profiling allegations, would all agencies treat the allegations as a civilian complaint, a defense to a criminal charge, an arrestee/prisoner grievance, or something else?
- During an agency’s investigation of an excessive force complaint, a neighborhood witness tells the investigator that he witnessed the same officer use excessive force on a different neighbor last week. Should that new allegation of misconduct count as a second “civilian complaint” for reporting purposes, or would the agency treat the new allegation as part of the original investigation?

Another factor related to the core concept of what constitutes a “civilian complaint” is how to accurately log such a complaint. For example, if 10 people witness an altercation between an officer and an individual at an event and submit written complaints about the incident to an agency, does the agency log 10 complaints or just one, because they all have to do with the same incident? Do all agencies accept complaints from third parties regarding interactions they observe, even though the third parties are not directly involved in interactions with the peace officer?

With the emergence of social media, there is also the opportunity for law enforcement to consider accepting complaints from less formal means. Consider, for example, what might happen if an agency learned that a community member posted a video recording on the Internet that depicted apparent officer misconduct towards another community member. Would the agency consider the original posting a civilian complaint that must be logged, reviewed, and reported to the Department? What about additional comments following the original posting? What if one or more of those comments included separate allegations of misconduct by agency personnel?

The Board raises these examples to illustrate why there may be disparities in reporting and to further urge law enforcement agencies to think about how the term “complaint” should be defined and/or expanded. Clear policies that address these questions will provide officers with direction that will hopefully standardize the civilian complaint processes within each agency as well as across California.

A review of the complaint policies of the Wave 1 reporting agencies reveals that the term “civilian complaint” is not defined in any of these policies. The Los Angeles County Grand Jury, in a recent report on the civilian complaint process of several law enforcement agencies in Los Angeles County, suggested the following definition:

A complaint is an allegation by any person that a sworn officer or custodial employee of an agency, or the agency itself, has behaved inappropriately as defined by the person making the allegation. The person making the allegation is the complainant.⁸⁷

As another example of a possible definition of “complaint,” the Los Angeles County Sheriff’s Department defines “personnel complaint” as “an external allegation of misconduct, either a violation of law or Department policy, against any member of the Department.”

The National Association for Civilian Oversight of Law Enforcement (NACOLE) likewise suggests that the “types of complaints that should be investigated include allegations that, if proven true, would represent misconduct under the police department’s policies and procedures.”⁸⁸

Even using one of these definitions, however, agencies may still vary regarding how to respond to a complaint, such as how to respond to verbal complaints, third-party complaints, or complaints reported by the officer who is the subject of the complaint.

Lack of Uniformity Regarding How to Process Civilian Complaints

Another factor that could explain an agency’s relatively low number of civilian complaints is an agency’s system for processing complaints and, in particular, the lack of a centralized repository for civilian complaints. For example, complaints that allege use of force may be reported directly to an Internal Affairs or Professional Standards unit within an agency, or to a Civilian Review Board, and may not be classified as civilian complaints. By contrast, complaints that allege verbal abuse or racial or gender identity slurs and not use of force may be processed and treated differently, through different investigative channels.

Likewise, some complaints may be classified as “inquiries” or “adverse comments” and not logged as a reportable civilian complaint. Complaints may also be classified according to the level of review they are afforded, which may skew the numbers.⁸⁹ And certain complaints, such as complaints of domestic violence involving officers, may be treated differently from complaints about an officer for interactions that occur while on duty.

⁸⁷ Los Angeles Grand Jury Report, 2017-2018, p. 86. Available at <http://www.grandjury.co.la.ca.us/pdf/2017-2018%20los%20angeles%20county%20civil%20grand%20jury%20final%20report.pdf>.

⁸⁸ National Association for Civilian Oversight of Law Enforcement. (2016). What Types of Complaints Should Be Accepted? Available at <https://www.nacole.org/complaints>.

⁸⁹ See, e.g., USDOJ, Civil Rights Division. (2016). *Investigation of the Baltimore City Police Department*, pp. 139, 141. Available at <https://www.justice.gov/opa/file/883366/download> (holding that “[a]ppropriately categorizing a complaint is critical because it affects which internal affairs component will investigate, the level of investigation undertaken, and the possible discipline imposed”; describing the Baltimore PD’s failure to consistently review how complaints are categorized in its internal affairs database, thereby vesting considerable discretion in supervisors; and finding that “supervisors frequently use this discretion to classify allegations of misconduct that result in minimal investigation”).

For example, in 2016, the USDOJ issued a report regarding its investigation of the Baltimore Police Department (Baltimore PD), finding that the Baltimore PD “failed to effectively investigate complaints alleging racial bias—often misclassifying complaints to preclude any meaningful investigation.”⁹⁰ USDOJ uncovered only one complaint that that Baltimore PD classified as a racial slur in six years of complaint data. Yet a manual review of the complaints from the Baltimore PD revealed 60 additional complaints that alleged that officers used a racial slur; nonetheless, these complaints were misclassified as a lesser offense.⁹¹ Indeed, USDOJ found that a particular racial slur was misclassified 98 percent of the time.⁹² As the Baltimore PD exemplifies, how an agency classifies a civilian complaint – whether done intentionally or inadvertently – can skew the numbers of complaints reported, present an obstacle to the transparency that such data collection is designed to further, and make systematic analyses and comparisons across agencies difficult, if not impossible.

In its recent review of the Sacramento Police Department (Sacramento PD), the Department noted that the Sacramento PD’s complaint intake procedure permitted complaints to be referred to either the employee’s supervisor or Internal Affairs and found that this system gave too much discretion for how personnel complaints were handled in the first instance. As a result, the Department recommended that all complaints be referred to Internal Affairs for processing, and that Internal Affairs should serve as the repository for all complaints, regardless of origin or level of severity.⁹³ The lack of a centralized information source for complaints, which is not unusual based on our review of complaint practices, could lead to underreporting of civilian complaints, which may in turn explain disparities in reporting.

Another recommendation the Department made in its review of the Sacramento PD was to establish a complaint classification system that would categorize complaints according to the severity of the offense. In reviewing the Sacramento PD complaint policies and procedures, the Department noted

⁹⁰ *Ibid*, p. 47.

⁹¹ *Ibid*, p. 62. See also p. 66 (“Even when individuals successfully make a complaint alleging racial bias, BPD supervisors almost universally misclassify the complaint as minor misconduct—such as discourtesy—that does not reflect its racial elements.”), and p. 68 (As a result of misclassification, “[Baltimore] PD does not investigate the frequent allegations of race-related misconduct made against its officers and has no mechanism to track allegations to correct discriminatory policing where it occurs).

⁹² *Ibid*, p. 69 (“Failing to recognize the potential for racial discrimination in the use of a racial epithet is difficult to attribute to a lack of training, policy guidance, or other systemic deficiency. This systemic misclassification of complaints, particularly when the classification is not difficult, indicates that the misclassification is because of the racial nature of the complaints.”), pp. 141-142 (finding that complaints were misclassified and sent to different track for review, for example, as “supervisor complaints,” which are not required to be investigated and that “[Baltimore] PD administratively closed 67 percent of supervisor complaints and sustained just 0.27 percent of them By administratively closing complaints, [Baltimore] PD investigators evade [Baltimore] PD policy that requires all complaints to be labeled as sustained, not sustained, exonerated or unfounded These administrative closures, combined with [Baltimore] PD’s failure to ensure that complaints are appropriately classified, undermine [Baltimore] PD’s system of accountability and contribute to the perception shared by officers and community members alike that discipline is inconsistent and arbitrary.”).

⁹³ California Department of Justice. (2019). *Sacramento Police Department Report and Recommendations*. California: Office of the Attorney General, p. 69. Available at <https://oag.ca.gov/system/files/attachments/press-docs/spd-report.pdf>.

that Sacramento PD identified four types of complaint classifications: (1) inquiries; (2) Office of Public Safety Accountability (OPSA) complaints; (3) civilian complaints; and (4) Department complaints. Inquiries or OPSA complaints were investigated informally, and did not trigger the same tracking and documentation requirements as civilian or Department complaints, which required documentation on a specified form, forwarding via the chain of command, a formal investigation, and tracking via an electronic database. Accordingly, the Department recommended that personnel complaints be tracked uniformly and classified by type of alleged misconduct, such as excessive use of force or racial bias.⁹⁴

Likewise, the Los Angeles County Sheriff's Department classifies complaints from members of the public as "service complaints" ("external communication of dissatisfaction with Department service, procedure or practice, not involving employee misconduct") or "personnel complaints" ("an external allegation of misconduct, either a violation of law or Department policy, against any member of the Department"),⁹⁵ which are governed by different procedures.⁹⁶

These examples illustrate how agencies have differed in how they track complaints they receive; consequently, certain complaints alleging racial bias may not be processed as civilian complaints that are reported to the Department.

Without a uniform system to accept, document, investigate, and report complaints, agencies may not only provide inaccurate or incomplete reporting data, but also blind themselves and limit their ability to respond to personnel or operational problems identified by the communities they serve. An agency's ability to audit its complaint system to account for complaints received by a variety of means (e.g., complaints logged in separate, unconnected databases) may also affect whether, or to what extent, it meets its legal obligations under Penal Code Section 832.5 to report civilian complaints. Because agencies may silo the various sources of misconduct allegations (e.g., civilian complaints, use of force incidents, domestic violence complaints, complaints by peer officers or supervisors, etc.), failure to integrate this information among various databases may impair or entirely defeat an agency's early intervention system that seeks to identify and remedy at-risk behavior as soon as possible.⁹⁷

⁹⁴ *Ibid*, p. 70. In August 2019, the Sacramento Police Department revised its complaint intake and investigation procedure in Internal Reference Manual 220.01, and in doing so appears to have eliminated the "inquiry" classification.

⁹⁵ Los Angeles County Sheriff's Department. (n.d.). 3-04/10.00, Department Service Reviews. In *Manual of Policies and Procedures*. Available at <http://www.lasd.org/pdfjs/web/PublicComplaintPolicies.pdf>.

⁹⁶ *Ibid*, Sections 3-04/010.20 (Service Complaints) and 3-04/010.25 (Personnel Complaints).

⁹⁷ See, e.g., USDOJ, Civil Rights Division. (2016). *Investigation of the Baltimore City Police Department*, p. 134. (Baltimore Police Department's failure to use integrated systems to maintain information blunts the usefulness of this data; data is maintained in 232 separate databases, most of which cannot be linked to each other); California Department of Justice. (2019). *Sacramento Police Department: Report & Recommendations*, pp. 71-72 (recommending an early intervention program that collects and maintains, in a computerized database, various subsets of information, including civilian complaint data and disposition, as well as use of force allegations, disciplinary actions, awards and commendations, and training).

Without a uniform understanding of (1) what a complaint is under this section, and (2) how such complaints are handled internally, it is difficult to compare and contrast civilian complaints reported by agencies pursuant to Penal Code section 832.5. Because one of the goals of RIPA was to require agencies to provide more granular data regarding civilian complaints that allege racial or identity profiling, in order to better analyze these complaints, it is crucial that agencies use similar methods to define and track civilian complaints.

Accessibility and Knowledge of an Agency's Complaint Process

Another factor that may explain the disparities in numbers of complaints between agencies and across years is different levels of community access to agency complaint processes. This has been a subject of discussion for the Board, as well as the subject of several grand jury reports in California.⁹⁸ In particular, the Board's review of the complaint processes of Wave 1 agencies demonstrates how agencies differ widely in how they publicize their complaint processes and the procedures by which they accept complaints.

Barriers to accessing civilian complaint forms or processes could also explain the disparities in the number of reported complaints among agencies. In other words, one agency may report what seems like a disproportionately high number of civilian complaints, not because of inherent problems in how they interact with the community, but because their complaint system is widely publicized and individuals can easily submit complaints through the Internet, over the phone, or in their native language. By contrast, a different agency may have low numbers of reported complaints, not because they provide exceptional service, but because individuals cannot readily access a complaint form, or are required to mail or bring in complaints in person.

Agencies should increase public access by developing an easily understandable and usable form, available in multiple languages and multiple formats that individuals may use to make complaints. A best practice would be to refrain from using any language in the form —such as requiring the complainant to sign under penalty of perjury — that could be reasonably construed as discouraging the filing of a complaint.⁹⁹

⁹⁸ See, e.g., 2012-2013 Santa Clara County Civil Grand Jury. (2013). Report: Law Enforcement Public Complaint Procedures. Available at http://www.sccourt.org/court_divisions/civil/cgj/2013/LawEnforcementPublicComplaintProcedures.pdf; 2015/2016 Marin County Civil Grand Jury. (2016). Law Enforcement Citizen Complaint Procedures: The Grand Jury has a few complaints. Available at <https://www.marincounty.org/-/media/files/departments/gj/reports-responses/2015/law-enforcement-citizen-complaint-procedures.pdf?la=en>; 2018 Los Angeles County Grand Jury Report. Available at <http://www.grandjury.co.la.ca.us/pdf/2017-2018%20los%20angeles%20county%20civil%20grand%20jury%20final%20report.pdf>.

⁹⁹ See, e.g., *U.S. v. Police Department of Baltimore City, et. al.* (2017) 1:17-cv-00099-JKB (mandating that the written notice of receipt sent to non-anonymous complainants should “not contain language that could be reasonably construed as discouraging participation in the investigation, such as a warning against providing false statements or a deadline by which the complainant must contact the investigator.”).

Possible Barriers to Reporting of Civilian Complaints

- Lack of knowledge of complaint process: complaint processes may not be prominently featured on an agency's website or literature.
- Inadequate explanation of process: complainants may be confused or have misconceptions about the complaint process.
- Language barriers: complaint processes may not be available in languages other than English.
- Difficulty of complaint process: complaints may not be easily downloaded from a website or submitted online and may have to be filed in person. ¹⁰⁰
- Inaccessibility of forms: forms may not be available on an agency's website, in the complainant's language, or physically available or easy to obtain at the agency's public waiting area; if forms are not displayed in public waiting area, an individual may have to specifically state "I want to file a complaint" in order to initiate the process.

Accessibility for People with Disabilities

Another possible reason behind the disparities in the numbers of complaints among agencies is the varying degree of accessibility of the complaint process for people with disabilities. The Board seeks to ensure that individuals with disabilities have access to complaint forms. To that end, the Board reached out to Disability Rights California and other advocates to identify best practices to make complaint processes and forms more easily available and usable for individuals with disabilities.¹⁰¹

Given these discussions with stakeholders, the Board encourages law enforcement agencies to accept complaints filed in person, in writing, over the telephone, by Internet, by fax, anonymously, or on behalf of someone else, so that individuals with disabilities have multiple options to choose from based on what would be most assistive given their particular disability.¹⁰² A phone-in option, for instance,

¹⁰⁰ The USDOJ found, for example, that the Baltimore PD placed unnecessary conditions on the filing of complaints, including requiring many types of complaints to be signed, notarized, and filed in person at only a few locations. USDOJ, Civil Rights Division. (2016). *Investigation of the Baltimore City Police Department*, p. 140.

¹⁰¹ Accessibility to the complaint process is required by both state and federal law. USDOJ, Civil Rights Division. (n.d.). *Information and Technical Assistance on the Americans with Disabilities Act: ADA enforcement in criminal justice settings*. Available at https://www.ada.gov/criminaljustice/cj_enforcement.html.

¹⁰² See, e.g., Police Executive Research Forum. (2015). *Critical Response Technical Assessment Review: Police Accountability – Findings and National Implications of an Assessment of the San Diego Police Department*. Washington, DC: Office of Community Oriented Policing Services. Available at <https://cops.usdoj.gov/RIC/Publications/cops-w0756-pub.pdf> ("Consistent with accepted best practice, the

may be more accessible for individuals with low vision or blind. Agencies should also develop and use a language assistance plan and policy that includes protocols for interpretation (including Braille and American Sign Language).¹⁰³ For example, the World Wide Web Consortium (W3C) has a well-established set of programming standards and resource materials to assist web page designers in making content accessible to persons with a variety of disabilities — such as blind persons using text-to-speech software.¹⁰⁴

An agency can also increase accessibility by offering a trained staff member to assist with completing a complaint form. When creating form and policy documents for the public, agencies can use the following guidelines to make documents more accessible to individuals with disabilities in the following ways:

1. Documents should be easy to read. There are private vendors that have built-in accessibility check features that can identify solutions for accessibility errors in documents. There are also commercially available spelling and grammar checks that can score a document with a “Reading Ease Number” and a “Grade Level” for the readability of text. For the reading ease number, a score above 60 percent is recommended. For the reading level, a score between 7th and 9th grade reflects accessible text.¹⁰⁵
2. The minimum font size should be 14 point.
3. Always use high contrast colors on text. Some people cannot see the text if the background color does not have enough contrast.
4. Text should be flush left. This makes it easier for people with disabilities to read the content.¹⁰⁶
5. Numbered lists are more easily read than bullet points.
6. Correct formatting of the electronic document can make titles and headers, pictures, tables, footnotes, and endnotes accessible for assistive technology software/screen readers.¹⁰⁷

SDPD has a multifaceted system for receiving complaints; community members in San Diego may file a complaint in person, by phone, by mail, or by e-mail”); *U.S. v. Police Department of Baltimore City, et. al.* (2017) 1:17-cv-00099-JKB (describing how Baltimore PD will ensure broad and easy access to its complaint system: “BPD will ensure individuals may make complaints in multiple ways, including in person or anonymously, by telephone, online, and through third parties”). See also recommendations in reports issued by the Los Angeles County Grand Jury, Santa Clara County Grand Jury, and Marin County Grand Jury.

¹⁰³ See, e.g., *U.S. v. Police Department of Baltimore City, et. al.* (2017) 1:17-cv-00099-JKB (“Complaint forms will be made available, at minimum, in English and Spanish. Baltimore PD will comply with the law to make complaints accessible to people who speak other languages (including sign language). The fact that a complainant does not speak, read, or write English, or is deaf or hard of hearing will not be grounds to decline to accept or investigate a complaint.”).

¹⁰⁴ See World Wide Web Consortium (W3C). (n.d.). Web Accessibility Initiative. Available at <https://www.w3.org/standards/webdesign/accessibility>.

¹⁰⁵ Disability Rights California. *Guide to Accessibility*. AC 01; AC 08 – v.01.

¹⁰⁶ Disability Rights California. *Guide to Accessibility*. AC 01; AC 09 – v.01.

¹⁰⁷ Disability Rights California. *Guide to Accessibility*. AC 03; AC 06; AC 07; AC 09 – v.01.

Ensuring that individuals with disabilities have equal access to civilian complaint forms and processes not only fulfills agencies' duties in complying with state and federal disability access laws, but will help agencies obtain valuable input from members of the disabled community.

Deterrent Impact of Penal Code Section 148.6

Another factor that may impact the number of civilian complaints is the complainant's desire for confidentiality, which may make the complainant reluctant to file a written or formal complaint. Compounding this reluctance is the deterrent impact of Penal Code section 148.6. Section 148.6 makes it a misdemeanor to file a knowingly false allegation of misconduct against a peace officer. (Pen. Code, § 148.6, subd. (a)(1).) In complying with this law, many agencies require the complainant to read and sign the following advisory, which is in all-capital letters and must be set forth in boldface type:

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CIVILIANS' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CIVILIAN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.

IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.

I have read and understood the above statement.	
Complainant _____	

(Pen. Code, § 148.6, subd. (a)(2).)

These two provisions collectively have the following effect:

- (1) knowingly false allegations are subject to misdemeanor criminal sanctions;
- (2) complainants cannot submit complaints anonymously; rather, they are required to provide their name (presumably in order to ensure they can later be prosecuted criminally if their allegation is knowingly false); and
- (3) complaints cannot be submitted orally but rather must be submitted in writing.

Although the Board understands the intent of Penal Code section 148.6 is to deter complainants from lodging false or frivolous allegations about peace officers, requiring complaints to be signed, in writing, and under penalty of criminal prosecution may create an unnecessary chilling effect upon the accurate reporting of civilian complaints, particularly those that allege racial or identity profiling.¹⁰⁸ Many California law enforcement agencies have removed the warning from their civilian complaint forms and accept anonymous complaints.¹⁰⁹ The California Attorney General’s Office has also determined that a law enforcement agency can investigate allegations of police misconduct, even if the complainant did not sign the admonition as required by Penal Code section 148.6. (Cal. Atty. Gen. Ops. No. 96-111 (1996).)

Accordingly, in the 2019 RIPA Board report, the Board recommended that all agencies accept anonymous and verbal complaints: “Agencies should have an accessible, fair, and transparent complaint process. The process should be set forth in writing and made widely and permanently available within the agency and to the public. All complaints should be accepted, whether in person, in writing, over the telephone, anonymously, or on behalf of another individual.” As noted above, many agencies have already followed the Board’s recommendation.

Given the strong public policy supporting the need to collect anonymous civilian complaints, and to resolve the existing conflict between state and federal law, the Board has asked the Legislature to

¹⁰⁸ Moreover, imposing a criminal sanction for reporting false allegations about an officer is unnecessary and duplicative of an existing statute, Penal Code section 148, which makes it a misdemeanor and/or imposes a fine with respect to anyone “who willfully resists, delays, or obstructs any public officer, peace officer [. . .] in the discharge or attempt to discharge any duty of his or her office or employment.” (Pen. Code, § 148, subd. (a)(1)). In addition to the unwanted chilling effect and duplicative nature of the criminal sanctions currently in effect under Penal Code section 148.6 for filing a knowingly false allegation against a police officer, law enforcement agencies currently cannot determine with certainty whether they are required – or prohibited – from complying with the advisory requirements of Penal Code section 148.6. This is because the Ninth Circuit and California Supreme Court have come to opposite conclusions regarding whether the Penal Code section 148.6 is constitutional. Compare *People v. Stanistreet* (2002) 29 Cal.4th 497, 510 (Section 148.6 is a permissible regulation of prohibited speech, namely, false allegations against peace officers, which, on its face, does not violate the First Amendment to the United States Constitution) with *Chaker v. Crogan* (2005) 428 F.3d 1215, 1222, cert. denied, 547 U.S. 1128 (2006) (Penal Code §148.6’s criminal sanction violated the First Amendment of the United States Constitution because it regulated content-based speech on the basis of that speech’s content).

¹⁰⁹ See, e.g., San Francisco Police Department. (2018). Department Bulletin 18-161. Available at <https://www.sanfranciscopolice.org/sites/default/files/2019-05/A%2018-161%20False%20Allegations%20of%20Misconduct%20against%20Peace%20Officers%20Penal%20Code%20Section%20148.6%20%28Re-issue%20DB%2010-134%29.pdf> (noting that “In light of a standing conflict between California and Federal law, members shall not make arrests pursuant to Penal Code Section 148.6 unless they have first consulted the District Attorney’s Office for a filing decision and obtained an arrest warrant ... [T]he Ninth Circuit’s conflicting decision leaves members vulnerable to federal lawsuits.”); Santa Clara County Civil Grand Jury. (2013). *2012-2013 Santa Clara County Civil Grand Jury Report: Law Enforcement Public Complaint Procedures* [PDF file]. Available at http://www.scscourt.org/court_divisions/civil/cgj/2013/LawEnforcementPublicComplaintProcedures.pdf (recommending the removal of Section 148.6 language, as well as any references to Civil Code section 47.5).

eliminate the criminal sanctions by deleting or amending the language in Penal Code section 148.6, subdivision (a), and to amend the statute’s requirement that a complaint must be signed and in writing.

2018 Civilian Complaints for Wave 2 and 3 Agencies

The Board examined the civilian complaint data for the Wave 2 and Wave 3 agencies. The number of complaints reported by these agencies showed notable disparities, for the same reasons explained above.

2018 Civilian Complaints for Wave 2 Agencies

Table 6 displays civilian complaints received in 2018 by California’s medium-large agencies (Wave 2 agencies), which have between 667 and 999 sworn personnel. These agencies began collecting stop data on January 1, 2019.

Table 6: Wave 2 Agency Complaints and Sworn Personnel

Agency	Total Complaints Reported	Profiling Allegations Reported	Sworn Personnel
Orange County Sheriff’s Department	98	8 (8%)	1,880
Sacramento County Sheriff’s Office	303	8 (3%)	1,302
San Jose Police Department	217	36 (17%)	1,113
Fresno Police Department	171	8 (5%)	811
Long Beach Police Department	210	8 (4%)	824
Oakland Police Department	1,396	58 (4%)	731

Agency	Total Complaints Reported	Profiling Allegations Reported	Sworn Personnel
Sacramento Police Department	4	0	651

Note: The percentages in the Profiling Allegations Reported column display the proportion of the Total Complaints Reported column that alleged racial or identity profiling for each agency.

2018 Civilian Complaints for Wave 3 Agencies

Agencies with 334 to 666 non-custodial sworn personnel make up Wave 3. This wave of reporting agencies begins stop data collection on January 1, 2021. Complaint and sworn personnel information for these agencies is found in Table 7.

Table 7: Wave Three Agency Complaints and Sworn Personnel

Agency	Total Complaints reported	Profiling Allegations Reported	Sworn Personnel
Santa Clara County Sheriff's Office	30	2 (7%)	1,279
Alameda County Sheriff's Office	62	1 (2%)	939
San Francisco County Sheriff Department	66	1 (2%)	860
Kern County Sheriff's Office	142	3 (2%)	806
Ventura County Sheriff's Office	67	12 (18%)	760
Stockton Police Department	11	4 (36%)	469

Santa Barbara County Sheriff's Office	27	3 (11%)	454
Anaheim Police Department	71	4 (6%)	419
Fresno County Sheriff's Office	38	11 (29%)	430
Bakersfield Police Department	49	0	398
Riverside Police Department	58	2 (3%)	370
Los Angeles World Airport Police	31	0	---

Note: The percentages in the Profiling Allegations Reported column display the proportion of the Total Complaints Reported column that alleged racial or identity profiling for each agency. The Los Angeles World Airport Police did not report personnel counts to the Department for 2018, so this information is missing from the table.

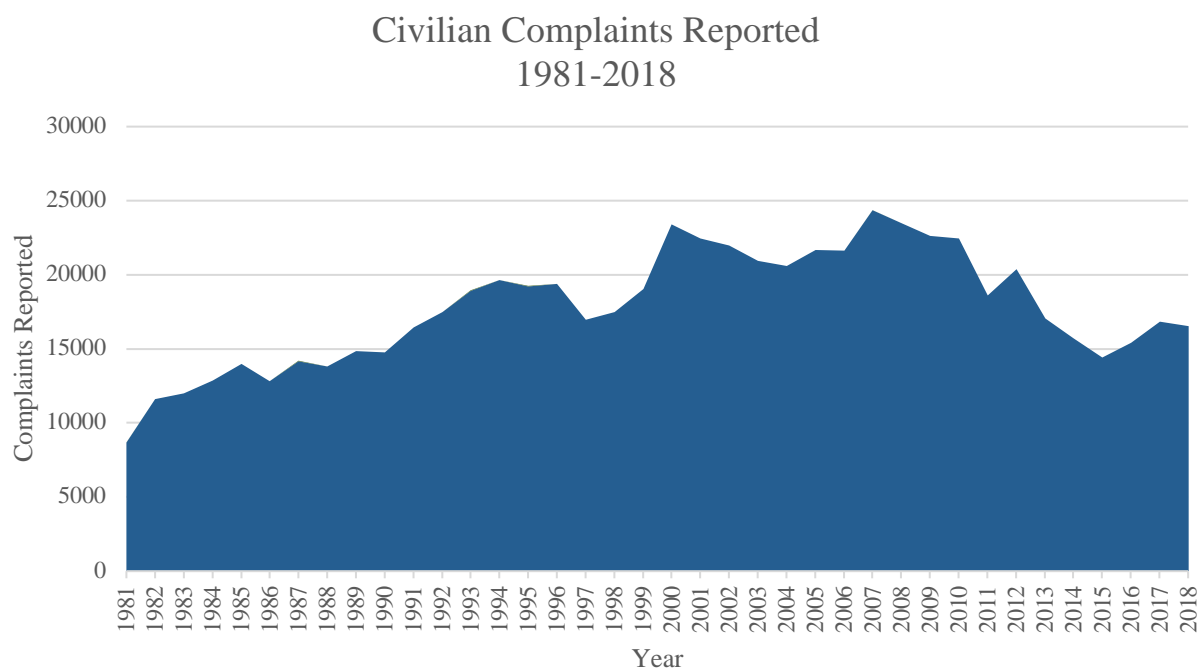
The above tables are intended to provide a high-level glimpse at information available for the larger agencies (i.e., those who employ 333 or more non-custodial sworn personnel; Waves 1 to 3, inclusive), which will all collect stop data by 2021. For a complete look at the data, including the dataset containing agencies of all sizes and an extended catalogue of data elements beyond what is available in the tables above, please visit <https://openjustice.doj.ca.gov/data>.

Overview of Complaints Collected between 1981-2018

Board members were also interested in broader trends in the civilian complaints against all reporting law enforcement agencies over a longer time period. As mentioned above, law enforcement agencies employing peace officers have been submitting complaint data to the Department since 1981; giving us the ability to examine trends in this data over the past 37 years. Below, Figure 15 displays the number of civilian complaints reported by these agencies from 1981 to 2018.¹¹⁰ The total number of civilian complaints reported trended upwards from 1981 until 2007; agencies experienced a general decline until 2015, after which began another period of increased complaint totals.

Across all agencies and all years since 1981, the average total yearly number of civilian complaints is 17,751 (Standard Deviation=3,850). The highest number of civilian complaints (24,358) were reported in the year 2007, while the lowest number of civilian complaints (8,686) were reported in 1981, the first year of data collection. In 2018, the most recent year available, 702 agencies reported a total of 16,525 complaints. Reviewing the totals from the 10 most recent years of data (2009 – 2018), 2018 ranks the 4th lowest.

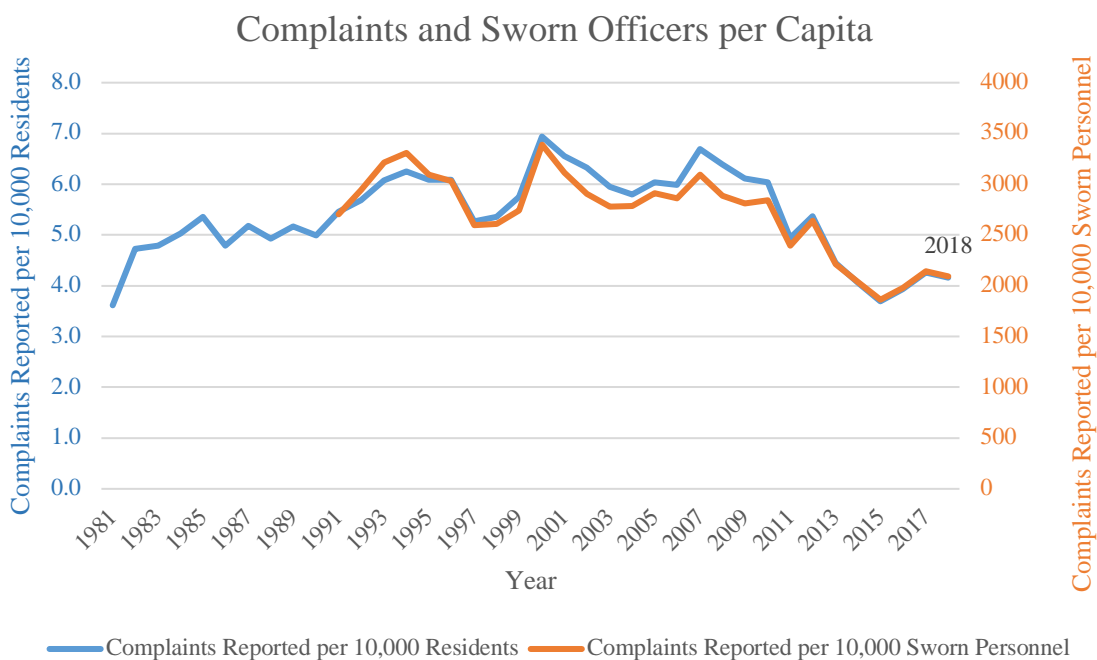
Figure 15. Statewide Complaints Reported by Year (1981-2018)



¹¹⁰ Figure 15 is derived from the Summary dataset in the Civilian' Complaints Against Peace Officers section of the OpenJustice webpage. California Department of Justice. (2019). Civilian Complaints Against Peace Officers: Summary [CSV file]. Available at <https://openjustice.doj.ca.gov/data>.

To contextualize the total annual number of complaints received over a 37-year period, it is helpful to take into account the changing population of both residents and law enforcement over time. Figure 16 below displays the number of civilian complaints reported per 10,000 California residents (per capita) from 1981 to 2018. The figure also displays the number of civilian complaints reported per 10,000 sworn personnel employed by law enforcement agencies in the state from 1991 to 2018. The California population grew from an estimated 24,039,000 residents in 1981 to an estimated 39,740,508 residents in 2018, a 65.3 percent increase.¹¹¹ The number of sworn personnel employed by California law enforcement agencies grew 29.9 percent between 1991 (60,901) and 2018 (79,113).¹¹² Considering the annual complaint totals in the context of changing populations can paint a different picture. By examining the raw numbers, 2018 experienced the 15th lowest total number of civilian complaints out of all 38 data collection years (see Figure 15), whereas by examining per capita complaint rates, 2018 experienced the 5th lowest per capita complaint rate. Examining complaints in the context of the number of sworn law enforcement personnel, 2018 had the fourth lowest complaint rate in all years since 1991.

Figure 16. Complaints Reported per 10,000 Residents and Sworn Personnel by Year (1981-2018)



¹¹¹ The statewide population estimates used in the per capita complaint rate displayed in Figure 16 are available from the California Department of Finance Demographic Research Unit’s Estimates webpage: <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/>.

¹¹² The Criminal Justice Statistics Center (CJSC) at the Department of Justice collects information on the number of sworn law enforcement personnel employed by law enforcement agencies in California. The CJSC collects these data through a one-day survey taken on October 31st of each reporting year. 1991 is the earliest year law enforcement personnel data were collected in this way.

Information to Be Included in Future Civilian Complaint Reporting

In last year's report, the Board recommended several changes to the Department's reporting of civilian complaints.¹¹³ The Department has adopted several of these recommendations for future reporting.¹¹⁴ The recommended changes are the following:

- (1) Agencies must include specific counts of dispositions of complaints that were initially reported during the statistical year (i.e., complaints that were reported and resolved in the same calendar year will be counted separately from complaints that have not been reported and resolved in the same calendar year). Likewise, complaints that reached dispositions in a different year from when they were originally reported will have separate counts so that they can be distinguished from the more recent complaints.
- (2) The Department will report complaints made in detention facilities separately from other complaints, in order to analyze complaints stemming from custodial and non-custodial settings.
- (3) Non-criminal, misdemeanor, and felony categories will be further disaggregated by offense level for disposition and profiling category totals.

¹¹³ Racial and Identity Profiling Advisory Board. (2019). *Racial and Identity Profiling Advisory Board Annual Report 2019* [PDF file], p. 37. Available at <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2019.pdf>.

¹¹⁴ Although the Department initially anticipated implementing these changes for this year's reporting cycle, these changes will require overhauling the Department's database and collection systems for civilian complaints. As a result, the data collection will begin in 2020 and the data will be reported to the Department in 2021.

Review of Wave 1 Agency Complaint Forms

The Board conducted a thorough review of the complaint forms for all Wave 1 agencies – Los Angeles Police Department, California Highway Patrol, Los Angeles County Sheriff’s Department, San Francisco Police Department, San Diego Police Department, Riverside County Sheriff’s Department, San Diego County Sheriff’s Department, and San Bernardino County Sheriff’s Department. These forms were submitted to the Board in the survey included in the 2018 annual report or found on the agencies’ websites. This review identified some pros and cons to the various complaint forms:

Pros	Cons
<ul style="list-style-type: none"> • Some forms include detailed information on the agency’s complaint policies and procedures. • Some forms were integrated with the forms/processes of their civilian review board. • Information about complaints for each agency is accessible by a simple Google search, though the form was not always the first search result. • Some forms ask specifically about racial or identity profiling. • One form specifically asked if anyone in the agency attempted to discourage the complainant. • One form included pre-paid postage. 	<ul style="list-style-type: none"> • Several agencies did not have the form easily accessible on their websites. • One agency does not have any form (though it has information on its website regarding to whom to submit a complaint). • Not many agencies make the information readily available in multiple languages. • Some forms or corresponding instructions do not make the submission of the complaint form and follow-up procedures easily understandable. • Not all agencies specifically allow for online or email complaint submission. • Some forms do not include a narrative field for a description of the incident.

Best Practice Recommendations

Our review uncovered inconsistencies in agencies’ civilian complaint processes, particularly regarding the accessibility of complaint forms. The Board acknowledges that there is no funding associated with the mandate that agencies develop civilian complaint processes. To reduce some barriers at minimal cost, the Board encourages agencies to partner with local academics or community organizations to assist, for example, with the translation of forms into additional languages.

In its 2019 report, the Board made recommendations for best practices for civilian complaint procedures and policies. In this report, the Board makes recommendations regarding the civilian complaint forms. After reviewing literature regarding best practices for civilian complaint procedures and forms and conducting an initial review of the Wave 1 agency civilian complaint review forms, the Board recommends that agencies consider the following in assessing and, if appropriate, revising their complaint procedures and forms:

Introductory or Background Information

- The agency’s complaint form should include an explanation of the policy to provide the complainant with clear direction on complaint procedures.
- The agency’s policies, applicable forms, and training materials should communicate a clear, consistent definition of the term “civilian complaint.”
- Complaint forms should include specific instructions for how to fill out and submit the complaint, as well as the contact information of specific department personnel who can assist in completing the form.
- The form should include pertinent information from the agency’s complaint policy and procedures, such as:
 - A link to the agency’s complaint policy.
 - A statement on the agency’s commitment to the acceptance and prompt, fair, and thorough investigation of all complaints regardless of submission method or source.
 - A statement that retaliation for making a complaint or cooperating in a complaint investigation is contrary to agency policy and may also be unlawful. The statement may encourage individuals to report any retaliation they face.
 - A statement on the protection of personal information except as necessary to resolve the complaint. This should include a notice that the information is subject to the State’s public disclosure laws.
 - A definition of racial or identity profiling consistent with RIPA.
 - Information about the investigation process, including the potential finding dispositions and the timeline.
 - Information on whom to contact regarding updates on the investigation of the complaint.

General Complaint Information

- The form should capture:
 - If the complaint is being submitted anonymously, by a third party, or on behalf of a minor;
 - If a translator has been requested;
 - How the complaint was submitted (e.g., online, mail, in person).
- The form should include the name and contact information for agency personnel who filed or collected the complaint.
- The form should be accessible for people with disabilities.

Complainant Information

- The form should ask for the following relevant information about the complainant (*if the complainant so chooses*):
 - Name
 - Age
 - Gender
 - Race or Ethnicity
 - Sexual Orientation
 - Primary Language
 - Address
 - Home, work, mobile phone numbers.
 - E-mail Address

Incident Information

- The form should capture relevant information about the incident, including:
 - The location of the incident
 - Date of incident
 - Time of incident
 - If the incident was the result of a traffic or pedestrian stop
 - If the incident resulted in bodily injury
 - Including a narrative description field

- If photos or videos of the injury were included with the complaint
- If the complainant was present at the incident
- If the incident was based in whole or in part on any factors such as:
 - Actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability¹¹⁵
 - Inappropriate use of force
 - Improper detention, search, or arrest
 - Substandard officer performance
- Witness information, to the extent known
- The name or a description of the officer(s)/employee(s) involved (potentially including Badge or ID number)
- If the complaint or a related complaint has been previously submitted
- A large narrative field for description of the alleged misconduct.

Processing of Complaints

The agency’s civilian complaint procedures should clearly explain how various types of complaints will be received, logged, and reviewed. The procedure should require that all complaints – including those that may be reviewed by a civilian review board or different branch within the department (for example, Internal Affairs) – be logged into a central civilian complaint repository to facilitate systematic analysis of these complaints.

The agency’s complaint procedure should also include a time frame within which civilian complaints are to be investigated and a resolution reached.

The Board hopes that agencies will work to implement the Board’s best practice recommendations for handling civilian complaints. These recommendations will help ensure that complaints submitted to the Department accurately reflect the number of complaints of racial and identity profiling. As with all of its recommendations, the Board notes that these recommendations are merely a starting point and not an exhaustive list of best practice recommendations for civilian complaint procedures.

¹¹⁵ Agencies may consider including language similar to the following: If you believe that the misconduct is based in whole or in part on your race, color, national origin, sex, gender identity, religion, or disability, please identify the basis and explain what led you to believe that you were treated differently from others.

Wave 1 Agency Civilian Complaint Form Review

The Board requested current civilian complaint forms from all Wave 1 agencies. The California Highway Patrol, San Bernardino County Sheriff, San Diego County Sheriff, Riverside County Sheriff and San Diego Police Department provided updated civilian complaint forms. The civilian complaint forms for the Los Angeles Police Department, Los Angeles Sheriff, and San Francisco Police Department were obtained online. The matrix below summarizes the Board’s review of the most recent civilian complaint forms, based on the best practices outlined in the 2019 RIPA Board Report. Following the matrix is a more detailed review of each agency’s civilian complaint form. The recommendations represent an accumulation of best practices identified by the USDOJ and other relevant empirical research conducted by well-regarded organizations, including the Police Executive Research Forum (PERF) and the International Association of Chiefs of Police (IACP). To ensure accuracy, the Department shared this review with the Wave 1 law enforcement agencies before including it in the report.

Many of the categories assessed below focus on the first step of the complaint process, namely making a complaint. To that end, the Board evaluated basic access to filing a complaint by assessing whether a third party can submit the form, whether it is available online, and whether it is available in multiple languages. Additionally, in reviewing the public’s access to the complaint process, the Board examined whether the complaint can be submitted online and by what other methods complaints are accepted. The Board also reviewed whether the complaint form might deter members of the public from reporting a complaint by referencing language from Penal Code Section 148.6. Furthermore, the Board evaluated whether members of the public are allowed to give full information about the incident and whether they are informed about how they can follow up about their complaint by assessing whether there is a narrative section on the form and whether the civilian complaint process information is included on or attached to the form.

Wave 1 Agency	Form Accessible Online?	Can Submit Online?	Multiple Methods of Submission?	Available in Multiple Languages? ¹¹⁶
CHP	✓	✓	✓	✓
LAPD	✓	✓	✓	✓
Los Angeles Sheriff	✓	✗	✓	✓
San Diego PD	✓	✗	✓	✓
San Francisco PD	✓	✓	✓	✓
San Diego Sheriff	✓	✗	✓	✓
Riverside Sheriff	✗	✗	✓	✗
San Bernardino Sheriff	✓	✗	✓	✓

¹¹⁶ Federal and state law require federally and state assisted law enforcement agencies to provide meaningful access to Limited English Proficient (LEP) individuals. Under federal law, to determine the extent of its obligation to provide services to the LEP population, the Federal Coordination and Compliance Section recommends that law enforcement agencies engage in a four-factor analysis. (USDOJ, Federal Coordination and Compliance Section. (2002). *Planning Tool: Considerations for Creation of a Language Assistance Policy and Implementation Plan for Addressing Limited English Proficiency in a Law Enforcement Agency*). California state law also requires local agencies that receive state funding to provide language access services to LEP populations. (Gov. Code, § 11135, subd. (a); Gov. Code, § 7290). LEAs may ask local community-based organizations to help translate complaint forms or create a database of qualified interpreters for speakers of any language, including sign language.

Wave 1 Agency	Third Party Complaints Allowed?	Includes Narrative Field for Description of Complaint?	Does Not Include Language from PC § 148.6? ¹¹⁷	Complaint Process Information Attached to Form?
CHP	✓	✓	✓	✗
LAPD	✓	✓	✓	✗
Los Angeles Sheriff	✓	✓	✓	✓
San Diego PD	✓	✓	✓	✓
San Francisco PD	✓	✓	✓	✗
San Diego Sheriff	✓	✓	✗	✓
Riverside Sheriff	✓	✓	✗	✓
San Bernardino Sheriff	?	✓	✗	✗

¹¹⁷ It is not a requirement that the Penal Code be included. In fact, there is a conflict between federal and state law on whether anonymous complaints should be accepted. One federal court has found that § 148.6(b) violates the First Amendment. (*Chaker v. Crogan* (9th Cir. 2005) 428 F.3d 1215). However, the California Supreme Court in 2002 upheld the constitutionality of § 148.6. (*People v. Stanistreet* (2002) 29 Cal.4th 497). Nevertheless, the Board recommended that all agencies accept anonymous and verbal complaints. Thus, a checkmark indicates that the Department does not mention PC 148.6 or its language in their complaint form. The RIPA Board believes the California legislature should address this conflict soon, since the requirements set out by the Penal Code can have a chilling effect on the submission of civilian complaints.

California Highway Patrol

The California Highway Patrol permits members of the public to submit civilian complaints (1) online, (2) by mail, (3) by phone, and (4) in person. However, instructions are not provided online about how to submit a complaint by phone or in-person. The online submission is in English, but the printed forms are available in English and Spanish. The second page of the form provides the phone number and address of the Office of Internal Affairs should assistance be needed. Clear instructions are not provided about how to submit the printed forms. The complaint investigation process is explained online where Penal Code § 148.6 is referenced, and it is stipulated that all complainants will be required to read and sign a Civilian Complaint Information form. CHP responds to third party complainants by acknowledging receipt of their concerns and informing them that the allegedly aggrieved party will be contacted directly. Policy HPM 10.4 Chapter directs agency command to “contact the complainant [allegedly aggrieved party] directly to ascertain their intentions, normally with a requested turnaround period of 30 days.” The printed civilian complaint form was last updated December 2015.

Los Angeles Police Department

The Los Angeles Police Department allows members of the public to file a civilian complaint: (1) in person at any police facility, (2) to the Internal Affairs Group, (3) to the Police Commission, or (4) to the Office of the Inspector General. The Complaint of Employee Misconduct form is available at any Los Angeles community police station, the Police Commission, the Office of the Inspector General or any City Council field office. The form is available in English, Spanish, Chinese, Cantonese, Korean, Japanese, Tagalog, and Vietnamese. The Personnel Complaint Information pamphlet is not attached but is displayed next to and made available with the complaint form. A 24-hour toll-free hotline, where complaints can be made in all languages, is provided on the LAPD website and in the complaint information pamphlet. The pamphlet additionally provides a Text Telephone (TTY) number to file a complaint or request the complaint form. The complaint information pamphlet lists mailing addresses for the Internal Affairs Group, the Office of the Chief of Police, and the Board of Police Commissioners, in addition to a fax number, for submitting written complaints. The online complaint form is available in English. The complaint investigation process is explained on their website. Anonymous and third-party complaints are accepted and will be investigated to the extent that sufficient information is provided. The complaint form asks if the specific complaint or any related complaint was previously reported.

Los Angeles County Sheriff

The Los Angeles County Sheriff’s Department allows members of the public to submit civilian complaints: 1) in writing to any Sheriff’s station, jail, or facility, 2) in person to the Watch Commander or person in charge, 3) by phone, or 4) by mail. The civilian complaint form is available on the agency’s website in English and Spanish and is two pages long, with the first page spelling out the complaint process. The form explicitly asks if any member of the agency attempted to discourage the complainant. The Los Angeles Sheriff’s Department has removed any reference to Penal Code § 148.6 from the public complaint process. The LASD document “Personnel Complaints” specifies that the agency will accept and review any comment from any member of the public concerning agency service

or individual performance. LASD categorizes public complaints as either personnel complaints or service complaints.

San Diego Police Department

The San Diego Police Department receives citizen complaints: (1) in person at stations, (2) by phone or in writing to Chief of Police, (3) by phone to SDPD Communications Division, (4) by phone or writing to Internal Affairs Unit, (5) to the Office of the Mayor, and (6) in person, by phone, online, or in writing to the Community Review Board on Police Practices (CRB). The Department's complaint form is not available online and is currently being translated to Spanish. Instructions on the form include a link to the complaint form page of the CRB website. The form was last updated on July 1, 2019. The CRB's complaint forms are available in English and Spanish on its website. Information on the complaint investigation process is provided online and on the civilian complaint form itself. Third-party submissions are accepted. The form asks if any video or photos are included with the complaint and also inquires about the gender and race of the San Diego PD personnel involved.

San Francisco Police Department

Unique among the Wave 1 agencies, civilian complaints regarding the San Francisco Police Department are handled by the Department of Police Accountability (DPA), an independent department within the City and County of San Francisco. DPA has exclusive control of their internal processes related to complaint form content and format. Civilian complaint forms and investigation information are available on the DPA's website, which is linked to the SFPD's website. Civilian complaints can be submitted: (1) in person at stations, (2) by phone to SFPD or DPA, (3) online at DPA website, or (4) by mail to DPA. SFPD accepts all complaints of official misconduct, including anonymous and third-party complaints. The online submission form is available in English, Spanish, Chinese, and Tagalog. The mail-in form includes prepaid postage and, in addition to the other four languages noted, has also been translated into Russian and Vietnamese. The online submission form solicits more detailed information than the printed form, such as: noting special contact information if the complainant is experiencing homelessness or is in transition; whether an injury was sustained and whether photos were taken of the injuries; whether there is video or audio recording of the incident; whether medical attention was received; and whether a complaint has previously been filed.

San Diego County Sheriff

The San Diego County Sheriff's Department allows members of the public to submit civilian complaints: (1) in person at stations, (2) by phone or mail to the Internal Affairs Unit, or (3) by contacting the Citizens' Law Enforcement Review Board (CLERB) by email or mail. Any person may file a complaint. The Sheriff's complaint form is not available online, but the agency's website links to a complaint form on CLERB's website. The complaint form includes a specific section dedicated to a complaint regarding racial or identity profiling and includes a checkbox to indicate racial and identity profiling. Last updated in December 2016, the form is available in English with instructions in both English and Spanish. The Sheriff's Department additionally makes print complaint forms available in English and Spanish.

Riverside County Sheriff

The Riverside County Sheriff's Department accepts civilian complaints: (1) in person at any station or at the Sheriff's Professional Standards Bureau, (2) by phone, or (3) in writing. Any person may file a complaint. The complaint investigation process is explained on the form itself and online. The form also warns against "filing a false complaint," citing Civil Code Section 47.5, and references Penal Code Section 148.6. Additionally, the form specifically asks complainants to select which racial or identity group they perceive as the basis for the alleged racial or identity profiling. The form was last updated May 2017 and is currently being translated to Spanish.

San Bernardino County Sheriff

The San Bernardino County Sheriff's Department accepts civilian complaints (1) in person at stations or Internal Affairs Headquarters or (2) by mail to Internal Affairs. The complaint investigation process is explained online. Last updated June 2018, the form is available in English and Spanish and includes a section on racial or identity profiling citing PC 13519.4(e).

POST Training Related to Racial and Identity Profiling

As a part of RIPA’s requirements, the Board is charged with reviewing law enforcement training related to racial and identity profiling and analyzing the training developed by the Commission on Peace Officer Standards and Training (POST). POST is a state agency established to provide minimum testing, hiring, and training standards for peace officers in California.¹¹⁸ While participation in POST is voluntary, most California law enforcement agencies participate in the POST program and are therefore eligible to receive the services POST offers. Across California, there are 39 POST-certified basic law enforcement training academies that present POST’s Regular Basic Course training to officers.

California Penal Code section 13519.4 charges POST with developing and disseminating guidelines and training on the racial and cultural differences among California residents. The law requires that any course of instruction should teach an understanding and respect for racial, identity, and cultural differences and instruct peace officers on how to conduct themselves in this type of environment. In its 2019 report, the Board compiled a list of recommendations for POST’s “expanded training/refresher [racial and identity profiling] course” under Penal Code section 13519.¹¹⁹ As discussed below, POST has begun implementing these recommendations.

I. OVERVIEW OF THE BOARD’S COLLABORATION WITH POST REGARDING TRAINING

The Board and POST have continued to work together to fulfill the important training requirements set forth in Penal Code section 13519.4. After receiving recommendations from the Board, POST created a new in-person Bias-Free Policing training to replace a prior version. The new training is currently in production; it is expected to be completed in Fall 2019 and effective in Spring 2020. POST also updated its existing Principled Policing training to include a racial profiling component and plans to integrate this training into management courses in the future.

Classroom-Based Course

POST currently offers an existing classroom course on Procedural Justice for in-service personnel and is developing a self-paced refresher course. As a companion to these courses, POST is designing a student-centered course on Principled Policing for entry-level officers in the basic academy.

For its student-centered course, POST evaluated the in-service course (which was developed with input from the RIPA Board) by presenting pilot courses at three academies, conducting assessments with instructors and students, and discussing the proposed new Principled Policing course with administrative staff. After compiling and analyzing this data, POST convened a workshop in June 2019 attended by subject matter experts from law enforcement, community members, educators, instructional designers, and POST representatives. Subsequent workshops were held in August and November 2019. The benchmarks for designing this new course are set forth below.

¹¹⁸ Pen. Code, §§ 13500-13553.

¹¹⁹ Pen. Code, § 13519.4, subds. (a)-(h).

- Completed: The existing Training and Testing Specifications (TTS) for Learning Domain 3 of the Basic Course were modified to include Principled Policing/Procedural Justice. This course was renamed Principled Policing in the Community. Key learning objectives of this course address the four tenets of procedural justice: implicit bias, explicit bias, cultural competency, impact of historical events on community and officer perspectives, and cynicism. POST approved these TTS modifications in October 2019, and they are set to be effective April 1, 2020, pending completion of the Office of Administrative Law review process. Eight (8) additional hours of facilitated instruction will be added to the Basic Course.
- Completed: Principled Policing content was added to the existing Learning Domain 3 Student Workbook to support the Training and Testing Specifications and course of instruction.
- Completed Draft: Design and development of a draft of an eight (8) hour course of instruction entitled Principled Policing. The course is designed to invoke critical thinking, student interaction, and reinforce the crucial value of principled policing and procedural justice on both the community and the policing profession. The course also meets the requirements set forth in SB 230 (the new California law regarding training and policies for use of deadly force)¹²⁰ for a basic course of instruction to include implicit bias, explicit bias, and cultural competency.
- Completed Draft: A 24-hour Train-the-Trainer course for instructors to enhance proficiency of instructors to effectively deliver and facilitate student learning for the Principled Policing training. Included with the training will be the opportunity for instructors to receive additional coaching from training experts to ensure highly competent facilitated delivery of the material.

The tentative schedule moving forward anticipates delivering pilots of the Train-the-Trainer (T4T) course in various locations throughout the State beginning in January 2020. The T4T and the inclusive eight (8) hours of instruction will be assessed and evaluated. Members of the RIPA Board will be invited to participate in the assessments to provide valued input.

Modifications, if necessary, will be ongoing to ensure curriculum relevancy and consistency with the learning objectives of the in-service course and the developing self-paced course described above, as well as the impact of the training on entry-level peace officers and community members.

Self-Paced Refresher Course

POST is in the process of creating a self-paced refresher course (in consultation with SMEs) to meet the mandate for refresher training every five years set forth in Penal Code section 13519.4; this process requires analysis, design, development, and review phases before the course is released to the field. The refresher course is for both line officers and supervisors and will be accessed via the POST Learning Portal. In the analysis phase of the self-paced course, POST had one-on-one interviews with RIPA Board Members Ben McBride, Warren Stanley, Sandra Brown, Marianna Marroquin, and David Robinson, as well as the late Judge Alice Lytle.

POST is now in the design phase of this self-paced course. POST has worked with SMEs from the Museum of Tolerance and their trained instructors to establish sound learning objectives in line with

¹²⁰ SB 230 requires POST to “implement a course or courses of instruction for the regular and periodic training of law enforcement officers in the use of force.”

the mandate established in Penal Code section 13519.4. POST has also begun creating prototypes of learning and evaluation activities for the course and testing them with both SMEs and end users (law enforcement officers subject to the training mandate). This type of input, combined with other sources of feedback, helps the POST determine early on if activities are instructionally effective. Some prototypes may be discarded while others will be built out for the final version of the course.

Next, POST will be reaching out to community leaders recommended by Board members, and others who assisted in the creation of POST's training video, to conduct content creation, review, and feedback sessions on the learning and evaluation activities. This will be an ongoing activity, as POST develops the content of the course and vets the learning and evaluation, along with e-learning instructional designers and SMEs. Once the course is placed into its initial draft form, POST will then invite RIPA Board members, including those on the POST subcommittee, to review and comment on the course.

Early in 2020, POST will begin development on a "supervisor module" companion to the course. This "module" will be designed to provide tools and best practices, and assist supervisors and leadership in supporting their officers outside of the training course. The course is on track for release in Summer 2020. The supervisor module is expected to be released within six months after the release of the main course.

POST's Racial Bias and Profiling Video

POST is also in post-production of a training video entitled Racial Bias and Profiling. This video will be eligible for Continuing Professional Training (CPT) credit and is another method of completing the Racial Profiling refresher requirements identified in Penal Code section 13579.4. The training video will be available to California peace officers via the POST Learning Portal, where officers can watch the video and then add the record of the completed training to their individual POST training profiles.

The training video was developed through collaboration with Greg Anderson from the Fresno County DA's Office, Basim Elkarra of the Council on American Islamic Relations (CAIR), Mark Katrikh from the Museum of Tolerance, Scott Meadors from the Stockton Police Department, Chief Gary Montecucollo of the Glendale Community College Police Department, LGBTQ advocate Michelle Rosenblum, and Judge Lytle.¹²¹

The SMEs first met in October 2018 to develop the program's objectives and draft scenario scripts. During the second meeting in December 2018, the SMEs reviewed the scripts and monitored video production of the scenarios to ensure the appropriate objectives were being brought forth. The program's educational objectives included officers' understanding that: community perspectives and law enforcement's ability to provide quality services are affected by historical events; the uniform "has a voice" even though today's officer may not have been involved in past incidents; every contact matters; implicit bias is revealed through thoughts or feelings that one is unaware of and that affect one's decision making; only non-biased and non-prejudicial approaches to their duties allow officers to enforce the law objectively and equitably; the violation or act – not the person committing it – is the basis for law enforcement action; and treating all people with respect and dignity – regardless of their cultural or social associations – enhances law enforcement effectiveness and community

¹²¹ POST intends to dedicate this program to the memory of Judge Lytle in light of her passion and dedication to this project.

perceptions. These significant points, and many others, are reinforced via the student and facilitator guides that are downloaded with the video when individuals complete or present the training.

In February 2019, the SMEs met again to review the rough scenarios and monitor the filming of a “squad-room-styled briefing,” where a facilitator reviews each scenario with officers and leads discussions to ensure the course objectives are met. Then SMEs were interviewed individually so their perspectives and comments could be included in the final program. POST expects the video to be completed and released by December 2019.

California Department of Justice POST Certified Course

As part of its work with respect to the collection of the RIPA stop data, the Department is currently developing a POST-certified course. The course will be developed and administered by the Department’s Client Services Program in collaboration with the Civil Rights Enforcement Section. The overriding objective of the course will be to provide in-depth training to law enforcement to help them better understand the RIPA statute and its implementing regulations with the additional goal of ensuring uniform data reporting across all agencies.

Although still in the early stages of development, it is anticipated that the course will be three to four hours in length and will be administered four to six times a year in various locations throughout California. In addition to the in-person learning sessions, the Department hopes to distribute the content of the course via multiple learning approaches including: classroom discussions, presentations, videos, and handouts. Specifically, the RIPA training course is meant to provide essential knowledge of the history, mandates, statutory and regulatory reporting requirements, explain uses for the data including supervisory review and oversight, and ensure uniform reporting. It is anticipated that this course will be implemented in mid-2020.

As this training is still in the development phase, the Department welcomes suggestions from the Board, the community, and law enforcement agencies alike.

II. VISION FOR FUTURE REPORTS

The Board will continue to analyze POST’s trainings on bias-free policing and racial and identity profiling to ensure that its trainings incorporate the most up-to-date evidence-based best practices. In addition to training, the Board hopes to explore best practices in hiring and recruitment, performance assessment, and promotion practices in the coming years.

Relevant Legislation Enacted in 2019

Each year, the RIPA Report also highlights any relevant legislation from the previous year. New legislation can impact the Board’s work with law enforcement agencies and POST since it may change law enforcement agency’s policies and procedures, both with respect to bias-free policing and civilian complaints, as well as influence the training conducted by POST and reviewed by the Board.

On August 19, 2019, California Governor Gavin Newsom signed Assembly Bill 392, which makes a significant change to when law enforcement can use deadly force. Previously, an officer could use “objectively reasonable” force to make an arrest, prevent escape, or overcome resistance. Now, under AB 392, an officer’s use of deadly force is limited to those circumstances when the officer reasonably believes that, based on the totality of the circumstances, deadly force is “necessary” to:

- a) Defend against an imminent threat of death or serious bodily injury to the officer or another person; or
- b) Apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

The law establishes the following definitions:

1. “Deadly force” means any use of force that “creates a substantial risk of causing death or serious bodily injury.”
2. A threat of death or serious bodily injury is “imminent” when a reasonable officer would believe “that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury.”
3. “Totality of the circumstances” means “all facts known to the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force.”¹²²

AB 392 also makes three other important changes to current law. First, the new law emphasizes de-escalation and alternatives to the use of deadly force. Second, AB 392 provides that the conduct of the officer and subject leading up to the use of deadly force must be included in the evaluation of the officer’s decision to use deadly force. Third, AB 392 also prohibits the use of deadly force against a person based only on the danger that the person poses to themselves. Finally, although AB 392 makes significant changes to the standard for the use of deadly force, the new law does not significantly impact the standard for the use of non-deadly force.

The law will take effect on January 1, 2020. California is the first state to uniformly use this standard for peace officers’ use of deadly force through legislation, though individual California police departments and those in other states have elements of the law in their use of force policies.

¹²² Cal. Penal Code § 835(e).

Conclusion

Going forward, the Board will continue to study changes to best practices that may inform law enforcement policies and practices that intersect with racial and identity profiling. We will continue our focus on evaluating the stop data for any disparities that may impact certain racial and ethnic groups, but hope to expand our review in the coming years to evaluate other demographic groups.

Next year's dataset will be even richer than this year's dataset because we will have a full year of data generated by the largest fifteen law enforcement agencies in California to evaluate. We hope to use the analyses produced this year and those we plan to undertake in the coming years to make policy recommendations that law enforcement can adopt to help identify and eradicate unlawful profiling.

The Board will continue with its important charge to evaluate and make recommendations surrounding racial and identity profiling and looks to the future with cause for hope. California communities, law enforcement and the public alike have rallied together to take a meaningful look at these issues since the Board was formed in 2016. Through the work of the Board, diverse stakeholders have come together to collectively develop solutions to cultivate trust and strengthen law enforcement-community relations.

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The RIPA Board looks forward to working with newly appointed Commissioner of the California Highway Patrol Amanda Ray, who will replace Commissioner Warren Stanley, who has retired from the California Highway Patrol after over 38 years of service. We will miss Commissioner Stanley and we wish him a long and happy retirement.

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The RIPA Board appreciates the participation of community members, advocates, members of law enforcement, researchers, and other stakeholders. Public participation is essential to this process, and the RIPA Board thanks all Californians who have attended meetings, submitted letters or email, and otherwise engaged with the work of the Board. We thank the public for continuing its engagement with the RIPA Board as we switched to a 100% virtual platform in light of the COVID-19 pandemic. We look forward to receiving the invaluable input from the public and hope to see you in person again in the near future.

The RIPA Board acknowledges the many challenges facing our communities in 2020, including COVID-19, and wishes everyone a happy and safe 2021!

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EXECUTIVE SUMMARY

California’s Racial and Identity Profiling Advisory Board (Board) is pleased to release its fourth Annual Report (“Report”). The Report provides recommendations from the Board for all stakeholders – law enforcement agencies, policymakers, Commission on Peace Officer Standards Training (POST), community members, and advocates – to push for policy reform, rooted in best practices, to help all law enforcement agencies eliminate racial and identity profiling and improve law enforcement and community relations. This year’s Report analyzes, for the first time, a full year of Racial and Identity Profiling Act (RIPA) stop data, from January 1, 2019 to December 31, 2019, from Wave 1 and 2 agencies. In addition to analysis of the stop data, the Report provides recommendations that can be incorporated by law enforcement agencies to enhance their policies, practices, and trainings on topics that intersect with bias and racial and identity profiling.

Recommendations for Law Enforcement Agencies

Policies: The Board has drawn from a range of law enforcement, academic, governmental, and nonprofit organizations with expertise in addressing racial and identity profiling to provide recommendations to law enforcement agencies. These recommendations do not represent the full extent of best practices, but they provide a starting point upon which agencies can build.

Accountability is a key aspect for effective policing, especially with respect to the elimination of bias. This year’s Report identifies the primary categories that make up accountability systems, and the Board hopes to continue its research with the goal of recommending best practices for each category in future years. The Report also continues the Board’s work from its 2020 Report with a review of bias-free policing policies for Wave 2 agencies and a follow-up review of the changes made by Wave 1 agencies after last year’s review.

The Report also contains recommendations related to calls for service. The Board provides an exemplar agency policy on preventing bias by proxy, provides ideas for protocols to approach calls for service that may be bias-based, and recommends that agencies adopt their own policy and train both dispatchers and officers on this important subject. For example, the Report discusses a research-based approach referred to as “adding friction” – or causing officers or community members to pause before reporting suspicious activity or initiating a stop – and discusses how that approach can help curb racial profiling. Moreover, the Report looks at how law enforcement agencies have historically responded to mental health crises and examines several types of crisis intervention strategies from around the country for law enforcement to consider with their community stakeholders.

Civilian Complaints: Agency-level information regarding the numbers of civilian complaints (2016-2019) is provided for Wave 1 and 2 reporting agencies. Additionally, the Board has included a review of the Wave 2 agencies’ complaint forms, a discussion of Early Intervention Systems (EIS) to identify and “flag” at-risk behavior by officers and intervene where necessary, and a discussion of feedback received from law enforcement agencies regarding the actions they have taken in response to the Board’s recommendations about complaint procedures.

The Board recommends that law enforcement agencies (LEAs) investigate all complaints fairly and thoroughly and communicate that commitment to the public. To achieve this, agencies must ensure members of the public and employees can easily submit complaints and that there is a system for recording and tracking them. The Board recommends that agencies identify ways to increase the community's involvement in considering the creation or expansion of independent civilian complaint review boards and community-centered mediation resources.

AB 953 Survey: To better understand how law enforcement has used the data analysis and recommendations presented by the Board in its last three reports, the California Department of Justice ("Department") surveyed Wave 1, 2 and 3 agencies. The survey also looked at how agencies engaged in RIPA data analysis and other actions taken by agencies to advance the goals of RIPA. The responses received from 25 of those agencies helped the Board to identify actions that LEAs are taking to advance the goals of RIPA.

Survey questions generally addressed the following areas:

- Use of Board recommendations and findings;
- Use of stop data for accountability purposes;
- Adoption of model bias-free policing policy language;
- Actions taken in response to best practices recommendations regarding civilian complaint procedures and forms; and
- Stop data analysis practices and resources.

The agency responses to the survey are presented throughout the Report and in Appendix E. The Board hopes that this information will be a valuable tool to help identify agency accountability and the positive ways that law enforcement has used the Board's Report to implement policy reform. For example, several law enforcement agencies reported that they reviewed the stop data with multiple levels of staff at their agencies and were using the Report to analyze concerning trends or patterns in their own stop data.

Recommendations for Community Members

The Report contains recommendations that advocates and community members can use to engage with policymakers and law enforcement to improve policies and accountability. The Board hopes that community members will work with law enforcement and policymakers to implement community-based solutions generally, and specifically, to respond to mental health related emergencies and develop community-centered approaches for responding to bias-based incidents. The Board encourages communities to engage with law enforcement to implement its recommendations for best practices for bias-free policing policies, civilian complaints, and accountability highlighted in the Report. The Board appreciates and thanks all of the members of the community for attending Board meetings and providing public comment and hopes community members will continue to provide the rich ideas and discussion at future meetings.

Recommendations for Policymakers

To reduce the disparities between groups who are more and less likely to come into contact with law enforcement, the Board urges policymakers to engage with impacted communities to prioritize housing, education, health care, and broader criminal justice system reforms, in addition to changes to law enforcement agency practices. The Board further recommends that policymakers fund and prioritize community-based solutions to respond to health-related emergencies and socioeconomic issues, such as being unhoused. In the Report, the Board has included eight examples of crisis intervention strategies. This research has laid the groundwork for the Board to develop best practices and model policy recommendations for crisis response in 2021. The Board recommends that the Legislature continue oversight of Mental Health Services Act funding and examine how counties are using Public Safety Realignment funding for community-based services instead of law enforcement activities to meet the rehabilitation goals under state law.

The Board recommends that policymakers require law enforcement agencies to adopt policies addressing bias by proxy and mandate basic training and continuing education courses on bias by proxy prevention for police dispatchers and officers. The Board recommends that policymakers strengthen data collection regarding bias-based calls for service, and study programs for responding to bias-based calls that focus on accountability and repairing the harms caused by these calls. Additionally, the Board recommends that the legislature increase the frequency with which in-service officers receive training to prevent racial and identity profiling practices.

Regarding civilian complaints, the Board renews its request for the legislature to address the conflict between state and federal law by amending Penal Code section 148.6, as the requirements set out by the Penal Code can have a chilling effect on the submission of civilian complaints.

Recommendations for POST

This year several Board members had the opportunity to review two trainings related to racial and identity profiling that were in the pre-production stage within POST, an independent state agency that is tasked with providing minimum selection and training standards for California law enforcement. One of the Board's statutory duties is to work with POST on training recommendations related to racial and identity profiling. This year, the Board recommends that POST emphasize the various perspectives of communities impacted by profiling. The training should include prominent components on officer accountability, officer reporting obligations and protections, and active bystander or peer intervention skills. The Board recommends that the training incorporate evidence-based research and data illustrating the disparate treatment of racial and other identity groups. The Board also recommends that officers receive training to mitigate the influence of bias on their behavior.

The Board reiterates the importance of dispatchers receiving mandatory training on how to identify and handle bias-based calls for service. The Board recommends that POST consider including a three-step protocol that includes "adding friction" for addressing bias-based calls for officer and dispatcher training.

The Board appreciates POST’s participation at Board meetings and receiving POST’s invitations to assist in the development of some of the trainings related to racial and identity profiling; however, the Board recommends formalizing a collaboration schedule, which will allow the Board to work closely with POST throughout the development and production process for future courses and course updates.

Potential Sources of Disparities Observed in the Stop Data

Consistent with the Board’s mandate to evaluate and eliminate racial and identity profiling in policing, the Report explores several potential driving forces shaping the patterns of stop data disparities revealed in the last two years of data collection. The Report discusses explicit bias, including recent examples of racist social media postings by law enforcement officers, and how this unchecked explicit bias may lead to some of the stop data disparities we have observed. The Report further summarizes several studies that may explain how implicit biases may shape officers’ interactions. Officers who are unaware of or not actively working to overcome their biases may consequently rely on them in their decision-making and interactions with the public and this could be a contributing factor in the disparities shown in the stop data. The Report contextualizes the issues of explicit and implicit biases within the larger systemic structural inequities that influence the frequency with which officers interact with people of certain races, ethnicities, or identities.

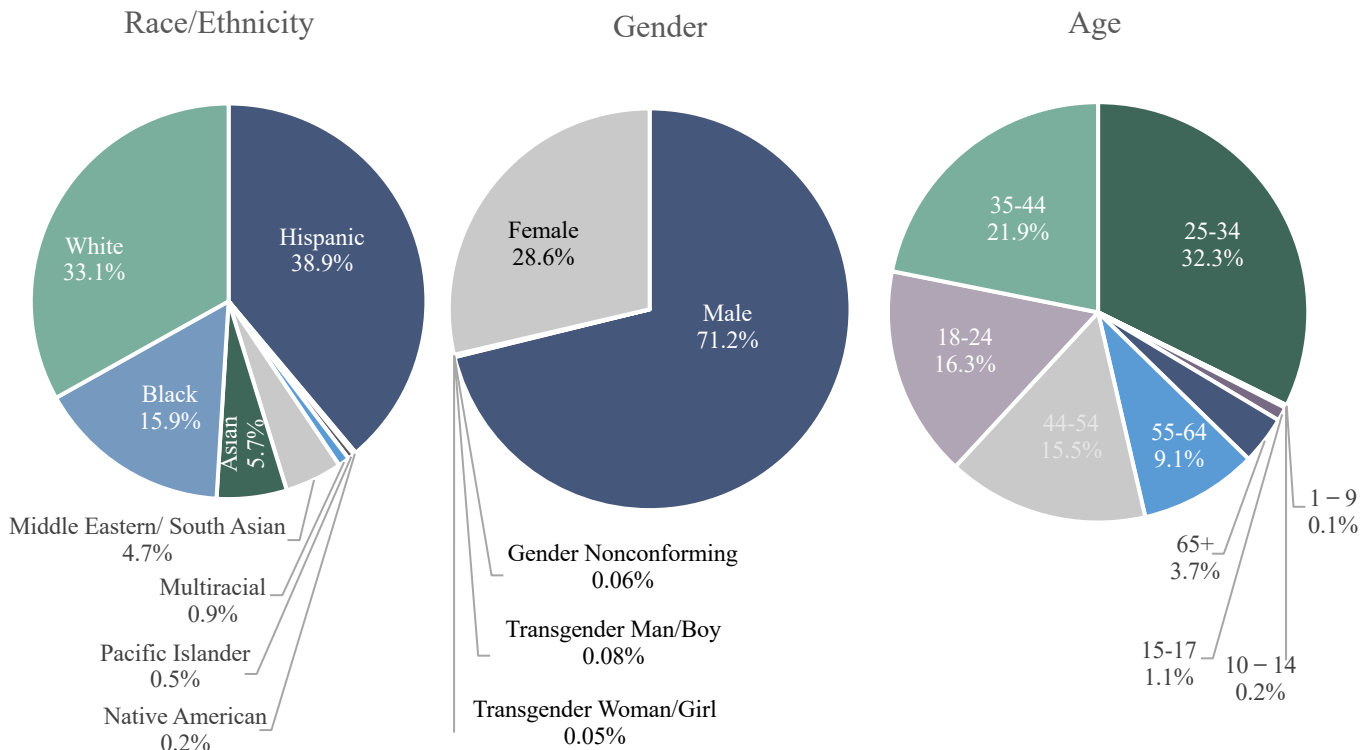
Given the multiple possible sources of disparities observed in the stop data, the Report encourages a multi-pronged approach and provides examples of ways agencies can reduce explicit and implicit bias. The Board also invites other stakeholders to think broadly – beyond the confines of law enforcement reform – about how to reduce inequities in other systems that directly or indirectly contribute to the disparities in the stop data.

Findings Regarding RIPA Stop Data

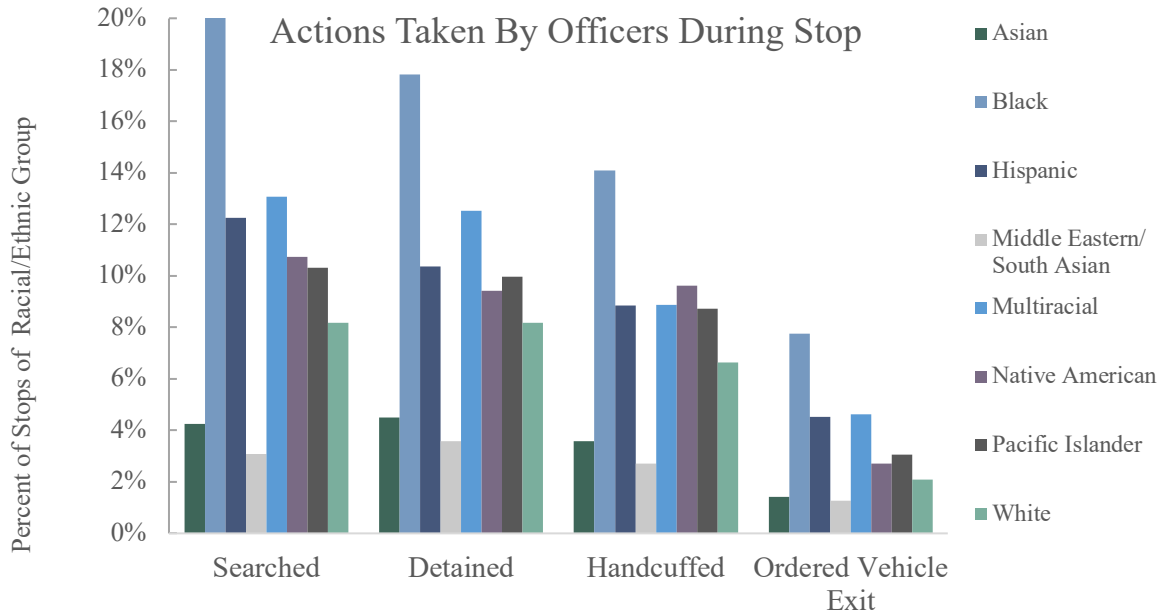
The 15 largest law enforcement agencies in California, referred to as Wave 1 and Wave 2 agencies in this Report, collected data on pedestrian and vehicle stops and submitted these data to the Department.¹ Reporting agencies collected data on 3,992,074 million stops between January 1, 2019 and December 31, 2019. The California Highway Patrol conducted the most stops (54.4%) of all reporting agencies, which was expected given the size and geographic jurisdiction of the agency and its primary mission with respect to highway safety. Below are some highlights from this year’s analysis:

- Individuals perceived to be Hispanic (38.9%), White (33.1%), or Black (15.9%) comprised the majority of stopped individuals; officers stopped individuals of the other five racial/ethnic groups enumerated in the stop data form collectively in 12.1% of stops.
- Individuals perceived to be between the ages of 25 and 34 (32.3%) constituted the largest proportion of stopped individuals of any one age group.

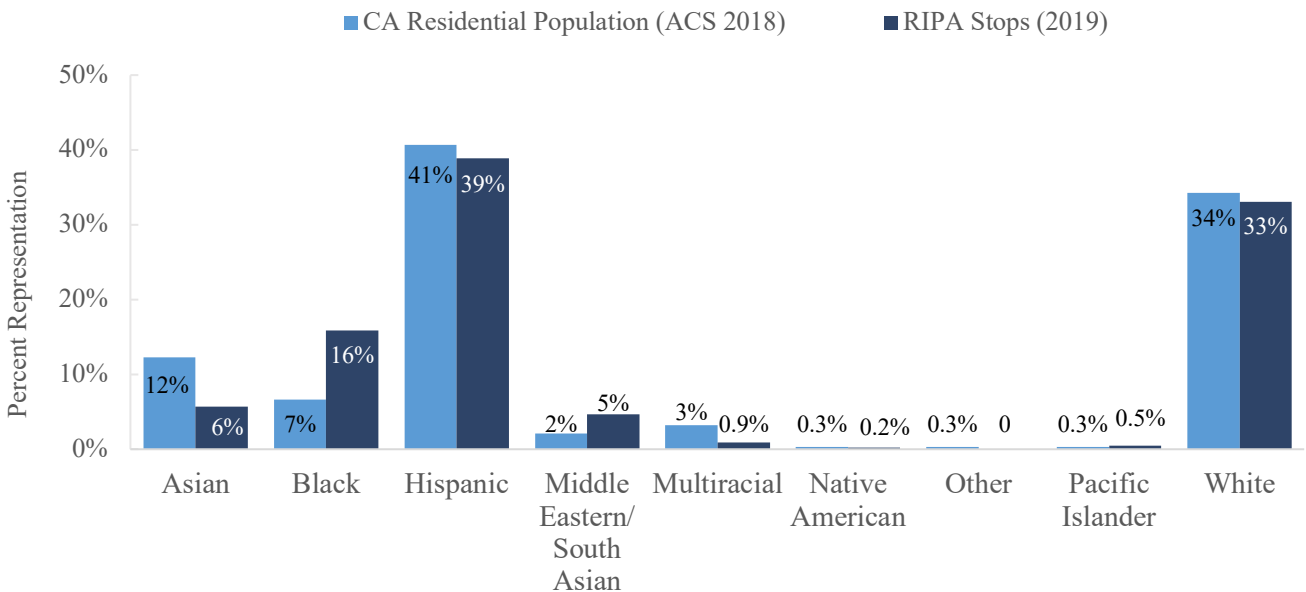
¹ Wave 1 agencies are the eight largest agencies in the state, which were required to start submitting stop data to the Department by April 1, 2019. Wave 2 agencies are the seven next largest agencies, which were required to start submitting stop data to the Department by April 1, 2020.



- Less than 1 percent of stopped individuals were perceived to be LGBT.
- Officers perceived 1.1 percent of the individuals they stopped to have one or more disabilities. Of those perceived to have a disability, the most common disability reported by officers was a mental health condition (63.3%).
- The most commonly reported reason for a stop across all racial/ethnic groups was a traffic violation (85.0%), followed by reasonable suspicion that the person was engaged in criminal activity (12.1%).
- Officers searched, detained on the curb or in a patrol car, handcuffed, and removed from vehicles more Black individuals than White individuals, despite stopping more than double the number of White individuals (1,322,201) than Black individuals (635,092).

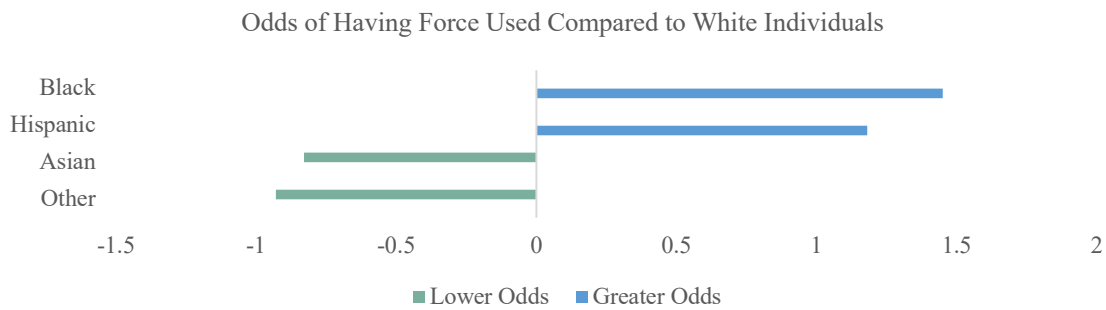


- To provide context for the racial distribution of stopped individuals, the Board compared the stop data distribution to residential population data from the United States Census Bureau from 2018, the most recent available year at the time of the analysis. Black individuals represented a higher proportion of stopped individuals than their relative proportion of the population in the ACS dataset.

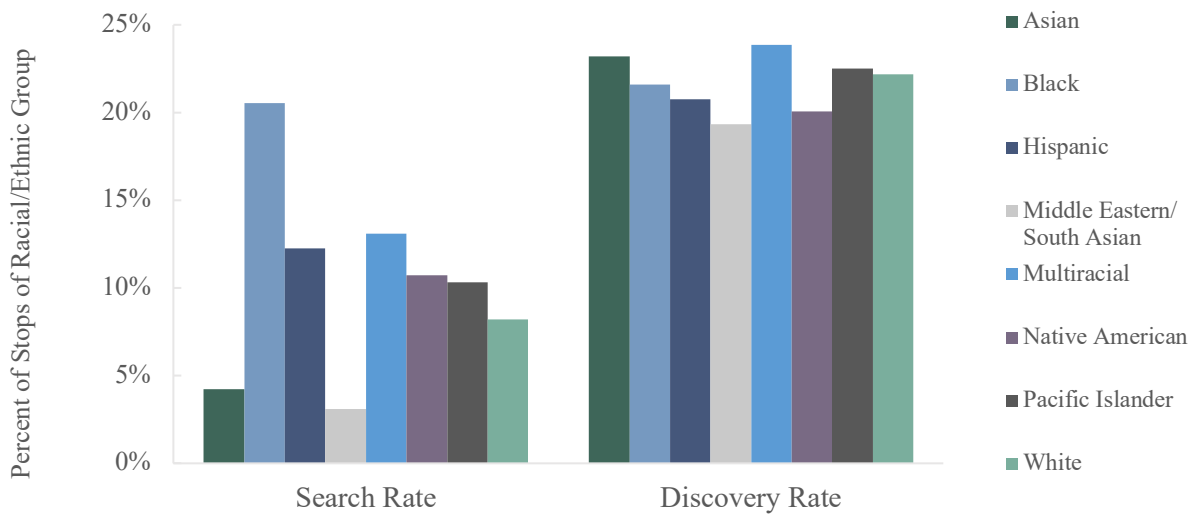


- Results of the Veil of Darkness analysis indicated that darkness (when it is presumably more difficult to perceive an individual's identity) decreased the rates at which Black and Hispanic individuals were stopped compared to White individuals.

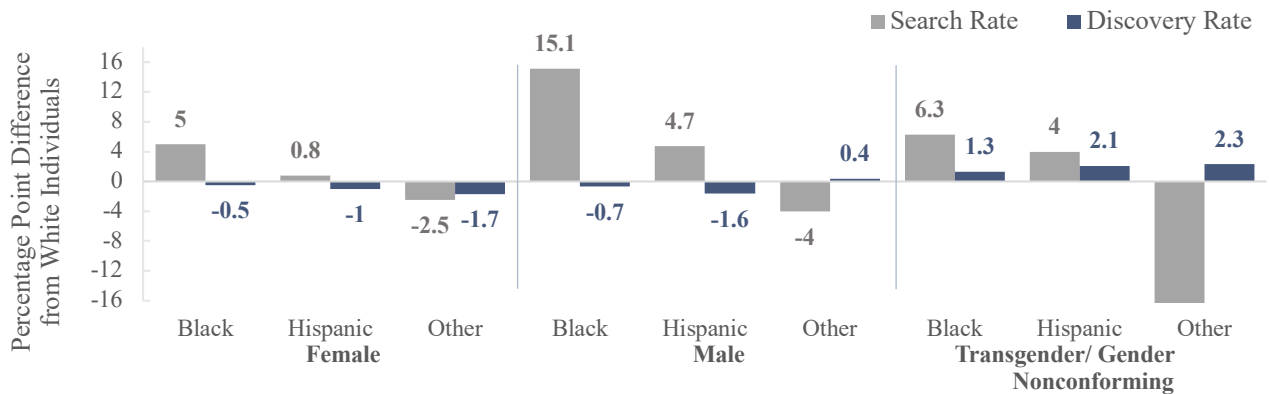
- Black and Hispanic individuals were more likely to have force used against them compared to White individuals, while Asian and other individuals were less likely. Specifically, compared to White individuals, the odds of having force used during a stop were 1.45 times and 1.18 times greater for Black and Hispanic individuals, respectively, than White individuals. The odds of force being used during stops of Asian or Other individuals were 0.83 and 0.93 times lower, respectively, compared to White individuals.



- Search discovery rate analyses showed that individuals perceived as Black, Hispanic, and Native American had higher search rates despite having lower rates of discovering contraband compared to individuals perceived as White.

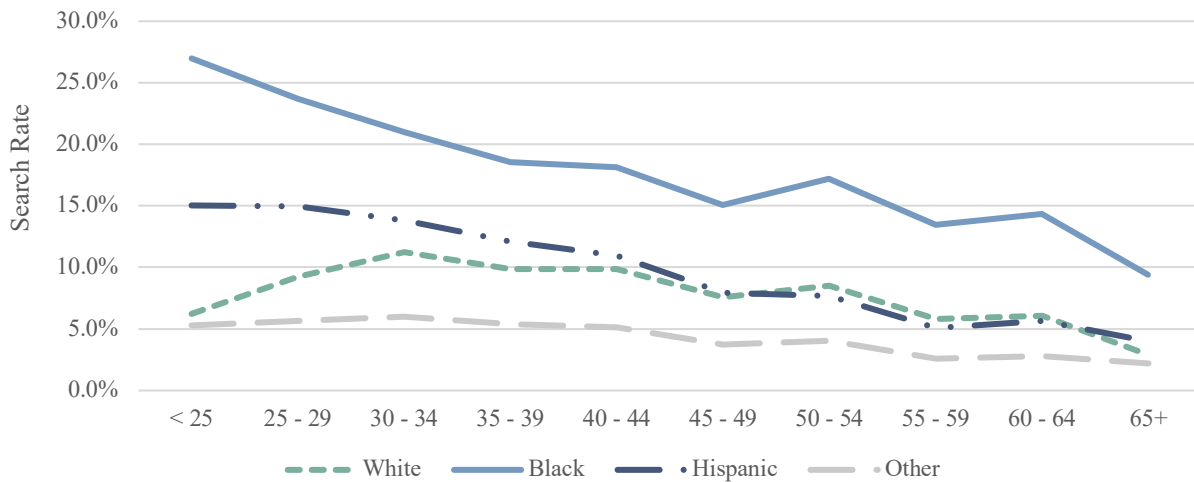


- A vast majority of stopped individuals were perceived as either (cisgender) male (71.2%; 2,841,218) or (cisgender) female (28.6%; 1,143,261), with all other gender groups collectively constituting less than 1 percent of the data. Within each gender group, Black and Hispanic cisgender males and cisgender females had higher search rates but lower discovery rates in comparison to White cisgender males and females. Black and Hispanic transgender/gender nonconforming individuals had higher search and discovery rates than White transgender/gender nonconforming individuals.

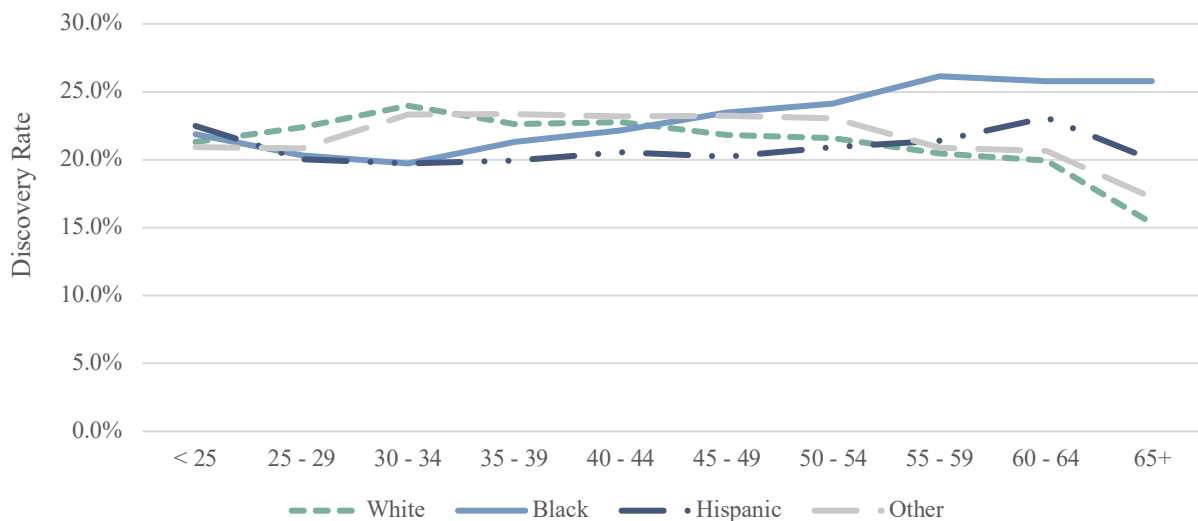


- In comparison to White individuals (47.0%), individuals from all other racial/ethnic groups (Black, Hispanic, and Other) perceived to have a mental health condition had higher search rates (52.8% - 56.3%). Black and Hispanic individuals perceived to have other types of disabilities had higher search rates than White individuals perceived to have other types of disabilities. Additionally, Black and Hispanic individuals perceived to have no disability had higher search rates in comparison to White individuals perceived to have no disability.
- The proportion of searched individuals that fall within each age category generally decreases as the age categories get higher; officers perceived over 50% of individuals they searched to be less than 40 years old, and over 80% of individuals they searched to be less than 55 years old. Black individuals were searched at the highest rate of all the race/ethnicity groups for all age categories. For the younger age groups, racial/ethnic disparities were larger, while disparities in search discovery rates were smaller. The data show that officers searched younger Black and Hispanic individuals at rates that were disproportionately high when compared to younger White individuals, despite discovering contraband or evidence from younger Black, Hispanic, and White individuals during a comparable proportion of these stops.

Search Rates by Race/Ethnicity and Age

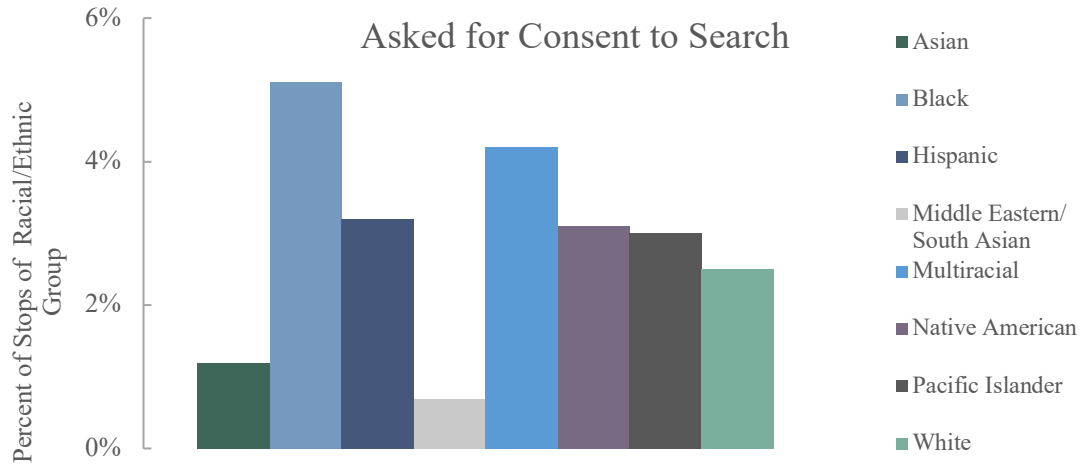


Discovery Rates by Race/Ethnicity and Age

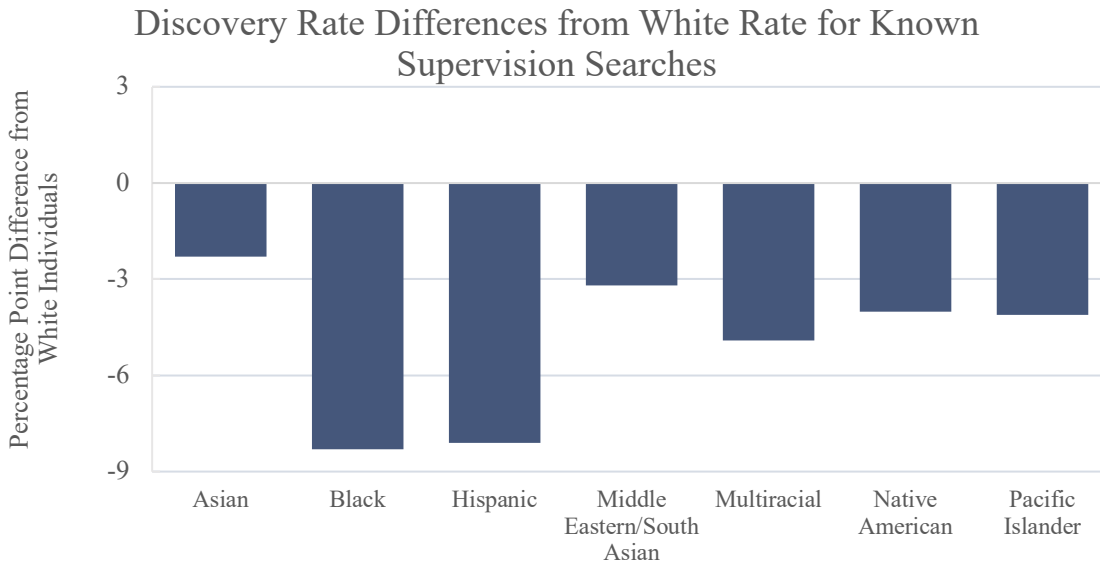


- The proportion of stopped individuals whom officers asked for consent to perform a search varied widely between racial/ethnic groups, from a low of 0.7% of Middle Eastern/South Asian individuals to a high of 5.1% of Black individuals. Officers asked for consent to search Black individuals (5.1%) at twice the rate that they asked White individuals (2.5%). Officers also performed “consent only” searches (where the only basis for the search was that the stopped individual provided consent) of Black individuals (2.4%) at a rate twice the rate they performed these consent only searches of White individuals (1.2%). Despite having higher consent only search rates than White

individuals, Black and Hispanic individuals had lower rates of discovery of contraband or evidence for consent searches than White individuals.



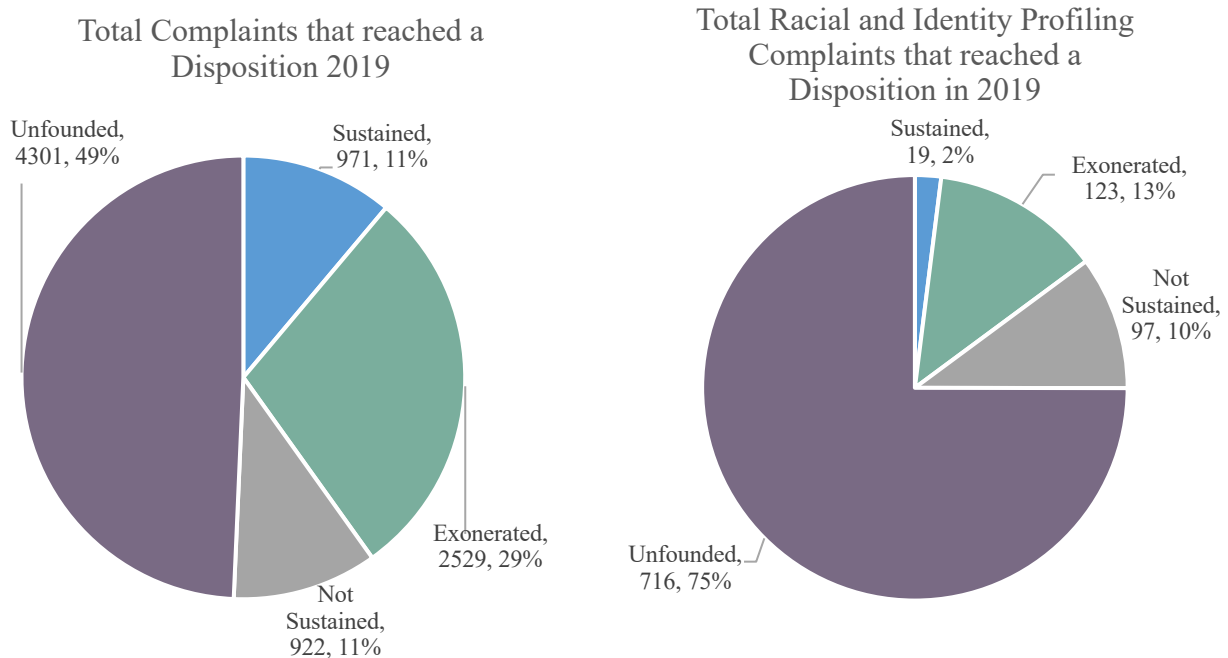
- Stopped individuals perceived to be Black had the highest proportion of any racial/ethnic group stopped based on the officer’s knowledge that the person was on probation, parole or other supervised status (1.2%), while Middle Eastern/South Asian individuals (0.1%) had the lowest proportion. The proportion of stopped individuals whom officers reported they searched based solely upon a search condition of supervision varied between racial/ethnic groups, from a low of 0.2% of Middle Eastern/South Asian individuals to a high of 3.4% of Black individuals. The discovery rates for these condition-of-supervision searches were lower for all racial/ethnic groups of color than they were for White individuals.



Findings Regarding Civilian Complaint Data

The Report includes an analysis of complaints of racial or identity profiling received in 2019 by the 452 law enforcement agencies subject to RIPA's stop data reporting requirements. Of these agencies, 146 (39.7%) reported 1,153 complaints alleging racial or identity profiling, 955 of which reached disposition in 2019. The figure below displays the proportions of complaints reported by stop data reporting agencies that reached disposition in 2019 broken down by disposition type.

Disposition Distribution of 2019 Complaints



Complaint Disposition Key

Sustained: investigation disclosed sufficient evidence to prove truth of allegation in complaint by preponderance of evidence.

Exonerated: investigation clearly established that employee's actions that formed basis of allegations in complaint were not a violation of law or agency policy.

Not sustained: investigation failed to disclose sufficient evidence to clearly prove or disprove complaint's allegation.

Unfounded: investigation clearly established that allegation is not true.

Agency-Level Data Snapshot: 2019 Civilian Complaints for Wave 1 and 2 Agencies

Table 1 displays civilian complaint totals broken down for Wave 1 and 2 agencies. The table provides the following information: the total number of complaints reported; the number of complaints reported alleging racial or identity profiling; and the number of sworn personnel each agency employed in 2019.²

Table 1: Complaints Reported in 2019 by Agency

Reporting Wave	Agency	Total Complaints Reported	Total Profiling Complaints Reported	Total Sworn Personnel
1	California Highway Patrol	353	21	7,230
1	Los Angeles County Sheriff's Department	1,010	68	9,565
1	Los Angeles Police Department	2,205	426	10,002
1	Riverside County Sheriff's Department	33	0	1,788
1	San Bernardino County Sheriff's Department	113	39	1,927
1	San Diego County Sheriff's Department	214	74	2,601
1	San Diego Police Department	102	25	1,764
1	San Francisco Police Department	842	0	2,279
2	Fresno Police Department	231	13	806
2	Long Beach Police Department	182	9	817
2	Oakland Police Department	1,215	36	740
2	Orange County Sheriff's Department	129	11	1,888
2	Sacramento County Sheriff's Office	205	5	1,348
2	Sacramento Police Department	146	6	678
2	San Jose Police Department	205	36	1,150

² Sworn personnel totals are calculated from the information contained within the Law Enforcement Personnel file available at <https://openjustice.doj.ca.gov/data>. The DOJ collects the Law Enforcement Personnel data through a one-day survey taken on October 31 of each reporting year.

Conclusion

The Board remains committed to fulfilling the promise of the Racial and Identity Profiling Act to eliminate racial and identity profiling and improve law enforcement-community relations. The stop data results demonstrate there is significant work to be done to prevent further disparities in who is stopped, how they are treated when stopped, and the outcomes of those stops. The Board hopes that all stakeholders will review its data analyses and recommendations – rooted in evidence-based best practices – regarding bias-free policing, bias by proxy, civilian complaint processes and forms, accountability, and early intervention, and explore crisis intervention models to inform data-driven policy and practice reforms.

INTRODUCTION

“A man dies when he refuses to stand up for that which is right. A man dies when he refuses to stand up for justice. A man dies when he refuses to take a stand for that which is true.”

– Martin Luther King Jr.

It has now been five years since the passage of the Racial and Identity Profiling Act of 2015 and more than four years since the Racial and Identity Profiling Advisory (RIPA) Board first convened to begin its work to eliminate racial and identity profiling and improve diversity and racial and identity sensitivity in law enforcement.³ The RIPA Board began its work in July of 2016 amidst a backdrop of painful high-profile shootings involving the police. Even though years have passed and important reforms were enacted, we find ourselves in a similar position today, facing more painful incidents of officer shootings and excessive force disproportionately affecting Black, Indigenous, and other people of color. As our nation is grappling with these incidents and the crisis due to the COVID-19 global pandemic, our country is in a pivotal time.

The work to eliminate racial and identity profiling, as well as improve law enforcement and community relations, is continuous. From its inception, the RIPA Board laid an important foundation for collecting data on police behavior during stops, reviewing complaint processes, analyzing police training courses, reviewing law enforcement policies on bias, and addressing emerging practices regarding calls for service, bias by proxy, gender equity, and the deployment of police to respond to people experiencing mental health crises.

Given the current climate in our country, we recognize now more than ever the urgency of the RIPA Board’s pioneering work on the elimination of bias and racial profiling in policing. With several new members joining our Board this year, we are well poised to continue the work before us. The Board is comprised of academics, community representatives, clergy, policy and legal advocates, and law enforcement leaders, who not only create a forum for the Board and the public to discuss strategies for improving police practices, but also put those strategies into practical solutions. The Board’s work is enhanced by the diverse perspectives, backgrounds, and areas of expertise of its members. Together, the Board and its stakeholders share the common goals of improving law enforcement-community relations, building trust, making policing equitable, and striving to make all Californians feel respected and safe. This mission can only be achieved through collaboration, transparency, and accountability. The Board’s goal is to drive policy to reform policing and positively impact everyone.

Law Enforcement’s Role in History

Law enforcement agencies and officers serve an important public safety role in our society, but over the course of history, the role of police has expanded more and more into addressing underlying social problems and inequities in our communities.⁴ Author Alex S. Vitale posits that part of our misunderstanding about the nature of policing is that we cannot turn police officers

³ Cal. Pen. Code, § 13519.4, subd. (j)(1).

⁴ Donella, *How Much Do We Need the Police*, NPR (June 3, 2020)

<<https://www.npr.org/sections/codeswitch/2020/06/03/457251670/how-much-do-we-need-the-police>> (as of Dec. 14, 2020).

into friendly community outreach workers when police have the legal capacity to use violence in situations where the average citizen would be arrested.⁵ Thus, when our policymakers delegate certain community caretaking functions, the use of violence increases, because police are trained and equipped to utilize tools of force: control holds, handcuffs, pepper spray, electronic stun weapons, and guns, ultimately leading to arrest and incarceration.⁶

Given the nature of policing in the United States, it is not much of a leap to understand why many individuals have a fear of police, and, as such, this fear should be a part of the discussion about policing in this country. This fear is experienced, spoken about, and passed on from generation to generation, and it is very real, especially for Black, Indigenous, and other people of color. Some of this fear stems from the history of policing in this country, and in particular, Slave Patrols, which were in effect from 1704 in some southern states until the end of the Civil War.⁷ The duties of those officers were to uphold the institution of slavery to benefit the White majority, and their policing activities included searching quarters, dispersing gatherings, and preventing and suppressing uprisings of enslaved people.⁸ Southerners began to see Slave Patrols as the true instrument of law enforcement,⁹ and their role was to oppress enslaved Black people to protect the property rights of Whites without regard for the welfare of Black Americans.

Throughout American history, law enforcement has also been deployed in other contexts to enforce unjust laws and policies, including the forcible removal of Indigenous communities from their native lands, the arrest of suffragettes working for women's right to vote,¹⁰ Japanese internment,¹¹ the criminalization of the LGBTQ community,¹² and the targeting of immigrants by local and federal authorities.¹³ In addition, there are numerous examples of law enforcement officers meeting peaceful protestors with force and aggression.¹⁴ The use of law enforcement to suppress the rights of marginalized and disempowered groups is a thread that has unfortunately continued for centuries in America, and it is often felt most significantly by heavily-policed communities. Both these images of police misconduct and the history of law

⁵ *Ibid.*

⁶ *Ibid.*

⁷ Kappeler, *A Brief History of Slavery and the Origins of American Policing*, Eastern Ky. U. (Jan. 7, 2014) <<https://plsonline.eku.edu/insidelook/brief-history-slavery-and-origins-american-policing>> (as of Dec. 14, 2020); see also Waxman, *How the U.S. Got its Police Force*, Time (May 18, 2017) <<https://time.com/4779112/police-history-origins/>> (as of Dec. 14, 2020) (policing in American developed differently depending on the region and community [rural/urban]).

⁸ Hansen, *Slave Patrols: An Early Form of American Policing* (July 10, 2019) National Law Enforcement Museum <<https://lawenforcementmuseum.org/2019/07/10/slave-patrols-an-early-form-of-american-policing/>> (as of Dec. 14, 2020).

⁹ *Ibid.*

¹⁰ Wild, *c. 1910-1920 Suffragettes vs. Police: The Women Prepared to go to Prison for the Vote* (Jan. 12, 2015) Mashable. <<https://mashable.com/2015/01/12/suffragettes-vs-police/>> (as of Dec. 14, 2020).

¹¹ See, e.g., *Korematsu v. United States* (1944) 323 U.S. 214.

¹² See, e.g., *Bowers v. Hardwick* (1986) 478 U.S. 186; History, *Stonewall Riots* (June 26, 2020) <<https://www.history.com/topics/gay-rights/the-stonewall-riots>> (as of Dec. 14, 2020).

¹³ National Immigration Law Center, *SB 1070 Four Years Later* (April 23, 2014) <<https://www.nilc.org/issues/immigration-enforcement/sb-1070-lessons-learned/>> (as of Dec. 14, 2020); National Immigration Law Center, *President Trump's Raids on Immigrant Communities* (Feb. 27, 2017) <<https://www.nilc.org/issues/immigration-enforcement/trump-raids-on-immigrant-communities/>> (as of Dec. 14, 2020).

¹⁴ *What the 1960s can teach us about modern-day protests* (Interview with Omar Wasow, Professor at Princeton U.), NPR News Hour (May 31, 2020) <<https://www.pbs.org/newshour/show/what-the-1960s-can-teach-us-about-modern-day-protests>> (as of Dec. 14, 2020).

enforcement’s role in American society from its inception remain in the forefront of the public’s mind.

Today’s law enforcement personnel did not create these historical fears in our communities, yet the fear exists. In order to repair and heal those wounds, police must acknowledge and work within the context of that negative history and systemic violence that has and continues to be directed at marginalized communities. Our police and our communities can, however, change that fear with every interaction. Respect and dignity among individuals should prevail even if someone is taken into custody.

The Board’s hope is that fear, panic, dread, anxiety, and distrust will not continue to be the first emotions that arise when an individual sees someone in a police uniform. We raise this dark history because systemic change is not solely about reactive policy change; it also requires a long-term commitment to reconsider the way things have been done and develop new models to move forward.

The Call for Justice

The year 2020 has been unprecedented in so many respects, but in particular with respect to widespread frustration against law enforcement. In March, Breonna Taylor was killed in her Louisville, Kentucky apartment as she lay asleep in bed when officers entered her home in a botched “No Knock” search warrant. The month of May brought the horrific death, captured on video, of George Floyd in Minneapolis, Minnesota.¹⁵ In June, Rayshard Brooks was killed by police in Atlanta, Georgia, and in August, Jacob Blake was shot multiple times in the back and partially paralyzed in Kenosha, Wisconsin. These acts of violence all resulted in protests, curfews, backlash, and calls from the community for justice.

This year we have seen unprecedented numbers of people marching across the globe in support of Black Lives Matter. Law enforcement agencies, academics, governmental entities, community members, and advocates have begun to examine their own biases and how to implement reforms, fund community-based solutions, and engage in other actions that will result in a more inclusive society. Local, state, and federal governments have made commitments to listen – but it will take bold action at all levels of government to change the core problems that lead to systemic injustice.

How Data Can Create Change

The RIPA Board’s analysis of the data collected will help identify racial and identity profiling and inform concrete actions or policies that can eliminate disparities. Law enforcement agencies and officers are required to submit information on stops made by officers, including their perceptions regarding the identities of the persons stopped, actions taken during the stops, and the stops’ outcomes. In this year’s annual report, as in previous years, the RIPA Board shares

¹⁵ Officer Chauvin, who is White, kept his knee on Mr. Floyd’s neck for at least eight minutes and 15 seconds. A video analyzed by the New York Times shows that Chauvin did not remove his knee even after Mr. Floyd lost consciousness and for a full minute and 20 seconds after paramedics arrived at the scene. (Hill et al., *How George Floyd Was Killed in Police Custody*, New York Times (May 31, 2020) <<https://www.nytimes.com/2020/05/31/us/george-floyd-investigation.html>> (as of Dec. 14, 2020).

detailed findings for the public, law enforcement, and other government officials, including analyses, review, and recommendations regarding:

- Civilian complaint data associated with stops made by officers;
- Law enforcement training on racial and identity profiling;
- Policies and practices used by law enforcement agencies across the state; and
- Evidence-based research on the impact of implicit bias and explicit bias in policing.¹⁶

The data collected includes several categories: 1) information regarding the stop, 2) information regarding the officer’s perception of the person stopped, and 3) information regarding the officer themselves. Table 1 shows in detail each element officers are required to report.¹⁷

Table 1: Officer Reporting Requirements

<i>Information Regarding Stop</i>
<ol style="list-style-type: none"> 1. Date, Time, and Duration 2. Location 3. Reason for Stop 4. Was Stop in Response to Call for Service? 5. Actions Taken During Stop 6. Contraband or Evidence Discovered 7. Property Seized 8. Result of Stop
<i>Information Regarding Officer’s Perception of Person Stopped</i>
<ol style="list-style-type: none"> 1. Perceived Race or Ethnicity 2. Perceived Age 3. Perceived Gender 4. Perceived to be LGBT 5. Limited or No English Fluency 6. Perceived or Known Disability
<i>Information Regarding Officer</i>
<ol style="list-style-type: none"> 1. Officer’s Identification Number 2. Years of Experience 3. Type of Assignment

¹⁶ Cal. Pen. Code, § 13519.4, subd. (j)(3)(D).

¹⁷ For more information on the specific data collected, see State of California Department of Justice (2017) AB 953: Template Based on the Final Regulations <<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/regs-template.pdf>> (as of Dec. 14, 2020).

This is the first year the Board has a full year’s worth of data collected from the 15 largest law enforcement agencies in California regarding the perceived race or identity of the person stopped. We hope law enforcement across the state will use the RIPA stop data and the Board’s recommendations and analyses to strengthen their policies and practices — and, in turn, better serve our communities. In the coming years, nearly every law enforcement agency within the state of California will be responsible for collecting this information.

Table 2: Collection and Reporting Deadlines by “Wave”

Reporting Wave	Size of Agency	Data Collection Begins	Data Must be Reported to DOJ	Approx. # of Agencies
1	1,000+	July 1, 2018	April 1, 2019	8
2	667-999	Jan. 1, 2019	April 1, 2020	7
3	334-666	Jan. 1, 2021	April 1, 2022	10
4	1-333	Jan. 1, 2022	April 1, 2023	400+

The findings in this year’s report show similar disparities to last year’s report and reveal some key findings. In stops with discretionary searches, it was more probable for Black and Hispanic individuals to be searched compared to White individuals, despite also being less likely to be found in possession of contraband or evidence. In other words, officer searches of non-White individuals tended to be less successful at finding contraband or evidence, even though they were searched more often. Black individuals not only had the highest rate of being searched by police, but also the highest rate of being detained on the curb or in a patrol car, handcuffed, and removed from a vehicle by order.

This report provides a unique opportunity and obligation for a public Board like the RIPA Board to speak and to act. Now is the time for bold and aggressive leadership by law enforcement Chiefs, Sheriffs, and Commissioners to use this data and their resources to help reduce the inequality and adverse outcomes experienced by individuals because of their race, ethnicity, identity, or disability. It also provides opportunities for legislators to make needed legislative changes identified by the Board. With new data coming in every year, it is time to redouble our efforts for the future. The time is now to build on the foundation laid by the Board and push forward to create the changes our communities demand. The RIPA Board will continue to be vigilant, visible, and outspoken in working towards this change.

EXPLICIT BIAS, IMPLICIT BIAS, AND OTHER DRIVING FORCES FOR STOP DATA DISPARITIES

The RIPA Board’s mandate is to evaluate and eliminate racial and identity profiling in policing. Penal Code section 13519.4 subdivision (e) defines racial and identity profiling as “the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description.”

How we understand the problem of racial and identity profiling shapes where we look for solutions, and therefore, it is critical to evaluate the factors that give rise to disparities in the first place. RIPA stop data collected in 2018 and 2019 reveal patterns of disparities in law enforcement interactions with civilians. As revealed in the 2020 report, individuals perceived to be Black were searched at nearly three times the rate of individuals perceived to be White.¹⁸ Similarly, officers arrested individuals perceived to be Black at nearly 1.6 times the rate as individuals perceived to be White.¹⁹ In order to encourage lasting, holistic, and proactive policy change, it is important to confront the driving forces behind such disparities. Below the Board looks at two likely driving forces – implicit and explicit biases.

Implicit Bias

Implicit biases held by law enforcement officers may explain differential treatment of certain races and identity groups. Implicit biases arise from the natural functioning of the human brain and refer to the beliefs or attitudes a person holds that can shape their understanding, actions, and decisions in an unconscious manner.²⁰ Relying on their implicit biases, individuals may make unconscious associations in an attempt to quickly make sense of a complex, highly evolving environment.²¹

Implicit biases are shared by the general public and, in recent years, they have become a common part of the national dialogue on race and law enforcement reform. When implicit biases are rooted in negative stereotypes of particular races, ethnicities, or other identities, they may cause people to act in ways that can have a negative impact on others. This is true even if a person’s implicit bias conflicts with their consciously-held or self-professed beliefs.²²

¹⁸ See Racial and Identity Profiling Advisory Board, Supplemental Technical Report 2020 (“2020 RIPA Technical Report”) (2020) p. 10 <<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-tech-report-2020.pdf>> (as of Dec. 14, 2020).

¹⁹ *Id.* at p. 45.

²⁰ Bennett, *Introduction to Implicit (Unconscious) Bias* (2019) 89 *The Advoc.* (Texas) 35, 35.

²¹ Krieger Hamilton, *The Content of Our Categories: A Cognitive Bias Approach to Discrimination and Equal Employment Opportunity* ((1995) 47 *Stan. L. Rev.* 1161, 1187 [citing Vinacke, *Stereotypes As Social Concepts* (1957) 45 *J. Soc. Psychol.* 229, 229].

²² Richardson, *Police Efficiency and the Fourth Amendment* (2012) 87 *Ind. L.J.* 1143, 1148.

In the context of policing, implicit biases may help explain some of disparities seen in stops.²³ For example, studies show that people’s attention is drawn more quickly to Black individuals, especially young Black men, than to White individuals.²⁴ Researchers reason that this “attentional bias” relates to people’s unconscious belief – formed as the result of inaccurate societal messaging, policies, and practices – that Black men are threatening,²⁵ and people pay more attention to faces that are stereotypically associated with threat.²⁶ Relatedly, researchers have also observed that when White participants view Black faces, there is increased activity in the regions of the brain associated with threat and fear processing, disgust reactions, and social stereotyping.²⁷ This attentional bias and brain activity associated with threat and fear, among other processes, may explain disproportionate stops of Black individuals in some jurisdictions. That is, officers may have an attentional bias towards Black individuals, and may experience brain activity associated with threat and fear processing, which causes the officers to pay more attention to Black individuals and, in turn stop them at disproportionate rates.

Another study of more than 950 online participants demonstrated that people inaccurately perceive Black men as larger, and for some participants, as more threatening than similarly-sized White men.²⁸ In these types of studies, the race of the participant typically does not have much of an impact as to the perception of Black men’s size, reflecting that what is affecting a person’s perception is *exposure* to the stereotype (e.g., from having lived in a society that has created and broadly reinforced negative stereotypes about certain identities) rather than necessarily agreeing with the stereotype on a conscious level.²⁹ In one experiment, researchers showed participants a series of color photographs of White and Black male faces and asked them to estimate each man’s height and weight based on the face alone.³⁰ Participants – regardless of race – estimated the Black men to be larger than White men.³¹ White participants also judged the Black men as more capable of harm.³² Participants, in turn, judged that use of force against Black men was more justified than the force used against White men.³³ In

²³ Our discussion generally focuses on implicit bias as it relates to Black and White individuals because research has primarily focused in that area. The Board acknowledges there is a significant need for research on implicit bias as it relates to people of other races, ethnicities, and identities.

²⁴ Richardson, *Police Efficiency and the Fourth Amendment* (2012) 87 Ind. L.J. 1143, 1150 [citing Trawalter, et al., *Attending to Threat: Race-Based Patterns of Selective Attention* (2008) 44 J. Experimental Soc. Psychol. 1322, 1324].

²⁵ *Ibid.*

²⁶ Guillermo, et al., *Attentional Biases Toward Latinos* (2016) 38 *Hisp. J. of Behav. Sci.*, 264, 274 <[http://psych.colorado.edu/~jclab/pdfs/Guillermo%20&%20Correll%20\(2016\)%20attention%20to%20latinos.pdf](http://psych.colorado.edu/~jclab/pdfs/Guillermo%20&%20Correll%20(2016)%20attention%20to%20latinos.pdf)> (as of Dec. 14, 2020).

²⁷ Specifically, the amygdala, the anterior insula, and the anterior temporal lobe regions of the brain—which are involved in threat processing, disgust reactions, and social stereotyping, respectively—are activated when White participants view Black faces. Salmanowitz, *Unconventional Methods for A Traditional Setting: The Use of Virtual Reality to Reduce Implicit Racial Bias in the Courtroom* (2016) 15 U.N.H.L. Rev. 117, 123 [citations omitted].

²⁸ See generally Wilson, et al., *Racial Bias in Judgments of Physical Size and Formidability: From Size to Threat* (2017) 113 J. Personality and Soc. Psychol. 59.

²⁹ *Id.* at pp. 74-75.

³⁰ *Id.* at p. 63.

³¹ *Id.* at pp. 70-71.

³² *Id.* at pp. 69-70. Notably, Black participants did not judge Black men as more capable of harm, leading researchers to posit that while Black participants hold onto the same “size stereotypes,” they do so without the “associated group-based threat.” *Id.* at 70. In other words, “Black targets presumably are judged [by Black participants] as larger merely as a result of stereotypes, and not because of a threat looming mechanism.” *Id.*

³³ *Id.* at pp. 70-71.

another experiment, participants estimated men with darker skin and more “prototypically” Black facial features to be larger than similarly-sized men with lighter skin and less “prototypically” Black facial features.³⁴ These results suggest that societal messaging can affect what an individual may unconsciously perceive to be true or not true about a particular group.

Other studies have also shown that people implicitly and inaccurately associate Black individuals with crime, due to broader societal messaging, policies, and practices that shape unconscious biases. Priming people with an image of a Black person’s face sped up participants’ visual processing of crime-related objects, while priming them with an image of a White person’s face slowed down their processing of those same crime-related objects.³⁵ Specifically, researchers studied how long it took White male participants to recognize blurred objects slowly becoming clearer after they were first subliminally primed with either White faces or Black faces (e.g., were shown the images so quickly as to not be able to consciously report having even seen them). It took participants less time to recognize crime-related objects (e.g., knife or gun) after they viewed Black faces than after they viewed White faces.³⁶ Moreover, this association between Black individuals and crime is bidirectional; “Black faces and Black bodies can trigger thoughts of crime, [and] thinking of crime can trigger thoughts of Black people.”³⁷

These unconscious negative responses to Black individuals may conflict with a person’s consciously-held beliefs³⁸ and may shape a variety of law enforcement interactions. For example, an officer may not have racist views toward Black individuals, but nonetheless may stop this group more frequently because the officer is acting on unchecked implicit bias that causes them to pay closer attention to Black individuals even if there is no criminal behavior.³⁹ Indeed, the RIPA 2019 stop data shows that the search rates for Black individuals were higher than for White individuals, despite the fact that the discovery rate of contraband/evidence was higher for White individuals.⁴⁰ This suggests that officers suspect Black individuals of carrying weapons more frequently than White individuals and thus search Black individuals at a higher rate even if the data does not support such an association.⁴¹

³⁴ Wilson, et al., *Racial Bias in Judgments of Physical Size and Formidability: From Size to Threat* (2017) 113 J. Personality and Soc. Psychol. 59, 70-72.

³⁵ “‘Priming’ is a cognitive phenomenon that reveals how exposing people to photos, symbolic representations, or members of stereotyped groups activates a vast network of stereotypes about that group. Psychologists define priming as the incidental activation of knowledge structures, such as trait concepts and stereotypes, by the current situational context.” Smith, et al., *The Impact of Implicit Racial Bias on the Exercise of Prosecutorial Discretion* (2012) 35 Seattle U. L. Rev. 795, 798 [citation and internal quotation marks omitted].

³⁶ Eberhardt, et al., *Seeing Black: Race, Crime, and Visual Processing* (2004) 87 J. Personality & Soc. Psychol. 876, 881 <<https://web.stanford.edu/~eberhard/downloads/2004-SeeingBlackRaceCrimeandVisualProcessing.pdf>> (as of Dec. 14, 2020).

³⁷ *Id.* at p. 876.

³⁸ Jolls, et al., *The Law of Implicit Bias* (2006) 94 Cal. L. Rev. 969, 970-71 [citing Greenwald, et al., *Implicit Bias: Scientific Foundations* (2006) 94 Calif. L. Rev. 945, 955-56].

³⁹ Richardson, *Police Efficiency and the Fourth Amendment* (2012) 87 Ind. L.J. 1143, 1150 [citing Trawalter, et al., *Attending to Threat: Race-Based Patterns of Selective Attention* (2008) 44 J. Experimental Soc. Psychol. 1322, 1324].

⁴⁰ See Table 5, Discovery-rate analysis, at p. 61.

⁴¹ Eberhardt, et al., *Seeing Black: Race, Crime, and Visual Processing* (2004) 87 J. Personality & Soc. Psychol. 876, 881 <<https://web.stanford.edu/~eberhard/downloads/2004-SeeingBlackRaceCrimeandVisualProcessing.pdf>> (as of Dec. 14, 2020).

Explicit Bias

Another factor that may contribute to disparities in stop data is explicit bias. The following examples demonstrate that, despite state law and agency policies that strictly prohibit bias-based policing, there are officers who display explicit biases against individuals of certain racial or identity groups. And, as a result, these individuals may act on their biases in deciding who to stop and how to interact with the individuals they stop.

Explicitly racist or bigoted social media posting among law enforcement appears to be a widespread problem nationwide, as brought to light by advocates, including The Plain View Project. The Plain View Project, formed in 2016, examined the Facebook accounts of 2,900 officers from eight departments across the country and an additional 600 retired officers from those same departments, and now maintains an active database.⁴² The Plain View Project found thousands of troubling Facebook posts that included racist or otherwise offensive language. As a result, several departments conducted investigations of their officers.⁴³ The Philadelphia Police Department, for example, placed 72 officers on administrative leave while it conducted an investigation.⁴⁴

California agencies have likewise had to address explicit bias within their ranks. As one example, the partner of an active San Jose Police Department officer earlier this year detailed the existence of a private Facebook group, “10-70DSJ,” where former and current SJPd officers have exchanged racist posts for years.⁴⁵ In this Facebook group, one retired officer described Black Lives Matter activists as “racist idiots,” “un-American” and “‘enemies’ that the police ‘swore an oath against.’”⁴⁶ An active officer commented in another post that “black lives don’t really matter.”⁴⁷ Another retired officer posted a fake advertisement for “Sharia Barbie,” a barbie wearing a hijab and with a black eye that “comes with jihab [sic], bruises, & Quran [with] stoning accessories available for additional purchase.” That same retired officer once commented that he would “re-purpose the hijabs into nooses.”⁴⁸ Similarly, an officer who at the time of the exposé taught “race-bias policing” in the Training Unit, posted an image that stereotyped all Muslims as terrorists.⁴⁹ The San Jose Police Department has since placed four officers on administrative leave pending an investigation, and the Santa Clara County District Attorney’s Office dismissed 14 criminal cases involving the officers who posted in the Facebook

⁴² The Plain View Project, About the Project <<https://www.plainviewproject.org/about>> (as of Dec. 14, 2020).

⁴³ Andone, *This group found thousands of offensive Facebook comments by police. Here's what you should know*, CNN.com (June 20, 2019) <<https://www.cnn.com/2019/06/20/us/plain-view-project-what-is/index.html>> (as of Dec. 14, 2020).

⁴⁴ *Ibid.*

⁴⁵ Paulsen, *Racism and Hate behind the Blue Wall: Exposing Secret Law Enforcement Facebook Group* (June 26, 2020) <<https://blog.usejournal.com/racism-and-hate-behind-the-blue-wall-exposing-secret-law-enforcement-facebook-groups-6cf23a596a98>> (as of Dec. 14, 2020); ABC7 News, *4 San Jose police officers put on leave amid investigation into alleged racist Facebook posts* (June 28, 2020) <<https://abc7news.com/san-jose-police-department-report-news-sjpd-facebook/6275266/>> (as of Dec. 14, 2020).

⁴⁶ ABC7 News, *4 San Jose police officers put on leave amid investigation into alleged racist Facebook posts* (June 28, 2020) <<https://abc7news.com/san-jose-police-department-report-news-sjpd-facebook/6275266/>> (as of Dec. 14, 2020).

⁴⁷ Paulsen, *Racism and Hate behind the Blue Wall: Exposing Secret Law Enforcement Facebook Group* (June 26, 2020) <<https://blog.usejournal.com/racism-and-hate-behind-the-blue-wall-exposing-secret-law-enforcement-facebook-groups-6cf23a596a98>> (as of Dec. 14, 2020).

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*

group because the integrity of those cases were compromised by the racist posts.⁵⁰ Other California agencies, such as the Los Angeles County Sheriff’s Department and San Francisco Police Department, have also had to address biased social media posted by their deputies and officers.⁵¹

These examples of explicit biases among law enforcement agencies – both nationwide and in this state – suggest that the problem is far more widespread than most people might believe. Critically, these examples trigger a deeper concern about affiliations with white supremacist and extremist groups. Indeed, the Federal Bureau of Investigation cautioned that “[d]omestic terrorism investigations focused on militia extremists, white supremacist extremists, and sovereign citizen extremists often have identified active links to law enforcement officers...”⁵²

These affiliations have a real world impact on the communities officers are tasked with serving and protecting. In a highly publicized set of incidents, Philadelphia Police Department officers did not intervene when violent mobs, mostly comprised of White men, attacked Black Lives Matter protestors earlier this year.⁵³ Officers in the same department also socialized with men wearing Proud Boys regalia and carried a Proud Boys flag at a “Back the Blue” party at the Fraternal Order of Police Lodge.⁵⁴

While the exact scale of explicit racism in law enforcement agencies is difficult to measure, there are numerous examples to suggest a significant problem that could negatively impact officers’ interactions with the public. Indeed, these examples raise concerns about “[w]ho might be sitting in jail because what looked like an objective stop, what looked like a clean interaction, may actually have been driven by bigotry.”⁵⁵ Thus, any efforts to address stop data disparities would necessarily need to look at the forms, and scope, of explicit bias within individual law enforcement agencies.

Systemic Disparities May Feed into Stop Data Disparities

While explicit and implicit biases may be contributing factors to the disparities found in stop data, they are a part of a larger complex of driving forces. That is, explicit and implicit biases

⁵⁰ KPIX 5, *Santa Clara County DA Dismisses Cases Involving Officers Who Posted Racist Facebook Messages* (Oct. 22, 2020) <<https://sanfrancisco.cbslocal.com/2020/10/22/santa-clara-county-da-dismissing-cases-officers-racist-facebook-messages/>> (as of Dec. 14, 2020).

⁵¹ Chabria, *When cops abuse social media, the results are explosive: ‘One post can become a movement,’* Los Angeles Times (Oct. 13, 2020) <<https://www.latimes.com/california/story/2020-10-13/cops-social-media-dangerous-combo-era-racial-reckoning>> [describing a Facebook post by a Los Angeles County Sheriff’s Captain, stating that Andres Guardado, a Salvadoran American killed by a deputy in Gardena, “chose his fate”] (as of Dec. 14, 2020); Fuller, *San Francisco Police Chief Releases Officers’ Racist Texts*, N.Y. Times (April 29, 2016) <<https://www.nytimes.com/2016/04/30/us/san-francisco-police-orders-officers-to-complete-anti-harassment-class.html>> (as of Dec. 14, 2020).

⁵² Federal Bureau of Investigation, Counterterrorism Policy Directive and Policy Guide (April 1, 2015) 89 <<https://assets.documentcloud.org/documents/3423189/CT-Excerpt.pdf>> (as of Dec. 14, 2020); Levin, *White supremacists and militias have infiltrated police across US, report says*, The Guardian (Aug. 27, 2020) <<https://www.theguardian.com/us-news/2020/aug/27/white-supremacists-militias-infiltrate-us-police-report>> (as of Dec. 14, 2020).

⁵³ German, *White Supremacist Links to Law Enforcement are an Urgent Concern*, Brennan Center (Sept. 1, 2020) <<https://www.brennancenter.org/our-work/analysis-opinion/white-supremacist-links-law-enforcement-are-urgent-concern>> (as of Dec. 14, 2020).

⁵⁴ *Ibid.*

⁵⁵ ABC7 News, *4 San Jose police officers put on leave amid investigation into alleged racist Facebook posts* (June 28, 2020) <<https://abc7news.com/san-jose-police-department-report-news-sjpd-facebook/6275266/>> (as of Dec. 14, 2020).

may, in part, explain individual officer behavior, but there are other systemic factors that impact certain racial, ethnic, and other identity groups that help to explain stop disparities in the aggregate.⁵⁶ Biases and systemic inequities found in other systems, and the interconnectedness of those other systems with the criminal justice system, may result in officers interacting more frequently with people from certain races, ethnicities, and identities, which in turn renders those individuals more vulnerable to certain types of treatment by officers during those interactions.⁵⁷ Any analysis of stop data disparities – and the policies to address those disparities – should take into account underlying systemic inequalities. Indeed, overlooking the systemic contributing factors to racial disparities “can guide policy attitudes and preferences in ways that perpetuate [those very] disparities.”⁵⁸

Larger Societal Constructs Render Some People More Vulnerable to Police Interactions

Larger systemic and social oppression can inform officers’ decisions – both directly and indirectly – to interact more with certain groups and in different ways, and thus lead to stop data disparities. Criminal behavior alone cannot explain those disparities.⁵⁹ For example, changing demographics of a city may drive local governing bodies to increase police presence in Black and Latinx neighborhoods, which, in turn, increases the likelihood that officers have more contacts with people in those neighborhoods.⁶⁰ Further, the changing demographics of a neighborhood may increase calls for service driven by explicit or bias by proxy,⁶¹ as discussed in more detail later in this Report (page 83).

One study observed that development in certain neighborhoods in New York City was associated with an increase in low-level arrests in the same neighborhoods.⁶² Specifically, these neighborhoods saw between 0.2 percent and 0.3 percent more discretionary arrests with every 5 percent increase in their property values.⁶³ Another analysis found that a neighborhood in Harlem – where the White resident population increased from 2 percent to 10 percent in just six years between 2000 and 2016 and the median home values almost doubled (adjusted for

⁵⁶ Hetey, et al., *The Numbers Don’t Speak for Themselves: Racial Disparities and the Persistence of Inequality in the Criminal Justice System* (2018) 27(3) *Current Directions Psychol. Sci.* 183, 185 <<https://journals.sagepub.com/doi/pdf/10.1177/0963721418763931>> (as of Dec. 14, 2020).

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*

⁵⁹ For example, a study of stops by Oakland Police Department found that Black individuals were stopped, searched, handcuffed, and arrested at higher rates than White individuals, and this disparity remained significant, even after researchers controlled for neighborhood crime rates and racial demographics. (Stanford SPARQ, *Strategies for Change: Research Initiatives and Recommendations to Improve Police Community Relations in Oakland, Calif.* (2016) <<https://stanford.app.box.com/v/Strategies-for-Change>> (as of Dec. 14, 2020).

⁶⁰ Beck, *Policing Gentrification: Stops and Low-Level Arrests during Demographic Change and Real Estate Reinvestment* (Jan. 8, 2020) 19:1 *City and Community* 245, 248 <<https://onlinelibrary.wiley.com/doi/full/10.1111/cico.12473>> [describing a study that found that gentrification in New York City was associated with more police stops] (as of Dec. 14, 2020).

⁶¹ Johnson, *Co-Opting the Police: What can be done about “Profiling by Proxy?”* (Apr. 2, 2019) Nat. Police Foundation <<https://www.policefoundation.org/co-opting-the-police-what-can-be-done-about-profiling-by-proxy/>> (as of Dec. 14, 2020).

⁶² Beck, *Policing Gentrification: Stops and Low-Level Arrests during Demographic Change and Real Estate Reinvestment* (Jan. 8, 2020) 19:1 *City and Community* 245, 248 <<https://journals.sagepub.com/doi/pdf/10.1111/cico.12473>> (as of Dec. 14, 2020).

⁶³ *Ibid.* Specifically, neighborhoods saw an increase of 0.2 percent for “order-maintenance” arrests, which are arrests for quality-of-life offenses “like disorderly conduct, property damage, or trespassing,” and an increase of 0.3 percent for “proactive” arrests, which are arrests that are “not easily visible” and require an officer “to pursue and search a suspect” such as “drug possession, weapon possession, and driving while intoxicated.” *Id.* at p. 247.

inflation) – received 3,000 quality-of-life complaints in one block between 2015 and 2017, up from just 130 complaints in the previous three years.⁶⁴ As these studies suggest, larger social forces have an impact on policing and may explain some stop data disparities. All stakeholders should be aware of these dynamics when seeking to reduce disparities and achieve reforms.

Other systemic inequities may also lead members of certain racial and identity groups to live in poverty, which itself results in “a substantially higher rate of involvement with the juvenile and criminal justice systems”⁶⁵ because of the disproportionate policing of lower-income neighborhoods.⁶⁶ Transgender individuals, for example, are more likely to live in poverty and experience higher unemployment and homelessness than cisgender individuals because they face systemic discrimination in education, employment, and housing.⁶⁷ Transgender individuals, in turn, may be more likely than cisgender individuals to participate in underground economies (such as sex work) to survive.⁶⁸ Doing so renders them more vulnerable to arrests for “quality of life” crimes.⁶⁹

After a person becomes entangled in the criminal justice system, additional systemic barriers keep them further entrenched in the system.⁷⁰ Research demonstrates that a “criminal record has a significant negative impact on hiring outcomes, even for applicants with otherwise appealing characteristics,” and Black applicants with a record saw a 60 percent drop in the likelihood of getting a callback or job offer – twice the same drop-off for otherwise identical White applicants with a record (30 percent).⁷¹ Individuals with criminal records also face serious barriers to housing. Federal law, for example, prohibits persons convicted of certain crimes from securing public housing and other forms of federally-assisted housing.⁷² And, many landlords routinely exclude individuals with criminal records from private housing.⁷³ In sum, job

⁶⁴ Vo, *They Played Dominoes Outside Their Apartment For Decades. Then The White People Moved In And Police Started Showing Up*, BuzzFeed (June 29, 2018) <<https://www.buzzfeednews.com/article/lamvo/gentrification-complaints-311-new-york>> (as of Dec. 14, 2020).

⁶⁵ U.S. Dept. of J., Nat. Inst. of Corrections, Policy Review and Development Guide, Lesbian, Gay, Bisexual, Transgender, and Intersex Persons in Custodial Settings (2015) <https://info.nicic.gov/sites/info.nicic.gov/lgbti/files/lgbti-policy-review-guide-2_0.pdf> (as of Dec. 14, 2020).

⁶⁶ See, e.g., Stolper, Community Service Society, *New Neighbors and the Over-Policing of Communities of Color* (Jan. 6, 2019) <<https://www.cssny.org/news/entry/New-Neighbors>> (as of Dec. 14, 2020).

⁶⁷ See generally Grant et al., National Center for Transgender Equality & National Gay and Lesbian Task Force, *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey* (2011) <https://transequality.org/sites/default/files/docs/resources/NTDS_Exec_Summary.pdf> (as of Dec. 14, 2020).

⁶⁸ Carpenter, et al., *Walking While Trans: Profiling of Transgender Women by Law Enforcement, and the Problem of Proof* (2017) 24 Wm. & Mary J. Women & L. 5, 38, n. 40.

⁶⁹ *Ibid.*

⁷⁰ For example, prosecutors are less likely to plea bargain with and offer a reduction in charges to Black defendants than White defendants, and when they do offer plea bargains, prosecutors are more likely to include prison time for Black defendants. Similarly, federal prosecutors are twice as likely to charge Black defendants with offenses that carry a mandatory minimum sentence than similarly situated White defendants. (Avery, et al., *Racial Bias in Post-Arrest and Pretrial Decision Making: The Problem and A Solution* (2019) 29 Cornell J.L. & Pub. Pol’y 257, 265 [citations omitted].)

⁷¹ Pager, et al., *Sequencing Disadvantage: Barriers to Employment Facing Young Black and White Men with Criminal Records* (2009) 63 Annals of Am. Acad. of Pol. and Soc. Sci., 195, 199 <https://scholar.harvard.edu/pager/files/annals_sequencingdisadvantage.pdf> (as of Dec. 14, 2020).

⁷² National Housing Law Project, *An Affordable Home on Reentry* (2018) pp. 7-8 <<https://www.nhlp.org/wp-content/uploads/2018/08/Reentry-Manual-2018-FINALne.pdf>> (as of Dec. 14, 2020).

⁷³ Crowell, *A Home of One’s Own: The Fight Against Illegal Housing Discrimination Based on Criminal Convictions, and Those Who are Still Left Behind* (2017) 95 Tex. L. Rev. 1103, 1105-06.

and housing insecurity can push a person further into poverty and, in turn, increase their interactions with law enforcement.

Criminal Justice System Involvement and the Impact on the Type of Policing Actions Taken

Moreover, once involved in the system, the type of interactions a person subsequently has with law enforcement may create additional disparities. Mass incarceration and other disparities in the criminal justice system disproportionately impact Black individuals. Black individuals, for example, account for 30 percent of those on probation or parole.⁷⁴ The waiver of Fourth Amendment protections against unwarranted searches and seizures is a fairly standard probation or parole supervision term, which permits officers to search a supervised person *without* probable cause and based on their discretion.⁷⁵ The RIPA 2018 stop data showed that individuals perceived to be Black were almost three times as likely to be searched as individuals perceived to be White. In 23.9 percent of stops involving a search of a person perceived to be Black, the officer provided the basis for search as a condition of their supervision; in comparison, officers conducted the same type of searches on only 18.8 percent of individuals perceived to be White.⁷⁶ These disparities invite further research into whether officers assume that Black individuals are on supervision (e.g., have a criminal record), and in turn ask Black individuals about their supervision status more frequently than they ask White individuals.⁷⁷ The Board hopes to delve into this question more deeply in next year's report.

Policy Decisions to Reduce Stop Data Disparities

Because there are likely multiple sources of the disparities we observe, effectively reducing these disparities will necessarily require a multi-pronged approach. One prong would be to address explicit bias. Law enforcement agencies, for example, could use the background check

⁷⁴ The Pew Charitable Trusts, *Community Supervision Marked by Racial and Gender Disparities* (Dec. 6, 2018) <<https://www.pewtrusts.org/en/research-and-analysis/articles/2018/12/06/community-supervision-marked-by-racial-and-gender-disparities>> (as of Dec. 14, 2020); Chanin, et al., *Traffic Enforcement Through the Lens of Race: A Sequential Analysis of Post-Stop Outcomes in San Diego, California* (2018) 29(6-7) *Crim. Justice Pol. Rev.* 561, 564 <https://spa.sdsu.edu/documents/Traffic_enforcement.pdf> (as of Dec. 14, 2020).

⁷⁵ See generally *United States v. Knights* (2001) 534 U.S. 112; *Samson v. California* (2006) 547 U.S. 843.

⁷⁶ See 2020 RIPA Technical Report, *supra* note 18, at p. 11; see also Chanin, *supra* note 74, at pp. 564-65 ["Similarly, officer discretion is used in determining whether a driver or passenger is on probation or parole. In each case, this discretionary authority may be applied differently based on driver race On the other hand, once it is determined that a driver/passenger is on probation or parole, the officer has full legal authority to conduct a search. Indeed, Ridgeway (2006) notes that departmental policy in some jurisdictions advises officers to conduct these searches. Moreover, people of color—and men especially— are disproportionately more likely to be on parole or probation relative to the general population Together, these factors complicate efforts to make meaning of any disparities identified in Fourth waiver searches."]

⁷⁷ In one notable example, an off-duty Black officer was pulled over by fellow officers in his predominantly Black neighborhood for a minor traffic violation and was first asked whether he was on probation or parole. The situation escalated to the point where officers slammed the off-duty officer to the ground. The off-duty officer sued and the court concluded that the officers' actions could be viewed by a jury as motivated by the off-duty officer's race. The court reasoned that the question about supervision status was not relevant to a traffic stop and that a "reasonable juror could conclude that this occurred because [the off-duty officer] was an African American man driving in a predominantly African American neighborhood . . ." (*Adamson v. City of San Francisco* (N.D. Cal. Sept. 17, 2015) No. 13-CV-05233-DMR, 2015 WL 5467744, at *8.) The court allowed the off-duty officer to proceed with a Ralph Act claim, which provides that "[a]ll persons within [California] have the right to be free from any violence, or intimidation by threat of violence, committed against their persons or property" because of race. (Cal. Civ. C. §§ 51.7(a), 51(b).)

included as part of the hiring process to evaluate explicit biases,⁷⁸ and monitor agency-issued cell phones and computers to ensure employees do not use those devices to exchange racist or other offensive content. Additionally, in an approach similar to The Plain View Project, agencies could proactively conduct a review of their personnel’s social media to identify problematic behavior and discipline officers to demonstrate to the entire agency that racist or bigoted viewpoints are not tolerated.⁷⁹

Another component of a multi-pronged approach is for law enforcement agencies to work to manage how implicit biases affect officers’ behavior through training and education.⁸⁰ Managing implicit biases improves policing and is consistent with the tenets of procedural justice.

As noted above, efforts to reduce disparities observed in stop data cannot be limited to rooting out officers with explicit biases or finding ways for officers to override their implicit biases. Rather, addressing biases among individual officers should be components of a larger, more comprehensive approach to reducing stop data disparities. Any meaningful effort to address stop data disparities must recognize and address the structural dimensions of those disparities. For example, law enforcement agencies can also train officers on the impact urban development has on policing, including how it can lead to increased stops or arrests in a particular neighborhood, and on how to use critical thinking skills to recognize whether a call for service is premised by bias by proxy, rather than on criminal activity.⁸¹ Law enforcement agencies should take other steps to remove structural practices that contribute to misconceptions about race and identity; for example, agencies can decline to post mug shot photographs.⁸²

Further, responsibility to address disparities extends beyond law enforcement. Policymakers must contextualize these disparities and acknowledge that others within the broader criminal justice system, including attorneys and judges, play a part in creating and maintaining structural inequities that increase the frequency of law enforcement’s interactions, including stops, with certain racial and identity groups. The Board urges policymakers to prioritize not only changes to law enforcement agency practices, but also to policies involving housing, education, health care, and criminal justice in order to remediate the disparities created by these and other systems.

⁷⁸ Of course, it is possible that these vetting efforts could drive bias further underground; that is, officers might be able to hide their explicit biases by knowingly providing “appropriate” answers in the hiring process to evade scrutiny. Agencies should be mindful of this concern when determining measures to evaluate officers for bias in the hiring process.

⁷⁹ The Plain View Project, About the Project <<https://www.plainviewproject.org/about>> (as of Dec. 14, 2020).

⁸⁰ Two ways agencies can do this is by increasing positive contacts with members of a group against whom a person is biased and “counter-stereotyping,” which involves exposure to information that contradicts a stereotype of a group. Both strategies disrupt the neural pathways that associate members of a group with a certain negative stereotype. (Paterson & Edwards, *Implicit Injustice: Using Social Science to Combat Racism in the United States*, 2015 Harv. J. Racial & Ethnic Just. Online 1, 20–21 (2015) [citing Calvin Lai, *Reducing implicit racial preferences*, 143 J. Experimental Psychology 1765, 1766].)

⁸¹ See Racial and Identity Profiling Advisory Board, Annual Report 2020 (Jan. 1, 2020) pp. 54-57 <<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2020.pdf>> (as of Dec. 14, 2020).

⁸² Egelko, *San Francisco to Stop Releasing Suspect Mug Shots in Effort to Prevent Racial Bias*, S.F. Chronicle (July 1, 2020) <<https://www.sfchronicle.com/crime/article/San-Francisco-police-to-stop-releasing-suspect-15379672.phps>> (as of Dec. 14, 2020).

ANALYSIS OF 2019 STOP DATA

In 2019, the 15 largest law enforcement agencies in California collected data on 3,992,074 pedestrian and vehicle stops and submitted these data to the DOJ.⁸³ These data include information regarding more stops than were collected the previous year because the 2019 data includes records from both Wave 1 and Wave 2 agencies from January 1 to December 31, 2019. The 2018 RIPA stop data only included the eight largest agencies in California and records submitted between July 1 and December 31, 2018. These differences are significant and should be considered if data comparisons are made between these two years.

All of the data collected include demographic information of stopped individuals, as *perceived by the officer*, as well as a range of descriptive information designed to contextualize the reason for the stop, actions taken during the stop, and resolution of the stop. The purpose of collecting these data is to document law enforcement interactions with the public and determine whether certain populations are subject to disparate treatment during stops based upon the officer's perception of that person's identity.

Individuals may self-identify *differently* than how an officer may perceive them. This distinction is critical to the purpose of collecting these stop data and reflects the primary task assigned to the Board, which is to eliminate racial and identity profiling -- based on how *officers perceive* someone -- and improve diversity and racial and identity awareness in law enforcement. This is the context under which RIPA data should be analyzed and interpreted.

For this year's report, the Board presents stop data analyses in three different sections:

1. The first section provides a breakdown of each identity group followed by their rates of experiencing stop outcomes.
2. The second section attempts to create benchmarks (i.e., reference points) by which to compare the stop data results and measure disparities. These benchmarks include comparisons to residential population data and tests for equality of outcomes at different points during the stop. These outcome-based tests explore search outcomes, the impact of daylight (i.e., when it might be easier to see race or other identity characteristics) on who is stopped, and the rates of force used by law enforcement.
3. The third section focuses on the intersections of race/ethnicity by gender, age and disability type. The third section also explores search and discovery rates specifically for consent and supervision searches.

⁸³ Gov. Code § 12525.5(g)(2) defines a "stop" as any detention by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person's body or property in the person's possession or control.

1.1 Stop Data Demographics

1.1.1 Identity Demographics of those Who Were Stopped

Officers collect perceived identity-related information on six key demographics: race/ethnicity, gender, age, lesbian-gay-bisexual-transgender (LGBT) identity, English fluency, and disability. Officers are *not* permitted to ask individuals to self-identify for RIPA stop data collection purposes. Thus, all demographic data in this report reflects the perceptions of officers and may differ from how some stopped individuals self-identify.

Race/Ethnicity. Officers perceived the highest proportion of individuals they stopped to be Hispanic (38.9%; 1,552,485), followed by White (33.1%; 1,322,201), Black (15.9%; 635,092), Asian (5.7%; 228,790), Middle Eastern/South Asian (4.7%; 187,128) and all other groups (1.7%; includes 0.5% or 21,092 Pacific Islander, 0.2% or 8,271 Native American, and 0.9% or 37,015 Multiracial individuals). Officers may select multiple racial/ethnic categories per individual when recording stop data. All stopped individuals perceived to be part of multiple racial/ethnic groups were categorized as Multiracial, to avoid counting the same stopped individual in multiple racial/ethnic groups.

Gender. RIPA regulations contain five gender categories, including male, female, transgender man/boy, transgender woman/girl, and gender nonconforming.⁸⁴ A vast majority of stopped individuals were perceived as either (cisgender) male (71.2%; 2,841,218) or (cisgender) female (28.6%; 1,143,261), with all other groups collectively constituting less than 1 percent of the data.⁸⁵

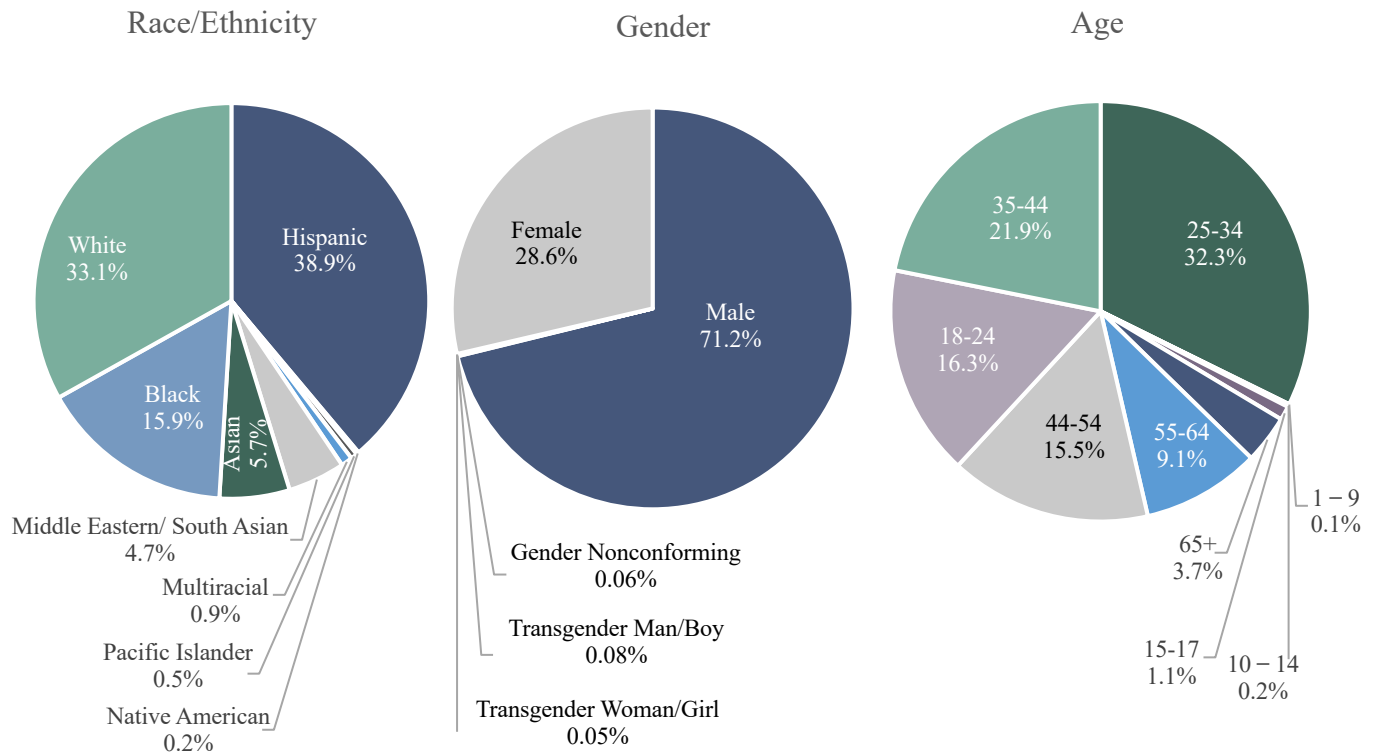
Age. Individuals perceived to be between the ages of 25 and 34 were stopped more than any age group (32.3%; 1,288,541). Individuals perceived to be below the age of 10 accounted for the smallest proportion (<0.1%; 1,927) of stopped individuals amongst all the age groups.⁸⁶

⁸⁴ These categories match those found in the regulations informing RIPA stop data collection (Cal. Code Regs., tit. 11, § 999.226, subd. (a)(5)(A)(1-5)). For the purposes of this report, “male” refers to cisgender males and “female” refers to cisgender females.

⁸⁵ The other groups were perceived as follows: transgender man/boy (0.08%; 3,294), transgender woman/girl (0.05%; 1,870), and gender non-conforming (0.06%; 2,431).

⁸⁶ Stopped individuals perceived to be less than 10 years of age constituted less than one of every 500 individuals stopped. However, the Department is currently exploring the possibility that, in some cases, officers may have (1) incorrectly recorded the age of these stopped individuals (i.e. typographical errors) or (2) recorded data in cases that are not reportable under Section 999.227 (b) of the RIPA regulations (i.e. recording data for young passengers not suspected of committing a violation whom also did not have reportable actions taken towards them).

Figure 1. Race/Ethnicity, Gender, and Age Distributions of 2019 RIPA Stop Data



LGBT. Stops of individuals perceived to be LGBT comprised less than 1 percent (26,382) of the data.⁸⁷

Limited English Fluency. Officers perceived approximately 4.1 percent (164,907) of stopped individuals to have limited or no English fluency.

Disability. Officers perceived 1.2 percent (46,035) of the individuals they stopped to have one or more disabilities. Of those perceived to have a disability, the most common disability reported by officers was mental health condition (63.3%; 29,124).⁸⁸

1.1.2 Primary Reason for Stop

Officers may only report one reason for stop and it must be the *primary* reason. In instances where multiple reasons may apply, officers can only select the primary reason that informed their decision to initiate a stop. Officers may select from eight different primary reasons for stop which include both pedestrian and vehicle stops. The most common reason provided for a stop was a traffic violation (85%), followed by reasonable suspicion that the individual stopped was engaged in criminal activity (12.1%).⁸⁹ The law requires an officer to have reasonable

⁸⁷ Officers perceived 0.66 percent of stopped individuals to be LGBT.

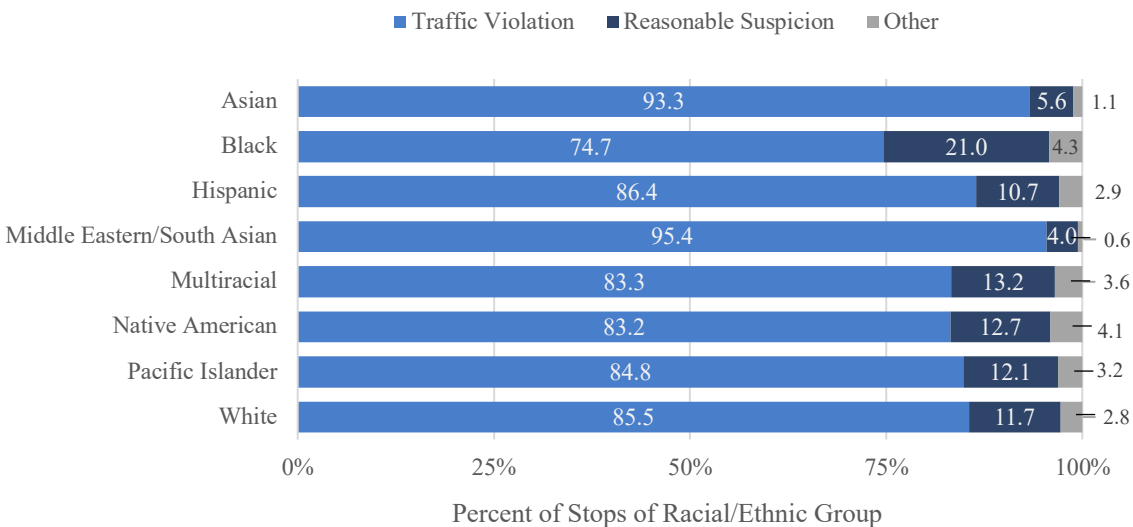
⁸⁸ Individuals perceived to have multiple disabilities—including mental health conditions—are not included in this statistic.

⁸⁹ Although officers may have reasonable suspicion when initiating stops for traffic violations, the regulations state that officers should not select the “reasonable suspicion” value when the reason for stop is a traffic violation. Instead, officers should select the “traffic violation” value as the primary reason for stop (Cal. Code Regs. tit. 11 § 999.226, subd. (a)(10)(A)(2)).

suspicion before they can detain/stop an individual. Reasonable suspicion is a legal standard in criminal law that requires an officer to point to specific articulable facts that would lead a reasonable person to believe that a crime is, was, or is about to occur. Reasonable suspicion to stop someone is also established whenever there is any violation of law. Reasonable suspicion requires more than just an officer having a hunch that the person committed a crime, but is a lesser standard than probable cause, which is required to arrest someone.⁹⁰ All other reasons for the stop collectively made up less than 3 percent of the data and are categorized together for the purposes of graphical representation in the following sections.⁹¹

Race/Ethnicity. Out of all the racial/ethnicity groups in the data, Middle Eastern/South Asian individuals had the highest proportion of their stops reported as traffic violations (95.4%) and the lowest proportion of their stops reported as reasonable suspicion (4%). Black individuals had the lowest proportion of their stops reported as traffic violations (74.7%) and the highest proportion of their stops reported as reasonable suspicion (21%). Black individuals had the highest proportion of any racial/ethnic group (4.3%) of their stops reported in the categories grouped together as “Other” in Figure 2, while Middle Eastern/South Asian individuals had the lowest proportion (0.6%) of their stops fall into these categories.

Figure 2. Primary Reason for Stop by Perceived Race/Ethnicity

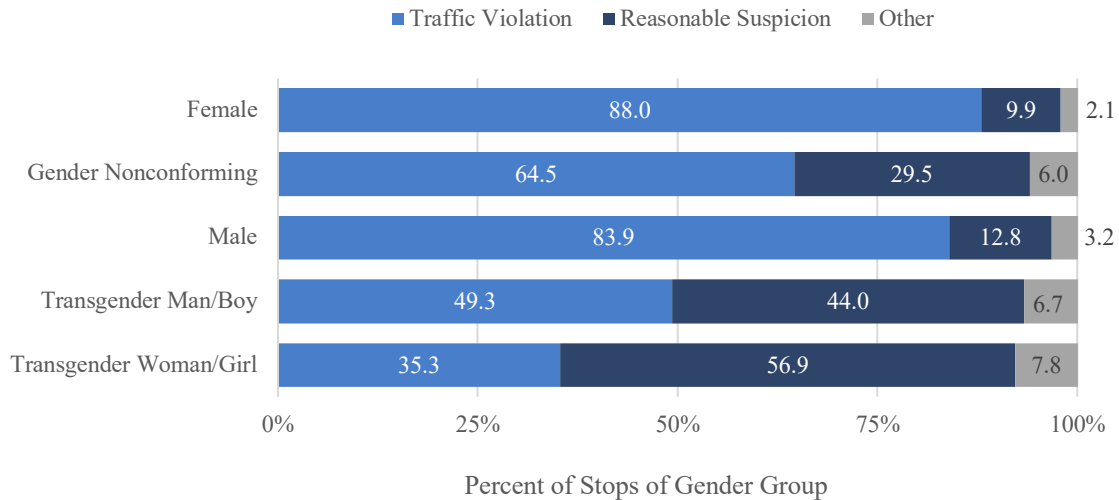


⁹⁰ “Reasonable suspicion” is currently being used to capture stops where an officer suspects criminal activity, but also stops where officers initiate contact for community caretaking purposes without suspecting an individual of criminal activity because no distinct value exists within the RIPA regulations for solely community caretaking contacts. Approximately 4.9 percent of stops initiated for reasonable suspicion were due to community caretaking functions. Given the small percentage, community caretaking stops were not separated out from the reasonable suspicion stops. This designation in the regulations was not meant to suggest that homelessness and people with mental health conditions are engaging in criminal activity; rather, the DOJ is aware of this issue and working on a resolution.

⁹¹ Other reasons for stop that the officer could report included consensual encounter resulting in a search (1.1%), mandatory supervision (0.7%), warrants/wanted person (0.7%), truancy (0.4%), investigation to determine whether student violated school policy (<0.1%), and possible violations of the Education Code (<0.1%).

Gender. Females had the highest proportion of their stops reported as traffic violations (88.0%) and the lowest proportion of their stops reported as reasonable suspicion (9.9%). Transgender women/girls had the lowest proportion of their stops reported as traffic violations (35.3%) and the highest proportion of their stops reported as reasonable suspicion (56.9%).

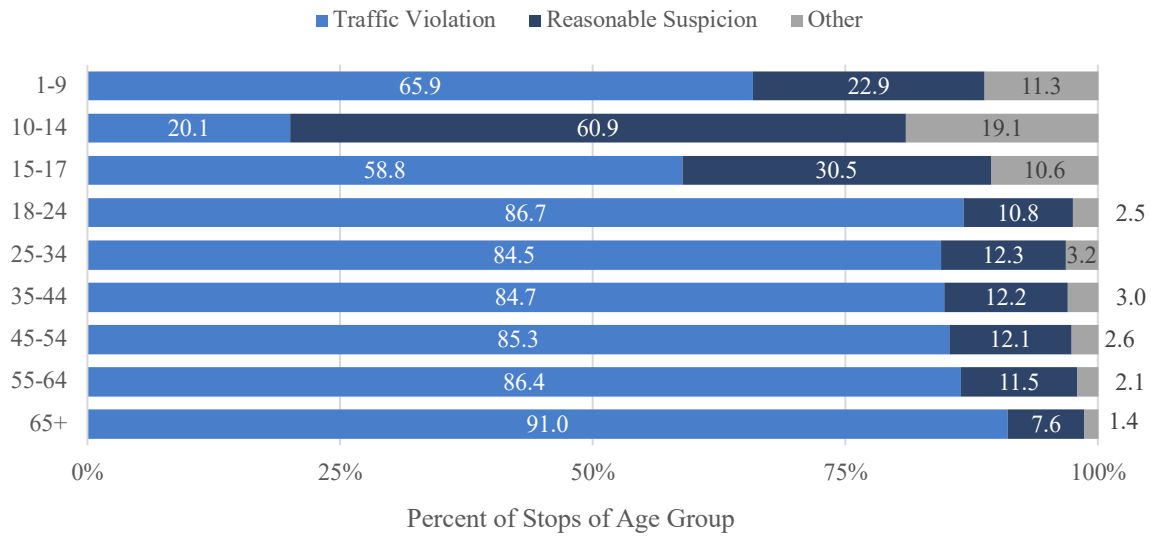
Figure 3. Primary Reason for Stop by Perceived Gender



Age. Individuals perceived to be 65 years or older had the highest proportion of their stops reported as traffic violations (91.0%) and had the lowest proportion of their stops reported as reasonable suspicion (7.6%). Individuals perceived to be between the ages of 10 and 14 had the lowest proportion of their stops reported as traffic violations (20.1%) and the highest proportion of their stops be reported as reasonable suspicion (60.9%).⁹²

⁹² The data shows an unexpected number of reported traffic violations for people too young to hold a provisional permit or driver’s license. This could partially be explained cases where officers (1) incorrectly recorded the age of the stopped individuals, (2) recorded data for passengers in the vehicles they stop, or (3) recorded violations of bicycle or motorized scooter laws.

Figure 4. Primary Reason for Stop by Perceived Age Group



LGBT. Individuals perceived to be LGBT had a lower proportion of their stops reported as traffic violations (61.8%) and a higher proportion of their stops reported as reasonable suspicion (31.9%) than individuals who officers did not perceive to be LGBT (85.2% traffic violations and 11.9% reasonable suspicion).

Limited English Fluency. Individuals perceived to have limited English fluency had a lower proportion of their stops reported as traffic violations compared to individuals whom officers perceived to be fluent in English (83.1% and 85.1%, respectively). The opposite was true of reasonable suspicion stops where individuals perceived to have limited English fluency had a higher proportion of their stops reported under this category than individuals perceived as English fluent (14.8% and 11.9%, respectively).

Disability. Stopped individuals perceived as having a disability had a lower proportion of their stops reported as traffic violations (18.8%) and a higher proportion of their stops for reasonable suspicion (69.6%) than those not perceived to have a disability (85.8% traffic violations and 11.4% reasonable suspicion).⁹³

⁹³ Part of the reason why individuals perceived to have a disability have a much higher proportion of their stops reported as reasonable suspicion stops than individuals not perceived to have a disability is due to how community caretaking contacts are currently captured within the RIPA data. As mentioned in note 90, stops for community caretaking are captured in the reasonable suspicion data element. Only 0.3 percent of individuals without a disability were stopped for community caretaking purposes, compared to 22.5 percent of stopped individuals with a disability.

1.2 Calls for Service

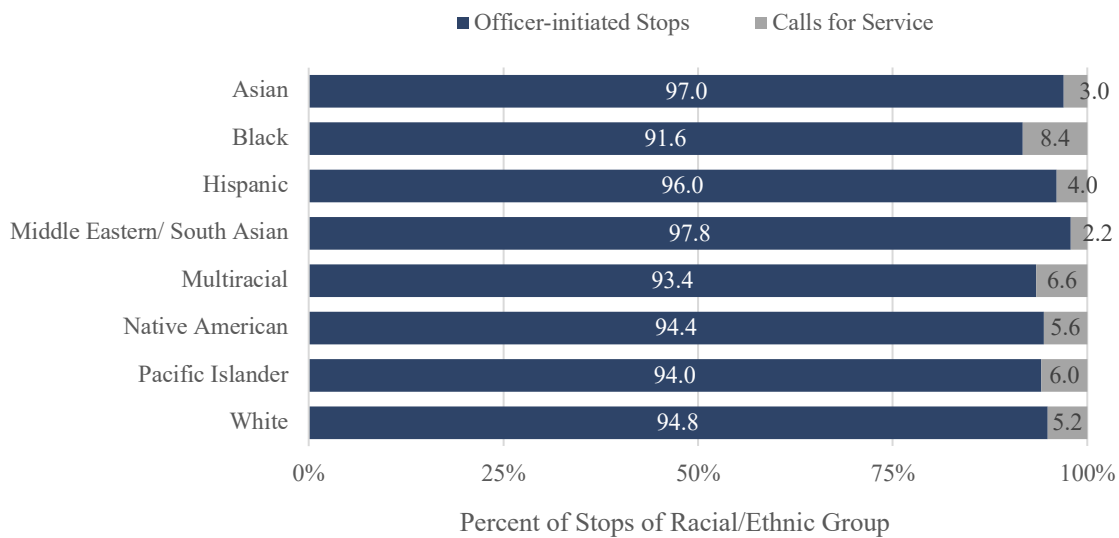
RIPA regulations require that officers indicate if a stop was made in response to a call for service, radio call, or dispatch.⁹⁴ Officers reported making stops in response to calls for service approximately 5 percent of the time.⁹⁵

Race/Ethnicity. Stops were initiated in response to a call for service at the highest rates for Black individuals (8.4%) and the lowest rates for Middle Eastern/South Asian individuals (2.2%).

Key Terms

- Call for service – a stop made in response to a call for service, radio call or dispatch
- Officer-initiated – a stop not made in response to a call for service, radio call or dispatch

Figure 5. Call for Service Status by Perceived Race/Ethnicity

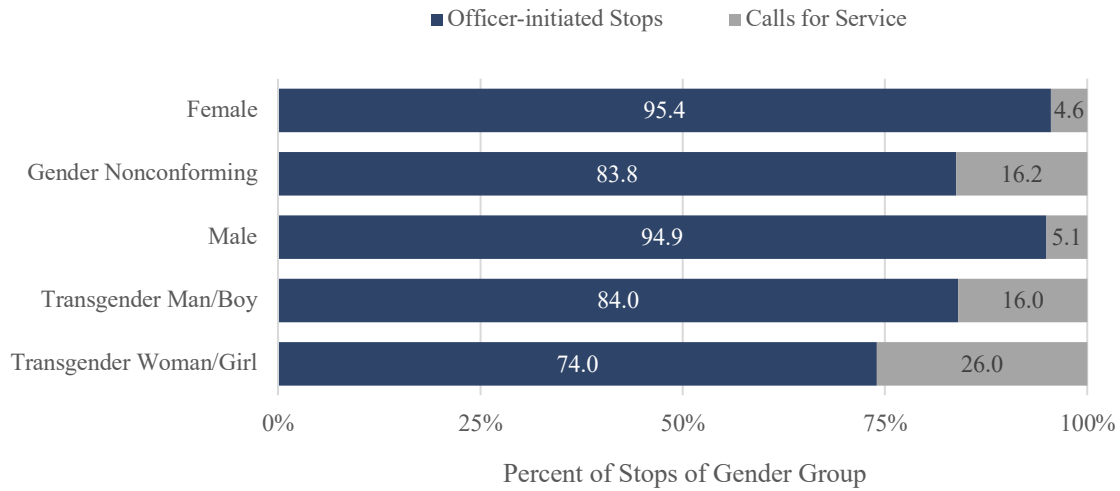


Gender. Stopped individuals perceived to be transgender women/girls had the highest rate of being stopped in response to a call for service (26.0%) while stopped individuals perceived to be female had the lowest rate (4.6%).

⁹⁴ An interaction that occurs when an officer responds to a call for service is only reported if it meets the definition of a “stop” as set forth in section 999.224, subd. (a)(14) of the RIPA regulations. A call for service is not a reason for stop value under the RIPA regulations. Rather, officers indicate whether or not a stop was made in response to a call for service in addition to providing a primary reason for stop (Cal. Code Regs, tit. 11 § 999.226, subd. (a)(11)).

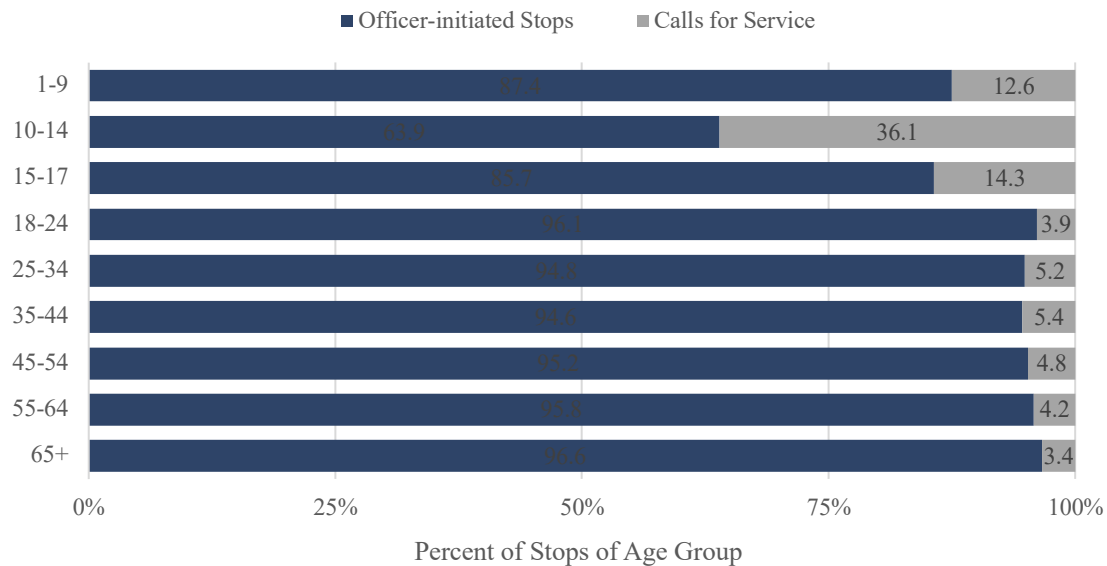
⁹⁵ Given that stops for traffic violations constitute a majority of the data, but are less prone to be made in response to a call for service, these analyses were also conducted while excluding data from stops where officers indicated that the primary reason for the stop was a traffic violation. See Appendix Table A.3 for all statistics.

Figure 6. Call for Service Status by Perceived Gender



Age. Stopped individuals perceived to be between the ages of 10 and 14 had the highest rate of being stopped in response to a call for service (36.1%) whereas individuals aged 65 or higher had the lowest rate (3.4%).

Figure 7. Call for Service Status by Perceived Age Group



LGBT. Stopped individuals perceived as LGBT had a higher rate (15.4%) of being stopped in response to a call for service than individuals whom the officers did not perceive to be LGBT (4.9%).

Limited English Fluency. Stopped individuals whom officers perceived to have limited or no English fluency had a higher rate of being stopped in response to a call for service (6.4%) compared to English fluent individuals (4.9%).

Disability. Stopped individuals perceived as having a disability had a substantially higher rate of being stopped in response to a call for service (47.9%) compared to those whom officers did not perceive to have a disability (4.5%).

1.3 Actions Taken During Stop by Officers

Officers can select up to 23 different actions taken during the stop, (which do not include the actions categorized as stop results, such as arrest). These actions include, for example, asking someone to exit a vehicle, conducting a search, and handcuffing someone (separate from arresting that person). A stopped individual may have multiple reported actions taken towards them in a single stop. Overall, an average of 0.5 actions were taken by officers during a stop and actions were taken on 19.0% of stopped individuals.⁹⁶ Put another way, officers did not submit any reportable actions taken during the majority of the stops they conducted. Looking only at stops in which actions were recorded, the average number of recorded actions taken by officers was 2.5. The average number of actions taken during stops was also calculated for each identity group and can be found in Appendix A.5.⁹⁷

Across all stops, the most common action taken by officers was a search of property or person (11.3%), followed by curbside or patrol car detention (10.2%), handcuffing (8.4%)⁹⁸, and verbally ordered removal from a vehicle (3.9%).⁹⁹ Each other action was reported for less than 2 percent of individuals stopped.¹⁰⁰

Race/Ethnicity. Compared to other races/ethnicities, stopped individuals perceived to be Black had the highest rate of being searched (20.5%), detained on the curb or in a patrol car (17.8%), handcuffed (14.1%), and removed from a vehicle by order (7.7%). Officers searched, detained on the curb or in a patrol car, handcuffed, and removed from vehicles more Black individuals than White individuals, despite stopping more than double the number of White individuals than Black individuals.¹⁰¹ Stopped individuals perceived to be Middle Eastern/South Asian had the lowest rate for each of these actions (ranging between 1.3 and 3.6%).

⁹⁶ See Appendix Tables A.6 through A.9 for breakdowns by identity group for all other actions taken during stops, including those where no actions were taken.

⁹⁷ See Appendix Table A.4 for all descriptive statistics.

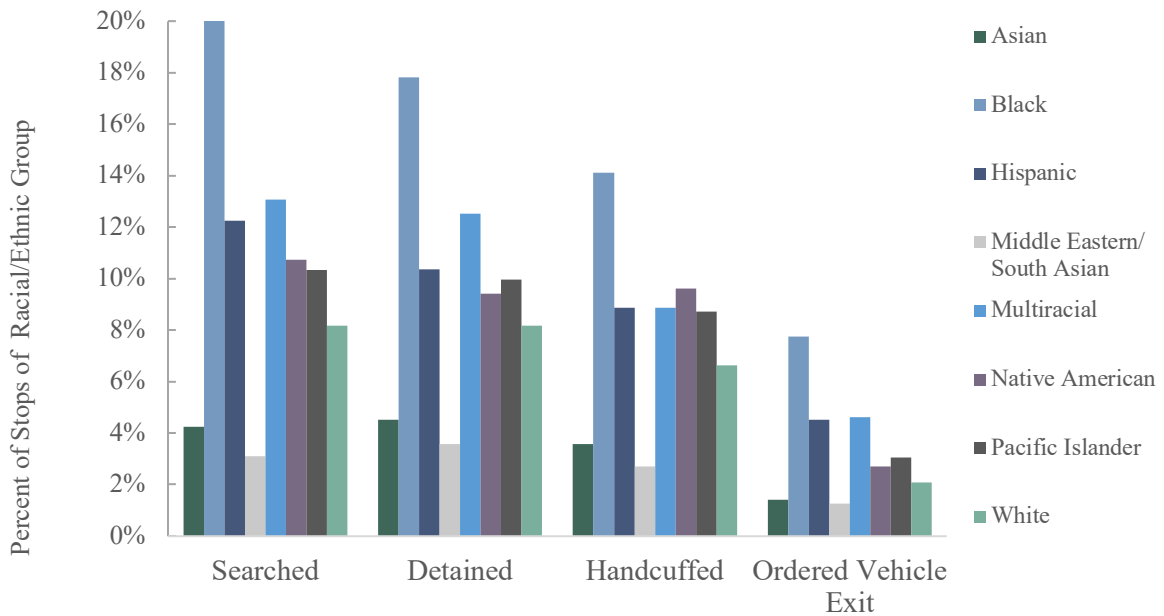
⁹⁸ A report of “handcuffing” an individual in this section does not mean that the officers arrested the individual. Section 1.4 of this chapter discusses arrests. Additionally, Appendix Table A.10 displays what percentage of individuals handcuffed had each of the following three stop results: arrested, no action taken, and result of stop other than an arrest or no action taken. Of the individuals handcuffed, officers arrested 58.1 percent, took some other form of action for 32.5 percent, and took no action towards 9.4 percent of individuals.

⁹⁹ Searches of person or property are captured in separate data fields and were combined for this analysis. Curbside and patrol car detentions are also recorded in distinct data fields and were combined.

¹⁰⁰ Other actions include: person removed from vehicle by physical contact (0.2%), field sobriety test (1.5%), canine removed from vehicle or used to search (<0.1%), firearm pointed at person (0.4%), firearm discharged (<0.1%), electronic control device used (<0.1%), impact projectile discharged (<0.1%), canine bit or held person (<0.1%), baton or other impact weapon (<0.1%), chemical spray (<0.1%), other physical or vehicle contact (0.4%), person photographed (0.5%), asked for consent to search person (2.7%), received consent to search person (80.0%), asked for consent to search property (1.7%), received consent to search property (71.2%), property seized (0.8%), vehicle impounded (1.2%), written statement (<0.1%), or none (81.0%).

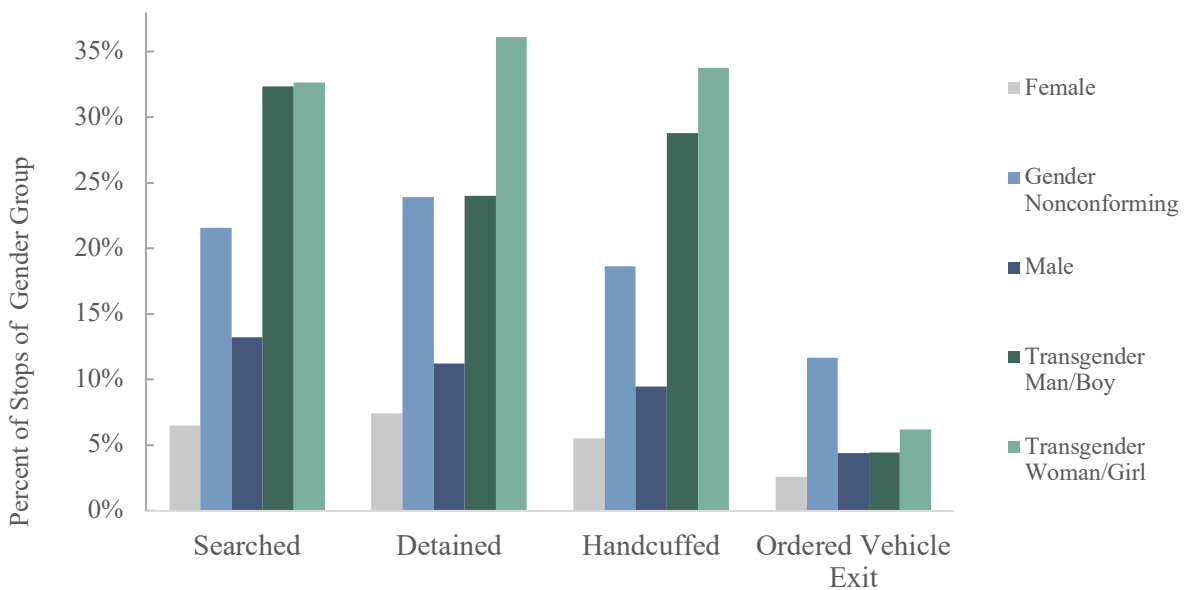
¹⁰¹ See Appendix Table A.5 for a breakdown of the number of stopped individuals from each identity group and actions taken during the stop.

Figure 8. Actions Taken During Stop by Perceived Race/Ethnicity



Gender. Stopped individuals perceived as transgender women/girls had the highest rate of being searched (32.6%), detained on the curb or in a patrol car (36.1%), and handcuffed (33.7%); gender-nonconforming individuals had the highest rates of being removed from a vehicle by order (11.7%). Stopped individuals perceived as (cisgender) females had the lowest rate for each of these actions (ranging from 2.6 to 7.4%).

Figure 9. Actions Taken During Stop by Perceived Gender



Age. Stopped individuals perceived to be between the ages of 10 and 14 had the highest rate of being searched (34.7%), detained on the curb or in a patrol car (33.6%), and handcuffed (30.2%), while those perceived to be between 15 and 17 had the highest rates of being removed from a vehicle by order (7.9%). Those aged 65 or higher consistently had the lowest rate for each of these actions (ranging from 0.9 to 4.5%).

Figure 10. Actions Taken During Stop by Perceived Age Group

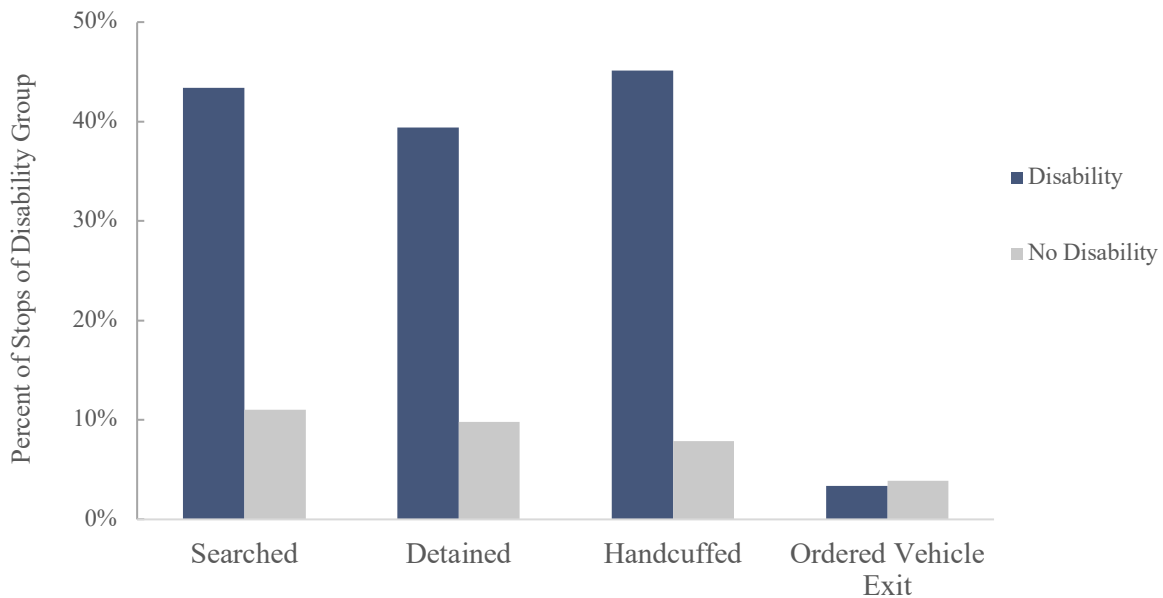


LGBT. Stopped individuals perceived to be LGBT also had a higher rate of being searched (21.9%), detained on the curb or in a patrol car (20.8%), handcuffed (20.1%), and removed from a vehicle by order (4.7%) than individuals not perceived to be LGBT (11.3% searched, 10.1% detained, 8.3% handcuffed, 3.9% removed from vehicle by order).

Limited English Fluency. Stopped individuals perceived to have no or limited English fluency had a higher rate of being searched (13.5%), detained on the curb or in a patrol car (11.5%), handcuffed (10.9%), and removed from a vehicle by order (5.3%) than those perceived to speak English fluently (searched 11.2%, detained 10.1%, handcuffed 8.3%, removed from vehicle by order 3.8%).

Disability. Individuals perceived to have a disability were searched (43.4%), detained on the curb or in a patrol car (39.4%), and handcuffed (45.1%) at a rate higher than those perceived not to have a disability (searched 11.0%, detained 9.8%, and handcuffed 7.9%). Stopped individuals perceived to have a disability had a lower rate of being removed from a vehicle by order (3.4%) compared to those who were not perceived as having a disability (3.9%).

Figure 11. Actions Taken During Stop by Perceived Disability Group



1.4 Result of Stop

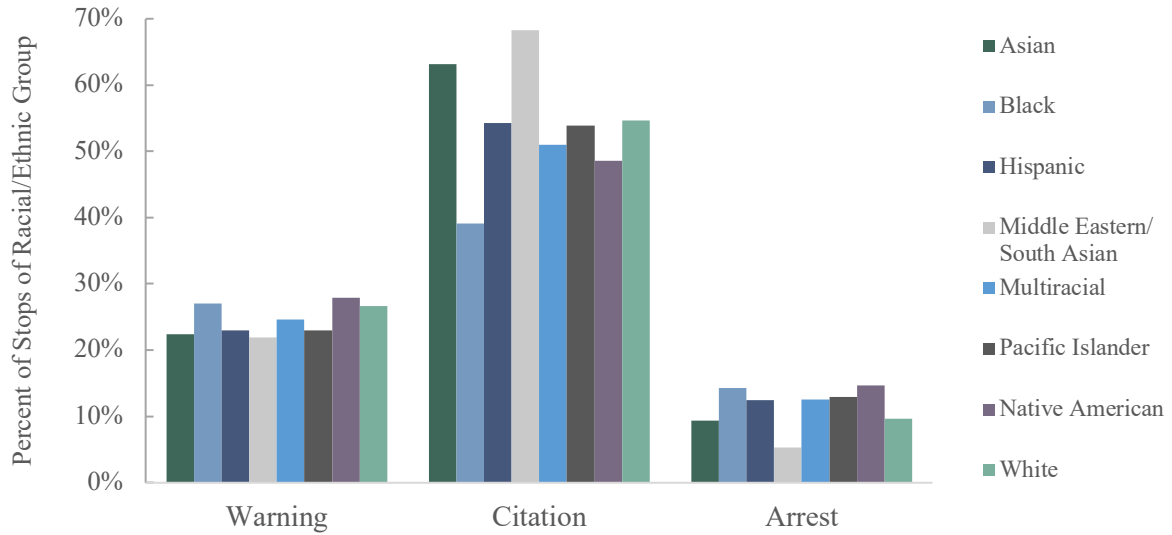
Officers can select up to 11 different stop disposition (or outcome) categories when recording stop data. Officers may select multiple dispositions per stop where necessary (e.g., an officer cited an individual for one offense and warned them about another). Individuals were most often issued a citation (53.1%), followed by a warning (24.8%), and then arrest (11.3%).¹⁰² Each of the other results represented less than 10 percent of the data.¹⁰³

Race/Ethnicity. Compared to other races/ethnicities, stopped individuals perceived as Middle Eastern/South Asian had the highest rate of being cited (68.3%), while individuals perceived to be Native American had the highest rate of being warned (28.0%) or arrested (14.7%). Stopped individuals perceived as Black had the lowest rate of being cited (39.1%) whereas stopped individuals perceived as Middle Eastern/South Asian had the lowest rate of being warned (21.9%) or arrested (5.3%).

¹⁰² Arrests here include three different result types: in-field cite and release (4.8% of stopped individuals), custodial arrest without a warrant (5.0% of stopped individuals), and custodial arrest with a warrant (1.7% of stopped individuals). It is possible for multiple arrest conditions to apply to the same individual in a single stop.

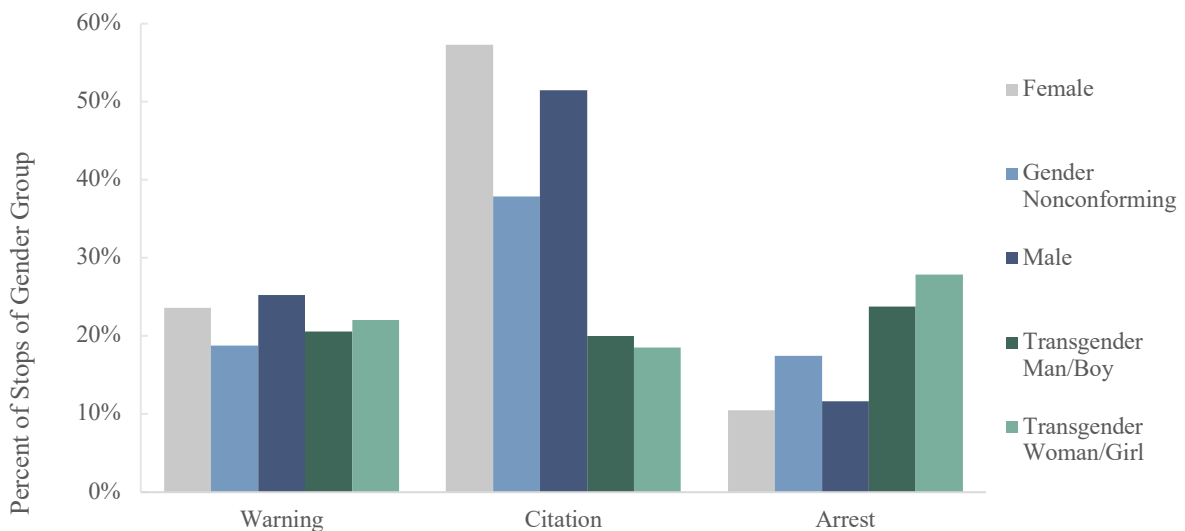
¹⁰³ Other result categories included no action (8.0%), field interview card completed (5.6%), noncriminal/caretaking transport (0.4%), contacted parent/legal guardian (0.1%), psychiatric hold (0.7%), contacted U.S. Department of Homeland Security (<0.1%), referred to a school administrator (<0.1%), or referred to a school counselor (<0.1%).

Figure 12. Stop Result by Perceived Race/Ethnicity



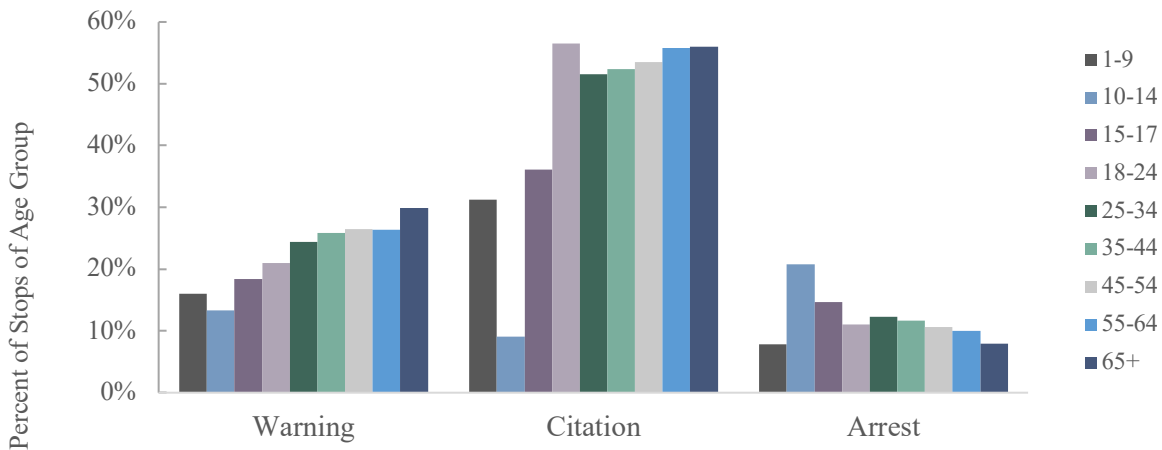
Gender. Citation rates ranged from 18.5 percent of stopped individuals perceived as transgender women/girls to 57.3 percent of stopped individuals perceived as (cisgender) females. Warning rates ranged from 18.8 percent of stopped individuals perceived as gender nonconforming to 25.3 percent of stopped individuals perceived as (cisgender) males. Finally, compared to other gender identities, stopped individuals perceived as transgender women/girls had the highest rate of being arrested (27.9%) while stopped individuals perceived as (cisgender) females had the lowest rate (10.5%).

Figure 13. Stop Result by Perceived Gender



Age. Citation rates for those who were stopped ranged from 9.1 percent for individuals perceived as 10 to 14 year olds to 56.5 percent of individuals perceived as 18 to 24 year olds. Warning rates across age groups of stopped individuals ranged from a low of 13.3 percent of individuals perceived as 10 to 14 years old to a high of 29.9 percent of individuals perceived as 65 and older. Compared to other age groups, stopped individuals perceived as 10 and 14 also had the highest rate of being arrested (20.7%) while stopped individuals perceived as 1 to 9 year olds had the lowest rate (7.8%).¹⁰⁴

Figure 14. Stop Result by Age Group



LGBT. Stopped individuals perceived as LGBT had a lower rate of being cited (33.9%) or warned (21.1%) while having a higher rate of being arrested (22.4%) than individuals whom officers did not perceive to be LGBT (cited 53.2%, warned 24.8%, arrested 11.3%).

Limited English Fluency. Stopped individuals officers perceived to have no or limited English fluency had a lower rate of being cited (51.8%) while having a higher rate of being warned (25.3%) or arrested (13.4%) when compared to individuals perceived to speak English fluently (cited 53.2%, warned 24.8%, arrested 11.2%).

Disability. Stopped individuals perceived as having a disability had lower rates of being cited (9.5%) or warned (14.6%) and higher rates of being arrested (20.2%) than those perceived to not have a disability (cited 53.6%, warned 24.9%, arrested 11.2%).

1.5 Tests for Racial/Ethnic Disparities

There is no consensus in the literature about what analyses are best for identifying racial profiling or racially biased policing and no single approach is perfect. For this reason, the following section contains multiple commonly used analyses designed to identify differences in

¹⁰⁴ The unexpectedly high number of arrests for individuals perceived to be below 15 years of age may partially be explained by incorrectly recorded age values, but we cannot know for sure.

various elements of police stops across the perceived racial/ethnic identities of stopped individuals. These tests for racial/ethnic disparities include:

- a comparison to residential population data;
- an analysis of search discovery rate;
- an analysis of stop frequencies by time of day; and
- an analysis examining use of force rates.

Each of these analyses tests for racial/ethnic disparities in a different manner. As a result, each type of analysis will have its own methodological strengths and weaknesses. A detailed description of the methodology for each analysis in this section is available in Appendix B, along with discussions of some considerations and limitations for each analytical approach.¹⁰⁵

1.5.1 Residential Population Comparison

Comparing stop data to the underlying residential population is a commonly used methodology. An assumption of this type of comparison is that the distribution of who is stopped would be similar to who resides within a comparable geographic region. However, this is not always the case, as people may travel a considerable distance from where they live for a number of reasons (e.g., to go to work, visit family). Here, the Board used residential population demographics from the United States Census Bureau's 2018 American Community Survey (ACS) to provide a benchmark for what might be the expected demographic breakdown of the 2019 stop data.¹⁰⁶ For example, we would expect approximately a third of the individuals stopped by law enforcement to be White since White individuals constitute approximately a third of the population in the regions of California served by the Wave 1 and Wave 2 agencies. It is important to note that disparities between stop population proportions and residential population proportions for each racial/ethnic group can be caused by several factors which include, but are not limited to, potential differences in offending rates and officer bias.

Apart from the CHP, none of the Wave 1 and 2 agencies conduct operations widely across the entire State of California. Accordingly, the ACS demographic estimates were adjusted to better represent the jurisdictions of law enforcement agencies whose data are included in this report, rather than comparing against the whole state population.¹⁰⁷

Figure 15 displays the racial/ethnic distribution of stopped individuals from the 2019 RIPA Stop Data alongside the weighted distribution from the ACS. These analyses were repeated for all reporting municipal agencies, excluding California Highway Patrol, and for each individual agency; those individual results can be found in Appendix Table C.1. As explained above, all

¹⁰⁵ See Racial and Identity Profiling Advisory Board, Annual Report 2020 (Jan. 1, 2020) pp. 30-31 <<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2020.pdf>> (as of Dec. 14, 2020).

¹⁰⁶ 2019 ACS data were not available at the time these analyses were performed.

¹⁰⁷ See Appendix B.1 for a full description of the methodology.

race/ethnicity data reported under RIPA is based on officer perceptions, while the ACS data is self-reported.¹⁰⁸

Overall, the disparity between the proportion of stops and the proportion of residential population was greatest for Multiracial and Black individuals.¹⁰⁹ Multiracial individuals were stopped 70.7 percent less frequently than expected, while Black individuals were stopped 140.9 percent more frequently than expected.¹¹⁰ The proportion of stops corresponding to White individuals most closely matched estimates from residential population data (3.44% less frequent than expected). Compared to White individuals, the greatest disparities between stop data and residential population data estimates occurred for Black and Multiracial individuals. The disparity for Black individuals was 2.5 times as great as the disparity for White individuals. For Multiracial individuals, the disparity was 0.3 times as great as the disparity for White individuals.

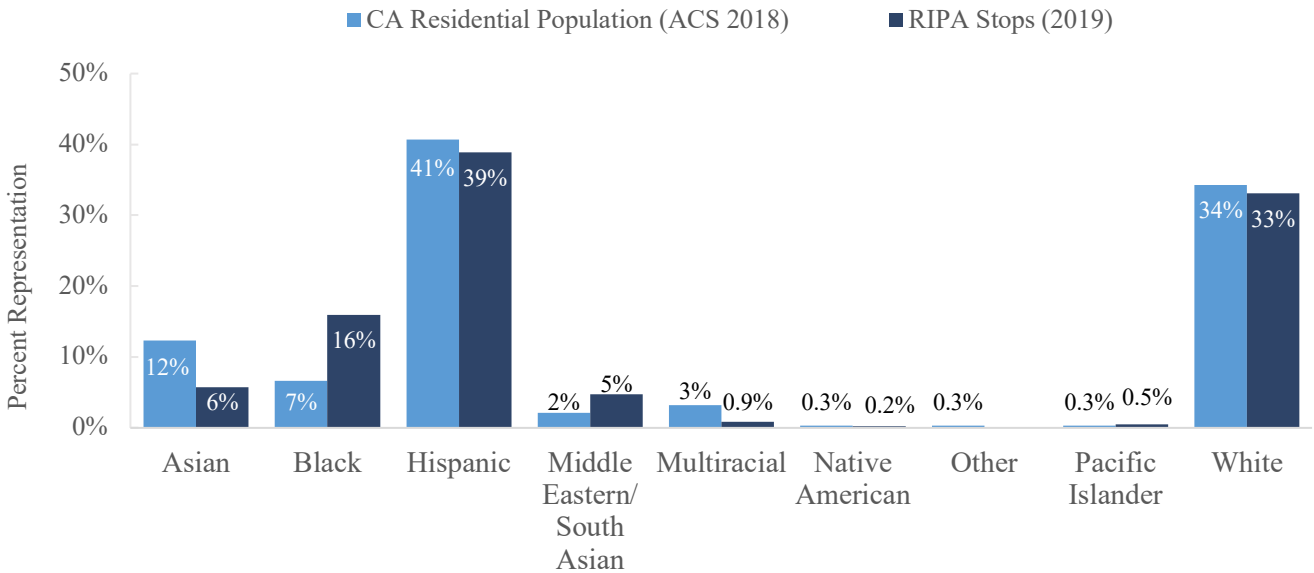
This indicates that Black individuals were significantly more likely to be stopped relative to their share of the residential population—compared to White individuals—while Multiracial individuals were significantly less likely to be stopped. After excluding California Highway Patrol records from the analysis, the data continued to show the greatest disparities in these estimates for Multiracial and Black individuals. Compared to White individuals, the disparity between stop data and residential population estimates for all municipal agencies increased for all groups except for Asian and Middle Eastern/South Asian individuals.

¹⁰⁸ See Appendix B.1 for further discussion of the limitations to this type of analysis.

¹⁰⁹ See Appendix Table C.1 for all descriptive statistics.

¹¹⁰ Stop data classifying the race/ethnicity of stopped individuals is based upon officer perception. Some research indicates that it is more difficult to classify the race of multiracial individuals than to classify the race of monoracial individuals and that people may often classify multiracial individuals as monoracial. See Chen & Hamilton, *Racial Ambiguities: Racial categorization of multiracial individuals* (2012) 48 J. of Experimental Social Psychology 152; Iankilevitch et al., *How Do Multiracial and Monoracial People Categorize Multiracial Faces?* (2020) 11(5) Soc. Psychological and Personality Science 688.

Figure 15. Residential Population Comparison to Stop Data



1.5.2 Discovery-rate Analysis

These data show police generally search each racial/ethnicity group at different rates. Researchers have developed an empirical test for distinguishing how much of this disparity may be explained by biased officer behavior. The test attempts to measure the efficiency of searches by comparing the rate at which contraband or evidence is discovered across racial/ethnicity groups. One assumption of the test is that if officers are less likely to find contraband after searching people of a particular identity group, then those individuals are objectively less suspicious and may be searched, at least in part, because of their perceived identity.¹¹¹ Using this framework, we tested for differential treatment by conducting comparisons of search and discovery rates across identity groups.¹¹²

Descriptive Analysis. Overall, officers searched 11.3 percent of all stopped individuals and they discovered contraband or evidence in 21.4 percent of those searches. Search and discovery rates varied widely between racial/ethnic groups. Specifically, search rates ranged from 3.1 percent of stopped individuals perceived as Middle Eastern/South Asian to 20.5 percent of stopped individuals

Discovery Rates

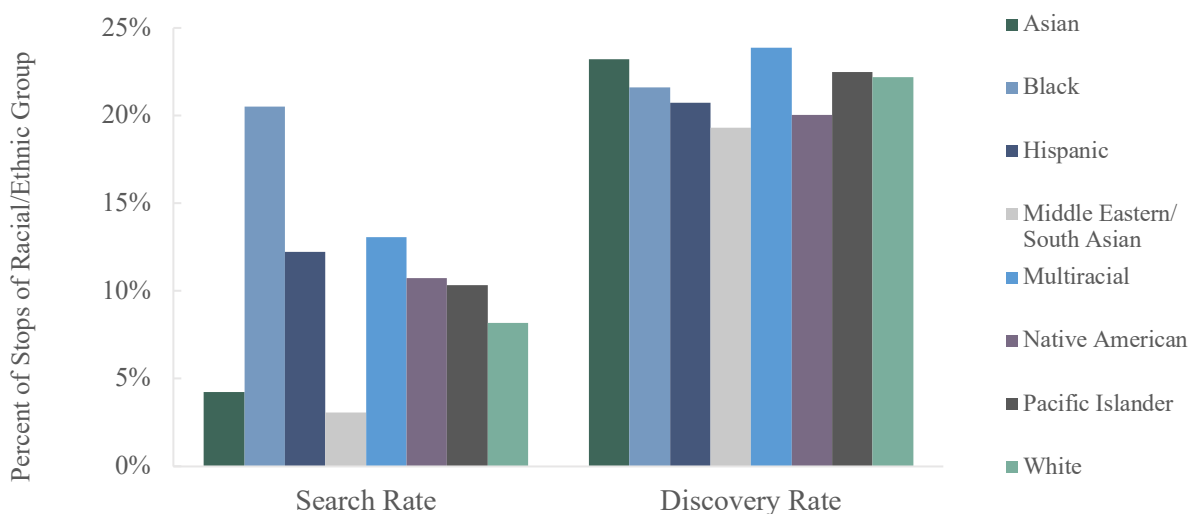
These analyses measure the rates at which contraband or evidence is discovered in stops where a search was performed. In the 2020 RIPA report, these analyses were called “search yield rates.” They are also often referred to in research literature as “hit rates.” The Board believes that “discovery rates” is a more transparent term than “search yield rates” and that it helps speak more directly to the data being analyzed, given that these analyses make use of data element referred to as “Contraband or Evidence *Discovered*” in the RIPA regulations.

¹¹¹ See Appendix B.2 for a discussion of the limitations to this type of analysis.

¹¹² Knowles et al., *Racial Bias in Motor Vehicle Searches: Theory and Evidence* (2001) 109 J. Pol. Econ. 203.

perceived as Black. Individuals perceived as White were searched 8.2 percent of the time. The 12.3 percentage point difference in search rates between stopped Black and White individuals had the following impact: although officers stopped 687,109 more individuals perceived to be White than individuals perceived to be Black, officers searched 22,096 more Black individuals than White individuals.¹¹³ Search discovery rates did not vary as widely between racial/ethnic groups as did search rates. Discovery rates ranged from 19.3 percent of stopped individuals perceived as Middle Eastern/South Asian individuals to 23.9 percent of stopped individuals perceived as Multiracial. The discovery rate for stopped individuals perceived as White was 22.2 percent.

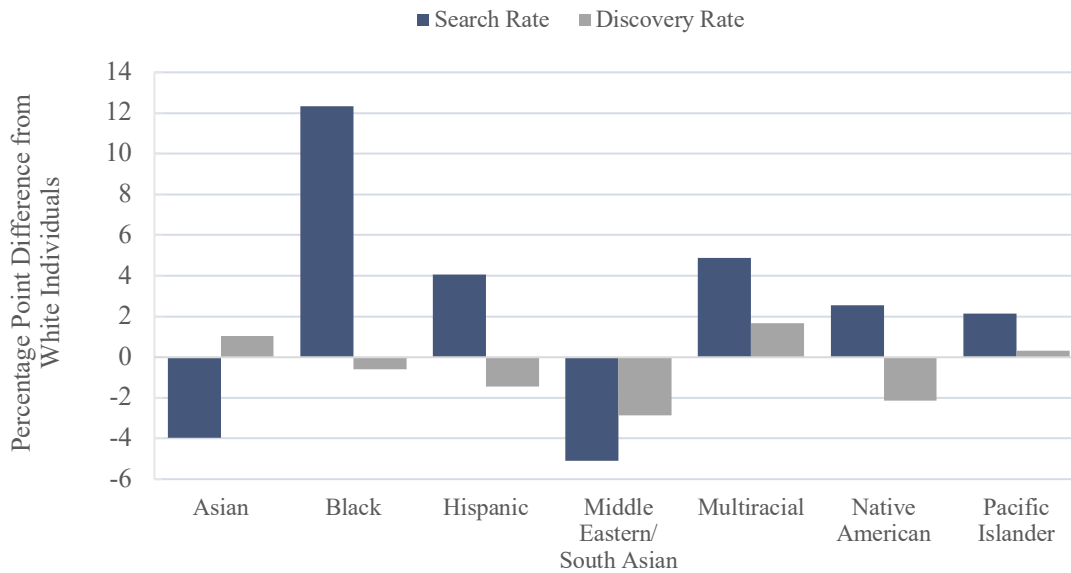
Figure 16. Search and Discovery Rates by Perceived Race/Ethnicity



For this Report, we compared the search and discovery rates for each group to those for individuals perceived as White. All racial/ethnic groups of color had higher search rates than individuals perceived as White, except for individuals perceived as Asian and Middle Eastern/South Asian. Discovery rates were also lower for most groups compared to individuals perceived as White; those perceived as Pacific Islander, Asian, or Multiracial had higher discovery rates. Individuals perceived as Black, Hispanic, and Native American had higher search rates despite having lower rates of discovering contraband compared to individuals perceived as White.

¹¹³ Officers searched more individuals perceived to be Hispanic (190,167) than individuals perceived to be White (108,248). However, officers also stopped more Hispanic individuals (1,552,485) than White individuals (1,322,201) but not Black individuals (635,092).

Figure 17. Racial/Ethnic Disparities in Search and Discovery Rates



Multivariate Analysis. To consider how multiple variables (i.e., multivariate), alongside the perceived race/ethnicity of the stopped individual, are associated with decisions by officers to search and whether officers discovered contraband or evidence, these data were also analyzed using statistical models.¹¹⁴ One key consideration is the level of discretion available to officers in their decision to conduct a search in the first place. Some searches are based on protocol and are often required under departmental policy, such as during an arrest, vehicle inventory, or search warrant; these administrative types of searches afford little to no discretion to the officer in their decision to initiate a search. Other types of searches are conducted in situations where more discretion is available to the officer and are likely based on some subjective threshold of suspicion that contraband or evidence may be found. Examples of these types of searches include those conducted because an officer smelled contraband or when officers suspect the individual of having a weapon. Previous research has shown that these discretionary searches tend to be conducted disparately, and individuals of certain racial/ethnic groups of

Statistical Significance Testing

These tests provide a common framework for evaluating evidence provided by data against a specific hypothesis. For example, the hypothesis tested by the discovery-rate analysis is, “Searches of stopped individuals from racial/ethnic groups of color and White individuals are equally likely to reveal contraband.” But, if the test provides strong enough evidence that disparities between groups are larger than can reasonably be explained by chance alone, then we can say that our findings are *statistically significant*. In other words, the evidence provided by the data renders as very low the likelihood that chance explains the resulting disparity.

¹¹⁴ See Appendix B.2 for a full description of the methodology.

color have a greater chance of being subjected to discretionary searches.¹¹⁵ As such, the multivariate analysis was applied to (1) search rates overall, (2) discovery rates during discretionary searches, and (3) discovery rates during administrative searches.

The results showed multiple statistically significant differences in search and discovery rates across racial/ethnicity groups, especially when comparing individuals perceived as Black or Hispanic to individuals perceived as White (see Table 3). Compared to White individuals, it was more probable for Black (+1.8% points) and Hispanic (+0.4% points) individuals to be searched despite being less likely to be found in possession of contraband or evidence in stops with discretionary searches (-1.9% points and -1.3% points, respectively).¹¹⁶ However, the difference in discovery rates between White and Black individuals during stops with administrative searches was not statistically significant. Asian individuals (-2.1% points) and those from racial/ethnic groups that were combined together¹¹⁷ (-1.8% points) were also less likely to be searched compared to White individuals, but did not have a significant difference in the rate of contraband or evidence discovered during stops with discretionary searches.¹¹⁸ Both Hispanic individuals (-1.3% points) and those from the combined group (-2.9% points) were less likely to have contraband or evidence discovered in stops with administrative searches. These analyses were repeated for all municipal agencies excluding California Highway Patrol and for each individual agency alone in order to consider the impact of different locales on the findings; these results can be found in the Appendix.¹¹⁹

Table 3. Summary of Multivariate Discovery Rate Analysis Findings by Race/Ethnicity

Group	Search Rates	Discovery Rates	
		Discretionary Searches	Administrative Searches
Asian	*** ↓ 2.1%	↓ 0.7%	↓ 0.8%
Black	*** ↑ 1.8%	*** ↓ 1.9%	↓ 0.4%
Hispanic	*** ↑ 0.4%	*** ↓ 1.3%	*** ↓ 1.3%
Other	*** ↓ 1.8%	↓ 1.1%	*** ↓ 2.9%

Note. Values represent percentage point difference compared to the rate for White individuals, with arrows indicating the direction of the difference. Statistically significant disparities are indicated with asterisks; *** p < 0.001; ** p < 0.01; * p < 0.05.

¹¹⁵ Ridgeway, *Assessing the Effect of Race Bias in Post-traffic Stop Outcomes Using Propensity Scores* (2006) 22 J. Quantitative Criminology 1.

¹¹⁶ See Appendix Table C.2.1.1 for model statistics.

¹¹⁷ Individuals perceived to be Middle Eastern/South Asian, Multiracial, Native American, or Pacific Islander were combined into one group in order to gain the statistical power needed to conduct these multivariate analyses.

¹¹⁸ See Appendix Table C.2.2.1 for model statistics.

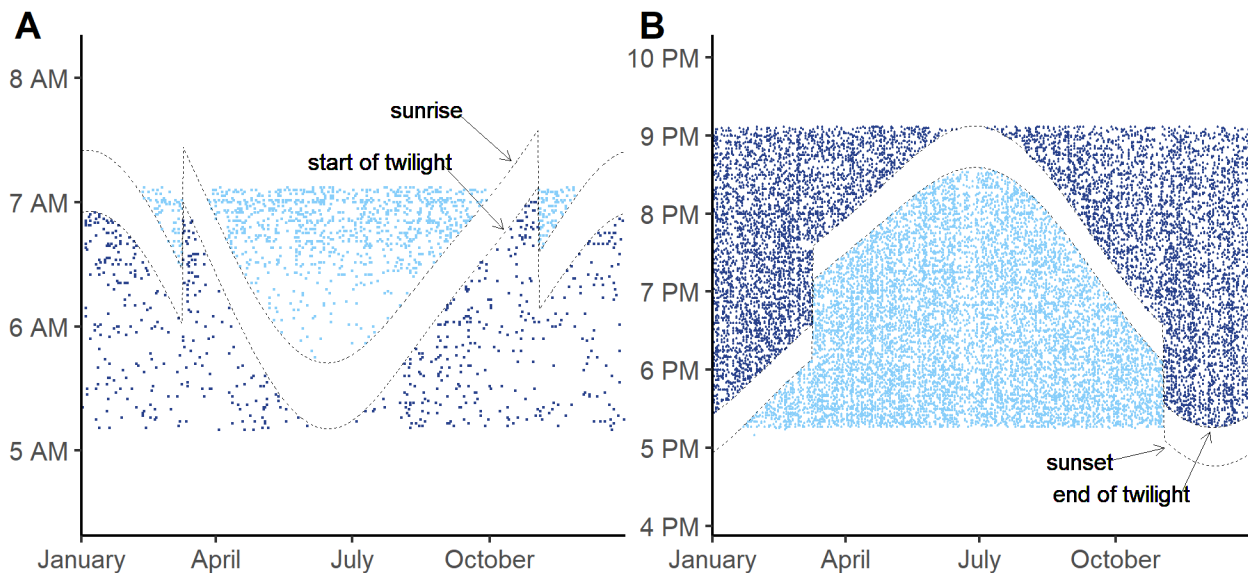
¹¹⁹ See Appendix Tables C.2.1.1, C2.2.1 and C.2.3.1 for model statistics.

1.5.3 Veil of Darkness Analysis

A key problem in exploring racial disparities is establishing the proper benchmark against which to compare the racial/ethnic distribution of individuals stopped by law enforcement. One approach presumes that it may be more difficult for police to perceive the race/ethnicity of an individual prior to stopping them after dark than during daylight. In other words, to the extent that it is harder to identify someone at night, we would expect darkness to decrease the likelihood that individuals of racial/ethnic groups of color are disproportionately stopped relative to White individuals. This hypothesis is called the veil of darkness (VOD) which has been used by researchers to test for racial/ethnic disparities in law enforcement encounters.

The Intertwilight Period. The most conventional version of the VOD approach, followed here, is to only examine vehicle stops that occur during the intertwilight period. The reason for this is that the intertwilight period spans the hours of the day that are light during one part of the year and dark during the other because of daylight saving time; this period occurs twice on any given day, once around dawn and once around dusk. Stops made during the lighter portion of this period (i.e., after sunrise but before sunset) are compared to stops made during the darker portion of this period.¹²⁰ Figure 18 shows an example of both morning and evening intertwilight periods for stops made in Sacramento using RIPA data.

Figure 18. Morning and Evening Intertwilight Periods for Sacramento



Notes: Each dot represents a single stop made by law enforcement in Sacramento on a given day and time. Light blue dots represent stops made during daylight. Dark blue dots represent stops made after dark. Only stops made

¹²⁰ Civil twilight is defined as the illumination level sufficient for most ordinary outdoor activities to be done without artificial lighting before sunrise or after sunset. Therefore, it is dark outside when civil twilight ends; civil twilight ends when the sun is six degrees below the horizon.

within the morning (A) and evening (B) intertwilight periods were included in the analysis. Stops made between the start of civil twilight and sunrise (white band) were excluded from the morning intertwilight period. Stops made between sunset and the end of civil twilight (white band) were excluded from the evening intertwilight period. Stops that occurred within the white-banded area were excluded because the lighting conditions during this period are more difficult to classify as either dark or light. Discontinuities in the curves in March and November reflect Daylight Saving Time adjustments.

Multivariate Analysis. These analyses take into account how multiple variables (e.g., time of day, location) may contribute to disparities in stops made in the dark compared to those in the light.¹²¹ As mentioned previously, this analysis only includes data for individuals stopped for traffic violations during the morning and evening intertwilight periods.¹²² Stops made in response to a call for service were also excluded from this analysis because officers utilized information from a third party (e.g., dispatcher or caller) when making the decision to stop the individuals in these cases; the VOD test is best applied to stops where officers are making stops solely based on their own judgement. These filtering criteria were applied to the data in order to approximate the conditions under which the VOD hypothesis would be most accurate. Finally, the four racial/ethnic groups who were least frequently stopped were combined into a single group to increase statistical power for the test; these groups included individuals perceived to be Middle Eastern/South Asian, Multiracial, Native American, and Pacific Islander.

The results showed that some racial/ethnic groups were stopped at different rates, relative to White individuals, depending on visibility conditions. Darkness decreased the rates at which Black (-0.5% points) and Hispanic (-1.4% points) individuals were stopped compared to White individuals; individuals from the racial/ethnic groups that were combined together (-0.8% points) also collectively had lower rates of being stopped during darkness.¹²³ Given the large number of stops submitted by California Highway Patrol as compared to the municipal agencies, the analyses were repeated while excluding CHP data. This analysis continued to show darkness decreasing the probability of being stopped during the intertwilight period for Black (-1.5% points) and Hispanic (-1.0% points) individuals.¹²⁴ These results suggest that individuals of certain racial/ethnic groups of color may be more likely to be stopped when it is easier to perceive their race/ethnicity. These disparities could reflect biased police behavior or the effect of some factor that is not yet being considered by this test.¹²⁵

1.6 Use of Force Analysis

California law provides that “[a]ny peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to effect the arrest, to prevent escape or to overcome resistance.”¹²⁶ State law strictly provides when an officer may reasonably use deadly force; it is universally accepted that deadly force is the

¹²¹ See Appendix B.3 for a full description of the methodology.

¹²² Traffic Violations include all categories of “Reason for Stop” defined under Section 999.226, subd. (a)(10)(A)(1) of the RIPA Regulations.

¹²³ See Appendix Table C.3 for model statistics.

¹²⁴ See Appendix Table C.3 for model statistics.

¹²⁵ See Appendix B.3 for a discussion of the limitations surrounding VOD.

¹²⁶ Cal. Pen. Code, § 835a, subd. (b).

highest level of force that an officer could use.¹²⁷ However, there are no guidelines in California as to what constitutes the range or continuum of force between the lowest level of force and deadly force. Additionally, the specific data elements collected under RIPA have never been adapted to reflect any existing use-of-force continuum.

The Board offers two approaches for examining use of force across racial/ethnic groups.¹²⁸ The first uses a modified version of a use-of-force continuum from the National Institute of Justice to compare escalating levels of force between racial/ethnicity groups.¹²⁹ The second applies a statistical test to determine whether force was used disparately between White individuals and individuals from racial/ethnic groups of color. These data show that use of force is generally rare in California and is reported in about one percent of stops. However, the Board recognizes that, despite the low occurrence rate relative to other actions that officers take during stops, the gravity of the outcomes of many incidents that involve uses of force necessitates the examination of these data for disparate outcomes.

Use-of-force Continuum. Of the 23 actions that officers can report for RIPA, at least nine constitute types of force. These nine actions have been divided into three separate categories based on the level of force used, including lethal, less-lethal, and other physical or vehicle force. Table 4 displays what actions taken by officers during stops were grouped into each of the level of force categories.¹³⁰ Lethal use of force was used against 0.004 percent (154) of stopped individuals. Less-lethal force was used against 0.4 percent (16,795) of stopped individuals. Actions constituting limited force were used against 0.6 percent (23,795) of stopped individuals.

¹²⁷ *Ibid.*

¹²⁸ The California Department of Justice issues a Use of Force Incident Reporting Annual Report, also known as the URSUS Report (see <<https://data-openjustice.stg.doj.ca.gov/sites/default/files/2020-06/USE%20OF%20FORCE%202019.pdf>> (as of Dec. 14, 2020)). However, the types of use of force incidents covered by the URSUS Report are more narrowly defined than the incidents collected and reported under RIPA.

¹²⁹ See National Institute of Justice, The Use-of-Force Continuum <<https://nij.ojp.gov/topics/articles/use-force-continuum>> (as of Dec. 14, 2020).

¹³⁰ Section 999.226, subd. (a)(12)(A)(15) of the RIPA regulations defines the “Other physical or vehicle contact” data element within the “Action Taken by Officer During Stop” variable. Officers are instructed to select this data element when they use a number of different use of force types, such as hard hand controls or forcing someone to the ground. This data element is also what officers are instructed to select when they utilize a carotid restraint. The Department has previously noted that carotid restraints often involve a needlessly high risk of causing unnecessary and accidental serious bodily injury (see Cal. Dept. of J., Sac. Police Dept. Rep. and Recommendations (2019), pp. 16, 25, 78 <<https://oag.ca.gov/system/files/attachments/press-docs/spd-report.pdf>> (as of Dec. 7, 2020)). However, since carotid restraints are not distinguished from the other types of force captured under the “Other physical or vehicle contact” data element, it is possible that some instances when officers used this type of force are categorized under the other physical or vehicle force category in these analyses. This categorization is a reflection of how the data are collected under the RIPA regulations and not a reflection of the Department’s view on the use of carotid restraints.

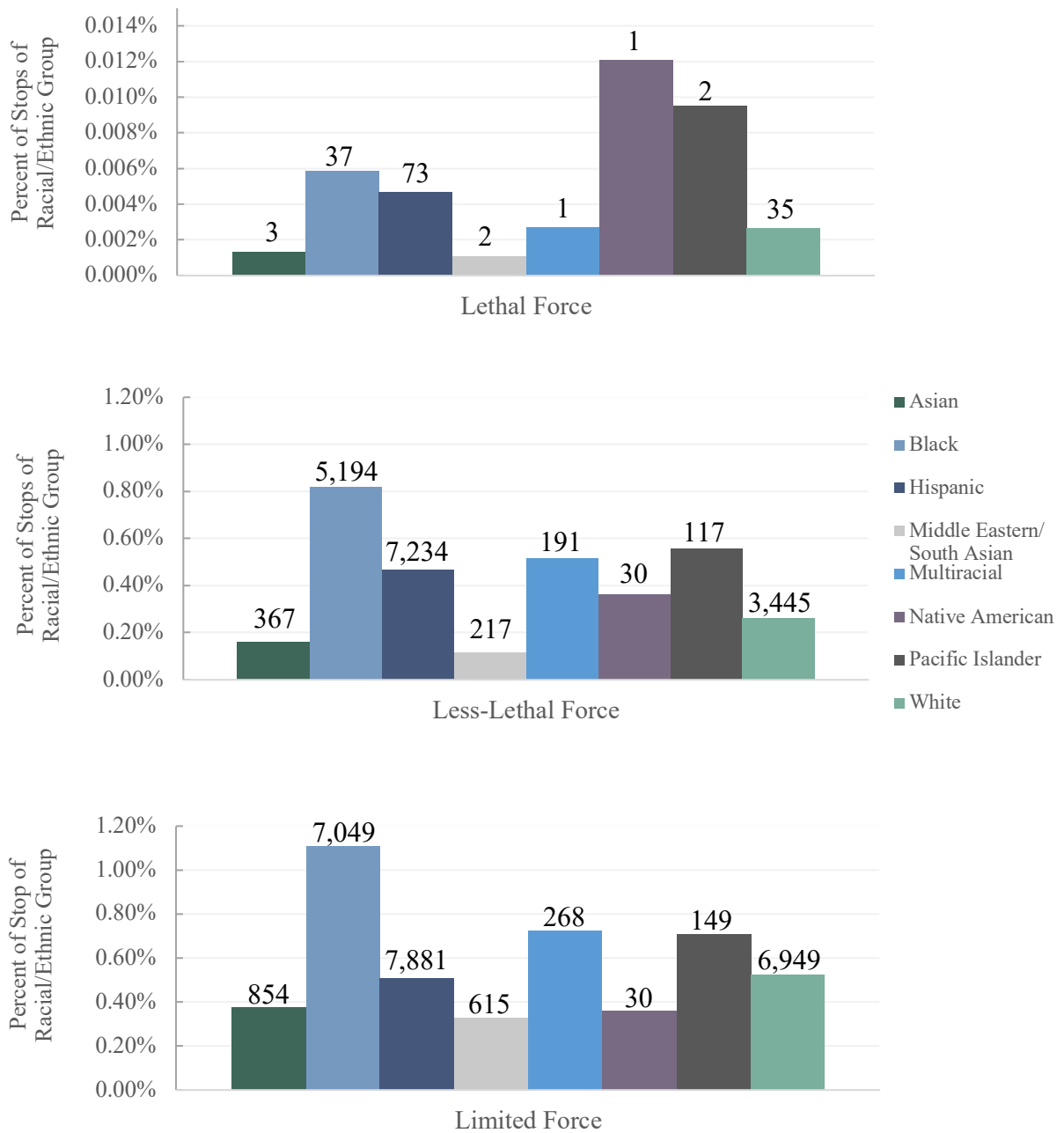
Table 4. Use of Force Categories and Applicable RIPA Actions

Lethal force	Less-lethal force	Other physical or vehicle force
<ul style="list-style-type: none"> • Firearm discharged or used 	<ul style="list-style-type: none"> • Electronic control device used • Impact projectile discharged or used • Canine bit or held person • Baton or other impact weapon used • Firearm pointed at person¹³¹ • Chemical spray used 	<ul style="list-style-type: none"> • Person removed from vehicle by physical contact • Other physical or vehicle contact. This refers to any of the following contacts by the officer, when the purpose of such contact is to restrict movement or control a person’s resistance: any physical strike by the officer; instrumental contact with a person by an officer; or the use of significant physical contact by the officer.

Less than 0.1 percent of stopped individuals from each racial/ethnic group had lethal force used against them. The total number of individuals who had lethal force used against them by perceived racial/ethnic group included three Asian, 37 Black, 73 Hispanic, two Middle Eastern/South Asian, one Native American, two Pacific Islander, 35 White, and one Multiracial individual. Black individuals had the highest rates of less-lethal force (0.8%) and other physical or vehicle force (1.1%) used by officers against them during a stop, while Middle Eastern/South Asian individuals had the lowest rates (0.1% and 0.3%, respectively).

¹³¹ California Government Code section 12525.2, subdivision (b)(4), requires the California Department of Justice to annually collect data related to certain types of force. The Department of Justice classifies the threat of a firearm as a type of force that must be reported to the Department per URSUS. (See Use of Force Incident Reporting (July 2019) Data Elements and Values Defined, p. 7 <https://data-openjustice.stg.doj.ca.gov/sites/default/files/dataset/2019-07/URSUS%202018%20Context_062519.pdf> (as of Dec. 14, 2020)). Given that the threat of a firearm is inherent to the intentional pointing of a firearm at another person, pointing a firearm was classified as a use of force in this set of analyses, for consistency with other use of force reporting within California. Not all agency policies in California categorize pointing a firearm at a person as a reportable use of force.

Figure 19. Use of Force Rates by Perceived Race/Ethnicity



Multivariate Analysis. To consider the impact of the stopped individuals’ perceived race/ethnicity and multiple other factors on whether any use of force occurred during a stop, these data were analyzed using statistical models.¹³² Data for the four racial/ethnic groups least frequently stopped by officers were combined into a single group to increase the sample size for the test; these groups included Middle Eastern/South Asian, Multiracial, Native American, and Pacific Islander individuals.

¹³² See Appendix B.4 for a full description of the methodology.

The analysis showed that Black and Hispanic individuals were more likely to have force used against them compared to White individuals, while Asian and other individuals were less likely. Specifically, compared to Whites, the odds of having force used during a stop were 1.45 times and 1.18 times greater for Black and Hispanic individuals, respectively. The odds of force being used during stops of Asian or other individuals were 0.83 and 0.93 times lower, respectively, compared to White individuals.¹³³ Excluding the data from California Highway Patrol, which contributed a majority of the stop data records, had little impact on these disparities.¹³⁴

1.7 Report-Specific Analyses

1.7.1 Intersectional Analyses

The Board recognizes that many aspects of an individual's identity may intersect, resulting in different experiences during encounters with law enforcement. Disparities in stop frequencies and outcomes between racial/ethnicity groups, for example, may be best explained when considering how the outcomes for perceived race/ethnicity intersect with a person's perceived gender. Accordingly, the search discovery rate analysis was extended to racial/ethnic group comparisons within gender and disability groups.

Reminder Regarding Identity Group Data

Gov. Code § 12525.5(b)(6) states, “[t]he perceived race or ethnicity, gender, and approximate age of the person stopped, provided that the identification of these characteristics shall be based on the observation and perception of the peace officer making the stop, and the information shall not be requested from the person stopped.” This means that identity characteristics collected under RIPA are a reflection of officer perception, rather than self-identification by stopped individuals. It is important to note that stopped individuals may self-identify differently than how an officer perceives them.

1.7.1.1 Race/Ethnicity by Gender

Less than 1 percent (7,595) of individuals stopped in 2019 were perceived to be transgender or gender nonconforming. Among the stopped individuals perceived to be transgender or gender nonconforming, 43.4 percent were perceived to be a transgender man/boy, 32.0 percent were perceived to be gender nonconforming, and the remaining 24.6 percent were perceived to be a transgender woman/girl. Data for transgender and gender nonconforming individuals were combined due to low numbers, in order to increase statistical power. Thus, the following three gender groups will be discussed in the analyses: (cisgender) male, (cisgender) female, transgender/gender nonconforming.

¹³³ See Appendix Table C.4 for model statistics.

¹³⁴ See *ibid.*

Descriptive Analysis. Officers searched 6.5 percent of (cisgender) females they stopped and discovered contraband or evidence during 20.9 percent of these stops where they conducted searches. Among all racial/ethnicity groups, Black and Hispanic (cisgender) females were searched at a higher rate (10.7% and 6.5% respectively) in comparison to White (cisgender) females (5.7%). Despite having higher search rates, Black and Hispanic (cisgender) females had lower search discovery rates (21% and 20.5% respectively) than White (cisgender) females (21.5%). (Cisgender) females from the combined racial/ethnic groups had lower search (3.2%) and discovery rates (19.8%) in comparison to White (cisgender) females.

Approximately 13.2 percent of (cisgender) males were searched by officers and contraband or evidence was discovered on 21.5 percent of (cisgender) males whom officers searched. Black (24.5%) and Hispanic (cisgender) males (14.1%) had higher search rates in comparison to White (cisgender) males (9.4%) while (cisgender) males from the combined racial/ethnic groups had lower search rates (5.4%). Despite having higher search rates, Black and Hispanic (cisgender) males whom officers searched had lower discovery rates (21.7% and 20.8% respectively) in comparison to White (cisgender) males (22.4%). (Cisgender) males from the combined racial/ethnic groups had the highest discovery rate (22.8%).

Officers searched 29 percent of the transgender/gender nonconforming individuals they stopped; they discovered contraband or evidence on 20.2 percent of transgender/gender nonconforming individuals whom they searched. Despite large differences in search rates, discovery rates in the stops of individuals perceived to be transgender/gender nonconforming were similar to the discovery rates in stops of individuals perceived to be cisgender. Across racial/ethnic groups, search rates varied greatly amongst individuals whom officers perceived to be transgender/gender nonconforming. Hispanic and Black transgender/gender nonconforming individuals had higher search rates (36.7% and 34.4% respectively) than White transgender/gender nonconforming individuals (30.4%), while transgender/gender nonconforming individuals from the combined racial/ethnic groups had lower search rates (12.9%). Discovery rates for White transgender/gender nonconforming individuals were lower (18.8%) than the discovery rates for all other racial/ethnic groups for transgender/gender nonconforming individuals (20.1% - 21.1%).

Figure 20. Search Rates by Perceived Race/Ethnicity and Gender

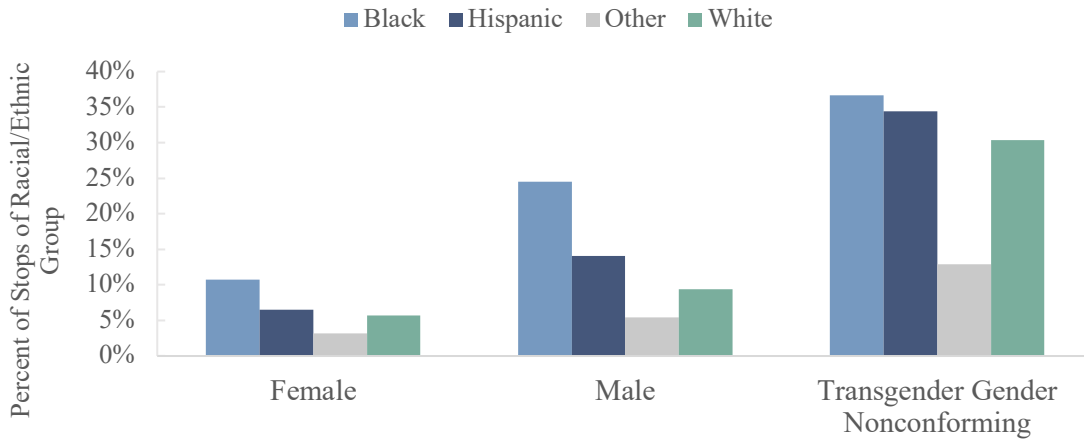


Figure 21. Discovery Rates by Perceived Race/Ethnicity and Gender

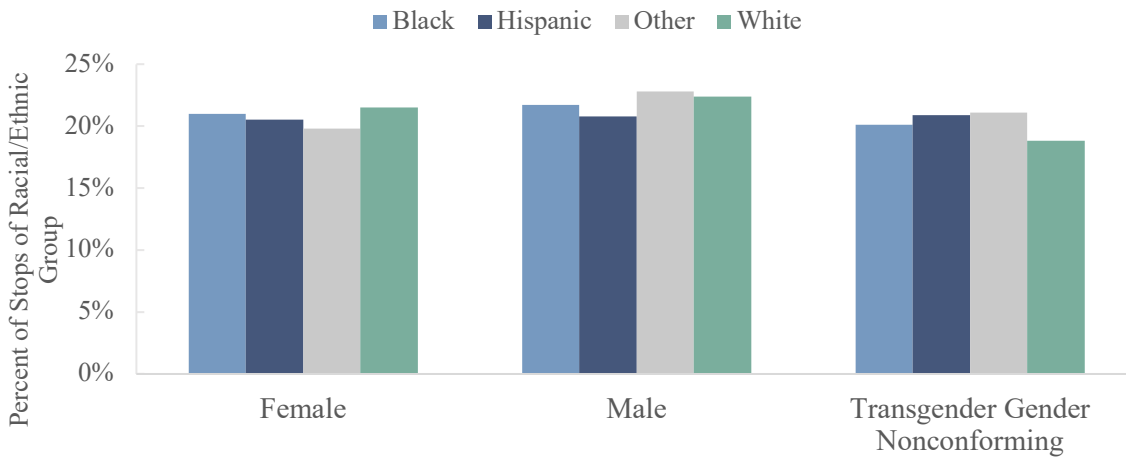
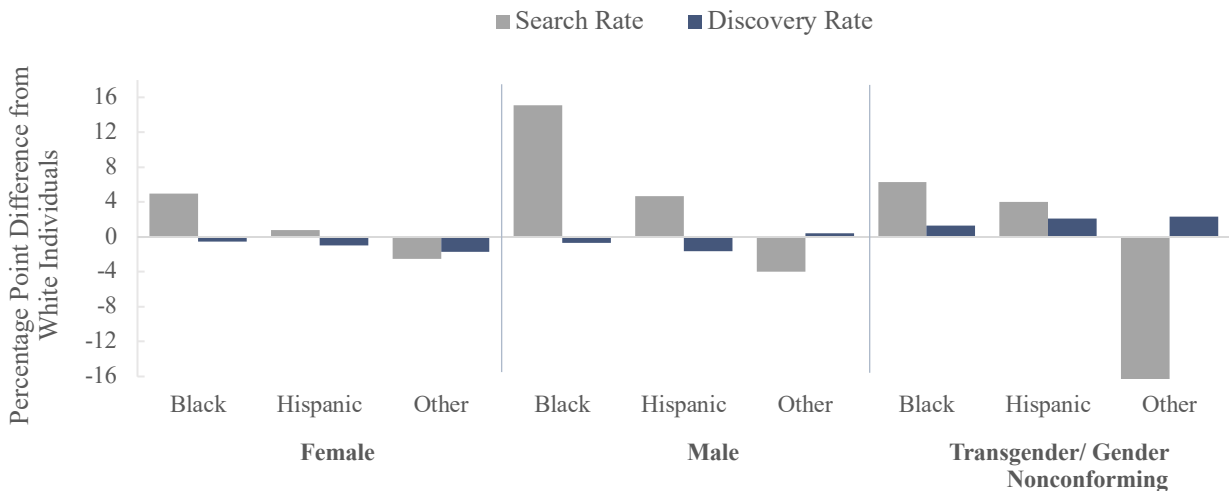


Figure 22. Racial/Ethnic Disparities in Search and Discovery Rates by Gender



Multivariate Analysis. The descriptive analyses show racial/ethnic disparities in search and discovery rates within each perceived gender group of stopped individuals. To consider how multiple variables, including the perceived race/ethnicity of the stopped individuals of each gender category, are associated with decisions by officers to search and whether officers discovered contraband or evidence, these data were analyzed using multivariate statistical models.¹³⁵ As with the previous discovery-rate analysis, the multivariate analysis was applied to (1) search rates overall, (2) discovery rates during discretionary searches, and (3) discovery rates during administrative searches (see Table 5).

The results of these analyses showed statistically significant differences when comparing Black and Hispanic (cisgender) males to White (cisgender) males.¹³⁶ Black and Hispanic (cisgender) males were more likely to be searched (+2.2% points and +0.7% points respectively) than White (cisgender) males, while also being less likely to have contraband or evidence discovered (-1.7% points and -1.0% points respectively) during stops with discretionary searches. Hispanic (cisgender) males were also less likely to have contraband or evidence discovered (-1.3% points) in stops with administrative searches in comparison to White (cisgender) males; no statistically significant differences in administrative search discovery rates were observed between White and Black (cisgender) males. While (cisgender) males from the combined racial/ethnic groups were less likely to be searched (-2.2% points) than White (cisgender) males, the tests did not yield statistically significant differences for discretionary or administrative search discovery rates.

Officers were more likely to search (+0.2% points) and were less likely to discover contraband or evidence during stops in which they conducted discretionary searches of Black (cisgender) females than White (cisgender) females (-3.4% points). The difference in discovery rates during stops with administrative searches between Black and White (cisgender) females was not statistically significant. Hispanic (cisgender) females were less likely to be searched (-0.4% points) and had lower discretionary and administrative discovery rates (-2.2% and -2.5% points, respectively) than White (cisgender) females. Officers were less likely to search (cisgender) females from the combined racial/ethnic groups (-1.3% points) and less likely to discover contraband or evidence during stops with administrative searches (-3.3% points) in comparison to White (cisgender) females. There were no statistically significant differences in discovery rates for discretionary searches between (cisgender) females within the combined racial/ethnic groups and White (cisgender) females.

¹³⁵ See Appendix B.2 for a full description of the methodology.

¹³⁶ See page 50 for a simplified definition of statistically significant.

Table 5. Summary of Multivariate Discovery Rate Analysis Findings by Perceived Race/Ethnicity and Gender

Group		Search Rates	Discovery Rates	
			Discretionary Searches	Administrative Searches
Male	Black	*** ↑ 2.2%	*** ↓ 1.7%	↓ 0.4%
	Hispanic	*** ↑ 0.7%	*** ↓ 1.0%	*** ↓ 1.3%
	Other	*** ↓ 2.2%	↓ 0.9%	↓ 1.3%
Female	Black	* ↑ 0.2%	*** ↓ 3.4%	↓ 0.8%
	Hispanic	*** ↓ 0.4%	** ↓ 2.2%	*** ↓ 2.5%
	Other	*** ↓ 1.3%	↓ 1.0%	* ↓ 3.3%
Transgender/ Gender Nonconforming	Black	↑ 0.3%	↑ 7.4%	↑ 7.4%
	Hispanic	↑ 1.9%	↓ 3.6%	↑ 11.0%
	Other	↓ 1.6%	↓ 18.0%	↓ 4.8%

Note. Values represent percentage point difference compared to the rate for White individuals, with arrows indicating the direction of the difference. Statistically significant disparities are indicated with asterisks; *** p < 0.001; ** p < 0.01; * p < 0.05.

1.7.1.2 Race/Ethnicity by Disability

Analyses were also repeated for the intersection of perceived racial/ethnicity and disability groups. Less than 2 percent (46,035) of individuals stopped in 2019 were perceived to have a disability. The most common perceived disability was a mental health condition; officers reported mental health condition as the disability type for 63.3 percent of stopped individuals perceived to have a disability.¹³⁷ Due to relatively small numbers of stopped individuals perceived to have some of the disability types, disability groups were categorized into the following three groups to increase statistical power: no disability, mental health condition, and other disability.¹³⁸

Descriptive Analysis. Overall, police officers searched 51.8 percent of stopped individuals who were perceived to have a mental health condition, and contraband or evidence was discovered on 12.5 percent of these individuals whom officers searched. In comparison to White individuals (47.0%), individuals from all other racial/ethnic groups (Black, Hispanic, and Other) perceived to have a mental health condition had higher search rates (52.8% - 56.3%). For

¹³⁷ Individuals perceived to have multiple disabilities—including cases where one of the disabilities is a mental health condition—are not included in this statistic.

¹³⁸ The “other” types of disabilities include the following disability groups: blind (4.9%), deafness (15.4%), developmental disability (8.9%), hyperactivity disorder (0.2%), multiple disabilities (20.9%), speech impairment (13.3%), and other (36.6%). Percentages presented in parentheses in the preceding sentence are relative to the total number (16,911) of individuals categorized into the “other” disability group for these analyses.

discovery rates, all other racial/ethnic groups perceived to have a mental health condition had higher discovery rates (12.5% - 13.4%) than those who were White (11.3%).

Officers searched 28.9 percent (4,887) of individuals perceived to have other types of disabilities and discovered contraband or evidence during 20.7 percent of stops where they performed a search. Black and Hispanic individuals perceived to have other types of disabilities had higher search rates (36.2% and 33.9% respectively) in comparison to White individuals perceived to have other types of disabilities (24.9%). Discovery rates were higher for Black individuals perceived to have other types of disabilities (22.5%) than for White individuals (20.3%). Hispanic individuals perceived to have other types of disabilities had lower discovery rates (20.0%) compared to White individuals. Individuals perceived to have other types of disabilities from the combined racial/ethnic groups had lower search (16.5%) and discovery rates (18.7%) than White individuals.

Officers searched 11 percent (432,183) of individuals with no perceived disabilities and discovered contraband or evidence on 21.7 percent of these individuals. Across racial/ethnic groups, Black and Hispanic individuals with no perceived disabilities were searched at a higher rate (20% and 12% respectively) than White individuals with no perceived disability (7.8%). Black and Hispanic individuals with no perceived disabilities also had lower discovery rates (21.9% and 20.9% respectively) when compared to White individuals with no perceived disability (22.8%). Individuals with no perceived disabilities from the combined racial/ethnic groups were searched at a lower rate (4.5%) but had a higher discovery rate (22.9%) than White individuals.

Figure 23. Search Rates by Perceived Race/Ethnicity and Disability.

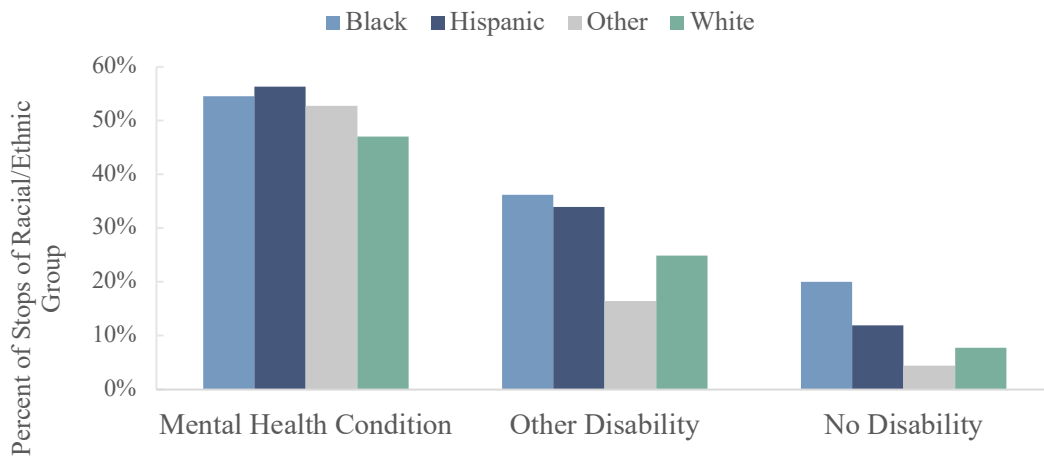


Figure 24. Search Discovery Rates by Perceived Race/Ethnicity and Disability.

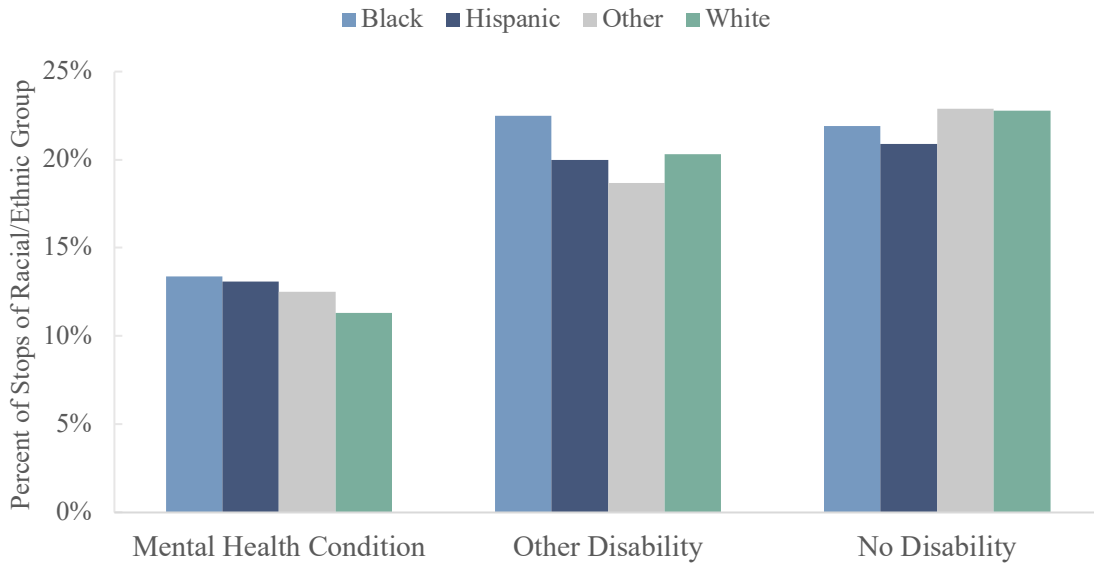
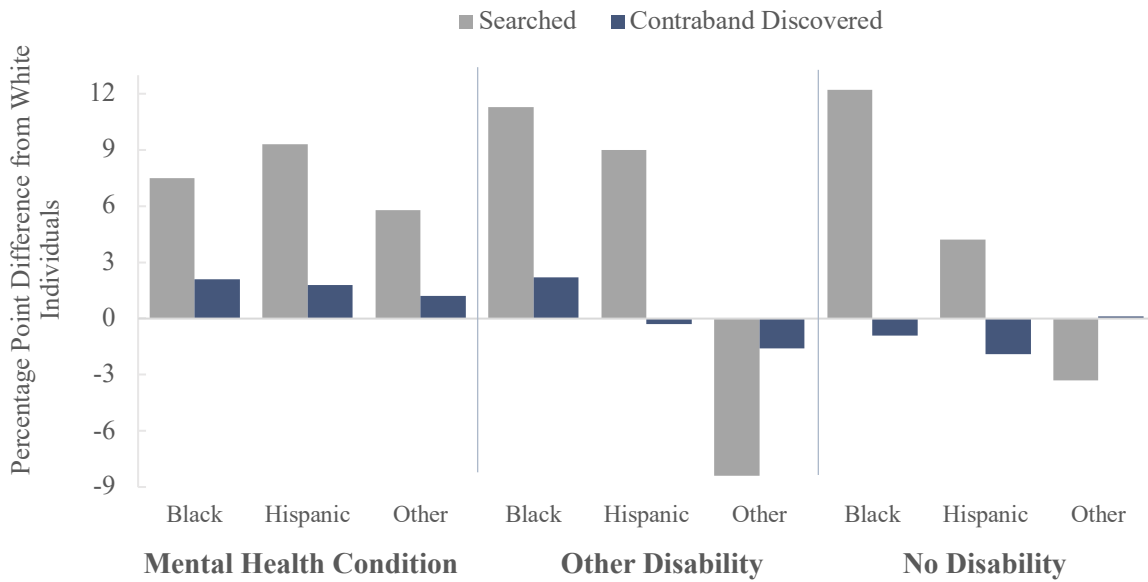


Figure 25. Racial/Ethnic Disparities in Search and Discovery Rates by Disability Group



Multivariate Analysis. As with the race/ethnicity by gender analyses, multivariate analyses were used to help consider how multiple variables, including the race/ethnicity of the stopped individuals of each disability category, are associated with officers' decisions to search and the likelihood of discovering contraband or evidence.¹³⁹ The multivariate analysis was applied to (1) search rates overall, (2) discovery rates during discretionary searches, and (3) discovery rates during administrative searches (see Table 6).

Results for administrative searches revealed that Black individuals perceived to have a mental health condition were more likely to have contraband or evidence discovered (+5.9% points) than White individuals perceived to have a mental health condition. However, for search rates and discretionary search discovery rates, the analysis found no statistically significant differences between White and Black individuals perceived to have a mental health condition. Similarly, no statistically significant differences were found in search or discovery rates (either discretionary or administrative) for Hispanic individuals or for individuals from the combined racial/ethnic groups perceived to have a mental health condition. Additionally, tests did not yield any statistically significant differences in the search or discovery rates for those perceived to have an "other" type of disability for Black individuals, Hispanic individuals, or individuals from the racial/ethnic groups that were combined.¹⁴⁰

For discretionary searches, Black and Hispanic individuals with no perceived disabilities were more likely to be searched (+1.8% points and +0.7% points respectively) but less likely to be found in possession of contraband or evidence (-2.2% points and -1.6% points respectively) than White individuals with no perceived disabilities. However, for administrative searches, no significant disparities in discovery rates were found between Black and White individuals with no perceived disabilities. For administrative searches, Hispanic individuals with no perceived disabilities were less likely to have contraband or evidence discovered (-1.3% points) in comparison to White individuals with no perceived disabilities. Individuals from the combined racial/ethnic groups with no perceived disabilities were less likely to be searched (-1.8% points) in comparison to White individuals with no perceived disabilities. For administrative searches, individuals from the combined racial/ethnic groups with no perceived disabilities were less likely to have contraband or evidence discovered (-1.8% points) in comparison to White individuals with no perceived disabilities. For the discretionary search discovery rate, no statistically significant differences were found between individuals with no perceived disabilities from the combined racial/ethnic groups and White individuals with no perceived disabilities.

¹³⁹ See Appendix B.2 for a full description of the methodology.

¹⁴⁰ See Appendix Table C.2.3.3 for model statistics.

Table 6. Summary of Multivariate Discovery Rate Analysis Findings by Perceived Race/Ethnicity and Disability

Group		Search Rates	Discovery Rates	
			Discretionary Searches	Administrative Searches
Mental Health	Black	↑ 1.1%	↓ 0.3%	** ↑ 5.9%
	Hispanic	↑ 2.0%	↑ 2.0%	↑ 1.5%
	Other	* ↑ 3.0%	↓ 2.2%	↑ 1.8%
None	Black	*** ↑ 1.8%	*** ↓ 2.2%	↓ 0.5%
	Hispanic	*** ↑ 0.7%	*** ↓ 1.6%	*** ↓ 1.3%
	Other	*** ↓ 1.8%	↓ 0.8%	** ↓ 1.8%
Other Disability	Black	↑ 2.7%	↑ 7.0%	↑ 10.6%
	Hispanic	↑ 1.0%	↓ 3.4%	↑ 3.9%
	Other	↓ 0.0%	↓ 7.8%	↓ 6.7%

Note. Values represent percentage point difference compared to the rate for White individuals, with arrows indicating the direction of the difference. Statistically significant disparities are indicated with asterisks; *** p < 0.001; ** p < 0.01; * p < 0.05.

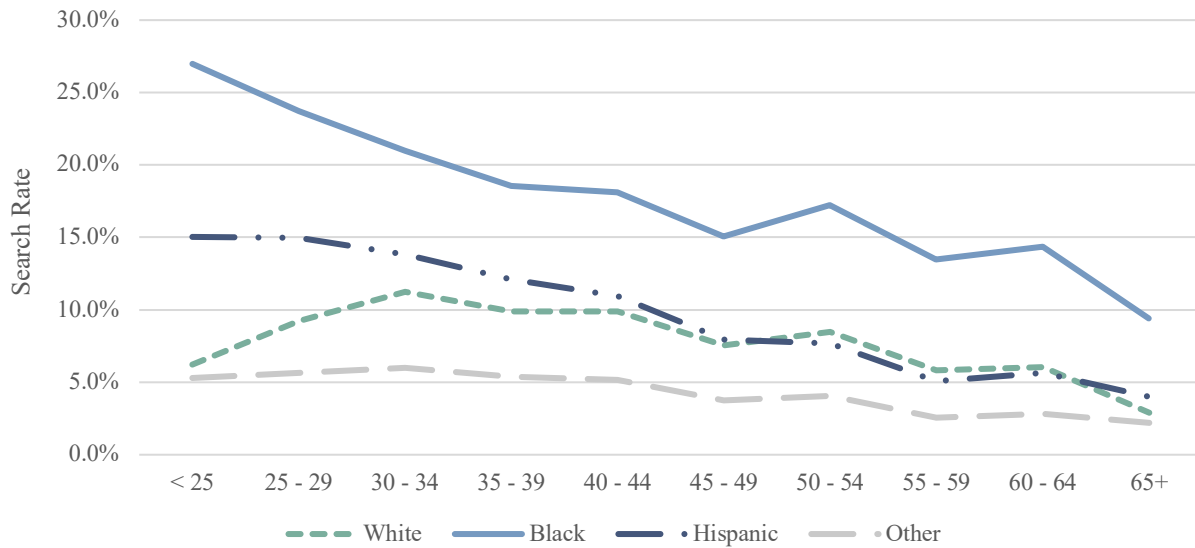
1.7.1.3 Search and Discovery Rates by Perceived Race/Ethnicity and Age

The following section examines search and discovery rates by perceived race/ethnicity and age. Findings generally indicated that younger individuals were searched at a higher rate than older individuals. Individuals between the ages of 25 to 29 were searched at the highest rate (14.0%), followed by individuals less than 25 years old (13.7%); individuals 65 years of age or older were searched at the lowest rate (3.6%).

Examining search rates by race/ethnicity and age, Black individuals less than 25 years old were searched at the highest rate (27.0%) within their racial/ethnic group. Recall that Black individuals were searched at the highest rates out of all racial/ethnic groups. Hispanic individuals younger than 25 years of age were searched at a higher rate (15.0%) than other age groups within their racial/ethnic group. For White individuals and individuals from the Other racial/ethnic group, individuals between the ages of 30 and 34 were searched at the highest rates (11.2% White; 6.0% Other).¹⁴¹

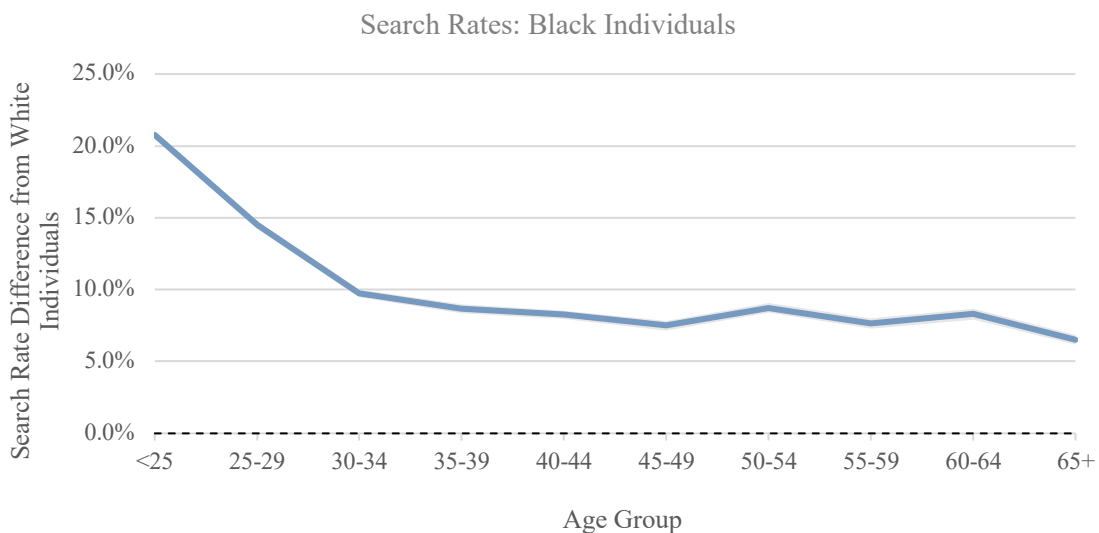
¹⁴¹ As with the previous intersectional analyses, stopped individuals perceived to be Asian, Middle Eastern or South Asian, Native American, Pacific Islander, or Multiracial were combined into the “Other” category.

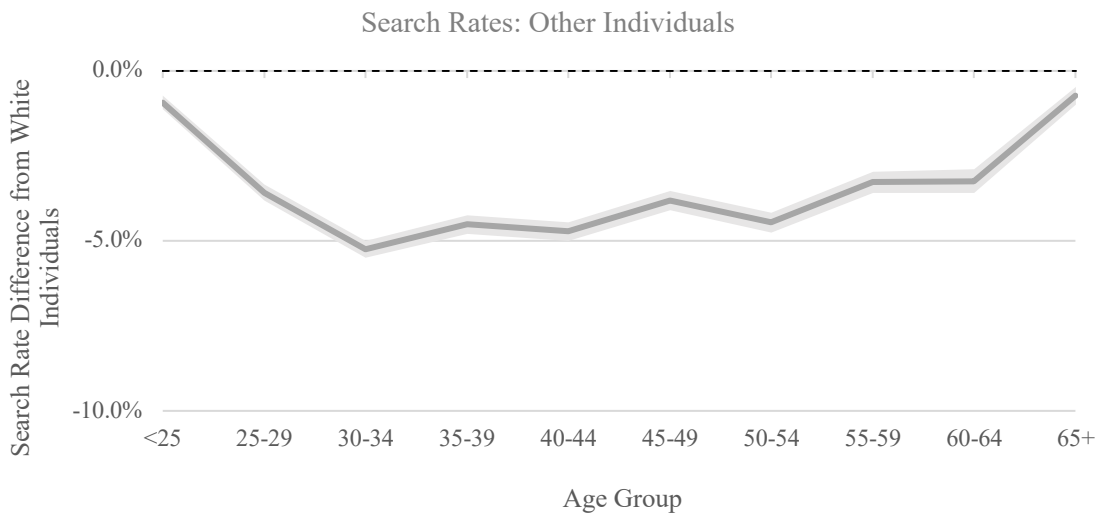
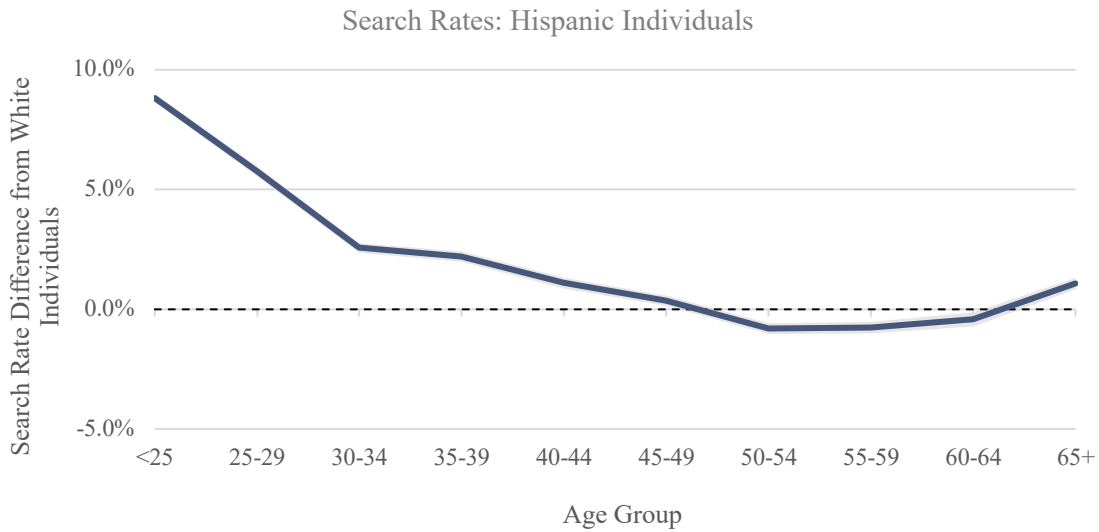
Figure 26. Search Rates by Perceived Race/Ethnicity and Age



Search rates were also calculated as difference scores between each racial/ethnic group and White individuals. Black individuals had higher search rates than White individuals in every age group. Officers searched a higher proportion of Hispanic individuals whom they stopped than White individuals for all age ranges less than 50 years old. Individuals from other combined racial/ethnic groups had lower search rates than White individuals in all age groups.

Figure 27. Search Rate Differences by Perceived Race/Ethnicity and Age



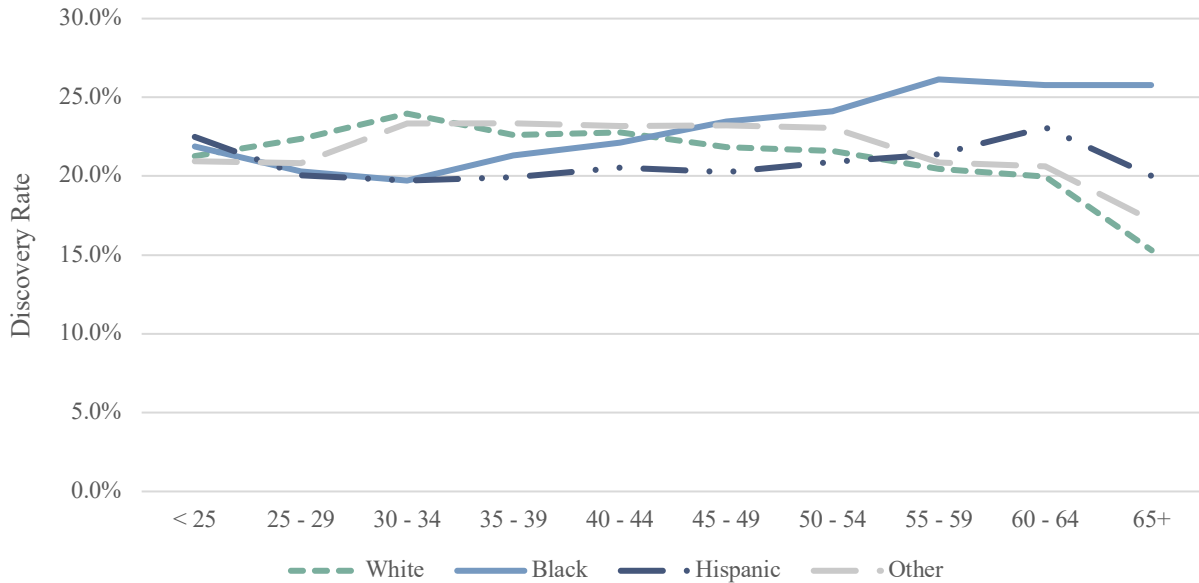


The differences in discovery rates across race/ethnicity and age were not as large as the racial/ethnic differences for search rates. White individuals had the widest range in discovery rates across age groups, while Hispanic individuals had the smallest range.¹⁴² Discovery rates for Black individuals started out lower and increased with age, ranging from 19.7 percent for individuals between the ages of 30 and 34 to 26.1 percent for individuals between the ages of 55 and 59. Discovery rates for Hispanic individuals were less variable across age groups and ranged from a low of 19.7 percent for individuals between the ages of 30 and 34 to a high of 23.1 percent for individuals between the ages of 60 and 64. For White individuals, discovery rates generally decreased across age groups and ranged from 15.3 percent for individuals 65 years of age and older to 24.0 percent for individuals between the ages of 30 and 34. For the category consisting of all combined remaining racial/ethnic groups, discovery rates ranged from

¹⁴² The discovery rate range across the age categories was 6.4 percent for Black individuals, 3.4 percent for Hispanic individuals, 6.1 percent for individuals from the grouped race/ethnicity category, and 8.7 percent for White individuals.

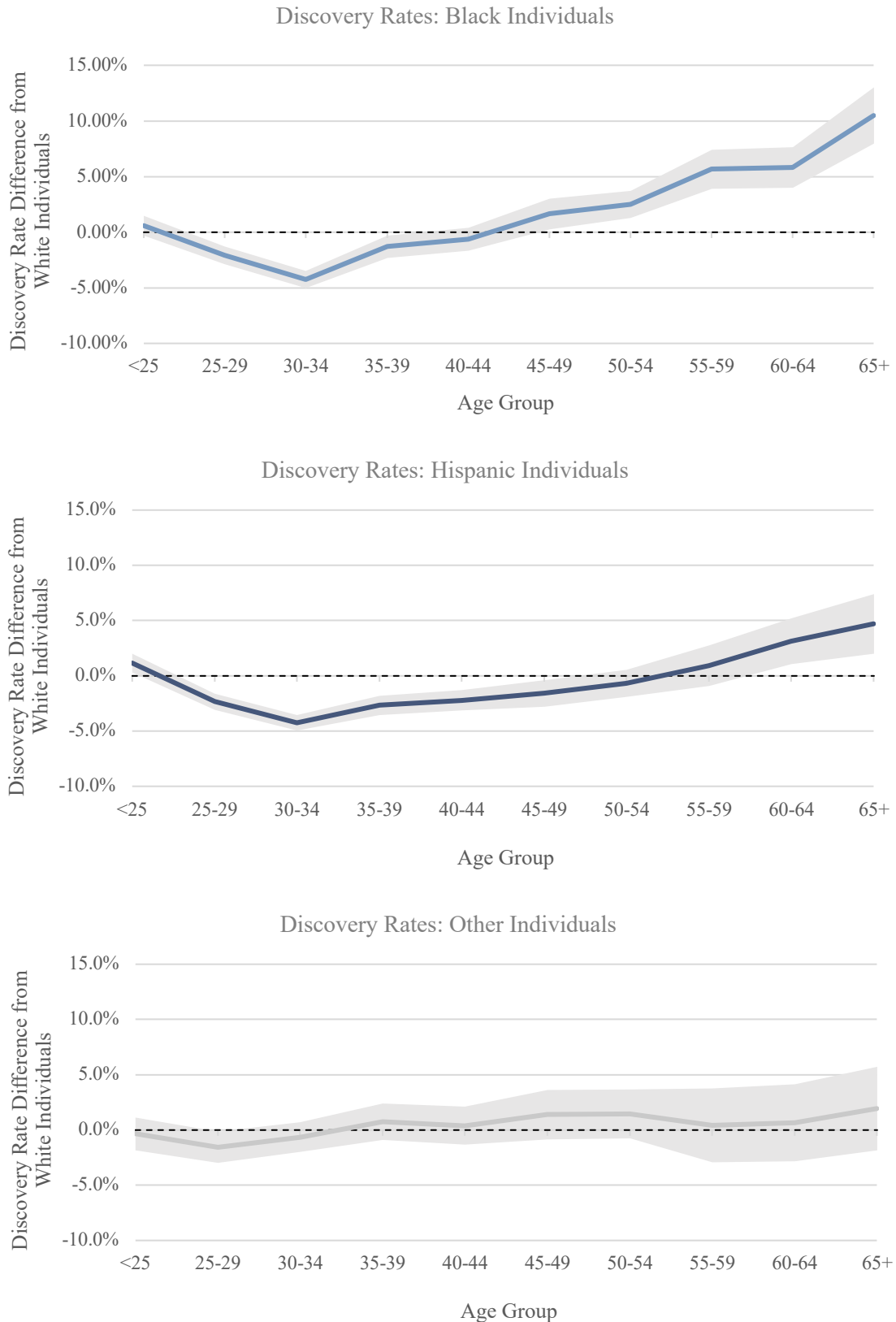
17.2 percent for individuals 65 years of age and older to 23.4 percent for individuals between the ages of 35 and 39.

Figure 28. Discovery Rates by Perceived Race/Ethnicity and Age



Discovery rates were also calculated as differences between each racial/ethnic group and White individuals. It is possible that differences in discovery rates will occur by chance. The more data that is collected for RIPA, the more confident we can be about the generalizability of the findings. Confidence intervals, shown in the gray shaded regions, include a range of plausible values that discovery rates could take with more data. If zero is not contained in the confidence interval, then we can say that the difference is large enough to rule out chance. As shown in the following figure, there do not seem to be significant differences in discovery rates between individuals in the Other group and White individuals. However, for Black individuals, discovery rates appear to be lower than rates for White individuals between the ages of 25 and 39, and higher for individuals aged 45 and above. Hispanic individuals had lower discovery rates than White individuals between the ages of 25 and 49, and higher rates from age 60 and older.

Figure 29. Discovery Rate Differences by Perceived Race/Ethnicity and Age



1.7.2 Consent Search and Discovery Rates

One type of search, called a “consent search,” occurs when a police officer requests permission to search an individual’s person, car, or residence and the person agrees voluntarily. A discretionary search occurs when an officer does not suspect any specific criminal wrongdoing warranting a search, but asks for consent to search nonetheless.¹⁴³ In this context, a person has the right to decide whether to give the officer permission to search.¹⁴⁴ Many individuals agree to searches because they do not know that they can refuse the search or mistakenly believe that they must allow the search because the police are asking them to submit to one.

In the RIPA data, officers may indicate whether they asked for consent to search in two separate data fields: “Asked for consent to search person” and “Asked for consent to search property.” Officers may also indicate whether they received consent to perform a search from the stopped individual. The rate at which officers asked for consent to perform a search ranged from 0.7 percent of stopped individuals perceived to be Middle Eastern/South Asian to 5.1 percent of stopped individuals perceived to be Black. Officers who asked individuals for consent to perform a search reported the highest rates of consent given for White individuals (89.4%) and the lowest rates for Black individuals (66.3%).¹⁴⁵ Of stops where officers indicated individuals consented to a search, Hispanic individuals were searched at the highest rates (78.1%) while Pacific Islander individuals were searched at the lowest rates (68.9%). The descriptive statistics for all groups and analyses discussed in this section is found in the Appendix.¹⁴⁶

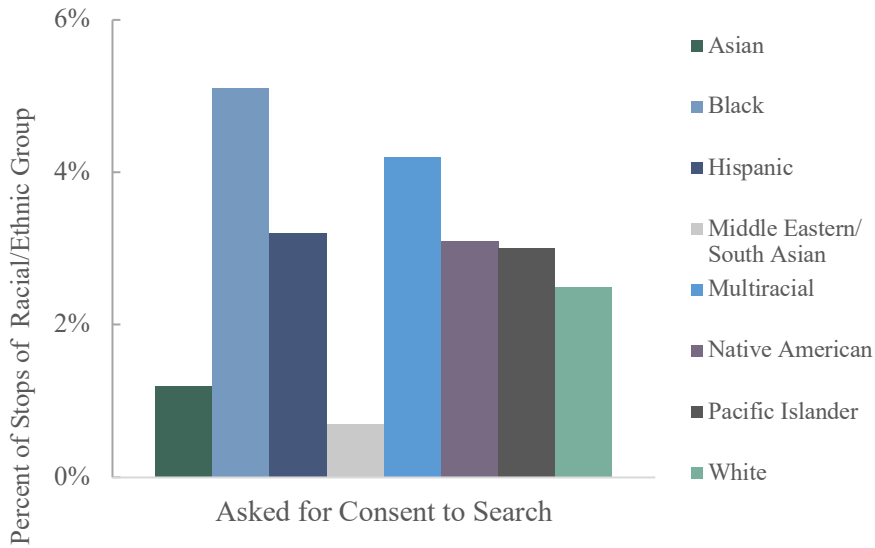
¹⁴³ See *Fla. v. Royer* (1983) 460 U.S. 491, 497.

¹⁴⁴ See *U. S. v. Drayton* (2002) 536 U.S. 194, 202.

¹⁴⁵ See Appendix Table A.12 for consent rates by race/ethnicity.

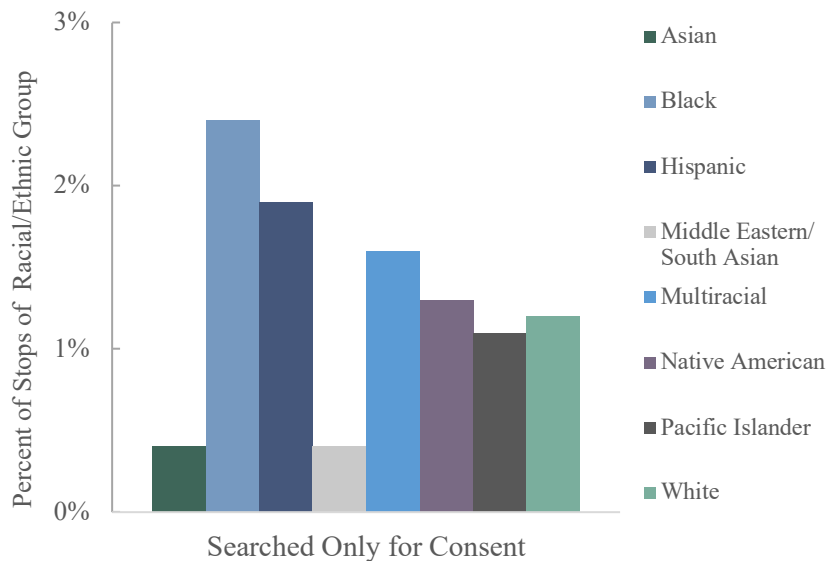
¹⁴⁶ See Appendix A.12 for all descriptive statistics.

Figure 30. Stopped Individuals Asked for Consent to Search by Perceived Race/Ethnicity



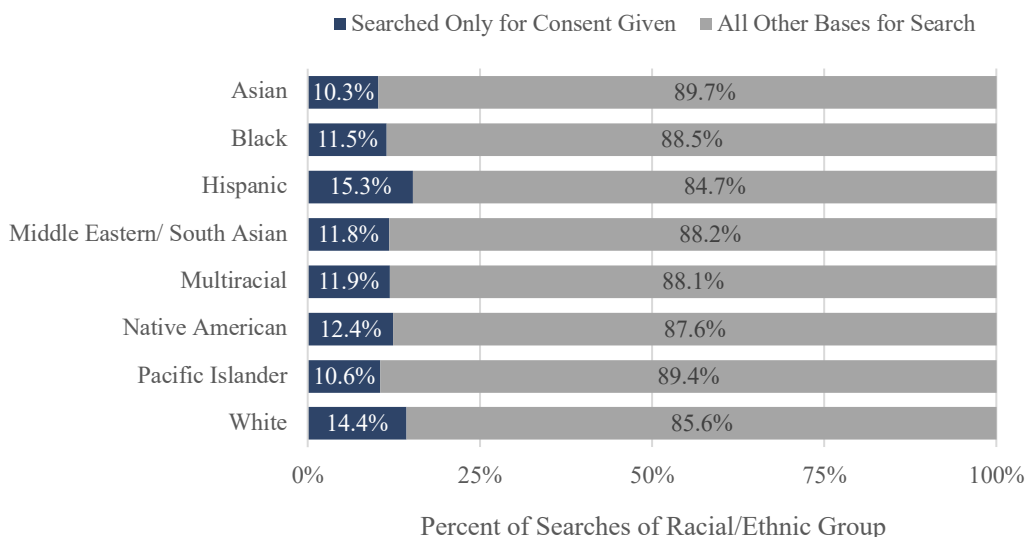
Under RIPA, officers must indicate the basis for the search by selecting up to 13 different criteria, including consent given. When applicable, officers may indicate that they had multiple bases for performing a search. However, officers provided “consent given” as the sole basis for the searches they performed for 62,323 (1.6%) stops. The rate at which these “consent searches” occurred varied considerably for each racial/ethnic group, ranging from 0.4 percent of Asian individuals to 2.4 percent of Black individuals who were stopped; the rate for Black individuals was almost six times the rate for Asian individuals.

Figure 31. Stopped Individuals Searched Only for Consent by Perceived Race/Ethnicity



A part of this disparity might be explained by differences in the rates at which each group is searched by law enforcement generally, but not necessarily by differences in the proportion of all searches that officers conducted for consent only. In fact, the proportion of each group’s searches based solely on consent were less variable than other types of searches. Asian individuals (10.3%) had the lowest proportion of their searches conducted only for consent while Hispanic individuals had the highest proportion (15.3%); the rate for Hispanic individuals was roughly 1.5 times the rate of Asian individuals. As mentioned in earlier discussion, when asked by officers, not all racial/ethnic groups gave consent to searches at the same rate. Differences in consent rates can have an effect on differences in the proportion of all searches that were for consent only. For example, Black individuals had a lower rate of giving consent for searches when asked than all other racial/ethnic groups. This likely drove down the proportion of searches that were for consent only for Black individuals below what it would have been, had black individuals consented at higher rates.

Figure 32. Proportion of Searches Conducted Only for Consent by Perceived Race/Ethnicity



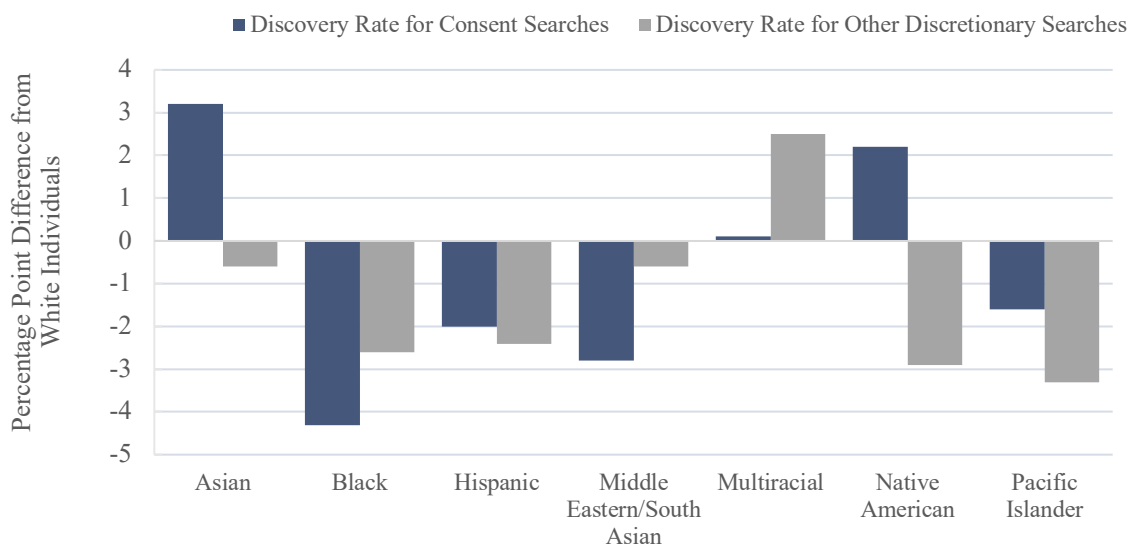
Previous analyses in this report have focused on discovery rates for discretionary searches overall, which included consent searches. In this section, discovery rates are presented and compared only for consent searches and for discretionary searches that exclude consent given as a basis for search.¹⁴⁷ However, it is important to note that—unlike many other types of searches—consent only searches do not include an element that may establish probable cause, which likely impacts the interpretation of these discovery rates.

For consent searches, discovery rates were highest for Asian individuals (16.5%) and the lowest for Black individuals (9.0%). For discretionary searches that exclude consent given as a basis for search, discovery rates were highest for Multiracial individuals (26.4%) and lowest for Pacific Islander individuals (20.6%). These results indicate that discovery rates between racial/ethnic

¹⁴⁷ These discretionary search analyses exclude searches where the individual gave consent in combination with other search bases.

groups were more variable for consent searches than for other discretionary searches. Consent searches also generally had lower discovery rates than other discretionary searches. Discovery rates are presented in the following figure for each racial/ethnic group as differences from White individuals; White individuals had a discovery rate of 13.3 percent for consent searches and 23.9 percent for other discretionary searches. In comparison, contraband or evidence was discovered in 12,102 (21.3%) stops of Black individuals involving other discretionary searches.

Figure 33. Discovery Rate Differences for Consent Searches and Other Discretionary Searches by Perceived Race/Ethnicity



Given the disparities in consent only searches and discovery rates, and that neither state nor federal law requires officers to suspect any criminal wrongdoing before they request consent to search a person or their property, an obvious question is raised: should individuals be subjected to a search if, based on the officer’s perception, the individual is innocent of engaging in apparent criminal activity? Some states, including Minnesota,¹⁴⁸ New Jersey,¹⁴⁹ and Rhode Island,¹⁵⁰ have imposed rules on consent searches, either through their legislature or court rulings.¹⁵¹ For example, New Jersey’s Senate Judiciary Committee in 2001 found that the

¹⁴⁸ See *State v. Fort* (Minn. 2003) 660 N.W.2d 415, 416.

¹⁴⁹ See *State v. Carty* (2002) 170 N.J. 632 [finding that consent searches violated the state constitution and holding that evidence seized as a result of consent search in the absence of reasonable suspicion shall be suppressed.]

¹⁵⁰ See R.I. Gen. Laws, § 31-21.2-5 (the state also requires reasonable suspicion for police to use a drug sniffing dog) [(“a) Unless there exists reasonable suspicion or probable cause of criminal activity, no motor vehicle stopped for a traffic violation shall be detained beyond the time needed to address the violation. Nothing contained herein shall prohibit the detention of a motor vehicle for a reasonable period of time for the arrival of a canine unit or subsequent criminal investigation, if there is reasonable suspicion or probable cause of criminal activity; (b) No operator or owner-passenger of a motor vehicle shall be requested to consent to a search by a law enforcement officer of his or her motor vehicle which is stopped solely for a traffic violation, unless there exists reasonable suspicion or probable cause of criminal activity.”)]

¹⁵¹ Am. Civ. Liberties Union Foundation, Campaign Against Racial Profiling (Apr. 2006) Consent Search Bans <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.aclu.org%2Ffiles%2Fimages%2Fasset_upload_file125_28283.doc> (as of Dec. 14, 2020).

“possible utility of consent searches is outweighed by the violations of civil rights accompanying their abuse”¹⁵² and recommended that the state prohibit such searches. Additionally, agencies in California have limited the use of consent searches. From 2001 to 2006,¹⁵³ the CHP issued a moratorium on consent searches of vehicles after evidence presented in a class action lawsuit showed that Hispanic or Latinx individuals were three times as likely to be searched and Black individuals were twice as likely to be searched than those identified as White.¹⁵⁴ The Board hopes to review the data surrounding consent searches and analyze this issue further in future reports.¹⁵⁵

1.7.3 Supervision Search and Discovery Rates

In California, there are multiple forms of state and local supervision, including parole,¹⁵⁶ probation,¹⁵⁷ post-release community supervision (PRCS),¹⁵⁸ and mandatory supervision.¹⁵⁹ If a person is on supervision, they may be searched by officers only if it is an explicit term of the

¹⁵² N.J. Sen. Judiciary Com., Rep. of the N.J. Sen. Judiciary Com. Investigation of Racial Profiling and the N.J. State Police (June 11, 2001) p. 87 <<https://www.njleg.state.nj.us/RacialProfiling/sjufinal.pdf>> (as of Dec. 14, 2020).

¹⁵³ Since 2006, however, the department has resumed the practice of conducting consent searches.

¹⁵⁴ *Rodriguez v. Cal. Highway Patrol* (N.D. Cal. 2000) 89 F. Supp. 2d 1131; Am. Civ. Liberties Union of Northern Cal., ACLU of Northern CA Hails Landmark Racial Profiling Settlement (Feb. 27, 2003) <<https://www.aclu.org/press-releases/aclu-northern-ca-hails-landmark-racial-profiling-settlement>> (as of Dec. 14, 2020).

¹⁵⁵ This year, Ken Barone and Dr. Matthew Ross, from The Institute for Municipal and Regional Policy (IMRP) at Central Connecticut State University, presented to the RIPA Stop Data Subcommittee on data analysis methodologies. Since 2011, they have been conducting stop data analysis of law enforcement agencies in Connecticut and several other states. The Board believes that these types of analyses are important to help agencies develop data-driven strategies to eliminate racial and identity profiling. One such data-driven example the researchers shared involved the practice of consent searches within the Hamden Police Department. The researchers from IMRP discovered a significant disparity in the race/ethnicity of individuals asked for consent to search and a low yield rate of contraband discovered from those searches. In response, the Hamden Police Chief prohibited consent searches. After this policy change, the racial/ethnic disparity in the stop data regarding who was searched significantly decreased and the search yield rate increased dramatically from 7 percent to close to 80 percent. Again, this shows how the data can be used to direct resources toward effective policing strategies. Subsequently, the state of Connecticut passed legislation that significantly limited consent searches. The new law provides, in part, that “[n]o law enforcement official may ask an operator of a motor vehicle to conduct a search of a motor vehicle or the contents of the motor vehicle that is stopped by a law enforcement official solely for a motor vehicle violation” (2020 Bill Text Conn. H.R. 6004A § 21 (21)(a)(1)). The Board would like to examine this and other data-driven strategies in future years.

¹⁵⁶ Parole is a period of supervision that follows a state prison sentence and the person remains under the control of the California Department of Corrections and Rehabilitation’s Division of Adult Parole Operations. People on parole are supervised by parole agents, and must follow certain requirements or “conditions” of parole. Cal. Code Regs., tit. 15, § 2355; Root & Rebound, *What are the main types of supervision in California?* <<https://roadmap.rootandrebound.org/parole-probation/introduction/what-are-the-main-types-of-supervision-in-californ/>> (as of Dec. 14, 2020).

¹⁵⁷ “Probation is a type of supervision that a judge orders at trial as *part of the original sentence*, either as an alternative to incarceration OR in addition to incarceration.” Root & Rebound, *What are the main types of supervision in California?* <<https://roadmap.rootandrebound.org/parole-probation/introduction/what-are-the-main-types-of-supervision-in-californ/>> (as of Dec. 14, 2020). Probation can be formal (meaning the individual has to check in with a probation officer) or informal (meaning there is no assigned probation officer). Cal. Pen. Code, § 1203.

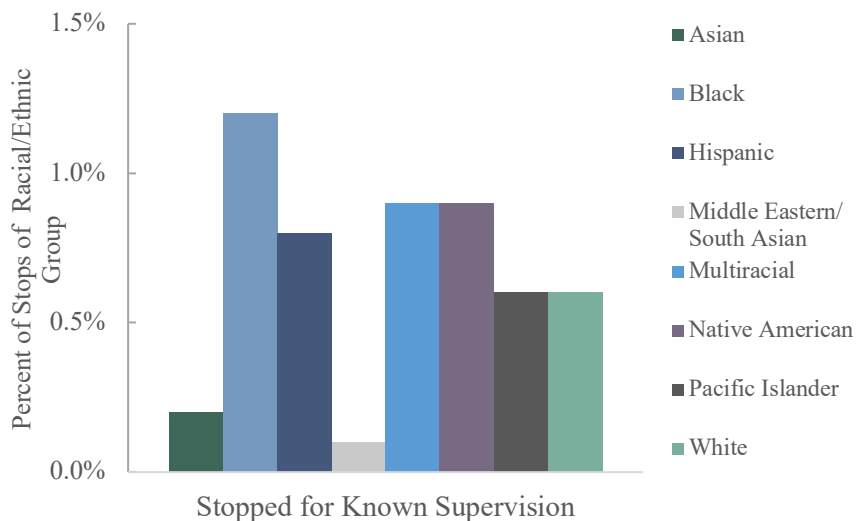
¹⁵⁸ PRCS is a form of supervision when the individual released from state prison after incarceration for a non-violent, non-serious, non-sexual crime is placed under supervision by county probation officers, instead of being placed on state parole. Cal. Pen. Code § 3450; Cal. Code Regs., tit. 15, §§ 3079-3079.1.

¹⁵⁹ “Mandatory Supervision is a form of supervision provided for through a process called ‘split sentencing,’ a judge can split the time of a sentence between a jail term and a period of supervision by a county probation officer.” Root & Rebound, *What are the main types of supervision in California?* <<https://roadmap.rootandrebound.org/parole-probation/introduction/what-are-the-main-types-of-supervision-in-californ/>> (as of Dec. 8, 2020); Cal. Pen. Code § 1170 (h)(5)(B).

person’s supervision conditions.¹⁶⁰ Further, sometimes conditions of supervision allow for search of specific items – such as a cellphone – while others do not.¹⁶¹

In 2019, Wave 1 and 2 agencies reported making 28,015 (0.7%) stops where the primary reason for stop was that the stopped individual was known to be on parole, probation, PRCS or mandatory supervision (hereafter collectively referred to as “known supervision”).¹⁶² Stopped individuals perceived to be Black had the highest proportion of their group stopped for known supervision (1.2%) while Middle Eastern/South Asian individuals (0.1%) had the lowest proportion. A majority (76.6%) of individuals who were stopped for known supervision were searched. Black individuals stopped for known supervision had the highest rates of being subject to a search (79.5%) while Native American individuals had the lowest rates (64.9%).¹⁶³ The descriptive statistics for all groups and analyses discussed in this section may be found in the Appendix.¹⁶⁴

Figure 34. Individuals Stopped for Known Supervision by Perceived Race/Ethnicity



¹⁶⁰ *People v. Sanders* (2003) 31 Cal. 4th 318, 333; *People v. Reyes* (1998) 19 Cal. 4th 743, 750-754; *In re Jaime P.* (2006) 40 Cal. 4th 128.

¹⁶¹ *U.S. v. Lara* (9th Cir. 2016) 815 F.3d 605, 610; see also *Riley v. Cal.* (2014) 573 U.S. 373, 403.

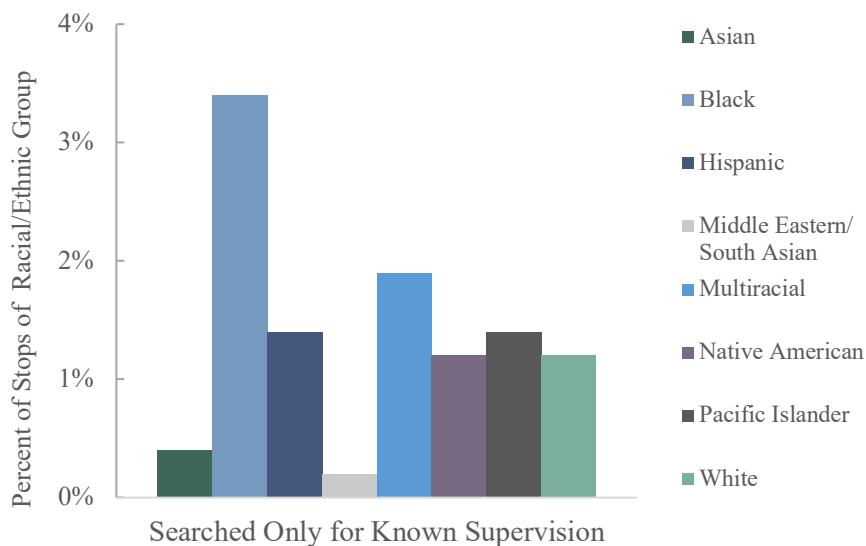
¹⁶² RIPA data regulations define the “known supervision” primary reason for stop category as, “Known to be on parole/probation/PRCS/mandatory supervision.” The regulations indicate that “[t]he officer shall select this data value if the officer stopped the person because the officer knows that the person stopped is a supervised offender on parole, on probation, on post-release community supervision (PRCS), or on mandatory supervision. The officer shall not select this data value if the officer learns that the person has this status only after the person is stopped,” (Cal. Code Regs, § 999.226, subd. (a)(10)(A)(3)). Under the law in California, an officer must know that the individual is under supervision and that they have a specific search condition *prior* to conducting a supervision related search. A search made without awareness of whether the individual is under supervision, and when there is no other legal basis for search, cannot be justified by the officer’s later-acquired knowledge that the individual is under supervision. *People v. Sanders* (2003) 31 Cal. 4th 318, 333; *People v. Reyes* (1998) 19 Cal. 4th 743, 750-754; *In re Jaime P.* (2006) 40 Cal. 4th 128. Moreover, if evidence is obtained as the result of that unjustified search, it will be suppressed or excluded from any court proceeding. *People v. Sanders* (2003) 31 Cal. 4th 318, 335.

¹⁶³ Search rates in stops made for known supervision for all racial/ethnic groups: Asian (78.5%), Black (79.5%), Hispanic (77.6%), Middle Eastern/South Asian (75.4%), Multiracial (76.6%), Native American (64.9%), Pacific Islander (71.4%), and White (72.0%).

¹⁶⁴ See Appendix Table A.13 for all descriptive statistics.

Under the RIPA regulations, officers may only indicate that the *reason for stop* was known supervision when the officer knew this information prior to initiating the stop. However, officers can indicate supervision status as a basis for search regardless of when this status is learned. As such, only 28,015 individuals were stopped for known supervision, but 96,328 individuals were searched due to their supervision status. In cases where an officer performs a search pursuant to a condition of supervision, the officers must indicate that a basis for the search was “Condition of parole/probation/PRCS/mandatory supervision” (hereafter collectively referred to as “condition of supervision”). Condition of supervision was the sole search basis reported for 63.5 percent of these searches while the other 36.5 percent included additional search bases in combination with condition of supervision. Rates of searches where the only basis was known supervision varied between racial/ethnic groups; rates ranged from 0.2 percent of Middle Eastern/South Asian individuals to 3.4 percent of Black individuals who were stopped. Middle Eastern/South Asian individuals (7.6%) also had the lowest proportion of their searches conducted solely due to a condition of supervision while Black individuals had the highest number and proportion (21,905; 16.8%) of their searches occur for this reason. In comparison, 15,328 searches (14.2%) were conducted solely due to a condition of supervision for White individuals.

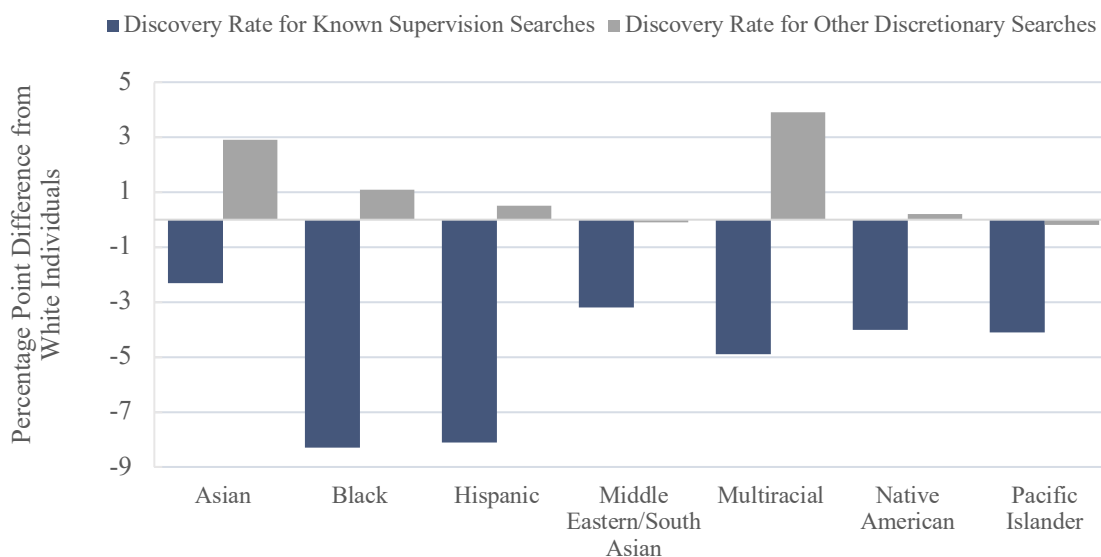
Figure 35. Stopped Individuals Searched Only for Condition of Supervision by Perceived Race/Ethnicity



Discovery rates in this section are reported for condition of supervision searches alone and for discretionary searches that exclude condition of supervision as a basis for search. Overall, discovery rates for condition of supervision searches alone (17.4%) were lower than discovery rates for other discretionary searches (20.0%). For condition of supervision searches, discovery rates were highest for White individuals (23.4%) and lowest for Black individuals (15.1%), a difference of 8.3 percentage points from the highest to the lowest rate. Officers discovered contraband during stops with condition of supervision searches of White individuals more times (3,584) than during stops with condition of supervision searches of Black (3,314) and Hispanic

(3,267) individuals, despite officers performing thousands more searches of this type for Black and Hispanic individuals (21,905 and 21,386 searches, respectively) than for White individuals (15,328 searches).¹⁶⁵ For discretionary searches that exclude condition of supervision as a basis for search, Multiracial individuals (23.2%) had the highest discovery rates while Pacific Islander individuals (19.1%) had the lowest rates, a range of 4.1 percent. These results show that discovery rates between racial/ethnic groups were more variable for known supervision searches than for other discretionary searches. Additionally, known supervision searches generally had lower discovery rates than other discretionary searches. The rates are also presented for each racial/ethnic group as differences from White individuals in the following figure; White individuals had a discovery rate of 23.4 percent for condition of supervision searches and 19.3 percent for other discretionary searches.

Figure 36. Discovery Rates for Condition of Supervision Searches and Other Discretionary Searches by Perceived Race/Ethnicity



How is Law Enforcement Using RIPA Data?: Survey Responses Regarding Stop Data Analysis

To find out how law enforcement agencies are using RIPA data, the Department surveyed Wave 1, 2, and 3 agencies in summer 2020. The agencies' responses helped the Board to understand the impact of the data analysis and Board recommendations within law enforcement agencies and to identify the actions agencies are taking to advance the goals of RIPA.

The survey was distributed to 15 Wave 1 and Wave 2 agencies and 11 Wave 3 stop data collection agencies. Wave 1 and Wave 2 agencies were included in the full survey (26

¹⁶⁵ See Appendix Table A.13 for condition of supervision search and discovery rates.

questions), and Wave 3 agencies were included in the portions that did not pertain to data analysis (13 questions), as they had not yet begun collecting data at the time of the survey.

Survey questions addressed:

- use of Board recommendations and findings;
- use of stop data for accountability purposes;
- adoption of model bias-free policing policy language;
- actions in response to best practices recommendations regarding civilian complaint procedures; and
- stop data analysis practices and resources.

Appendix Tables E.2 and E.3 provide the list of questions asked in each survey.

As of October 29, 2020, 25 of the 26 agencies surveyed had responded; the only agency that did not respond was Sacramento County Sheriff’s Office. For the responding agencies, a captain or lieutenant answered for fourteen agencies, other command staff responded for seven agencies, and an administrator, program analyst, program manager, or IT supervisor responded for four agencies. Frequencies were calculated for each question requiring a ‘Yes’ or ‘No’ response. Qualitative content analyses were conducted to identify and summarize themes and patterns manifested in the responses to open-ended questions.

Long Beach Police Department, San Bernardino County Sheriff’s Department, San Diego County Sheriff’s Department, San Diego Police Department, and San Francisco Police Department indicated that they used the stop data analyses in the 2020 RIPA Board Report to identify trends in their stop data. Long Beach, Los Angeles, and San Diego Police Departments indicated that they used the Report to develop additional analyses aimed at identifying patterns in their stop data.

“SDPD has looked at the stop data provided in the Annual Report to develop analysis related to low/high discretionary stops, specifically related to the Department's procedures and culture, yield rates, and post-stop outcomes”
- San Diego PD

“The Department is using the Report as a guide in its review and analysis of its data to identify trends and patterns”
– Long Beach PD

Ten of the 14 Wave 1 and 2 agencies that responded reported that they analyze stop data.

Agencies Reported That They Analyze Stop Data		
California Highway Patrol	Oakland PD	San Diego PD
Long Beach PD	Orange County SD	San Francisco PD
Los Angeles County SD	San Bernardino County SD	
Los Angeles PD	San Diego County SD	

Agencies Specified That They Analyze the Following			
Reason for Stop	Actions Taken during Stop	Data regarding Searches	Result of Stop
Los Angeles PD	Orange County SD	Oakland PD	Los Angeles PD
Oakland PD	San Bernardino SD	Orange County SD	Oakland PD
Orange County SD	San Francisco PD	San Diego PD	Orange County SD
San Bernardino SD		San Francisco PD	San Bernardino SD
San Diego PD			San Diego PD
San Francisco PD			San Francisco PD

The San Francisco Police Department additionally reported that they analyzed complaints of bias. The Oakland Police Department indicated that they conduct analyses with respect to race and the Orange County Sheriff’s Department indicated that they conduct analyses of stops and perceived age, English proficiency, LGBT identity, gender, race, and disability.

Los Angeles Police Department, San Bernardino County Sheriff’s Department, San Diego County Sheriff’s Department, and San Diego Police Department indicated that they use population estimates for benchmark comparisons. Los Angeles Police Department reported that they additionally use crime statistics and suspect description data for comparison. San Francisco Police Department reported using trends over time and geographic districts for benchmark comparisons. California Highway Patrol indicated that they are currently collecting data on all public contacts, including non-discretionary contacts (e.g., traffic crashes, disabled motorists, etc.), to use as more precise benchmarks.

“The annual report is useful, and provides solid recommendations and insights into other agencies and data, but local analysis is essential to advancing the goals of RIPA. Also, this analysis has to be done by outside groups that begin in a position of neutrality, have expertise, and credibility” - San Diego PD

“SFPD conducted analysis to better understand search hit rate by type of search as compared to sister agencies across the state” - San Francisco PD

The Survey also asked law enforcement agencies whether they collected any data in addition to what is required by RIPA. Six of the 14 Wave 1 and 2 agencies that responded indicated that they collect additional data elements other than those mandated by RIPA regulations. Long Beach and Sacramento Police Departments reported that their stop data collection includes whether the perception of the identity characteristics of the stopped person was made prior to the detention. Long Beach Police Department also indicated that they collect the following data elements: “Does the person live in Long Beach?”, “Attending a Special Event?”, “Is this Event Action Plan Related Activity?” Los Angeles Police Department reported they require officers’ explanation of the reason for stop to include a description of the violation or code. Oakland Police Department indicated that their data collection includes whether the reason for stop was “intelligence led” and information about the officers’ regularly assigned squad and assigned squad specifically at the time of the stop. San Diego Police Department reported that they collect data for field interviews and data about the beat where the stop occurred. San Francisco Police Department indicated that they collect additional data elements when there is a use of force.

*“SDPD requires any field interview to be documented in RIPA, and does not allow the officer to document it as a consensual contact. Field Interviews give the impression the person contacted is not free to leave and the data collected is entered into a database”
- San Diego PD*

California Highway Patrol and Long Beach Police Department indicated that they are inquiring about working with an academic institution and Los Angeles and Oakland Police Departments reported they are already working with an academic institution to analyze their data. San Diego Police Department and San Diego County Sheriff’s Department both indicated that they have contracted with a non-profit research organization for an independent analysis of their data.

“The Sheriff’s Department contracted with the Center for Police Equity (CPE). They are an outside non-profit research company. CPE is currently reviewing the data. Once they are finished the findings will be released to the department and the public” - San Diego County SD

“We have engaged outside academics (two separate groups), the Inspector General’s Office, and have created a RIPA Steering committee made of Department and Civilian members” – Los Angeles PD

Eleven of the 14 Wave 1 and 2 agencies that responded indicated that they review stop data with staff.

“There are a couple levels of discussion; one involves members of the Chief’s Executive Committee which looks at broad trends and patterns. Data has also been discussed with supervisors, and officers, as well as with community groups”
- San Diego PD

“The department is currently reviewing the data set with Executive Staff to analyze benchmarks and trends and identify next steps”
- Long Beach PD

“Statistics for officers with the most stops are reviewed at monthly Risk Management meetings at the Area level.”
- Oakland PD

“Information and data analysis was provided to commanders with talking points to share with the community and discuss at briefings.”
- San Bernardino County SD

Ten of the 14 Wave 1 and 2 agencies that responded indicated that they analyze stop data. Six of the 14 Wave 1 and 2 agencies that responded indicated that they shared their findings with the public (Los Angeles County SD, Los Angeles PD, San Bernardino County SD, San Diego County SD, San Diego PD, and San Francisco PD). Los Angeles Police Department, San Diego County Sheriff’s Department and San Francisco Police Department indicated that they make agency-generated reports available to the public. San Bernardino County Sheriff’s Department reported having created a data dashboard.

Several agencies indicated that they share their findings with external oversight bodies. The Los Angeles County Sheriff’s Department reported sharing their findings with the Office of Inspector General for Los Angeles County and the Civilian Oversight Commission for Los Angeles County. The Los Angeles Police Department also stated that they are working with the Office of the Inspector General. Oakland Police Department indicated that they are working with a federal monitoring team and San Francisco Police Department reported presenting their findings to the San Francisco Police Commission.

“Findings were captured in the Department’s public quarterly reporting, and presented to the SFPD’s Commission ... The police commission is interested in both in using the data to provoke public policy discussions and, increasingly, in contributing analytic questions that the data may help answer.”
- San Francisco PD

Agencies Reported Using the Following Approaches to Hold Staff Accountable for the Submission of Stop Data

Departmental Policy	Management-Level Officer Review	Internal Audit Procedures
CHP San Francisco PD	CHP Oakland PD Riverside County SD San Bernardino County SD	Los Angeles County SD San Diego PD

*“The LASD regularly audits stops and back seat detentions within the Antelope Valley stations’ response area. The entire contact is analyzed along with how the call was cleared...The LASD internal audits for all stations within the Department are posted for the public on-line and shared with the Office of Inspector General for Los Angeles County and the Civilian Oversight Commission for Los Angeles County.
– Los Angeles County SD*

*“Riverside County Sheriff has built a compliance verification tool for command staff and their management teams to use.”
– Riverside County Sheriff*

*“Daily reviews are conducted by watch commanders to ensure compliance and deficiencies are corrected immediately”
- San Bernardino SD*

*“SDPD developed internal inspection procedures to make sure stop data is accurate, collected and submitted”
– San Diego PD*

Six agencies (Bakersfield PD, Fresno PD, Long Beach PD, Los Angeles County SD, Riverside County SD, San Francisco PD) indicated that there were some barriers to analyzing the data or exporting it to analyze it, including difficulty in creating reports, auditing the data, or integrating the data collection systems with other departments systems. Five agencies indicated that additional funding for staff and other resources was necessary to conduct stop data analyses (CHP, Sacramento PD, San Bernardino County SD, San Diego County SD, San Diego PD).

Agencies identified additional resources that would assist them in analyzing their stop data. Fresno Police Department indicated that additional training would be helpful. San Francisco Police Department indicated that model analyses would be helpful and San Diego County Sheriff’s Department specified that guidelines for “Veil of Darkness” analysis would be helpful.

Agencies were asked about some of the challenges they encountered with data analysis. CHP reported that the volume of data being collected, maintained, and reviewed is challenging (since CHP stopped more than 2 million individuals in 2019). Los Angeles County Sheriff’s

Department determined that a more robust internal auditing ability is required for their reporting system. San Francisco Police Department reported that commute/tourist/daytime population considerations present a challenge for the analysis of population benchmarks (e.g., while the population of San Francisco is approximately 800,000 residents, this number can balloon to 1.5 million during the day). Long Beach Police Department also indicated that it had been challenging to identify benchmark data sets.

Four agencies provided comments regarding the data elements included in the regulations. Oakland Police Department commented that the regulations regarding the reporting of community caretaking incidents should be changed and San Francisco Police Department commented that the use of geocoding to report the precise locations of stops should be allowed. San Jose Police Department commented that a data element should be added to report the actions taken by the person who was stopped, for example the actions taken by a subject preceding an officer's use of force. San Diego Police Department commented that a data element regarding officers' perception of whether the person stopped was unhoused should be added.

RACIAL AND IDENTITY PROFILING POLICIES AND ACCOUNTABILITY

Any police action based on racial profiling or other biases alienates the public, fosters distrust of police, and undermines legitimate law enforcement efforts. For this reason, it is imperative that every California law enforcement agency have a strong commitment to bias-free policing throughout their policies and practices. In advancing its goal to eliminate racial and identity profiling in law enforcement, the Board has taken its charge to “work in partnership with state and local law enforcement agencies to review and analyze racial and identity profiling policies and practices across geographic areas in California” very seriously.¹⁶⁶

Survey: State and Local Policies and Accountability

In an effort to qualitatively measure the impact of RIPA on law enforcement agency’s policies and accountability, the Survey conducted by the Department contained questions regarding agency’s policies. Some of the findings include:

- 24 of the 25 agencies that responded to the survey indicated that they have a bias-free policing policy. The agency that did not have an existing policy, Los Angeles World Airport PD, indicated that they were in the process of developing one. Half of the agencies with a bias-free policing policy indicated that they adopted some portion of the model language provided in the RIPA Board 2020 Annual Report.

Agencies that Reported Adoption of Some Portion of the RIPA Board’s Model Bias-Free Policing Policy Language	
CHP	Orange County Sheriff
Santa Clara Sheriff	San Bernardino County Sheriff
Fresno Police	San Diego County Sheriff
Kern County Sheriff	San Diego Police
Long Beach Police	San Francisco Police
Los Angeles County Sheriff	San Jose Police

¹⁶⁶ Cal. Pen. Code, §13519.4, subd. (j)(3)(C).

- Agencies reported various methods of holding staff accountable to their bias-free policing policy, including conducting investigations, providing additional training, and taking other corrective actions or discipline.

Agencies Reported Using the Following Approaches to Hold Staff Accountable and Respond to Non-Compliance with Bias-Free Policing Policies

Conduct Investigations when Violations Are Reported or Identified	Provide Additional Training	Other Corrective Action or Discipline
Bakersfield Police Fresno Police Kern County Sheriff Los Angeles County Sheriff Los Angeles Police Orange County Sheriff Riverside County Sheriff San Diego County Sheriff San Diego Police San Jose Police Ventura County Sheriff	Alameda County Sheriff Bakersfield Police CHP Kern County Sheriff San Bernardino County Sheriff	Alameda County Sheriff Bakersfield Police CHP Kern County Sheriff Long Beach Police Riverside Police San Bernardino County Sheriff San Diego Police San Francisco Police Ventura County Sheriff

“All staff is held accountable and takes yearly training updates in this area. All supervisors are further instructed on how to hold subordinates accountable for their actions. The City and County of San Francisco have departments established which monitor and encourage racial diversity and training for all city/[county] employees.” – San Francisco Sheriff

*“Any employee of our Department can report violations to our Internal Affairs Unit or the City of San Jose, Independent Police Auditor's Office”
- San Jose Police*

- 13 of the 25 agencies surveyed indicated that they have a civilian review board. Of those agencies, five reported discussing the RIPA Board’s findings with their civilian review boards.

Agencies that Reported Having a Civilian Review Board		Agencies that Reported Discussing the RIPA Board’s Findings or Recommendations with Their Civilian Review Board
CHP Long Beach Police Los Angeles County Sheriff Los Angeles Police Oakland Police Orange County Sheriff Riverside Police	San Diego County Sheriff San Diego Police San Francisco Police San Jose Police Santa Clara County Sheriff Stockton Police	CHP Los Angeles County Sheriff Los Angeles Police San Diego Police San Francisco Police

- Only a few agencies reported community engagement as a part of the main actions that they have undertaken to adopt the Board’s recommendations. These included San Bernardino County SD and the Riverside Police Department. Riverside PD indicated that they developed a Chief’s Advisory Board to receive input and advice from community stakeholders.
- Six of the ten LEAs that indicated that they analyze stop data reported sharing their findings with the public (Los Angeles County SD, Los Angeles PD, San Bernardino County SD, San Diego County SD, San Diego PD, San Francisco PD).

*“Findings are made public through quarterly statistical reporting and shared within the department”
- San Francisco Police*

“All sworn and non-sworn members are provided information related to RIPA data ... Additionally, the information is posted on the department website, so the public has access to it.” - San Diego County Sheriff

Accountability Systems

Now that the Board has a better understanding of existing accountability and supervisory review within agencies to ensure adherence to bias-free policing, the Board plans to develop and identify best practices to inform model accountability policies in future reports. The overwhelming theme in the Board’s research was that accountability does not require a single policy, but rather, a comprehensive accountability *system*. To understand how a law enforcement agency holds its officers and agency accountable to prevent bias and profiling, the Board acknowledges it will also need to examine a series of policies that specifically govern prompt and appropriate remediation of bias-based policing.

Given the importance of accountability in policing, the Board hopes to conduct in-depth research and consult with experts to develop best practices in this subject area. To build a foundation, the Board has begun reviewing evidence-based best practices devoted to accountability. Toward that end, the Board identified categories commonly used that make up

accountability systems, including: (1) data tracking and transparency, (2) early intervention systems, (3) video technology, (4) supervisory oversight, (5) clear policies and pathways, (6) misconduct complaints, (7) discipline, (8) community-based accountability, (9) recruitment, hiring, and promotions, and (10) performance evaluations. These categories and recommended best practices will be developed and explored in the future, and they do not represent the full range of best practices an agency could or should adopt; they aim to provide a foundation upon which the Board can expand in future reports. The Board emphasizes that law enforcement agencies should also collaborate with their communities to ensure accountability measures are relevant to their specific needs. The Board also welcomes input from all stakeholders on areas of interest and specific best practices upon which it should focus.

1. Data Tracking and Transparency

Foundational to any accountability system is data collection and data tracking. Data should be collected on various types of police actions – not just use of force or arrests, but also, for example, the type and number of civilian complaints or adverse comments lodged, failure to activate body worn cameras, vehicle crashes, failure to attend or complete training, and/or any investigations of an officer. The Board recognizes that the specific data a law enforcement agency decides to collect (in addition to what is already required by RIPA) should result from stakeholder engagement. Data collection and tracking is critical because it allows agencies to take inventory of individual or systemic trends in behavior that may need to be addressed and corrected. The Board will explore how data can be used for oversight of individual officers, first-line supervisors, and entire precincts or units. It is essential that this data be accessible to the public, which has a vested interest in ensuring non-biased based policing.

2. Early Intervention Systems

Best practice recommendations on Early Interventions Systems (EIS) is contained in the Civilian Complaint Section (see page 134 of this Report) because the Board’s Civilian Complaints Subcommittee is doing a broader evaluation of EIS.

3. Video Technology

One area for exploration is the use of video technologies, like body worn cameras, and any effect in reducing use of force. In a recent study, researchers found that during shifts where officers used cameras and followed agency protocol more closely, use of force fell by 37 percent when compared to camera-free shifts. Researchers also found that during shifts where officers used cameras and tended to use their discretion instead of following agency protocol, police use of force actually rose 71 percent higher than camera-free shifts.¹⁶⁷ It is clear that use of video technology is not itself a quick fix, and as an accountability tool, it is only as effective as the policies and protocols in place and the oversight of officer adherence to those policies and protocols. Further, it is not enough for agencies to have the technology; agencies must *make use* of the technology. For example, on October 27, 2020, the Los Angeles Office of the Inspector General (OIG) released a data analysis report that focused on officer-initiated stops in

¹⁶⁷ RAND Corporation, RAND Europe, Body-Worn Cameras Associated with Increased Assaults Against Police, and Increase in Use-of-Force if Officers Choose When to Turn on Body-Worn Cameras (May 17, 2016) <<https://www.rand.org/news/press/2016/05/17.html>> (as of Dec. 14, 2020).

2019 (a total of 672,569 stops) to assess the accuracy of officer reporting and to better understand the driving forces behind some of disparities in stop data.¹⁶⁸ After a qualitative review of 190 stops in connection with video footage, the Los Angeles OIG found that the stop data reports were “fully accurate” in only 61 percent of the stops.¹⁶⁹ This example makes clear that the camera technology can be useful as an accountability tool if agencies conduct follow-up and review rather than relying solely on the technology being activated to hold officers accountable. The Board will continue to explore best practices around the use of such technology.

4. Supervisory Oversight

Strong accountability systems include a sufficient number of supervising officers, adequate training for effective supervision, and workloads that allow supervisors to be effective in their oversight responsibilities. Supervisory staff should be proactive, engaged, and consistent in their supervision of line officers. It is critical that there are clear policies outlining what supervisory review looks like and how it will be done. Not only should there be strong supervision of line officers, but agency command staff should also effectively oversee their first-line supervisors to ensure accountability at all levels. Supervisors must be held directly accountable for the quality and effectiveness of their supervision, including whether supervisors identify and effectively respond to misconduct and ensure that officers effectively engage with the community.

Some specific issues that the Board intends to review and consider for future recommendations include having a supervisor at the scene of a use of force or a civilian complaint; reviewing arrest reports, officer activity reports, or other incident reports for the day in conjunction with any video footage for accuracy in reporting and adherence to law and policy; ways to investigate and document use of force incidents; how to provide counseling, support, and direction to officers; and commending and highlighting positive interactions to reinforce these behaviors.

Other areas that the Board intends to review and consider for future recommendations relate to supervision of first-line supervisors, and include leadership training on techniques for effectively guiding and directing officers and promoting effective and constitutional police practices; evaluating written reports, including identification of canned or conclusory language that is not accompanied by specific facts; evaluating officer behavior in video footage and officer reports or data submissions; investigating officer uses of force and identifying corrective measures; building community partnerships and guiding officers on this requirement; handling of allegations of officer misconduct; and leadership development and modeling positive behavior.

¹⁶⁸ Los Angeles Office of the Inspector General, Review of Stops Conducted by the Los Angeles Police Department in 2019 (Oct. 27, 2020) p. 1 <https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_d3e88738022547acb55f3ad9dd7a1dcb.pdf> (as of Dec. 14, 2020).

¹⁶⁹ *Id.* at p. 48.

For example, with regard to evaluating officer behavior in video footage and officer reports, in the previously mentioned OIG report, the review included a statistical analysis of RIPA stop data, review of civilian complaint data on racial profiling, and a qualitative review of 190 stops in connection with video footage.¹⁷⁰ When comparing the 190 stop data reports to body worn or in-car camera footage, the Los Angeles OIG found that in only 61 percent of the stop data reports was the data “fully accurate.”¹⁷¹ In the other 39 percent of the stops, the Los Angeles OIG found various issues that contributed to inaccuracies, such as failing to report all actions taken, all individuals stopped, or reporting an incorrect stop or search bases.¹⁷² In light of the Los Angeles OIG’s findings, it recommended that the Los Angeles Police Department change some of its policies – including its bias-free policing policy – to adopt language from RIPA and make it clear that racial profiling is prohibited not only in the initial decision to stop or not stop an individual but in various other types of activities as well.¹⁷³ This kind of in-depth review also allowed the Los Angeles OIG to identify places where officers were not following agency policy on body worn camera activation or stops and searches, identify where officers may need additional training on law and policy, and offer specific actions for the Los Angeles Police to take to help reduce the disparities in stops.¹⁷⁴ It also demonstrates the importance of thorough supervisory oversight to make sure officers are reporting data accurately. The Board will explore this interconnected topic of data integrity and supervisory auditing in a future report.

5. Clear Policies and Pathways

While it is evident that any department policy on bias-free policing or ensuring adherence to bias-free policing should be crystal clear to line officers, first-line supervisors, and all other staff, the Board will examine how to ensure that there are no doubts about what an agency prohibits and to impel agency action when an officer does not adhere to its policies. Policies should also make clear the departmental expectations and hold officers to the highest standards of integrity. Eliminating racial and identity profiling in policing is no small task; it requires a clear prohibition on bias-based policing and a thorough understanding by everyone in the agency that a violation of policy and failure to report misconduct will not be tolerated. However, explicit policies alone will not ensure accountability. The Board will also examine best practices to ensure that there are pathways for officers to report their peers’ behavior (including confidentially or anonymously) and avenues to elevate their report if their first-line supervisor does not take action.

¹⁷⁰ See generally Los Angeles Office of the Inspector General, Review of Stops Conducted by the Los Angeles Police Department in 2019 (Oct. 27, 2020) <https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_d3e88738022547acb55f3ad9dd7a1dcb.pdf> (as of Dec. 14, 2020).

¹⁷¹ *Id.* at p. 48.

¹⁷² *Id.* at pp. 48-49.

¹⁷³ *Id.* at pp. 5-6, 56.

¹⁷⁴ See generally Los Angeles Office of the Inspector General, Review of Stops Conducted by the Los Angeles Police Department in 2019 (Oct. 27, 2020) <https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_d3e88738022547acb55f3ad9dd7a1dcb.pdf> (as of Dec. 14, 2020).

6. Misconduct Complaints

In general, agencies with strong accountability systems investigate all complaints made by members of the public and those made from within the agency. The Board plans to explore how best practices can guarantee that *all* complaints will be fairly and thoroughly investigated. Thus, agencies must ensure that members of the public have access to submit complaints and that complaints will be faithfully recorded, tracked, and investigated. Best practices may also include how to conduct investigations into misconduct complaints with integrity and create mechanisms to increase the community's involvement in the process. Additionally, the Board and agencies may consider the potential role of independent civilian complaint review boards, or other stakeholders can explore their establishment by working with their boards of supervisors, city councils, or mayors through ballot initiatives.

Some specific issues that the Board intends to review and consider for future recommendations include having a supervisor at the scene of a use of force or a civilian complaint; reviewing arrest reports, officer activity reports, or other incident reports for the day in conjunction with any video footage for accuracy in reporting and adherence to law and policy; ways to investigate and document use of force incidents; how to provide counseling, support, and direction to officers; and commending and highlighting positive interactions to reinforce these behaviors.

The Board intends to review best practices that include precluding any involved supervisor from participating in the investigation; providing personnel serving as investigators with enhanced training on conducting employee misconduct investigations; and preventing officers with a history of sustained civilian complaints or who have been disciplined for excessive use of force, discrimination, or dishonesty from being eligible for assignment to Internal Affairs or any other interagency misconduct investigation team. The Board will also examine best practices regarding time limits on investigations of alleged misconduct, both for agency response to the subject of the complaint and internally with its officers.

7. Discipline Policies

Accountability systems should incorporate not only formal disciplinary or corrective measures, but also include informal training and feedback to improve job performance. Generally, discipline is determined by agency policy, but it is also often influenced by what is included in an agency's Memorandum of Understanding (MOU) based on negotiations between the agency and their employee's union.¹⁷⁵ MOUs may attempt to dictate requirements regarding agency accountability and officer discipline. The Board hopes to explore best practices around negotiated discipline standards for both administrative misconduct (e.g. calling in sick when the officer is not actually sick) and excessive force or bias-based policing, officer leave following misconduct, documentation of disciplinary actions and preservation of the documentation, and the use of disciplinary boards to ensure that discipline policies are implemented fairly, objectively, and progressively where appropriate.

¹⁷⁵ MOUs, also known as collective bargaining agreements, are written binding agreements that are the result of negotiations between an employer and a labor union.

Agency discipline policies and procedures should set out what types of discipline an officer can expect for each kind of violation and establish the range of discipline for each type of violation. The Board will examine best practices for discipline policies and the concept of progressive discipline when there are multiple incidents of misconduct.

8. Community-Based Accountability

For law enforcement agencies to fully practice accountability, the community must be included in those efforts to keep individual officers and the agency as a whole accountable. The Board will review avenues for community involvement, including community participation in oversight, advisory, or disciplinary boards. There are important considerations to ensure effective community participation on these bodies, such as making the selection process for civilian members transparent and unbiased; for example, bias in the selection process can happen when there are irrelevant requirements that have no bearing on a candidate's qualifications to be on such a body, such as whether someone has a criminal history or their immigration status. Additionally, the Board will examine best practice recommendations on reliable, comprehensive, and representative annual community surveys that can serve to inform agencies about the community's perception of the quality of their provision of service.

9. Recruitment, Hiring, and Promotions

How an agency recruits, hires, and promotes its personnel is integral to a robust accountability system. Not everyone is fit to be a law enforcement officer or able to embody the high standards of integrity required for modern day policing. Recruitment alone is insufficient; agencies must also ensure they are taking concrete steps to retain and promote officers who excel at performing their duties and engage in bias-free policing, while holding others accountable and not rewarding those who fail to live up to the mission of fair and equitable policing.

Strategies for thoughtful and diverse recruitment is the foundation for accountability within law enforcement. The Board will research best practices, including establishing a strategic hiring and recruitment plan;¹⁷⁶ identifying specific recruiting targets (such as increasing female officer retention);¹⁷⁷ seeking community input;¹⁷⁸ creating a diverse central recruitment team or unit to ensure consistency and cohesion;¹⁷⁹ training for recruiters and background investigators in procedural justice and implicit bias focused on specific issues or strategies relevant to the hiring process;¹⁸⁰ developing and reviewing recruitment materials to reflect the agency's values and mission;¹⁸¹ and compliance with the strategic recruitment and hiring plan through data

¹⁷⁶ Cal. Dep't of Justice, Review of Sacramento Police Dep't: Report and Recommendations Phase II (2020) pp. 83-84 <https://oag.ca.gov/system/files/attachments/press-docs/SPD%20Report%20Phase%20II_0.pdf> (as of Dec. 14, 2020).

¹⁷⁷ *Ibid.*

¹⁷⁸ *Id.* at p. 86.

¹⁷⁹ *Id.* at p. 81; Hillard Heintze, San Francisco Police Department Collaborative Reform Initiative: Phase I – Initial Progress Report (May 16, 2019), p. 70 <<https://oag.ca.gov/system/files/attachments/press-docs/hillard-heintze-initial-progress-report-sfpd-phase-i.pdf>> (as of Dec. 14, 2020).

¹⁸⁰ Cal. Dep't of Justice, Review of Sacramento Police Dep't: Report and Recommendations Phase II (2020) p. 91 <https://oag.ca.gov/system/files/attachments/press-docs/SPD%20Report%20Phase%20II_0.pdf> (as of Dec. 14, 2020).

¹⁸¹ *Id.* at p. 77.

tracking, audits, and periodic assessments.¹⁸² For example, one potential best practice could be for recruiters and background investigators to review a candidate’s social media account to look for behavior that would make the candidate unfit to be an officer, including ties to hate groups or any comments or postings demonstrating racism or white supremacy, sexism, homophobia, or other problematic views or beliefs. With respect to recruitment materials, best practices may include developing the qualities the agency is looking for and highlight the “guardian” over “warrior” mentality¹⁸³, distributing materials widely, and strategically targeting recruitment for gender and racial or ethnic diversity.¹⁸⁴

Promotion within agencies should be a transparent process. The Board will also examine promotion metrics, including performance evaluations for promotions or lateral hiring; consideration of officer discipline history or history of civilian complaints; and recognizing officers who embody the mission of equity and bias-free policing.

10. Performance Evaluations

Performance evaluations have traditionally focused on metrics such as arrests or other police actions that do not underscore the importance of good, thoughtful, and constitutional police work. That kind of structure creates a system that may inadvertently encourage behavior that is contrary to effectively and fairly serving the community as a whole. Instead, the Board plans to examine best practices to evaluate officers’ behaviors in engaging in bias-free constitutional policing, such as an officer’s demonstrated: a) integrity and ethical decision-making;¹⁸⁵ b) commitment to community engagement and building relationships and trust with communities; and c) commitment to bias-free policing. Performance reviews may also play a role in evaluating an officer’s communication skills,¹⁸⁶ general safety habits, completion of training requirements, and their effective use of de-escalation and crisis management techniques. The Board will also examine best practices around civilian commendations or complaints, post-discipline compliance with policy and corrective action plans, and specific officer behaviors, such as the quality and accuracy of officer reports, search warrants, and supportive affidavits or declarations.

Wave 2 Agency Bias-Free Policing Policies Review

In its 2019 report, the Board found that while most agencies did have a specific policy or portion of a policy addressing racial and identity profiling, there was little consistency across agencies in the substance of those policies. In its 2020 report, the Board built upon this finding and provided model language that law enforcement agencies could include in their bias-free policing policies. The Board also reviewed the bias-free policing policies for the eight Wave 1

¹⁸² *Id.* at pp. 83-84, 92.

¹⁸³ *Id.* at p. 77.

¹⁸⁴ *Id.* at pp. 81-82.

¹⁸⁵ U.S. Dep’t of Justice, Office of Community Oriented Policing, *Implementing a Comprehensive Performance Management Approach in Community Policing Organizations: An Executive Guidebook* (2015) pp. 3, 14, 33.

¹⁸⁶ *Id.* at pp. 3, 14, 37.

agencies, based on the best practices outlined in the 2019 report. This year, the Board is extending its review to include the seven Wave 2 agency policies.¹⁸⁷

Oakland Police Department (Oakland Police): The Oakland Police have an eight page, stand-alone policy titled “Prohibitions Regarding Racial Profiling and Other Bias-Based Policing,” which became effective November 15, 2004. From the outset, the policy delineates its purpose: to reaffirm the Oakland Police’s commitment to providing service and enforcing laws in a fair and equitable manner and to establish a relationship with the community based on trust and respect. To accomplish this purpose, the policy includes a definition of racial profiling and a statement on the limited circumstances in which characteristics of individuals may be considered in policing decisions. The policy also helps officers better understand racial profiling by providing examples of different police interactions, such a consent searches, where racial profiling may arise. Moreover, it also clearly establishes that consent searches should not be based on actual or perceived race, ethnicity, national origin, gender, age, religion, sexual orientation, or disability. To assist with the community relationship building piece, the policy includes a section for officers on how to communicate with the community when conducting stops. In addition to this stand-alone bias-free policy, a separate rule on “Professional Conduct and Responsibilities” also touches on how officers should conduct themselves towards others.¹⁸⁸ Another rule titled “Field Interviews & Stop Data Report” dictates how officers should record RIPA stop data. The rule states that Oakland Police use stop data “as a critical component of risk management,” with the goal “to reduce the risk of negative disparate impact on the community by enhancing precision policing, understanding racial disparities.”

Oakland Police prohibits its members from engaging in, ignoring, or condoning racial profiling or other bias-based policing. Furthermore, the policy requires members to report incidents and makes clear that members will be subject to discipline if they fail to comply. For supervisory review, the policy details six supervisor responsibilities in addition to ensuring their subordinates know and understand the policy. A supervisor is required to monitor their subordinates, review all Stop-Data Collection Forms they submit, sign those forms once reviewed, and conduct periodic audits. The policy explicitly provides that supervisors and commanders will be subject to discipline if they themselves violate the policy or if they know or should know that their subordinates are out of compliance.

Sacramento Police Department (Sacramento Police): The Sacramento Police has a stand-alone “Bias-Based Policing” policy dated June 5, 2017. The policy defines bias-based policing and racial profiling and explicitly prohibits the detention, interdiction, or disparate treatment of any person based on their actual or perceived characteristics by officers. Sacramento Police make clear that complaints of such behavior will be thoroughly investigated and require officers to report knowledge or information they may have about conduct that would violate this policy. Moreover, Sacramento Police provide for an Administrative Review of citizen complaints and concerns relating to its bias-free policy to ensure officers are conducting stops and citizen

¹⁸⁷ The policies of the Wave 2 law enforcement agencies can be found in Appendix Table F.1.

¹⁸⁸ Oakland Police Department, Manual of Rules, Section 314.04 Conduct Toward Others – Harassment and Discrimination (September 30, 2010) <<https://cao-94612.s3.amazonaws.com/documents/oak032180.pdf>> (as of Dec. 14, 2020).

contact in accordance with the policy. Although this review is designated as annual, the Professional Standards Unit provides complaint data “on demand” to the Captain to review and act on, but there is no indication how often this may occur. Similarly, the Sacramento Police updated its “Internal Investigation Manual – RM 220.01” to more accurately track complaints alleging “profiling” as a standalone allegation. While the bias-free policing policy does not provide guidance on the collection or use of RIPA demographic data associated with stops, detentions or seizures conducted, the agency’s General Order 210.09 does. To ensure compliance with RIPA and the agency’s Bias-Based Policing policy, the general order requires supervisors to monitor and examine all police activities of those in their command. Sacramento Police has also recently implemented an administrative “Use of Force Review Board,” which meets monthly to review uses of force that do not involve firearm discharge or death. This review will include whether the officer adhered to the bias-based policing policy in addition to use of force laws and agency policies.

Fresno Police Department (Fresno Police): The Fresno Police has a stand-alone¹⁸⁹ policy that became effective June 1, 2020. The policy defines racial or bias-based policing and includes a component on the limited circumstances in which characteristics of individuals may be considered. There is a component on encounters with the community, which requires officers engaging in non-consensual encounters to be prepared to articulate a sufficient reasonable suspicion to justify the contact. It also includes a component on officer training and encourages members to familiarize themselves with racial and cultural differences, if they have not yet received training. The policy discusses the collection of stop data through Cal DOJ’s Stop Data Collection System pursuant to AB 953. The policy makes clear that it is the responsibility of all members of Fresno Police to prevent, report, and respond appropriately to discriminatory or biased practices. The policy addresses supervisory review by describing an annual review conducted by the Audit & Inspections Unit. According to the policy, that unit reviews the Internal Affairs database for complaints alleging bias and reviews meeting minutes detailing complaints received at the Chief’s Advisory Board committee meetings. The results of the annual review are then published in their Annual Bias-Based Policing Report, which details recommendations regarding training issues, policies and procedures, and changes in federal or state mandates. The annual reports previously included analysis of traffic stop data, but Fresno Police no longer plans to include this in their reports because it will submit stop data to the California DOJ. Fresno Police’s website includes links to California DOJ’s OpenJustice website, where their stop data will be publicly available, and the AB 953 webpage, where RIPA Board reports include stop data analysis. The bias-based policing policy is referenced in two other policies regarding interactions with transgender individuals and personnel complaints.

Orange County Sheriff’s Department (Orange County Sheriff): The Orange County Sheriff has a stand-alone¹⁹⁰ policy on “Bias Free Policing” and a separate policy on “Racial and Identity Profiling Act (RIPA).” The Bias Free Policing policy defines racial profiling or bias based policing

¹⁸⁹ Fresno Police’s policy is provided by a private corporation through a paid subscription service offered to law enforcement agencies around the country.

¹⁹⁰ Orange County Sheriff’s policy is provided by a private corporation through a paid subscription service offered to law enforcement agencies around the country.

and includes a component on the limited circumstances in which characteristics of individuals may be considered. There is no specific component on how officers should conduct themselves in encounters with the community. The policy includes a component on officer training and encourages members to familiarize themselves with racial and cultural differences, if they have not yet received training. The policy makes clear that it is the responsibility of all members of Orange County Sheriff to prevent, report, and respond appropriately to clear discriminatory or biased practices. The RIPA policy delineates the data fields that must be reported. Neither policy includes a component on data analysis or addresses supervisory review. The Bias-Free Policing policy has a section titled “supervisor responsibility,” which establishes that the S.A.F.E. Division Captain should review the Orange County Sheriff’s efforts to prevent racial/biased based profiling and submit any concerns to the Sheriff; this section does not discuss direct supervisory review. Separately, the Internal Affairs Unit Manager and the Captain (or an authorized designee) are required to ensure all data regarding civilian complaints and stops are collected and reported. Orange County Sheriff reported that the Technology Division was primarily overseeing the collection of RIPA data, but Orange County Sheriff formed a working group to determine how to analyze and review the data being sent to the Department after they realized they needed to ensure the proper information was being recorded.

Long Beach Police Department (Long Beach Police): The Long Beach Police issued a special order on bias-free policing on September 2, 2020. The special order is in effect until it is included in the agency’s Department Manual. Additional relevant content is provided in the Department’s Policy Manual sections “3.2 General Responsibilities – Employees” and “3.4 Conduct Toward the Public.” These policies are available on the Long Beach Police’s website; the new special order is not yet available online. The new special order includes definitions of racial profiling, biased policing, and specified characteristics. It also includes a component on the limited circumstances in which characteristics of individuals may be considered. Section 3.4 includes a section on encounters with the community in which officers are required to provide their names and department IDs or those of other officers upon request. Additionally, the special order requires officers to inform community members of the reason for the contact preferably at the beginning or by the end of an encounter to avoid misunderstandings. Under the new order, supervisors are required to ensure compliance and initiate investigations when violations are alleged. Moreover, it is the supervisors’ responsibility to ensure employees are not retaliated against for reporting suspected instances of biased policing. The policies and special order do not discuss annual training on bias/racial profiling, stop data analysis, or accountability. The agency issued a special order on stop data collection in December 2018. That special order requires all stop data to be reviewed to ensure there is no identifiable information included and that the Administration Bureau completes a quarterly audit. Long Beach Police has stated that they are developing a stop data dashboard to provide commanding officers with the ability to analyze the type of stops, reasons for stops, searches conducted, and actions taken in the field by their officers.

Sacramento County Sheriff’s Office (Sacramento County Sheriff): The Sacramento County Sheriff does not have a stand-alone bias-free policing policy. Applicable content is included in the General Order: Detentions, Arrests, Search Seizure, and Immigration Enforcement and General Order: AB 953 RIPA Compliance. Both of these policies are available online under the

transparency section of the website. The Detentions, Arrests, Search Seizure, and Immigration Enforcement General Order includes the definition of racial or identity profiling provided in Cal. Penal Code section 13519.4(e) and a component on the limited circumstances in which characteristics of individuals may be used. Sacramento County Sheriff puts the responsibility on every member of its agency to prevent, report, and respond appropriately to dispel discriminatory or biased practices. This General Order discusses encounters with the community, specifically discussing encounters with non-English speaking persons, persons with wheelchairs and other devices, and persons who are deaf or hard of hearing. The AB 953 General Order details the stop data required to be collected and discusses supervisory review. Supervisors are required to review and approve or reject each officer's AB 953 stop data reports. This review is limited to ensuring there is no unique identifying information sent to Cal DOJ. Neither general order includes information about racial and identity profiling training or data analysis. While its policies do not discuss data analysis, Sacramento County Sheriff reported to DOJ that it conducts data analysis on AB 953 stop data and uses the analysis for training and improvement in serving its community. Moreover, it informed DOJ that it has replicated the Board's annual report for its agency and created monthly dashboards of the data for department managers to review. Sacramento County Sheriff also stated that it provides Principled Policing and Bias Based Policing training to its officers on an ongoing basis; this training is not referenced in their policies but parts of it have been incorporated into the agency's academy curriculum.

San Jose Police Department (San Jose Police): The San Jose Police has a stand-alone policy that was last revised on February 15, 2011. In addition to this policy, there are two other policies that are relevant to bias-free policing, namely the "C 1305 Equality of Enforcement" and "C 1308 Courtesy" sections. All three of these policies are available online. The stand-alone bias-based policing policy includes a definition of bias-based policing and explains that biased actions can occur not only upon initiation of the stop, but also throughout the stop. The stand-alone policy does not contain an explanation of the limited circumstances in which characteristics of individuals may be considered. Policies C 1305 and C 1308 detail how an officer should conduct themselves during encounters with the community, e.g. officers should be courteous and professional, control their tempers, and exercise patience even in the face of extreme provocation. None of the three policies address bias/racial profiling training. However, the department reported that it requires Fair and Impartial Policing training, which includes implicit bias, Biased Based Policing, and Procedural Justice Training. Additionally, it has increased police academy cultural diversity and discrimination training beyond the state minimum. Moreover, command officers receive eight hours of Preventing and Responding to Anti-Muslim Bigotry training. The San Jose Police also has a separate policy on Documenting Detentions Pursuant to the Racial and Identity Profiling Act of 2015 (AB 953). None of the policies discuss data analysis, accountability, or supervisory review. San Jose Police informed CA DOJ that it does have a procedure for data analysis that is not detailed in its Bias-Based Policy. It also hired researchers from the University of Texas at El Paso and San Antonio to statistically analyze the stop data. Additionally, San Jose Police has separate policies and procedures for accountability and supervisory review. All personnel are expected and bound to follow the prohibition against discriminatory policing and a commitment to equality in

enforcement in anything they do. San Jose Police supervisors can hold their officers accountable through civilian complaints alleging bias based policing – whether or not they are founded. If a civilian complaint’s allegations of bias based policing are determined to be unfounded, a Supervisory Referral Complaint is created as a follow up. When a Supervisory Referral Complaint is made, a supervisor or captain must discuss the interaction and officer’s behavior and what, if any, impact it could have on the department’s operations.

Wave 2 Agency	Stand-Alone Bias-Free Policing Policy?	Clearly Written?	Easily Accessible? ¹⁹¹	Uses Concrete Definitions of Bias-Free Policing and/or Racial & Identity Profiling	Component on Limited Circumstances in which Characteristics of Individual May Be Considered?
Oakland Police	✓	✓	✓	✓	✓
Sacramento Police	✓	✓	✓	✓	✓
Fresno Police	✓	✓	✓	✓	✓
Orange County Sheriff	✓	✓	✓	✓	✓
Long Beach Police	✓	✓	✓	✓	✓
Sacramento County Sheriff	✗	✓	✓	✓	✓
San Jose Police	✓	✓	✓	✓	✗

Wave 2 Agency	Component on Encounters with Community?	Component on Racial and Identity Profiling Training?	Component on Data Analysis?	Component on Requiring Accountability?	Supervisory Review?
Oakland Police	✓	✓	✓	✓	✓
Sacramento Police	✓	✓	✓	✓	✓
Fresno Police	✗	✓	✓	✓	✓
Orange County Sheriff	✗	✓	✗	✓	✗
Long Beach Police	✓	✗	✗	✗	✓
Sacramento County Sheriff	✓	✗	✗	✓	✓
San Jose Police	✗	✗	✗	✗	✗

¹⁹¹ Beginning January 1, 2020, each law enforcement agency must conspicuously post on their website all current standards, policies, practices, operation procedures, and education and training materials that would otherwise be available to the public through a Public Records Act request. (Cal. Pen. Code, § 13650.)

Wave 1 Agency Bias-Free Policing Policies Review Follow-Up

The Board also followed up on its review of the Wave 1 agency's bias-free policing policies.¹⁹²

California Highway Patrol (CHP): Since last year's review, CHP reported that it is currently developing a stand-alone bias-free policing policy based on existing departmental policies and procedures, as well as some of the model policy language outlined in the Board's 2020 report.

San Diego Police Department (San Diego PD): San Diego PD updated its Non-Bias Based policing policy in February 2020 to include many of the key components recommended by the RIPA Board. The policy touches on training and the expectations the agency has for its officers. For example, while the previous policy stated officers should make every effort to prevent or report instances of discrimination, the new policy specifies how to do so. Additionally, the policy is clear that those who engage in, ignore, or condone discrimination will be subject to discipline. The policy also now includes supervisory review to ensure compliance with RIPA. San Diego PD reported to DOJ that they have implemented various oversight measures to ensure officers are correctly submitting RIPA data. For example, officers are required to include information on every RIPA stop data submitted in their daily journals. Officer actions that generate reports and RIPA stop data collection, including arrests and detentions, require officers to include language that RIPA entries were submitted before their reports are approved by their supervisors. San Diego PD informed DOJ that it released a training bulletin regarding the auditing of RIPA data by supervisors and command staff in January 2019 that is complemented by the February 2020 policy. The training bulletin details that on a monthly basis, sergeants must audit RIPA entries for two members of their squad on a rotating basis. If discrepancies are found, the sergeant must discuss this with the officer and a next level supervisor must be briefed to determine if this is an ongoing issue that requires corrective action. Moreover, the training bulletin requires notes and documentation in quarterly management reports regarding any reporting discrepancies identified in the monthly reviews and how those were addressed.

San Bernardino County Sheriff's Department (San Bernardino Sheriff): Since the Board's review last year, San Bernardino Sheriff has amended its bias-free policing policies to reflect some key best practices. These updates include a new policy with definitions related to bias, such as racial and identity profiling, bias-based policing, implicit bias, bias by proxy, reasonable suspicion, detention, and probable cause. The Bias-Free Policing policy now includes a component on the limited circumstances in which characteristics of an individual may be considered. Additionally, San Bernardino Sheriff's RIPA Data Collection and Analysis policy provides that it will regularly analyze data to assist it with identifying practices that may have a disparate impact on a group relative to the general population. Relatedly, the San Bernardino Sheriff reported it adopted a new policy on December 8, 2020 regarding supervisory and command staff review. This policy requires supervisors to ensure that all personnel, including dispatchers and professional staff, understand and comply with all policies related to RIPA. To ensure this compliance, supervisors are required to conduct and record daily random audits. Daily audits include a review of how many stop data forms an officer submitted during their

¹⁹² The policies of the Wave 2 law enforcement agencies can be found in Appendix F.2.

shift. Additionally, each station must conduct random audits that compare the type of calls with the number of forms completed. At the end of a watch commander's shift, they will run a random unit history and tally up the number of forms to ensure an accurate number were submitted. When a supervisor discovers a discrepancy, they must provide remedial training. The policy also requires commanders to monitor a RIPA dashboard that allows for review of demographics of individuals stopped. Lastly, the policy requires that RIPA stop data be reviewed at department staff meetings and that the agency share its data at public meetings.

Los Angeles County Sheriff's Department (LA County Sheriff): LA County Sheriff provided additional pertinent policies this year. LA County Sheriff's "Constitutional Policing and Stops" policy, which it reports has been in place since May 2017, explicitly states the Department's commitment to equal protection of the law; it does not include a concrete definition of bias-free policing or racial and identity profiling. Separately, the "Stops, Seizures, and Searches" policy, also in place since May 2017, includes a component on the limited circumstances in which characteristics of individuals may be considered. Various policies discuss encounters with the community, including its "Consensual Encounters," "Logging Field Activities, and "Interacting with Transgender and Gender Non-Conforming Persons." With respect to training, requirements for racial and identity profile training are detailed in the June 2019 "Training Requirements for Sworn Personnel." While LA County Sheriff reported that it has the ability to analyze data collected on detentions and community contacts, and has conducted those audits in the past, it does not have a policy directing regular audits on the data. LA County Sheriff also has separate specific policies on supervisory review of public complaints alleging racial bias. These policies include the "Policy of Equality-Procedures-External Complaint Monitoring," which requires LA County Sheriff's Affirmative Action Unit to process these complaints and forward them to the Equity Unit for investigation where appropriate, as well as the "Procedures for Department Service Reviews," which covers individual and agency wide reviews submitted by members of the public. The LASD also employs a random service review audit process, during which field supervisors contact community members involved in requests for service.

San Diego County Sheriff's Department (San Diego County Sheriff): The San Diego County Sheriff updated its Non-Biased Based Policing policy in July 2020. The policy now includes a component on encounters with the community, training, and data analysis. San Diego County Sheriff provides officers with implicit bias training and cultural sensitivity throughout the year in the form of digital learning platforms, in-person training, and training bulletins. San Diego County Sheriff reported to DOJ that RIPA stop data is reviewed at the station and executive level to ensure accountability. The revised policy does not include a component on accountability or supervisory review.

San Francisco Police Department (San Francisco PD): The San Francisco PD's Bias-Free Policing Policy now includes a section on training, which mandates training for both sworn and civilian members on principled policing, cultural diversity, racial profiling, creating inclusive environments, managing implicit bias, and bias by proxy. Although San Francisco Police has a separate policy on data analysis – San Francisco Administration Code 96A.3 – it is not referenced in the bias-free policing policy.

Los Angeles Police Department (Los Angeles Police): On November 8, 2019, the Los Angeles Police updated its policy prohibiting biased based policing to include additional protected characteristics and makes clear that it includes both actual or perceived membership in one of these identity groups. These characteristics include immigration status, employment status, English fluency, and houselessness. The policy does not reference training; the agency reports that it does not intend to include specific training aspects in the policy due to their ever-changing nature, but it is committed to training its officers on these topics. For example, all new recruits are required to attend an 8-hour training course with the Museum of Tolerance. Additionally, concepts from trainings on implicit bias and procedural justice, provided to the officers in 2017, have since been integrated into multiple training courses, including leadership briefs and roll call trainings. Los Angeles Police also report that it conducted a 4-hour training in March 2019 with Gang Enforcement Details personnel on procedural justice, the impact on communities, and responses to implicit bias. The agency also provided the Board with a copy of its updated use of force policy, which includes a section on fair and unbiased policing.

While the policy prohibiting biased based policing does not reference data analysis, the agency shared that it has various data analyses projects underway. These projects include its own RIPA report on its data, an analysis from the California Policy Lab, another study by Northwestern University’s Mathematical Methods in the Social Sciences program, and a report by the Office of the Inspector General (LA OIG). Moreover, the agency reports that it is in the process of refining a dashboard that would allow command staff the ability to analyze data specific to their area of responsibility and compare it to stops across the city at large.

Riverside County Sheriff’s Department (Riverside County Sheriff): The Riverside County Sheriff updated its Bias-Based Policing policy in July 2020 to include a component on supervisory review. The policy now requires supervisors to periodically audit officers’ RIPA data entries to ensure all required stops are being reported. The agency reported to DOJ that is in the process of rolling out a new computer-aided dispatch and record management system, which will allow for data analysis; this system is scheduled to go live mid-2021.

Vision for Future Reports

In the coming years, the Board hopes to conduct more comprehensive research – examining both current agency policies and protocols and evidence-based research – into each area of accountability systems to identify best practices.

CALLS FOR SERVICE AND BIAS BY PROXY

One aspect of policing that is critical to police-community relations are individuals' requests or calls for assistance from the police (e.g., 911 calls), often referred to as "calls for service." Law enforcement's response to such calls is critical because these interactions may involve life and death situations for the caller, the officer, and the subject of the call. How law enforcement responds can shape community expectations and perceptions of law enforcement more broadly. The Board believes it is imperative to improve law enforcement response models to protect all members of the community, regardless of race or identity, especially when responding to individuals in crisis.

In its prior reports, the RIPA Board recommended improving trainings and creating policies related to bias by proxy. Bias by proxy occurs "when an individual calls the police and makes false or ill-informed claims about persons they dislike or are biased against."¹⁹³ High-profile bias by proxy cases continue to occur and have now become an inflection point in the movement for change after the infamous case of Amy Cooper, who made a false police report against Christian Cooper, a Black man who was birdwatching in Central Park.¹⁹⁴ We know that these issues are not new, but they are representative of a deeper and more persistent problem that requires education, reform, and training for the public, law enforcement, and dispatchers. Resolving these issues involves taking a closer look at dispatchers' role in police responses and outcomes.

This year the Board expanded its exploration of issues related to calls for service by reviewing best practices for responding to calls specifically about individuals in crisis. Both law enforcement and community members generally agree that police officers should not be the first responders to people experiencing a variety of purely social—in other words, non-criminal— issues, such as a mental health crisis, drug overdose, or simply being unhoused. Police are often asked to play the role of both law enforcement and social worker, without the benefit of a degree or in depth training in social work.

One way to combat this is to employ a community first response, which is a response to a call for service that prioritizes community-based solutions to a crisis instead of a law enforcement response, or *before* police arrive on a scene (e.g., having a licensed therapist be the first responder to a mental health crisis). Community-based problems require community-based solutions. The community should be the first responders to situations such as health-related emergencies or socioeconomic issues such as being unhoused. A community first response allows law enforcement agencies to focus more of their valuable resources on preventing or investigating crime, while allowing skilled specialists to assist those who are having a crisis.

All stakeholders must invest in our communities so the most appropriate person can respond to a crisis and, in the process, agencies and communities can develop emergency response models

¹⁹³ Fridell, *Producing Bias-Free Policing: A Science-Based Approach* (2017) Springer International Publishing, p. 90.

¹⁹⁴ Nir, *How 2 Lives Collided in Central Park, Rattling the Nation*, The New York Times (Jun. 14, 2020)

<<https://www.nytimes.com/2020/06/14/nyregion/central-park-amy-cooper-christian-racism.html>> (as of Dec. 14, 2020).

that are better equipped to protect everyone equally. This year, the Board discusses developing models for future best practice recommendations.

Responding to Bias-Based Calls for Service

Trainings, Policies, and Procedures for Dispatchers and LEAs

Emergency dispatchers are required to take the POST basic training for dispatchers in order to serve in this position. According to POST, after completing the basic training course – a minimum of 120 hours – dispatchers are required to take an additional 24 hours of training every 2 years. Crisis Intervention Training (CIT) is not required for dispatchers, though 3,756 dispatchers (out of 8,057) in California had taken the class as of October of 2020. The only section in the POST basic training for dispatchers that addresses bias is a section titled “Community Policing/Cultural Diversity/Hate Crimes/Gang Awareness,” where the topic of bias is discussed generally. The basic training addresses the history of community policing and the role the dispatcher plays, including helping identify trends as well as potential neighborhood issues, communicating problem areas, and awareness of what is important to the communities served.¹⁹⁵ The POST basic training dispatch course does address responding to hate crimes, but the focus is on how dispatchers take incident reports of hate crimes.

“The Department is in the process of developing ... bias by proxy training for its civilian personnel based on the recommendations by the Board.”
- San Diego PD

Based on the Board’s review of the applicable POST trainings, the Board recommends that POST expand trainings to address bias by proxy so that dispatchers and first responders can prevent abuse of the 911 dispatch system. The Board recommends updated trainings that include how to: (1) diffuse or deescalate the situation; (2) assess when a bias-

based call is being made; (3) mitigate the bias when transferring a call to first responders; and (4) notify law enforcement when a dispatcher suspects the 911 caller is making a bias-based call or filing a false police report.

Bias by proxy occurs with a range of behaviors. Although there are all too many reports of Amy Coopers in this world, dispatchers should also be mindful of the potential for implicit bias in the reports of seemingly well-intentioned callers. Dispatchers, as well as law enforcement, need further mandatory training on how to address both implicit and explicit bias when addressing 911 callers, as well as how to identify bias within themselves.

A Restorative Justice Approach to Biased Based Calls for Service

Knowingly filing a false police report is a crime.¹⁹⁶ By contrast, incidents of bias-based calls may not rise to the level of criminal behavior, and sometimes are protected speech. Nevertheless, an individual who experiences a bias-based call may feel unsafe or unwelcome in their community. Therefore, the RIPA Board and the Communities Against Hate, a coalition of 15

¹⁹⁵ See Commission on Peace Officer Standards and Training, Public Safety Dispatchers’ Basic Course: Training Specifications (July 2011) <https://post.ca.gov/Portals/0/Publications/Dispatcher_Basic_Course.pdf?ver=2019-07-12-131112-730> (as of Dec. 14, 2020).

¹⁹⁶ Cal. Penal Code, § 148.5.

national organizations,¹⁹⁷ both recommend that law enforcement agencies conduct thorough reviews of bias-based incidents, and that agencies strengthen data collection around those incidents and their responses to them.¹⁹⁸ The National Coalition of Anti-Violence Programs (NCAVP) echoes the recommendation to increase efforts to encourage reporting and underscores the need to increase community-based reporting infrastructure.¹⁹⁹ The National LGBT/HIV Criminal Justice Working Group additionally identified investment in bystander intervention programs and other community safety models as key strategies that will allow communities to intervene and respond to violence more effectively.²⁰⁰ It is imperative that departments collect data and track when bias-based calls are made. This allows departments to examine if there is a larger systemic issue within, for example, a particular neighborhood or if there are repeat bias-based callers who must be flagged.

The Board believes a restorative justice approach is essential to address bias-based calls and cases when someone files a suspected false police report. Restorative justice “is a theory of justice that emphasizes repairing the harm caused by criminal behavior. It is best accomplished through cooperative processes that allow all willing stakeholders to meet, although other approaches are available when that is impossible. This can lead to transformation of people, relationships and communities.”²⁰¹ The Board acknowledges that when biased calls are made to law enforcement, it deeply impacts the relationship within the community and with the police. As such, a restorative justice approach that focuses on the harm caused by the criminal behavior and repairing the harm through community collaboration is needed to address the underlying causes of bias-based behaviors.

While behaviors that feed on and perpetuate bias must be condemned and punished, the Board also recognizes that many advocacy organizations and individuals do not support penalty-enhancement bills.²⁰² The Board is concerned that while these laws are framed as mechanisms to protect bias-targeted communities, they have contributed to perpetuating

¹⁹⁷ The coalition partners include: The Leadership Conference Education Fund, Lawyers’ Committee for Civil Rights Under Law, New York City Anti-Violence Project, Asian Americans Advancing Justice, Hollaback!, Muslim Advocates, National Action Network, National Center for Transgender Equality, National Council of Jewish Women, National Disability Rights Network, National Network for Arab American Communities, Religious Action Center, South Asian Americans Leading Together, The Sikh Coalition, and UnidosUS (formerly National Council of La Raza). The Southern Poverty Law Center serves as strategic advisor.

¹⁹⁸ Communities Against Hate, *Hate Magnified: Communities in Crisis* (2019) pp. 7-8. <<https://hatemagnified.org/CAH-hatemagnified2019.pdf>> (as of Dec. 14, 2020).

¹⁹⁹ National Coalition of Anti-Violence Programs, *National Report on LGBTQ & HIV-Affected Violence in 2017* (2018) p. 24 <<http://avp.org/wp-content/uploads/2019/01/NCAVP-HV-IPV-2017-report.pdf>> (as of Dec. 14, 2020). The NCAVP hate violence incident-reporting model includes false police reporting incidents. *Id.* at p. 47.

²⁰⁰ Saenz, Ingelhart, and Ritchie, *The Impact of the Trump Administration’s Federal Criminal Justice Initiatives on LGBTQ People & Communities and Opportunities for Local Resistance* (2018) p. 25. <https://www.lambdalegal.org/sites/default/files/publications/downloads/the_impact_of_the_trump_administrations_federal_criminal_justice_initiatives_on_lgbtq_people_communities_and_opportunities_for_local_resistance.pdf> (as of Dec. 14, 2020).

²⁰¹ Center for Justice & Reconciliation, *Lesson 1: What Is Restorative Justice?* Prison Fellowship International <<http://restorativejustice.org/restorative-justice/about-restorative-justice/tutorial-intro-to-restorative-justice/lesson-1-what-is-restorative-justice/>> (as of Dec. 14, 2020).

²⁰² Penalty-enhancement bills are laws that increase criminal penalties; lengthen sentences, for bias-related crimes. Penalties are enhanced “either through assigning a higher sentencing range for bias-motivated crimes or ‘upgrading’ a bias-driven offense to a more serious category of crime.” Franklin, K. *Good Intentions: The Enforcement of Hate Crime Penalty Enhancement Statutes* (2002) *The American Behavioral Scientist*, 46(1), 154-55.

social disparities. Instead, communities and prosecuting agencies should emphasize the importance of restorative and transformative justice²⁰³ responses to bias-motivated incidents.

A restorative justice approach that addresses bias-based calls can be a tool to educate the bias-based caller and to reconcile their actions by acknowledging the harm done to the affected community or individual.²⁰⁴ The approaches can be as simple as an apology or required community service at an organization working with people of color, or as in depth as a court-ordered cultural sensitivity training.²⁰⁵ One tactic departments could employ is for dispatchers to code a suspected bias-based call as a “restorative justice” matter. When officers are dispatched, they could enter the situation with the mindset that the alleged suspect may be the victim of a bias-based call. Shift supervisors should also be dispatched in these situations and help “close out the call” to let the bias-based caller know that no suspicious or criminal activity was found and to educate the caller on what is or is not an appropriate basis for calling 911.

“The LASD also employs a random service review audit process during which field supervisors contact community members involved in requests for service. Field supervisors ask them a variety of questions to determine if they were or were not satisfied with the service they received or if they have any service or personnel complaints regarding any [or] all deputy personnel who were present at the call”

- Los Angeles County SD

In the case of Amy Cooper, the District Attorney’s office is exploring a restorative justice approach where Amy Cooper not only takes responsibility for her actions in filing a false police report, but is also educated on how her bias-based behavior was harmful.²⁰⁶ The District Attorney hopes that by using a restorative justice approach, “this process will both enlighten,

²⁰³ “Transformative justice [is] a liberatory [liberating] approach to violence . . . [which] seeks safety and accountability without relying on alienation, punishment, or State or systemic violence, including incarceration or policing.” This is a similar approach to restorative justice, but instead of relying on the government or criminal justice system, it instead promotes healing and accountability through a cooperative community engagement. “Transformative Justice seeks to provide people who experience violence with immediate safety and long-term healing and reparations while holding people who commit violence accountable within and by their communities. This accountability includes stopping immediate abuse, making a commitment to not engage in future abuse, and offering reparations for past abuse. Such accountability requires on-going support and transformative healing for people who sexually abuse.” Transformative Justice, Transform Harm (Oct. 01, 2020) <<https://transformharm.org/transformative-justice/>>. See also Toward Transformative Justice: A Liberatory Approach to Child Sexual Abuse and other forms of Intimate and Community Violence, Generation 5 (2007) <http://www.usprisonculture.com/blog/wp-content/uploads/2012/03/G5_Toward_Transformative_Justice.pdf> (as of Dec. 14, 2020).

²⁰⁴ Communities Against Hate, Hate Magnified: Communities in Crisis (2019) pp. 34-35 <<https://hatemagnified.org/CAH-hatemagnified2019.pdf>> (as of Dec. 14, 2020); National Coalition of Anti-Violence Programs, National Report on LGBTQ & HIV-Affected Violence in 2017 (2018) p. 8. <<http://avp.org/wp-content/uploads/2019/01/NCAVP-HV-IPV-2017-report.pdf>> (as of Dec. 14, 2020).

²⁰⁵ Communities Against Hate, Hate Magnified: Communities in Crisis (2019) pp. 34-35 <<https://hatemagnified.org/CAH-hatemagnified2019.pdf>> (as of Dec. 14, 2020); National Coalition of Anti-Violence Programs, National Report on LGBTQ & HIV-Affected Violence in 2017 (2018) p. 7. <<http://avp.org/wp-content/uploads/2019/01/NCAVP-HV-IPV-2017-report.pdf>> (as of Dec. 14, 2020).

²⁰⁶ The victim of the racist call has stated he does not wish to participate in the prosecution. (*Woman who called cops on Black birdwatcher made 2nd 911 call, prosecutors reveal*, WABC (Oct. 15, 2020). <<https://abc7ny.com/society/amy-cooper-expected-to-agree-to-community-service/7021351/>> [as of Dec. 14, 2020]).

heal, and prevent similar harm to our community in the future.”²⁰⁷ A restorative justice process provides a unique opportunity for the community to come together and have a conversation about the impact of explicit or implicit bias and incidents that reinforce hate.

Best Practices for Responding to Bias-Based Calls

The Board continues to review evidence-based best practices and policies in responding to bias-based calls. The San Francisco Police Department is one of the few law enforcement agencies within the state of California that directly addresses bias by proxy in its policies. Within the policy, the agency defines it as:

[W]hen individuals call the police and make false or ill-informed claims of misconduct about persons they dislike or are biased against based on explicit racial and identity profiling or implicit bias. When the police act on a request for service rooted in implicit, explicit or unlawful bias, they risk perpetuating the caller’s bias. Members should use their critical decision-making skills drawing upon their training to assess whether there is criminal conduct.²⁰⁸

The policy goes on to reiterate that officers should be cognizant of “racial and identity profiling, implicit bias, and bias by proxy” while carrying out their duties.²⁰⁹

The Board recommends that the legislature: (1) require law enforcement agencies to adopt a policy addressing bias by proxy and (2) mandate a specific course on bias by proxy for both dispatchers and officers as part of their basic training and continuing education. Specifically, for bias by proxy, the policy should include:

*“SFPD was in the process of renewing its Bias General Order that addressed all recommendations on bias policy from the RIPA board, and included a nation leading bias by proxy policy”
- San Francisco PD*

- How officers can identify a bias-based call for service;
- How sworn personnel and dispatchers should interact with the community member who has made a bias-based call for service;
- How an officer should interact with a community member who is the subject of a bias-based call;
- How the shift supervisor should interact with the caller;
- Required training for officers and dispatchers that covers responding to bias-based calls for service; and

²⁰⁷ *Woman who called cops on Black birdwatcher made 2nd 911 call, prosecutors reveal*, WABC (Oct. 15, 2020) <<https://abc7ny.com/society/amy-cooper-expected-to-agree-to-community-service/7021351/>> (as of Dec. 14, 2020).

²⁰⁸ See San Francisco Police Department (2020) General Order 5.17: Bias Free Policing Policy <https://sfgov.org/policecommission/sites/default/files/Documents/PoliceCommission/draft_DGO_5.17_Policy_Prohibiting_Biased_Policing_-_redlined_01242020%20FINAL.pdf> (as of Dec. 14, 2020).

²⁰⁹ *Ibid.*

- Guidelines for how to implement a restorative justice approach to address bias-based incidents in their communities.

Additionally, departments should consider using a three-step protocol to approaching bias-based calls, which is something that the Board raised in last year’s report. Former RIPA Board Member Jennifer Eberhardt and researchers at Stanford University, in conjunction with tech company Nextdoor – an online platform where neighbors can gather and share information – developed a strategy of “*if you see something suspicious, say something specific*” to curb racial profiling on the platform. Dr. Eberhardt’s team recommend “adding friction,” which simply means slowing people down and causing them to pause and consider specifically what is “suspicious” about what they are observing. This approach has been highly effective in mitigating bias. In fact, the strategy was so effective that Nextdoor was able to curb racial profiling by 75 percent. The three-step checklist included:

- First, they asked users to pause and think, “What was this person doing that made him suspicious?” The category “Black man” is not grounds for suspicion.
- Second, they asked users to describe the person's physical features, not simply their race and gender.
- Third, they realized that many people did not seem to know what racial profiling was, nor that they were engaging in it. So Nextdoor provided them with a definition and told them that it was strictly prohibited.²¹⁰

Trainings for both law enforcement and dispatchers should consider implementing this approach or working on developing something similar. The simple act of adding friction is an invaluable tool that research shows reduces profiling.²¹¹ When the same Stanford researchers also worked with the Oakland Police Department, they found that asking officers to pause and ask a question before every stop: “is this stop intelligence led?”, or in other words, “do I have prior information to tie this particular person to a specific crime?” By adding that question to the form officers completed during a stop, they slowed down and thought about why they were considering stopping someone. This intelligence-led question resulted in a massive drop in the number of stops of those perceived as Black and Hispanic or Latinx. In fact, adding these sources of friction reduced stops of those perceived as Black by 43 percent and those perceived as Hispanic or Latinx by 35 percent.²¹² By implementing this approach, agencies may be able to

²¹⁰ Eberhardt, How racial bias works -- and how to disrupt it (June 2020) Ted Talk <https://www.ted.com/talks/jennifer_l_eberhardt_how_racial_bias_works_and_how_to_disrupt_it/transcript?language=en> (as of Dec. 14, 2020).

²¹¹ *Ibid.* See also Strategies for Change: Research Initiatives and Recommendations to Improve Police Community Relations in Oakland, Calif. (2016) Stanford SPARQ <<https://stanford.app.box.com/v/Strategies-for-Change>> (as of Dec. 14, 2020).

²¹² Eberhardt, How racial bias works -- and how to disrupt it (June 2020) Ted Talk. <https://www.ted.com/talks/jennifer_l_eberhardt_how_racial_bias_works_and_how_to_disrupt_it/transcript?language=en> (as of Dec. 14, 2020); See also Oakland Police Department, Office of Chief of Police, 2016-18 Racial Impact Report (2019) p. 3 <<https://cao-94612.s3.amazonaws.com/documents/OPD-Racial-Impact-Report-2016-2018-Final-16Apr19.pdf>> (as of Dec. 14, 2020).

prevent officers from being dispatched to calls for service that do not involve a crime, but rather are the result of either implicit or explicit bias.

Responding to a Mental Health Crisis

“Over the years, reductions in state and local budgets have slashed funding for mental health services, homelessness, and substance abuse and recovery services; offender reentry programs; educational and vocational training opportunities; and programs that promote economic improvement. By default, police agencies have been required to fill the void created by funding cuts in social and medical welfare systems, which often places police officers in an untenable position.

For example, the “defunding” of mental health services by state and local governments in recent years means that the police are often the only ones left to call to situations where a social worker or mental health professional would have been more appropriate and safer for all involved. Although police agencies are working to train officers in crisis intervention or mental health first aid, this does not take the place of proper medical treatment.”

- International Association of Chiefs of Police

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“A comprehensive and integrated crisis network is the first line of defense in preventing tragedies of public and patient safety, civil rights, extraordinary and unacceptable loss of lives...”²¹⁴ Civil rights leaders have long advocated for funding social services and community-based programs that better address individual needs rather than asking the criminal justice system to address issues such as being unhoused or mental health conditions. Law enforcement has also explained that over time they have been asked to be the “catch all” for issues our society has failed to solve, and there needs to be a better solution.²¹⁵

The vast majority of calls for service are actually best suited for a community responder model, where social service agencies are the first responders to nonviolent calls or a mental health crisis. In fact, only 4 percent of calls for service involve a report of a violent crime.²¹⁶ Further, in a study of over 264 cities, researchers found that “every 10 additional organizations focusing on crime and community life in a city with 100,000 residents leads to a 9 percent reduction in

²¹³ International Association of Chiefs of Police (Jun. 08, 2020) IACP Statement on “Defunding the Police” <<https://www.theiacp.org/news/blog-post/iacp-statement-on-defunding-the-police>> (as of Dec. 14, 2020).

²¹⁴ Substance Abuse and Mental Health Services Administration (2020) National Guidelines for Behavioral Crisis Care: Best Practices Tool Kit, p. 8 <<https://www.samhsa.gov/sites/default/files/national-guidelines-for-behavioral-health-crisis-care-02242020.pdf>> (as of Dec. 14, 2020).

²¹⁵ Sipes, *Social Workers Need to Step Up and Replace Cops*, Crime in America (July 13, 2020) <<https://www.crimeinamerica.net/social-workers-need-to-step-up-and-replace-cops/>> (as of Dec. 14, 2020).

²¹⁶ Asher and Horwitz, *How Do the Police Actually Spend Their Time?* New York Times (Jun. 19, 2020) <<https://www.nytimes.com/2020/06/19/upshot/unrest-police-time-violent-crime.html>> (as of Dec. 14, 2020).

the murder rate, a 6 percent reduction in the violent crime rate, and a 4 percent reduction in the property crime rate.”²¹⁷

The Board recognizes that even with specialized crisis intervention training for officers and other county programs in which social workers and law enforcement work together, nearly 1 in 4 fatal police shootings in the United States in the past 5 years involved someone experiencing a mental health crisis.²¹⁸ Nationwide, about one third to half of use of force incidents by police involved someone with a disability or mental health conditions.²¹⁹

Investing in the community and social services is a common sense approach to modern policing that reduces the overall violent crime rates, encourages an efficient use of community resources, and saves countless lives by connecting people to the care they need. In developing new crisis models, it is important to be mindful of the lessons of our past as we also move into the future of reimagined approaches to healthcare.

[How the Mental Health System Has Historically Interacted with the Criminal Justice System](#)

Mental health advocates in our country have struggled and continue to strive to achieve equal rights and fair treatment of those with disabilities. State-run mental institutions developed in the 1800’s after Dorothea Dix reported on the appalling treatment of those afflicted with mental illness in the jails.²²⁰

Unfortunately, the state-run institutions turned into a terrifying, abusive, horrific environment for those who were committed to them. The conditions of these institutions gave rise to the deinstitutionalization movement. Disability rights advocates fought to move severely mentally ill people from the inhumane conditions of state-run institutions to community-based care and advocated that treatment of mental illness should be in the least restrictive setting.²²¹ However, funding for community mental health centers was not prioritized by the federal or state governments over several decades, and states have continued to cut spending for mental health related services. From 2009 to 2012, states cut over \$4.35 billion dollars allocated for community-based care –the largest reduction in budget since the deinstitutionalization movement. In 2012, California had a mental health budget of \$2.8 billion, a \$760 million dollar

²¹⁷ In reaching these conclusions researchers reviewed crime rates and trends in 264 cities spanning a period of 20 years. Sharkey, Torrats-Espinosa & Takyar, *Community and the Crime Decline: The Causal Effect of Local Nonprofits on Violent Crime*. (2017) *American Sociological Review*, 82(6), 1214-1240

<<https://journals.sagepub.com/doi/10.1177/0003122417736289>> (as of Dec. 14, 2020).

²¹⁸ *Fatal Force: Police Shootings Database*, Washington Post (Nov. 18, 2020)

<<https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>> (as of Dec. 14, 2020).

²¹⁹ Perry and Carter-Long, *The Ruderman White Paper on Media Coverage of Law Enforcement Use of Force and Disability* (March 2016) Ruderman Family Foundation <https://rudermanfoundation.org/wp-content/uploads/2017/08/MediaStudy-PoliceDisability_final-final.pdf> (as of Dec. 14, 2020).

²²⁰ Dorothea Dix, *Memorial to the Legislature of Massachusetts, Old South Leaflets* (1843) vol. 7, pp. 489-519

<https://college.cengage.com/history/ayers_primary_sources/dorothea_dix_speaks_insane_persons.htm> (as of Dec. 14, 2020).

²²¹ *Deinstitutionalization: A Psychiatric “Titanic,”* PBS: Frontline (1997)

<<https://www.pbs.org/wgbh/pages/frontline/shows/asylums/special/excerpt.html#ret7>> (as of Dec. 14, 2020).

reduction from 2009 funding levels.²²² In the vacuum that was created by these severe funding cuts, prisons and jails took over the role of caretaking for people suffering from a variety of ailments; we as a society began to criminalize and punish what we gave up trying to heal and soothe. Today, one third of unhoused persons suffer from a serious untreated mental health condition.²²³ Approximately 2 million people with mental illness are booked into jail each year; nearly 15 percent of men and 30 percent of women in the jails have a serious mental health condition that requires treatment.²²⁴ In fact, the Los Angeles County Jail is effectively one the largest “mental institutions” in the country.²²⁵

Police have been inappropriately tasked with the responsibility of helping alleviate a health crisis. Police officers and departments are not trained mental health clinicians and – even with the best of training – should not be the first responders in many of these situations. Nor can

“With non-existent or inadequate crisis care, costs escalate due to an overdependence on restrictive, longer-term hospital stays, hospital readmissions, overuse of law enforcement and human tragedies that result from lack of access to care. Extremely valuable psychiatric inpatient assets are over-burdened with referrals that might be best-supported with less intrusive, less expensive services and supports.”

- Substance Abuse and Mental Health Services Administration (SAMHSA)

emergency rooms be the only alternative to providing treatment to people with a medical condition, as this often creates a revolving door where some patients can never achieve long-term stabilization.²²⁶

Removing mental health care from carceral institutions, such as jails and state-run institutions, and bringing it back into the community, should be the path forward. The Board calls upon our leaders to fulfill the promise that was made over 60 years ago to fund community based solutions so everyone can live with dignity, autonomy, and respect.

Developing Crisis Response Models

This year, the RIPA Board invited several experts to speak about mental health and law enforcement interactions. One of those experts was Emily Lyles, a Licensed Clinical Social Worker in California with the Kern County Behavioral Health and Recovery Services who also oversees the Mobile Evaluation Team (MET) and co-chairs the Crisis Intervention Team (CIT). Emily Lyles discussed the development and implementation of one of the first co-response

²²² Lippman, *State Mental Health Cuts Hit Low-Income Patients Hard*. Huffington Post (Sep. 19, 2012) <https://www.huffpost.com/entry/state-mental-health-cuts_n_1897769> (as of Dec. 14, 2020).

²²³ Mondics, *How Many People with Serious Mental Illness Are Homeless?* The Treatment Advocacy Center <<https://www.treatmentadvocacycenter.org/fixing-the-system/features-and-news/2596-how-many-people-with-serious-mental-illness-are-homeless>> (as of Dec. 14, 2020).

²²⁴ *Jailing People with Mental Illness*, National Alliance on Mental Illness <<https://www.nami.org/Advocacy/Policy-Priorities/Divert-from-Justice-Involvement/Jailing-People-with-Mental-Illness>> (as of Dec. 14, 2020).

²²⁵ Los Angeles County Sheriff’s Department, *Welcome to Twin Towers* <<http://shq.lasdnews.net/pages/PageDetail.aspx?id=1404>> (as of Dec. 14, 2020).

²²⁶ Substance Abuse and Mental Health Services Administration (2020) National Guidelines for Behavioral Crisis Care: Best Practices Tool Kit, p. 8 <<https://www.samhsa.gov/sites/default/files/national-guidelines-for-behavioral-health-crisis-care-02242020.pdf>> (as of Dec. 14, 2020).

teams in the nation, where law enforcement and social workers team up to respond to mental health calls. She discussed how Kern County uses this approach to “reroute” people from the criminal justice system to treatment.

Vinny Eng also presented to the Board. Mr. Eng is a community organizer and mental health advocate who lost his sibling, Jazmyne Ha Eng. Jazmyne was killed by sheriff’s deputies while experiencing a mental health crisis in a mental health facility. This tragedy became the impetus for his advocacy, which focuses on preventing similar outcomes for others experiencing a crisis. Vinny Eng advocated that the Board look at models where law enforcement is not the first point of contact for mental health crisis response and that the community must be involved throughout the process in order to achieve meaningful reforms. Vinny Eng further recommended that the Board not subdivide issues of race and disability because both are deeply intertwined, noting Mental Health America reports that Black adults are 20 percent more likely to report serious psychological distress than Whites.²²⁷

“We cannot arrest and incarcerate our way out of poverty, homelessness and mental illness. We cannot continue to expect officers to be guardians of safety, social workers, case managers, and counselors.”
- Vinny Eng

The Board has started to examine several types of crisis intervention strategies from around the country in its exploration of developing best practices and model policies. There is no one-size-fits-all solution – each person and each crisis is different. Likewise, each community has different needs and gaps in social services that must be addressed. The examples below are presented in a timeline to demonstrate the evolution of crisis response in our country. This list is by no means exhaustive and should be seen as a starting point for

leadership, communities, and law enforcement to discuss how they can improve calls for services through a community first response. We hope by carefully examining our past, we can better reimagine the future of public safety.

Memphis Model: Crisis Intervention Teams

The Crisis Intervention Teams (CIT) model began in Memphis, TN in 1988 when a mother called the police to help her son, who was having a mental health crisis; her son was killed by police.²²⁸ The City of Memphis took this tragic moment to bring together the community to develop a new approach to public safety. Since then, the program has been replicated nationally and internationally, with over 2,700 CIT programs.²²⁹

The basis behind the CIT program is to train a select group of police officers to respond to certain crisis calls. The core element of CIT involves officers interested in the program taking a

²²⁷ Mental Health America (2020) Racism and Mental Health <<https://www.mhanational.org/racism-and-mental-health>> See also, U.S. Department of Health and Human Services Office of Minority Health (Sep. 25, 2019) Mental and Behavioral Health - African Americans <<https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=4.>> (as of Dec. 14, 2020).

²²⁸ Rogers, McNiel & Binder, *Effectiveness of Police Crisis Intervention Training Programs*. (2019) Journal of the American Academy of Psychiatry and the Law, p. 2 <<http://jaapl.org/content/jaapl/early/2019/09/24/JAAPL.003863-19.full.pdf>> (as of Dec. 14, 2020).

²²⁹ *Id.* at p. 3.

40-hour or 1-week course on crisis response. In Memphis, the instructors include mental health workers, advocates, and officers familiar with CIT.²³⁰ The program also requires dispatchers to undergo an 8-hour training to recognize mental health calls that should be rerouted to the CIT. Finally, the program has a “centralized drop-off mental health facility,” where there is automatic acceptance of patients transported by CIT officers.²³¹

The research on the outcomes of the CIT programs indicate mixed results. “[T] here is concern about the lack of evidence of efficacy for specific goals and concern over the opportunity cost of pursuing this model to the exclusion of others.”²³² One study found that CIT training appeared to have little to no effect on injuries in police encounters with individuals with mental illness, and there is no measurable difference between use of force with CIT trained officers and those without it.²³³ However, CIT has shown to be effective in improving officer satisfaction and self-perceived reduction in the use of force; moderate cost reductions have also occurred in cities that have implemented CIT programs by diverting people from the jails to hospitals.²³⁴ CIT recommends that 20 to 25 percent of officers be trained in the program to ensure coverage of all shifts.²³⁵

In their best practices guide, CIT acknowledges that even after 30 years of service, they “still see too many people jailed, left to the streets, and with no place to go for care except the emergency department.” CIT helps give officers some tools to mitigate the tragedies of an unaddressed health crisis. CIT sees itself as a temporary solution until our society develops mental health solutions for a mental health crisis. The end goal should be “a robust crisis response and community mental health system that prevents people from entering the revolving door of the criminal justice system.”²³⁶

Mobil Evaluation Teams (MET): Kern County

The MET is a Crisis Intervention Unit that is dispatched by law enforcement agencies to the scene of behavioral health crises to provide on-scene crisis intervention and evaluations conducted under Welfare and Institutions Code section 5150. MET teams were first formed in the 1990’s in Los Angeles and quickly expanded to Kern County, which developed one of the

²³⁰ *Id.* at pp. 2-3.

²³¹ Larger metropolitan areas have deployed multiple facilities within geographically dispersed areas. Rural settings present specific challenges in using the CIT model for crisis response.

²³² Rogers, McNiel & Binder, *Effectiveness of Police Crisis Intervention Training Programs* (2019) *Journal of the American Academy of Psychiatry and the Law*, pp. 5-6 <<http://jaapl.org/content/jaapl/early/2019/09/24/JAAPL.003863-19.full.pdf>> (as of Dec. 14, 2020).

²³³ Kerr, Morabito & Watson, *Police Encounters, Mental Illness, and Injury: An Exploratory Investigation* (2010) *Journal of Police Crisis Negotiations*, 10(1-2), 116-132 <<https://journals.sagepub.com/doi/10.1177/0011128710372456>> (as of Dec. 14, 2020).

²³⁴ Rogers, McNiel & Binder, *Effectiveness of Police Crisis Intervention Training Programs* (2019) *Journal of the American Academy of Psychiatry and the Law*, pp. 5-6 <<http://jaapl.org/content/jaapl/early/2019/09/24/JAAPL.003863-19.full.pdf>> (as of Dec. 14, 2020).

²³⁵ *Yale Police Department participates in Crisis Intervention Team (CIT) Training*, Yale News (Sep. 09, 2020) <<https://your.yale.edu/news/2020/09/yale-police-department-participates-crisis-intervention-team-cit-training>> (as of Dec. 14, 2020).

²³⁶ CIT International (Aug. 2019) *A Best Practice Guide for Transforming Community Response to Mental Health Crisis* <<https://citinternational.org/bestpracticeguide>> (as of Dec. 14, 2020).

first co-response models in the nation.²³⁷ Through the MET collaboration with behavioral health specialists, what starts as a law enforcement response can instead lead to an intervention provided by a mental health professional, resulting in verbal de-escalation and a resolved call for service. These teams are also responsible for providing CIT training to officers.

The MET teams in Kern County responds to 2,600-3,000 calls for service a year. The Kern model adopts several approaches to providing care:

- Mental health providers participate in the 911 dispatch system, and they can either be dispatched by law enforcement or can respond directly on the 911 to mental health calls.
- MET provides CIT training to officers in Kern County, including Bakersfield Police Department and Kern County Sheriff's Office.
- Co-response teams have a social worker riding along with an officer.
- Smart911 is a program used by MET that allows callers to pre-enter health information, such as a mental health diagnosis or prescribed medications.²³⁸

Kern County has encountered several obstacles to providing community-based care for residents in crisis. As is the case with many behavioral health services, MET teams have struggled with funding throughout the years. First, the county currently funds its program through the general behavioral health fund for the county and by billing those who are using the services (i.e., charging the person who is in crisis.) Additionally, it has been a challenge to connect patients to community-based care, and teams are left with few options for long-term care for patients. "Currently, the ratio of patients to mental health care providers in Kern County is 580:1. Although this is not the highest ratio in California, it is well above California as a whole (380:1)."²³⁹ Nevertheless, despite these challenges, in 2020 Kern County is providing 24/7 access through virtual crisis response.

Eugene, Oregon: CAHOOTS (Crisis Assistance Helping Out On the Streets)

The CAHOOTS program in Oregon has been a model for many cities who are "reimagining public safety." It is a 24/7 mobile crisis intervention program that has been utilized by the city of Eugene since 1989. The intervention team is dispatched through both the 911 call center and a non-emergency line. CAHOOTS is a mobile health clinic that will arrive at the dispatched location in a van and will either offer services to the person in crisis at their location or

²³⁷ Department of Mental Health (2019) Mental Evaluation Team Progress Report Fiscal Year 2018-19 <<https://lasd.org/pdfjs/web/FY2018-19%20Annual%20Report%20on%20MET.PDF>> (as of Dec. 14, 2020).

²³⁸ "When you call 9-1-1, your Smart911 Safety Profile displays on the 9-1-1 screen and the 9-1-1 call takers can view your addresses, medical information, home information, description of pets and vehicles, and emergency contacts. You can provide as much or as little information as you like. Smart911 is a national service meaning your Smart911 Safety Profile travels with you and is visible to any participating 9-1-1 center nationwide." Smart911 <<https://www.smart911.com/>> (as of Dec. 14, 2020).

²³⁹ Kern County Public Health Services Department, (2018-2019) Community Health Assessment and Improvement Plan <<https://kernpublichealth.com/wp-content/uploads/2019/12/KCPHSD-Community-Health-Assessment-and-Improvement-Plan-2018.2019.pdf>> (as of Dec. 14, 2020).

transport the person to an appropriate community provider. They handle about 20 percent of all 911 calls in the city.

The teams consist of (1) either a nurse or EMT and (2) a crisis worker who has several years of experience in the mental health field. The CAHOOTS program is considered a co-response model, meaning that if a crime is reported, the police may be dispatched instead of or in addition to the crisis intervention team.²⁴⁰ The team is equipped to handle matters such as conflict resolution, welfare checks, substance abuse issues, and aid to those who are experiencing thoughts of self-harm. In addition to their professional backgrounds, team members have over 500 hours of required training. The team relies on trauma-informed de-escalation and harm reduction techniques to help those in crisis.²⁴¹

CAHOOTS staff are not police officers and, thus, are not armed. Instead, CAHOOTS staff rely on their training to reach non-violent resolutions. The consulting director for the program has explained that one of the biggest obstacles they have faced is overcoming social stigmas surrounding mental health and substance use and the belief that these calls are inherently dangerous. “It is our experience that folks in crisis just aren’t dangerous.”²⁴²

The program has helped the city save about \$8 million dollars annually on public safety and \$14 million in emergency rooms costs.²⁴³ Alameda County is working in collaboration with Bonita House to create a similar mobile response team that will be funded in part by the Mental Health Services Act. Los Angeles County has also voted to contract with non-profit partners to create an unarmed crisis response team similar to the CAHOOTS program to respond to non-violent calls.²⁴⁴ This type of reform may be a starting place for some communities, but certainly is not the only model or the right model for every community.

San Francisco: Street Crisis Response Teams

Since the death of George Floyd, there has been a renewed interest in developing new models for crisis response. The city of San Francisco, in collaboration with a community-based steering committee, is working to develop alternative responses to non-violent calls. Notably, the steering team is guided by the Human Rights Commission of SF and consists of community members from Hospitality House, GLIDE, San Francisco AIDS Foundation, Urban Alchemy, Street Violence Intervention Program, At the Crossroads, Metta Fund, and HealthRight360.²⁴⁵,

²⁴⁰ Crisis Assistance Helping Out On the Streets (CAHOOTS) White Bird Clinic Media Guide 2020 <<https://whitebirdclinic.org/wp-content/uploads/2020/06/CAHOOTS-Media-Guide-20200626.pdf>> (as of Dec. 14, 2020).

²⁴¹ *Ibid.*

²⁴² Westervelt, *Mental Health and Police Violence: How Crisis Intervention Teams Are Failing*. NPR (Sep. 18, 2020) <<https://www.npr.org/2020/09/18/913229469/mental-health-and-police-violence-how-crisis-intervention-teams-are-failing>> (as of Dec. 14, 2020).

²⁴³ Crisis Assistance Helping Out On the Streets (CAHOOTS) White Bird Clinic, Media Guide 2020 <<https://whitebirdclinic.org/wp-content/uploads/2020/06/CAHOOTS-Media-Guide-20200626.pdf>> (as of Dec. 14, 2020).

²⁴⁴ Meeks, *Los Angeles will create unarmed crisis response teams for nonviolent 911 calls*, CNN (Oct. 14, 2020) <<https://www.cnn.com/2020/10/14/us/los-angeles-unarmed-crisis-response-teams-911-calls/index.html>> (as of Dec. 14, 2020).

²⁴⁵ City of San Francisco, Mayor's Office (Sep. 8, 2020) Mayor London Breed Announces Launch of Alternatives to Policing Steering Committee <<https://sfmayor.org/article/mayor-london-breed-announces-launch-alternatives-policing-steering-committee>> (as of Dec. 14, 2020).

Sheryl Evans Davis, Executive Director of the San Francisco Human Rights Commission said, “this is the beginning of a process to address the system failures and inequities disproportionately experienced by people of color and people in crisis. I look forward to hearing from those directly impacted, learning from the Steering Committee and hearing the alternatives created, informed, supported and led by community.”²⁴⁶

The city is currently working in collaboration with the community to develop the best crisis response model for the city. Instead of armed officers responding to psychiatric calls or non-violent calls, the city will focus on developing mobile crisis response teams, consisting of paramedics, mental health professionals, and peer support specialists (e.g., someone who has personally experienced a mental health crisis). This program is similar to the CAHOOTS crisis response teams.²⁴⁷

The Board wanted to highlight this program as an example of how cities developing crisis response systems can effectively do so in collaboration with the community and those directly impacted by the services.

New York: Not911

Not911 is a mobile app that aides the user in resolving a variety of community-based issues without the police. The app was created by a nonprofit software company, Emergent Works, that trains and employs formally incarcerated people.²⁴⁸ The designers recognized that many people are fearful of calling the police for a variety of reasons, such as immigration status.²⁴⁹

The app allows users to choose from a variety of agencies and nonprofits to address issues such as mental health calls, assistance for those who are unhoused, domestic violence, drug overdose, or legal support. Presently the app is only available to New York City-based organizations that offer counseling, mediation, and intervention services.²⁵⁰ The app is currently available for download at <https://not911.nyc/>.

The Board’s Vision for Crisis Intervention Models

As these crisis response models continue to develop, the Board hopes to continue to explore different types of responses. For example, there is a nonprofit mobile crisis response team that launched in California in 2020 that is completely independent from the police department and traditional 911 dispatch centers.²⁵¹ The Board is interested in learning more about this and

²⁴⁶ *Ibid.*

²⁴⁷ Westervelt, *Removing Cops from Behavioral Crisis Calls: 'We Need To Change The Model,'* NPR (Oct. 19, 2020) <<https://www.npr.org/2020/10/19/924146486/removing-cops-from-behavioral-crisis-calls-we-need-to-change-the-model>> (as of Dec. 14, 2020).

²⁴⁸ Emergent Works (2020) <<https://www.emergentworks.org/>> (as of Dec. 14, 2020).

²⁴⁹ Scotland and Quin, *Meet the Formerly Incarcerated Software Engineers Who Built a No-Police Alternative to 911,* Codeburst.io (Sept. 18, 2020) <<https://codeburst.io/meet-the-formerly-incarcerated-software-engineers-who-built-a-no-police-alternative-to-911-5a5af163f8b2?gi=9e0d442d73c8>> (as of Dec. 14, 2020).

²⁵⁰ Emergent Works (2020) <<https://www.emergentworks.org/>> (as of Dec. 14, 2020).

²⁵¹ Nonko, *A Volunteer-Run Program Could Be Model for Mental Health Response Without Police Intervention,* Next City (Oct. 1, 2020) <<https://nextcity.org/daily/entry/volunteer-run-program-model-mental-health-response-police-intervention>> (as of Dec. 14, 2020).

other models and consulting with experts in the mental health crisis intervention field to assess what models may serve as exemplars for law enforcement agencies in California.

The Board also hopes to review data on the efficacy of the different types of community-based responses and how they can be further improved. We encourage communities to come together and create a forum for families, providers, and law enforcement to discuss the best approaches to resolving this health care crisis. We must uplift our communities, listen to their needs, and be inclusive of disability when we discuss reforms so that we can move away from using jails and the criminal justice system as a substitute for treating societal issues. There are several resources that may be available to communities seeking to fund crisis intervention models, including funds available from the Mental Health Services Act, prison realignment funds through AB 109, and potentially the CAHOOTS Act, if passed by the U.S. legislature. Although some of this funding has been available for some time, counties have either not spent the funds or have expended the funds on increasing law enforcement budgets. These sources could be an invaluable resource for advocates and communities to finance innovative community-based responses to crisis care.

[Mental Health Services Act](#)

The Mental Health Services Act can be a tremendous resource for counties in funding innovative approaches to mental health reforms and creating new crisis response models. The MHSA was passed by the California State legislature in 2004, but counties largely did not utilize these funds. In 2018, the legislature conducted an audit of MHSA funds and found that due to poor oversight of expenditures, many counties had amassed millions in unspent MHSA funds.²⁵² The Board recommends that community members or law enforcement officers who have questions about how your county or city is spending MHSA funds should contact the California Department of Health Care Services, Phone, (916)-713-8756, FAX, (916) 440-7621, mhsa@dhcs.ca.gov.

[AB 109: Public Safety Realignment](#)

Another source of funding for community-based care is AB 109, prison realignment legislation. In 2011, the California Legislature passed AB 109, which sought to move persons serving a sentence for a low-level offense from jail into community-based programs, often referred to as “realignment.” The bill included funding provisions for implementing and providing rehabilitative and supportive services.²⁵³ In the bill, the legislature specifically encouraged counties to use the funds to “invest in community based alternatives” to incarceration; however, there is little oversight and the spending of these funds is largely up to the broad discretion of local leaders. Since its enactment, local governments on average have

²⁵² California State Auditor (Feb. 2018) Mental Health Services Act, The State Could Better Ensure the Effective Use of Mental Health Services Act Funding <<https://auditor.ca.gov/pdfs/reports/2017-117.pdf>> (as of Dec. 14, 2020).

²⁵³ California Mental Health Planning Council. (2012) Implementing AB 109: How Four California Counties Met the Challenge of the 2011 Public Safety Realignment in Their Communities <https://www.dhcs.ca.gov/services/MH/Documents/AB%20109%20Imp%20Feb%202013_FINAL.pdf> (as of Dec. 14, 2020).

only used 11 percent of those funds for community-based services, while the remaining funds went back into the jails and probation departments.²⁵⁴

Some counties spend more of their budgets on community-based care, while others have taken AB 109 funding and increased local law enforcement budgets. For example, Contra Costa, Orange County, and Sacramento County spend 75 to 100 percent of their AB 109 budget on law enforcement. By contrast, San Diego, San Francisco, and Santa Cruz spend 0 to 25 percent of their AB 109 funds on law enforcement. This distinction is critical, since community-based programs, such as drug treatments, mental health counseling, employment assistance, and anger management, are highly effective at reducing recidivism rates, reducing costs associated with incarceration, and improving public safety.²⁵⁵ For instance, Santa Cruz, which spent a majority of its AB 109 funds on community-based services, saw a 20 percent reduction in its jail population.²⁵⁶

The Crisis Assistance Helping Out On the Streets (CAHOOTS) Act

The CAHOOTS Act is pending legislation that was introduced in the United States Congress in August 2020; identical bills were introduced in both the House and Senate. If it passes, this legislation would enhance state Medicaid funding for community-based mobile crisis response programs for those who may be experiencing a mental health or substance use disorder crisis. The federal government would pay 95 percent of the programs costs **and** offer up to \$25 million in grants to establish or expand existing programs.²⁵⁷ Thus, California law enforcement agencies would not be responsible for the majority of the costs to implement or expand such programs.

In order to qualify for funding under the Act, the mobile crisis response teams must meet certain minimum requirements. They must be multidisciplinary teams composed of behavioral health care professionals, including nurses, social workers, and peer support specialists, who are trained in trauma care, de-escalation strategies, and harm reduction. The services must be available 24-7 and voluntary for the individuals experiencing the mental health or substance use disorder crisis. The crisis teams must maintain relationships with relevant community partners, including medical and behavioral health providers, community health centers, crisis respite centers, managed care organizations, or other social services organizations.²⁵⁸

Vision for Future Reports

The Board will continue to analyze best practices and policies regarding bias by proxy. We will explore both evidenced-based best practices and individual agency's policies. We hope to start developing model policies for trainings for dispatchers in how to handle bias-based calls.

²⁵⁴ *Ibid.*

²⁵⁵ Flynn, *Putting Teeth into A.B. 109: Why California Historic Public Safety Realignment Act Should Require Reentry Programming*. (Aug. 2013) Golden Gate University L.Rev. Vol. 43, Issue 3, Art. 7, pp. 9-20 <<https://digitalcommons.law.ggu.edu/cgi/viewcontent.cgi?article=2104&context=ggulrev>> (as of Dec. 14, 2020).

²⁵⁶ *Ibid.*

²⁵⁷ Crisis Assistance Helping Out On the Streets Act (2019-2020) 116 H.R. 7961; see also Crisis Assistance Helping Out On the Streets Act (2019-2020) 116 S. 4441.

²⁵⁸ Crisis Assistance Helping Out On the Streets Act (2019-2020) 116 H.R. 7961; see also Crisis Assistance Helping Out On the Streets Act (2019-2020) 116 S. 4441.

Additionally, we would like to review best practices for how agencies can implement a restorative justice approach to bias-based calls.

In the coming years, the Board also hopes to consult with community members and experts in the field of crisis response. The Board recognizes that community based solutions to crisis response will come from communities themselves. We hope to invite leaders from some of these organizations to inform the Board of developing best practices surrounding crisis response. The Board will continue to review different national and international crisis response models, as well as data on the efficacy of different models, and make recommendations aimed at improving crisis intervention in California.

CIVILIAN COMPLAINTS: POLICIES AND DATA ANALYSES

California law enforcement agencies have been submitting complaint information to the Department since 1981. The passage of RIPA required law enforcement agencies to submit the number of complaints alleging racial or identity profiling along with the number of complaints with dispositions of “sustained,” “exonerated,” “not sustained,” and “unfounded.”²⁵⁹ This data is then disaggregated and analyzed for inclusion in the Board’s annual report. Included below is an overview and analysis of the civilian complaint data submitted to the DOJ, a review of the Wave 2 agencies civilian complaint forms, and a foundational discussion of Early Intervention Systems (EIS).

As the Board has noted in its earlier Reports, state law gives each law enforcement agency discretion to implement their complaint processes and outreach differently.²⁶⁰ This variability can affect the number of complaints an agency may receive and the outcome of those complaint investigations. Thus, making comparisons across law enforcement agencies should be done with care, as the differences may be the result of a variety of factors. The Board has identified the following factors as important to consider in analyzing complaint data: 1) lack of uniformity regarding what constitutes a “civilian complaint” and how to quantify complaints; 2) lack of uniformity regarding how to process civilian complaints; 3) accessibility and knowledge of an agency’s complaint process; 4) accessibility for people with disabilities; and 5) the potential deterrent impact of language that comes from Penal Code section 148.6 on complaint forms. For example, one agency may make it easier for civilians to file complaints than another agency and thus increase the number of complaints reported. Other observed agency variabilities include differences in language access, staffing, and policies or practices with respect to which unit or other governmental body conducts the complaint investigation. The RIPA Board continues to encourage California law enforcement agencies to standardize the collection of complaint information by using more consistent protocols and incorporating best practice recommendations provided in the Board’s 2019 report.²⁶¹

Overview of Civilian Complaint Data

The civilian complaint data for 2019 was submitted to the Department by 691 agencies employing peace officers in California. The agencies reported 15,890 complaints across three categories: non-criminal, misdemeanor, and felony. The majority of complaints (15,025, or 94.6%) alleged non-criminal conduct; complaints alleging behavior constituting a misdemeanor offense accounted for 3 percent (472) of complaints, and allegations of behavior constituting a felony represented 2.5 percent (393) of complaints.

²⁵⁹ “Sustained” means the investigation disclosed sufficient evidence to prove the truth of the allegation in the complaint by a preponderance of the evidence. “Exonerated” means the investigation clearly established that the employee’s actions that formed the basis of the complaint were not a violation of law or agency policy. “Not sustained” means the investigation failed to disclose sufficient evidence to clearly prove or disprove the complaint’s allegation. “Unfounded” means the investigation clearly established that the allegation is not true. Cal. Pen. Code, § 13012, subd. (a)(5)(B).

²⁶⁰ See Cal. Pen. Code, § 832.5.

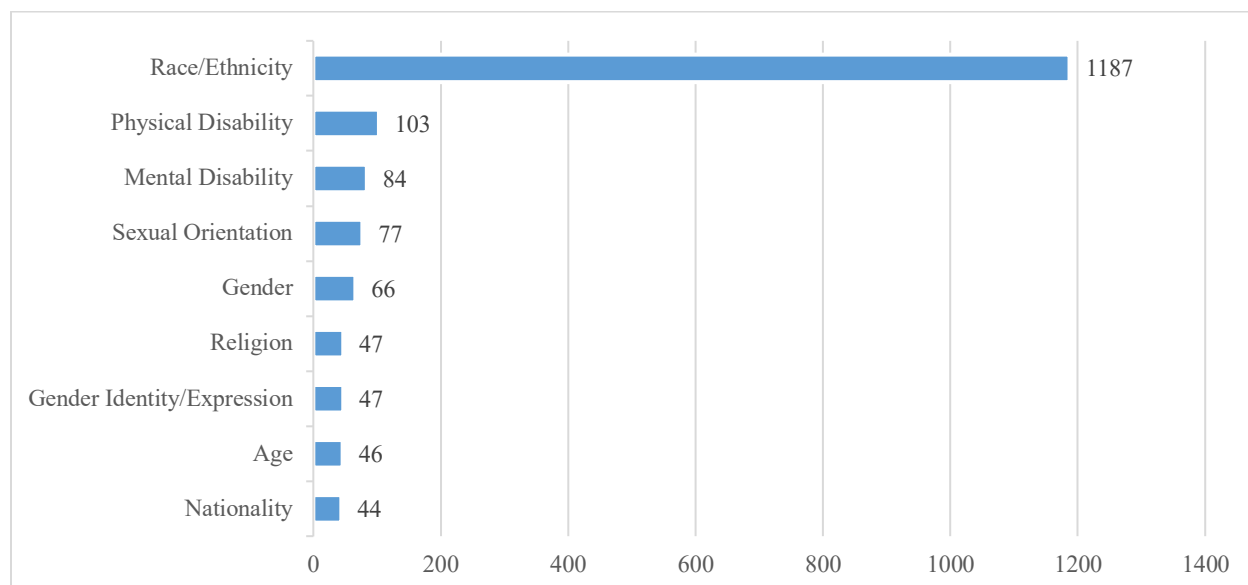
²⁶¹ See Racial and Identity Profiling Advisory Board Report (2019) pp. 41-44

<<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2019.pdf>> (as of Dec. 14, 2020).

Law enforcement agencies are required to report the number of complaints that contain an allegation of racial or identity profiling.²⁶² Specifically, agencies submit data to the Department detailing profiling complaints that fall into nine categories: race/ethnicity, physical disability, mental disability, sexual orientation, gender, religion, gender identity/expression, age, and nationality.²⁶³ Agencies reported 1,427 complainants alleging an element, or elements, of racial or identity profiling, constituting 9 percent of the total complaints reported in 2019.

The total number of racial and identity profiling allegations (1,701) reported to the Department exceeds the total number of racial and identity profiling complaints (1,427) due to reported allegations of profiling based on multiple identity group characteristics. For example, a civilian may file a complaint alleging they experienced profiling based on both their gender and sexual orientation. This example would count as a single complaint with two types of alleged identity profiling. Accordingly, Figure 37, below, displays the number of reported allegations that fell into each of the nine identity group types.

Figure 37. Total Allegations of Racial and Identity Profiling Reported in 2019



Analysis of Civilian Complaint Data Submitted by Agencies Subject to Stop Data Reporting

Of the 691 agencies employing peace officers in California that reported civilian complaint data in 2019, 452 agencies are subject to RIPA’s stop data reporting requirements (hereafter RIPA agencies). These 452 RIPA agencies include municipal and district police departments, county sheriff’s departments, the California Highway Patrol, and the law enforcement agencies of the University of California, California State Universities, California Community Colleges, as well as K-12 school district police departments.²⁶⁴ The sections that follow examine only the data

²⁶² Cal Pen Code, § 13012, subd. (a)(5)(A).

²⁶³ *Ibid.*

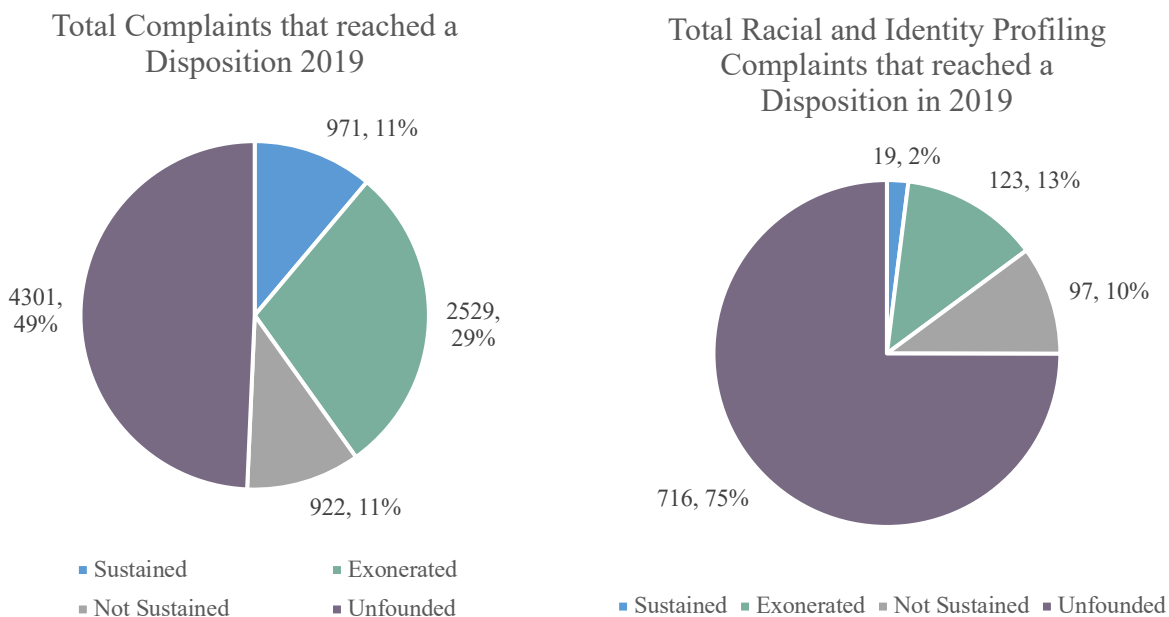
²⁶⁴ For more information on the law enforcement agencies that are required to report under RIPA, see Cal. Code Regs., tit. 11, § 999.225 <<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/stop-data-reg-final-text-110717.pdf>> (as of Dec. 14, 2020).

submitted by the stop data reporting agencies that either are or will soon begin collecting RIPA stop data.

Civilian Complaints for Stop Data Reporting Agencies

RIPA agencies reported 10,987 civilian complaints in 2019. Most complaints alleged noncriminal conduct (10,224, or 93.1%), followed by complaints for conduct that constitutes a misdemeanor offense (439, or 4%); complaints alleging conduct that constitutes a felony were the least common (324, or 2.9%). Of the 10,987 complaints reported, 8,723 reached a disposition in the 2019 calendar year. Of those 8,723 complaints that reached a disposition, 971 (11.1%) were sustained, 2,529 (29%) were exonerated, 922 (10.6%) were not sustained, and 4,301(49.3%) were unfounded.²⁶⁵ Eighty-four RIPA agencies (18.6%) reported that they did not receive any civilian complaints in the 2019 calendar year. The remaining 368 (81.4%) RIPA agencies reported they received one or more civilian complaints; 146 (39.7%) of these agencies reported one or more civilian complaints alleging racial or identity profiling. These 146 agencies reported 1,153 complaints alleging racial or identity profiling, 955 of which reached disposition in 2019. Of these 955 racial and identity profiling complaints, 19 (2%) were sustained, 123 (12.9%) were exonerated, 97 (10.2%) were not sustained, and 716 (75%) were determined to be unfounded. Figure 38 displays the distribution of disposition types within the 2019 data for (1) all complaints that reached disposition and (2) complaints of racial and identity profiling that reached disposition.²⁶⁶

Figure 38. Disposition Distribution of 2019 Complaints

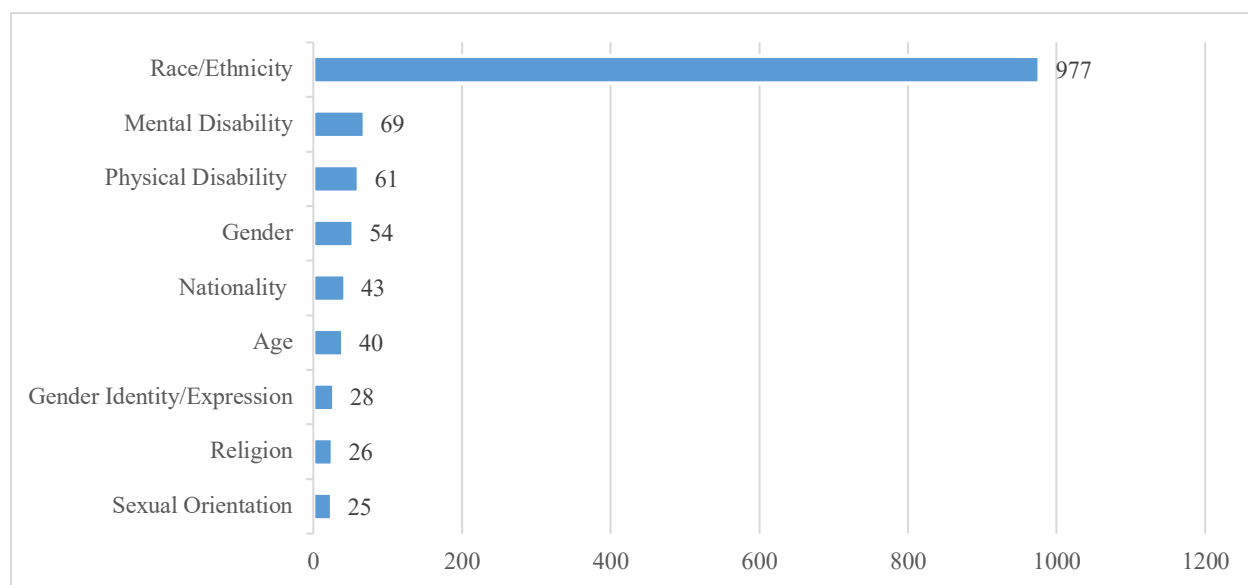


²⁶⁵ It is important to note that not every complaint reached a disposition during the same year it was initially reported; therefore, it is possible that some complaints that appeared in the 2019 disposition categories were first reported in 2018 or earlier.

²⁶⁶ For an agency-level breakdown of how many profiling complaints reached each disposition type in 2019, see Appendix Table D.1.

Figure 38 displays the 1,323 allegations of racial or identity profiling reported by stop-data-reporting agencies in 2019 broken down by identity type: race/ethnicity, mental disability, physical disability, gender, nationality, age, gender identity/expression, religion, and sexual orientation.²⁶⁷

Figure 39. Total Racial and Identity Profiling Allegations Reported by Reporting Agencies in 2019



Agency-Level Data Snapshot: 2019 Civilian Complaints for Wave 1 and 2 Agencies

Table 7 displays civilian complaint totals broken down for Wave 1 and 2 agencies.²⁶⁸ The table provides the following information: the total number of complaints reported; the number of complaints reported alleging racial or identity profiling; and the number of sworn personnel each agency employed in 2019.²⁶⁹

²⁶⁷ The total number of racial and identity profiling allegations (1,323) reported by stop-data-reporting agencies exceeds the total number of racial and identity profiling complaints (1,153) due to reported allegations of profiling based on multiple identity group characteristics.

²⁶⁸ Wave 1 agencies are the eight largest agencies in the state; they were required to start submitting stop data to the Department by April 1, 2019. Wave 2 agencies are the seven next largest agencies that were required to start submitting stop data to the Department by April 1, 2020. (Gov. Code, § 12525.5(a)(2)).

²⁶⁹ Sworn personnel totals presented are calculated from the information contained within the Law Enforcement Personnel file available at <https://openjustice.doj.ca.gov/data>. The DOJ collects the Law Enforcement Personnel data through a one-day survey taken on October 31st of each reporting year.

Table 7:

Reporting Wave	Agency	Total Complaints Reported	Total Profiling Complaints Reported	Total Sworn Personnel
1	California Highway Patrol	353	21	7,230
1	Los Angeles County Sheriff's Department	1,010	68	9,565
1	Los Angeles Police Department	2,205	426	10,002
1	Riverside County Sheriff's Department	33	0	1,788
1	San Bernardino County Sheriff's Department	113	39	1,927
1	San Diego County Sheriff's Department	214	74	2,601
1	San Diego Police Department	102	25	1,764
1	San Francisco Police Department	842	0	2,279
2	Fresno Police Department	231	13	806
2	Long Beach Police Department	182	9	817
2	Oakland Police Department	1,215	36	740
2	Orange County Sheriff's Department	129	11	1,888
2	Sacramento County Sheriff's Office	205	5	1,348
2	Sacramento Police Department	146	6	678
2	San Jose Police Department	205	36	1,150

Cross-Year Comparisons

Figures 40 through 43 display the number of total complaints reported (Figures 40 and 42), as well as the total number of racial and identity profiling complaints reported (Figures 41 and 43)

for Wave 1 and 2 agencies across the four years that agencies have been required by RIPA to submit expanded civilian complaint data to the Department.²⁷⁰

Wave 1 Agency Complaints Reported (2016-2019)

Wave 1 agencies reported 4,872 civilian complaints in 2019. This total constituted a 19.1 percent increase relative to the total number of civilian complaints reported in the year prior (4,091), a 32.4 percent increase from 2017 (3,679), and a 24.8 percent increase from 2016 (3,904).

The majority of Wave 1 agencies (7 out of 8) experienced an increase in the number of civilian complaints reported between 2018 and 2019. The agency that experienced the largest percentage increase from 2018 to 2019 was the San Diego County Sheriff's Department (San Diego Sheriff), with a 2,278 percent increase in complaints (from 9 to 214).²⁷¹ The Riverside County Sheriff's Department (Riverside Sheriff) was the only Wave 1 agency to experience a decrease (28.3%) in their number of complaints reported, with 33 complaints in 2019, down from 46 in 2018.

²⁷⁰ See Cal. Pen. Code, § 13012, subd. (a)(5)(A)(iii).

²⁷¹ This increase can partially be attributed to the San Diego Sheriff's change in reporting practices instituted after comparing its numbers to those of its peers in the 2020 RIPA Board report. Previously, San Diego Sheriff only reported internal affairs investigations into deputy misconduct or policy or law violations as civilian complaints. Now, it reports all complaints received by Internal Affairs. Relative to most other Wave 1 agencies, San Diego Sheriff reported low numbers of complaints across the four years covered in Figure 40. Agencies with lower numbers of complaints reported are more susceptible to large percentage changes from year to year. San Diego Sheriff did not have the largest cross-year increase in complaints reported amongst Wave 1, in raw terms.

Figure 40. Wave 1 Total Complaints Reported

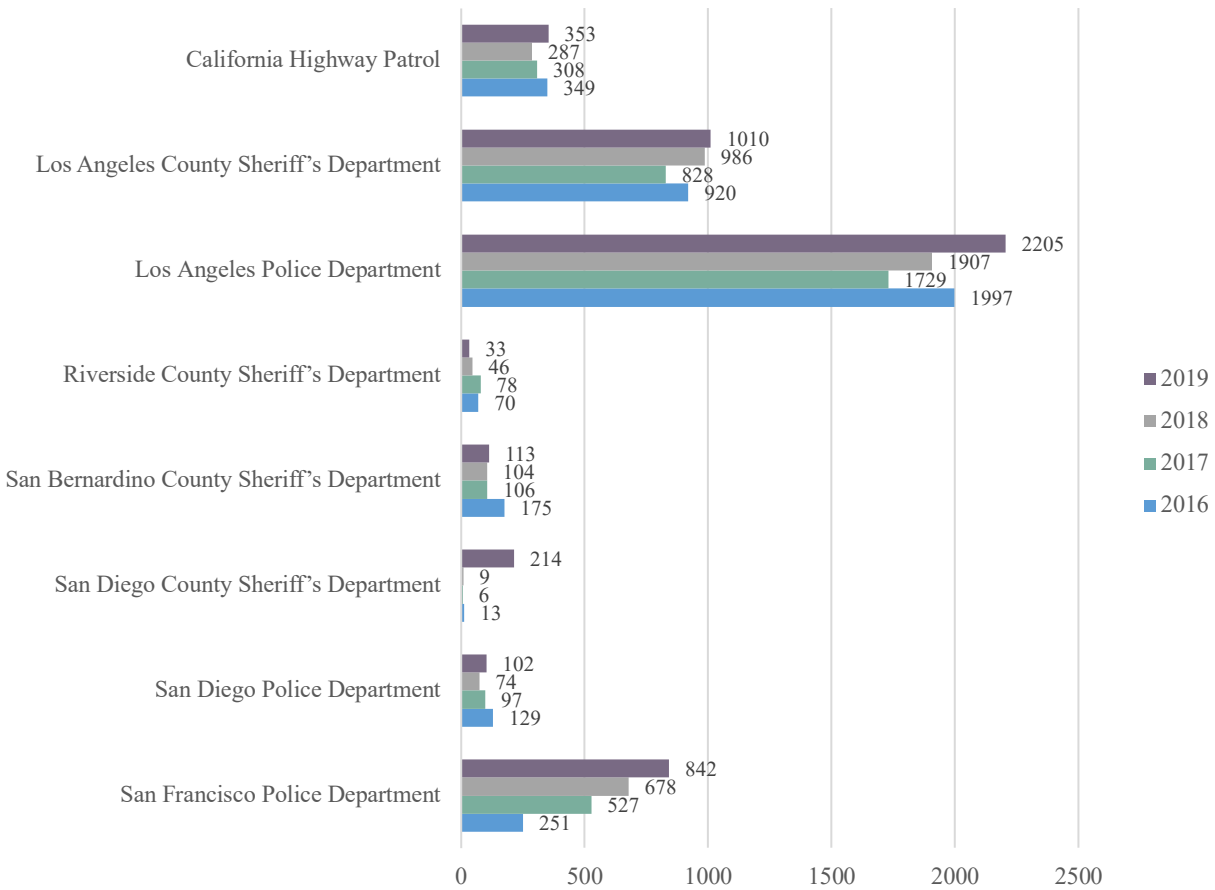


Figure 41 displays the total number of racial and identity profiling complaints reported by Wave 1 from 2016 through 2019. The total number of racial and identity profiling complaints was 653 in 2019, which is a 44.5 percent increase from 2018, a 76 percent increase from 2017, and a 406 percent increase from 2016.²⁷²

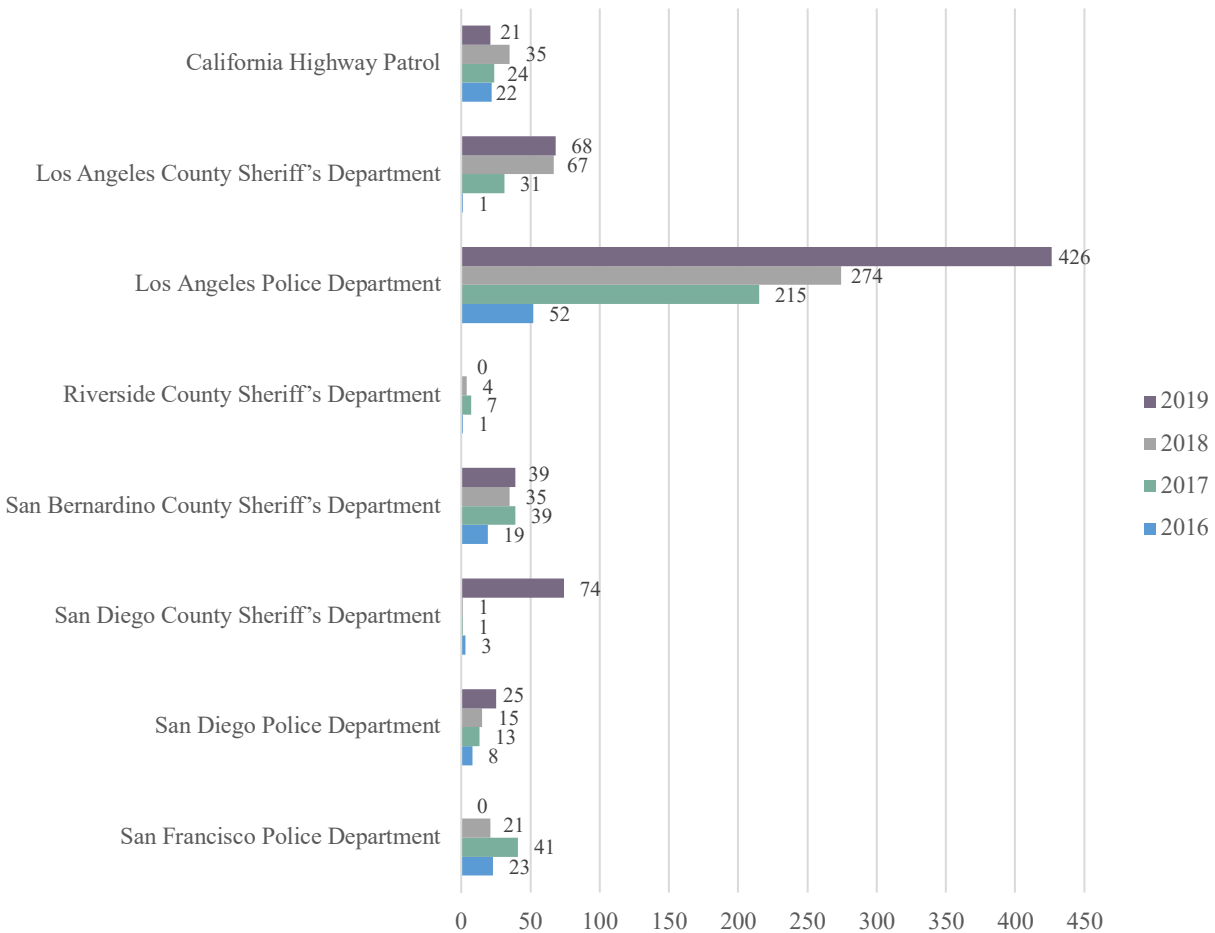
Of the eight agencies in Figure 41, five experienced an increase in the number of reported racial and identity profiling civilian complaints between 2018 and 2019, while the other three experienced a decrease. San Diego Sheriff had the largest relative increase, 7,300 percent, of Wave 1 agencies.²⁷³ Conversely, the San Francisco Police Department (San Francisco PD) had

²⁷² The first year that agencies were required to track their number of racial and identity profiling complaints and report it to the Department was 2016. As a result, the low number of racial and identity profiling complaints reported in 2016, compared to subsequent years, may partially be the result of the learning curve of agencies having to collect the data in a different manner than they had historically.

²⁷³ As is the case with the total number of civilian complaints reported by San Diego Sheriff, the stark increase in profiling complaints reported can partially be attributed to the San Diego Sheriff's change in reporting practices that the agency instituted between the 2018 and 2019 civilian complaint reporting periods. See note 271 for further details.

the largest relative decrease in the number of racial and identity profiling complaints reported from 2018 to 2019 (21 to 0, 100%).²⁷⁴

Figure 41. Wave 1 Total Racial and Identity Profiling Complaints Reported



Wave 2 Agency Complaints Reported (2016-2019)

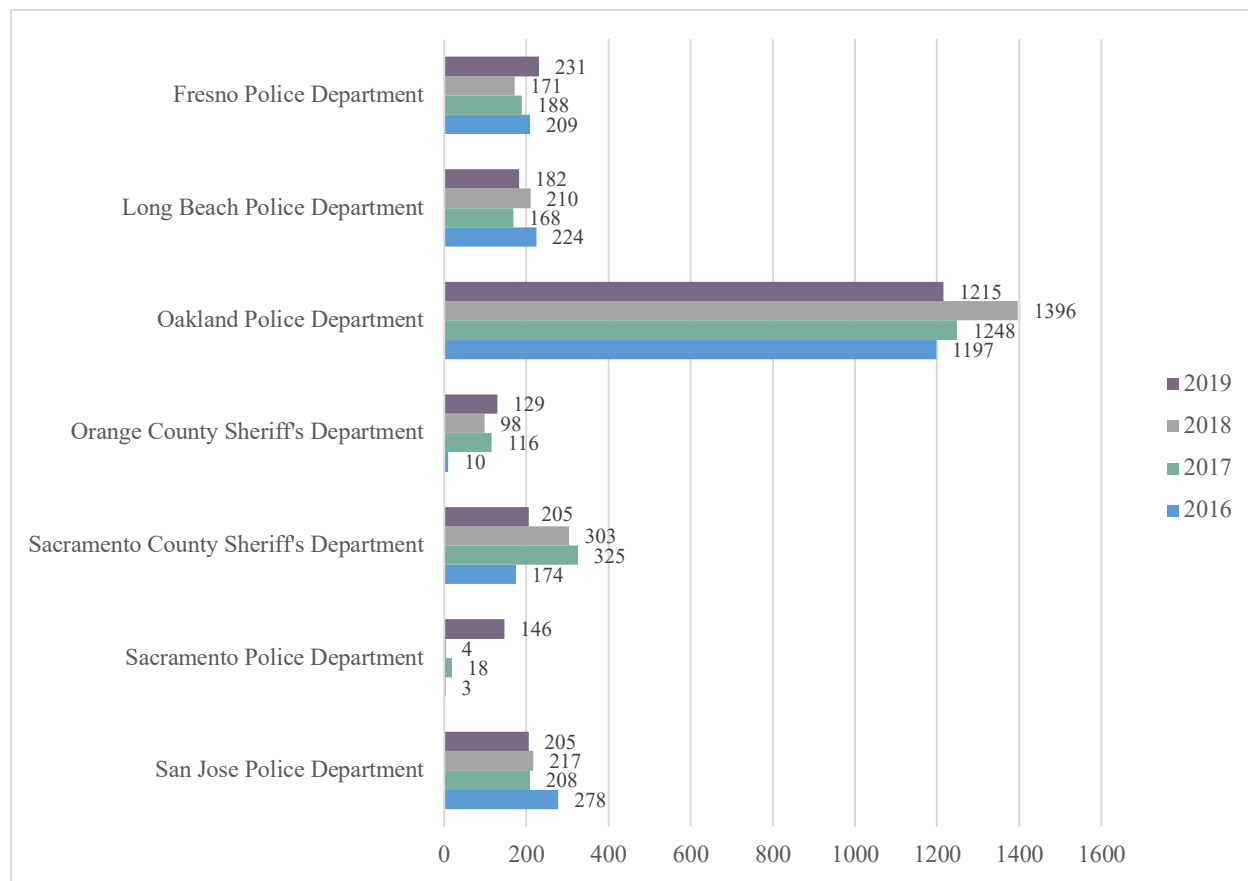
In 2019, the total number of civilian complaints for all Wave 2 agencies was 2,313, which was a 3.6 percent decrease from the previous year. The number of civilian complaints reported in 2019 was 1.9 percent higher than in 2017 and 10.4 percent higher than in 2016.

Less than half of Wave 2 agencies (3 out of 7) experienced an increase in the total number of civilian complaints reported between 2018 and 2019. The agency that experienced the largest relative increase from 2018 in 2019 was the Sacramento Police Department (Sacramento PD), with a 3,550 percent increase. This increase may be attributed to the Sacramento PD's change in policy in August 2019, which ended Sacramento PD's practice of categorizing certain complaints as "inquiries" to be resolved informally at the precinct/watch level. This policy change followed the Department's review of Sacramento PD's practices and its

²⁷⁴ Riverside Sheriff also had a 100 percent relative decrease from 2018 to 2019; however, San Francisco PD had a larger decrease in the raw number of complaints (21 compared to 4) than Riverside Sheriff, which is why San Francisco PD is highlighted as experiencing the largest decrease.

recommendation that all personnel complaints be tracked uniformly and classified by type of alleged misconduct.²⁷⁵ This change is also in line with the RIPA Board’s recommendation in its 2020 Report that law enforcement agencies should provide clear policies and direction as to how the term “complaint” should be defined to avoid significant disparities in how to identify, quantify, and process complaints.²⁷⁶ On the other end of the distribution, the agency that experienced the highest percentage decrease in complaints reported was the Sacramento County Sheriff’s Office, which saw a 32.3 percent decrease in number of complaints from 2018 to 2019.

Figure 42. Wave 2 Total Complaints Reported



Wave 2 agencies reported a total of 116 racial and identity profiling complaints in 2019. This was a 7.9 percent decrease from the number of racial and identity profiling complaints reported in 2018; a 7.2 percent decrease from 2017; and a 1.8 percent increase from 2016.

Of the seven agencies in Figure 39, four experienced an increase in the number of racial and identity profiling complaints reported between 2018 and 2019, while the other three experienced a decrease or remained the same. The Sacramento PD had the largest relative increase: it reported zero racial and identity profiling complaints in 2018 and six in 2019. On

²⁷⁵ See Racial and Identity Profiling Advisory Board, Annual Report 2020 (Jan. 1, 2020) pp. 68-69 <<https://oag.ca.gov/sites/all/files/agweb/pdfs/riipa/riipa-board-report-2020.pdf>> (as of Dec. 14, 2020).

²⁷⁶ *Ibid.*

the other end of the spectrum, the Oakland Police Department had the largest decrease in total racial profiling allegation complaints reported from 2018 to 2019 resulting in a 37.9 percent decrease. Lastly, the San Jose Police Department reported the same number of racial and identity profiling complaints, 36, in both 2018 and 2019.

AB 953 Survey: Civilian Complaint Procedures

As noted in the Policies and Accountability section, the Department conducted a survey of Wave 1, 2, and 3 agencies to learn about the impact of the Board’s recommendations and data analysis within law enforcement agencies. As of December 10, 2020, 25 of the 26 agencies surveyed had responded. With respect to civilian complaints, some of the findings include:

- Seven of the 25 agencies surveyed indicated that they took actions in response to the Board’s recommendations regarding civilian complaint procedures.

Agencies that Reported Taking Actions in Response to the RIPA Board’s Recommendations Regarding Civilian Complaint Procedures	
Kern County Sheriff Orange County Sheriff Sacramento Police San Bernardino County Sheriff	San Diego Police San Francisco Police Santa Clara County Sheriff

A few agencies provided examples of the actions they took.

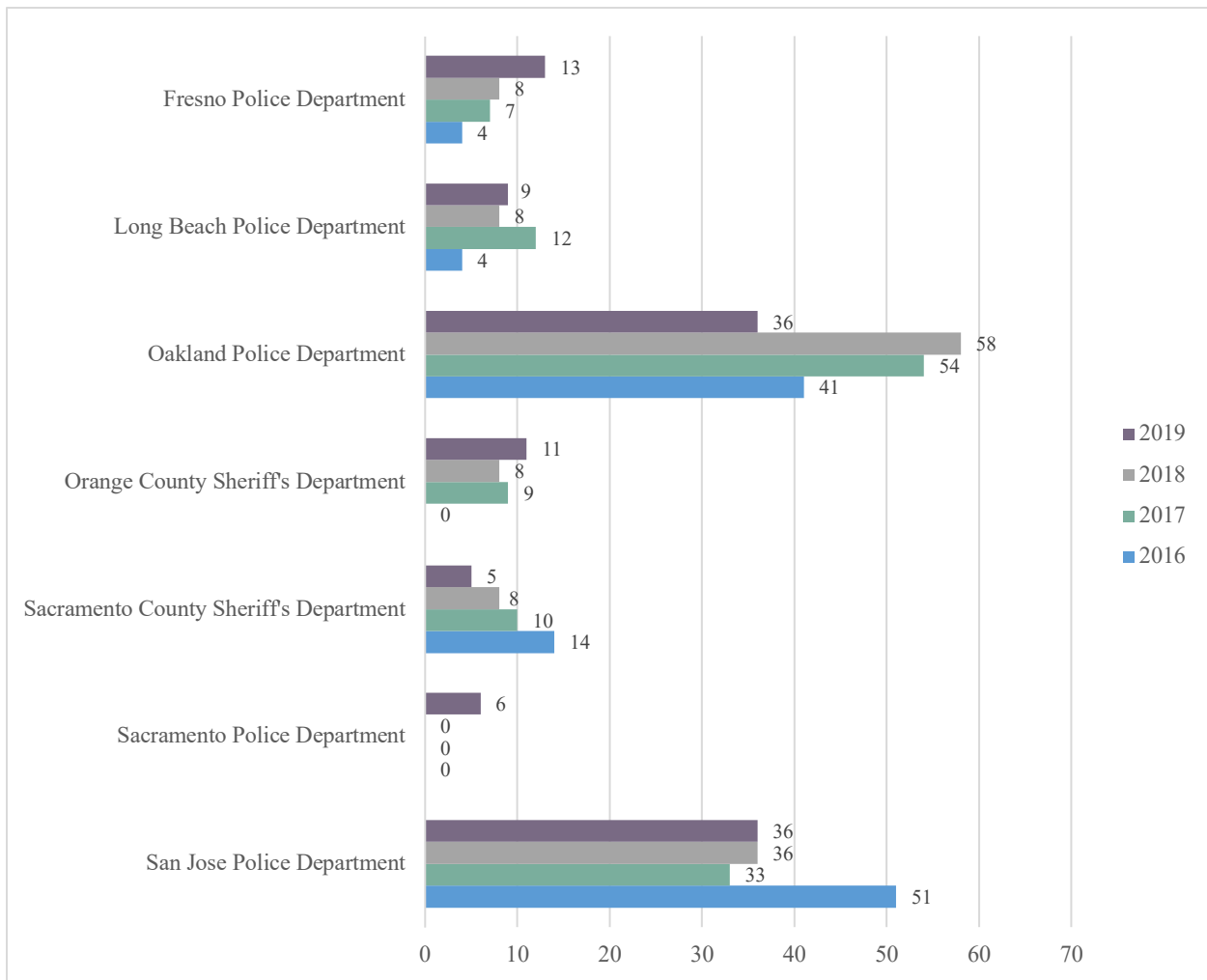
*“[SFPD] looked at complaints of bias by percentage and quantity comparatively. Findings were captured in the department’s public quarterly reporting, and presented to the SFPD’s Commission and public”
- San Francisco Police*

*“Any complaints are immediately referred to our Internal Affairs Unit for investigation”
– Kern County Sheriff*

- Six agencies indicated that they were reviewing and determining how to implement the best practices related to civilian complaint procedures.

Report Currently Reviewing and Determining How to Implement the RIPA Board’s Recommendations Regarding Civilian Complaint Procedures	
Kern County Sheriff Los Angeles County Sheriff Sacramento Police	San Diego Police San Francisco Police Santa Clara County Sheriff

Figure 43. Wave 2 Total Racial and Identity Profiling Complaints Reported



“LASD is in the process of revising the classifications of completed community complaint investigations to better reflect current law” – Los Angeles County Sheriff

“Deficiencies in the complaint form and procedures have been forwarded to our oversight partner agency, who has control of the complaint form content” – San Francisco Police

- Bakersfield, Riverside, and Stockton Police Departments indicated that the Board’s recommendations were already incorporated in their civilian complaint procedures.

“Our department has a Civilian Panel that conducts a parallel investigation on all civilian complaints...”

*“We have [had] an Early Warning System for over 15 years to help identify potential issues before they become systemic or catastrophic”
- Riverside Police*

Wave 2 Civilian Complaint Form Review

In its 2019 report, the Board made recommendations for best practices for civilian complaint procedures and policies.²⁷⁷ In its 2020 report, the Board built upon this review and made recommendations regarding civilian complaint forms after reviewing literature regarding best practices for civilian complaint procedures and forms.²⁷⁸ Through this lens, the Board conducted an initial review of the Wave 1 agencies’ civilian complaint forms in its 2020 report; the Board is now extending that review to the Wave 2 agencies.²⁷⁹

Long Beach Police Department: The Long Beach Police Department (Long Beach Police) accepts complaints: (1) in person, (2) by telephone, (3) by mail, or (4) by e-mail. On the agency’s public website, a member of the public can find the civilian complaint process and form.²⁸⁰ The civilian complaint form and process are available in English, Spanish, Khmer, and Tagalog. Long Beach Police follows the City of Long Beach’s Language Access Policy passed in 2018. The policy provides that while Spanish-speaking residents numerically qualify for services under state law, Long Beach also has a “substantial number of limited English speaking Cambodian and Filipino residents” for whom services and materials should be provided in their spoken languages.²⁸¹ The current complaint forms were translated by a contract professional services translator in 2013. The agency permits third-party complaints and anonymous complaints. Long Beach Police also provides a contact list that includes their Citizen’s Police Complaint Commission (CPC), as well as other local, state, and federal offices from which a complainant can seek assistance if they feel their complaint was not properly investigated.

²⁷⁷ See Racial and Identity Profiling Advisory Board Report (2019) pp. 41-44
<<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2019.pdf>> (as of Dec. 14, 2020).

²⁷⁸ See Racial and Identity Profiling Advisory Board Report (2020) p. 58-80
<<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2020.pdf>> (as of Dec. 14, 2020).

²⁷⁹ See Appendix G for the Wave 2 civilian complaint forms.

²⁸⁰ The complaint form and procedures can be located here: Long Beach Police Department, Citizen Complaint Procedure
<<http://www.longbeach.gov/police/contact-us/citizen-complaint-procedure/>> (as of Dec. 14, 2020).

²⁸¹ City of Long Beach, Language Access Policy (2018) <<http://www.longbeach.gov/globalassets/health/media-library/documents/healthy-living/office-of-equity/language-access-resolution-and-policy-update-2018---english>> (as of Dec. 14, 2020).

Oakland Police Department: Civilian complaints regarding the Oakland Police Department (Oakland Police) personnel can be submitted to either the agency’s Internal Affairs Division²⁸² or to the Citizens’ Police Review Agency (CPRA).²⁸³ Complaints filed directly with Oakland Police’s Internal Affairs Division will be investigated by the Internal Affairs Division, whereas those submitted to the CPRA will be investigated by the CPRA. The agency reports that Internal Affairs and CPRA investigate concurrent complaints. It is unclear from their websites whether there is a difference in the type of complaints each entity investigates. The Internal Affairs Division accepts complaints: (1) by phone, (2) by mail, (3) by e-mail, (4) by fax or (5) in person out in the field, at their main office, or any of the other designated locations. The CPRA receives complaints: (1) online, (2) by mail, or (3) by fax. The online civilian complaint form is only available in English. A PDF version of the complaint form is available in English, Spanish, Chinese, or Vietnamese. A description of the civilian complaint process is only available with the CPRA’s English online submission form. Unlike the PDF form, the online version allows complainants to “decline to state” certain demographic and contact information such as date of birth or phone number. Both the PDF and online complaint forms provide an open narrative space for the complainant to share what they would like to happen as a result of the investigation. Through an online portal, a complainant can track the status of the investigation of their complaint. Oakland Police reports it also accepts anonymous or third party complaints.

San Jose Police Department: The San Jose Police Department’s (San Jose Police) Internal Affairs Unit accepts civilian complaints: (1) by phone, (2) by letter, (3) by e-mail, (4) by fax, or (5) online. Complaints can be submitted to the agency itself, the Internal Affairs Unit, or the Office of the Independent Police Auditor. Regardless of who the complaint is submitted to, it will be investigated by the Internal Affairs Unit. The online complaint form is available in English, Spanish, and Vietnamese;²⁸⁴ San Jose Police’s standard documents are translated into these three languages due to the prevalence of these languages in their community. If another language is required, its Duty Manual requires vital documents to be translated by an on-duty certified interpreter or a contracted translation service. The complaint form and other documents are generally translated by sworn personnel who are certified as interpreters or San Jose Police’s contracted translation services. The form uses language from Cal. Penal Code section 148.6 language and describes the complaint process. The online form asks for any witnesses and their contact information. The form also specifically asks the complainant to designate whether the complaint involves race or identity profiling concerns. Anyone can file a complaint and it can be submitted anonymously. San Jose Police offers a voluntary Mediation Program for alleged misconduct deemed minor or where there is a misunderstanding about enforcement action, neglect of duty, or police procedure.

²⁸² The online complaint form and procedures can be located here: City of Oakland, Report Police Misconduct <<https://www.oaklandca.gov/services/report-police-misconduct>> (as of Dec. 14, 2020).

²⁸³ The online complaint form and procedures can be located here: <https://apps.oaklandca.gov/CPRA/?_ga=2.235015489.1909800277.1607078516-1525498134.1584741107> (as of Dec. 14, 2020).

²⁸⁴ The online complaint form and procedures can be located here: San Jose Police Department, Internal Affairs <<https://www.sjpd.org/about-us/organization/office-of-the-chief-of-police/internal-affairs>> (as of Dec. 14, 2020).

Sacramento County Sheriff's Office: The Sacramento County Sheriff's Office (Sacramento County Sheriff) accepts complaints: (1) online, (2) in person, (3) by phone, or (4) in writing. All complaints are investigated by the Internal Affairs Bureau. The online complaint form is available in English and can be translated into other languages by using the Google translate button located at top right hand corner of the website.²⁸⁵ The online form includes nearly verbatim language from Cal. Penal Code section 148.6 but provides a check box to mark if the complainant wishes to remain anonymous. The agency reports that a complainant may e-mail video or photos associated with the incident to Internal Affairs at the e-mail listed. There is no information attached to this online form about the civilian complaint process except for how to contact the Internal Affairs unit. Complaints that are submitted in other languages are translated by an employee who is fluent in the language or by a county-contracted translation service. In addition to the online complaint form, the agency has a PDF, or printed, version of the civilian complaint form that complainants can access in-person and includes Cal. Penal Code section 148.6 language. Unlike the online version, the PDF form makes clear that a third party can submit complaints, which is a Board recommendation, and provides a space for information of an attorney or representative to be included.

Sacramento Police Department: The Sacramento Police Department (Sacramento Police) takes civilian complaints: (1) by phone, (2) in writing, (3) in person, (4) online or (5) by e-mail. The agency's website includes information on the personnel complaint process in English. At the very bottom of the webpage, there is a Google translate button that allows complainants to translate the complaint procedures into other languages. While the complaint procedures reference Cal. Penal Code section 148.6, the Sacramento Police removed quoted language from the code on their webpage that could be seen as dissuading someone from reporting misconduct. Sacramento Police implemented an online complaint form in November 2020.²⁸⁶ The form is in English but can also be translated using the Google translate feature at the bottom of the webpage. A separate City of Sacramento body, the Office of Public Safety Accountability (OPSA), has an online complaint form.²⁸⁷ OPSA's online complaint form is not directly linked on the Sacramento Police's website. A complainant can learn of OPSA and its online complaint form by downloading the Sacramento Police's "Complaint Procedure Brochure." OPSA receives complaints: (1) online, (2) by phone, or (3) in person at their office. The online complaint form is available in English but can also be translated by using the Google translate button at the very bottom of the webpage. On August 1, 2019, Sacramento Police updated its civilian complaint procedures based upon recommendations made by Cal DOJ. As of July 2020, Sacramento Police's Internal Affairs Division is working with the new incoming OPSA director to enter into an MOU regarding OPSA's role and responsibilities with respect to

²⁸⁵ The online complaint form can be located here: Sacramento County Sheriff's Office, Professional Standards <https://www.sacsheriff.com/pages/professional_standards_division.php> (as of Dec. 14, 2020).

²⁸⁶ A link to the online complaint form and procedures can be located here: City of Sacramento Police Department, Complaint Form <<https://www.cityofsacramento.org/Police/Contact/Personnel-Complaint/Personnel-Complaint-Form>> (as of Dec. 14, 2020).

²⁸⁷ A link to the online complaint form and procedures can be located here: City of Sacramento Office of Public Safety Accountability (OPSA), Public Safety Complaint Form <<https://www.cityofsacramento.org/OPSA/complaint-process/online-complaint>> (as of Dec. 14, 2020).

complaints, including steps to either link the OPSA complaint form on Sacramento Police’s website or duplicate the form on Sacramento Police’s website.

Fresno Police Department: The Fresno Police Department (Fresno Police) accepts civilian complaints: (1) online, (2) in person, (3) by mail, and (4) by phone. These methods are outlined in the agency’s “Complaint Procedures” brochure. The brochure states that complaint procedures help civilians, the community, and the police. Fresno Police determines the language translations needed for their complaint form and brochure by conducting a four-factor analysis outlined in their Limited English Proficiency Services policy. Documents are then translated by certified employees or an outside agency if no employees are certified in that language. The printed civilian complaint form and brochure are available in English, Hmong, and Spanish. For those languages that do not meet the four-factor threshold, the agency attempts to provide meaningful access for LEP individuals attempting to make a complaint through other translation resources like a language line or a certified bilingual employee. The online civilian complaint form is available in English only.²⁸⁸ Before someone can access the online form, they must click a box acknowledging that they read and understand an advisory that is nearly verbatim language from Cal. Penal Code section 148.6. This language is also included in the printed version of the form and requires a signature. The form provides a phone number to call if the complainant’s contact information changes. Additionally, the form asks if photos were taken of any injuries suffered and the name of the person who took the photos. The form also asks if the complaint was filed with any other City of Fresno department or outside agency. If the complaint has been filed with another department, the form requests the date of such report and the person contacted. Lastly, the form has a specific section for racial and identity profiling complaints. The print version of the form is nearly identical to the online version, with the exception of including a mailing address. The printed forms were last revised December 2018. If a complaint is submitted in person at the station, the complainant receives a “complaint receipt” which provides the case and event number and the date on which the complaint was received. Fresno Police accepts anonymous and third-party complaints to the extent that sufficient information is provided. Details of the civilian complaint process are outlined in the brochure, which is not available with the online complaint form.

The City of Fresno also has an Office of Independent Review (Fresno OIR), which participates in the Fresno Police Department’s civilian complaint process. Members of the public can submit their complaints to the Fresno OIR or the Fresno Police Department; if the complaint is submitted to the Fresno OIR, it is routed to the department. Regardless of where the complaint is submitted, the Fresno OIR has complete access to the department’s Internal Affairs and reviews all civilian complaints.²⁸⁹ Based on the complaints received and reviewed, the Fresno OIR produces quarterly reports that indicate whether it concurs with the disposition of each civilian complaint investigation. The reports also include a specific section on biased based

²⁸⁸ The online version of the complaint form can be located here: City of Fresno Police Department, Internal Affairs Online Complaint Form <<https://www.fresno.gov/police/services-special-units/internal-affairs/internal-affairs-online-complaint-form/>> (as of Dec. 14, 2020).

²⁸⁹ More specifically, this also includes responding to police officer shootings of civilians and reviewing those investigations.

complaints and recommendations to the department. Moreover, the Fresno OIR regularly meets with members of the community and fields questions about the complaint process.

Orange County Sheriff’s Department: The Orange County Sheriff’s Department (Orange County Sheriff) accepts complaints: (1) in person, (2) by mail, or (3) by phone to the Internal Investigations Unit during regular business hours and to the Watch Commander if after regular business hours. On the agency’s public website, there is a webpage with links to the civilian complaint form available in 27 languages.²⁹⁰ The agency reports that these languages were determined by Orange County’s population. The complaint form was translated by bilingual employees and Google translate. Orange County Sheriff reports that third-party or anonymous complaints are accepted. The end of the civilian complaint form includes nearly verbatim language from Cal. Penal Code section 148.6. Information on the complaint process is attached to the complaint form itself and explained on the agency’s public website.

Wave 2 Agency	Form Accessible Online?	Can Submit Online?	Multiple Methods of Submission?	Available in Multiple Languages? ²⁹¹
Long Beach Police	✓	✓	✓	✓
Oakland Police	✓	✓	✓	✓ OS ²⁹² ✗ PV ²⁹³
San Jose Police	✓	✓	✓	✓
Sacramento County Sheriff	✗	✓	✓	✓
Sacramento Police	✓	✓	✓	✓
Fresno Police	✓	✓	✓	✓
Orange County Sheriff	✓	✗	✓	✓

²⁹⁰ The 27 languages include Albanian, Armenian, Cambodian, Chinese, Dutch, English, Farsi, French, Hebrew, Hindi, Hungarian, Llongo, Indo, Italian, Japanese, Korean, Lao, Polish, Punjabi, Russian, Spanish, Swedish, Tagalog, Tamil, Thai, Urdu, and Vietnamese. A link to the online complaint form and procedures can be located here: Orange County Sheriff’s Department, How to File a Complaint <<https://www.ocsheriff.gov/commands-divisions/professional-services-command/professional-standards/how-file-complaint>> (as of Dec. 14, 2020).

²⁹¹ Federal and state law require federally and state assisted law enforcement agencies to provide meaningful access to Limited English Proficient (LEP) individuals. Under federal law, to determine the extent of its obligation to provide services to the LEP population, the Federal Coordination and Compliance Section recommends that law enforcement agencies engage in a four-factor analysis. (See U.S. Dep’t of Justice, Federal Coordination and Compliance Section, Planning Tool: Considerations for Creation of a Language Assistance Policy and Implementation Plan for Addressing Limited English Proficiency in a Law Enforcement Agency <https://www.justice.gov/crt/fcs/Law_Enforcement_Planning_Tool> (as of Dec. 14, 2020). California state law also requires local agencies that receive state funding to provide language access services to LEP populations. (Gov. Code, § 11135, subd. (a); Gov. Code, § 7290). Law enforcement agencies may ask local community-based organizations to help translate complaint forms or create a database of qualified interpreters for speakers of any language, including sign language.

²⁹² “OS” refers to the online submission form.

²⁹³ “PV” refers to the printed or PDF version of the complaint form.

Wave 2 Agency	Third Party Complaints Allowed?	Includes Narrative Field for Description of Complaint?	Does Not Include Language from PC §148.6? ²⁹⁴	Complaint Process Information Attached to Form?
Long Beach Police	✓	✓	✓	✗
Oakland Police	✓	✓	✓	✓ OS ✗ PV
San Jose Police	✓	✓	✗	✓
Sacramento County Sheriff	✓	✓	✗ OS ✗ PV	✗
Sacramento Police	✓	✓	✓	✓
Fresno Police	✓	✓	✗	✗ OS ✓ PV
Orange County Sheriff	✓	✓	✗	✓

Early Intervention Systems

Law enforcement accountability is necessary to ensure legitimacy and improve relationships between law enforcement officers and the communities they serve. The killing of George Floyd in Minneapolis in May 2020 is a prime example of how a lack of accountability can have potentially harmful and even deadly effects; in the case of George Floyd, two of the four officers involved had previously been the subject of several complaints (one had six and another had sixteen filed against him).²⁹⁵ Although we will never know for sure, George Floyd’s death may have been preventable with the implementation of strong accountability measures

²⁹⁴ The Ninth Circuit and California Supreme Court have come to opposite conclusions regarding whether Penal Code section 148.6 is constitutional. (Compare *People v. Stanistreet* (2002) 29 Cal. 4th 497, 510 [Section 148.6 is a permissible regulation of prohibited speech, namely, false allegations against peace officers, which, on its face, does not violate the First Amendment to the United States Constitution] with *Chaker v. Crogan* (2005) 428 F.3d 1215, 1222, cert. denied, 547 U.S. 1128 (2006) [Penal Code section 148.6’s criminal sanction violated the First Amendment of the United States Constitution because it regulated content-based speech on the basis of that speech’s content].) As such, many California law enforcement agencies have removed the warning from their civilian complaint forms and accept anonymous complaints. The California Attorney General’s Office has also determined that a law enforcement agency can investigate allegations of police misconduct, even if the complainant did not sign the admonition as required by Penal Code section 148.6. (79 Ops. Cal.Atty.Gen. 1631 (1996).) The RIPA Board strongly supports the acceptance of anonymous complaints. The RIPA Board also renews its request to the California Legislature to address this conflict, since the requirements set out by the Penal Code can have a chilling effect on the submission of civilian complaints. For purposes of this review, a checkmark denotes that an agency does *not* include Penal Code section 148.6 language on their form.

²⁹⁵ Barker, et al., *Officers Charged in George Floyd’s Death Not Likely to Present United Front*, The New York Times (June 4, 2020) <<https://www.nytimes.com/2020/06/04/us/george-floyd-police-records-chauvin.html>> (as of Dec. 14, 2020).

that would have flagged these officers as needing training, reassignment, discipline, or termination.

Accountability in law enforcement can take many different forms. The Board’s Civilian Complaints subcommittee has been particularly interested in the use of Early Intervention Systems (EIS). This section provides a background on these systems and how they can be used to keep community members and officers safe while improving officer skills development. The Board is in the process of conducting research on how California law enforcement agencies use EIS and whether there is evidence that EIS are effective.

Early Intervention System Use in Law Enforcement Agencies

EIS have been around in some form or another since the 1970’s, but were often limited to very few categories of performance, such as use of force and civilian complaints.²⁹⁶ EIS are a necessary and valuable administrative tool that can enhance integrity and accountability of both individual officers and whole agencies.²⁹⁷ These systems are not meant to take over the job of supervisors or predict officer behavior. Instead, they are meant to be part of a larger performance management system. Ideally, EIS should provide an opportunity for agencies to: identify potentially at-risk behavior *before* the need for disciplinary action, promote civilian and officer safety, and provide officers with resources and tools to re-direct performance and behaviors.²⁹⁸ Moreover, while EIS may flag certain officer behavior that needs correction, any intervention should not replace discipline when it is needed.²⁹⁹

A strong EIS includes key components: identification of at-risk behaviors, evaluation of “flagged” officer behavior, intervention to address that behavior, and monitoring to ensure long-term change. Indicators – usually different types of police action – are used to track officer behavior.³⁰⁰ While there are many indicators used to identify at-risk officer behavior, they may vary by agency. Current literature does not define a minimum number of indicators for EIS to include. However, “the more potential indicators that can be identified and captured in the system, the more likely it is that an agency will be able to detect” which officers’ behaviors need to be redirected to improve their performance.”³⁰¹ Agencies will then set a specific threshold for each indicator, which is usually a set number of times an officer engages in a specific behavior. When that threshold is met, an officer’s behavior is then “flagged” for review. Some agencies may flag officer behavior only when it meets the threshold for one indicator, whereas others may institute a multilayered approach with successive “flags” to determine what kind of supervisor response and intervention is warranted.³⁰² When creating

²⁹⁶ Amendola and Davis, Best Practices in Early Intervention Implementation and Use in Law Enforcement Agencies (Nov. 2018) p. 2.

²⁹⁷ U.S. Dep’t of Justice, Office of Community Oriented Policing, Supervisions and Intervention within Early Intervention Systems: A Guide for Law Enforcement Executives (Dec. 2005) p 6.

²⁹⁸ Amendola and Davis, Best Practices in Early Intervention Implementation and Use in Law Enforcement Agencies (Nov. 2018) p. 1.

²⁹⁹ U.S. Dep’t of Justice, Office of Community Oriented Policing, Supervisions and Intervention within Early Intervention Systems: A Guide for Law Enforcement Executives (Dec. 2005) p. 5.

³⁰⁰ Amendola and Davis, Best Practices in Early Intervention Implementation and Use in Law Enforcement Agencies (Nov. 2018) p. 1.

³⁰¹ *Id.* at p. 3.

³⁰² *Id.* at p. 5.

thresholds for specific indicators that will be flagged, it is also important for the system to identify when an officer has nearly met the threshold across various indicators to ensure interventions are undertaken and at-risk behavior by officers is not missed simply because they do not meet the threshold in a single category.³⁰³ Moreover, agencies should also have a system that lets them run assessments of officers and not simply rely on flagging. These assessments would be useful for individual performance evaluations.³⁰⁴

EIS Requires Supervision of Both Line Officers and First-Line Supervisors

Effective first-line supervisors are required to make EIS function well.³⁰⁵ An EIS should not only apprise supervisory staff of subordinate officer and group behavior, but also supervisor behavior.³⁰⁶ Command staff should have a separate system authorization and login to monitor supervisors' oversight of their subordinates as well. A system that allows for this kind of management will assist an agency in holding itself accountable.³⁰⁷

First-line supervisors require support through training and mentoring by command staff on how to correct behavior. Training and policies should encourage supervisors to regularly review system data, such as before roll call, be proactive in addressing potential problems, documenting those meetings, and reporting back to the supervisor's own chain of command.³⁰⁸

When an officer's behavior is identified as needing intervention, supervisors must be required to include a note with information about when they reviewed the information, what resources they recommended, and what actions were taken. Including this information will assist with monitoring and management of that monitoring.³⁰⁹

Common Indicators Used in EIS

The type and number of indicators varies across agencies. Current literature does not set out a best practice for the number of indicators, though there is some consensus around which types of police behavior to oversee. The U.S. DOJ includes these types of indicators in its consent decrees with agencies across the nation.³¹⁰ Some agencies will include other indicators that they deem helpful. Research shows the most common EIS indicators include:

³⁰³ *Id.* at p. 6.

³⁰⁴ *Id.* at p. 6.

³⁰⁵ U.S. Dep't of Justice, Office of Community Oriented Policing, Supervisions and Intervention within Early Intervention Systems: A Guide for Law Enforcement Executives (Dec. 2005) pp. 5-6.

³⁰⁶ Amendola and Davis, Best Practices in Early Intervention Implementation and Use in Law Enforcement Agencies (Nov. 2018) p. 5.

³⁰⁷ Amendola and Davis, Best Practices in Early Intervention Implementation and Use in Law Enforcement Agencies (Nov. 2018) p. 7.

³⁰⁸ U.S. Dep't of Justice, Office of Community Oriented Policing, Supervisions and Intervention within Early Intervention Systems: A Guide for Law Enforcement Executives (Dec. 2005) p. 11.

³⁰⁹ Amendola and Davis, Best Practices in Early Intervention Implementation and Use in Law Enforcement Agencies (Nov. 2018) p. 7.

³¹⁰ See *U.S. v. City of Seattle* (W.D. Wash. 2012) 12-cv-1282; *U.S. v. the County of Los Angeles and the County of Los Angeles Sheriff's Dep't* (C.D. Cal 2015) 15-cv-3174; *U.S. v. City of New Orleans* (E.D. La. 2013) 17-cv-1924; *U.S. v. Police Department of the City of Baltimore, et al.* (Md. 2017) 17-cv-0099.

- All misconduct and community complaints against the officer, including disposition of each allegation
- Racial and identity profiling allegations
- All reportable uses of force, broken down by level and type
- Number of shootings or weapons discharges
- All injuries and deaths to persons in the officer's custody or an officer's presence at the scene of any deaths
- Vehicle pursuits and traffic collisions involving agency equipment
- All instances in which force is used and a person is charged with Failure to Obey, Resisting Arrest, Assault on an Officer, Disorderly Conduct, Trespassing, or similar charges
- All instances in which an officer issues three or more citations during a single encounter
- Violations of the agency's body-worn and in-car camera policies
- All instances in which an agency learns:
 - That a declination to prosecute any crime or municipal code violation was based upon concerns of the Prosecutor about an officer's credibility;
 - That a court has made a negative credibility determination regarding an officer; or
 - That a motion to suppress evidence was granted on the grounds of a constitutional violation by an officer
- All criminal proceedings initiated against an officer, as well as all civil or administrative claims filed with or against the agency or its agents that result from the actions of sworn personnel
- All disciplinary action taken against officers
- All non-disciplinary corrective action required of officers
- All awards and commendations received by officers, including those received from civilians
- Officer sick leave usage
- Training record for each officer
- Loss or theft of agency property in custody of the employee, including money, firearms, force instruments, ID cards
- Interviews or interrogations in violation of agency policy and law

- Arrests, especially excessive discretionary arrests
- Off-duty employment
- Traffic Stops
- Warrantless searches and seizures

Possible Interventions to Provide “Flagged” Officers

Interventions should vary to meet the wide range of officers’ needs.³¹¹ The more targeted or specialized an intervention, the better it will be at helping the officer achieve needed improvements.

The most common intervention includes counseling by the officer’s immediate supervisor. These counseling sessions can be both informal and formal. They may arise from something a supervisor witnesses in the field and wants to correct immediately or when an EIS flags potentially risky behavior. Another common form of intervention is training, which is directed by a supervisor depending on the flagged behavior. In some instances, officers may self-identify training needs. Another type of intervention may be to send a crisis intervention team that is trained to immediately respond to an incident whereby officers can get immediate peer counseling in the event of an officer involved shooting or use of force involving serious bodily injury.

Some agencies have employed a creative type of intervention through reassignment and relief from duty. Each assignment in an agency comes with different risk factors, which some individuals are more suited for than others. If an officer has been given the opportunity to remedy behavior and alternatives for re-assignment do not succeed or are not available, it may be in the best interest of all (the officer, the agency, and the public) to transfer the officer to an assignment where the particular problematic situations are less likely to happen.³¹² Similarly, some agencies have employed a “temporary relief from duty” option where sergeants have the authority to relieve an officer from duty without loss of pay if that officer is clearly under a great deal of stress or unfit for duty that day. Where this has been used, there has been no formal action taken or documented. However, these types of interventions should be tracked to ensure there is no abuse of this practice.³¹³

Some interventions are less about the officers’ skills development and instead are more personal. These interventions can include wellness programs or professional counseling on personal or family issues. This kind of intervention may require buy-in from officers because of stigmas that can be attached to obtaining counseling.³¹⁴ The U.S. Department of Justice found that officers were more open to support from their peers through formal peer officer support

³¹¹ U.S. Dep’t of Justice, Office of Community Oriented Policing, Supervisions and Intervention within Early Intervention Systems: A Guide for Law Enforcement Executives (Dec. 2005) p. 6.

³¹² *Id.* at p. 26.

³¹³ *Id.* at p. 26.

³¹⁴ *Id.* at p. 23.

programs. These programs are often comprised of a few officers in a precinct or unit who receive training to be designated as peer support.³¹⁵

Once an intervention is provided to an officer, it is imperative that the supervisor follow through to see if the officer changes their behavior.³¹⁶ The practice of follow through has been found to vary among agencies; some do it for the long term, while others do not follow up at all. Some agencies make interventions voluntary and could be one reason that there may be no follow-through.³¹⁷ Follow-through could include observing an officer out in the field several times a month or periodic check-ins and inquiring if officer needs more support. It is critical that clear follow-through actions are designated for a supervisor to reinforce the need to improve or modify behavior.

U.S. DOJ EIS Recommendations

In various pattern and practice investigations and consent decrees, U.S. DOJ has required agencies to adopt an EIS or improve a system an agency may already have in place. In this process, DOJ has recommended similar best practices, including:

- EIS policy should include a mechanism for review of an officer whose activity has already triggered an indicator threshold so that the threshold is lower if EIS is triggered again.³¹⁸
- Collect trends for supervisors, precinct, squad, and unit.
- Collect trends for precinct-level activity on use of force, complaints and dispositions, number of officers triggering EIS review, and supervisor EIS reviews with officers.
- EIS policy should include directives setting forth the specific information that the EIS will capture, as well as data storage, data retrieval, reporting, data analysis, pattern identification, supervisory use, supervisory/departmental intervention, documentation, audits, access to the system, and confidentiality of personally identifiable information.
- All data must be entered in a timely, accurate and complete manner.
- Comparisons should be done by peer group between officers of similar assignment and duties.
- Command staff collect and, at least quarterly, analyze EIS information related to supervisor, squad, and officer trends.
- First line supervisors and lieutenants review EIS data for all officers under their direct command at least monthly, and whenever an officer first comes under their supervision.
- At least quarterly, supervisors will review broader, pattern-based reports.

³¹⁵ *Id.* at pp. 24-25.

³¹⁶ *Id.* at pp. 27-28.

³¹⁷ *Id.* at pp. 27-28.

³¹⁸ See *U.S. v. City of Seattle* (W.D. Wash. 2012) 12-cv-1282; *U.S. v. the County of Los Angeles and the County of Los Angeles Sheriff's Dep't* (C.D. Cal 2015) 15-cv-3174; *U.S. v. City of New Orleans* (E.D. La. 2013) 17-cv-1924; *U.S. v. Police Department of the City of Baltimore, et al.* (Md. 2017) 17-cv-0099.

- EIS protocol should include data storage, data retrieval, reporting, data analysis, pattern identification, supervisory use, supervisory/departmental intervention, documentation, audits, access to the system, and confidentiality of information protected by law.
- Offer a variety of intervention options like counseling, training, or other supervised, monitored, and documented actions plans and strategies to correct behavior.
- Aggregate statistical information should be kept indefinitely and used to evaluate longitudinal trends.

Promising Practices

It is no surprise that any accountability measure, including EIS, must be supported by management and achieve buy-in from the line staff, command staff, and unions. Agency EIS have the most success when the chief or sheriff has advocated for and supported the system within the agency.³¹⁹ To ensure officers do not feel that this system is a “gotcha” system but rather something they should be invested in, it is imperative that an agency adequately educate its members. Officer training should include what the EIS captures and how that data will be interpreted, as well as the purpose of the data.³²⁰ Supervisors should be trained to understand their role in the accountability process and how this may alter their current responsibilities.³²¹

Agencies must also clearly outline how EIS works, how and why it will be used, and what interventions will look like in their policies and protocols.³²² Agencies can provide EIS training at the academy, during roll call, through literature, or during in-service trainings or informal meetings.³²³ It is important for agencies to stress how the use of EIS and improvement of agencies’ accountability systems as a whole will improve officer and community safety by improving officers’ skills.

Examples of EIS in Practice: Phoenix and Seattle Police Department

The Board describes these two agency’s systems only to give readers a clearer understanding of how EIS works, but does not endorse these systems, as more research regarding the effectiveness of these systems is needed.

Phoenix PD³²⁴

Phoenix’s system includes five phases: 1) identification, 2) notification, 3) supervisor review, 4) intervention, and 5) follow-up. The “identification” phase covers both officer and supervisor “potential risk behavior.” When the system issues an employee or supervisor alert, each alert is reviewed on a case-by-case basis by a coordinator who considers certain factors. Next, in the “notification” phase, the system informs the employee’s chain of command. The alert includes information helpful to command staff to understand what happened. When the alert is sent by

³¹⁹ U.S. Dep’t of Justice, Office of Community Oriented Policing, Supervisions and Intervention within Early Intervention Systems: A Guide for Law Enforcement Executives (Dec. 2005) p. 5.

³²⁰ *Id.* at p. 37.

³²¹ *Ibid.*

³²² *Id.* at p. 42.

³²³ *Id.* at p. 43.

³²⁴ See generally Phoenix Police Dept. Personnel Support Services, Operations Order 3.8 (Aug. 2017) pp. 5-7.

the coordinator, it is copied to command up to bureau/precinct commander/administrator. During the “supervisor review” phase, a first-line supervisor reviews all pertinent information provided, meets with employee, and determines if intervention would be beneficial. This phase must be completed with 14 calendar days and the first- and second-line supervisors work together. The employee is encouraged to be an active participant and provide feedback in a private meeting aimed at addressing the root cause of the potential risk behavior. If intervention is required, during the “intervention phase,” the supervisor meets with the officer again to go over recommended intervention(s) and create timelines for specific performance. Interventions can take three different forms:

- Supervisory-based intervention: handled solely in chain of command by providing guidance or specific strategies that employee can implement immediately.
- Training-based intervention: requires employee to take training as soon as possible to improve performance.
- Wellness-based intervention: includes support services like Employee Assistance Program (professional counseling services provided through the governmental employer), peer support program, critical incident stress management, police chaplaincy program.

The final “follow-up” phase must be complete within 45 days after a supervisor receives an alert. Documentation must be submitted and should include the time and date of the meeting with the officer and a statement that the alert was reviewed. This documentation is forwarded to a second-line supervisor for approval and then the second-line supervisor sends the completed and approved documentation to the coordinator. Phoenix PD’s EIS includes different indicators or behaviors and sets different thresholds for employees and supervisors that will flag their behavior for review.

Seattle PD³²⁵

The Seattle Police Department’s EIS policy begins by explaining what EIS is and why the agency uses it. Seattle PD’s EIS has specific time frames when each phase of the system is to be followed. The Early Intervention Assessment begins with an Early Intervention Coordinator notifying a Sergeant/First-Line Supervisor that an assessment needs to be completed within three days of identifying the employee. Within 14 days of receiving the notice, the Sergeant/First-Line Supervisor must complete the assessment form and submit it to the chain of command. Within three days of receiving that assessment, a Lieutenant/Manager must complete an EIS approval form and submit it to the Captain/Director. Within seven days of receiving the assessment, the Captain/Director must review it, complete an EIS approval form, and submit it to the EIS Coordinator. Next, at least one week before the next committee meeting, the EIS coordinator must submit the assessment to a “Performance Review

³²⁵ See generally Seattle Police Department Manual, 3.070 Early Intervention System (Apr. 1 2020) <<https://www.seattle.gov/police-manual/title-3---employee-welfare/3070---early-intervention-system>> (as of Dec. 14, 2020).

Committee.” Within seven days of the meeting, the “Performance Review Committee” must review the assessment and either reject it by sending it back to the chain of command or accepting it and sending it the Bureau Chief. Within 5 days of receiving the assessment, the Bureau Chief will review and approve the assessment.

The agency has all officers separated and assigned into five peer groups, which determines the threshold level upon which an alert will be triggered. If an employee meets the threshold of a risk factor, then an Early Intervention Assessment is conducted and may result in a mentoring plan, for which a supervisor is directly liable for tracking progress of the officer. Additionally, the EIS policy provides that an assessment will be conducted at the aggregate level if an officer has a total of 10 indicators during a six-month period. The agency’s policy clearly delineates examples of the types of interventions an officer may participate in and the roles and tasks of the coordinator, first-line supervisor, lieutenant and managers, captains and directors, and the bureau chief.

Vision for Future Reports

In the coming years, the Board will do a deeper dive into the use of civilian complaints within EIS and the effectiveness of EIS in holding individual officers, supervisors, units, and agencies accountable. Additionally, the Board remains committed to creating a uniform “complaint” definition to help create consistency throughout the State of California regarding what kinds of reports should constitute a complaint.

LAW ENFORCEMENT TRAINING RELATED TO RACIAL AND IDENTITY PROFILING

Law enforcement agencies receive training related to the mandates of RIPA from the California Department of Justice, internally within their agencies, and from POST.

California Department of Justice POST Certified Course

In 2020, the Department received certification from POST to conduct in-person classroom trainings, Reporting Stop Data for RIPA (AB 953). Due to COVID-19, plans to offer a classroom-based course were paused; however, the team also developed a web-based option for the course, with sessions beginning in Fall 2020.

The course provides a detailed review of the RIPA legislation and the role of the RIPA Board, in addition to key definitions and an in-depth review of the data fields that are reported with a stop. During the sessions, emphasis is placed on how the reporting requirements apply to the various scenarios officers may encounter while on duty. Attendees will learn the data collection process, from the time it is collected locally, to when and how it is reported to the DOJ's statewide repository, to its analysis and publication in the Board's Annual Report. The course instructors include staff in both the Department's Civil Rights Enforcement Section and California Justice Information Services Division to discuss legal questions related to RIPA, as well as administrative/technical aspects of implementation. The training incorporates multiple learning approaches, including a PowerPoint presentation, videos, interactive review of scenarios, a system demonstration, and knowledge checks. The goal of the course is to ensure uniform reporting across agencies.

Sessions are four hours in length, and the Department will offer these approximately twice a month. The target audience includes sworn and non-sworn law enforcement personnel responsible for working on their agency's overall RIPA implementation. Participants are asked to share their role in their agency's implementation of stop data collection and their existing knowledge of RIPA in the hopes of best tailoring the course to fit the real world needs of the attendees and their respective agencies.

The Department presented an overview and selected contents at the POST Subcommittee meeting on August 5, 2020. The Department incorporated the Board's feedback before the first training session in October 2020.

AB 953 Survey: Training and Recruitment

The Department's survey to the Wave 1, 2 and 3 agencies also addressed how the agencies were incorporating the Board's recommendations and best practices into their training. Fifteen of the 25 agencies surveyed indicated that they incorporated the Board's recommendations into their training.

Agencies Indicated That They Have Incorporated the Board’s Recommendations into Their Training		
Alameda County SO	Los Angeles PD	San Diego County SD
Bakersfield PD	Orange County SD	San Diego PD
CHP	Riverside County SD	San Francisco PD
Fresno PD	Sacramento PD	San Jose PD
Los Angeles County SD	San Bernardino County SD	Stockton PD

Ten agencies described how they incorporated the Board’s recommendations into their training.

Alameda County SO: reported sharing and discussing the 2019 RIPA Board Report during SDCS training as it related to data being collected and shared.

Fresno PD: indicated that the recommendations were included in Roll Call Training Bulletins.

Los Angeles County SD: indicated that they require POST-approved anti-bias training annually.

Orange County SD: reported implementing a training video, bulletin, and briefing training.

Sacramento PD: indicated that all academy recruits and sworn personnel receive training on racial and other equity, which is provided in the academy and through Continuing Professional Training (CPT), policy updates, roll call training bulletins, and roll call training.

San Bernardino County SD: reported that data analysis and talking points were provided to commanders to discuss at briefings.

San Diego County SD: reported that training was provided to sworn and non-sworn employees at daily briefing, online, and in-person with community groups.

San Francisco PD: reported that implicit bias or procedural justice training was incorporated into 12 courses, including required bi-annual CPT training, stand-alone courses on bias, and management courses for civilians.

San Jose PD: indicated that they teach the requirements of AB 953 data collection and remind everyone of existing policies consistent with the RIPA Board’s recommendations.

“Training has been provided in person and on-line to sworn and non-sworn employees. This training has been conducted at daily briefing, on-line and in person with community groups” – San Diego County SD

“All academy recruits and sworn personnel receive training on racial and other equity Training is provided in the academy, Continuing Professional Training (CPT), policy updates, roll call training bulletins and roll call training” - Sacramento PD

“SFPD currently includes implicit bias or procedural justice training through 12 courses, from required bi-annual AO/CPT training to stand alone courses on bias, to management courses for civilians. These courses draw on a wide variety of sources, including the RIPA reports, as they are drafted and/or updated”
- San Francisco PD

Several agencies indicated that they were in the process of developing or updating training materials in line with best practices.

Bakersfield PD: reported that its Quality Assurance Unit was reviewing the 2020 RIPA Board Annual Report to assess future trainings.

CHP: indicated that they were updating the departmental training curriculum in compliance with RIPA and associated statutory requirements.

San Diego PD: indicated that while sworn officers have participated in implicit bias and bias by proxy training for years, they are currently developing similar training for civilian personnel.

“The Department is in the process of developing implicit bias and bias by proxy training for its civilian personnel based on Board Recommendations”
- San Diego PD

“The department's Quality Assurance Unit is currently reviewing all relevant information (including the 2020 RIPA Board Annual Report) while assessing future training....”
- Bakersfield PD

Additionally, several agencies reported that they had already incorporated the Board’s recommendations in their training.

Los Angeles PD: indicated that they would continue to include the Board’s recommendations as they create new training.

Riverside County SD: reported that deputies receive ongoing training.

San Francisco County Sheriff: indicated that diversity and racial bias training was pre-existing.

Santa Clara County SO: indicated that they have not specifically adopted the Board’s recommendations, but continue to develop training based on best practices and new legislation.

Stockton PD: reported that they conduct ongoing procedural justice training, racial profiling, and implicit bias training.

Agencies Reported Training as One of Their Approaches to Ensure Compliance with their Bias-Free Policing Policies and as One Method to Address Non-Compliance	
Use Training & Supervision to Ensure Staff Meet the Bias-Free Policing Policy Expectations	Additional Training is One Method Used to Respond to Violations
Fresno County SO San Diego PD San Francisco County SO Santa Clara County SO Ventura County SD	Alameda County SD Bakersfield PD CHP Kern County SD San Bernardino County SD

“All staff is held accountable and take yearly training updates in this area ... The City and County of San Francisco has city departments established which monitor and encourage racial diversity and training for all city/[County] employees.”
–San Francisco County SO

“SDPD holds personnel accountable by establishing clear expectations in policy and procedures, providing training and supervision to help meet those expectations...”
–San Diego PD

Hiring

The San Diego County Sheriff’s Department indicated one of the main actions they have taken to adopt the Board’s recommendations has been to change their hiring procedures to reflect the county demographics. The Board plans to further evaluate issues relating to recruitment, hiring, retention, and promotion during 2021.

Diversity in Law Enforcement

The RIPA Board was created with the purpose of eliminating racial and identity profiling and improving and understanding diversity in law enforcement through training, education, and outreach. The Board has undertaken a review of literature about the impact of diversity in law enforcement and the communities served and hopes to examine law enforcement recruitment, hiring, and promotions in future years.

Research studies on diversity in law enforcement show correlations between police officer behavior and the race of the officer and driver during police stops. Numerous studies have found that public officials of color are more likely to implement policies that reduce disparate

treatment toward people of color.³²⁶ In the case of racial profiling, White officers have been shown to be more likely to stop and search Black motorists, whereas officers of color treat drivers of color more fairly than White officers.³²⁷

The literature also suggests a correlation between the racial, ethnic, or gender composition of a police force and decreased police violence. However, this change in law enforcement officer behavior occurs only when there are enough officers of color that feel safe representing the interests of members of the same race. This concept, known as critical mass, suggests that individuals help other minorities within an organization or community they serve when empowered by large enough numbers from similar backgrounds within that organization.³²⁸ Nevertheless, there can be challenges to this concept of critical mass, including officers of color conforming to organizational culture for career success, peer pressure, or the internalization of the dominant organizational view.³²⁹ Additional challenges to critical mass include significant trust issues between communities of color and law enforcement, including historical legacies of slavery, segregation, and discrimination.³³⁰

These challenges, along with allegations of racial profiling and the perceptions it creates in communities of color, make it more difficult for law enforcement officers to meaningfully collaborate with community members to achieve public safety.³³¹ Given how important these diversity issues are for law enforcement behavior and community relations, the Board looks forward to further exploring these critical matters next year.

³²⁶ Wright and Headley, *Police Use of Force Interactions: Is Race Relevant or Gender Germane?* (May 2020) *American Rev. of Public Admin.* pp. 1-14 [citing Capers, *The effect of the external environment on bureaucratic representation: Assessing the passive to active representation link* (2018) vol. 48, No. 4, *The American Rev. of Public Admin.*].

³²⁷ Nicholson-Crotty, Nicholson-Crotty & Fernandez, *Will More Black Cops Matter? Officer Race and Police-Involved Homicides of Black Citizens* (2017) volume 77, No. 2, *Public Admin. Rev.* pp. 206-16 [citing Gilliard-Matthews, Kowalski & Lundman, *Office Race and Citizen-Reported Traffic Ticket Decisions by Police in 1999 and 2002* (2008) volume 11, No. 2, *Police Quarterly*, pp. 202-19]; see also Antonovics & Knight, *A New Look at Racial Profiling: Evidence from the Boston Police Department* (2009) volume 91, No. 1, *Review of Economics and Statistics*, pp. 163-177; and Hong, *Representative bureaucracy, organizational integrity, and citizen coproduction: Does an increase in police ethnic representativeness reduce crime?* (Oct. 2015) volume 35, No. 1, *J. of Policy Analysis and Management*, pp. 11-33.

³²⁸ Nicholson-Crotty, Nicholson-Crotty & Fernandez, *Will More Black Cops Matter? Officer Race and Police-Involved Homicides of Black Citizens* (2017) volume 77, No. 2, *Public Admin. Rev.* p. 209.

³²⁹ Wilkins and Williams, *Black or Blue: Racial Profiling and Representative Bureaucracy* (2008) volume 68, No. 4, *Public Administration Rev.* pp. 654-64 [citing Romzek, *Employee Investment and Commitment: The Ties That Bind* (1990) volume 50, No. 3, *Public Administration Rev.* pp. 374-382].

³³⁰ Wilkins & Williams, *Black or Blue: Racial Profiling and Representative Bureaucracy* (2008) *Public Administration Rev.*, volume 68, No. 4, p. 655 [citing Russell-Brown, *The Color of Crime: Racial Hoaxes, White Fear, Black Protectionism, Police Harassment, and other Macroaggressions* (1998) New York University Press].

³³¹ Wilkins & Williams, *Black or Blue: Racial Profiling and Representative Bureaucracy* (2008) volume 68, No. 4, *Public Administration Rev.* p. 655.

California Commission on Peace Officers Standards and Training (POST)

POST is a state entity in the California Executive Branch that reports directly to the Governor. POST is responsible for setting the minimum selection and training standards for over 96,000 law enforcement officers and dispatchers in California; more than 600 agencies participate in the voluntary POST program. POST has approximately 135 staff and over 30 Law Enforcement Consultants. It has a current budget of approximately \$82 million. The Commission holds three public meetings per year to establish standards and regulations and to give direction to POST staff. The Commission established an advisory committee of 14 appointed individuals that provides a two-way communication link between the Commission and organizations that share an interest in the Commission's work.

Legislative Mandate

In 2015, RIPA amended Penal Code section 13519.4, which created specific training requirements for POST, as well as guidelines to prevent racial and identity profiling. The law requires academy level courses for new recruits and expanded training for seasoned in-service officers. The Legislature stressed that these courses should teach understanding and respect for racial, identity, and cultural differences and development of effective non-combative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

Penal Code section 13519.4 requires that the curriculum "be evidence-based and include and examine evidence-based patterns, practices, and protocols that prevent racial or identity profiling." In developing the training, POST must consult with the RIPA Board, which, in turn, includes its review of the law enforcement training in its annual report.

Summary of Racial and Identity Profiling Training Courses

The information below details how POST has worked with the RIPA Board POST Subcommittee on training and recruitment over the past three years. POST's goal has been to develop academy level courses for all new recruits and expanded training courses for seasoned in-service officers. The five courses established to meet the mandates of RIPA are aimed at teaching respect for racial, identity and cultural differences, and they consist of two academy courses: 1) Principled Policing in the Community and 2) Cultural Diversity/Discrimination, and three courses for in-service officers: 1) Bias and Racial Profiling, 2) Implicit Bias and Profiling Update Self-Paced Refresher and 3) Implicit Bias and Profiling Update Self-Paced Refresher for Supervisors. The Board has reviewed two of the five mandated courses. In addition, this Report provides information relating to other courses on procedural justice and implicit bias that are being developed or updated by POST.

2018 RIPA Report

In the 2018 RIPA Report, the Board reviewed two POST training courses for in-service officers: “Biased Based Policing: Remaining Fair and Impartial” and “Principled Policing.”

After the Board’s feedback concerning the Biased Based Policing course, POST replaced the course with a two-hour training video course entitled, “Bias and Racial Profiling.”

The Board reviewed the 2015 “Principled Policing” course – developed in partnership with the Department of Justice, Stanford University, the Oakland and Stockton Police Departments, the California Partnership for Safe Communities, and the Empower Initiative – and found that it met many requirements established by Penal Code section 13519.4. However, the Board recommended that the course be updated to include: 1) the obligations of peace officers in preventing, reporting and responding to discriminatory or biased practices by fellow police officers; 2) a discussion of California’s prohibition against racial and identity profiling; and 3) community participation. POST has integrated elements of the Board recommendations into the new mandated academy course entitled, “Principled Policing in the Community.”

2019 RIPA Report

In the 2019 RIPA Report, the Board conducted evidence-based research and identified best practices for trainings devoted to preventing racial and identity profiling in policing. These best practices include:

- evidence-based and scientific peer-reviewed research on bias, principles of civil rights, and constitutional policing and reflecting the agency’s commitment to procedural justice, bias-free policing, and community policing;
- communication and community relationships;
- the tenets of procedural justice (voice, neutrality, respectful treatment, and trustworthiness); and
- implicit bias, explicit bias, and cultural competency.

2020 Training Updates

Since the 2020 RIPA Report, POST has continued efforts to strengthen training courses aimed at meeting the mandates of RIPA and Penal Code section 13519.4. The following are the five standard courses offered by POST:

Academy Courses	In-Service Training
<ul style="list-style-type: none">• Principled Policing in the Community – 26 hour in-person course• Cultural Diversity/Discrimination – 16 hour in-person course	<ul style="list-style-type: none">• Bias and Racial Profiling – 2 hour video• Profiling and Implicit Bias Refresher for Supervisors – 2 hour online course (Spring 2021)• Profiling and Implicit Bias Refresher – 2 hour online course (Fall 2020)

POST also created or updated other courses related to racial and identity profiling and principled policing.

- Procedural Justice/Implicit bias training, an 8-hour course for in-service officers that is voluntary but meets the legislative mandates. It covers several topic areas such as Principled Policing, law enforcement cynicism, community relations, and implicit bias. As of January 2020, 6000 officers had completed the training.
- POST modified supervisory, management, and executive level courses to include the four tenets of procedural justice.
- POST produces between three and five short videos (3-5 minutes long) entitled, “Did You Know.” These videos are about procedural justice and implicit bias and are used during rollcall, training, or community meetings.
- POST has had a long-term relationship with the Museum of Tolerance (MOT) in Los Angeles. Each year, POST enters a \$1.5 million contract for instruction on a series of courses. All students who attend the POST Supervisory Leadership Institute attend the training at the MOT.
- POST has developed a Distance Learning Grant Program (DLGP) pursuant to the California State Budget Act of 2020. The DLGP is designed to award funds on a competitive basis to help with the development and facilitation of the delivery of quality training aimed at increasing equitable access to high-quality learning experiences while using distance learning technologies. The program is funded at \$5,000,000 and must address issues in one of the following five program areas: Use of Force and De-escalation, Implicit Bias and Racial Profiling, Community Policing, Cultural Diversity, and Organizational Wellness.

Recent Updates to the POST Training Program for 2021

1. The “Bias and Racial Profiling” course is a two-hour training video, which was reviewed by the RIPA Board and released by POST in May 2020. As of July 2020, a total of 4,635 individuals had completed the training.
2. The “Principled Policing” course was updated in October 2020 to update curriculum. It is a voluntary 8-hour course for in-service officers.
3. The “Principled Policing in The Community” course was approved to be included in the POST Basic Academy Learning Domain 3. This is a 26-hour mandatory course for new recruits and became effective April 2020.
4. The “Principled Policing Train-The-Trainer” (T4T) is a 24-hour course – one for instructors in the basic academy and one for in-service instructors. After two initial T4T presentations in September 2020, the Principled Policing course for in-service students will be deployed across the state.

5. POST is developing a two-hour instructor video, tentatively titled “Principled Policing Instructor Video.” The video will be used as a resource in the aforementioned T4T instructor training and will enable all instructors to use the same video resource, whether basic or in-service. The video will 1) provide video scenario resources for Principled Policing instructors to use in their classes and 2) enhance the instructor’s facilitation skills and effectiveness by providing both facilitation tips and recommendations based on what occurs within the video program’s examples. It will also provide commentary on how instructors can bring forth additional Principled Policing-specific content beyond just the examples in the video scenarios.
6. The self-paced online “refresher” training course is almost complete and is expected to be released by February 2021. The course will be tentatively titled “Profiling and Implicit Bias Refresher.”
7. The supervisor module for the self-paced “refresher” course is currently under development. POST anticipates releasing the supervisor module in the spring of 2021. The module will be tentatively titled “Profiling and Implicit Bias Refresher for Supervisors.”

Officers are required to take a mandatory two-hour refresher course every five years after leaving the academy, and the Board reviewed two of the courses designed to meet this requirement.

Board Member Review of Profiling and Implicit Bias Self-Paced Online Refresher Course

One of the five mandatory courses created by POST on racial and identity profiling and cultural diversity is entitled, “Profiling and Implicit Bias Refresher.” It is a self-paced course and is located on the POST Learning Portal, which means officers can take this course at any time.

The POST curriculum development process includes analysis, design, and review phases before the course is released to the field. POST invited the Board to participate early in the course development process for the “Profiling and Implicit Bias Refresher” and again after the content was created.

During the initial analysis phase, POST had one-on-one interviews with Board members (past and present), which included Ben McBride, Warren Stanley, Sandra Brown, Marianna Marroquin, and David Robinson. POST then worked with Subject Matter Experts (SME) from the Museum of Tolerance and their trained instructors to establish learning objectives in line with the mandates in Penal Code section 13519.4. Additionally, POST used both SME’s and law enforcement officers to test different prototypes. In April 2020, POST invited Board members to review an online demonstration of a draft of the course and hosted content review and feedback sessions. Four current Board members, Steve Raphael, Melanie Ochoa, LaWanda Hawkins and Sandra Brown, provided comments on the course.

The Board members³³² expressed that while an in-classroom course is the preferred form of delivery, the modules of this online course were structured and designed very well. The Board members liked that the course included the topics of constitutional rights, implicit bias, connecting with the community, procedural justice, accountability, and de-escalation. The Board was also pleased to see that if an officer answers a question incorrectly, they could not proceed and would need to answer the question correctly before going forward to the next scenario.

Nevertheless, Board members concluded that because the content, scenarios, and desired outcomes are critical to the course success, the subject areas listed above need to be strengthened, clarified, discussed in greater detail, or changed. The Board offered a variety of recommendations for improvement. Board members expressed concerns that the course included scripted bias scenarios as a teaching tool even though actual footage of officer-involved situations is available and would be more effective. The Board members expressed that greater care should be taken when selecting teaching examples needed to achieve the desired outcome. They felt that the course would benefit from providing more guidance and discussion about the legal implications and consequences of bias. The Board also recommended that the course include some classroom discussion regarding the reasons why POST included certain bias based scenarios. Lastly, the Board pointed out that the course did not sufficiently emphasize officer accountability, reporting obligations, and how officers should respond after observing biased behavior by their peers, nor did the course take advantage of teaching opportunities provided in scenarios applying reasonable suspicion and the use of social media.

Board Member Review of Bias and Racial Profiling Video Course

Another of the five mandatory courses created by POST is entitled, “Bias and Racial Profiling.” Officers can view this training video either in a facilitated group or individual setting. Before her passing in December 2018, the Honorable Alice Lytle, a RIPA Board member, was very involved in the early development of this curriculum, served as an SME, and provided guidance to POST. Other SME’s working on the training course video included representatives from the Fresno County District Attorney’s Office, the Council on Islamic Relations, the Museum of Tolerance, the Stockton Police Department, the Glendale Community College Police Department, and an advocate of the LGBTQ community. Course development meetings were held with collaborators in October and December of 2018 and again in February 2019. Additionally, POST interviewed the SME’s individually.

In April 2020, following the post-production of the video, Board members were invited to view the final version of the video prior to its release in May 2020. Board member participants

³³² These are a compilation of comments made by individual Board members – they are not verbatim and do not necessarily reflect those of more than one reviewer.

included Sandra Brown, Angela Sierra, Nancy Frausto, Melanie Ochoa, and David Swing. Board members³³³ reviewed the video and provided POST the following comments.

Some Board members were pleased with the course and thought it was designed to enhance critical thinking and tackle difficult subjects in a way that did not seem artificial. Some felt it was professional and well put together and some liked the historical segments. Board members felt that it could be helpful for community members to see the included conversations between officers.

Some Board members expressed concerns about specific scenarios that needed deeper discussions involving parole and probation, explicit versus implicit bias, the use of highly offensive terms to describe groups of individuals, and the need to use real data to illustrate the disparate treatment of people of color. Some Board members believed that the training should include the role of contemporary police, illustrate how misconduct can create present-day views of law enforcement, and provide officers with the tools to combat personal or agency issues. The Board members also believed that the training was lacking because it did not include RIPA stop data, it did not use actual incidents and events involving officers, nor did it use examples of ways to communicate with different groups of people when stopped (e.g. people with hearing or learning disabilities). Finally, the course did not discuss the “wrongness” of a stop and the bias that led to the stop; and it did not cover situations where officers may not be fully aware of how their actions change as the stop evolves.

Unfortunately, POST advised that it could not adopt any of the above recommendations by the Board members due to the limited time available between the time that POST previewed the video to the Board members and the video’s release, since the video was already in post-production. Because POST was unable to change the video, but did want the input of the Board and the Department, POST invited Department personnel who staff the RIPA Board to review and edit the participant’s guide based on Board member suggestions. The guide would be used to edit the facilitator’s guide that is used during the presentation of the course. POST incorporated most of these comments into the guide, so many of them will be addressed during the classroom discussion portion of the training. POST has expressed a strong desire and commitment to ensure this does not happen again, and has pledged to work closely with the Board throughout the entire process in the future. The Board looks forward to developing a stronger working relationship with POST moving forward.

Vision for Future Reports

Law enforcement training must be relevant to today’s circumstances and the oath officers take to protect and serve everyone. Training is critical to law enforcement culture, community relations, and outcomes that prevent innocent people from being harassed, criminalized, or

³³³ These are a compilation of comments made by individual Board members – they are not verbatim and do not necessarily reflect those of more than one reviewer.

unnecessarily injured or killed. Training is also critical to ensure that all community members are treated equitably when they come into contact with a law enforcement officer.

The Board will continue its work to review all five training courses designated by POST with assistance from outside consultants. The Board will specifically review the two Academy courses, Learning Domain 3, Principled Policing in the Community and Learning Domain 42, Cultural Awareness/Discrimination. The Board also looks forward to working with POST on the development of the Profiling and Implicit Bias Refresher Course for Supervisors. In the coming years, the Board also hopes to examine the impact of implicit bias training in law enforcement.

Finally, the Board would like POST to consider the following training ideas. Namely, POST should:

- Use the data and analysis from the RIPA reports to examine the disparities between racial and identity groups and identify topic areas of concern for future course development.
- Use actual footage of law enforcement encounters in lieu of scripted scenarios.
- Provide training tools and techniques that emphasize community member perspectives during officer encounters.
- Provide courses on officer peer behavior accountability. Officers should be trained how and when to report incidents to their supervisor and be assured they will not be harassed, ridiculed, or retaliated against.
- Provide training courses aimed at deeper discussions regarding; 1) possible officer bias that leads to a stop, how the situation evolves during the stop, and how negative outcomes can be prevented; 2) community perceptions of consent and the behavior or event that turns consent into detention; 3) parole and probation stops and searches; and 4) verbal and non-verbal communication during a stop to prevent escalation.
- Connect recruit academy training with field training and determine how implicit bias and racial and identity profiling and cultural awareness training are being applied.
- Ensure that Field Training Officers have received sufficient training in implicit bias, profiling, and cultural awareness to perform their job fairly and equitably.
- Make the Principled Policing Course, which includes a community presenter component, mandatory for all officers.
- Provide in-service officer racial and identity and cultural awareness training more frequently than two hours every five years.

Vision for Future Reports

- The Board will continue to analyze POST's trainings on bias free policing and racial and identity profiling to ensure that its trainings incorporate the most up-to-date evidence based best practices. In addition to training, the Board hopes to explore best practices in hiring and diversity in law enforcement in the coming years.

RELEVANT LEGISLATION ENACTED IN 2020

This Report highlights relevant legislation enacted in 2020, an unprecedented year for legislative reforms regarding policing, criminal justice, and mental health. This legislation may impact the Board’s work towards eliminating racial and identity profiling, as well as require updated trainings for officers. All bills are effective on January 1, 2021, unless otherwise specified.

Police Practices

AB 1196 – Choke Holds

Assembly Bill 1196 establishes that law enforcement agencies are not authorized to use a carotid restraint or a choke hold. A carotid restraint is “a vascular neck restraint or any similar restraint, hold, or other defensive tactic in which pressure is applied to the sides of a person’s neck that involves a substantial risk of restricting blood flow and may render the person unconscious in order to subdue or control the person.” A choke hold is “any defensive tactic or force option in which direct pressure is applied to a person’s trachea or windpipe.”³³⁴ The author, Assemblymember Gipson, noted: “In the Eric Garner case, NY Commissioner James O’Neill said that the officer’s failure to relax his grip while subduing him triggered a fatal asthma attack. With the high profile death of George Floyd in Minneapolis, where a peace officer used his knee to subdue and detain him, it is clear that similar methods of restraining suspects are incredibly risky and should no longer be allowed.”³³⁵ This legislation ensures that these methods of restraint are no longer authorized throughout the state of California.

AB 846 – Public Employment: Public Officers or Employees Declared by Law to be Peace Officers

AB 846 establishes that the emotional and mental health evaluations included as minimum standards for peace officers in the state must include bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation. The law states that when police departments are advertising positions for peace officers, they must emphasize community-based policing, familiarization between law enforcement and community residents, and collaborative problem-solving, while de-emphasizing the paramilitary aspects of the job. AB 846 also establishes that by January 1, 2022, POST must study, review, and update their regulations and associated training materials related to officer candidates’ screening for emotional and mental conditions to incorporate identification of the explicit and implicit bias described above.

³³⁴ AB 1196 as amended does not have a prohibition on “techniques or transport methods that involve a substantial risk of positional asphyxia.” This is something law enforcement may wish to address when updating their policies.

³³⁵ Assem. Floor Analyses, analysis of AB 1196 (2019-2020 Reg. Session), as amended Aug. 31, 2020, p. 1.

AB 1506 – Police Use of Force

AB 1506 establishes that by July 1, 2023, the California Department of Justice will create a division that, upon the request of a law enforcement agency, will review the use-of-force policy of the agency and make recommendations for changes. Additionally, the law requires that beginning in 2021 a “state prosecutor,” e.g., the Attorney General unless otherwise specified or named, will investigate incidents of an officer-involved shooting resulting in the death of an unarmed civilian.

SB 480 – Law Enforcement Uniforms

SB 480 establishes that law enforcement agencies may not authorize or allow employees to wear a uniform that is camouflage or a uniform that is substantially similar to the United States Armed Forces or state active militia.

AB 1185 – Sheriff Oversight

AB 1185 establishes that a county, through action of the board of supervisors or a vote of county residents, may create a sheriff’s oversight board or an inspector general’s office. The law further allows for those entities to have the authority to issue subpoenas when deemed necessary to investigate a matter within their jurisdiction.

AB 1775 – False Reports and Harassment

AB 1775 amends existing law protecting Californians from violence or intimidation by threat of violence to provide that intimidation by threat of violence includes, but is not limited to, “making or threatening to make a claim or report to a police officer or law enforcement agency that falsely alleges that another person has engaged in unlawful activity or in an activity that requires law enforcement intervention,” knowing that the claim or report is false, or with reckless disregard for the truth or falsity of the claim or report. The bill also increases the criminal penalties for knowingly using the 911 emergency system for the purpose of harassing another. In addition, the bill clarifies that under certain circumstances a false report could be a hate crime and provides for civil remedies for a violation. The bill also establishes that communications between a person and a law enforcement agency in which the person knowingly or recklessly makes a false report that another person has committed or is committing a criminal act will not be privileged in a judicial, legislative, or other official proceeding.

Criminal Justice Reform

SB 132 – Transgender Respect, Agency, and Dignity Act

SB 132 requires the state Department of Corrections and Rehabilitation (CDCR) to treat an incarcerated person who is transgender, nonbinary, or intersex, in a manner consistent with that person’s gender identity. Further, SB 132 requires CDCR to house a person based on the person’s preference. CDCR must also search the person according to the search policy for that person’s gender identity or the gender designation of the facility where they are housed, whichever is the preference of the person. The bill additionally mandates that CDCR personnel

record the person's self-reported gender identity, gender pronouns, and honorifics during the intake process. SB 132 requires not only CDCR staff but also contractors and volunteers to properly address people by the appropriate name and pronoun.

Youth

AB 901 – Youth “Juvenile”

AB 901 limits various authorities of the juvenile court and other local entities in addressing the issue of truant youth. As one example, under AB 901, a juvenile court judge may no longer adjudge a minor a ward of the court on the basis they habitually refuse to obey the reasonable and proper orders or directions of school authorities. Under AB 901, a peace officer must also first refer a minor who is habitually truant or habitually refuses to obey the reasonable and proper orders or directions of their parent or guardian to a community-based resource, the probation department, a health agency, a local educational agency, or other governmental entities that may provide services before issuing a notice to appear in juvenile court to determine whether the minor should become a ward of the court. AB 901 also prohibits a juvenile court from rendering a judgment that a parent or guardian of a youth deemed insubordinate or disorderly bring them to school daily. Probation officers under AB 901 are now required to refer a youth who has four or more truancies in a school year to services provided by a community-based resource, the probation department, a health agency, a local educational agency, or other governmental entities that may provide services.

SB 203 – Juveniles: Custodial Interrogation

SB 203 establishes that youth under 18 must consult with an attorney prior to any custodial interrogation and before waiving their Miranda rights. Previously, the law only provided these protections for youth who are 15 and younger and it was set to expire on January 1, 2025. SB 203 extends these protections indefinitely.

Mental Health

AB 3242 – Mental Health and Involuntary Commitment

Existing law authorizes the involuntary, up-to-72-hour commitment and treatment of people with certain mental health disorders for their own protection. AB 3242 permits an examination or assessment to determine whether an involuntary commitment is necessary to be conducted using telehealth. AB 3242 has an impact on community assisted transport teams that respond to mental health emergencies and allow teams to seek doctor approval without having to have a police officer or clinician respond to the scene directly.

AB 1976 – Mental Health Services: Assisted Outpatient Treatment (known as “Laura’s Law”)

AB 1976 requires counties to develop an assisted outpatient treatment (AOT) program unless they affirmatively opt out. The bill also repeals the January 1, 2022 expiration of, and extends indefinitely, Laura's Law, a state law that permits the court to order AOT under two conditions: (1) if the person meets existing involuntary commitment requirements or the person has refused treatment and their mental health condition is substantially deteriorating; and (2) AOT

would be the least restrictive level of care necessary to ensure the person's recovery and stability in the community. Previously, AOT was only available in counties where it was adopted by the board of supervisors.

AB 2112 – Suicide Prevention

AB 2112 establishes a statewide office for suicide prevention that, among other duties, provides information and technical assistance on suicide prevention and assesses regional and statewide suicide prevention policies and practices. The new department is also responsible for developing evidenced-based best practices.

CONCLUSION

The Board has come a long way in the last four years, but there is more work ahead to fulfill the goal of the Racial and Identity Profiling Act of 2015 to eliminate racial and identity profiling in California. The Survey responses from law enforcement agencies demonstrate the significant impact the work of the Board is having on agency policy, training, and procedures. Agencies are discussing the Report with their staff, incorporating best practices for their bias-free policing policies and complaint forms, analyzing their data to identify disparities, and engaging with their communities. The Board will continue to evaluate stop data and highlight disparities to inform data-driven policy and practice recommendations. Each year, the Board delves deeper into topics of import to the community and law enforcement to make recommendations that will continue to effect positive change and ultimately improve relationships and trust between law enforcement and the community.

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The Racial and Identity Profiling Advisory (RIPA) Board would like to thank the following staff from the California Department of Justice for their assistance and contributions to this report:

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The Racial and Identity Profiling Advisory Board and Department of Justice RIPA team would like to honor the memory of George Whitby. George worked in the California Department of Justice Hawkins Data Center his entire career and was an integral part of the RIPA team. George is remembered for his welcoming personality, his work ethic, dedication to public service, and how much he cared for and supported his colleagues.

The RIPA Board thanks Leticia Martinez Carter from the California Department of Justice for serving as the travel coordinator to the Board.

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Chief David Swing has served on the RIPA Board since 2018, representing the California Police Chief's Association. As Board Co-Chair and Co-Chair of the Stop Data Analysis subcommittee, he contributed greatly to this Report. The RIPA Board thanks him for his service to benefit the people of California.

Sahar Durali was a founding member of the RIPA Board, appointed by Attorney General Kamala D. Harris. She represented Neighborhood Legal Services of Los Angeles and California Rural Legal Assistance, Inc. Ms. Durali served as Board Co-Chair and Co-Chair of the Civilian Complaints subcommittee. The Board appreciates her leadership and work to support the public's engagement.

The RIPA Board thanks former Board members Sandra C. Brown, Felicia Espinosa, Nancy Frausto, Sheriff John McMahon, and Angela Sierra for their work on this year's report and their many contributions to the Racial and Identity Profiling Advisory Board. The Board also congratulates Sheriff McMahon on his retirement after 36 years of service as a peace officer.

The RIPA Board thanks the Commission on Peace Officer Standards and Training (POST) for its partnership and looks forward to continuing our work.

The RIPA Board thanks Jack Glaser, Ph.D., Professor, Goldman School of Public Policy, University of California, Berkeley; and Emily Owens, Ph.D., Professor, Department of Criminology, Law and Society and Department of Economics, University of California, Irvine, for their expertise and guidance in preparing this year's report.

The RIPA Board appreciates the participation of community members, advocates, members of law enforcement, researchers, and other stakeholders. Public participation is essential to this process, and the RIPA Board thanks all Californians who have attended meetings, submitted letters or email, and otherwise engaged with the work of the Board. We look forward to receiving the invaluable input from the public and welcome everyone to participate.

The RIPA Board acknowledges the many challenges facing our communities in 2021 and wishes everyone a happy and safe 2022!

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EXECUTIVE SUMMARY

California’s Racial and Identity Profiling Advisory Board (“Board”) is pleased to release the 2022 Annual Report (“Report”). The Report closely examines a wide range of issue areas related to racial and identity profiling, providing context and research to deepen the public’s understanding of the stop data collected under the Racial and Identity Profiling Act (“RIPA”). In this Executive Summary, the Board provides a broad overview of the Report’s contents. The Board is including as a supplement to the Report a list of Recommendations and Best Practices for all interested parties related to the issue areas in the Report. The Board encourages all stakeholders, including law enforcement agencies, policymakers, the California Commission on Peace Officer Standards and Training (POST), and community advocates and members, to use these recommendations as a platform for discussion and implementation of reforms that will not only improve public safety in California, but also strengthen law enforcement and community relations. The Board especially recognizes that community input is key to any reform process and community members should be consulted as agencies and municipalities prepare to effect change in their communities.

In this year’s Report, the Board analyzes the RIPA stop data collected from 18 law enforcement agencies, including the 15 largest law enforcement agencies in California, from January 1, 2020 to December 31, 2020. The Report contextualizes the data collection within the larger circumstances of the unprecedented worldwide COVID-19 pandemic, which not only had a disproportionate effect on communities of color but also had profound impacts on policing. The Board discusses the substantial racial disparities in agency enforcement of stay-at-home and masking orders, while also documenting the alarming 107% increase in anti-Asian crimes in 2020 in California. The data collection also took place amidst a national reckoning with police violence and systemic racism that led to protests around the world and disparities in how protestors were treated by law enforcement in California and the country.

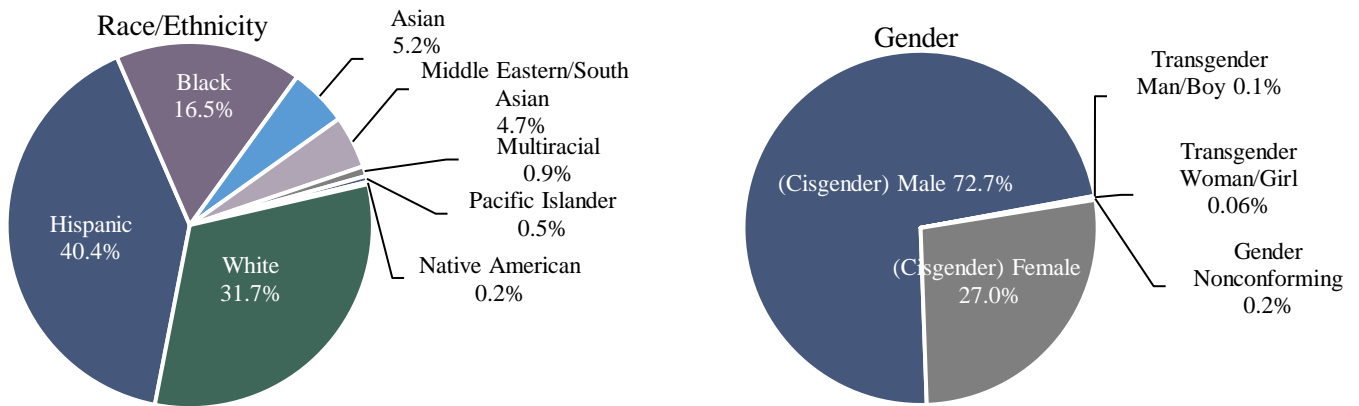
In addition to analysis of the stop data, the Report contains a new focus this year on data concerning disparities for individuals with disabilities and individuals perceived as transgender. The Report also examines the data and research on consent and supervision searches and pretext stops.

Findings Regarding RIPA Stop Data

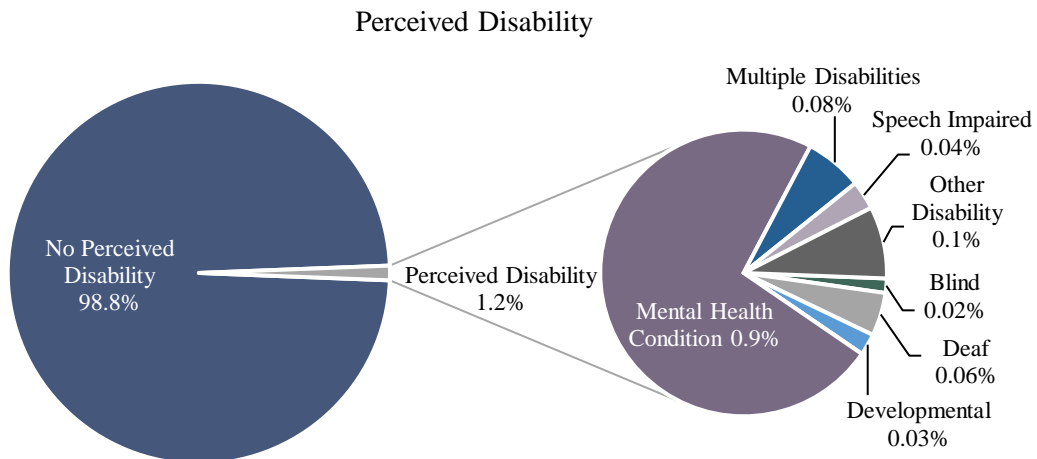
- Between January 1, 2020 to December 31, 2020, 18 law enforcement agencies (“reporting agencies”) in California collected data on police detentions and searches of individuals, also referred to in this Report as stops, and submitted these data to the California Department of Justice.
- Reporting agencies made over 2.9 million stops during the stop data collection period, with the California Highway Patrol conducting the most stops of any single agency (57.7%). Although three more agencies collected stop data in 2020, there were 26.5 percent fewer stops reported than in 2019. The COVID-19 pandemic and its effects on many aspects of

people’s lives, as well as on the practices of law enforcement agencies, likely contributed to this difference in the number of stops reported in 2020 compared to the previous year.

- Individuals perceived to be Hispanic (40.4%), White (31.7%), or Black (16.5%) comprised the majority of stopped individuals.
- The majority of stopped individuals were perceived as either (cisgender) male (72.7%) or (cisgender) female (27.0%), together accounting for 99.7 percent of individuals stopped.



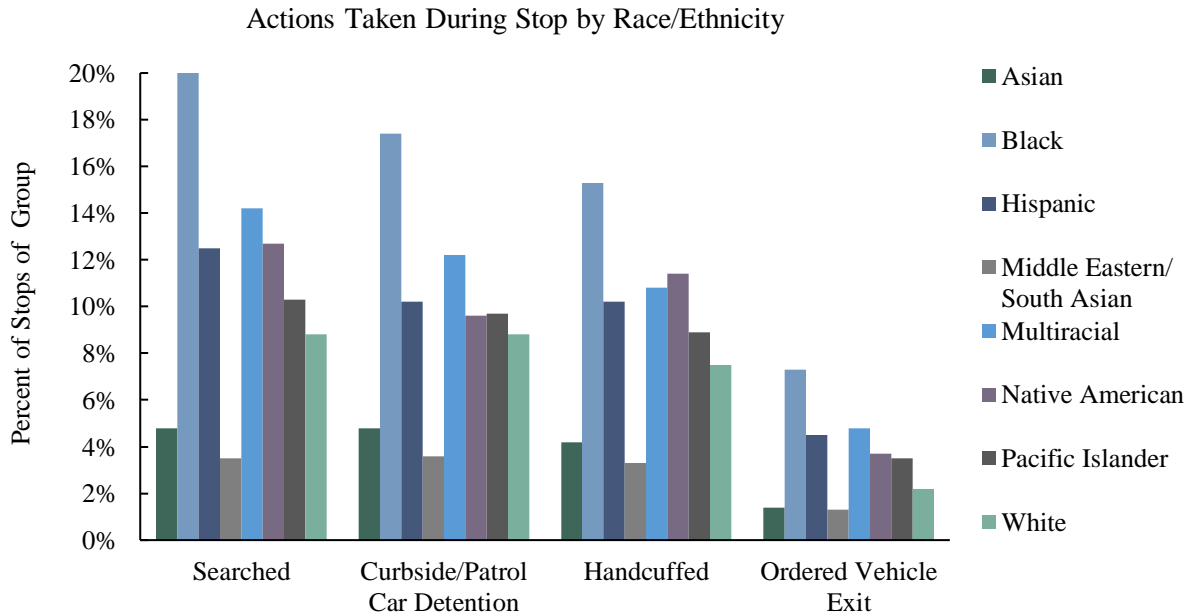
- Officers perceived 1.2 percent of the individuals they stopped to have one or more disabilities. Of those perceived to have a disability, the most common disability reported by officers was mental health disability (70.3%).



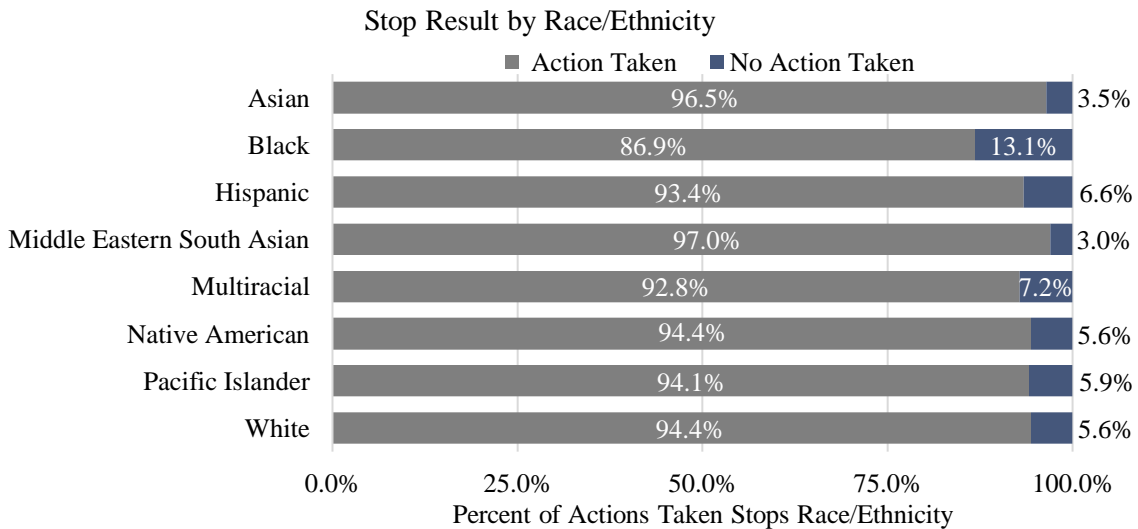
- The most commonly reported reason for a stop across all racial/ethnic groups was a traffic violation (86.1%), followed by reasonable suspicion that the person was engaged in criminal

activity (11.5%). A higher percentage of Black individuals were stopped for reasonable suspicion than any other racial identity group.

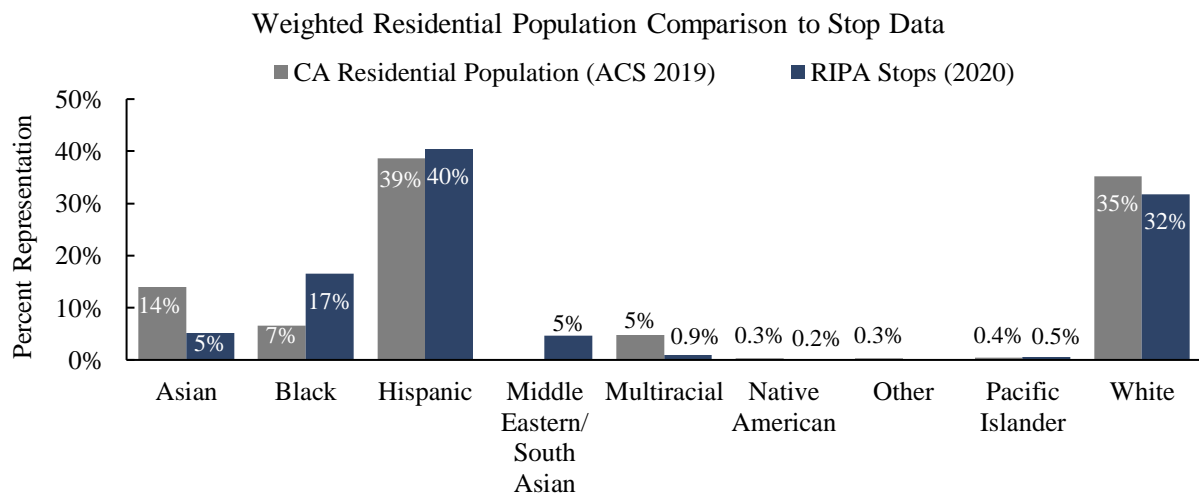
- Officers searched, detained on the curb or in a patrol car, handcuffed, and removed from vehicles more individuals perceived as Black than individuals perceived as White, even though they stopped more than double the number of individuals perceived as White than individuals perceived as Black.



- Officers reported taking no action as the result of stop most frequently during stops of individuals they perceived to be Black.



- To provide context for the racial distribution of stopped individuals, the Board compared the stop data distribution to benchmark data found in the American Community Survey (ACS) dataset. Black individuals represented a higher proportion of stopped individuals than their relative proportion of the population in the ACS dataset.



- The Veil of Darkness analysis showed that darkness decreased the rates at which Black and Hispanic individuals were stopped compared to White individuals.
- Black and Hispanic individuals were more likely to have force used against them compared to White individuals, while Asian and Other individuals were less likely. Specifically, the odds of having force used during a stop were 1.32 times and 1.16 times as high for Black and Hispanic individuals, respectively. Asian and Other individuals whom officers stopped had lower odds of having force used against them (0.80 and 0.82 respectively), relative to the odds for individuals officers perceived as White.
- Search discovery rate analyses showed that, when officers searched stopped individuals, individuals of all racial or ethnic groups of color, with the exception of Asian and Middle Eastern/South Asian individuals, had higher search rates despite having lower rates of discovering contraband compared to individuals perceived as White.

From Data to Policies Addressing the Profiling of Transgender People

The Board used RIPA stop data to gain a deeper understanding of profiling on the basis of gender. The Board takes an intersectional approach to identifying and examining disparities among race/ethnicity and gender stop data. This examination is timely given the onslaught of efforts nationwide to pass discriminatory laws against transgender people and other members of the LGBTQ+ community.

The Board provides context on this issue by first looking at data collected by the National Coalition of Antiviolence Programs (NCAVP), reports by UCLA Law’s think tank The Williams Institute, social science research, and numerous reports that demonstrate that transgender women are at high risk of violence from private actors, particularly through homicide and domestic violence. Given this risk, advocates, including the National Center for Transgender Equality (NCTE) and legal scholars, conclude that transgender women and other transgender populations would benefit from improved relationships with law enforcement.

Following this review of research findings, the Board analyzes RIPA stop data across gender and identifies disparities in stops made by agencies that reported data during 2020. There were dramatic differences in the reasons for stops across perceived gender categories and substantial disparities with respect to gender and whether officers took action as a result of stop. A higher proportion of individuals perceived as transgender were searched in comparison to individuals perceived as cisgender. The completion of field interview cards was an additional result of stop where there was a large disparity between individuals perceived as cisgender and individuals perceived as transgender. Lastly, the Board reviewed the findings of NCTE’s evaluation of existing policies in U.S. police departments and determined that additional work is needed to align policies with best practices. The Board makes best practices recommendations in the Report in several areas aimed at reducing disparities in law enforcement interactions with transgender people. Those recommendations are listed in the Recommendations and Best Practices 2022 RIPA Report.

Data Driven Approaches to Disability Justice

For the first time, the Board highlights in-depth research and data analyses concerning individuals with perceived disabilities, who are disproportionately subject to police searches and uses of force when compared to those with no perceived disability. As the report emphasizes, a mental health crisis is not a criminal matter, and agencies and municipalities should prioritize policies and practices that support alternative community-based responses and secure funding for those alternatives.

Search and discovery rate analysis shows that officers searched individuals perceived to have a mental health disability 4.8 times more often and individuals perceived to have other types of disabilities 2.7 times more often than for other types of disability than individuals perceived to have no disability, but discovered contraband or evidence at a lower rate during stops with searches of individuals with disabilities. Officers used force against individuals perceived to have mental health disabilities at 5.2 times the rate at which they used force against individuals they perceived to have no disabilities.

The Americans with Disabilities Act (ADA) and California state laws provide needed protections and accommodations for individuals with disabilities. Almost every aspect of law enforcement is affected by state and federal disability laws, including receiving civilian complaints, questioning witnesses, arresting or detaining a person, 911 dispatching, providing emergency medical services, and enforcing laws. However, given the disparities shown by the RIPA data, it appears that some accommodation requirements are not being met by municipalities and law

enforcement agencies. As such, the Board lays out several best practice recommendations for agencies regarding training and policies, as well as alternatives to police responses for municipalities to consider. Those recommendations are listed in the Recommendations and Best Practices 2022 RIPA Report. Law enforcement agencies must ensure – through policies and training – that they are not criminalizing behaviors resulting from disabilities.

Consent Searches

The Board closely examines consent searches, where an officer conducts a search of a person and/or their property after getting their permission. Officers have discretion to ask a person for consent to search and do not need to suspect any criminal wrongdoing to make that request. Given this wide discretion, implicit and explicit bias can play a role in when and whom officers ask for consent to search. Indeed, the Board’s data analyses reflect significant disparities related to consent searches that call into question the fairness and utility of these types of searches.

The 2019 and 2020 RIPA data show that Black and Hispanic/Latine(x) individuals are asked for consent to search at higher rates than White individuals. While Black, Hispanic/Latine(x), and Multiracial individuals were searched at higher rates for consent only searches as compared to all other racial/ethnic groups, these consent only searches resulted in lower rates of discovery of contraband (8.5%, 11.3%, and 13.0% respectively) than searches of all other racial/ethnic groups.

The data also showed that for over half the stops where officers conducted a consent only search (consent being the only reason for the search) of Black, Hispanic/Latine(x), and Middle Eastern/South Asian individuals, the reason for the stop was a traffic violation. By contrast, less than 30 percent of consent only searches of White individuals occurred during stops for traffic violations.

Finally, consent only searches result in relatively low discovery rates compared to searches based on reasonable suspicion or probable cause. Black individuals’ discovery rate was 9.2 percentage points less than the rate reported for White individuals for consent only searches.

Given the disparities in the data on consent searches, the Board questions whether consent searches are truly voluntary. While the data reflect that most people consent to a search when asked by an officer, research discussed in the Report reflects that this “consent” is not necessarily voluntarily because of the inherent power inequality between a law enforcement officer and a member of the public. The research shows that this inherent power inequality is particularly pronounced among vulnerable populations, such as people with mental health disabilities or youth, who may be more likely to succumb to authoritative pressure. Indeed, RIPA data reflects that for both people with mental health disabilities and youth, a larger proportion of their stops that began as consensual encounters resulted in searches, as compared to people without mental health disabilities or adults.

The Board looks at efforts by agencies to restrict or prohibit consent searches and found at least one agency where the prohibition on consent searches resulted in an *increase* in the likelihood of finding contraband. The Board believes that these types of policy changes can also have an impact on improving community-police relations.

Given the wide range of disparities and concerns with consent searches, and the potential benefits of prohibiting them, the Board recommends severely limiting or ending the practice of consent searches.

Known Supervision Stops and Searches

The Board also examines known supervision stops and searches, where a person is stopped or searched because they are under a form of court-ordered supervision, such as probation or parole, following the conviction of a crime.

This section of the Report first provides an overview of court-ordered supervision, including a discussion of the Fourth Amendment Waiver. The waiver is a common condition of supervision that allows an officer to search the person and their home, even if the officer does not have reasonable suspicion or probable cause that the person is engaged in criminal activity. The Board also describes how mass incarceration drives disparities related to supervision, noting as one example that Black individuals are substantially more likely than White individuals to be charged with parole violations, even when controlling for other factors.

Against this backdrop, the Board closely assesses data related to stops of individuals where the primary reason for the stop or the basis of a search was the stopped person's supervision status. The Board's analyses reveal large disparities that warrant further examination of law enforcement practices.

For example, officers performed supervision only searches (where supervision status is the only basis for the search) of individuals perceived to be Black at 2.8 times the rate at which they performed supervision only searches of individuals they perceived to be White. Similarly, officers also performed supervision plus searches (where the officer also had some other basis to search the person) of Black individuals at 3.3 times the rate they performed supervision plus searches of White individuals. The rates of discovering contraband for supervision only searches were lower for all racial/ethnic groups as compared to White individuals; Black individuals had the largest difference in their discovery rate (-11.4 percentage points) as compared to White individuals. Officers also reported a higher proportion of supervision only searches during stops for traffic violations (46.9%) than during reasonable suspicion stops (24.6%). These were just a few of the many disparities discussed in the Report.

Given the large disparities observed, the Board reviewed efforts by various law enforcement agencies to limit inquiries into supervision status as well as stops and searches on the basis of supervision status. The RIPA data further indicates that the practice of conducting supervision only searches shows racial disparities that result in low yield rates of contraband or evidence. As such, the Board recommends limiting or prohibiting (1) inquiries into a person's supervision

status and (2) detentions or searches just because an officer is aware of a person's supervision status, and instead requiring that an officer have, at a minimum, reasonable suspicion that a person is engaged in criminal activity.

Pretext Stops

This year's Report serves as a starting point for a longer-term discussion and analysis of pretext stops. A pretext stop occurs when an officer stops a person ostensibly for a traffic violation or minor infraction but with the actual intention of using the stop to investigate based on an officer's hunch that by itself would not amount to reasonable suspicion or probable cause. These types of stops can be influenced by an officer's implicit or explicit bias, as well as agency policies that may focus certain types of enforcement actions in different neighborhoods, which can cause disparities in who is the target of stops.

In this year's Report, the Board's primary focus is to understand data on stops for traffic violations that may form the basis of a pretext stop. The Report contains several analyses of the most frequently cited moving and non-moving violations that could be ripe for pretext if an officer was using minor traffic violations to take further, unrelated action against a stopped individual without having reasonable suspicion or probable cause to do so. As one example, the data reflects that, compared to White individuals (4.6%), officers reported nearly 2.5 times more stops based on window obstruction violations for Hispanic/Latine(x) individuals (11.4%) and 1.9 times more for Black individuals (8.7%) (when excluding the California Highway Patrol from the data analysis). In another example, Black and Hispanic/Latine(x) individuals were disproportionately stopped for two types of bicycle stops (lighting and biking equipment violations) as compared to White individuals.

The Report notes some efforts law enforcement agencies have made to address disparities in traffic stops, which have the added beneficial result of improving various public safety outcomes, such as lower crime rates, fewer traffic accidents, and an increase in DUI arrests.

Given that the Board's data analyses in this Report reflect disparities in traffic violation stops and the promising efforts some agencies have already made to address these types of disparities, the Board would like to delve deeper and analyze stops that may be pretextual in nature and evaluate the efficacy of this practice. To that end, the Board hopes to examine emerging models used by law enforcement agencies with an eye toward increasing unbiased policing practices. The Board also calls on policymakers and leaders to consider ways to eliminate pretextual stops and therefore reduce any potential for harm stemming from such stops.

Racial and Identity Profiling Policies and Accountability

The Report continues the Board's work from its 2021 Report with a review of bias-free policing policies for Wave 3 and some early adopting Wave 4 agencies, as well as a follow-up review of changes made by Wave 1 and Wave 2 agencies after the past two years' review. The Board identifies a few agencies who are currently out of compliance with state law to have their agency policies posted online and urges these agencies to post their policies online as soon as

possible to remedy this violation. The Board also notes the widespread use of Lexipol bias-free policing policies, and recommends that agencies review the policy along with community partners and make changes to meet best practice recommendations and any community-specific needs and values, rather than relying on Lexipol's form policy. These recommendations are listed in the Recommendations and Best Practices 2022 RIPA Report.

Accountability Models

The Board examines key components that comprise law enforcement agencies' accountability systems. First, the Board reviews auditing policies and practices and the use of data for policy change and staff supervision within agencies. As the Board's research shows, audits can enhance the integrity of stop data by assessing the level of accuracy and completeness of data reporting. Auditing can also help agencies identify the causes of outlier patterns or unexpected changes in the data and bring to the surface any policies, practices, or training that contribute to disparities across racial and other identity groups. From there, agencies can address any gaps or deficiencies in their policies, practices, and training.

The Board reviews the efforts of the Los Angeles, San Diego, and Oakland Police Departments and their respective oversight bodies to analyze RIPA stop data and body-worn camera footage to identify how their policies and practices led to disparities in policing and to develop targeted interventions. Following this review, the Board makes several recommendations to law enforcement agencies regarding stop data analysis for policy reform and staff supervision. Those recommendations are listed in the Recommendations and Best Practices 2022 RIPA Report.

The Board examines community participation in oversight, advisory, and disciplinary boards, another critical component of accountability systems. Community oversight bodies can help ensure that law enforcement agencies are accountable for their actions, operate with maximum transparency, and perform their duties in a manner that is informed by community needs. The Board reviews examples of community accountability efforts in San Francisco, Chicago, and Vallejo. The Report contains highlights to demonstrate how community accountability may look different in different places and how each community should determine what would be best for their needs. Following this review, the Board makes recommendations to law enforcement agencies regarding community participation in overseeing law enforcement agencies. Those recommendations are listed in the Recommendations and Best Practices 2022 RIPA Report.

Calls for Service and Bias by Proxy

The Board continues its examination of calls for service, a term that refers to dispatching the police, fire, ambulance, etc. to respond to a call for help, typically a 911 call. The Board examined the racial/ethnic distribution of individuals stopped compared to population. For calls for service, Black individuals were stopped 211.8 percent more frequently than expected based on their proportion of the residential population. Asian individuals were stopped 80.7

percent less frequently and Multi-racial individuals were stopped 78.8 percent less frequently than expected based on the population distribution.

In addition to examining the calls for service data, the Board considers the impact of bias by proxy – when a member of the community calls law enforcement and makes false or ill-informed claims against another person for biased reasons. A dispatcher is usually the first point of contact in any call for service. As such, dispatchers play a critical role in improving community relationships, especially when addressing bias by proxy calls for service. This year the Board reviews dispatcher trainings and policies from the Police Officer Standards and Training (POST) Commission, which sets the minimum guidelines and training for dispatchers. The Board notes that POST does not mandate any bias training for dispatchers, and no bias-related training is a part of the Public Safety Dispatcher Basic Course. The Board provides best practices and recommendations on how to mitigate bias in “suspicious person” calls; these recommendations involve improving communication between dispatchers and officers so that officers understand ahead of time that a call may be motivated by a caller’s bias and respond appropriately. These recommendations are listed in the Recommendations and Best Practices 2022 RIPA Report.

The Board also looks at various approaches communities and law enforcement agencies have taken to address bias by proxy calls. First, the Board describes Bias Response Teams, which are used in various localities and take a restorative justice approach to address bias by proxy calls for service. Restorative justice is a theory that emphasizes repairing the harm caused by criminal behavior; in this context, the harm is caused by a biased call for service. These teams work independently from law enforcement and respond to alleged incidents of bias to provide education and support to the victim of bias, among other efforts to repair harm. Second, the Board looks at how dispatchers and officers can create “friction” by asking the caller various questions to determine whether their call is motivated by bias or an objective sign of criminal activity. Finally, the Board describes the efforts of law enforcement agencies to divert bias by proxy calls—where an officer may not be immediately necessary—to non-law enforcement personnel.

The Board also examines mental health calls for service, which involve a person experiencing a behavioral health crisis and who may require clinical intervention or care coordination from a health professional. Developing and funding comprehensive crisis response systems is a way to improve public safety and destigmatize mental health care. The Board lays out guiding principles for community-first responses to calls for service, including providing a response from mental health professionals that centers the individual and focuses on voluntary participation, peer intervention, trauma-informed and violence-free care, zero suicide aspiration, anti-bias training, short- and long-term connection to care and housing, and utilizing the least restrictive intervention.

The Board reviews crisis response models providing alternatives to armed police responses, with a focus on emerging programs that have started their pilot programs. The models take different forms, but the Board highlights lessons learned from each model that can guide local

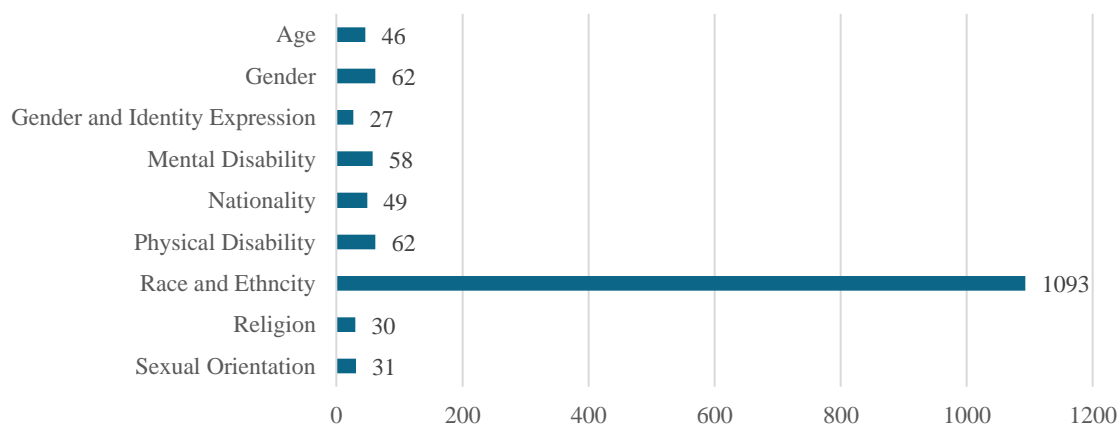
governments and law enforcement agencies on how to effectively implement such community-based models, which are more cost effective and can save lives.

Civilian Complaints Policies

The Report includes an analysis of civilian complaints received in 2020 by the 692 law enforcement agencies in California. Four hundred and forty-four of the 692 agencies were also subject to RIPA’s stop data reporting requirements (hereafter, RIPA agencies). RIPA agencies reported 10,648 complaints in total, and 9,878 (92.8%) reached a disposition in the 2020 calendar year. Of the 9,878 complaints that reached a disposition, 933 (9.4%) were sustained, 3,313 (33.5%) were exonerated, 996 (10.1%) were not sustained, and 4,636 (46.9%) were unfounded.

RIPA agencies reported a total of 1,259 complaints alleging an element, or elements, of racial or identity profiling, constituting 11.8 percent of the total 10,648 civilian complaints reported by RIPA agencies in 2020. Within those 1,259 complaints, there were 1,458 identity profiling allegations. This is because some civilians alleged more than one type of identity profiling, such as profiling based on both their age and their gender. Complaints alleging race and ethnicity profiling constituted 75 percent of the 1,259 complaints alleging identity profiling. The figure below provides a breakdown of the allegations within those 1,259 complaints.

Total Racial and Identity Profiling Complaints Reported by RIPA Agencies

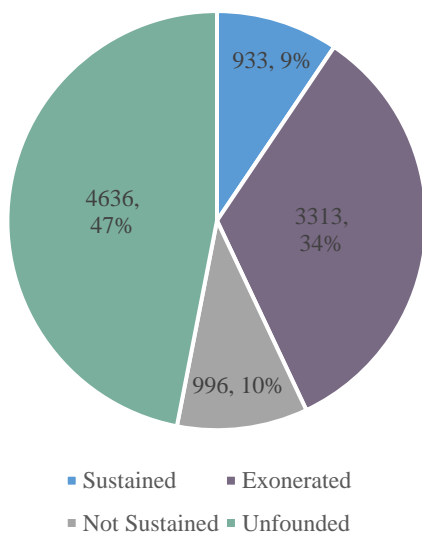


Of those 1,259 complaints alleging profiling, 729 reached disposition in 2020: 14 (1.9%) were sustained, 132 (18.1%) were exonerated, 80 (11%) were not sustained, and 503 (69%) were determined to be unfounded.

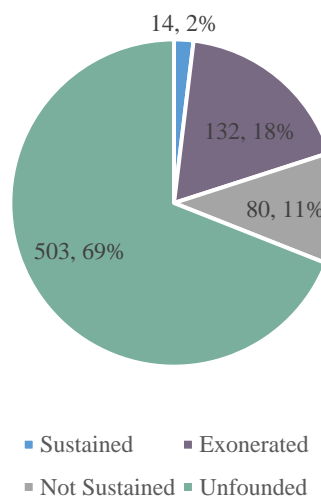
The next figure displays the distribution of disposition types within the 2020 data for (1) all complaints that reached disposition and (2) complaints of racial and identity profiling that reached disposition.

Disposition Distribution of 2020 Complaints

Total Complaints that Reached a Disposition in 2020



Total Racial and Identity Complaints that Reached a Disposition in 2020



The Report contains more details and a breakdown of complaint numbers for Wave 1 and 2 agencies as well as Wave 3 and early reporting Wave 4 agencies. Notably, Wave 1 and 2 agencies experienced an increase in the total number of profiling complaints from 2019 to 2020, and, in 2020, both Wave 1 and 2 agencies reported the highest number of racial and identity profiling complaints since agencies first started collecting this information in 2016.

Finally, the Report contains a review of Wave 3 agencies' civilian complaint forms. This review builds off a review the Board conducted in the 2021 Report of Wave 1 and 2 agencies' forms and examines agencies' compliance with best practices developed by the Board in earlier reports.

The Board also made several recommendations to the Legislature which are discussed in more detail in the Report and also referenced in the Recommendations and Best Practices 2022 RIPA Report.

Addressing Biases in Peace Officers in the Hiring Phase

The Board explores how agencies can address officers' biases at the hiring stage and, to that end, takes a close look at Assembly Bill (AB) 846, which passed the Legislature and was signed into law in September 2020. AB 846 amends California Government Code 1031 and adds Section 1031.3 to the Government Code and Section 13561 to the Penal Code. It requires peace officers to be "free" of "bias against race or ethnicity, gender, nationality religion, disability, or sexual orientation" and requires background investigators and psychological evaluators assessing a peace officer candidate for employment to evaluate whether a person meets this standard. The Board also discusses the efforts POST has made thus far to meet its

directive under AB 846 to revise regulations related to background investigators and psychological evaluators' assessments of a peace officer candidate's biases. As the Board notes, they submitted recommendations on POST's proposed regulations that they believe will enable agencies to better identify officers' biases and, from there, make hiring decisions based on investigators' and evaluators' assessments. The Board recommended that the regulations specifically require background investigators and evaluators to search for and evaluate an applicant's social media profile when evaluating the applicant for bias. The Board also recommended that the regulations require background investigators and evaluators to provide specific findings with respect to every targeted construct utilized to assess a person for biases behavior, traits, or attributes, and that the findings clearly explain the assessment for each construct, including sources and evidence used. POST responded by letter indicating that it would not be able to incorporate the Board's recommendations in time for the regulations deadline. The Board discussed POST's letter at length during its last Board meeting and expressed its concerns with POST's response. POST subsequently advised the Board that it had postponed the publishing of the regulations to engage with Board members to evaluate and fully consider the Board's recommendations. The Board is committed to directly engaging with POST to share its previous analysis and reasoning driving the recommendations with the aim of effective implementation of AB 846.

The Board credits the Legislature for passing AB 846 and its ambitious and worthy goal of transforming the culture of law enforcement agencies and improving public safety by changing the makeup of peace officer candidates. However, the Board notes in the Report the absence of reliable tests to measure a person's implicit biases and lack of consensus on whether a person can be "free" of bias as intended by the Legislature. Given this, the Board recommends the Legislature consider additional legislation that would advance the goals of AB 846 by providing funding to academic researchers, community organizations, and other interested parties to study and experiment with other approaches to identifying and addressing biases within peace officer candidates. The Board surveys at least some of those other approaches, which include evaluations of officers' social media for explicit biases, assessments of officers' motivations or internal drive not to police in a biased manner, long-term, multi-pronged interventions to reduce officers' biases, and trainings on implicit bias. All of these approaches show promise but require further study on their effectiveness, particularly in the law enforcement context.

The POST Commission and POST Law Enforcement Training Related to Racial and Identity Profiling

The Board worked more closely on evaluating and making recommendations on POST trainings this year. POST receives millions of dollars from the Legislature and is responsible for setting the minimum guidelines and training for over 84,400 entry-level cadets, seasoned officers, and supervisors at 652 law enforcement agencies throughout the state. The Board's work on POST trainings goes beyond those trainings solely dedicated to racial and identity profiling because issues of bias and racial and identity profiling overlap with many POST trainings. For example, the Board's data shows that force is disproportionately used on Black individuals, and therefore trainings related to use of force should include components on how to mitigate implicit and

explicit bias. The relationship between the Board and POST is critical because effective law enforcement training is an essential component of the Board’s mandate to eliminate racial and identity profiling in California

This year, the Board addressed the composition of POST’s governing body—the POST Commission— which is set by the Legislature. More than half of the Commission is comprised of individuals with a law enforcement background. Given its significant role in policing, which is a public service to the community, the Board recommends that the Legislature increase the number of community members in the POST Commission. Doing so would be in line with several other boards that regulate professions in the state that have a higher number of public representation on their governing bodies. A change in composition could lead to improved and modernized trainings by incorporating community perspectives as well as increased public trust and confidence in those trainings.

The Board also explores two bodies, the California Legislative Analysis Office and the Little Hoover Commission, that provide external oversight or review into POST’s training program. With respect to the Board’s own role in making recommendations to POST, the Board evaluated POST’s academy level and in-service training courses aimed at preventing racial and identity profiling and teaching understanding and respect for racial, identity, and cultural differences. To that end, POST has identified 6 courses for the Board’s review and the Board has already evaluated 3 of them: (1) the De-Escalation and Mindfulness modules of the Strategic Communications for In-Service Officers and Dispatchers course, (2) Beyond Bias: Racial and Identity Profiling Update online course for In-Service Officers course, and (3) Supervisory Support: Racial and Identity Profiling Self-Assessment course.

The Board’s comments varied among the courses. Some common observations included the following: the reviewed courses do not effectively teach about explicit or implicit bias or profiling; the courses do not discuss in detail the impact of biased policing on the community; the courses do not adequately address circumstances where certain policing actions, such as consent searches, are applied in ways that create disparate outcomes; the courses do not include, where applicable, guidance for supervisors on how to monitor line officers for biased policing and an emphasis on disciplining officers for biased behavior; and finally, the course workbooks and references included references to widely criticized and outdated practices, such as “Broken Windows” policing, which encourage officers to treat communities in ways that produce disparate and racist outcomes and perpetuate community distrust. The Board’s complete observations and recommendations regarding these POST trainings are detailed in the Report and in the Recommendations and Best Practices 2022 RIPA Report.

Relevant Legislation Enacted in 2021

The Report includes a section on recently enacted legislation related to RIPA that may require updated trainings for officers and revisions to agencies’ policies and procedures. The legislation highlighted in the Report deals with such issues as decertification, the minimum age requirements for officers, the duty to intercede, and community-based alternatives to law enforcement, among others.

INTRODUCTION

The 2020 data analyzed in this year’s report was marked by two epidemics: one of illness and disease, and the second of bias and hate. COVID-19 rapidly spread and had devastatingly disproportionate effects on communities of color. While the virus was ravaging communities and livelihoods, hate crimes in California were at their highest reported level in a decade – and particularly pronounced for Asian Americans. At the same time, Californians and the country were grappling with the racial reckoning provoked by the murder of George Floyd. Though bias-based crimes and killings of people of color have been occurring for centuries, they are finally gaining well-deserved widespread national attention due to video, social media, and greater awareness.

As COVID-19 upended all aspects of American life, it also had profound impacts on policing. In California, Governor Newsom declared a statewide emergency on March 4, 2020, and issued a shelter-in-place order on March 19, 2020.¹ With localities and the state implementing stay-at-home orders, overall arrests dropped significantly. For example, in the first half of March 2020, the Los Angeles Police Department experienced a 14% drop in arrests compared to the prior year,² and the Los Angeles Sheriff’s Department’s daily arrest average dropped from 300 to 60 in early March.³ COVID-19 also prompted law enforcement agencies to alter their operations to respond to the crisis. For example, in Los Angeles County, law enforcement agencies increased the number of officers on daily patrol, released 600 people from jails, and instituted policies to cite and release individuals whenever possible.⁴

Although the overall number of arrests dropped in the early months of the pandemic, there were still significant racial disparities in agency enforcement. In cities across the country, including Los Angeles, New York, and Baltimore, White individuals experienced a larger drop in arrests compared to Black individuals.⁵

¹ Governor’s Proclamation of a State of Emergency (Mar. 4, 2020) <<https://www.gov.ca.gov/wp-content/uploads/2020/03/3.4.20-Coronavirus-SOE-Proclamation.pdf>> [as of Dec. 2, 2021]; Lin, *Gov. Gavin Newsom orders all of California to shelter in place*, Cal Matters (Mar. 19, 2020) <<https://calmatters.org/health/coronavirus/2020/03/california-coronavirus-half-of-californians-gavin-newsom-donald-trump/>> [as of Dec. 2, 2021].

² Poston, *Arrests by LAPD and Sheriff’s Department drop amid coronavirus outbreak*, L.A. Times (Mar. 18, 2020) <<https://www.latimes.com/california/story/2020-03-18/lapd-arrests-crime-coronavirus-03182020>> [as of Dec. 2, 2021].

³ Ibid.

⁴ Winton and Tchekmedyan, *Coronavirus has authorities putting more police on streets, releasing inmates from jails*, L.A. Times (Mar. 17, 2020) <<https://www.latimes.com/california/story/2020-03-17/coronavirus-has-authorities-putting-more-police-on-streets-releasing-inmates-from-jails>> [as of Dec. 2, 2021]; see also, e.g., Hernandez and Kucher, *Across San Diego County, police agencies pointed to safety measures taken to protect officers and the public against COVID-19* (Mar. 17, 2020) San Diego Tribune <<https://www.sandiegouniontribune.com/news/public-safety/story/2020-03-17/police-response>> [as of Dec. 2, 2021] (explaining early precautions taken by departments, including trying to limit face-to-face interactions with the public and encouraging those needing help to submit reports over the internet or by phone whenever possible).

⁵ Li, *Police Arrested Fewer People During Coronavirus Shutdowns – Even Fewer Were White*, The Marshall Project (June 2, 2020) <<https://www.themarshallproject.org/2020/06/02/police-arrested-fewer-people-during-coronavirus-shutdowns-even-fewer-were-white>> [as of Dec. 2, 2021].

From March to May 2020, officers policed Black individuals 4.5 times more than White individuals for violating COVID-19 orders.⁶ Arrests comprised the vast majority of documented enforcement actions.⁷ In Brooklyn, New York, 35 of the 40 people arrested for social distancing violations from March 17 to May 4, 2020 were Black.⁸ In San Diego, Black residents received 24 percent of all COVID-related citations even though they only make up 6.5 percent of the city's population.⁹ During the same period, news outlets reported many instances of law enforcement agencies not taking any actions against individuals protesting the COVID-19 orders, many of whom were not social distancing or wearing masks; many law enforcement agencies also refused to enforce the mask and social distancing mandates.¹⁰ For example, officers did not issue any citations to individuals protesting against stay-at-home orders at demonstrations in Encinitas or at the Capitol in Sacramento.¹¹ While COVID-19 may have altered some policing operations, law enforcement agencies continued to disproportionately police Black individuals.

Other structural inequities were inextricably linked with the racial disparities in the enforcement of COVID-19 orders. While some Americans were able to telework, frontline and essential workers continued to have to leave their homes, increasing potential encounters with police.¹² People of color are overrepresented in this essential workforce. Nationally, only 16.2 percent of Latine(x) workers and 19.7 percent of Black workers had the ability to telework.¹³ In California, Latine(x) and Black workers have the highest rates of employment in essential frontline jobs.¹⁴ The pandemic thrust into the spotlight the many ways in which race, class, health, and policing are inextricably intertwined.¹⁵

⁶ Emmer et al., COVID19 Policing Project, *Unmasked: Impacts of Pandemic Policing* (Oct. 2020) p. 30 <<https://communityresourcehub.org/unmasked/>> [as of Dec. 2, 2021].

⁷ *Id.* at p. 31.

⁸ Southall, *Scrutiny of Social-Distance Policing as 35 of 40 Arrested Are Black*, N.Y. Times (May 7, 2020) <<https://www.nytimes.com/2020/05/07/nyregion/nypd-social-distancing-race-coronavirus.html>> [as of Dec. 2, 2021].

⁹ Nucci, *Black San Diegans Received a Quarter of All Coronavirus-Related Citations*, Voice of San Diego (July 13, 2020) <<https://www.voiceofsandiego.org/topics/public-safety/black-san-diegans-received-a-quarter-of-all-coronavirus-related-citations/>> [as of Dec. 2, 2021].

¹⁰ Chan, *'It's Unenforceable.' The Problem with Trying to Police COVID-19 Restrictions*, Time (Dec. 21, 2020) <<https://time.com/5921863/police-enforce-covid-restrictions/>> [as of Dec. 2, 2021]; Emmer et al., *supra* note 6, at p. 70 (The principal policy demand identified by the COVID19 Policing Project was the "repeal [of] criminal penalties and delegation of authority to enforce public health orders to current or former law enforcement or private security.").

¹¹ Romero, *Critics Say Police Target Minorities More Than White Protesters over Social Distancing*, NBC News (Apr. 26, 2020) <<https://www.nbcnews.com/news/us-news/critics-say-police-target-minorities-more-white-protesters-over-social-n1192696>> [as of Dec. 2, 2021].

¹² Li, *Police Arrested Fewer People During Coronavirus Shutdowns – Even Fewer Were White*, The Marshall Project (June 2, 2020) <<https://www.themarshallproject.org/2020/06/02/police-arrested-fewer-people-during-coronavirus-shutdowns-even-fewer-were-white>> [as of Dec. 2, 2021].

¹³ Gould and Shierholz, *Not everybody can work from home: Black and Hispanic workers are much less likely to be able to telework* (Mar. 19, 2020) Economic Policy Institute, Working Economics Blog <<https://www.epi.org/blog/black-and-hispanic-workers-are-much-less-likely-to-be-able-to-work-from-home/>> [as of Dec. 2, 2021].

¹⁴ Thomason and Bernhardt, *Front-line Essential Jobs in California: A Profile of Job and Worker Characteristics* (May 14, 2020) UC Berkeley Labor Center Blog <<https://laborcenter.berkeley.edu/front-line-essential-jobs-in-california-a-profile-of-job-and-worker-characteristics/>> [as of Dec. 2, 2021].

¹⁵ See, e.g., Chan, *supra* note 10; Emmer et al., *supra* note 6, at p. 70 (The principal policy demand identified by the COVID19 Policing Project was the "repeal [of] criminal penalties and delegation of authority to enforce public health orders to current or former law enforcement or private security.").

The pandemic also led to a significant increase in hate crime activity due to harmful discourse surrounding the Asian American and Pacific Islander (AAPI) community and COVID-19.¹⁶ The California Attorney General issued a report documenting an alarming 107 percent increase in anti-Asian hate crimes in 2020 and a new information bulletin to law enforcement agencies across the state regarding laws and penalties related to hate crimes.¹⁷ The U.S. DOJ worked with local law enforcement and community leaders around the country to build capacity to address and prevent hate crimes against AAPI community members.¹⁸ Law enforcement agencies increased patrols and police visibility in their communities in an effort to combat hate crimes,¹⁹ though some advocates from Asian American communities expressed concerns about distrust of law enforcement in those communities and the allocation of and access to resources.²⁰ California's spending bill included a \$156 million investment in victim-centered and community-based solutions to combatting violence against the AAPI community, whereas the federal hate crimes legislation bolstered law enforcement response to anti-Asian violence.²¹

The year 2020 also saw an intense national reckoning with police violence and systemic racism in the wake of George Floyd's murder. The demands for police reform had a profound reach across American society, crossing racial and economic lines. Protests took place in communities where the median income is as low as \$20,000 and as high as \$220,000.²² Protesters were more racially diverse than ever before.²³ In the wake of the protests, the Washington Post-ABC News poll reported – for the first time in its history – that a majority of White people believe the justice system is unfair to Black people.²⁴ While discussions about police brutality and systemic racism are not new, the widespread protests brought them to the forefront of the public agenda.

¹⁶ Rogin and Nawaz, 'We have been through this before.' Why anti-Asian hate crimes are rising amid coronavirus, PBS News Hour (June 25, 2020) <<https://www.pbs.org/newshour/nation/we-have-been-through-this-before-why-anti-asian-hate-crimes-are-rising-amid-coronavirus>> [as of Dec. 2, 2021] ("Consistent with existing policing practices, enforcement has focused on communities hardest hit by both the pandemic and economic crisis it has caused – Black, Indigenous, and Brown communities, migrants, essential workers, low and no-income, unhoused, young, and disabled people...").

¹⁷ See California Department of Justice, Office of the Attorney General, Press Release, Attorney General Bonta Unveils New Guidance, Reports to Help Public and Law Enforcement Better Understand and Address Hate Crimes (June 30, 2021) <oag.ca.gov/news/press-releases/attorney-general-bonta-unveils-new-guidance-reports-help-public-and-law> [as of Dec. 2, 2021].

¹⁸ U.S. Dept. J., Community Relations Service *CRS Responds to Hate Crimes Against Asian Americans and Pacific Islanders* (June 4, 2021) <justice.gov/crs/highlights/AAPI-hate-crimes> [as of Dec. 2, 2021].

¹⁹ Hosea-Small et al., *Police, communities across U.S. fight back against anti-Asian hate crimes*, Reuters (Apr. 5, 2021) <<https://www.reuters.com/article/us-usa-race-policing-idUSKBN2BS0RR>> [as of Dec. 2, 2021].

²⁰ See, e.g., Yam, *Critics fear NYPD Asian hate crime task force could have unintended consequences*, NBC News (Sept. 2, 2020) <<https://www.nbcnews.com/news/asian-america/critics-fear-nypd-asian-hate-crime-task-force-could-have-n1239012>> [as of Dec. 2, 2021]; Holder and Poon, *Asian-American Groups Grapple With Police Response to Violence*, Bloomberg (Mar. 19, 2021) <<https://www.bloomberg.com/news/features/2021-03-19/asian-american-groups-don-t-just-send-more-police>> [as of Dec. 2, 2021].

²¹ Wang, 'Historic investment': California allocates millions to fight anti-Asian hate, NBC News (July 13, 2021) <<https://www.nbcnews.com/news/asian-america/historic-investment-california-allocates-millions-fight-anti-asian-hat-rcna1312>> [as of Dec. 2, 2021].

²² Burch et al., *How Black Lives Matter Reached Every Corner of America*, N.Y. Times (June 13, 2020) <<https://www.nytimes.com/interactive/2020/06/13/us/george-floyd-protests-cities-photos.html>> [as of Dec. 2, 2021].

²³ Payne, *White America: Awakened?*, Politico (May 25, 2021) <<https://www.politico.com/news/2021/05/25/white-people-racial-justice-activism-george-floyd-490545?cid=gfl>> [as of Dec. 2, 2021].

²⁴ *Ibid.*

The racial justice movement sparked an intense response in California, as protesters in cities and towns across the state demanded change to the criminal justice system. Protests ranged in size, including a group of 20 protesters in Elk Grove to 50,000 demonstrators in Hollywood.²⁵ Protesters shut down freeways and bridges, and some cities enacted overnight curfews.²⁶ During a public address, Governor Newsom affirmed and recognized demonstrators' rage, and in the aftermath of the protests, he conducted a listening tour in several cities to meet with activists, business owners, and local officials.²⁷ Law enforcement agencies and unions across the state also released public statements condemning the actions of the officers involved in the Floyd murder,²⁸ recognizing law enforcement's role in marginalizing Black Americans, and committing themselves to listening to the community and reforming their practices.²⁹

Some law enforcement agencies also engaged in numerous instances of violence and use of force against protesters. At demonstrations in San Jose, Oakland, Los Angeles, and Sacramento, police fired rubber bullets and tear gas at peaceful protesters and at point-blank range.³⁰ In Los Angeles, police assaulted four journalists reporting on the events.³¹ Protesters reported that officers were swinging batons with full force, hitting people in their ribs, and shooting projectiles chaotically.³² Demonstrators sustained head and mouth injuries, broken teeth, and bruises, with some reporting they even required surgery.³³ In the months after the summer

²⁵ See, e.g., Armstrong and Macdonald, *EG community reacts to George Floyd incident*, Elk Grove Citizen (June 5, 2020) <http://www.egcitizen.com/news/eg-community-reacts-to-george-floyd-incident/article_3789b488-a750-11ea-bdfd-9b28e719609d.html> [as of Dec. 2, 2021]; Suter et al., *Over 50K protest on streets of Hollywood for George Floyd*, ABC 7 (June 8, 2020) <<https://abc7.com/george-floyd-protest-hollywood-yg-blm/6236686/>> [as of Dec. 2, 2021].

²⁶ See, e.g., Lauer, *San Jose: Hundreds protest killing of George Floyd, stop traffic*, San José spotlight (May 29, 2020) <<https://sanjosespotlight.com/san-jose-hundreds-protest-killing-of-george-floyd-stop-traffic/>> [as of Dec. 2, 2021]; CBSN Bay Area, *Protest Over Death of George Floyd Shuts Down Upper Deck of Bay Bridge in San Francisco* (May 29, 2020) <<https://sanfrancisco.cbslocal.com/2020/05/29/protest-over-death-of-george-floyd-shuts-down-upper-deck-of-bay-bridge-in-san-francisco/>> [as of Dec. 2, 2021]; Hoeven, *Much of CA under curfew as unrest continues*, Cal Matters (June 1, 2020) <<https://calmatters.org/newsletters/whatmatters/2020/06/california-george-floyd-protests-riots-police/>> [as of Dec. 2, 2021].

²⁷ See, e.g., Wiley, *"Your rage is real," Gavin Newsom tells California protesters*, Sac. Bee (June 1, 2020) <<https://www.sacbee.com/news/politics-government/capitol-alert/article243173056.html>> [as of Dec. 2, 2021]; Luna, *Newsom's listening tour stops in Stockton amid protests and calls for action*, L.A. Times (June 4, 2020) <<https://www.latimes.com/california/story/2020-06-04/gavin-newsom-listening-tour-stockton-amid-calls-for-action-after-protests>> [as of Dec. 2, 2021].

²⁸ Rodriguez, *Bay Area law enforcement unions release joint statement regarding death of George Floyd*, KRON 4 (May 28, 2020) <<https://www.kron4.com/news/bay-area/bay-area-law-enforcement-unions-release-joint-statement-regarding-death-of-george-floyd/>> [as of Dec. 2, 2021].

²⁹ See, e.g., Luhnaw, Santa Barbara Police Dept., *Message from Santa Barbara Police Chief Lori Luhnaw Regarding the Death of George Floyd* (May 28, 2020) <<https://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=228037>> [as of Dec. 2, 2021]; Los Angeles Police Department, *Demands for Law Enforcement Reform* (June 3, 2020) <<https://www.lapdonline.org/newsroom/demands-for-law-enforcement-reform/>> [as of Dec. 2, 2021].

³⁰ See, e.g., Brekke et al., *Bay Area's George Floyd Protests Ebb After Day and Night of Confrontations with Police*, KQED (May 30, 2020) <<https://www.kqed.org/news/11821834/bay-area-protests-over-death-of-george-floyd>> [as of Dec. 2, 2021]; Stanton et al., *Peaceful Sacramento protests drowned out by looting, vandalism that continued through night*, Sac. Bee (May 31, 2020) <<https://www.sacbee.com/news/local/article243140876.html>> [as of Dec. 2, 2021]; Rector et al., *LAPD's use of batons, other weapons appears to violate rules, significantly injuring protesters, Times review finds*, L.A. Times (June 11, 2020) <<https://www.latimes.com/california/story/2020-06-11/lapd-violated-protocols-for-batons-and-less-lethal-bullets-injuring-many-protesters>> [as of Dec. 2, 2021].

³¹ U.S. Press Freedom Tracker, *Multiple Journalists Covering Protests in Los Angeles Assaulted*, Radio Free (June 2, 2020) <<https://www.radiofree.org/2020/06/02/multiple-journalists-covering-protests-in-los-angeles-assaulted/>> [as of Dec. 2, 2021].

³² See Rector et al., *supra* note 30.

³³ *Ibid.*; see also Bogel-Burroughs et al, *L.A.P.D. Severely Mishandled George Floyd Protests, Report Finds*, N.Y. Times (Mar. 11, 2021) <<https://www.nytimes.com/2021/03/11/us/lapd-george-floyd-protests.html>> [as of Dec. 2, 2021].

protests, officials across the country and in California commissioned and released after-action reports detailing missteps in law enforcement agencies' response to the demonstrations. Report after report documented officers' lack of training and proper protocols on crowd control tactics, use of force, and de-escalation, lack of planning and command structure, and inadequate policies on community engagement and communications, as well as violations of law enforcement policies.³⁴

Officers also arrested thousands of protesters for violating curfews implemented by localities. With 2,500 arrests, Los Angeles accounted for a quarter of national "failure to disperse" or curfew arrests during the protests,³⁵ though the LA District Attorney and City Attorney later dropped all of the charges.³⁶ Racial disparities in protest-related arrests were also significant. In Chicago, for example, even though Black individuals did not make up the majority of protesters, 70 percent of those arrested were Black, while only 10 percent were White.³⁷

The protests also set off a wave of reforms and legislation across California, both at the state and local level. Sacramento, San Diego, and San Jose approved new measures for the investigation of police use of force and misconduct.³⁸ The Los Angeles Unified School District reduced police presence in schools and the Oakland Unified School District is in the process of fully eliminating its police department.³⁹ In July 2020, the Los Angeles City Council voted to cut the Los Angeles Police Department's operating budget by \$150 million,⁴⁰ though many police budgets have been restored or even raised after initial cuts made in response to the nationwide protests.⁴¹ In April 2021, Los Angeles increased the Police Department budget by \$50 million,⁴²

³⁴ See, e.g., Hillard Heintze on behalf of the City of La Mesa, *La Mesa Police Department: An Independent After-Action Report for the Civil Unrest on May 30, 2020* (Jan. 26, 2021) Key Findings, p. 20; Salonga, *In George Floyd protest report, San Jose police concede training gaps but stand by response*, *The Mercury News* (Sept. 14, 2020) <<https://www.mercurynews.com/2020/09/14/in-george-floyd-protest-report-san-jose-police-concede-training-gaps-but-stand-by-response/>> [as of Dec. 2, 2021]; Chaleff, *An Independent Examination Of The Los Angeles Police Department 2020 Protest Response* (Mar. 10, 2021) p. 57 <https://clkrep.lacity.org/onlinedocs/2020/20-0729_rpt_CLA_03-11-21.pdf> [as of Dec. 2, 2021].

³⁵ Snow, *AP tally: Arrests at widespread US protests hit 10,000*, *AP News* (June 4, 2020) <<https://apnews.com/article/american-protests-us-news-arrests-minnesota-burglary-bb2404f9b13c8b53b94c73f818f6a0b7>> [as of Dec. 2, 2021].

³⁶ Romo, *LA Protesters Arrested for Violating Curfew Won't Be Charged*, *Nat. Pub. Radio* (June 9, 2020) <<https://www.npr.org/sections/live-updates-protests-for-racial-justice/2020/06/09/872690122/i-a-protesters-arrested-for-violating-curfew-wont-be-charged>> [as of Dec. 2, 2021].

³⁷ Misra, *Most of the people arrested at the protests were Black*, *Chicago Reader* (June 30, 2020) <<https://www.chicagoreader.com/chicago/protest-arrests-racial-disparity/Content?oid=81018291>> [as of Dec. 2, 2021].

³⁸ Lo, *Assessing the State of Police Reform*, *Center for Am. Progress* (July 16, 2020) <<https://www.americanprogress.org/issues/criminal-justice/news/2020/07/16/487721/assessing-state-police-reform/>> [as of Dec. 2, 2021].

³⁹ Burke, *Los Angeles Unified cuts school police budget by \$25 million following weeks of protests*, *EdSource* (July 1, 2020) <<https://edsources.org/2020/los-angeles-unified-cuts-school-police-budget-by-25-million-following-weeks-of-protests/635173>> [as of Dec. 2, 2021]; Harrington, *Oakland school board unanimously agrees to eliminate its police force*, *EdSource* (June 25, 2020) <<https://edsources.org/2020/oakland-school-board-unanimously-agrees-to-eliminate-its-police-force/634544>> [as of Dec. 2, 2021].

⁴⁰ Zahniser et al., *Los Angeles cuts LAPD spending, taking police staffing to its lowest level in 12 years*, *L.A. Times* (July 1, 2020) <<https://www.latimes.com/california/story/2020-07-01/lapd-budget-cuts-protesters-police-brutality>> [as of Dec. 2, 2021].

⁴¹ Goodman, *A Year After 'Defund,' Police Departments Get Their Money Back*, *N.Y. Times* (Oct. 10, 2021) <<https://www.nytimes.com/2021/10/10/us/dallas-police-defund.html>> [as of Dec. 2, 2021].

⁴² Smith and Zahniser, *Garcetti's proposed city budget increases spending for LAPD by 3%*, *L.A. Times* (Apr. 20, 2021) <<https://www.latimes.com/california/story/2021-04-20/garcetti-proposes-slight-increase-in-lapd-spending>> [as of Dec. 2,

and in November 2021, the Los Angeles Police Commission recommended a \$213 million budget increase for the Police Department. The mayor will release a proposed budget in April 2022.⁴³ In San Francisco and Berkeley, law enforcement agencies are redirecting certain duties, including traffic citations and non-criminal issues, to unarmed personnel.⁴⁴ Similar statewide reforms have taken effect. In September 2020, Governor Newsom signed a variety of bills into law aimed at reforming the criminal justice system. Among other reforms, the new legislation ends the use of carotid restraints, requires the Attorney General's Office to investigate fatal officer shootings of unarmed individuals, and emphasizes rehabilitation and education in the juvenile justice system.⁴⁵

Even with these new reforms and the public's heightened consciousness about policing issues, there is more work to be done. Police killings of community members occurred at the same rate during the first four months of 2021 as they did in 2020.⁴⁶ The organization Mapping Police Violence collected data on 1,100 police killings in 2020 and as of November 2, 2021, collected data on 978 police killings during the current year.⁴⁷ As of November 2, 2021, there were only twelve days during the year when there were no police killings of civilians.⁴⁸ On April 19, 2021, 26-year-old Mario Arenales Gonzalez died after City of Alameda Police Department officers pinned him to the ground on his stomach for five minutes and he became unresponsive.⁴⁹ Officers were responding to calls that Gonzalez was in a park breaking store security tags off of alcohol bottles and talking to himself.⁵⁰ Gonzalez's death was recently ruled a homicide,⁵¹ again highlighting the necessity and urgency of continued action to improve training and limit police use of force.

2021]; Rao, *Between defund and defend, L.A. tries new tactics, bigger budget for cops*, Frontline (Aug. 28, 2021) <<https://www.pbs.org/wgbh/frontline/article/between-defund-and-defend-l-a-tries-new-tactics-bigger-budget-for-cops/>> [as of Dec. 2, 2021].

⁴³ Smith, *Police Commission backs a 12% increase in LAPD budget for next year*, L.A. Times (Nov. 23, 2021) <<https://www.latimes.com/california/story/2021-11-23/police-commission-backs-increase-in-lapd-budget-for-next-year>> [as of Dec. 2, 2021].

⁴⁴ Westervelt, *Removing Cops From Behavioral Crisis Calls: 'We Need To Change The Model'*, Nat. Pub. Radio (Oct. 19, 2020) <<https://www.npr.org/2020/10/19/924146486/removing-cops-from-behavioral-crisis-calls-we-need-to-change-the-model>> [as of Dec. 2, 2021]; Kawamoto, *Berkeley cops to stop issuing traffic tickets under sweeping police changes*, East Bay Times (July 16, 2020) <<https://www.eastbaytimes.com/2020/07/15/berkeley-city-council-oks-sweeping-changes-to-transform-police/>> [as of Dec. 2, 2021].

⁴⁵ Off. of Governor Gavin Newsom, *Governor Newsom Signs Critical Criminal Justice, Juvenile Justice and Policing Reform Package, Including Legislation Banning the Carotid Restraint*, State of Cal. (Sept. 30, 2020) <<https://www.gov.ca.gov/2020/09/30/governor-newsom-signs-critical-criminal-justice-juvenile-justice-and-policing-reform-package-including-legislation-banning-the-carotid-restraint/>> [as of Dec. 2, 2021].

⁴⁶ McCaskill, *Police are still killing people at the same rate as before*, Politico (May 25, 2021) <<https://www.politico.com/news/2021/05/25/police-brutality-statistics-shootings-george-floyd-489803>> [as of Dec. 2, 2021].

⁴⁷ Mapping Police Violence, *Police Violence Map* (Nov. 2, 2021) <<https://mappingpoliceviolence.org/>> [as of Dec. 2, 2021]; Mapping Police Violence, *2020 Police Violence Report* (Nov. 2, 2021) <<https://policeviolencereport.org/>> [as of Dec. 2, 2021].

⁴⁸ Mapping Police Violence, *Police Violence Map*, *supra* note 47.

⁴⁹ Wright, *California Man Dies After Officers Pin Him to Ground for 5 Minutes* (Apr. 27, 2021) New York Times <<https://www.nytimes.com/2021/04/27/us/mario-gonzalez-alameda-police.html>> [as of Dec. 2, 2021].

⁵⁰ *Ibid.*

⁵¹ Bay City News, *Mario Gonzalez's In-Custody Death Ruled a Homicide* (Dec. 10, 2021) <<https://www.nbcbayarea.com/news/local/mario-gonzalez-in-custody-death-ruled-a-homicide/2752974/>> [as of Dec. 14, 2021].

The Racial and Identity Profiling Advisory (RIPA) Board recognizes the urgent need for real systemic change in our collective approaches to policing. In this year's report, the Board is exploring new ways to use the stop data collected by law enforcement agencies throughout the state to identify and evaluate disparities and examine evidence-based best practices to reduce and eventually eradicate the disparities. The Board's statutory mandate to eliminate racial and identity profiling and improve law enforcement and community relations requires a strong commitment from everyone involved to not only recognize the historical and present harm caused by unlawful and unequal treatment of individuals of color, but also to work together as a community to overcome these inequalities.

ANALYSIS OF 2020 STOP DATA

A. Introduction

In the third year of RIPA stop data reporting, 18 law enforcement agencies in California collected data on 2,937,662 pedestrian and vehicle stops conducted from January 1 to December 31, 2020.⁵² The data were submitted by Wave 1 and Wave 2⁵³ agencies, as well as a few agencies from later waves that began collecting and submitting stop data early.⁵⁴ Although 3 more agencies reported stop data in 2020, there were fewer stops reported than in 2019. The COVID-19 pandemic and its effects on many aspects of people’s lives – as well as the practices of law enforcement agencies across the state – likely contributed to this difference in the number of stop data records between previous years and 2020.

The numbers of stops reported decreased from 3,995,686 stops reported in 2019 to 2,937,662 stops reported in 2020, a 26.5 percent reduction. All agencies that collected stop data in 2019 and 2020 saw a reduction in stops across years. However, the size of the reduction varied by agency, ranging from a 71.6 percent (37,111 fewer stops) reduction from Fresno Police Department to a 3.5 percent (2,040 records) reduction from Riverside County Sheriff’s Department.

Table 1. Stops by Agency (2019 and 2020)

Agency	# of Stops 2019	# of Stops 2020	Difference	% point difference from 2019
Bakersfield PD	-	12,170	-	-
CHP	2,175,618	1,696,390	-479,228	-22.0%
Davis PD	-	2,644	-	-
Fresno PD	51,849	14,738	-37,111	-71.6%
Los Angeles Unified School District	-	1,150	-	-
Long Beach PD	40,524	17,210	-23,314	-57.5%
Los Angeles SD	196,850	104,275	-92,575	-47.0%
Los Angeles PD	712,807	521,426	-191,381	-26.8%
Oakland PD	24,395	21,076	-3,319	-13.6%
Orange County SD	50,396	39,855	-10,541	-20.9%
Riverside County SD	58,379	56,339	-2,040	-3.5%

⁵² Gov. Code, § 12525.5(g)(2) defines a “stop” as any detention by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person’s body or property in the person’s possession or control.

⁵³ Gov. Code, § 12525.5(a)(1) states that each agency that employs peace officers shall annually report to the Attorney General data on all stops conducted by that agency’s peace officers for the preceding calendar year. Wave 1 includes agencies that employ 1,000 or more peace officers and Wave 2 agencies employ 667 or more but less than 1,000 peace officers.

⁵⁴ The Bakersfield Police Department, Los Angeles Unified School District Police Department, and Davis Police Department were required to start their data collection on January 1, 2021 but chose to start their data collection on January 1, 2020.

Agency	# of Stops 2019	# of Stops 2020	Difference	% point difference from 2019
Sacramento County SD	60,944	43,881	-17,063	-28.0%
Sacramento PD	68,012	51,446	-16,566	-24.4%
San Bernardino County SD	157,715	109,024	-48,691	-30.9%
San Diego County SD	65,029	38,824	-26,205	-40.3%
San Diego PD	187,231	150,611	-36,620	-19.6%
San Francisco PD	101,614	38,615	-62,999	-62.0%
San Jose PD	44,306	17,988	-26,318	-59.4%

The data collected include demographic information of stopped individuals, as perceived by the officer, as well as a range of descriptive information designed to provide context for the reason for the stop, actions taken during the stop, and outcome of the stop. The purpose of collecting these data is to document law enforcement interactions with the public and determine whether certain identity groups experience disparate treatment during stops.

Individuals may self-identify differently than how an officer may perceive them. This distinction is critical because racial and identity profiling occurs because of how people perceive others and act based on that perception rather than how individuals see themselves. Some of the demographic characteristics collected (e.g. race/ethnicity or age) may be easier to perceive based on visible factors. Other identity characteristics (e.g. sexual orientation or disability) may not be as apparent and therefore may be perceived less consistently. The Legislature tasked the Board with analyzing stop data based on how officers perceive individuals for the purpose of identifying and eliminating racial and identity profiling when it occurs. This is the context under which RIPA data should be analyzed and interpreted.

In this year’s report, the Board presents stop data analyses in two sections:

- A. The first section provides a breakdown of each identity group followed by their rates of experiencing stop outcomes.
- B. The second section attempts to create benchmarks (i.e., reference points) to compare the stop data results and measure disparities. These benchmarks include comparisons to residential population data and tests for different outcomes at various points of the stop. These outcome-based tests explore search outcomes, the impact of daylight (i.e., when it might be easier to see race or other identity characteristics) on who is stopped, and the rates of force used by law enforcement.

B. Stop Data Demographics

1. Identity Demographic of Individuals Stopped by Officers

RIPA requires officers to collect perceived identity-related information about the individuals they stop on six key demographics: race/ethnicity, gender, age, lesbian-gay-bisexual-transgender (LGBT) identity, English fluency, and disability. Officers are *not* permitted to ask individuals to self-identify for RIPA stop data collection purposes. Thus, all demographic data in this report reflects the perceptions of officers and may differ from how some individuals self-identify.

Note Regarding Gender and LGBT Data

During the process of performing analyses, the Department discovered a systematic error within the data submitted by the California Highway Patrol (CHP) for stops where officers perceived the person stopped to be transgender. Although the CHP properly collected data for transgender individuals, it was later determined the data was inadvertently not being transmitted properly to DOJ through the automated data transmission process. RIPA regulations specify, “If an officer selects ‘Transgender man/boy’ or ‘Transgender woman/girl’ in response to the data element for ‘Perceived Gender of Person Stopped,’ [they] must also select ‘Yes’ in response to [the ‘Person Stopped Perceived to be LGBT’] data element.” However, the data transmitted to the Department for over 1,000 cases from the CHP did not adhere to this requirement, which prompted the Stop Data Collection System to return these records to the agency for correction. The records were not corrected prior to the end of the data submission period. This error prevented nearly all individuals perceived to be transgender from being included in the successfully submitted data from the CHP, but did not affect records for individuals perceived to be cisgender. If left unaddressed, the large proportion of data submitted by the CHP that only consists of individuals perceived to be cisgender or gender nonconforming could serve to skew distributions that display outcomes broken down by gender.

In an effort to reduce the effects of this error, data submitted by the CHP has been excluded from analyses that focus on the perceived gender of individuals stopped. Similarly, because this error also affected a sizeable portion of records for individuals perceived to be LGBT by CHP officers, analyses which focus on the LGBT data element also exclude CHP data in this year’s report. Since submitting its 2020 data, the CHP has fixed the underlying issue that was causing this error, meaning that data collected in 2021 and moving forward will not contain this error.

Race/Ethnicity.⁵⁵ Officers perceived the highest proportion of individuals they stopped to be Hispanic (40.4%; 1,187,728), followed by White (31.7%; 929,776), Black (16.5%; 484,364), Asian (5.2%; 151,813), Middle Eastern/South Asian (4.7%; 136,806), Multiracial (0.9%; 25,777), Pacific Islander (0.5%; 15,292), and Native American (0.2%; 6,105).⁵⁶

Gender.⁵⁷ RIPA regulations contain five gender categories, including male, female, transgender man/boy, transgender woman/girl, and gender nonconforming.⁵⁸ Overall, the majority of individuals were perceived as (cisgender) male (72.7%; 2,134,460) or (cisgender) female (27.0%;

⁵⁵ Due to a technical error, one record is missing information for the perceived race/ethnicity of the stopped individual.

⁵⁶ Officers may select multiple racial/ethnic categories per individual when recording stop data. To avoid counting the same stopped individual in multiple racial/ethnic groups, all stopped individuals whom officers perceived to be part of multiple racial/ethnic groups were categorized as Multiracial. The distribution of the race/ethnicity categories that officers selected when they selected more than one category was as follows: Asian (21.9%), Black (31.6%), Hispanic (71.5%), Middle Eastern/South Asian (27.8%), Native American (15.4%), Pacific Islander (17.0%), and White (65.8%).

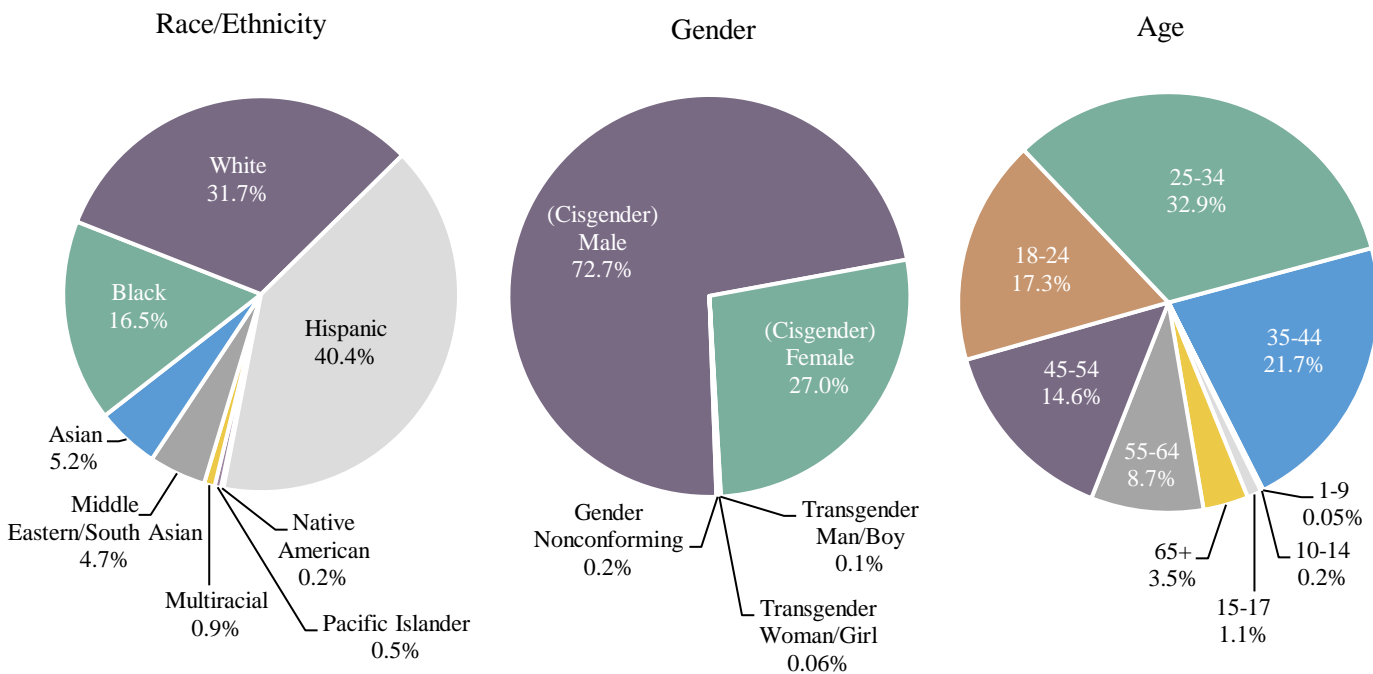
⁵⁷ Due to a technical error, one record is missing information for the perceived gender of the stopped individual.

⁵⁸ These categories match those found in the regulations informing RIPA stop data collection. Currently, a proposed change to the RIPA regulations would change “male” and “female” to “cisgender man/boy” and “cisgender woman/girl.” However, these proposed changes have not yet taken effect. Therefore, for the purposes of this report, “male” refers to cisgender males and “female” refers to cisgender females.

792, 343),⁵⁹ with all other groups collectively constituting less than one percent of stops.⁶⁰ The exclusion of CHP stop data records does not significantly change the overall gender distribution. Similarly, after excluding CHP data, the vast majority of stopped individuals were perceived as either (cisgender) male (72.6%; 901,150) or (cisgender) female (26.9%; 334,056), with all other groups collectively constituting less than 1 percent of the data.⁶¹

Age. Individuals perceived to be between the ages of 25 and 34 accounted for the largest proportion of individuals stopped within any one age group (32.9%; 966,823). Individuals perceived to be below the age of 10 accounted for the smallest proportion (<0.1%; 1,381) of individuals stopped.⁶²

Figure 1. Race/Ethnicity, Gender and Age Distributions of 2020 RIPA Stop Data



⁵⁹ Cisgender is an adjective used to describe a person whose gender identity conforms with the sex they were assigned at birth.

⁶⁰ The other groups were transgender man/boy (0.1%; 3,175), transgender woman/girl (0.06%; 1,747), and gender nonconforming (0.2%; 5,936).

⁶¹ The other groups were transgender man/boy (0.3%; 3,175), transgender woman/girl (0.1%; 1,747), and gender nonconforming (0.1%; 1,143).

⁶² Individuals whom officers stopped and perceived to be less than 10 years of age constituted less than one of every 500 individuals stopped. However, the Department is currently exploring the possibility that, in some cases, officers may have (1) incorrectly recorded the age of these stopped individuals (i.e. typographical errors) or (2) recorded data in cases that are not reportable under Section 999.227 (b) of the RIPA regulations (i.e. recording data for young passengers not suspected of committing a violation whom also did not have reportable actions taken towards them).

LGBT. Overall, stops of individuals perceived to be LGBT comprised less than one percent of the data (0.8%; 23,908).⁶³ Stops of persons perceived to be LGBT constituted a slightly larger proportion of stops, when examining only stop data that was submitted by agencies other than the CHP (1.4%; 16,932).⁶⁴ For many individuals, LGBT identity is not a consistently visible characteristic; therefore, the ability of officers to perceive this characteristic may often depend on context. For example, based on social cues or conversations, an officer may perceive the driver and a passenger in a vehicle to be same-sex partners.⁶⁵ An individual's gender expression – how the person acts, dresses, behaves, and interacts to demonstrate their gender – may influence other people's perception. Additionally, individuals who are seen as existing outside of gender norms in ways that are easily perceived often experience more significant surveillance or scrutiny from law enforcement or others. This is sometimes called hypervisibility.⁶⁶

Limited English Fluency. Officers perceived approximately 3.9 percent (115,459) of individuals stopped to have limited or no English fluency.

Disability. Officers perceived 1.2 percent (35,708) of the individuals they stopped to have one or more disabilities.⁶⁷ Of those perceived to have a disability, the most common disability reported by officers was mental health disability (70.3%; 25,119).⁶⁸

⁶³ Of these 23,908 individuals, officers perceived 4,922 (20.6%) to be transgender. Officers that report the perceived gender of an individual to be transgender must also indicate they perceived the person to be LGBT. As explained in the note on page 29, CHP data contained an error that caused incorrect data for this field to be transmitted to the Department, which is why further analyses of the outcomes for LGBT individuals exclude records from CHP.

⁶⁴ Of these 16,932 individuals, officers perceived 4,922 (29.1%) to be transgender. Officers that report the perceived gender of an individual to be transgender must also indicate they perceived the person to be LGBT. Records submitted by CHP are excluded from this analysis due to errors outlined in the note on page 29.

⁶⁵ RIPA seeks to collect perceived data, and the implementing regulations prohibit an office from asking individuals about their sexual orientation (in addition to gender, age, ethnicity) in order to collect RIPA data. In this hypothetical example, the officer may have overheard a conversation that led to their perception, one of the vehicle occupants identified themselves or the other as a romantic partner (without being asked), or intimacy between individuals may have informed the officer's perception.

⁶⁶ Shabalala, "Violence is everywhere for trans women" - *Experiences of gendered violence in the lives of Black transgender women in post-apartheid South Africa: a critical transfeminist narrative enquiry* (2020) University of Cape Town: Thesis Honors in Bachelor of Social Science, pp. 21-22

<http://www.psychology.uct.ac.za/sites/default/files/image_tool/images/117/Logos/thesis/VIOLEN~1.PD> [as of Dec. 2, 2021]; Fernandez and Williams, *We Deserve Better: A report by the members of BreakOUT!* (2014) p. 11

<https://issuu.com/youthbreakout/docs/we_deserve_better_report> [as of Dec. 2, 2021].

⁶⁷ Specific disability categories that the officer could report were blind/limited vision (0.02%), deafness or difficulty hearing (0.06%), developmental disability (0.03%), disability related to hyperactivity or impulsive behavior (<0.1%), mental health disability (0.9%), other disability (0.1%), speech impaired (0.04%), and multiple disabilities (0.08%).

⁶⁸ Individuals perceived to have multiple disabilities—including mental health disabilities—are not included in this statistic.

2. Calls for Service

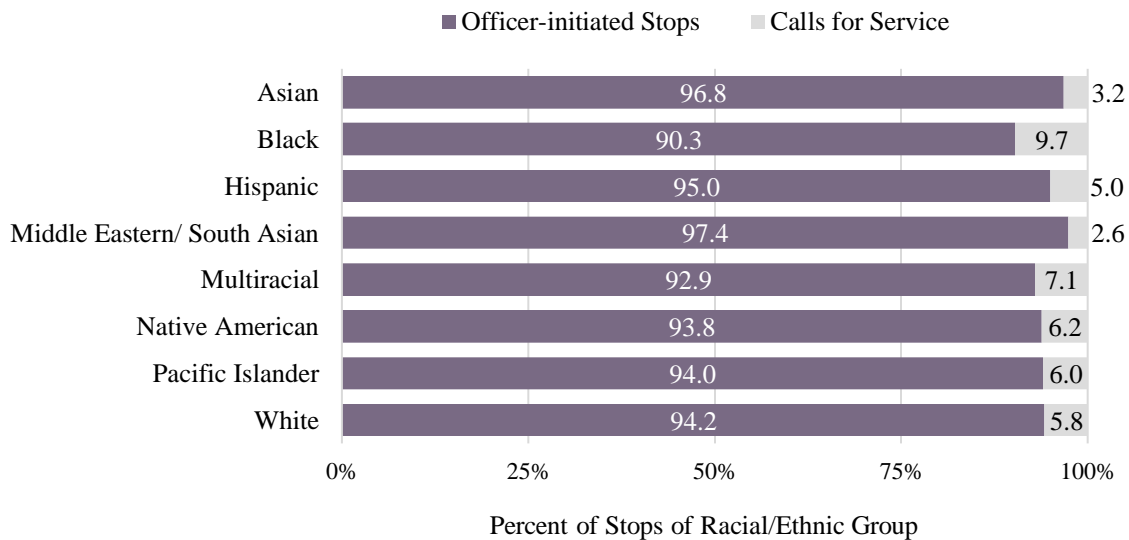
Officers must indicate whether they made each stop in response to a call for service.⁶⁹ Officers reported that 5.9 percent of stops were made in response to calls for service.⁷⁰

Race/Ethnicity. The share of stops that were in response to calls for service was highest for Black individuals (9.7%) and lowest for Middle Eastern/South Asian individuals (2.6%).

Key Terms

- Call for service – a stop made in response to a 911 call, radio call, or dispatch
- Officer-initiated – a stop resulting from the officer’s observation not in response to a call for service

Figure 2. Call for Service Status by Race/Ethnicity



Gender. Stopped individuals perceived as transgender women/girls had the highest proportion of their stops initiated in response to a call for service (33.0%) while stopped individuals perceived as cisgender female had the lowest proportion (11.8%).⁷¹

⁶⁹ An interaction that occurs when an officer responds to a call for service is only reported if it meets the definition of a “stop” as set forth in section 999.224, subdivision (a)(14) of the RIPA regulations. A call for service is not a reason for stop value under the RIPA regulations. Rather, officers indicate whether or not a stop was made in response to a call for service in addition to providing a primary reason for stop. The RIPA regulations do not specify whether a stop made after a civilian flags down an officer on the street fits the definition of a call for service; accordingly, data entry for this field may vary across officers and agencies for stops where civilians flagged down officers.

⁷⁰ Given that stops for traffic violations constitute a majority of the data, but are less likely to be made in response to a call for service, these analyses were also conducted while excluding data from stops where officers indicated that the primary reason for the stop was a traffic violation. Please see Appendix Table A.5 for all statistics.

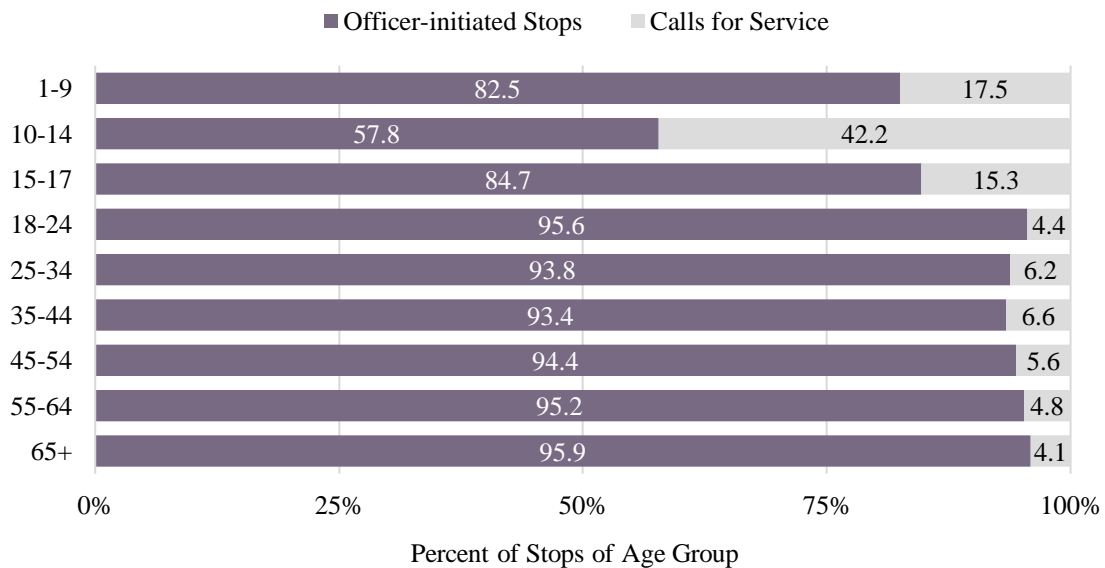
⁷¹ Records submitted by CHP are excluded from this analysis due to errors outlined in the note on page 29.

Figure 3. Call for Service Status by Gender



Age. Individuals stopped whom officers perceived to be between the ages of 10 and 14 had the highest proportion of their stops initiated in response to a call for service (42.2%) whereas individuals aged 65 or higher had the lowest proportion (4.1%).

Figure 4. Call for Service Status by Age Group



LGBT. Individuals whom officers perceived as LGBT had a higher proportion (21.0%) of their stops reported as being in response to a call for service than individuals whom the officers did not perceive to be LGBT (12.7%).⁷²

⁷² Records submitted by CHP are excluded in this analysis due to errors outlined in the note on page 29.

Limited English Fluency. Stopped individuals whom officers perceived to have limited or no English fluency had a higher rate of being stopped in response to a call for service (8.5%) compared to English fluent individuals (5.7%).

Disability. Stopped individuals perceived as having a disability had a dramatically higher rate of being stopped in response to a call for service (57.5%) compared to those whom officers did not perceive to have a disability (5.2%).

3. Primary Reason for Stop

Stop data regulations require officers to report the primary reason why they initiate each stop. In instances where multiple reasons may apply, officers select only the primary reason that informed their decision to initiate a stop. Officers collect data for both pedestrian and vehicle stops.

Officers may select from eight different primary reasons for stop. The most common reason provided for a stop was a traffic violation (86.1%), followed by reasonable suspicion that the person was engaged in criminal activity (11.5%).⁷³ Reasonable suspicion is a legal standard in criminal law that requires an officer to point to specific articulable facts that the person is engaged in, or is likely to be engaged in, criminal activity. Reasonable suspicion requires more than just an officer having a hunch that the person committed a crime, but is a lesser standard than probable cause, which is required to arrest somebody.⁷⁴ All other reasons collectively made up less than 3 percent of the data and are grouped together under the category of “Other” in the following sections.⁷⁵

Race/Ethnicity. Middle Eastern/South Asian individuals had the highest proportion of their stops reported as traffic violations (95.4%) and the lowest proportion of their stops reported as reasonable suspicion (4.1%) and “Other” (0.6%). Relative to other groups, Black individuals had

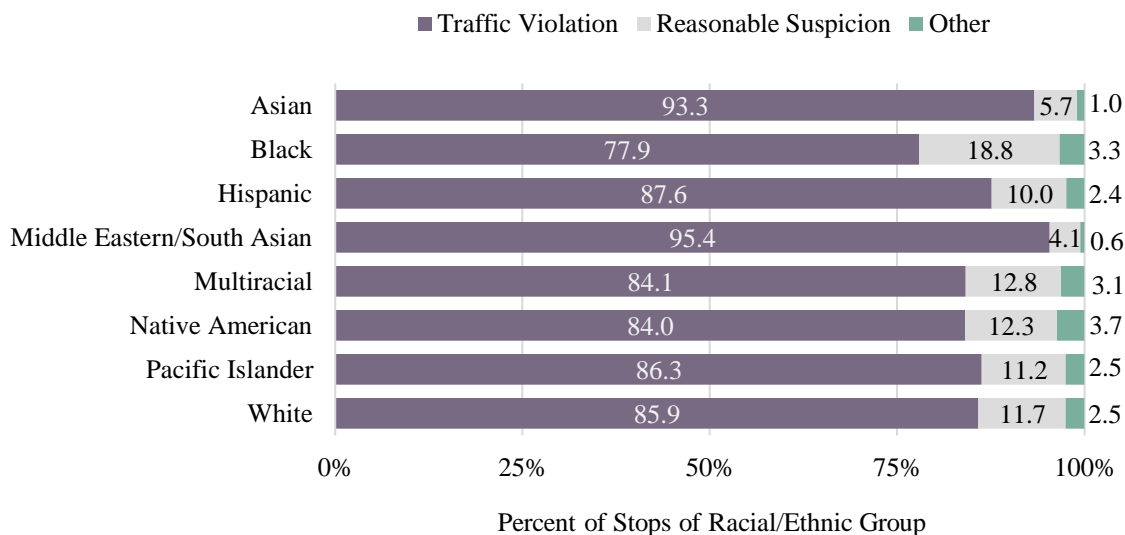
⁷³ Although officers may have reasonable suspicion when initiating stops for traffic violations, the regulations state that officers should not select the “reasonable suspicion” value when the reason for stop is a traffic violation. Instead, officers should select the “traffic violation” value as the primary reason for stop.

⁷⁴ Officers are currently selecting “Reasonable suspicion” as the reason for stop when an officer suspects criminal activity. “Reasonable suspicion” is also selected as the reason for stop where officers initiate contact for community caretaking purposes without suspecting an individual of criminal activity because no distinct value exists within the existing RIPA regulations that allows officers to capture when a stop is made during the course of a community caretaking contact. Officers must then select “Community Caretaking” as the offense code that serves as the basis for their reasonable suspicion. This designation in the regulations was not intended to suggest that houselessness and people with mental health disabilities are engaging in criminal activity, but rather to fill a gap. Proposed amendments to the RIPA regulations seek to change how officers will be required to capture data on these stops in the future by creating a new category of information officers are required to report. Specifically, the proposed amendment would require officers to report if the stop arose during the course of performing a welfare check or an officer’s community caretaking function. Additionally, the proposed change would also require officers to provide additional details about how a community caretaking contact also met the definition of a stop that must be reported. However, these proposed changes to the regulations have not yet gone into effect. See Calif. Dep. of J., Proposed Text of Modified Regulations (July 1, 2021) <<https://oag.ca.gov/system/files/media/redlined-text-ripa-regs-oal.pdf>> [as of Dec. 2, 2021].

⁷⁵ Other reasons for stop that the officer could report included consensual encounter resulting in a search (0.8%), mandatory supervision (0.7%), warrants/wanted person (0.6%), truancy (0.3%), investigation to determine whether student violated school policy (<0.1%), and possible violations of the Education Code (<0.1%). These Primary Reason for Stop categories are combined in this section under the category of “Other.”

the lowest proportion of their stops reported as traffic violations (77.9%) and the highest proportion of their stops reported as reasonable suspicion (18.8%). Native American individuals had the highest proportion of any racial/ethnic group of their stops reported as “Other” (3.7%).

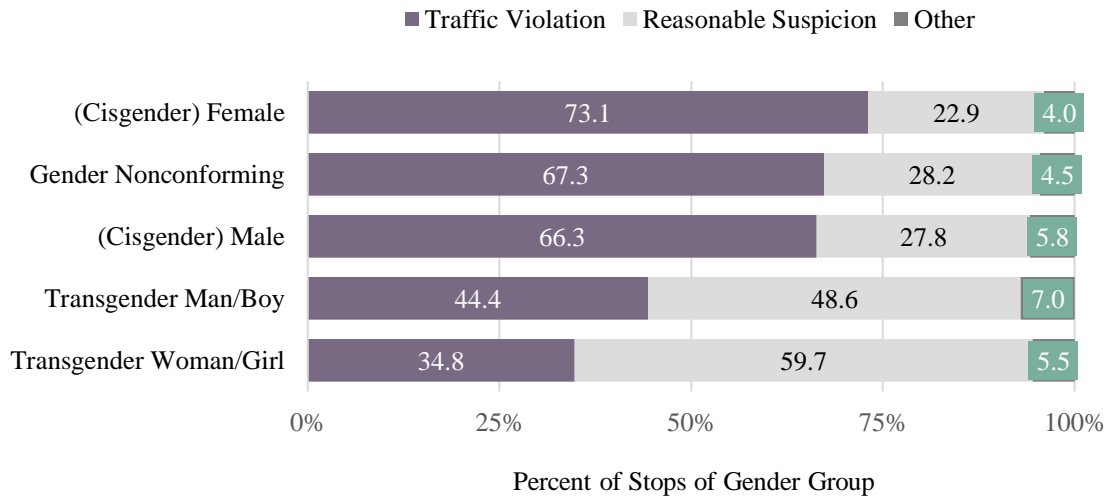
Figure 5. Primary Reason for Stop by Race/Ethnicity



Gender. Of all gender groups, cisgender female individuals had the highest proportion of their stops reported as traffic violations (73.1%) and the lowest proportion of their stops reported as reasonable suspicion (22.9%) and “Other” (4.0%). Transgender women/girls had the lowest proportion of their stops reported as traffic violations (34.8%) and the highest proportion of their stops reported as reasonable suspicion (59.7%) while transgender men/boys had the highest proportion of their stops reported in the categories grouped together as “Other” (7.0%).⁷⁶

⁷⁶ Records submitted by CHP are excluded in this analysis due to errors outlined in the note on page 29.

Figure 6. Primary Reason for Stop by Gender



Age. Individuals perceived to be 65 years or older had the highest proportion of their stops reported as traffic violations (90.9%) and the lowest proportion of their stops reported as reasonable suspicion (8%) and in the categories grouped together as “Other” (1.1%). Individuals perceived to be between the ages of 10 and 14 had the lowest proportion of their stops reported as traffic violations (23.6%) and the highest proportion of their stops reported as reasonable suspicion (61.3%) and in the categories grouped together as “Other” (15.1%).⁷⁷

Figure 7. Primary Reason for Stop by Age Group



⁷⁷ The data shows an unexpected number of reported traffic violations for people too young to hold a provisional permit or driver’s license. This could partially be explained by cases where officers (1) incorrectly recorded the age of the stopped individuals, (2) recorded data for passengers in the vehicles they stop, or (3) recorded violations of bicycle or motorized scooter law, which are considered valid reportable traffic violations.

LGBT. Individuals perceived to be LGBT had a lower proportion of their stops reported as traffic violations (47.6%) and a higher proportion of their stops reported as reasonable suspicion and in the categories grouped together as “Other” (46.0%; 6.4%) than individuals who officers did not perceive to be LGBT (68.3% traffic violations, 26.3% reasonable suspicion, and 5.4% other reasons).⁷⁸

Limited English Fluency. Individuals perceived to have limited English fluency had a lower proportion of their stops reported as traffic violations (84.3%) and in the categories grouped together as “Other” (1.8%) compared to individuals whom officers perceived to be fluent in English (86.1% traffic violations and 2.5% other reasons). The opposite was true of reasonable suspicion stops where individuals perceived to have limited English fluency had a higher proportion of their stops reported under this category than individuals perceived as English fluent (13.9% and 11.4%, respectively).

Disability. Stopped individuals perceived as having a disability had a lower proportion of their stops reported as traffic violations (15.3%) and a higher proportion of their stops reported as reasonable suspicion (75.1%) and in the categories grouped together as “Other” (9.7%) than those not perceived to have a disability (86.9% traffic violations, 10.7% reasonable suspicion and 2.4% other reasons).⁷⁹

4. [Actions Taken by Officers During Stops](#)

Officers can select up to 23 different actions taken during the stop (excluding actions categorized as stop results, such as arrest). These actions include, for example, asking someone to exit a vehicle, conducting a search, and handcuffing someone (separate from arresting that person). A stopped individual may have multiple actions taken towards them in a single stop and officers must report all actions taken towards an individual during a stop. Officers reported not taking reportable actions during 80.9% of stops and taking actions during 19.1% of stops. Overall, officers averaged less than one (0.5) reportable action per individual they stopped. Looking only at stops in which officers took one or more actions, the average number of actions taken by officers was 2.7. The average number of actions taken during stops for each identity group can be found in the Appendix.⁸⁰

Across all stops, the most common actions taken by officers was a search of property or person (11.9%), followed by curbside or patrol car detention (10.4%), handcuffing (9.5%),⁸¹ and

⁷⁸ Records submitted by CHP are excluded in this analysis due to errors outlined in the note on page 29.

⁷⁹ Part of the reason why individuals perceived to have a disability have a much higher proportion of their stops reported as reasonable suspicion stops than stopped individuals not perceived to have a disability is due to how community caretaking contacts are currently captured within the RIPA data. As mentioned previously, stops for “community caretaking” are captured in the reasonable suspicion data element.

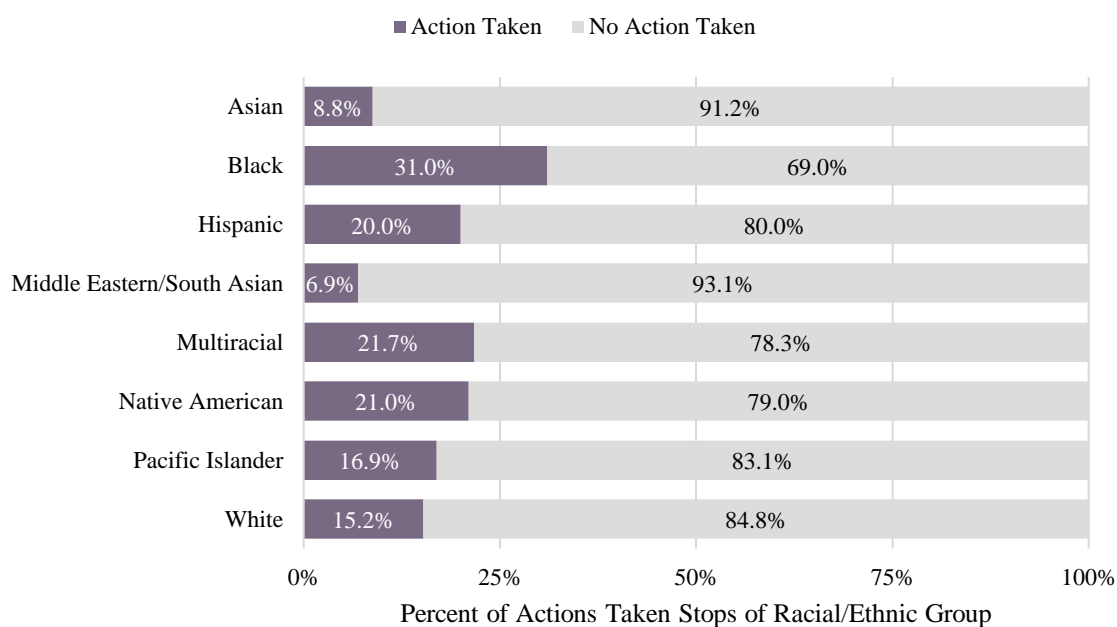
⁸⁰ Please see Appendix Table A.6 for all descriptive statistics.

⁸¹ A report of “handcuffing” an individual in this section does not mean that the officers arrested the individual. Section 1.1.5 of this chapter discusses arrests. Additionally, Appendix Table A.12 displays what percentage of individuals handcuffed had each of the following three stop results: arrested, no action taken, and result of stop other than an arrest or no action taken. Of the individuals handcuffed, officers arrested 55.3 percent, took some other form of action for 33.9 percent, and took no action towards 10.8 percent of individuals.

verbally ordered removal from a vehicle (3.9%).⁸² Officers indicated taking each of the other reportable actions towards less than 3 percent of individuals they stopped.⁸³

Race/Ethnicity. Stopped individuals perceived to be Black had the highest proportion, relative to other race/ethnicity groups, of their stops involving the officer taking one or more actions towards them (31%). Furthermore, although officers stopped 445,412 more individuals perceived to be White than individuals perceived to be Black, officers took actions towards 9,431 more Black individuals than White individuals. Stopped individuals perceived to be Middle Eastern/South Asian had the lowest proportion of their stops involving officers taking actions towards them (6.9%).

Figure 8. Actions Taken During Stop by Race/Ethnicity



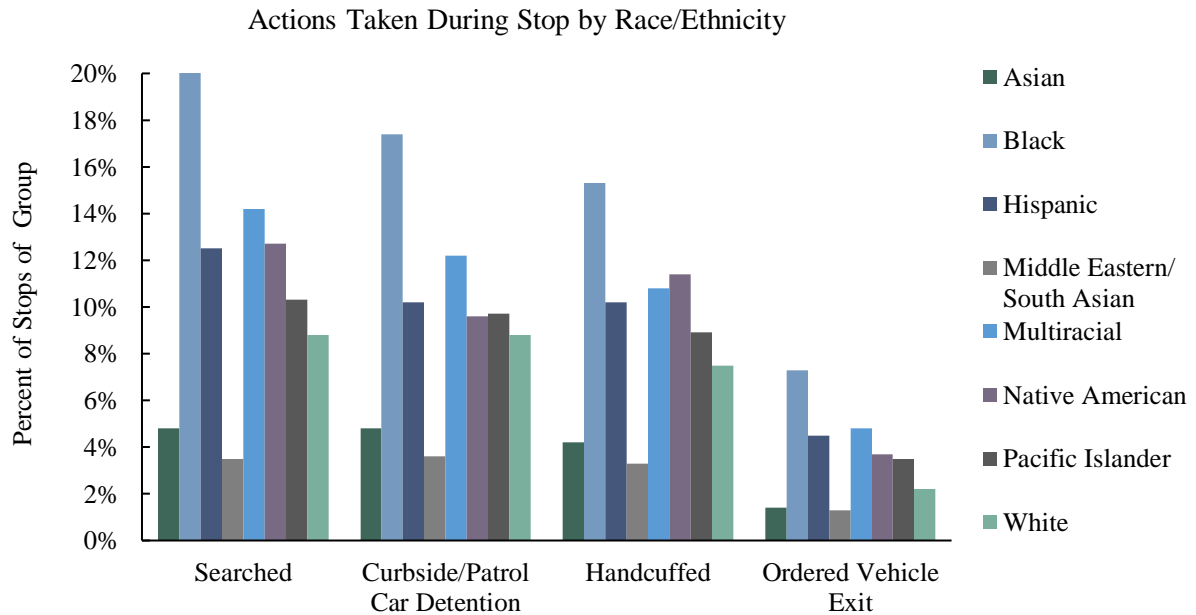
Of all the race/ethnicity groups, stopped individuals whom officers perceived to be Black had the highest rate of being searched (20.7%), detained on the curb or in a patrol car (17.4%), handcuffed (15.3%), and removed from a vehicle by order (7.3%). Similar to previous findings from the 2021 Report, officers took these actions towards more Black individuals than White individuals despite stopping nearly double the number of White individuals than Black

⁸² Searches of person or property are captured in separate data fields and were combined for this analysis. Curbside and patrol car detentions are also recorded in distinct data fields and were combined.

⁸³ Other actions include: person removed from vehicle by physical contact (0.3%), field sobriety test (2.0%), canine removed from vehicle or used to search (0.1%), firearm pointed at person (0.5%), firearm discharged (<0.1%), electronic control device used (<0.1%), impact projectile discharged (<0.1%), canine bit or held person (<0.1%), baton or other impact weapon (<0.1%), chemical spray (<0.1%), other physical or vehicle contact (0.4%), person photographed (0.6%), asked for consent to search person (2.2%), received consent to search person (95.3%), asked for consent to search property (1.5%), received consent to search property (93.7%), property seized (0.9%), vehicle impounded (1.5%), and written statement (<0.1%).

individuals.⁸⁴ Stopped individuals whom officers perceived to be Middle Eastern/South Asian had the lowest rate for each of these actions (ranging from 1.3 and 3.6%).

Figure 9. Actions Taken During Stop by Race/Ethnicity

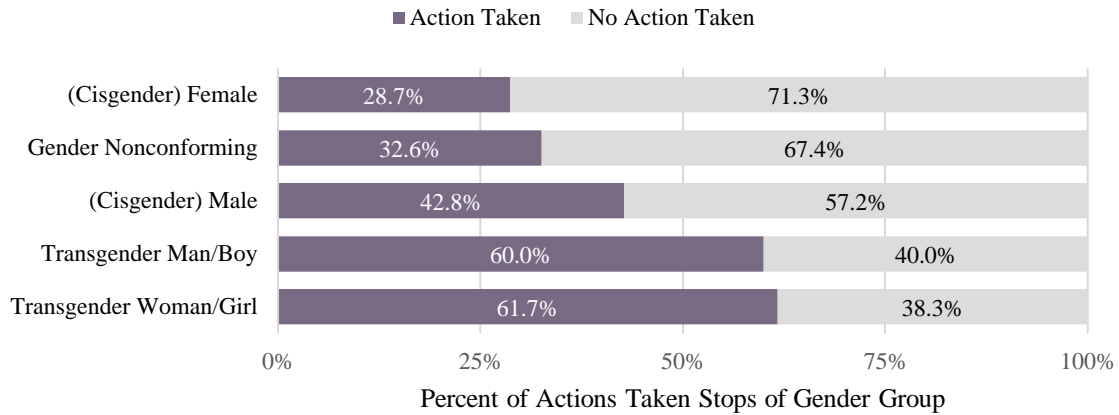


Gender. Stopped individuals perceived to be transgender women/girls had the highest proportion of their stops involve the officer taking actions towards them (61.7%), and individuals perceived to be transgender men/boys also had actions taken toward them during more than half of their stops (60%). Individuals perceived to be cisgender female (28.7%) had the lowest proportion of stops with actions taken towards them.⁸⁵

⁸⁴ See Appendix Table A.7 for a breakdown of actions taken toward stopped individuals by identity group.

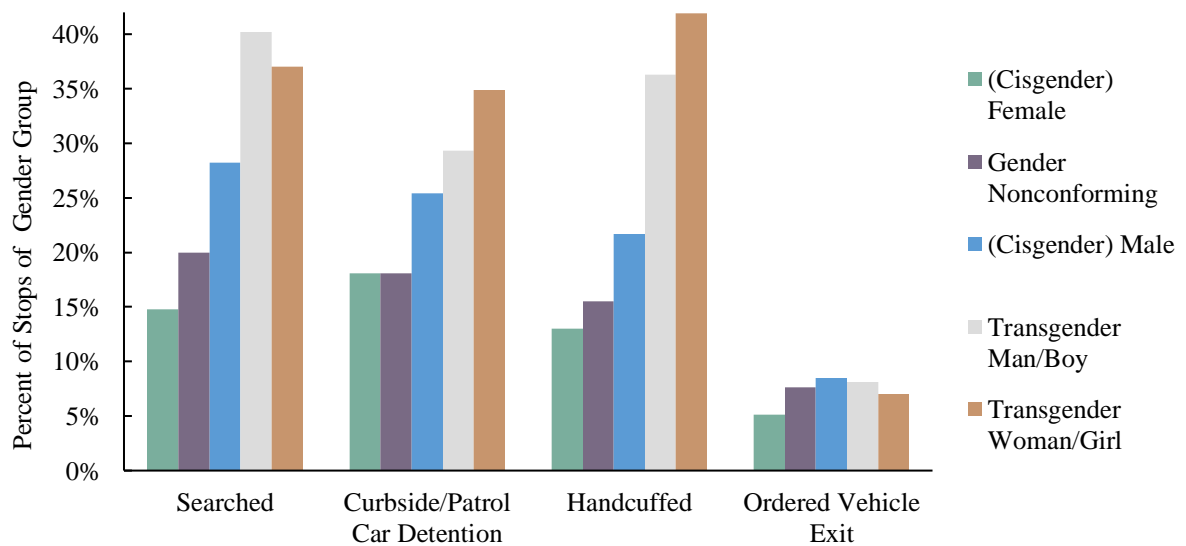
⁸⁵ Records submitted by CHP are excluded in this analysis due to errors outlined in the note on page 29.

Figure 10. Actions Taken During Stop by Gender



Stopped individuals whom officers perceived as transgender men/boys had the highest rate of being searched (40.2%) while individuals perceived as transgender women/girls had the highest rates of being handcuffed (41.9%) and detained curbside or in a patrol car (34.9%). Individuals perceived as cisgender male had the highest rate of being removed by vehicle order (8.5%), whereas cisgender female had the lowest rate for each of these actions (ranging from 5.1 to 18.1%).⁸⁶

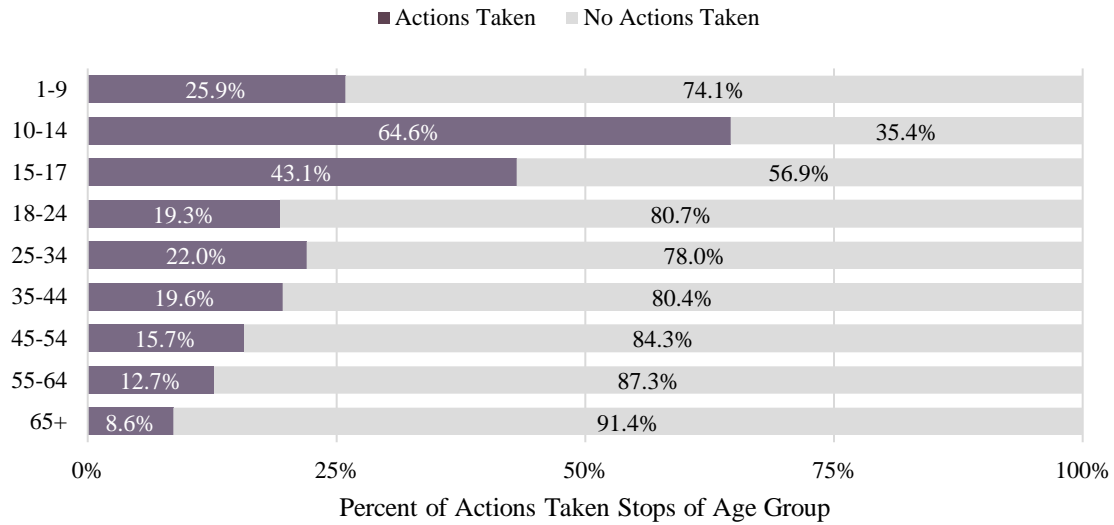
Figure 11. Actions Taken During Stop by Gender



Age. Stopped individuals perceived to be between the ages of 10 and 14 had the highest proportion of their stops involve officers taking actions towards them (64.6%) while individuals perceived to be 65 or higher had the lowest proportion (8.6%).

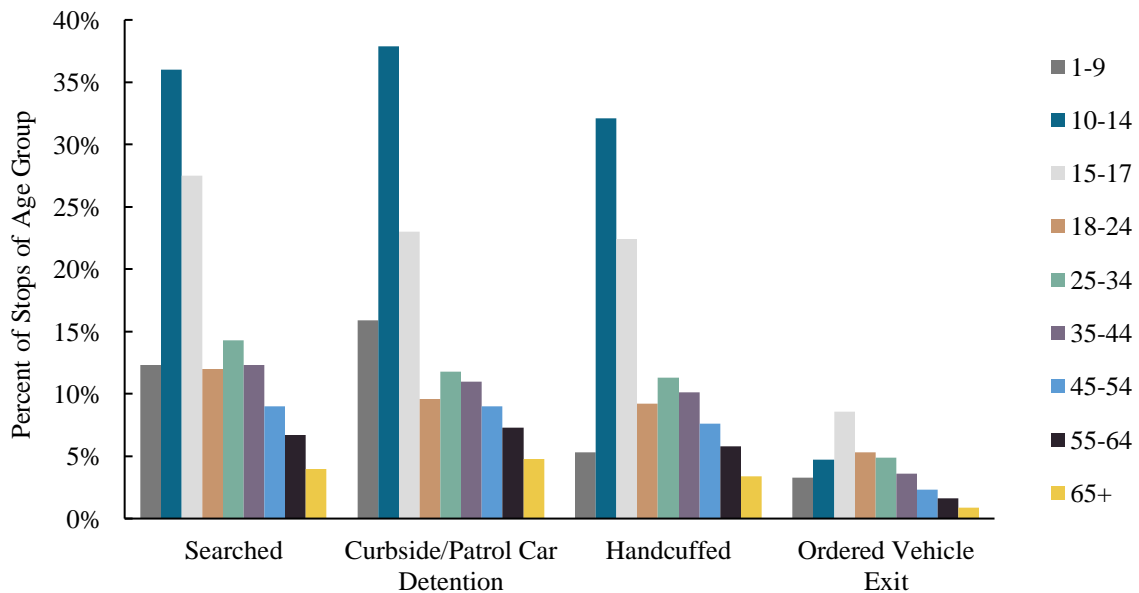
⁸⁶ Records submitted by CHP are excluded from this analysis due to errors outlined in the note on page 29.

Figure 12. Actions Taken During Stop by Age Group



Individuals whom officers stopped and perceived to be between the ages of 10 and 14 had the highest rate of being searched (36.0%), detained on the curb or in a patrol car (37.9%), and handcuffed (32.1%), while those perceived to be between 15 and 17 had the highest rates of being removed from a vehicle by order (8.6%). Those aged 65 or higher consistently had the lowest rate for each of these actions (ranging from 0.9 to 4.8%).

Figure 13. Actions Taken During Stop by Age Group



LGBT. Stopped individuals whom officers perceived to be LGBT had a higher proportion of their stops involving the officers taking actions towards them (48.7%) than individuals officers did not perceive to be LGBT (38.9%).⁸⁷

Stopped individuals whom officers perceived to be LGBT had a higher rate of being searched (29.7%), detained on the curb or in a patrol car (28.9%), handcuffed (29%), and removed from a vehicle by order (6.2%) than individuals officers did not perceive to be LGBT (24.5% searched, 23.4% detained, 19.3% handcuffed, and 7.6% removed from vehicle by order).

Limited English Fluency. Individuals perceived to have limited English fluency had a higher proportion of their stops involve officers taking actions towards them (24.6%) compared to individuals whom officers perceived to be fluent in English (18.9%).

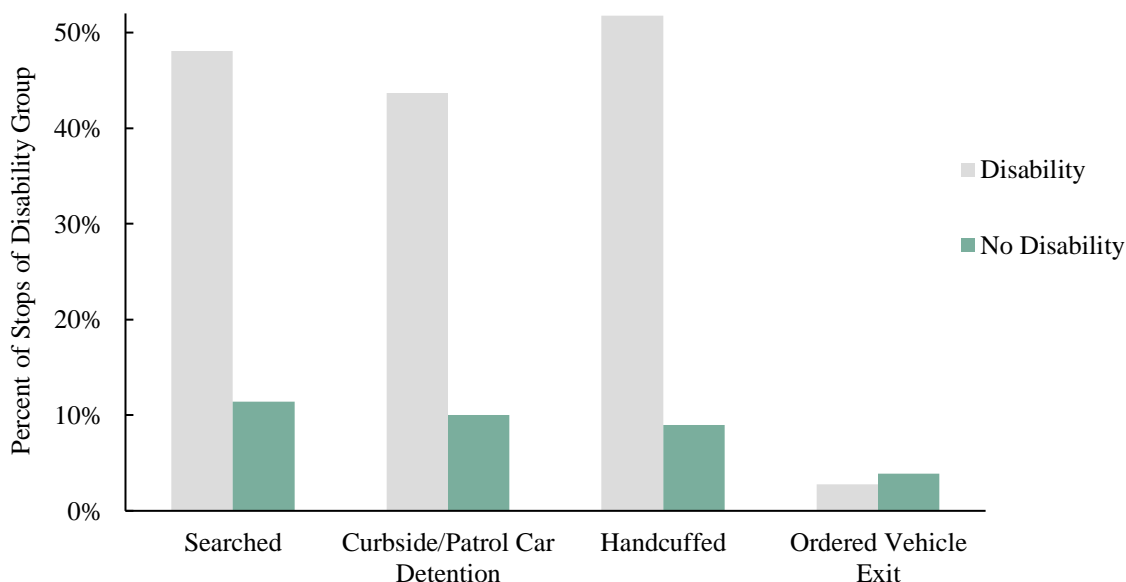
Stopped individuals whom officers perceived to have no or limited English fluency had a higher rate of being searched (14.3%), detained on the curb or in a patrol car (11.3%), handcuffed (12.6%), and removed from a vehicle by order (5.2%) than those perceived to speak English fluently (11.8% searched, 10.3% detained, 9.4% handcuffed, and 3.9% removed from vehicle by order).

Disability. Stopped individuals perceived as having a disability had a higher proportion of their stops involve officers taking actions towards them (74.4%) than those not perceived to have a disability (18.4%).

Stopped individuals whom officers perceived to have a disability were searched (48.1%), detained on the curb or in a patrol car (43.7%), and handcuffed (51.8%) at a much higher rate than those perceived not to have a disability (11.4% searched, 11.4%, 10.0% detained, and 9.0% handcuffed). Individuals whom officers perceived to have a disability had a lower rate of being removed from a vehicle by order (2.8%) compared to those who were not perceived as having a disability (3.9%).

⁸⁷ In many instances, officers may not perceive a stopped person's LGBT identity. As discussed on page 31, an individual's gender expression may influence how other people perceive their gender, and contextual information such as conversations and intimacy between individuals may influence other people's perception of their relationships and sexual orientation. If officers decide to take additional actions towards an individual they stop, the additional interaction may also provide more information for officers to form perceptions about the individual, including LGBT identity. Records submitted by CHP are excluded in this analysis due to errors outlined in the note on page 29.

Figure 14. Actions Taken During Stop by Disability Group



5. Result of Stop

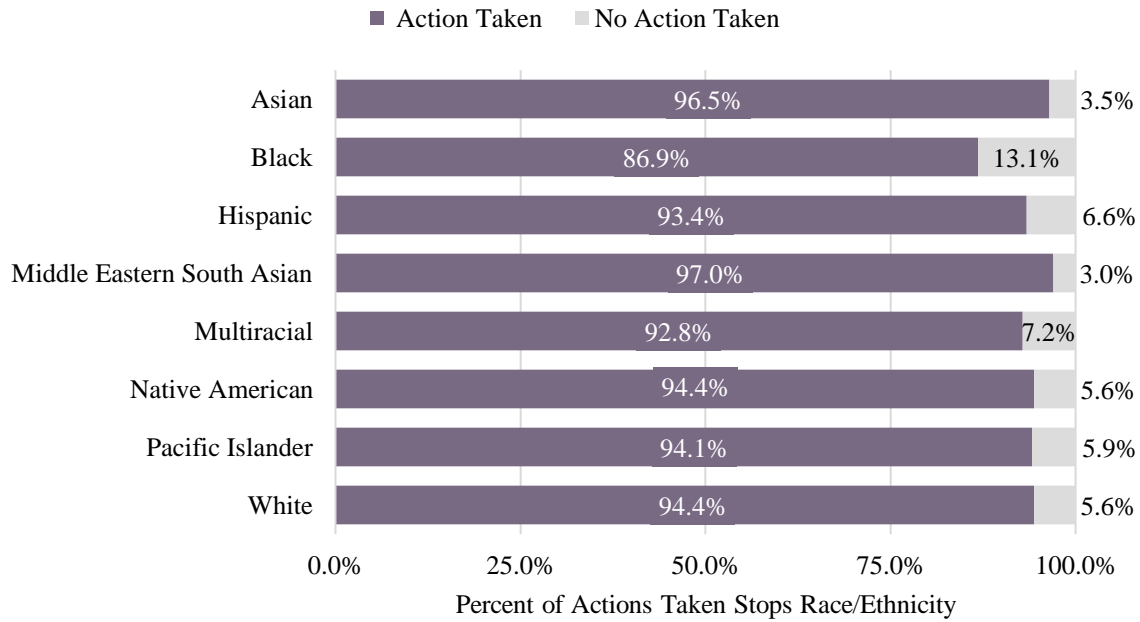
Officers can select up to 13 different stop disposition (or outcome) categories when recording stop data. Officers may select multiple dispositions per stop where necessary (e.g., an officer cited an individual for one offense and warned them about another). Individuals were most often issued a citation (52.7%), followed by a warning (27.6%), and then arrest (10.6%).⁸⁸ Officers indicated they took no reportable action towards 7 percent of stopped individuals. Each of the other results represented less than 7 percent of the data.⁸⁹

Race/Ethnicity. Officers reported taking no action as the result of stop most frequently during stops of individuals they perceived to be Black (13.1%). The proportion of Black individuals with no action taken towards them as the result of stop was more than double (2.3 times) the proportion of stops of White individuals (5.6%) that resulted in no action. Officers tended to take no action as the result of stop least often (3%) during stops of individuals they perceived to be Middle Eastern/South Asian.

⁸⁸ Arrests here include three unique result types, including in-field cite and release (4.3% of stopped individuals), custodial arrest without a warrant (5.3% of stopped individuals), and custodial arrest with a warrant (1.3% of stopped individuals). It is possible for multiple arrest conditions to apply to the same individual in a single stop.

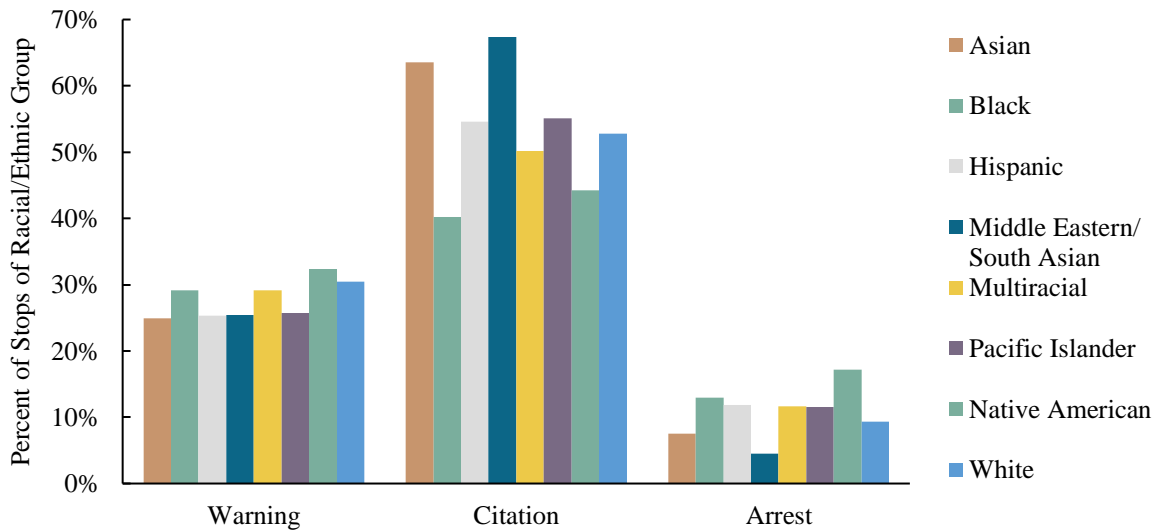
⁸⁹ Other result categories included field interview card completed (5.1%), noncriminal/caretaking transport (0.4%), contacted parent/legal guardian (0.1%), psychiatric hold (0.9%), contacted U.S. Department of Homeland Security (<0.1%), referred to a school administrator (<0.1%), or referred to a school counselor (<0.1%). Officers can only select “referred to a school administrator” or “referred to a school counselor” as the result category if the stop is of a student in a K-12 public school.

Figure 15. Stop Result by Race/Ethnicity



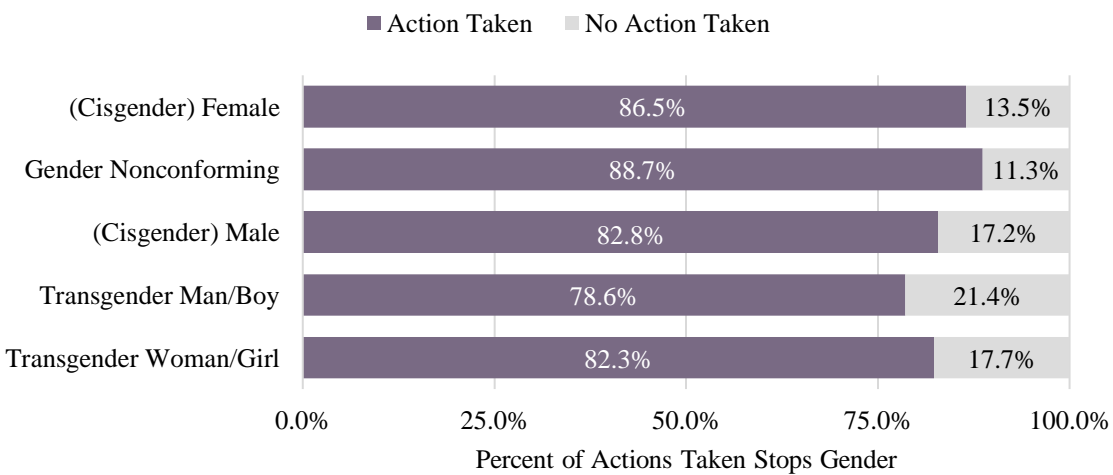
Compared to other races/ethnicities, stopped individuals perceived as Middle Eastern/South Asian had the highest rate of being cited (67.4%), while individuals perceived to be Black had the lowest rate of being cited (40.2%). Stopped individuals whom officers perceived to be Native American had the highest rate of being warned (32.4%) and Asian individuals had the lowest rate of being warned (24.9%). Officers arrested stopped individuals they perceived to be Native American at the highest rate (17.2%) and individuals they perceived as Middle Eastern/South Asian at the lowest rate (4.5%).

Figure 16. Stop Result by Race/Ethnicity



Gender. Officers took no action as the result of stop most often during stops of individuals they perceived to be transgender men/boys (21.4%); this rate exceeded the no action rate of cisgender males (17.2%). Similarly, stopped individuals whom officers perceived to be transgender women/girls had a result of stop no action rate (17.7%) that was greater than the rate for individuals whom officers perceived to be (cisgender) females (13.5%). Officers took no reportable action as the result of stop least frequently during stops of gender nonconforming individuals (11.3%).⁹⁰

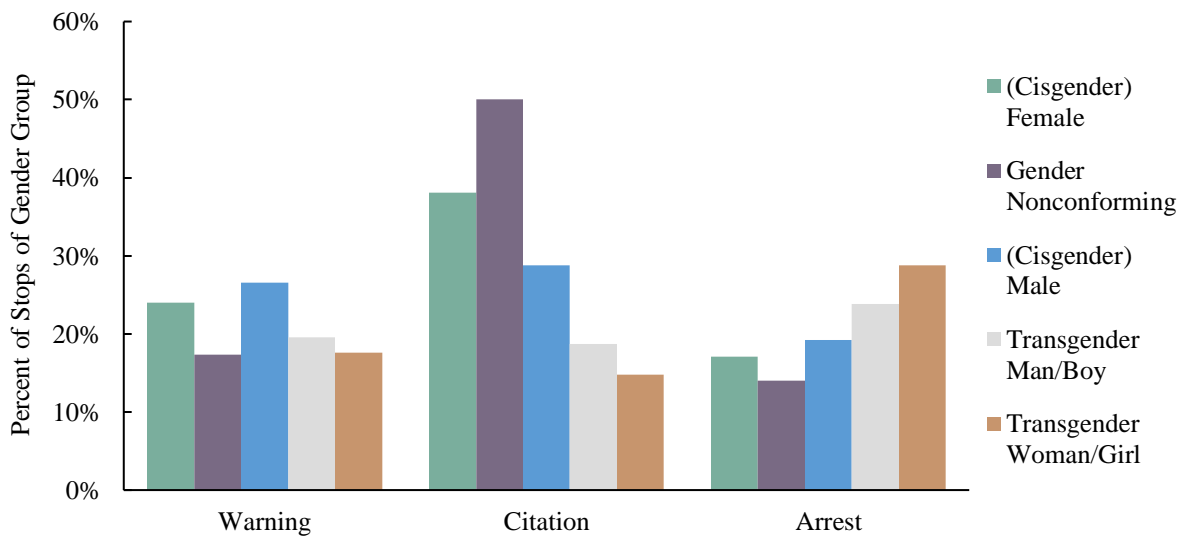
Figure 17. Stop Result by Gender



⁹⁰ Records submitted by CHP are excluded from this analysis due to errors outlined in the note on page 29.

Citation rates ranged from 14.8 percent of stopped individuals perceived as transgender women/girls to 50 percent of individuals whom officers stopped and perceived as gender nonconforming. Warning rates ranged from 17.3 percent of stopped individuals perceived as gender nonconforming to 26.6 percent of individuals whom officers perceived as (cisgender) males. Finally, compared to other genders, individuals whom officers perceived as transgender women/girls had the highest rate of being arrested (28.8%) while stopped individuals perceived as gender nonconforming had the lowest rate (14.0%).⁹¹

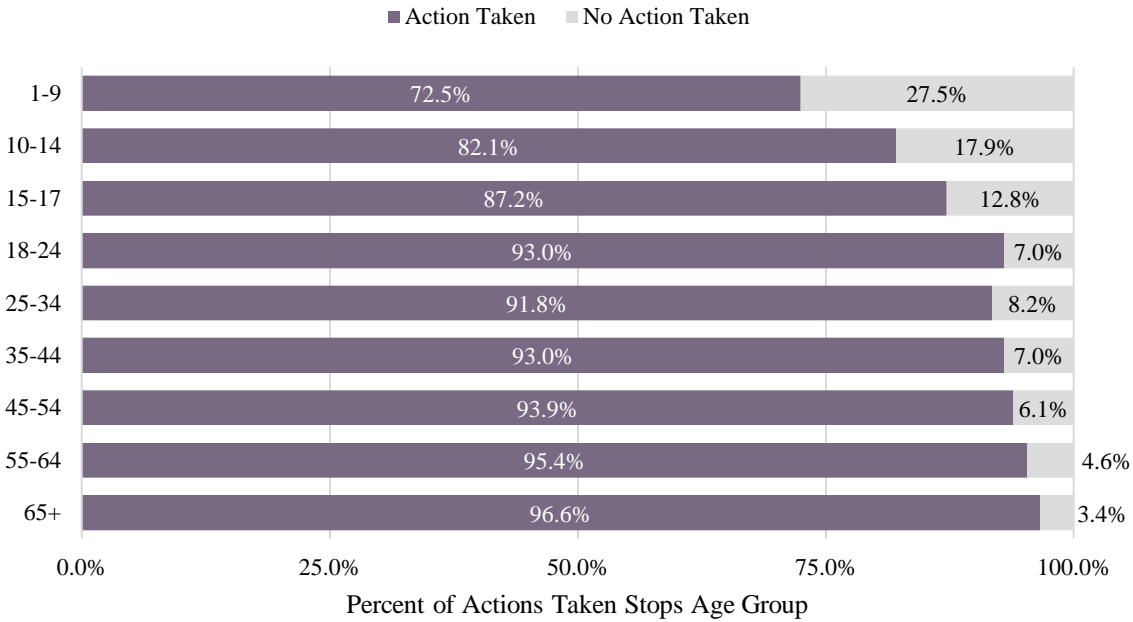
Figure 18. Stop Result by Gender



Age. The proportion of stopped individuals that had no action taken as the result of stop tended to decrease as age groups went up, with individuals perceived to be between the ages of one and nine having the highest no action rate (27.5%) and individuals perceived to be 65 or more years old having the lowest no action rate (3.4%).

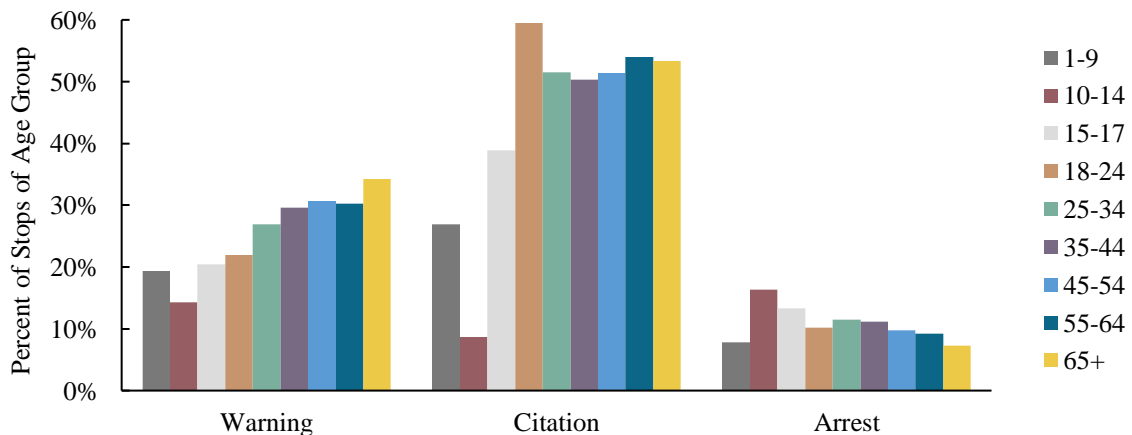
⁹¹ Records submitted by CHP are excluded from this analysis due to errors outlined in the note on page 29.

Figure 19. Stop Result by Age Group



Citation rates ranged from 8.7 percent for stopped individuals perceived as 10 to 14 years old to 59.5 percent of individuals perceived as 18 to 24 years old. Individuals perceived as 10 to 14 years old had the lowest rate for being warned (14.3%) and the highest rate of being arrested (16.3%), whereas individuals perceived as 65 and older had the highest rate of being warned (34.2%) and lowest rate of being arrested (7.3%).

Figure 20. Stop Result by Age Group



LGBT. Officers tended to take no action as the result of stop at roughly the same rate between individuals they perceived to be LGBT and individuals whom they did not perceive to be LGBT (16.5% and 16.2%, respectively). Individuals whom officers perceived to be LGBT had a lower rate of being cited (20.4%) or warned (21.6%) while having a higher rate of being arrested

(25.2%) than individuals whom officers did not perceive to be LGBT (31.5% cited, 25.9% warned, and 18.5% arrested).⁹²

Limited English Fluency. Stopped individuals whom officers perceived to have limited or no English fluency had a lower result of stop no action rate (5.3%) than individuals whom officers perceived to be English fluent (7.1%). Individuals whom officers stopped and perceived to have no or limited English fluency had a lower rate of being cited (51.6%) or being warned (26.1%) while having a higher rate of being arrested (15.7%) when compared to individuals perceived to speak English fluently (52.7% cited, 27.7% warned, and 10.4% arrested).

Disability. Officers tended to take no action as the result of the stop a higher proportion of the time during stops of people they perceived to have a disability (10.8%) than during stops of people they perceived not to have a disability (7.0%). Further, stopped individuals whom officers perceived as having a disability had much lower rates of being cited (6.8%) or warned (13.8%) and higher rates of being arrested (19.0%) than those perceived to not have a disability (53.3% cited, 27.8% warned, and 10.5% arrested).

C. Tests for Racial/Ethnic Disparities

A holistic approach to data analysis is critical because there is no single approach or consensus in the research literature about what analyses are best able to identify racial or identity profiling. For this reason, the following section contains multiple commonly used analyses designed to identify differences in various elements of police stops across racial/ethnic groups. These tests for racial/ethnic disparities include:

- a comparison to residential population data;
- an analysis of search discovery rates;
- an analysis of stop frequencies by time of day; and
- an analysis examining use of force rates.

Each of these analyses test for racial/ethnic disparities in a different way. As a result, each type of analysis will have particular methodological strengths and weaknesses. A detailed description of the methodology for each analysis is available in Appendix C, along with discussions of some considerations for each analytical approach.

1. Residential Population Comparison

Comparing stop data to residential population data is a common method. An assumption of this type of comparison is that the distribution of who is stopped would be similar to who resides within a comparable geographic region. But this is, of course, not always the case, as people may travel a considerable distance from where they live for a number of reasons (e.g., to go to work, visit family). Residential population demographics from the United States Census Bureau's 2019 American Community Survey (ACS) were used to provide a benchmark for

⁹² Records submitted by CHP are excluded from this analysis due to errors outlined in the note on page 29.

estimating the expected demographic breakdown of the 2020 stop data.⁹³ However, differences between stop population proportions and residential population proportions for each racial/ethnic group can be caused by several factors. These factors include, but are not limited to, potential differences in exposure to criminogenic⁹⁴ factors, where law enforcement resources are allocated, elements that draw large populations of non-residents to congregate in a jurisdiction (e.g., retail sectors, employment centers, tourist attractions, etc.), and officer bias.

Benchmarking using residential population data involves comparing the distribution of racial/ethnic groups stopped by agencies to the distribution of residents in the areas serviced by the same agencies. However, in 2020, not all agencies within the state collected RIPA data, which presents issues when trying to compare to state population data as a whole. Given that RIPA data collection happened primarily in the areas of the state patrolled by the 18 collecting agencies, the ACS estimates were weighted using a method intended to display a distribution more reflective of just the areas served by the agencies that collected RIPA data in 2020, rather than the state as a whole.⁹⁵ The need to adjust population estimates to be more reflective of the areas served by a subset of agencies will no longer exist once all agencies across the state are required to submit data in 2023; therefore the current approach will no longer be relevant starting with the 2024 report. Figure 21 displays the racial/ethnic distribution from the 2020 RIPA Stop Data of individuals whom officers stopped, alongside the weighted distribution of residents from the ACS. These analyses were repeated for all reporting agencies, excluding California Highway Patrol, and for each individual agency; these results can be found in Table D.1 of Appendix D.⁹⁶ Please note that race/ethnicity

ACS File Update

Since multiple smaller agencies began collecting RIPA data in 2020, it was necessary to start using the five year ACS estimates in order to capture residential population data for these smaller areas. Unlike the one year ACS estimates used in previous reports, five year ACS estimates provide population data for all areas, no matter the size of the population served. However, unlike the one year estimates, the five year ACS estimates do not provide racial and ethnicity categorizations that are specific enough to create a comparable grouping to serve as a benchmark for the Middle Eastern/South Asian racial/ethnic group captured in RIPA. For this reason, there is no Middle Eastern/South Asian ACS group in the analyses. Individuals from this group are mostly categorized as Asian in the five year estimates, with perhaps a small portion being categorized as White.

⁹³ At the time when these analyses were conducted, 2019 was the most recent year for which the 5 year ACS data/information was available.

⁹⁴ “Criminogenic” is defined as “(of a system, situation, or place) causing or likely to cause criminal behavior.” Oxford English Dict. Online (2021) <<http://www.oed.com>> [as of Dec. 3, 2021].

⁹⁵ See section C.1 of the Disparity Tests Methods Appendix (Appendix C) for a detailed explanation of the weighting schema used for the overall comparison.

⁹⁶ The California Highway Patrol accounts for a large proportion of stop records from 2020 (57.7%). Given that the practices of municipal agencies may differ substantially from those of a state patrol agency like the California Highway Patrol, the Board also performs tests for disparities while only examining municipal agency data.

data reported in RIPA is based on officer perceptions while self-identification data is reported in the ACS.

Overall, the disparity between the proportion of stops and the proportion of residential population was greatest for Multiracial and Black individuals. Multiracial individuals were stopped 81.6 percent less frequently than expected, while Black individuals were stopped 151.5 percent more frequently than expected.⁹⁷ The proportion of stops corresponding to Hispanic individuals most closely matched estimates from residential population data (4.7% more frequent than expected). Compared to White individuals, who were stopped 10 percent less frequently than expected based on their share of the residential population, the greatest disparities between stop data and residential population data estimates occurred for Black and Multiracial individuals. The disparity for Black individuals was 2.8 times as great as the disparity for White individuals. For Multiracial individuals, the disparity was 0.2 times as great as the disparity for White individuals. This indicates that individuals perceived as Black were substantially more likely to be stopped compared to White individuals, while individuals perceived as Multiracial were substantially less likely to be stopped.⁹⁸ After excluding California Highway Patrol records from the analysis, the data continued to show the greatest disparities for the stops of Black and Multiracial individuals; relative disparities compared to those of White individuals were larger than the all-agency disparities for individuals perceived to be Asian, Black, Hispanic, and Pacific Islander.⁹⁹

⁹⁷ Stop data classifying the race/ethnicity of stopped individuals is based upon officer perception. Some research indicates that it is more difficult to classify the race of multiracial individuals than it is to classify the race of monoracial individuals and that people may often classify multiracial individuals as monoracial. See generally Iankilevitch et al., *How Do Multiracial and Monoracial People Categorize Multiracial Faces?* (2020) *Social Psychological and Personality Science* <<https://doi.org/10.1177/1948550619884563>> [as of Dec. 2, 2021]; see also Chen and Hamilton, *Natural ambiguities: Racial categorization of multiracial individuals* (2012) *J. of Experimental Social Psychology* <<https://doi.org/10.1016/j.jesp.2011.10.005>> [as of Dec. 2, 2021].

⁹⁸ See Appendix D Table D.1 for all disparity ratios and how the ratios are calculated.

⁹⁹ See Appendix D for results of the ACS comparison with CHP data excluded.

Figure 21. Weighted Residential Population Comparison to Stop Data¹⁰⁰

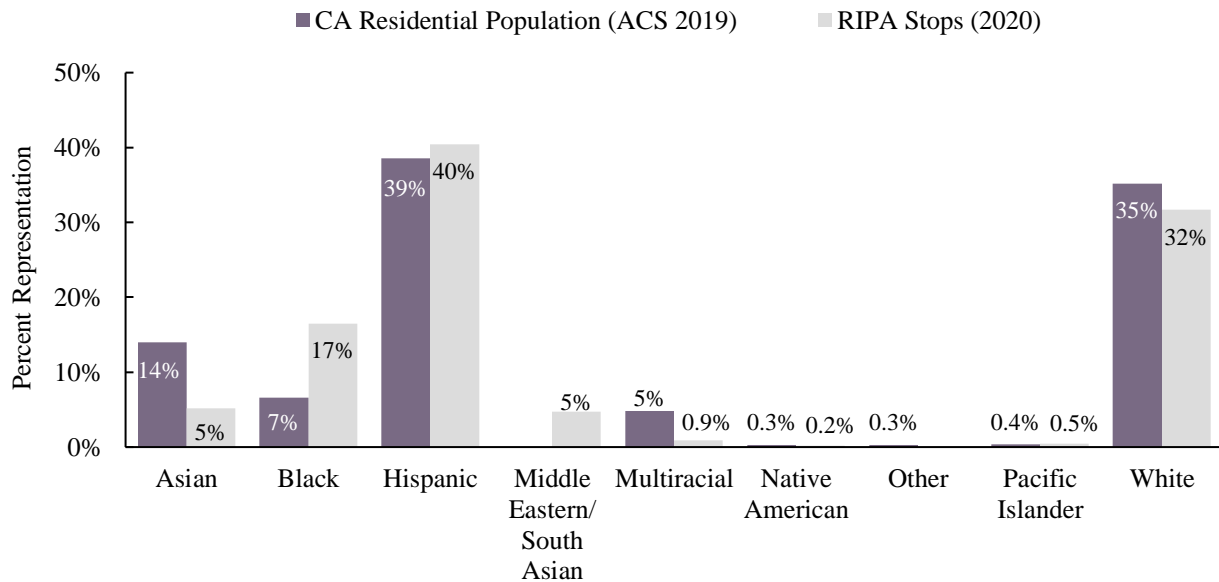


Figure 22 displays the racial/ethnic distribution from the 2020 RIPA Stop Data of individuals stopped by the California Highway Patrol, alongside the unweighted distribution of residents from the ACS. Overall, the disparity between the proportion of stops and the proportion of residential population was greatest for Multiracial and Black individuals. Multiracial individuals were stopped 83.6 percent less frequently than expected, while Black individuals were stopped 111.6 percent more frequently than expected.¹⁰¹ The proportion of stops corresponding to White individuals most closely matched estimates from residential population data (6.6% less frequent than expected), followed closely by Hispanic individuals (8.6% more frequent than expected).

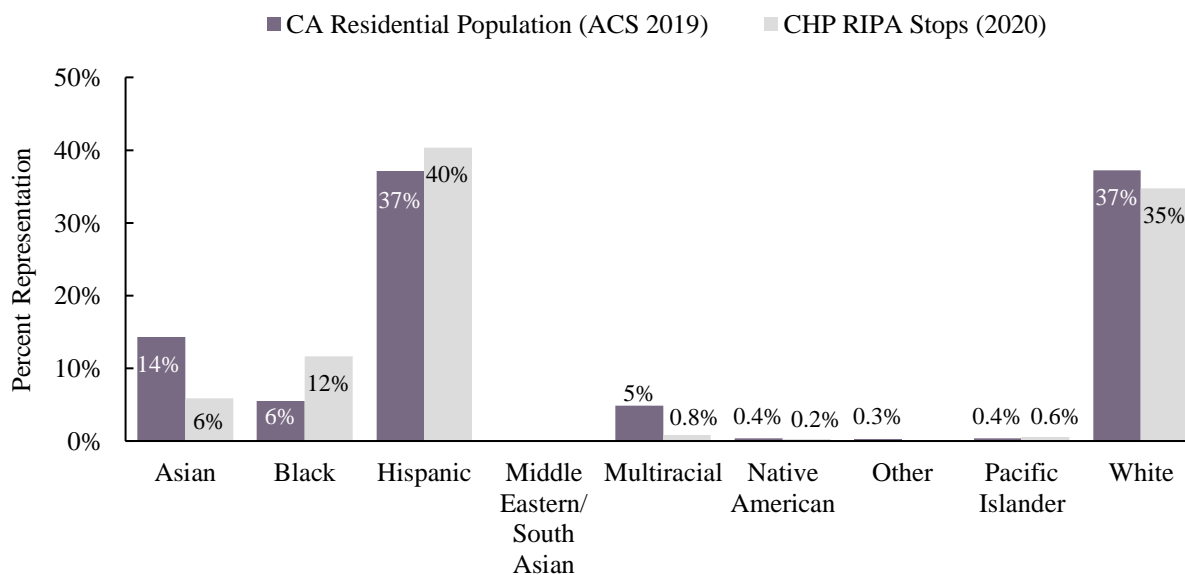
When examining the CHP distribution, the greatest disparities between stop data and residential population data estimates occurred for Black and Multiracial individuals when compared to White individuals, who were stopped 6.6 percent less frequently than expected based on their share of the residential population. The disparity for Black individuals was 2.3 times as great as the disparity for White individuals. For Multiracial individuals, the disparity was 0.2 times as great as the disparity for White individuals. This indicates that individuals perceived as Black were substantially more likely to be stopped compared to White individuals, while individuals perceived as Multiracial were substantially less likely to be stopped.¹⁰²

¹⁰⁰ The ACS table used for these analyses does not contain a race category that is comparable to the Middle Eastern/South Asian group within the RIPA data. This is why there is no residential population bar for this group in Figure 21. For more information about the ACS data used in this section, see Appendix C.

¹⁰¹ Stop data classifying the race/ethnicity of stopped individuals is based upon officer perception. Some research indicates that it is more difficult to classify the race of multiracial individuals than it is to classify the race of monoracial individuals and that people may often classify multiracial individuals as monoracial. See Iankilevitch et al., *supra* note 97; see also Chen and Hamilton, *supra* note 97.

¹⁰² Please see Appendix D Table D.1 for all disparity ratios and how the ratios are calculated.

Figure 22. Unweighted Statewide Residential Population Comparison to CHP Stop Data



2. [Discovery Rate Analysis](#)

Researchers have developed an empirical test that examines the rate at which officers discover contraband or evidence across the racial/ethnic groups of individuals they search. One assumption of the test is that if officers are searching people of a particular identity group more frequently but finding less contraband, the searches of individuals in that identity group may be, at least in part, because of their perceived identity.¹⁰³ Using this framework, we tested for differential treatment by conducting comparisons of search and discovery rates across identity groups.¹⁰⁴

Descriptive Analysis. Overall, officers searched 11.9 percent of individuals they stopped. Officers discovered contraband or evidence from 22.4 percent of individuals they searched. Search and discovery rates varied between racial/ethnic groups. Out of all racial/ethnic groups, stopped individuals perceived as Black had the highest search rates (20.7%), while stopped individuals perceived as Middle Eastern/South Asian had the lowest search rate (3.5%). Individuals perceived as White were searched 8.8 percent of the time. This means that the search rate of Black individuals was 2.4 times the search rate of White individuals, which had the following impact: although officers stopped 445,412 more individuals perceived to be White than individuals perceived to be Black, officers searched 18,777 more

Discovery Rates

These analyses measure the rates at which contraband or evidence is discovered in stops where a search was performed. Research literature often refers to these rates as “hit rates.” However, the Board believes that calling these rates “discovery rates” helps speak more directly to the data being analyzed, given that these analyses make use of data element referred to as “Contraband or Evidence Discovered” in the RIPA regulations.

¹⁰³ See Appendix C for a discussion of the limitations of this type of analysis.

¹⁰⁴ See Knowles et al., Racial Bias in Motor Vehicle Searches: Theory and Evidence (2001) J. Political Econ. 109(1).

Black individuals than White individuals.¹⁰⁵ On the other end of the search rate distribution, officers searched individuals perceived to be Middle Eastern/South Asian less than half as often they searched individuals perceived to be White.

Search discovery rates did not vary as widely between racial/ethnic groups as did search rates. Discovery rates ranged from 20.9 percent of individuals officers searched and perceived as Hispanic to 24.8 percent of individuals officers perceived as Asian. The discovery rate for individuals perceived as White was 24.2 percent.

Figure 23. Search and Discovery Rates by Race/Ethnicity (All Search Types)

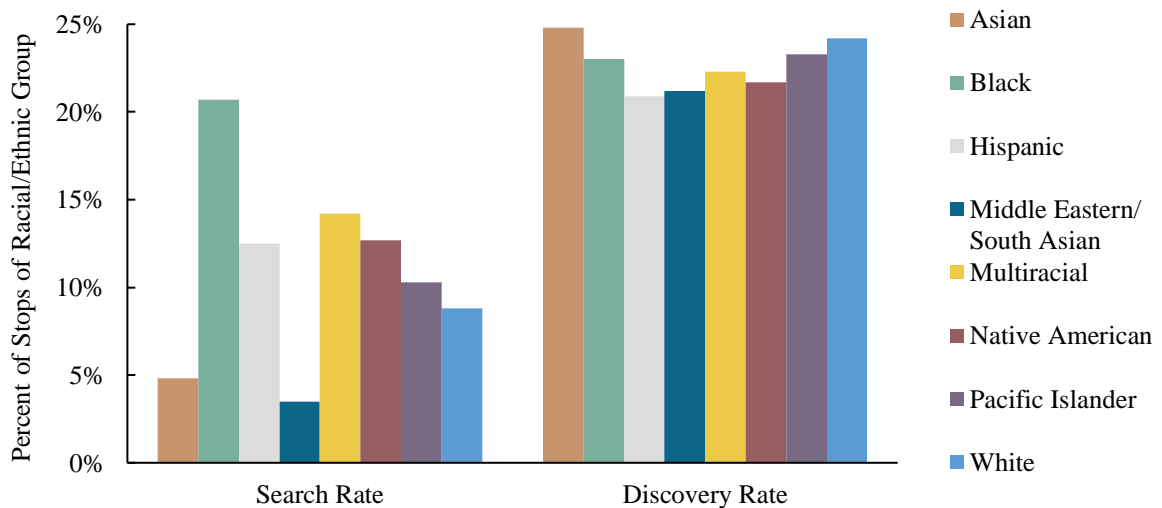
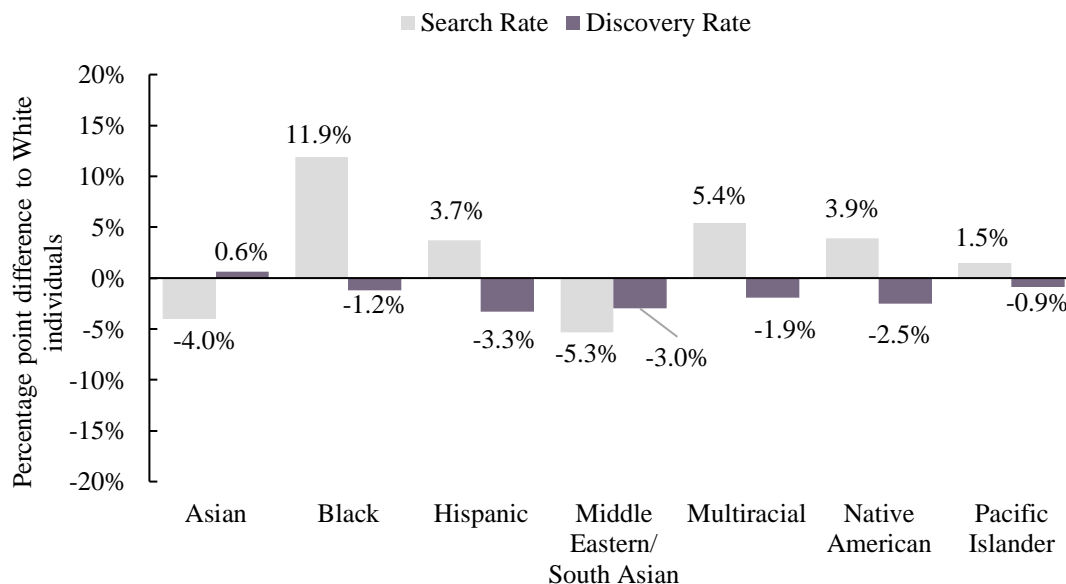


Figure 24 displays the difference in search and discovery rates for each racial/ethnic group of color from the search and discovery rates for individuals perceived as White (8.8% and 24.2%, respectively). All racial/ethnic groups of color had higher search rates than individuals perceived as White, except for individuals perceived as Asian and Middle Eastern/South Asian. Search rate disparities were largest for individuals perceived to be Black, whom officers search 11.9 percent more often than individuals they perceived as White (20.7% vs. 8.8%). Officers also searched individuals perceived to be Multiracial (+5.4%), Native American (+3.9%), and Hispanic (+3.7%) more often than stopped individuals perceived to be White. Discovery rates were lower for most groups compared to individuals perceived as White, with the exception of Asian individuals, who had the highest discovery rate out of all racial/ethnic groups. The search discovery rate for searches of Asian individuals was 0.6 percent higher when compared to the discovery rate during searches of White individuals (24.8% vs. 24.2%). Relative to the discovery rate of searches of persons officers perceived to be White, discovery rates were lower during stops with searches of all other racial or ethnic groups of color: Hispanic (-3.3%), Middle

¹⁰⁵ Officers also searched more individuals whom they perceived to be Hispanic (148,506) than they did individuals whom they perceived to be White (81,556). However, officers also stopped more Hispanic individuals (1,187,728) than White individuals (929,776), which was not the case for Black individuals (484,364).

Eastern/South Asian (-3%), Native American (-2.5%), Multiracial (-1.9%), Black (-1.2%), and Pacific Islander (-0.9%).

Figure 24. Racial/Ethnic Disparities in Search and Discovery Rates



Multivariate Analysis. To consider how multiple variables may be associated with officers' decisions to search and whether officers discovered contraband or evidence, these data were also analyzed using multivariate statistical models.¹⁰⁶ One key consideration is the level of discretion available to officers in their decision to conduct a search. Some searches are based on protocol and are often required under departmental policy (hereafter referred to as administrative searches), such as during an arrest, vehicle inventory, or search warrant; these administrative types of searches may afford little discretion to the officer in their decision to conduct a search.¹⁰⁷ Other types of searches occur in situations where more discretion is available to the officer and are based on some subjective threshold of suspicion that the officer may find contraband or evidence. Examples of these types of searches include those conducted when an officer asks for consent to search or when officers suspect an individual has a weapon. Previous research has shown that individuals of certain racial/ethnic groups of color have a greater chance of being subjected to discretionary searches, and that when there is discretion

¹⁰⁶ Please see Appendix C for a full description of the methodology.

¹⁰⁷ Administrative searches are not instances where the police officer has no discretion at all, but rather where the officer makes an earlier choice that leads to a search, such as a choice to make an arrest that requires a search. Stops where officers perform administrative searches still possess the potential for bias to affect an interaction, either by the officer at points prior to the search, or at a command level when setting policies and priorities.

or subjectivity, bias can play a role.¹⁰⁸ As such, the multivariate analysis was applied to (1) search rates overall, (2) discovery rates during discretionary searches, and (3) discovery rates during administrative searches.

The results showed multiple statistically significant differences in search and discovery rates across race/ethnicity groups, especially when comparing individuals perceived as Black or Hispanic to individuals perceived as White (see Table 2).

Compared to White individuals, it was more probable for Black (+1.0 percentage points) and Hispanic (+0.6 percentage points) individuals to be searched despite being less likely to be found in possession of contraband or evidence in stops with discretionary searches (-1.6 and -1.4 percentage points, respectively).¹⁰⁹ However, the difference in discovery rates between White and Black individuals during stops with administrative (i.e., low discretion) searches was relatively small (-0.3 percentage points) and not statistically significant. Asian individuals (-2.0 percentage points) and those from other racial/ethnic groups that were combined together¹¹⁰ (-1.8

percentage points) were less likely to be searched compared to White individuals, but only those from the combined racial/ethnic groups had a significant difference in the rate of contraband or evidence discovered during stops with discretionary searches (-2.0% points).¹¹¹ Both Hispanic individuals (-1.3% points) and those from the combined group (-2.5% points) were less likely to have contraband or evidence discovered in stops with administrative searches. These analyses were repeated for all agencies excluding California Highway Patrol and for each individual agency in order to consider the impact of different locales on the findings; these results can be found in the Appendix.¹¹²

Statistical Significance Testing

These tests provide a common framework for evaluating evidence provided by data against a specific hypothesis. For example, the hypothesis tested by the discovery-rate analysis is: “Searches of stopped individuals from racial/ethnic groups of color and White individuals are equally likely to reveal contraband.” But, if the test provides strong enough evidence that disparities between groups are larger than can reasonably be explained by chance alone, then we can say that our findings are *statistically significant*. In other words, the evidence provided by the data shows a very low likelihood that chance explains the resulting disparity.

¹⁰⁸ See generally Ridgeway, *Assessing the Effect of Race Bias in Post-Traffic Stop Outcomes Using Propensity Scores* (2006) J. Quant. Criminol. 22(1) 1, 9 <<https://www.rand.org/pubs/reprints/RP1252.html>> [as of Dec. 2, 2021]; Greenwald and Krieger, *Implicit Bias: Scientific Foundations* (2006) 94 Calif. L. Rev. 945; Hart, *Subjective Decisionmaking and Unconscious Discrimination* (2005) 56 Ala. L. Rev. 741, 769-771 <<https://ssrn.com/abstract+788066>> [as of Dec. 2, 2021]; Greenwald and Banaji, *Implicit Social Cognition: Attitudes, Self-Esteem, and Stereotypes* (1995) Psych. Review, 102(1) 4, 4-6; Eberhardt and Hetey et. al., *Data for Change: A Statistical Analysis of Police Stops, Searches, Handcuffings, and Arrests in Oakland, Calif., 2013-2014* (2016) Stanford SPARQ pp. 15-16 <<https://stacks.stanford.edu/file/druid:by412gh2838/Data%20for%20Change%20%28June%2023%29.pdf>> [as of Dec. 2, 2021].

¹⁰⁹ Please see Appendix Table D.2.2 for model statistics.

¹¹⁰ Individuals whom officers perceived to be Middle Eastern/South Asian, Multiracial, Native American, or Pacific Islander were combined into one group in order to gain the statistical power needed to conduct these multivariate analyses.

¹¹¹ Please see Appendix Table D.2.2 for model statistics.

¹¹² Please see Appendix Table D.2.3 for model statistics.

Table 2. Summary of Multivariate Discovery Rate Analysis Findings by Race/Ethnicity

Group	Search Rates	Discovery Rates	
		Discretionary Searches	Administrative Searches
Asian	*** ↓ 2.0%	↓ 0.3%	↓ 1.5%
Black	*** ↑ 1.0%	*** ↓ 1.6%	↓ 0.3%
Hispanic	*** ↑ 0.6%	*** ↓ 1.4%	*** ↓ 1.3%
Other	*** ↓ 1.8%	** ↓ 2.0%	** ↓ 2.5%

Note. Values represent percentage point difference compared to the rate for White individuals, with arrows indicating the direction of the difference. Statistically significant disparities are indicated with asterisks; *** p < 0.001; ** p < 0.01; * p < 0.05.

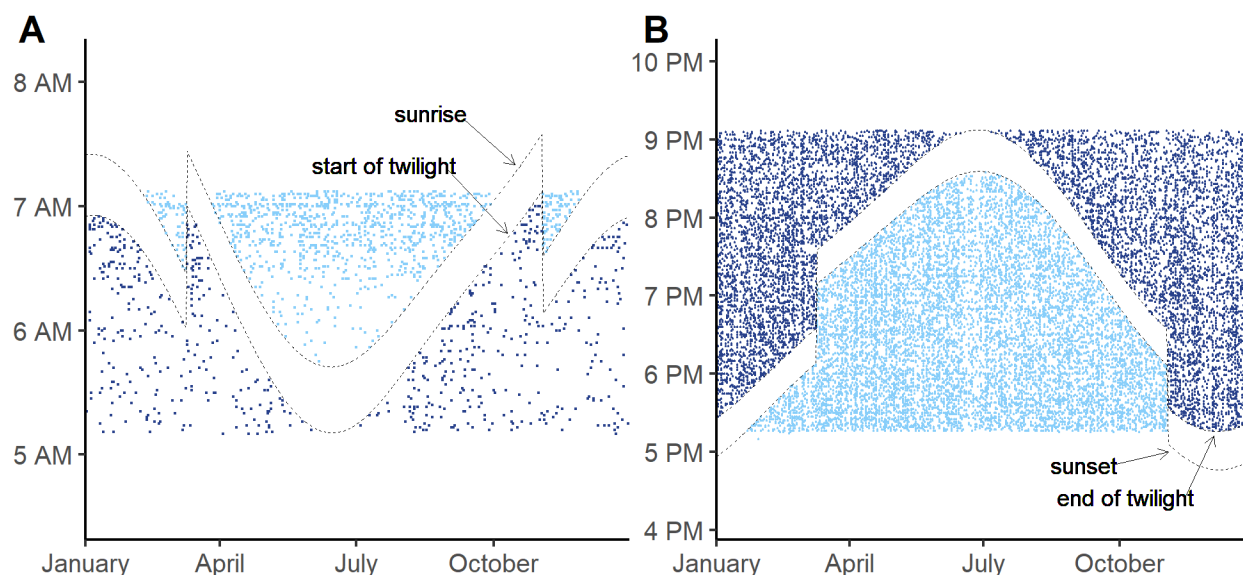
3. Veil of Darkness Analysis

A key problem in exploring racial disparities is establishing the proper benchmark against which to compare the racial/ethnic distribution of individuals stopped by law enforcement. One approach presumes that it may be more difficult for police to perceive the race/ethnicity of an individual prior to stopping them after dark than during daylight. In other words, to the extent that it is harder to identify someone at night, we would expect darkness to decrease the likelihood that individuals of racial/ethnic groups of color are disproportionately stopped relative to White individuals. This hypothesis is called the veil of darkness (VOD), and it has been used by researchers to test for racial/ethnic disparities in law enforcement encounters.

The Intertwilight Period. The most conventional version of the VOD approach, followed here, is to only examine vehicle stops that occur during the intertwilight period. The reason for this is that the intertwilight period spans the hours of the day that are light during one part of the year and dark during the other because of daylight savings time; this period occurs twice on any given day, once around dawn and once around dusk. Stops made during the lighter portion of this period (i.e., after sunrise but before sunset) are compared to stops made during the darker portion of this period.¹¹³ Figure 25 shows an example of both morning and evening intertwilight periods for a sample of vehicle stops made in California.

¹¹³ Civil twilight is defined as the illumination level sufficient for most ordinary outdoor activities to be done without artificial lighting before sunrise or after sunset. Therefore, it is dark outside when civil twilight ends; civil twilight ends when the sun is six degrees below the horizon.

Figure 25. Morning and Evening Intertwilight Periods Example



Notes: Each dot represents a single stop made by law enforcement on a given day and time. Light blue dots represent stops made during daylight. Dark blue dots represent stops made after dark. Only stops made within the morning (A) and evening (B) intertwilight periods are included in the analysis. Stops made between the start of civil twilight and sunrise (white band) were excluded from the morning intertwilight period. Stops made between sunset and the end of civil twilight (white band) were excluded from the evening intertwilight period. Stops that occurred within the white-banded area were excluded because the lighting conditions during this period of time are more difficult to classify as either dark or light. Discontinuities in the curves in March and November reflect Daylight Saving Time adjustments.

Multivariate Analysis. These analyses take into account how multiple variables (e.g., time of day, location) may contribute to disparities in stops made in the dark compared to those in the light.¹¹⁴ As mentioned previously, this analysis only includes data for individuals stopped for traffic violations during the morning and evening intertwilight periods.¹¹⁵ Stops made in response to a call for service were also excluded from this analysis because officers utilized information from a third party (e.g., dispatcher or caller) when making the decision to stop the individuals in these cases; the VOD test is best applied to stops where officers are making stops solely based on their own judgment. These filtering criteria were applied to the data in order to approximate the conditions under which the VOD hypothesis would be most accurate. Finally, the four racial/ethnic groups who were least frequently stopped were combined into a single group to increase statistical power for the test; these groups included individuals perceived to be Middle Eastern/South Asian, Multiracial, Native American, and Pacific Islander.

The results showed that some racial/ethnic groups were stopped at different rates, relative to White individuals, depending on visibility conditions. Darkness decreased the rates at which Black (-2.1 percentage points) and Hispanic (-2.3 percentage points) individuals were stopped

¹¹⁴ Please see Appendix C for a full description of the methodology.

¹¹⁵ Traffic Violations include all categories of “Reason for Stop” defined under Section 999.226, subd. (a)(10)(A)(1) of the RIPA Regulations.

compared to White individuals.¹¹⁶ Given the large number of stops submitted by California Highway Patrol as compared to the municipal agencies, the analyses were repeated while excluding CHP data. This analysis continued to show darkness decreasing the probability of being stopped during the intertilight period for Black (-2.1 percentage points) and Hispanic (-1.8 percentage points) individuals.¹¹⁷ These results suggest that individuals of certain racial/ethnic groups of color may be more likely to be stopped when it is easier to perceive their race/ethnicity. These disparities could reflect biased police behavior or the effect of some factor that is not yet being considered by this test.¹¹⁸

4. [Use of Force Analysis](#)

Law enforcement agencies have policies regarding the use of force by their officers. These policies generally present a series of escalating actions (i.e., continuum) that officers may take to resolve a situation. The policies may additionally require that officers use de-escalation tactics. However, these policies vary across agencies since there is no universally accepted standard, with the exception of the limits that state laws place on use of force.

The Board offers two approaches for examining use of force across racial/ethnic groups.¹¹⁹ The first uses a modified version of a use-of-force continuum from the National Institute of Justice to compare escalating levels of force between race/ethnicity groups.¹²⁰ The second applies a statistical test to determine whether officers applied force disparately between White individuals and individuals from racial/ethnic groups of color. These data show that use of force is generally rare, occurring in about one percent of reported stops. However, the Board recognizes that, despite the low occurrence rate relative to other actions that officers take during stops, the gravity of the outcomes of many incidents that involve force necessitates examination of these data for disparate outcomes.

Use-of-force Continuum. Of the 23 actions taken by officers during stops that are reportable under RIPA, at least nine constitute types of force.¹²¹ The statistics reported below divide these nine actions into three separate categories based on the level of force used, including lethal, less-lethal, and other physical or vehicle force. Table 3 displays the actions taken by officers during stops within level of force categories.¹²² Officers reported using lethal force against

¹¹⁶ Please see Appendix Table D.3 for model statistics.

¹¹⁷ Please see Appendix Table D.3 for model statistics.

¹¹⁸ Please see Appendix Section C for a discussion of the limitations surrounding VOD.

¹¹⁹ The California Department of Justice issues a Use of Force Incident Reporting Annual Report, also known as the URSUS Report. However, the types of use of force incidents included in the URSUS Report are more narrowly defined than the incidents collected for RIPA stop data reporting. See *Use of Force Incident Reporting (2020)* Cal. Dept. Justice <<https://data-openjustice.doj.ca.gov/sites/default/files/2021-06/USE%20OF%20FORCE%202020.pdf>> [as of Dec. 2, 2021].

¹²⁰ See *The Use-of-Force Continuum* (2009) Nat. Inst. of Justice <<https://nij.ojp.gov/topics/articles/use-force-continuum>> [as of Dec. 2, 2021].

¹²¹ For the purpose of these analyses, the nine actions taken by an officer during a stop included in Table 3, regardless of the officer's intent or civilian compliance level, are considered uses of force.

¹²² Section 999.226(a)(12)(A)(15) of the RIPA regulations define the "Other physical or vehicle contact" data element within the Action Taken by Officer During Stop variable. Officers are instructed to select this data element when they use a number of different types of force, such as hard hand controls or forcing someone to the ground. This data element is also what officers are instructed to select in cases where they utilize a carotid restraint. The Department has previously noted that carotid restraints often involve a needlessly high risk of causing unnecessary and accidental serious bodily injury. See *Sacramento*

0.005 percent (146) of individuals they stopped. Officers reported using less-lethal force against 0.5 percent (15,673) of individuals they stopped. Lastly, officers reported taking actions constituting limited force towards 0.6 percent (16,760) of individuals they stopped.

Table 3. Actions Taken by Officers During Stops within Level of Force Categories

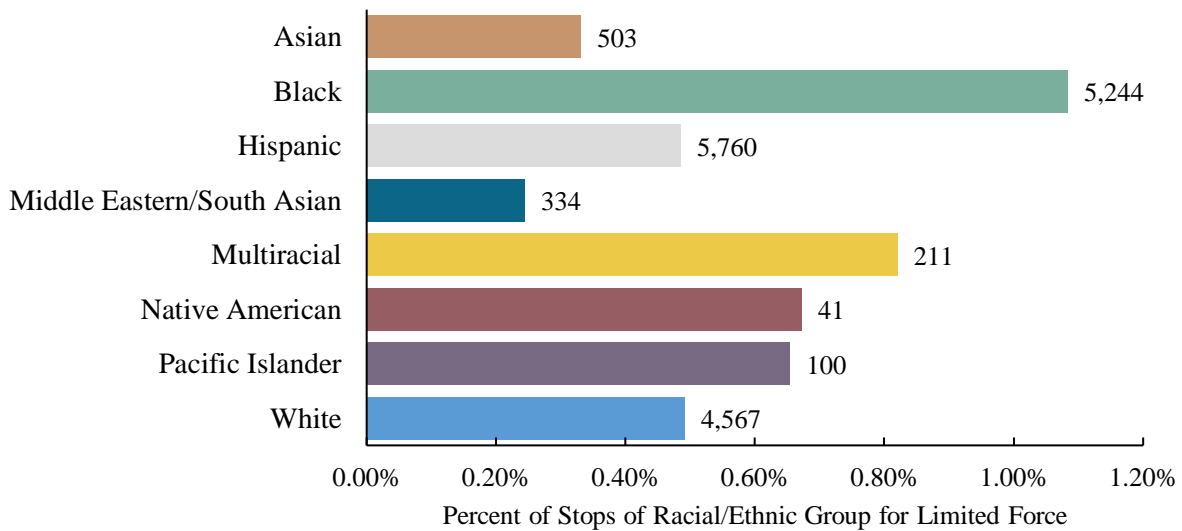
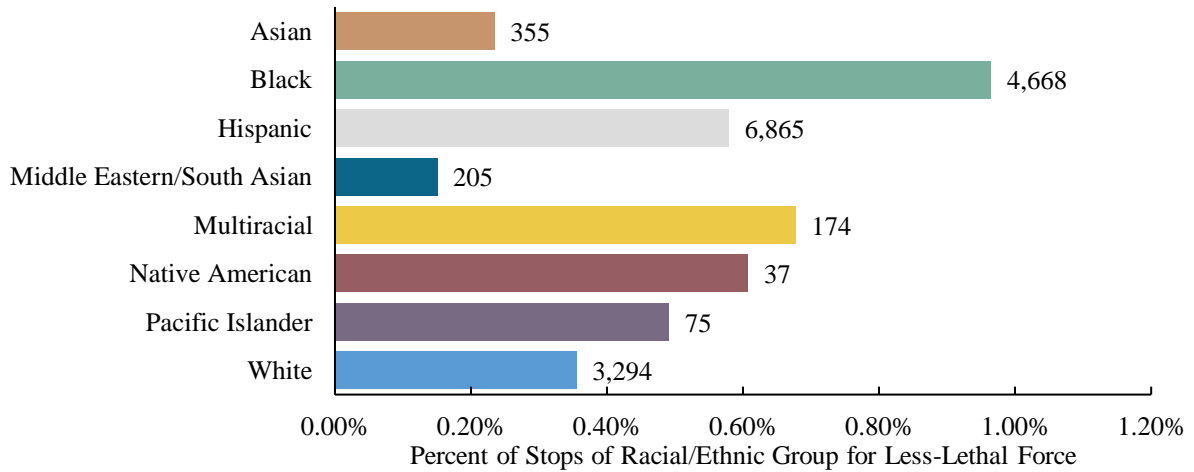
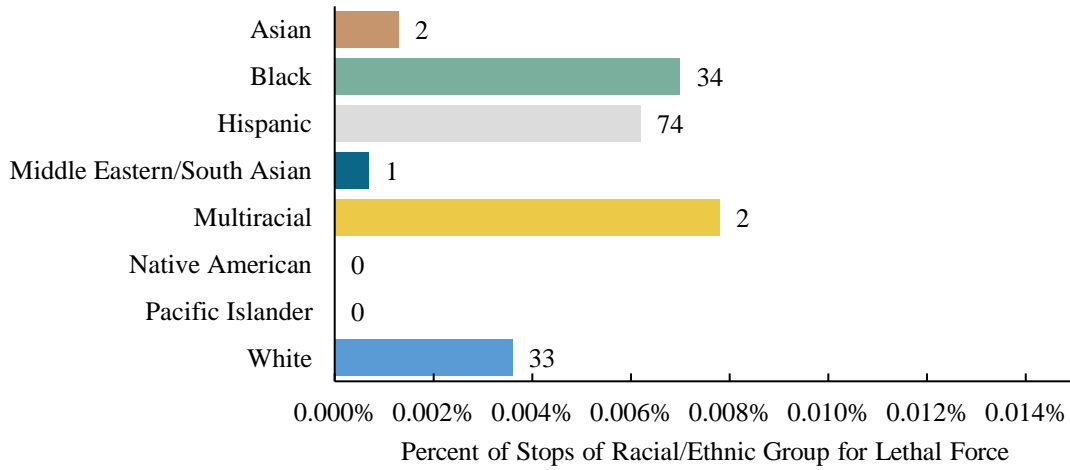
Lethal Force	Less-Lethal Force	Limited Force (Other Physical or Vehicle Contact)
A. Firearm discharged or used	<ul style="list-style-type: none"> • Electronic control device used • Impact projectile discharged or used • Canine bit or held person • Baton or other impact weapon used • Firearm pointed at person¹²³ • Chemical spray used 	<ul style="list-style-type: none"> • Person removed from vehicle by physical contact • Other physical or vehicle contact. This refers to any of the following contacts by the officer, when the purpose of such contact is to restrict movement or control a person’s resistance: any physical strike by the officer; instrumental contact with a person by an officer; or the use of significant physical contact by the officer.

Less than 0.1 percent of stopped individuals from each racial/ethnic group had lethal force used against them. The total number of individuals who had lethal force used against them by racial/ethnic group included 2 Asian, 34 Black, 74 Hispanic, 1 Middle Eastern/South Asian, 33 White, and 2 Multiracial individuals. Officers did not report using lethal force against any individuals they perceived as Native American or Pacific Islander. Black individuals had the highest rates of less-lethal force (1.0%) and other physical or vehicle force (1.1%) used by officers against them during a stop, while Middle Eastern/South Asian individuals had the lowest rates (0.2% limited force, 0.1% less-lethal force).

Police Department, Report & Recommendations (2019) Cal. Dept. Justice <<https://oag.ca.gov/system/files/attachments/press-docs/spd-report.pdf>> [as of Dec. 2, 2021]. In September 2020, the California legislature also recognized the dangerous nature of carotid restraints through its passage of Assembly Bill (AB) 1196, which restricted law enforcement agencies from authorizing their officers to use carotid restraints or choke holds. However, given that AB 1196 did not take effect until late in 2020 and carotid restraints are not distinguished from the other types of force captured under the “Other physical or vehicle contact” data element, it is possible that some instances when officers used this type of force are categorized under the other physical or vehicle force category in these analyses. (See Assem. Bill No. 1196 (2019-2020 Reg. Sess.)) This categorization is a reflection of how the data are collected under the RIPA regulations and not a reflection of the Department’s view on the use of carotid restraints.

¹²³ Other ongoing use of force data collection in the state of California classifies the threat of a firearm as a type of force. Given that the threat of a firearm is inherent to the intentional pointing of a firearm at another person, pointing a firearm was also classified as a use of force in this set of analyses, for consistency with other use of force reporting within California. See Gov. Code, § 12525.2; see also *Use of Force Incident Reporting*, *supra* note 119.

Figure 26. Use of Force Rates by Race/Ethnicity



Multivariate Analysis. To consider the impact of the stopped individuals’ race/ethnicity and multiple other factors (e.g. officer who made the stop, time of day, etc.) on whether force was

used during a stop, these data were also analyzed using multivariate statistical models.¹²⁴ Data for the four racial/ethnic groups least frequently stopped by officers were combined into a single group to increase statistical power for the test; these groups included Middle Eastern/South Asian, Multiracial, Native American, and Pacific Islander individuals.

Results of the analysis showed that Black and Hispanic individuals were more likely to have force used against them compared to White individuals, while Asian and other individuals were less likely. Specifically, compared to Whites, the odds of officers using force during a stop were 1.32 times and 1.16 times as high for Black and Hispanic individuals, respectively. Asian and Other individuals whom officers stopped had lower odds of having force used against them (0.80 and 0.82 respectively), relative to the odds for individuals officers perceived as White.¹²⁵ Excluding the data from California Highway Patrol, which contributed a majority of the stop data records, had little impact on these disparities.¹²⁶

Table 4. Summary of Multivariate Use of Force Rate Analysis Findings by Race/Ethnicity

Asian	Black	Hispanic	Other
*** ↓ 0.80	*** ↑ 1.32	*** ↑ 1.16	*** ↓ 0.82

Note. Values represent the use of force rate for the listed race/ethnicity group relative to the rate for White individuals. The arrows indicate the direction of the difference (↓ indicating a lower and ↑ indicating a higher use of force rate than White individuals). Statistically significant disparities are indicated with asterisks; *** p < 0.001; ** p < 0.01; * p < 0.05.

¹²⁴ Please see Appendix C for a full description of the methodology.

¹²⁵ Please see Appendix Table D.4 for model statistics.

¹²⁶ Please see Appendix Table D.4 for model statistics.

POLICY FOCUSED DATA ANALYSIS

A. From Data to Policies Addressing the Profiling of Transgender People

Law enforcement-generated data is a key resource for understanding the role of gender in profiling. RIPA stop data is precisely this type of resource. In 2021, the RIPA Board took an intersectional approach to examine race/ethnicity and gender data for potential disparities with respect to outcomes. The data showed that regardless of race or ethnicity, there were large disparities in the search and discovery rates for transgender individuals when compared to cisgender individuals. The Board is focused on using this stop data to aid in developing best practices aimed at eliminating these disparities. While California law prohibits gender identity discrimination in government services, employment, public accommodations, housing, and education,¹²⁷ this work is critical as states across the country are enacting discriminatory laws banning transgender youth from playing sports, blocking access to healthcare, and otherwise limiting the rights of LGBTQ+ people.¹²⁸ Thanks to the decades of work by transgender advocates and researchers to reform the policing of transgender people, the Board is able to present its recommendations for best practices.

We begin this section by reviewing the findings of national and grassroots organizations, social science researchers, and legal scholars regarding the experiences of transgender people in interactions with law enforcement. We then present analyses of the 2020 RIPA stop data across gender before reviewing examples of existing policies in three law enforcement agencies and recommending best practices in twelve areas aimed at reducing disparities in law enforcement interactions with transgender people.

The Board reviewed the 2015 U.S. Transgender Survey (USTS or Survey) findings to gain a broader understanding of the experiences of transgender people in interactions with law enforcement. The USTS is the largest survey examining the experiences of transgender people in the U.S.¹²⁹ The findings demonstrated the high levels of harassment and violence private actors committed against transgender individuals and high levels of violence and harassment

¹²⁷ See, e.g., California's Gender Nondiscrimination Act, Assem. Bill No. 887 (2011-2012 Reg. Sess.); Civ. Code, § 51, subds. (b), (e)(5) (public accommodations); Ed. Code, §§ 220 (education), 221.5, subd. (f) (education and school athletic participation); Gov. Code, §§ 11135, 11136, 11139 (government services), 12926, subds. (o), (r)(2), 12940, subd. (a), 12944, 12949 (employment), 12955 (housing); Pen. Code, §§ 2605 (corrections), 422.55, 422.56, subd. (c) (hate crimes).

¹²⁸ See Atty. Gen. Bonta to Add Five States to Travel Restrictions List as a Result of Wave of New Anti-LGBTQ+ Legislation (June 28, 2021) Cal. Dept. J. <<https://oag.ca.gov/news/press-releases/attorney-general-bonta-add-five-states-travel-restrictions-list-result-wave-new>> [as of Dec. 2, 2021] (Under the provisions of Assembly Bill 1887, effective January 1, 2017, California restricts state-funded travel to states that, after June 26, 2015, enact laws authorizing, or repealing existing protections against, discrimination on the basis of sexual orientation, gender identity, or gender expression. In 2021, five states were added to California's state-funded travel restrictions list, for a total of 18 states); see also, e.g., Krishnakumar, *This record-breaking year for anti-transgender legislation would affect minors the most*, (Apr. 15, 2021) CNN Politics <<https://www.cnn.com/2021/04/15/politics/anti-transgender-legislation-2021/index.html>> [as of Dec. 2, 2021]; Ronan, *Ten Anti-LGBTQ Bills sit on Governors' Desk, Poised to Undermine Rights Across the Country* (Apr. 16, 2021) Human Rights Campaign <<https://www.hrc.org/press-releases/ten-anti-lgbtq-bills-sit-on-governors-desks-poised-to-undermine-rights-across-the-country>> [as of Dec. 2, 2021].

¹²⁹ James et al., Nat. Center for Transgender Equality, *The Rep. of the 2015 U.S. Transgender Survey* (Dec. 2016) p. 4 <<http://www.transequality.org/sites/default/files/docs/USTS-FullReport-FINAL.PDF>> [as of Dec. 2, 2021]. (The Survey included 27,715 respondents from all fifty states.)

transgender people experienced in interactions with law enforcement, coupled with high levels of discomfort in asking for help from the police. The findings additionally indicated that other forms of discrimination – racism, ableism, and xenophobia – can have a compounding impact.¹³⁰

In surveying individuals about the year prior, the USTS found that over half (58 percent) of the respondents who interacted with law enforcement officers who knew they were transgender reported mistreatment, such as being repeatedly misgendered, verbally harassed, or physically or sexually assaulted during the interaction.¹³¹ Of all USTS respondents, nearly half (46 percent) reported that in the past year they were verbally harassed and 9 percent reported that they were physically attacked.¹³² However, more than half (57 percent) of the respondents reported that they would be somewhat or very uncomfortable asking for help from the police if they needed it.¹³³

Data collected by the National Coalition of Antiviolence Programs (NCAVP), social science research, and numerous reports demonstrate that transgender women are at high risk of violence from private actors, particularly through homicide and domestic violence.¹³⁴ Given this risk, advocates, including the National Center for Transgender Equality (NCTE), and legal scholars conclude that transgender women and other transgender populations would benefit from improved relationships with law enforcement.¹³⁵ Heightened surveillance and victimization of transgender people by law enforcement, which is commonly described as “walking while trans,”¹³⁶ erodes the relationship between transgender individuals and law enforcement. Erika Haub wrote about her experience of being profiled for a news media article.

¹³⁰ *Id.* at p. 6.

¹³¹ *Id.* at p. 186.

¹³² *Id.* at p. 198.

¹³³ *Id.* at p. 188.

¹³⁴ See, e.g., Tiller et al., Nat. Coalition of Antiviolence Programs (NCAVP), Lesbian, Gay, Bisexual, Transgender, Queer, and HIV-Affected Hate and Intimate Partner Violence in 2017 (2018) p. 7 <<http://avp.org/wp-content/uploads/2019/01/NCAVP-HV-IPV-2017-report.pdf>> [as of Dec. 2, 2021] (documenting an increase in recorded homicides of transgender women of color over five years); Carpenter and Marshall, *Walking While Trans: Profiling of Transgender Women by Law Enforcement, and the Problem of Proof* (2017) 24 Wm. & Mary J. Women & L. 5, 9 <<https://scholarship.law.wm.edu/wmjowl/vol24/iss1/3>> [as of Dec. 2, 2021].

¹³⁵ See, e.g., National Center for Transgender Equality (NCTE), *Failing to Protect and Serve: Police Department Policies Towards Transgender People (“Failing to Protect and Serve”)* (May 2019) p. 5 <<https://transequality.org/issues/resources/failing-to-protect-and-serve-police-department-policies-towards-transgender-people>> [as of Dec. 2, 2021]; Carpenter and Marshall, *supra* note 134, at p. 7.

¹³⁶ Carpenter and Marshall, *supra* note 134, at p. 6, fn. 4 (quoting Mogul, et al., *Queer (In)Justice: The Criminalization of LGBT People in the U.S.* (2011) p. 61 [“Transgender women, particularly transgender women of color are so frequently perceived to be sex workers by the police that the term *walking while trans*, derivative of the more commonly known term *driving while Black*, was coined to reflect the reality that transgender women often cannot walk down the street without being stopped, harassed, verbally, sexually and physically abused, and arrested regardless of what they are doing at the time”]); Shaw, *Violence and Law Enforcement Interactions with LGBT People in the US* (Mar. 2020) The Williams Inst., p. 1 <<https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Violence-Law-Enforce-Mar-2020.pdf>> [as of Dec. 2, 2021].

“As I retraced my path home, I was suddenly aware of a man coming up behind me close, and he began propositioning me in Spanish, a language I happen to speak fluently. I became scared by his words and presence, and I felt a giant relief wash over me when I saw the white of a police cruiser heading toward us. I began to waive both arms at the car as it approached, and when it slowed to a stop I quickly ran across the street to what I assumed to be protection and safety. The two officers stepped out of the car, demanded to see my ID. ‘Oh, it’s out of state, isn’t THAT convenient.’ While the man who actually engaged in criminal activity walked freely past us on the other side of the street, I was put into the back of a police car for engaging in prostitution. ”

-Erika Haub quoted in *The Atlantic*. *Stories of Fearing the Cops*.¹³⁷

In their 2014 report, the New Orleans-based organization BreakOUT! described how gender norms relate to the profiling of transgender people.

“Police are trained to look for things that go against the norm. Things that might be unusual or ‘suspicious.’ Things that might cause problems. Transgender people, by our very nature, are seen as being against the norm. But really, it all comes down to gender norms. When you’re transgender, you’re pushing against gender norms. Whether police realize they’re doing that [profiling] or not, we think that’s one reason why we get stopped a lot – especially gender non-conforming youth of color.”

-Lhundyn Fernandez and Kaya Williams. *We Deserve Better: A report by the members of BreakOUT!*¹³⁸

¹³⁷ Bodenner, *Stories of Fearing the Cops* (July 14, 2016) *The Atlantic* <<https://www.theatlantic.com/notes/2016/07/stories-of-fearing-the-cops/491354/>> [as of Dec. 2, 2021].

¹³⁸ Fernandez and Williams, *supra* note 66, at p. 11.

BreakOUT! members addressed readers directly in the report, highlighting how their experiences with law enforcement may differ from other communities' experiences.

“Have you ever been walking up the street and a police officer stops you and asks you what you’re doing? And you tell them you’re walking and they respond, ‘You’re in a known prostitution area.’ Then they ask you to do something sexual for them and they say that if you don’t they’re gonna lock you up! I’m pretty sure that for most people the answer is no, but for us young ladies, it’s everyday life.”

-Lhundy Fernandez and Kaya Williams. We Deserve Better: A report by the members of BreakOUT! ¹³⁹

In addition to reviewing these research and survey findings, the Board analyzed RIPA stop data across gender to identify disparities in stops made by agencies that reported data during 2020.

1. [RIPA Stop Data Relevant to Best Practices Recommendations](#)

This section includes analyses of RIPA stop data that have informed the Board’s best practices recommendations regarding law enforcement interaction with transgender people. These analyses were performed using the perceived gender data that officers reported using data values defined in the RIPA regulations.

Note Regarding Gender Data

As discussed in more detail in a previous note on page 29, the Department discovered a systematic error within the data submitted by the California Highway Patrol (CHP) for stops in which officers perceived the person stopped to be transgender. Although the CHP properly collected data for transgender individuals, it was later determined that the data was inadvertently not being transmitted properly to DOJ through the automated data transmission process. This error prevented nearly all records for individuals perceived to be transgender from being included in the successfully submitted data from the CHP, but did not affect records for individuals perceived to be cisgender. In an effort to reduce the effects of this error, data submitted by the CHP has been excluded from analyses in this section. Since submitting its 2020 data, the CHP has fixed the underlying issue that caused this error, meaning that data collected in 2021 and moving forward will not contain this error.

¹³⁹ Ibid.

RIPA regulations include five perceived gender categories – male, female, transgender man/boy, transgender woman/girl, and gender nonconforming.¹⁴⁰ To provide clarity in this report, “male” refers to cisgender men/boys and “female” refers to cisgender women/girls. In 2017, the Williams Institute estimated that 0.76 percent of adults (218,400 individuals) and 0.85 percent of youth ages 13-17 years (22,200 individuals) in California are transgender.¹⁴¹

Key Term

- Cisgender – an adjective used to describe a person whose gender identity conforms with the sex they were assigned at birth.

In 2020, officers perceived the majority of stopped individuals as (cisgender) male (72.6%; 901,105) or (cisgender) female (26.9%; 334,056). Other gender groups collectively constituted less than one percent of the data. Officers reported 3,175 stops of people perceived as transgender men/boys (0.3%), 1,747 stops of people perceived as transgender women/girls (0.1%), and 1,143 stops of people perceived as gender non-conforming (0.1%).

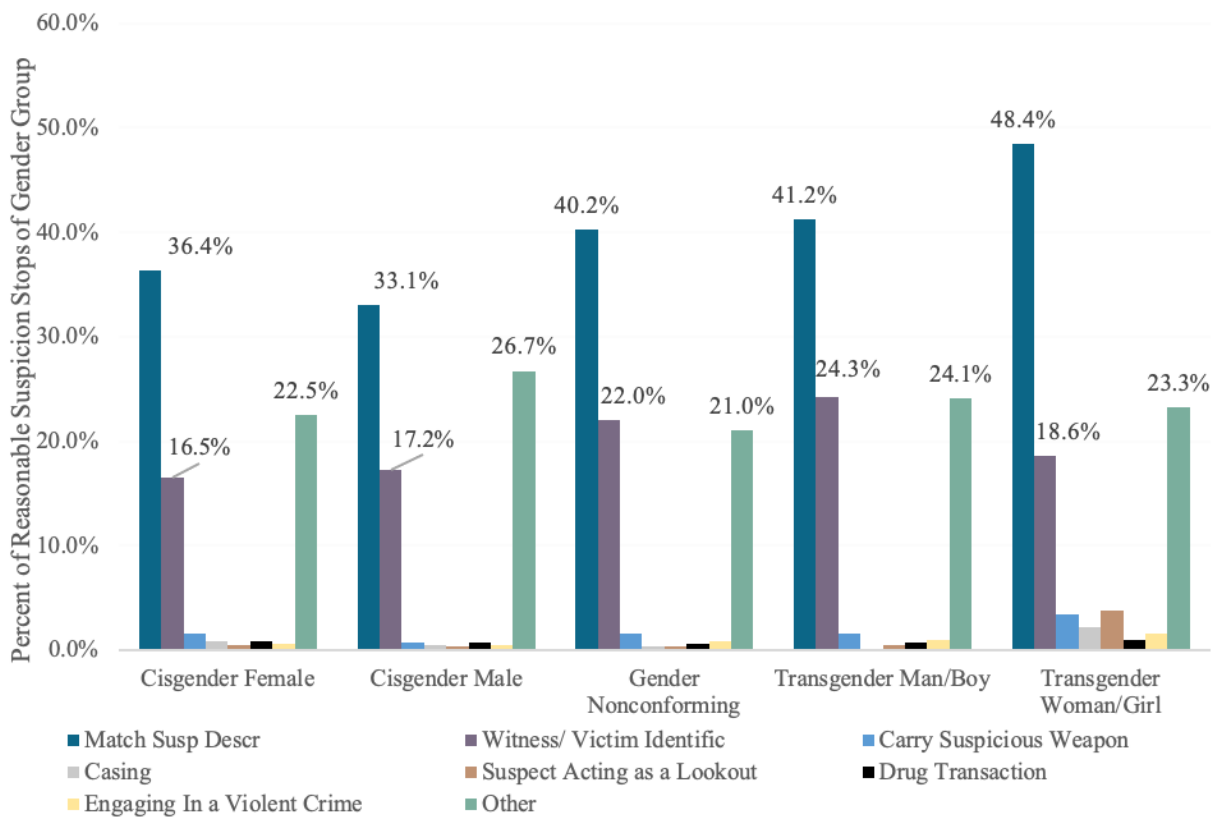
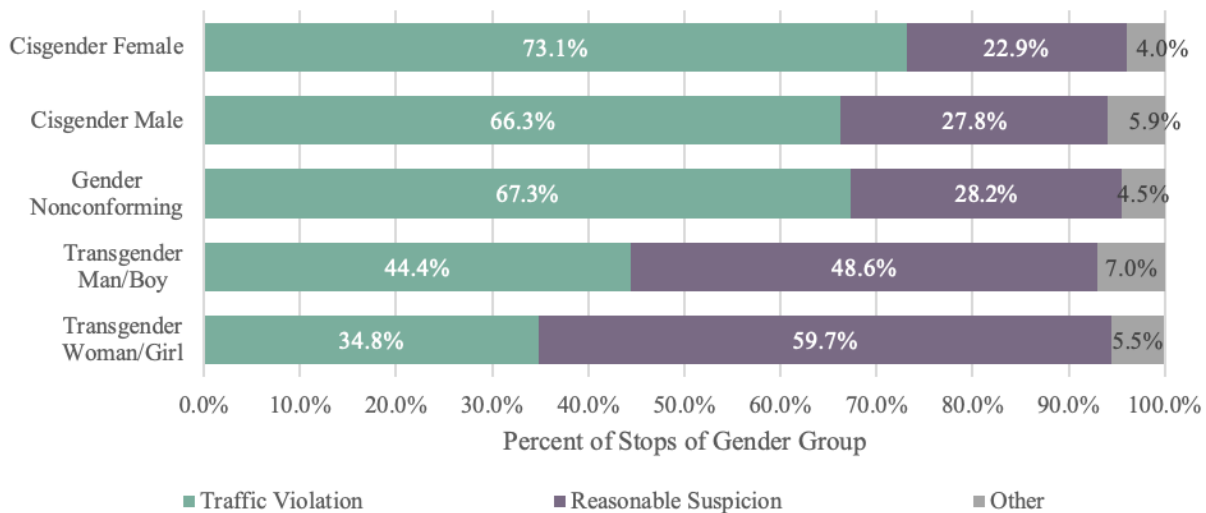
i. Primary Reason for Stop by Gender

There were dramatic differences in the reasons for stops across the perceived gender categories. Of all gender groups, cisgender females had the highest proportion of stops reported as traffic violations (73.1%) and the lowest proportion of stops reported as reasonable suspicion that the person was engaged in criminal activity (22.9%), followed by individuals perceived as gender nonconforming (67.3 percent and 28.2 percent, respectively) and cisgender males (66.3% and 27.8%, respectively). For individuals perceived to be transgender, officers reported a higher proportion of stops as reasonable suspicion and a lower proportion of stops as traffic violations. For transgender men/boys, officers reported 48.6 percent of stops as reasonable suspicion stops and 44.4 percent as traffic violation stops. Transgender women/girls had the highest proportion of stops out of all gender groups reported as reasonable suspicion (59.7%) and the lowest proportion reported as traffic violations (34.8%).

¹⁴⁰ See Cal. Code Regs., tit. 11, § 999.226, subd. (a)(5)(A)(1-5); Cal. Dept. of J., Initial Statement of Reasons: tit. 11. Law. Div. 1. Atty. Gen. ch. 19. Racial and Identity Profiling Act of 2015 (2021) p. 8 <<https://oag.ca.gov/system/files/media/isor-ripa-regs-rev-oal.pdf>> [as of Dec. 2, 2021]. In July 2021, the Department published proposed revisions to the Perceived Gender of the Person stopped data element, which would revise “Female” and “Male” to “Cisgender woman/girl” and “Cisgender man/boy,” respectively, to more accurately reflect the gender of individuals whose gender identity aligns with the sex they were assigned at birth. The proposed revisions would also replace “Gender nonconforming” with “Nonbinary person” to describe a person whose gender falls outside of the binary structure of girl/woman and boy/man. See Calif. Dept. of J., Proposed Text of Modified Regulations, *supra* note 74.

¹⁴¹ Herman, et al., *Age of Individuals who Identify as Transgender in the U.S.* (Jan. 2017) The Williams Inst., p. 4 <<http://thewilliamsins.wpengine.com/wp-content/uploads/Age-Trans-Individuals-Jan-2017.pdf>> [as of Dec. 2, 2021].

Figure 27. Reason for Stop by Gender¹⁴²

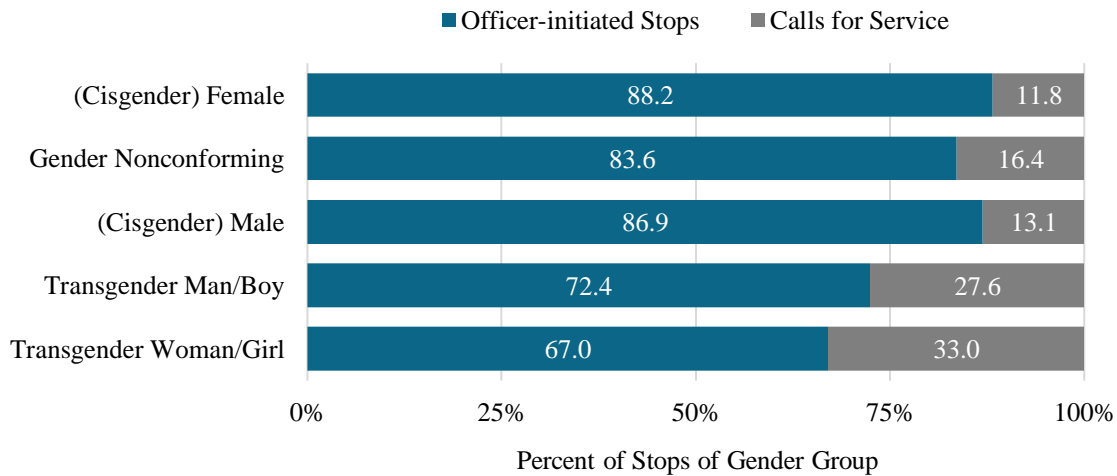


¹⁴² The following reasons for stops have been grouped together to create the reason for stop category of “Other”: Parole/Probation/PRCS/Mandatory Supervision, Knowledge of Outstanding Warrant/Wanted Person, Investigation to Determine Whether Person was Truant, Consensual Encounter Resulting in a Search, Possible Conduct Under Education Code, Determine Whether Student Violated School Policy.

ii. Calls for Service by Gender

Stopped individuals perceived as transgender women/girls had the highest proportion of stops initiated in response to a call for service (33.0%) – approximately one out of every three stops – while stopped individuals perceived as cisgender female had the lowest proportion (11.8%) – roughly one in every eight stops.

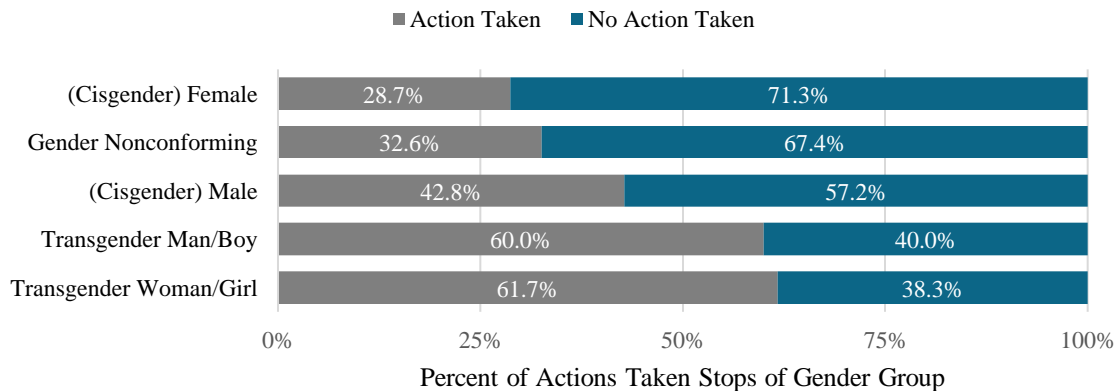
Figure 28. Call for Service Status by Gender



iii. Actions Taken by Officers during Stops by Gender

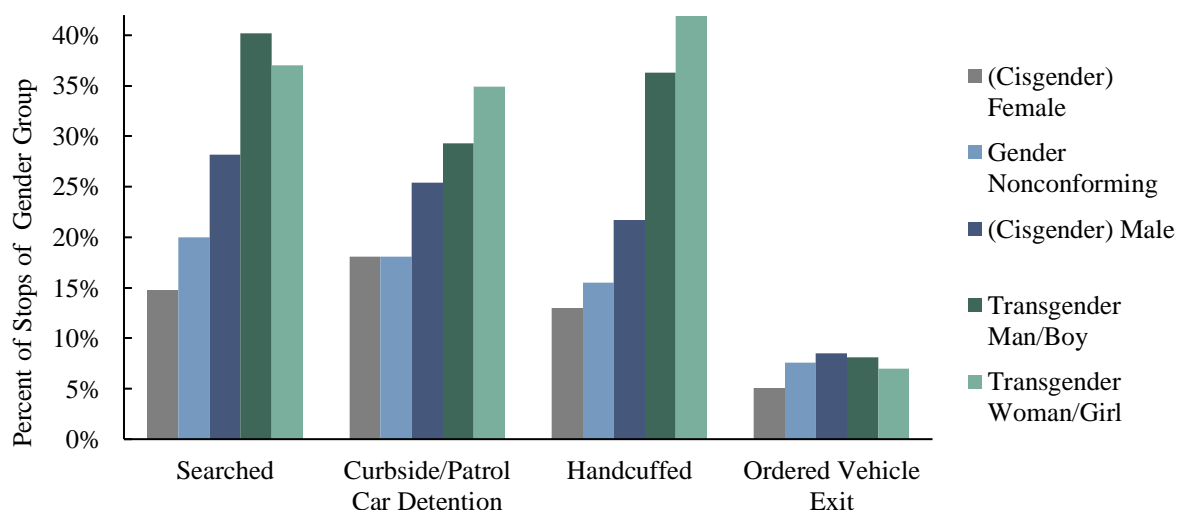
Stopped individuals perceived as transgender women/girls had the highest proportion of stops involve the officer taking actions toward them (61.7%), and individuals perceived as transgender men/boys also had actions taken toward them during more than half of their stops (60.0%). Cisgender female individuals (28.7%) had the lowest proportion of stops with actions taken towards them.

Figure 29. Actions Taken during Stops by Gender



Stopped individuals whom officers perceived as transgender men/boys had the highest rate of being searched (40.2%), while individuals perceived as transgender women/girls had the highest rate of being handcuffed (41.9%) and detained curbside or in a patrol car (34.9%). Officers removed cisgender male individuals from vehicles by order at the highest rate (8.5%). Cisgender female individuals had the lowest rate for each of these actions (ranging from 5.1 to 18.1%).

Figure 30. Actions Taken during Stops by Gender

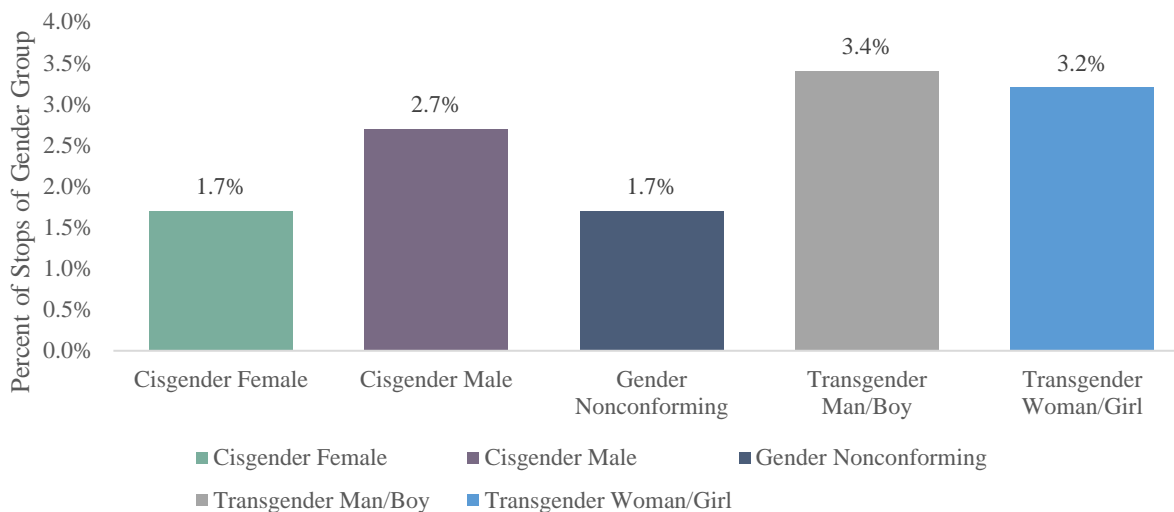


As illustrated in the above charts, individuals perceived as transgender women/girls were handcuffed in nearly one out of every two stops. In comparison, (cisgender) female individuals were handcuffed in one in every eight stops.

Gender and Use of Force Rates

Nine of the 23 actions taken by officers during stops that are reported under RIPA constitute uses of force. The nine action types (baton or other impact weapon used, canine bit or held person, chemical spray used, electronic control device used, firearm discharge/use, firearm pointed at person, impact projectile discharged/used, person removed from vehicle by physical contact, and other physical or vehicle contact) were combined to create the binary variable of use of force to identify if officers used force against stopped individuals. Overall, officers used force against 29,712 (2.4%) individuals who were stopped. Officers used force against a higher proportion of individuals perceived as transgender men/boys (3.4%) or transgender women/girls (3.2%) in comparison with the individuals perceived as cisgender males (2.7%) or females (1.7%).

Figure 31. Use of Force Rates by Gender



iv. What Was the Result of the Stops?

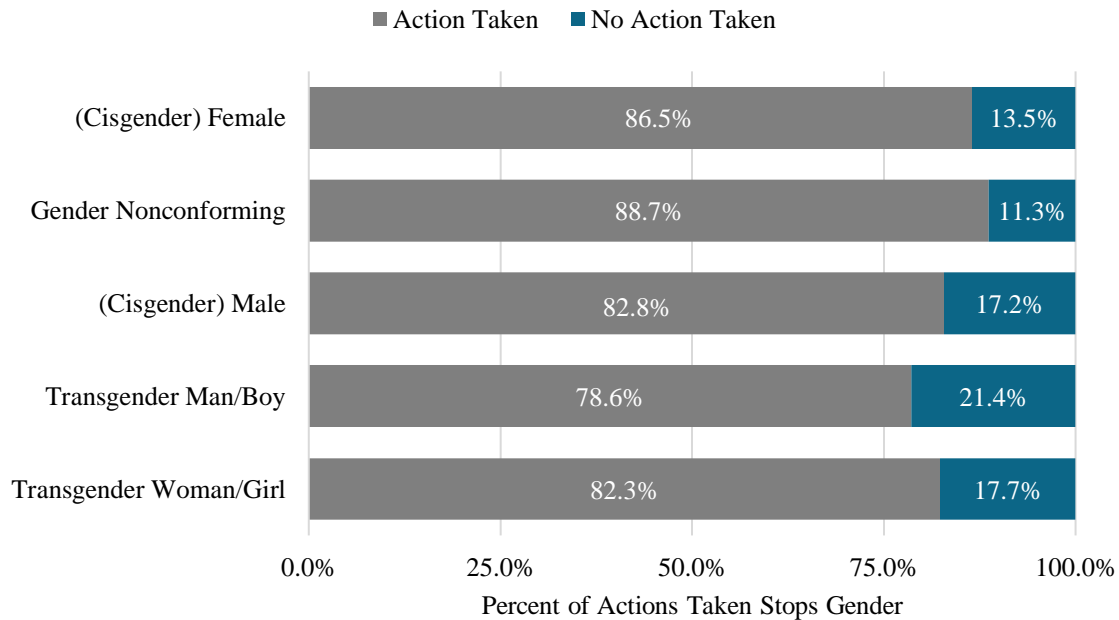
Officers can select up to 13 different stop disposition (or outcome) categories.¹⁴³ Officers may select multiple dispositions per stop where necessary (e.g., an officer cited an individual for one offense and warned them about another).¹⁴⁴

There were significant disparities in officers taking no action as a result of stops across gender groups. Officers most often took no action as the result stops of individuals they perceived to be transgender men/boys (21.4%); this rate exceeded the rate of no action being taken as a result of stops of cisgender males (17.2%). Similarly, stopped individuals whom officers perceived to be transgender women/girls had a result of stop no action rate (17.7%) that was greater than the rate for individuals whom officers perceived to be (cisgender) females (13.5%). Officers took no reportable action as the result of stop least frequently during stops of gender nonconforming individuals (11.3%). Disparities in stops that result in officers taking no action should be carefully evaluated to identify the reasons for these stops to determine whether the initial stop was sufficiently supported by reasonable suspicion.

¹⁴³ The result of stop options are “No action,” “Custodial arrest without warrant,” “Custodial arrest pursuant to outstanding warrant,” “In-field cite and release,” “Citation for infraction,” “Warning (verbal or written),” “Field interview card completed,” “Psychiatric hold (pursuant to Welfare & Institutions Code sections 5150 and/or 5585.20),” “Noncriminal transport or caretaking transport,” “Contacted U.S. Department of Homeland Security,” “Contacted parent/legal guardian or other person responsible for the minor,” “Referral to school administrator,” and “Referral to school counselor or other support staff.”

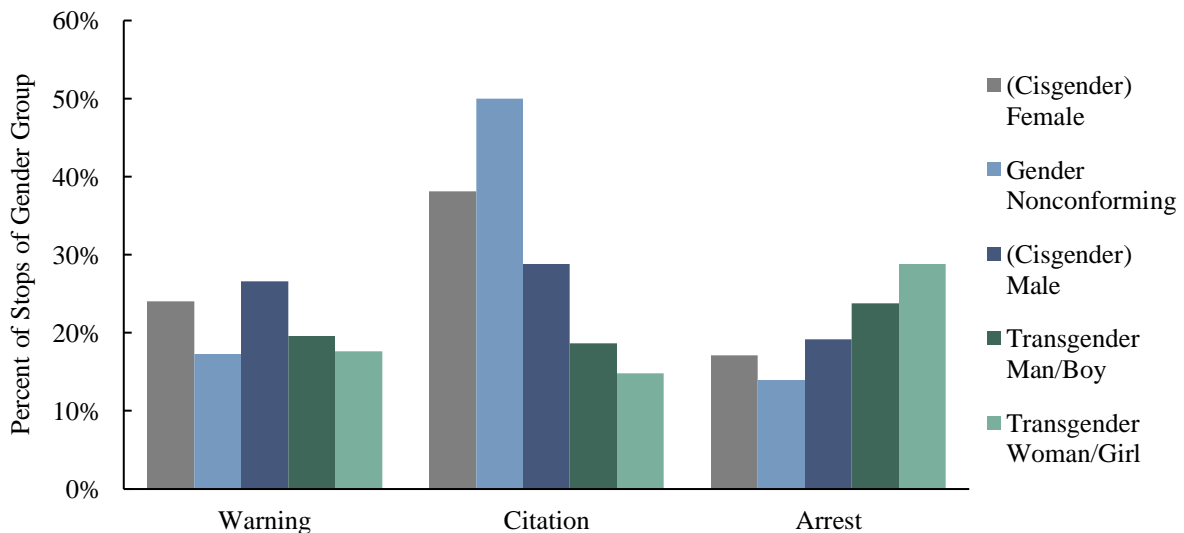
¹⁴⁴ If “No Action” is selected, no additional option may be selected. The options “Referral to school administrator” and “Referral to school counselor or other support staff” may only be selected in stops of students on K-12 public school campuses.

Figure 32. Result of Stop Action Rates by Gender



There were substantial disparities in citation rates across gender, which ranged from 14.8 percent of stopped individuals perceived as transgender women/girls to 50 percent of stopped individuals perceived as gender nonconforming. Warning rates ranged from 17.3 percent of stopped individuals perceived as gender nonconforming to 26.6 percent of (cisgender) male individuals. Compared to other genders, individuals perceived as transgender women/girls had the highest rate of being arrested (28.8%), while stopped individuals perceived as gender nonconforming had the lowest rate (14.0%).

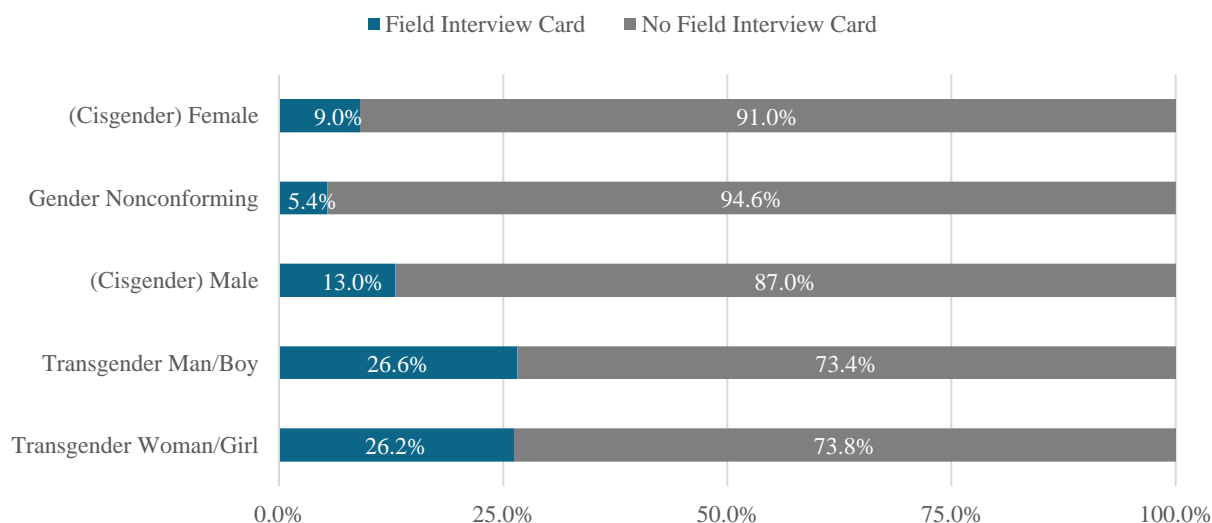
Figure 33. Stop Results by Gender



Field interview cards are an additional result of stop where the data reveal a large disparity between individuals perceived as cisgender and individuals perceived as transgender. The Los Angeles Police Commission Office of the Inspector General describes the completion of field interview cards as a practice used to track contacts made during stops and investigations, as well as arrests, that is generally entered into a searchable database.¹⁴⁵ In the Los Angeles Police Department, for example, field interview cards allow officers to collect information about a person or the circumstances associated with a stop, including location of the interview, race, gender, height, weight, clothing, identifiers such as tattoos, occupation, social security number, gang membership, school affiliation, and other individuals present during the interview.¹⁴⁶ Many agencies enter field interview card information into the statewide CalGang database.¹⁴⁷

In 2020, 26.6 percent of the stops of individuals perceived as transgender men/boys resulted in officers completing a field interview card. A similar proportion of the stops of individuals perceived as transgender women/girls (26.2%) resulted in the completion of a field interview card. Individuals perceived as gender nonconforming had the lowest proportion (5.4%) of stops resulting in the completion of a field interview card, followed by (cisgender) female and male individuals with 9.0 percent and 13.0 percent of their stops resulting in field interview cards, respectively.

Figure 34. Result of Stop - Field Interview Card by Gender



¹⁴⁵ Office of the Inspector General, Los Angeles Police Com., Review of Stops Conducted by the Los Angeles Police Department in 2019 (Oct. 2020) p. 39 <https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_d3e88738022547acb55f3ad9dd7a1dcb.pdf> [as of Dec. 2, 2021].

¹⁴⁶ *Id.* at p. 40.

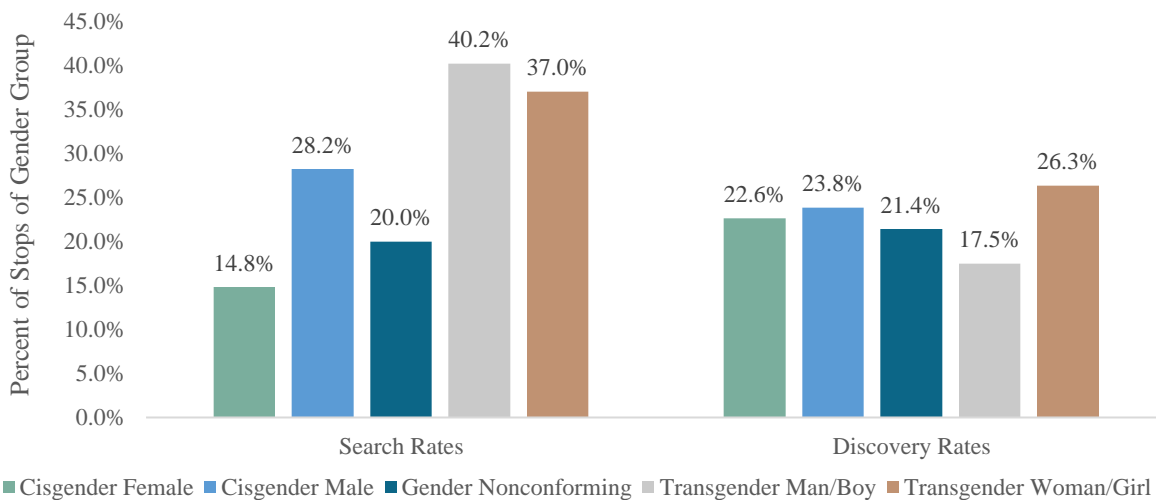
¹⁴⁷ Field interview cards and entries into the CalGang database proved to be so problematic that the Police Department notified the Commission on July 10, 2020 that it would be withdrawing from the database, “given the extent of the inaccurate information found, including instances of false information.” See Walker, *CA Attorney General Blocks Law Enforcement Access to Quarter of State Gang Database Entries Amid Investigation Into LAPD Misconduct* (July 16, 2020) Witness LA <<https://witnessla.com/ca-attorney-general-blocks-law-enforcement-access-to-quarter-of-state-gang-database-entries-after-investigating-lapd-misconduct/>> [as of Dec. 2, 2021].

v. Search and Discovery Rates by Gender

Overall, officers searched 305,337 (24.6%) of stopped individuals and discovered contraband or evidence in 23.5 percent (71,901) of these stops. Breaking these results down by gender, officers searched a higher proportion of individuals perceived as transgender (37.0% transgender women/girls – 40.2% transgender men/boys) in comparison to individuals perceived as cisgender male or female (28.2% and 14.8%, respectively). In relative terms, officers searched individuals perceived as transgender women/girls at 2.5 times the rate at which they searched individuals perceived as cisgender females, and searched individuals perceived as transgender men/boys at 1.4 times the rate at which they searched individuals perceived as cisgender males. Officers also searched a higher proportion of individuals perceived as gender nonconforming (20%) in comparison to perceived cisgender females (14.8%) but less frequently than they searched cisgender males (28.2%).

Individuals perceived as transgender men/boys (17.5%) had the lowest proportion of all perceived gender groups to have contraband or evidence discovered. Searched individuals perceived as transgender women, followed by cisgender males had the two highest discovery rates out of all gender groups (26.3% and 23.8%, respectively). Officers discovered contraband or evidence on a lower proportion of searched individuals perceived as gender nonconforming (21.4%) in comparison to cisgender individuals.

Figure 35. Search and Discovery Rates by Gender



2. Best Practice Recommendations

The Board conducted research and received input from the National Center for Transgender Equality (NCTE) and the ACLU of Southern California’s Gender & Reproductive Justice Project regarding best practices aimed at reducing disparities for transgender individuals. The Board hopes to do additional outreach and encourages continued input from advocacy groups.

Many of the Board’s recommendations this year align with national recommendations published by NCTE in 2019. In the *Failing to Protect and Serve* report, NCTE evaluated the policies of the 25 largest U.S. police departments on 17 criteria reflecting areas of interaction between law enforcement and transgender people. NCTE emphasizes that their review focused on evaluating specific policies and did not evaluate the implementation of the agencies’ policies. The review included three California police departments: Los Angeles, San Diego, and San Francisco Police Departments. Of all the Departments that NCTE reviewed, the San Francisco Police Department’s policies met the greatest number of criteria (10 of 17). No Department met all the criteria, and none of the departments reviewed fully met the criteria regarding department forms, transportation, sexual misconduct, or training.¹⁴⁸

The policies of each of the three California LEAs met some of the criteria and did not address or contradicted other criteria.

San Francisco Police Department (SFPD)¹⁴⁹

NCTE found that SFPD policies met the criteria for availability of policies on transgender interactions, non-discrimination based on gender identity and sexual orientation, non-binary recognition, use of respectful communication, removal of appearance-related items, and use of condoms as evidence of sex work. SFPD was the only agency that NCTE identified as meeting the criteria of non-binary recognition; SFPD policies explicitly mentioned non-binary gender identities and provided guidelines on how their policies apply to interactions with non-binary individuals. SFPD was one of the two Departments that NCTE reviewed that met criteria regarding removal of appearance-related items; SFPD policy allowed for transgender individuals who were arrested to maintain appearance-related items used to convey gender identity, “unless such items present a safety hazard, impede the administration of medical attention, or are needed for evidentiary reasons.” SFPD was also the only agency that NCTE identified as meeting the criteria regarding the use of condoms as evidence of sex work; SFPD policy prohibited the confiscation, photographing, or documentation of the possession of open and unopened condoms.

NCTE found that SFPD policies partially met recommendations regarding department forms. The SFPD policy required officers to record a transgender person’s name as an “AKA”, if different from their legal name, and record gender as stated in legal documentation, including “X” gender markers. SFPD forms included sections for documenting “preferred pronoun” and “preferred title” as expressed by the individual. NCTE also found that SFPD policies partially met recommendations regarding transportation; SFPD required officers to follow procedures for transporting females when transporting transgender people who are arrested, but failed to set guidelines generally on how to transport transgender individuals.

¹⁴⁸ See NCTE, *Failing to Protect and Serve*, *supra* note 135, at pp. 7-9.

¹⁴⁹ See *id.* at pp. 94-96.

NCTE found that the SFPD policy regarding search procedures did not explicitly prohibit searches for gender determination, failed to address officer sexual misconduct, and did not require officer training on interactions with transgender people.

Los Angeles Police Department (LAPD)¹⁵⁰

NCTE found that LAPD policies met the criteria for availability of policy on transgender interactions, non-discrimination based on sexual orientation, use of respectful communication, and search procedures.

NCTE found that LAPD policies partially met recommendations regarding non-discrimination based on gender identity. LAPD policy explicitly prohibited the use of gender identity or expression as a basis to stop, question, search, or arrest any individual, as a basis for initiating contact, or as evidence of a crime. LAPD policies also prohibited the use of language that is demeaning or derogatory. The LAPD policies did not state that transgender people are not to be asked invasive questions that are not relevant to an investigation. NCTE identified inconsistencies in LAPD policies regarding department forms. Policies instruct officers to record an individual's currently used name as an "AKA" and "alias" or "nickname." NCTE found that LAPD policies partially met recommendations regarding appearance-related items. LAPD policy stated, "requests to remove appearance-related items such as prosthetics, clothing that conveys gender identity, wigs, and cosmetics, shall be consistent with requirements for the removal of similar items for non-transgender individuals."

NCTE found that LAPD policies did not mention individuals with non-binary gender identities or how search or other policies apply to non-binary individuals and the LAPD's suspect description policy only allowed for "male" and "female" classification. NCTE found that LAPD policies failed to prohibit officer sexual misconduct and establish prevention or accountability mechanisms for officer sexual misconduct. NCTE additionally found that LAPD policies did not require officer training on interactions with transgender people.

San Diego Police Department (SDPD)

In 2019, when NCTE reviewed SDPD policies, they found that they only met criteria regarding non-discrimination based on sexual orientation and partially met criteria regarding non-discrimination based on gender identity.¹⁵¹ On June 1, 2021, SDPD adopted new procedures establishing guidelines for interacting with transgender and gender non-binary individuals that apply to all members of the Department.¹⁵²

The Board makes the following observations of SDPD's new policy. The new procedures appear to meet NCTE's criteria for policy availability and use of respectful communication. The new procedures appear to partially meet NCTE criteria regarding non-discrimination and profiling

¹⁵⁰ *Id.* at pp. 64-67.

¹⁵¹ See NCTE, *Failing to Protect and Serve*, *supra* note 135, at pp. 91-93.

¹⁵² See San Diego Police Department, Procedure, DP 6.34 - Police Interaction with Transgender and Gender Non-Binary Individuals (June 1, 2021) <<https://evawintl.org/wp-content/uploads/634-Police-Interaction-with-Transgender-and-Gender-Non-Binary-Individuals.pdf>> [as of Dec. 2, 2021].

based on gender identity. The policy states that “non-traditional gender identities and gender expressions” do not constitute reasonable suspicion or prima facie evidence that an individual is attempting to conceal their identity or is engaging in or has engaged in prostitution, trespassing, loitering, or any other crime. The new procedures appear to partially meet NCTE’s criteria regarding training. The policy states that members will receive training consistent with AB 2504 (codified at Penal Code section 13519.41), which requires law enforcement and dispatcher basic training to include specific aspects regarding sexual orientation and gender identity. AB 2504 also permits law enforcement officers, administrators, executives, and dispatchers to participate in supplemental training that includes the topics that are required in basic training.¹⁵³ However, SDPD’s policy does not appear to address the incorporation of transgender, intersex, and non-binary gender issues throughout all officer trainings, including during search and seizure training and periodic roll-call and in-service trainings. The new SDPD procedures appear to partially meet the criteria regarding departmental forms. The SDPD policy requires that members document an individual’s “preferred name” and pronoun to ensure continuity of appropriate treatment. The procedures indicate that these should be documented in report narratives and specify that individuals’ “preferred name” and gender should be used throughout report narratives. NCTE criteria recommend that all departmental forms include a field for “Name Currently Used (if different from legal name)” and “Legal Name”, in addition to and field for “Alias.”

NCTE’s criteria and evaluation of existing policies may help agencies evaluate their own relevant policies and identify examples of other policies that meet best practices. The findings of NCTE’s evaluation demonstrate the need for additional work to align policies with best practices. The Board presents the following recommendations for advocates, law enforcement agencies and their oversight bodies, and POST to use to update policies, practices, and training. These recommendations are grouped thematically into twelve areas.

Data Analysis Recommendations to Law Enforcement Agencies and Their Oversight Bodies:

- Analyze stop data by gender, including all data values for perceived gender of the person stopped, as defined in the RIPA regulations. The Board notes that combining data regarding stops of people perceived as cisgender and transgender would be ineffective in efforts to identify disparities and develop targeted interventions.
- Analyze stops that result in officers taking no action by identity groups. When disparities exist across identity groups in these stops, carefully evaluate the reasons for these stops to

¹⁵³ Pen. Code, § 13519.41, Sexual orientation and gender identity training, added by Stats. 2018, ch. 969 (A.B. 2504), § 1. California Legislative Information (2018)

<https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB2504> [as of Dec. 2, 2021]. AB 2504 requires that a course be incorporated in basic training that addresses sexual orientation and gender identity terminology, how to create an inclusive workplace within law enforcement for sexual orientation and gender identity minorities, important moments in history related to sexual orientation and gender minorities and law enforcement, and how law enforcement can respond effectively to domestic violence and hate crimes involving sexual orientation and gender identity minorities.

assess how the enforcement strategies promote public safety and community trust and conform to constitutional standards.¹⁵⁴

- Analyze data for stops in which reasonable suspicion related to Quality of Life Offenses¹⁵⁵ was the reason for stop to evaluate enforcement priorities and identify patterns in how officers, shifts, units, and districts enforce Quality of Life offenses and develop interventions to address disparities.¹⁵⁶
- Analyze stop data regarding search frequencies and rates at which officers find contraband or evidence across identity groups to evaluate search strategies, the burden that the searches may cause to the individuals searched, and the effect of search disparities on law enforcement’s relationship with communities.¹⁵⁷

Community-based Accountability Recommendations to Law Enforcement Agencies

- Work in close partnership with local transgender advocacy organizations knowledgeable about local struggles related to police practices, both when developing policies and the training that supports policy implementation.¹⁵⁸ Engaging with advocacy groups in the communities the LEA serves can increase accountability.

Recommendations Regarding Non-Vehicle Investigatory Stops

- Law enforcement agencies and their oversight bodies shall ensure consistent documentation of specific, individualized description of the facts that, prior to the investigatory stop being made, establish reasonable suspicion to make an investigatory stop.¹⁵⁹
- Law enforcement agencies should require officers to provide a written record of encounters to stopped individuals, identifying the officer and the basis for the stop in a summary way, and include an identification number corresponding to other documentation of the stop.¹⁶⁰
- Agencies must have a policy that prohibits using an individual’s geographic location –such as presence in a high crime area or proximity to the scene of suspected or reported crimes – without any other reasonable articulable facts that an individual is, has, or is about to be

¹⁵⁴ See U.S. Dept. of J., Civil Rights Div., Investigation of the Baltimore City Police Department (Aug. 10, 2016) pp. 5-6 <<https://www.justice.gov/crt/file/883296/download>> [as of Dec. 2, 2021].

¹⁵⁵ See, e.g., Consent Decree, *U.S. v. Police Dept. of Baltimore City*, No. 1:17-cv-00099 (D.Md. Jan. 12, 2017) pp. 202-203 (defining “Quality of Life” to include infractions of statutes and ordinances regarding loitering, trespassing, public urination/defecation, disorderly conduct, failure to obey, disturbing the peace, hindering, open container, littering) <https://www.baltimorepolice.org/sites/default/files/General%20Website%20PDFs/Baltimore_Police_Consent_Decree_3.pdf> [as of Dec. 2, 2021].

¹⁵⁶ See *id.* at p. 28.

¹⁵⁷ See Consent Decree, *U.S. v. Police Dept. of Baltimore City*, *supra* note 155, at p. 173.

¹⁵⁸ S.F. Police Dept., Community Engagement Div., SFPD Community Policing Strategic Plan: U.S. DOJ Recommendation 40.1 (Oct. 2018) p. 10 <<https://www.sanfranciscopolice.org/sites/default/files/2019-12/SFPDCommunityPolicingStrategicPlan.pdf>> [as of Dec. 2, 2021].

¹⁵⁹ See Consent Decree, *U.S. v. Police Dept. of Baltimore City*, *supra* note 155, at p. 14.

¹⁶⁰ See *id.* at p. 15.

engaged in criminal activity as a basis for an investigatory stop.¹⁶¹ Law enforcement agencies and POST shall include examples and scenario-based training on this requirement.

- Agencies shall prohibit basing investigatory stops solely on an individual’s response to the presence of police officers, such as an individual’s attempt to avoid contact with an officer.¹⁶²

Recommendation to Law Enforcement Agencies regarding Quality of Life Offenses

- Require that a permanent rank supervisor approve or disapprove an officer’s request to make an arrest for a Quality of Life offense.¹⁶³

Training Recommendations to POST and Law Enforcement Agencies

- Require multiple hours of LGBT-specific training for all personnel and include LGBT advocacy organizations in training development and facilitation.¹⁶⁴
- Implement training regarding Penal Code Sec. 647.3(b), which states that possession of condoms in any amount shall not provide a basis for probable cause for arrest for specified sex work crimes.¹⁶⁵
- Include information in training that the presence of needles may be indicative of prescribed hormone therapy and is not necessarily indicative of illegal drug possession, use, or paraphernalia.¹⁶⁶

Non-discrimination based on Gender Identity and Sexual Orientation Recommendations to Law Enforcement Agencies

- Ensure that policies recognize the existence of individuals with non-binary gender identities and describe how gender-specific policies (for example, forms and records, search procedures, and transportation) apply to non-binary people.¹⁶⁷
- Require officers to record an individual’s gender based on that individual’s gender identity as expressed or clarified by the individual, regardless of anatomy, surgical status, or whether their identity is reflected in identification documents.¹⁶⁸ All forms and records should include values for “male”, “female”, a gender neutral designation (such as “non-

¹⁶¹ See *id.* at p. 16.

¹⁶² *Ibid.*

¹⁶³ See *id.* at p. 23.

¹⁶⁴ See NCTE, *Failing to Protect and Serve*, *supra* note 135, at p. 24; Consent Decree, *U.S. v. Police Dept. of Baltimore City*, *supra* note 155, at pp. 37-38; S.F. Police Dept., Community Engagement Div., SFPD Community Policing Strategic Plan: U.S. DOJ Recommendation 40.1, *supra* note 158, at p. 7.

¹⁶⁵ See California passed the legislation which prohibited the use of condoms as a basis for probable cause for sex work-related crimes, SB 233, in 2019. California-based advocates indicate that training is needed to ensure the implementation of SB 233.

¹⁶⁶ See NCTE, *Failing to Protect and Serve*, *supra* note 135, at p. 11.

¹⁶⁷ See *id.* at pp. 12-13. People whose gender is not male or female use many different terms to describe themselves, and “non-binary” is one of the most common. Different non-binary people may use different pronouns. Many non-binary people use “they,” and others use “he” or “she” or other pronouns.

¹⁶⁸ See Consent Decree, *U.S. v. Police Dept. of Baltimore City*, *supra* note 155, at p. 31.

binary” or the abbreviation “X”), and “unknown.”¹⁶⁹ Agencies policies should prohibit inquiring about an individual’s anatomy or medical history or conducting a search to determine a person’s anatomy or assign gender.¹⁷⁰

- Explicitly prohibit requesting identification or otherwise initiating contact solely based on the actual or perceived gender identity or expression of any individual.¹⁷¹
- Prohibit considering an individual’s gender identity, gender expression, or actual or perceived sexual orientation as evidence of any crime, including prostitution-related offenses.¹⁷²
- Prohibit members from disclosing an individual's transgender, intersex, or non-binary identity to members of the public or others interacting with the agency, absent a legitimate law enforcement objective. Agencies’ policies should also prohibit members from disclosing a juvenile’s transgender, intersex, or non-binary identity to the juvenile’s parents or legal guardians, absent a legitimate law enforcement objective.

Respectful Communications and Forms Recommendations to Law Enforcement Agencies

- Prohibit use of demeaning or derogatory language aimed at a person’s actual or perceived gender identity, gender expression, or sexual orientation.¹⁷³
- Require officers to address members of the public with the names and pronouns they currently use. Agencies’ policies should additionally detail how officers should record an individual’s current name, if different from a legal name, in records, forms, and other official documents, and indicate that a current name that is not also the individual’s legal name should not be recorded under “alias” or “nicknames.” All of the agencies forms and records should include a field for “Name currently used (if different from legal name),” and “Legal Name,” in addition to any field designated for “Alias.” Pronouns should be recorded as stated by the individual along with name currently used.¹⁷⁴
- Prohibit officers from inquiring about intimate details of an individual’s sexual practices, anatomy, or gender-related medical history, except as necessary to serve valid, nondiscriminatory law enforcement objectives.¹⁷⁵

¹⁶⁹ See NCTE, *Failing to Protect and Serve*, *supra* note 135, at pp. 14-15.

¹⁷⁰ See *id.* at p. 11.

¹⁷¹ See *id.* at pp. 10-11.

¹⁷² *Ibid.*

¹⁷³ *Ibid.*

¹⁷⁴ *Id.* at pp. 13-14.

¹⁷⁵ See Consent Decree, *U.S. v. Police Dept. of Baltimore City*, *supra* note 155, at p. 32.

- Adopt policies indicating that officers may not prolong a stop in order to complete a field interview card and that members of the public are not obligated to answer questions or display tattoos in order to facilitate the completion of field interview cards.¹⁷⁶
- During supervisory review of records, include review to identify and address instances where individuals were misgendered.

Search Procedures Recommendations to Law Enforcement Agencies and POST

The Board emphasizes the importance of policies regarding search procedures because of how dehumanizing and intrusive searches can be and the frequency with which searches occur.

- Law enforcement agencies shall clearly prohibit searching or frisking individuals for the purpose of viewing or assigning gender based on the individual’s anatomy or subjecting transgender people to more invasive searches than cisgender people.¹⁷⁷
- Law enforcement agencies shall include scenarios in training that prohibit officers from conducting a frisk for weapons or pat down during an investigatory stop except where officers have reasonable suspicion, based on specific articulable facts, that a person is armed with a dangerous and deadly weapon.¹⁷⁸ POST and law enforcement agencies shall provide scenario-based training regarding *Terry v. Ohio* frisks/pat searches.
- Law enforcement agencies shall require that when an officer must conduct a search of a transgender individual, the officer shall ask the individual their preference with regard to the gender of the officer they feel safer conducting a search of their person. For example, “What gender officer would you prefer to search you?” These requests shall be honored absent exigent circumstances. If no such officer is available, or the individual’s request is not honored for any other reason, the preference and the reason it could not be honored shall be documented.¹⁷⁹

Transportation Recommendations to Law Enforcement Agencies

- Require that officers, absent exigent circumstances, transport transgender individuals who are arrested with other individuals of the same self-identified gender, unless the individual has expressed a safety concern and wishes to be transported alone or with people of a different gender. Non-binary individuals shall be transported with individuals of the gender they express to be safest for them.¹⁸⁰

¹⁷⁶ See Off. of the Inspector Gen., L.A. Police Com., Review of Stops Conducted by the L.A. Police Dept. in 2019 (Oct. 2020) pp. 40-41 <https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_d3e88738022547acb55f3ad9dd7a1dcb.pdf> [as of Dec. 2, 2021].

¹⁷⁷ See NCTE, *Failing to Protect and Serve*, *supra* note 135, at p. 16; Consent Decree, U.S. v. Police Dept. of Baltimore City, *supra* note 155, at p. 20.

¹⁷⁸ See Consent Decree, U.S. v. Police Dept. of Baltimore City, *supra* note 155, at p. 19.

¹⁷⁹ See *id.* at pp. 25-26.

¹⁸⁰ See NCTE, *Failing to Protect and Serve*, *supra* note 135, at p. 7; Pen. Code, § 2605.

Sexual Misconduct Recommendations to Law Enforcement Agencies

- Clearly and completely prohibit any on-duty sexual activity¹⁸¹ by officers; any on- or off-duty sexual activity using agency or government property; using official position to coerce, persuade, or force sexual contact; and failure to report sexual misconduct.¹⁸²

Appearance-related Items Recommendations to Law Enforcement Agencies

- Adopt policies stating that transgender individuals shall not be asked to remove appearance-related items (such as prosthetics, bras, clothes, undergarments, wigs, chest binders, or cosmetic items) if cisgender individuals of the same gender identity are not also required to do so. Non-binary individuals shall not be asked to remove appearance-related items if individuals of any gender identity are not required to do so.¹⁸³

Civilian Complaint Procedures Recommendations to Law Enforcement Agencies and Their Oversight Bodies

- Provide training to investigators and adjudicators on civilian complaint review boards to address the types of police profiling and stigmatization experienced by transgender people.¹⁸⁴

The Board encourages advocates, LEAs and their oversight bodies, and POST to use the Board’s recommendations across the twelve areas that we have addressed to update agencies’ policies, practices, and training. The Board recommends that LEAs work in close partnership with local transgender advocacy organizations when developing policies and the training that supports policy implementation.

3. Proposed Legislation

Earlier in this section we referenced studies that have highlighted how people of color, women, and LGBTQ individuals are disproportionately suspected of and charged with sex work-related crimes.¹⁸⁵ For this reason, the Board is tracking proposed legislation in California and recently adopted legislation in other states that aim to address these disparities.

¹⁸¹ Pen. Code section 832.7, subd. (b)(1)(B)(ii), effective Jan. 1, 2022, defines the commission or attempted initiation of a sexual act with a member of the public by means of force, threat, coercion, extortion, offer of leniency or other official favor, or under the color of authority, as “sexual assault.” The propositioning for or commission of any sexual act while on duty is considered a sexual assault.

¹⁸² See NCTE, *Failing to Protect and Serve*, *supra* note 135, at p. 19.

¹⁸³ See *id.* at p. 22.

¹⁸⁴ See Mallory, et al., *Discrimination and Harassment by Law Enforcement Officers in the LGBT Community* (Mar. 2015) The Williams Inst., p. 3 <<https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Discrimination-by-Law-Enforcement-Mar-2015.pdf>> [as of Dec. 2, 2021].

¹⁸⁵ See, e.g., N.Y. Bar Assn., Repeal the “Walking While Trans” Ban: Rep. on Legislation by the Lesbian, Gay, Bisexual, Transgender, and Queer Rights Com., Civil Rights Com., Crim. J. Operations Com., Immig. and Nat. Law Com., and Sex and Law Com. (Feb. 2021) pp. 3-6 <<https://www.nycbar.org/member-and-career-services/committees/reports-listing/reports/detail/repealing-the-walking-while-trans-law>> [as of Dec. 2, 2021]; Mogulescu, *Your Cervix Is Showing: Loitering for Prostitution Policing as Gendered Stop & Frisk* (2020) 74 U. Miami L. Rev. Caveat 68, 70-71

In 2021, the California legislature voted to pass the Safer Streets for All Act (Senate Bill 357); the bill may be sent to the Governor at any time during 2022.¹⁸⁶ The bill would repeal provisions of existing law related to loitering with the intent to commit prostitution. It would also authorize a person convicted of a violation of loitering with the intent to commit prostitution to petition the court for the dismissal and sealing of their case, and resentencing, if applicable. Bill author Senator Wiener stated:

Due to the broad subjective nature of the language that criminalizes loitering for the intent to engage in sex work, this offense permits law enforcement to stop and arrest people for discriminatory reasons, such as wearing revealing clothing while walking in an area where sex work has occurred before. The creation and enactment of this offense began to cause more harm than help, because of the power it gave law enforcement to profile, target, harass, and criminalize without accountability, and the consequences of criminalization on the livelihood and safety of specifically targeted communities.¹⁸⁷

Policy changes similar to those proposed in SB 357 were recently adopted by New York State and Seattle.¹⁸⁸

4. [Vision for Future Reports](#)

The Policies subcommittee made three recommendations about what they would like to see on this topic in future reports: (1) analysis of CHP stop data across gender, (2) some intersectional analyses of race and gender, similar to the introductory analyses that were included in the 2021 Board Report, and (3) a review of relevant legislation, including SB 357.

<http://lawreview.law.miami.edu/wp-content/uploads/2020/05/Your-Cervix-is-Showing_Page-Proof_FINAL.pdf> [as of Dec. 2, 2021].

¹⁸⁶ Sen. Bill No. 357 (2021-2022 Reg. Sess.)

<https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB357> [as of Dec. 2, 2021].

¹⁸⁷ Sen. Rules Com., Off. of Sen. Floor Analyses, Analysis of Sen. Bill No. 357 (2021-2022 Reg. Sess.) as amended Sep. 10, 2021, p. 4 <https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202120220SB357#> [as of Dec. 2, 2021].

¹⁸⁸ See del Valle, *N.Y. Governor Signs Bill to Repeal “Walking While Trans” Ban*, CNN (Feb. 2 2021)

<<https://www.cnn.com/2021/02/02/us/new-york-trans-ban-prostitution-law-repeal/index.html>> [as of Dec. 2, 2021] (In Feb. 2021, New York repealed its 1976 statute criminalizing loitering for the purposes of prostitution. Bill sponsor State Senator Brad Hoylman said the former law “led to hundreds of unnecessary arrests of transgender women of color and a broader culture of fear and intimidation for transgender and gender nonconforming New Yorkers”); see also Seattle City Council, *City Council Repeals Problematic Law to Reduce Disproportionate Impact on Communities of Color* (June 22, 2021)

<<https://council.seattle.gov/2020/06/22/city-council-repeals-problematic-law-to-reduce-disproportionate-impact-on-communities-of-color/>> [as of Dec. 2, 2021] (In 2020, the Seattle City Council unanimously repealed the municipal code regarding “prostitution loitering.” In 2018 the Seattle Reentry Work Group recommended repeal of the Prostitution Loitering law. The Seattle City Attorney’s Office supported the repeal and City Atty. Pete Holmes recommended that other jurisdictions evaluate their loitering policies).

B. Data Driven Approaches to Disability Justice

Research and data show that people experiencing mental health crises may also be at risk for harmful and even deadly police intervention.¹⁸⁹ No one should fear calling for help when they or a loved one are experiencing a mental health crisis. Having a community-based health professional respond to a mental health crisis can help avoid unnecessary involvement with the police or criminal justice system, prevent death or injury, and eliminate barriers to treatment.¹⁹⁰

“Many of us live in fear that we or our loved ones will become a victim when encountering police. We all mourned last year when an autistic man was shot dead in a California Costco by an off duty cop who was never held accountable. People of color and people with disabilities should not live in fear of getting killed, beaten, or arrested by police because they seem ‘suspicious’ or don’t respond quickly enough to commands.”

- Disability Voices United, President Judy Mark, statement in response to the murder of George Floyd and the calls for accountability for police violence.¹⁹¹

When we look at the intersection between race and disability, the risk issues may be compounded. Research shows that individuals perceived to be Black are more likely to be seen as “threatening” by an officer and as a result are subject to disproportionate, unnecessary, and even deadly uses of force.¹⁹² Similarly, research shows officers are more likely to perceive someone with a mental health disability as more dangerous or threatening than those

¹⁸⁹ See, e.g., *Fatal Force Shooting Database 2015-2021*, Wash. Post <<https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>> [as of Dec. 2, 2021] (Nearly a quarter of people killed by the police throughout the nation have a known mental health disability); Premkumar et al., *Police Use of Force and Misconduct in California* (Oct. 2021) Pub. Policy Inst. of Cal. <<https://www.ppic.org/publication/police-use-of-force-and-misconduct-in-california/>> [as of Dec. 2, 2021] (In California more than four in ten people treated for non-fatal gunshot wounds from a police encounter had a mental health disability); Jones and Sawyer, *Arrest, Release, Repeat: How police and jails are misused to respond to social problems* (Aug. 2019) Prison Policy Initiative <<https://www.prisonpolicy.org/reports/repeatarrests.html>> [as of Dec. 2, 2021] (Nationally, people with multiple arrests are three times more likely to have a serious mental health disability and low rates of violence, raising the concern “that police are often used to respond to medical and mental health problems, not to matters of public safety”); *Overlooked in the Undercounted: The Role of Mental Illness in Fatal Law Enforcement Encounters* (2015) Treatment Advocacy Center, p. 3 <<https://www.treatmentadvocacycenter.org/storage/documents/overlooked-in-the-undercounted.pdf>> [as of Dec. 2, 2021] (Though numbering fewer than four in every 100 adults in America, those with severe mental health disabilities “generate no less than 1 in 10 calls for police service and occupy at least 1 in 5 of America’s prison and jail beds. An estimated 1 in 3 individuals transported to hospital emergency rooms in psychiatric crisis are taken there by police”); see also generally, *Mental Health and Police Violence: How Crisis Intervention Teams Are Failing* (Sept. 2020) NPR All Things Considered <<https://www.npr.org/2020/09/18/913229469/mental-health-and-police-violence-how-crisis-intervention-teams-are-failing>> [as of Dec. 2, 2021].

¹⁹⁰ See Mark, *It’s Our Fight Too* (June 5, 2020) Disability Voices United <<https://disabilityvoicesunited.org/police-violence/>> [as of Dec. 2, 2021].

¹⁹¹ Mental Health America, *Position Statement 59: Responding to Behavioral Health Crisis* (Mar. 3, 2017) <<https://www.mhanational.org/issues/position-statement-59-responding-behavioral-health-crises>> [as of Dec. 2, 2021].

¹⁹² See Richardson, *Police Efficiency and the Fourth Amend.* (2012) 87 Ind. L.J. 1143, 1150 (citing Trawalter, et al., *Attending to Threat: Race-Based Patterns of Selective Attention* (2008) 44 J. Experimental Soc. Psychol. 1322, 1324).

perceived not to have a mental health disability.¹⁹³ When we look at the intersectionality of race and disability, “police are more likely to shoot and kill Black men who exhibit mental health disabilities than White men with similar behaviors.”¹⁹⁴

“When we talk about police violence we need to also talk about disabled black people and the intersections of ableism and racism. Racism causes many officers to see black and brown people as a threat. And when we don't comply because we didn't hear the command or we can't move in a certain way, or we don't see a physical gesture, or maybe there's an invisible disability and like a psychiatric disability, then the noncompliance is interpreted as threatening. And that's the cause of a lot of the violence against the black and brown people, an intersection of racism and ableism, and any solutions to police brutality against black people need to also address ableism.”

- Overlooked Reality of Police Violence Against Disabled Black Americans, Interview of Haben Girma, Disability Rights Advocate and Author of “The Deafblind Woman Who Conquered Harvard Law”¹⁹⁵

Because community members lack alternatives to calling the police, law enforcement usually responds to individuals experiencing mental health crises. Consequently, people with mental health disabilities may unnecessarily be sent to jail or become involved with the criminal legal system.¹⁹⁶ This deeply impacts already limited resources, but more importantly, it is harmful and destructive to the individual, their family, and their community.¹⁹⁷ Communities should consider alternatives to armed police responses and prioritize community-based responses to aid a person in crisis.

¹⁹³ See generally Watson, et al., *Police Officers' Attitudes Toward and Decisions About Persons with Mental Illness* (Jan. 2004) *Psychiatric Services* <<https://ps.psychiatryonline.org/doi/pdf/10.1176/appi.ps.55.1.49>> [as of Dec. 2, 2021]; see also McMullen-Laird, *Overlooked Reality of Police Violence Against Disabled Black Americans* (interview of Haben Girma) *The Takeaway* (June 15, 2020) <<https://www.wnycstudios.org/podcasts/takeaway/segments/police-violence-disabled-black-americans?tab=summary>> [as of Dec. 2, 2021].

¹⁹⁴ See Thomas, et al., *Black and unarmed: statistical interaction between age, perceived mental illness, and geographic region among males fatally shot by police using case-only design* (Jan. 2021) *Annals of Epidemiology*, vol. 53, pp. 42-49 <<https://doi.org/10.1016/j.annepidem.2020.08.014>> [as of Dec. 2, 2021].

¹⁹⁵ McMullen-Laird, *supra* note 193.

¹⁹⁶ *Mental Illness and the Criminal Justice System*, Nat. Alliance on Mental Illness (NAMI) <https://www.nami.org/NAMI/Media/NAMI-Media/Infographics/NAMI_CriminalJusticeSystem-v5.pdf> [as of Dec. 2, 2021].

¹⁹⁷ Doleac, *New Evidence that Access to Healthcare Reduces Crime* (Jan. 3, 2018) *Brookings Inst.* <<https://www.brookings.edu/blog/up-front/2018/01/03/new-evidence-that-access-to-health-care-reduces-crime/>> [as of Dec. 2, 2021].

“Many of the problems associated with police involvement in behavioral health crises can be avoided by creating alternatives. Non-behavioral medical emergencies, such as heart attacks, strokes and non-vehicular accidents are often handled by the 911 system. But rather than dispatching a police officer, an ambulance is sent. A law enforcement response to a mental health crisis is almost always stigmatizing for people with mental illnesses and should be avoided when possible. Whenever possible, mental health crises should be treated using medical personnel or, even better, specialized mental health personnel.”

- Mental Health in America, Position Statement: Responding to Behavioral Health Crises¹⁹⁸

Given the dilemma many community members face in calling for help when someone is in crisis or exhibiting behaviors associated with mental health disabilities, examining the data will provide insight into the larger issues at play and also identify data-driven solutions in creating alternatives to police responses. The RIPA data may play an important role for communities and advocates as they continue developing strategies to destigmatize and decriminalize disability, particularly mental health disability.

1. Data Analyses: Search/Discovery Rates and Use of Force Data Review

Research demonstrates individuals with perceived disabilities are disproportionately subject to police searches and uses of force than those with no perceived disability. The RIPA Board’s examination of the 2019 stop data shows those perceived or known to have a disability were subject to higher rates of searches (43.4% v. 11.0%), higher rates of being detained on the curb or in a patrol car (39.4% v. 9.8%), and higher rates of being handcuffed (45.1% v. 7.9%) compared to those perceived not to have a disability.¹⁹⁹

Given the 2019 results, this year the Board took a deeper dive into the data involving individuals with a perceived or known disability. The 2020 RIPA data show officers were 4.8 times more likely to search individuals perceived or known to have a mental health disability and 2.7 times more likely to search those perceived or known to have any other type of disability than those perceived or known to have no disability. Officers were also 5.2 times more likely to use force against individuals perceived or known to have mental health disability and 3.3 times more likely to use force against individuals perceived to have other disabilities than those who have no perceived or known disability.

¹⁹⁸ Mental Health America, Position Statement, *supra* note 191.

¹⁹⁹ See Racial and Identity Profiling Advisory Board, Annual Report (2021) p. 63
<<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2021.pdf>> [as of Dec. 2, 2021].

i. Search and Discovery Rate Analysis by Disability

Search and discovery rates provide a unique opportunity to observe disparities in the experiences of individuals based on their identity. They provide valuable insight into the treatment of those perceived or known to have a disability, particularly those with a mental health disability.

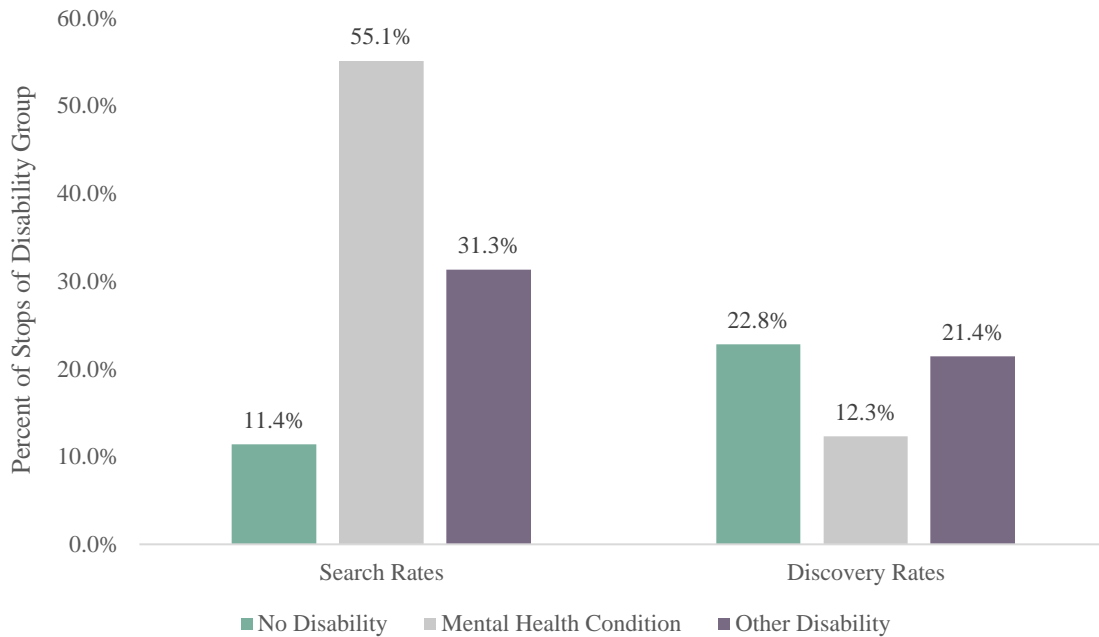
Overall, officers searched 11.9 percent of the individuals they stopped and discovered contraband or evidence in 22.4 percent of these stops. Breaking these results down by perceived or known disability, a higher proportion of individuals perceived or known to have a mental health disability (55.1%) and individuals perceived or known to have other types of disabilities²⁰⁰ (31.3%) were searched in comparison to individuals perceived or known to have no disability (11.4%). These results indicate that officers searched individuals perceived or known to have a mental health disability at 4.8 times the rate at which they searched individuals perceived or known to have no disability, while individuals perceived or known to have any other type of disability were searched 2.7 times the rate of individuals perceived or known to have no disability.

Although individuals perceived or known to have disabilities are searched at a higher rate than those believed to have no disability, officers discovered contraband or evidence at a lower rate during stops with searches of individuals thought to have a disability than individuals believed to not have a disability. Individuals perceived or known to have mental health disabilities had the lowest rate of contraband or evidence discovered from searches (12.3%), followed by individuals perceived or known to have any other type of disability (21.4%).

In contrast, officers discovered contraband or evidence during 22.8 percent of stops where they searched individuals whom they perceived or knew to not have a disability. Officers discovered contraband or evidence from individuals perceived or known to have a mental health disability a lower proportion of the time compared to individuals perceived or known to have no disability. Similarly, individuals perceived or known to have other types of disabilities also had lower search discovery rates than individuals perceived or known to have no disability.

²⁰⁰ The following types of perceived disabilities are grouped into the “other disabilities” category in this section: Deafness or difficulty hearing, Speech impairment or limited use of language, Blind or limited vision, Intellectual or developmental disability (including dementia), Disability related to hyperactivity or impulsive behavior (only selectable in cases where the stopped individual was a student on a K-12 campus), Other disability, or any combination of multiple perceived disability types.

Figure 36. Search and Discovery Rates by Disability



If officers are searching those with disabilities at a higher rate, but are less likely to find contraband, this suggests that those perceived or known to have disabilities are being searched, at least in part, because of their disability.

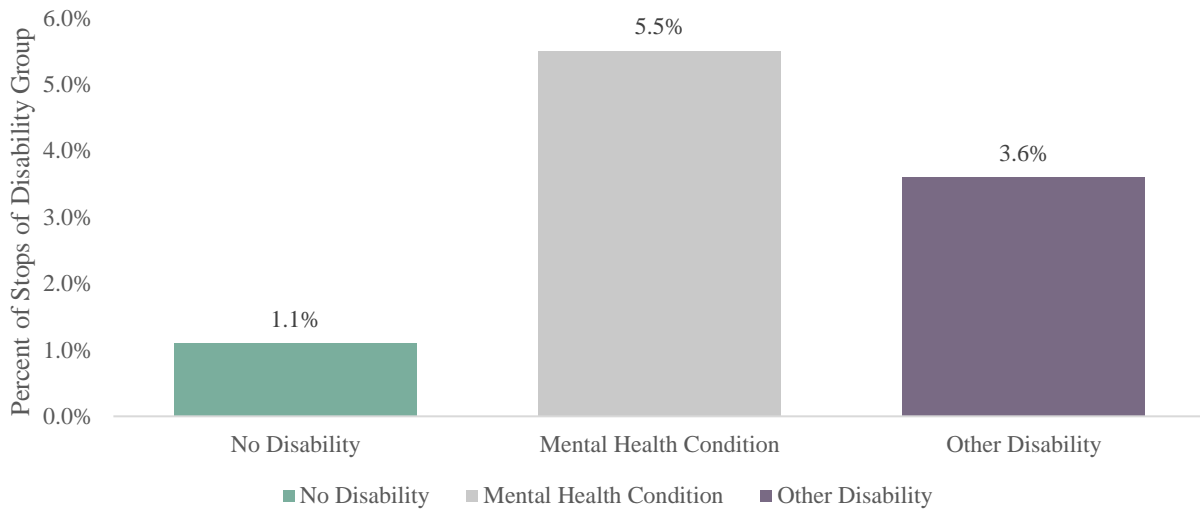
ii. Use of Force Rates by Disability

Another aspect of looking at the experiences of individuals with disabilities during police interactions is the rate at which force is used against those individuals during encounters.²⁰¹ Overall, officers used force towards 32,579 (1.1%) of all individuals who were stopped. Officers used force towards a higher proportion of individuals perceived or known to have a mental health disability (5.5%) and against individuals perceived or known to have any other type of disability (3.6%) in comparison to the individuals perceived or known to not have disability (1.1%).

Officers used force against individuals perceived or known to have mental health disabilities at 5.2 times the rate (5.5%) they used force against individuals perceived or known to have no disabilities (1.1%). Officers also used force against individuals perceived or known to have other disabilities at 3.3 times the rate (3.6%) they used force against individuals with no perceived or known disabilities.

²⁰¹ Nine out of the 23 reportable actions taken during stops constitute a type of force. These nine categories were combined to create a binary use of force variable to determine if the officer used force toward the individual during the stop. The nine action types categorized as uses of force are: baton or other impact weapon used, canine bit or held person, chemical spray used, electronic control device used, firearm discharge/use, firearm pointed at person, impact projectile discharged/used, other physical or vehicle, and person removed from vehicle by physical contact.

Figure 37. Use of Force Rates by Disability



iii. Reason for Stop by Disability

Under RIPA, officers report only the primary reason why they initiated a stop. The three most common reasons were traffic violation, reasonable suspicion, and “Other.”²⁰²

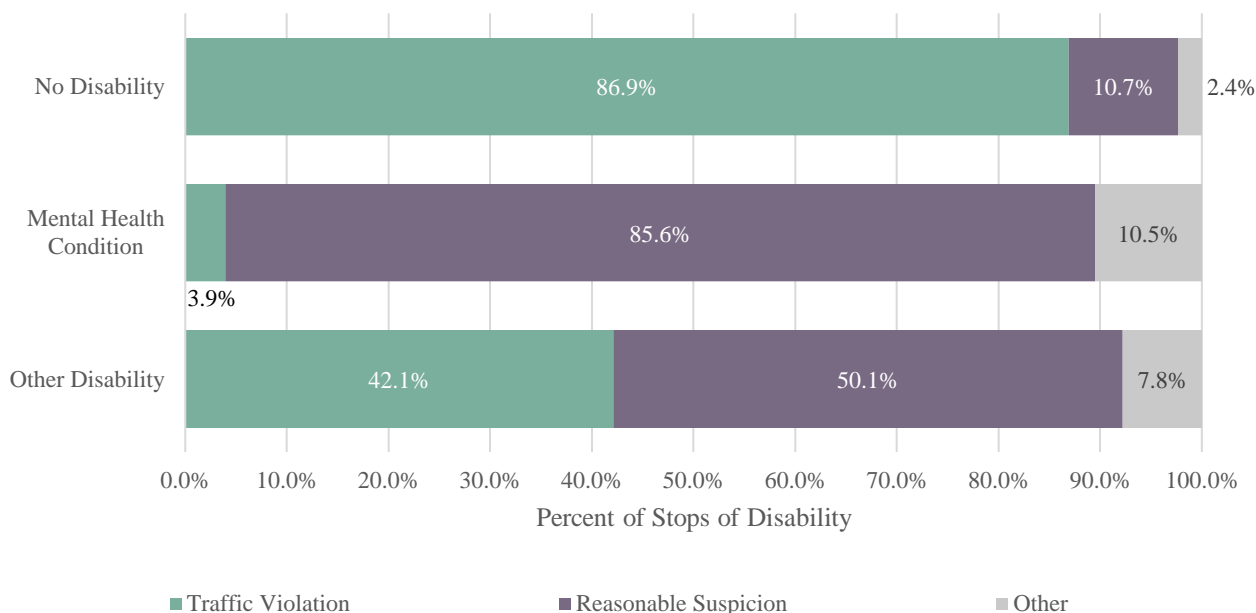
Out of the three disability groupings examined, individuals perceived or known to have no disability had the highest proportion of their stops reported as traffic violations (86.9%) and the lowest proportion of their stops reported as reasonable suspicion (10.7%). The opposite occurred for individuals perceived or known to have mental health disabilities; officers stopped the majority of individuals perceived or known to have mental health disabilities for reasonable suspicion (85.6%) and a low proportion for traffic violations (3.9%). For individuals perceived or known to have other disabilities, officers stopped about half of individuals for reasonable suspicion stops (50.1%) and 42.1 percent for traffic violations.

The proportion of stops that began as consensual encounters and resulted in searches was 6.9 times as high (5.5%) for individuals perceived or known to have a mental health disability and 3.8 times as high for individuals perceived or known to have other disabilities (3%) than for individuals perceived or known to have no disability (0.8%).²⁰³

²⁰² For “Reason for Stop,” “Other” is a combination of other elements not captured by traffic violation or reasonable suspicion, including Known to be on parole/PRCS/mandatory supervision, Knowledge of outstanding arrest warrant/wanted person, Investigation to determine whether the person is truant, and Consensual encounter resulting in a search. See Cal. Code Regs., tit. 11, § 999.226, subd. (a)(10)(A).

²⁰³ Please see Appendix Table A.30 for a full breakdown of all reason for stop fields by disability group.

Figure 38. Reason for Stop by Disability



Background on the Americans with Disabilities Act & Police Interactions

The Americans with Disabilities Act (ADA) is a federal civil rights law prohibiting discrimination against individuals with disabilities. Law enforcement agency staff involved in almost every aspect of law enforcement must comply with the ADA, including receiving civilian complaints, questioning witnesses, arresting or detaining a person, 911 dispatching, providing emergency medical services, and enforcing laws.²⁰⁴ Law enforcement agencies must ensure – through policies and training – that they are not criminalizing behaviors resulting from disabilities.²⁰⁵ Moreover, when law enforcement officers encounter an individual with a disability, federal and state laws require law enforcement agencies to provide a reasonable accommodation or modification to their policies and practices.²⁰⁶ Federal and state laws also require law enforcement to provide meaningful access to their programs, services, and activities and to provide effective communication to people with disabilities.²⁰⁷

Officers have a legal obligation to treat everyone equitably regardless of any mental or physical disabilities. The Disability Rights Section within the United States Department of Justice’s Civil Rights Division has stated that training, sensitivity, and awareness will help ensure officers carry

²⁰⁴ See, e.g., Title II of the Americans with Disabilities Act (42 U.S.C. §§ 12131-12134); Fair Employment and Housing Act (Gov. Code, § 12900 et seq.); see also U.S. Dept. of J., Civ. Rights Div., *Commonly Asked Questions About the Americans with Disabilities Act and Law Enforcement* (Feb. 2020) U.S. Dept. of J. <https://www.ada.gov/q&a_law.htm> [as of Dec. 2, 2021].

²⁰⁵ See, e.g., Americans with Disabilities Act, *supra* note 204; Fair Employment and Housing Act, *supra* note 204; see also U.S. Dept. of J., Civ. Rights Div., *Commonly Asked Questions*, *supra* note 204.

²⁰⁶ See, e.g., Title II of the Americans with Disabilities Act, *supra* note 204; Sect. 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); Gov. Code, § 11135; The Unruh Civ. Rights Act (Civ. Code, § 51); and Disabled Persons Act (Civ. Code, §§ 54-55.32).

²⁰⁷ See, e.g., Title II of the Americans with Disabilities Act, *supra* note 204; Sec. 504 of the Rehabilitation Act of 1973, *supra* note 206; Gov. Code, § 11135; The Unruh Civ. Rights Act, *supra* note 206; and Disabled Persons Act, *supra* note 206.

out this legal obligation. Officers should be trained to “distinguish behaviors that pose a real risk from behaviors that do not, and to recognize when an individual, such as someone who is having a seizure or exhibiting signs of psychotic crisis, needs medical attention. It is also important that behaviors resulting from a disability need not be criminalized where no crime has been committed.”²⁰⁸ In providing guidance to law enforcement, the Disability Rights Section has utilized two examples of illegal arrests and violations of the ADA by law enforcement officers:

- “A store owner calls to report that an apparently homeless person has been in front of the store for an hour, and customers are complaining that he appears to be talking to himself. The individual, who has mental illness, is violating no loitering or panhandling laws. Officers arriving on the scene arrest him even though he is violating no laws.”²⁰⁹
- “Police receive a call in the middle of the night about a teenager with mental illness who is beyond the control of her parents. All attempts to get services for the teenager at that hour fail, so the responding officer arrests her until he can get her into treatment. She ends up with a record, even though she committed no offense.”²¹⁰

These actions violate individual statutory and constitutional rights, even if the officer is trying to aid the person in crisis. And even if an officer can point to an objectively legal basis for a stop (such as loitering), the identity profiling, disparate treatment based on disability, and failure to accommodate are unlawful. If an officer subjects a person to a detention or use of force due to a disability, it could be a violation of the ADA, and, at a minimum, suggests that the officer’s agency may not have adequate policies addressing the ADA. Providing reasonable accommodations or modifications to policies and practices is an important legal requirement.

The United States Supreme Court in *City & County of San Francisco, California v. Sheehan*²¹¹ left intact the Ninth Circuit’s ruling that law enforcement agencies who fail to provide accommodations to those with disabilities may be violating the law. Although the Supreme Court declined to issue a ruling specifically about the applicability of the ADA in the *Sheehan* case, it recognized that law enforcement agencies have obligations under the ADA. In *Sheehan*, two police officers shot and seriously injured Teresa Sheehan, who was experiencing a mental health crisis. Sheehan lived in a group home for those with mental health disabilities and a social worker concerned about Sheehan’s welfare called the police.²¹² When two officers arrived on scene, they entered Sheehan’s room and saw her grab a knife and yell something along the lines of “I am going to kill you. I don’t need help. Get out.”²¹³

The officers retreated and closed the door to the room, but instead of waiting for backup, the officers broke down the door to Sheehan’s room shortly thereafter. Sheehan had a knife in

²⁰⁸ U.S. Dept. of J., Civ. Rights Div., *Commonly Asked Questions*, *supra* note 204.

²⁰⁹ *Ibid.*

²¹⁰ *Ibid.*

²¹¹ *City & Cnty. of S.F. v. Sheehan* (2015) 575 U.S. 600, 602.

²¹² *Id.* at p. 603.

²¹³ *Id.* at p. 604.

hand when the officers opened the door. One officer proceeded to pepper spray Sheehan and the other officer shot her multiple times before she collapsed and dropped the knife.²¹⁴

Sheehan survived her gunshot wounds and filed a lawsuit against the San Francisco Police Department. Her claim regarding failure to accommodate was upheld by the Ninth Circuit, and ultimately San Francisco settled the matter with Sheehan for a reported million dollars.²¹⁵

Government oversight agencies have also reviewed the practices of law enforcement agencies as they relate to people with disabilities. For example, the United States Department of Justice investigated Baltimore Police Department (BPD) practices and uncovered significant evidence that BPD as a whole had an unlawful pattern or practice of using unreasonable force against those with mental health disabilities, violating the United States Constitution and federal law.²¹⁶ In reaching this conclusion, the U.S. DOJ determined the BPD failed to make reasonable modifications to their practices when interacting with those with mental health disabilities. The U.S. DOJ asserted that “[u]nder the Fourth Amendment, officers who encounter an unarmed and minimally threatening individual who is exhibiting conspicuous signs that he is mentally unstable must de-escalate the situation and adjust the application of force downward.”²¹⁷

The constitutional and ADA violations discovered unfortunately extended beyond just the policies of the BPD. The investigative report from the U.S. DOJ further outlined several patterns of unconstitutional behavior toward those with disabilities: officers used force too quickly rather than using de-escalation tactics; acted to bring an individual in crisis into custody at all costs, resulting in unnecessary uses of force including handcuffing or transporting individuals in patrol vehicles to receive mental health treatment; and arrested “individuals with mental health disabilities or in crisis in situations where treatment—instead of jail—would more effectively serve the goals of public safety and welfare and could prevent the need for unnecessary force.”²¹⁸

The ADA and California state laws provide needed protections and accommodations for individuals with disabilities. Given the disparities shown by the RIPA data and the example of violations investigated by government agencies, it is clear that some of these protections and accommodations requirements are not being met by law enforcement agencies. Accordingly, the Board has begun to explore evidence-based best practices related to police interactions with individuals perceived to have disabilities and alternatives to police responses.

²¹⁴ *Id.* at pp. 604-606.

²¹⁵ Emslie, *Landmark S.F. Case on Police Force and Mental Illness Settles for \$1 Million*, KQED (Oct. 14, 2016) <<https://www.kqed.org/news/11129913/landmark-s-f-case-on-police-force-and-mental-illness-settles-for-1-million>> [as of Dec. 2, 2021].

²¹⁶ U.S. Dept. of J., Civil Rights Div., *Investigation of the Baltimore City Police Dept.*, *supra* note 154, at p. 75.

²¹⁷ *Id.* at pp. 80-81.

²¹⁸ *Id.* at p. 84.

“Many of the problems associated with police involvement in behavioral health crises can be avoided by creating alternatives. Non-behavioral medical emergencies, such as heart attacks, strokes and non-vehicular accidents are often handled by the 911 system. But rather than dispatching a police officer, an ambulance is sent. A law enforcement response to a mental health crisis is almost always stigmatizing for people with mental illnesses and should be avoided when possible. Whenever possible, mental health crises should be treated using medical personnel or, even better, specialized mental health personnel.”

- Mental Health in America, Position Statement: Responding to Behavioral Health Crises²¹⁹

2. Best Practices Recommendations for Policies

The Board is committed to evaluating and presenting evidenced-based best practices to reduce or eliminate the disparate treatment of those with disabilities. Policymakers, municipalities, and law enforcement agencies can make significant progress in addressing disparate treatment of individuals with disabilities by shifting certain calls for service away from police and into the hands of community-based health care professionals.²²⁰ The Board also recommends that agencies and municipalities evaluate their own policies to include: (1) a robust policy to prevent racial and identity profiling of individuals with disabilities, (2) a policy to prevent profiling based on disability type, and (3) a training component for officers on interacting and effective communication with those with disabilities. The following recommendations are drawn from a range of law enforcement, academic, governmental, and non-profit organizations that have expertise in this area.

Agencies Should Have a Robust Policy to Prevent Racial and Identity Profiling of Individuals with Disabilities and Require Reasonable Accommodations When Necessary

All agencies should consider adopting clear written policies and procedures demonstrating their commitment to end profiling of individuals with disabilities and provide reasonable accommodations under the ADA and applicable state law. In developing such policies, agencies should consider partnering with community members and advocacy organizations, such as the National Alliance on Mental Illness (NAMI).

There are a few foundational principles that the Board recommends agencies and municipalities include in their policies as listed below:

- In developing these policies, agencies must include a statement explaining reasonable accommodation laws and an officer’s duty to provide accommodations to someone experiencing a mental health crisis, especially in the context of use of force.²²¹

²¹⁹ See Mark, *supra* note 190; see also Mental Health America, Position Statement, *supra* note 191.

²²⁰ For more details on these best practices, see pages 185-189 of the Calls for Service section of the Report.

²²¹ See, e.g., Pen. Code, § 835a; Title II of Americans with Disabilities Act, *supra* note 204; Fair Employment and Housing Act, *supra* note 204; see also U.S. Dept. of J., Civ. Rights Div., *Commonly Asked Questions*, *supra* note 204.

- Agencies should include a statement in their use-of-force policies that reflects the legal requirement that officers “shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person.”²²² Further, the policy should stress the sanctity of life and prohibit peace officers from using deadly force when other resources and techniques, such as tactical repositioning or de-escalation, are reasonably safe and feasible.²²³
- Agencies should include in their policies a commitment to a no-force-first approach that emphasizes the importance of engagement, collaboration, and de-escalation.²²⁴ Officers should be given clear guidance on how time and distance can benefit someone experiencing a crisis.
- Policies must also include language on the importance of not criminalizing individuals with mental health disabilities and that an officer should not initiate a contact just because someone appears to have a disability or appears unhoused.²²⁵
- Policies should generally address interactions with people with disabilities who are not in crisis and how to make accommodations or modifications when interacting with, for example, someone who is deaf or hard of hearing, has autism, or has an intellectual disability.
- Agencies should have real-life examples in their policies, such as the ones provided above from the U.S. DOJ, that demonstrate when profiling is occurring, as well as examples of accommodations to provide when interacting with those with disabilities. For example, officers may need to make reasonable accommodations for someone who is deaf or hard of hearing and cannot hear officers’ verbal commands. An interpreter or alternate form of communication may be a necessary accommodation. Similarly, someone with autism or an intellectual disability that affects their ability to understand and respond to instructions may need reasonable accommodations from officers.
- In drafting policies, agencies should establish a preference for the “least police-involved response possible consistent with public safety.” When possible, the agencies should consider diverting calls involving a behavioral health component to appropriate community-based crisis response teams.²²⁶

²²² Pen. Code, § 835a, subd. (c)(2).

²²³ See Pen. Code, § 835a, subd. (a)(2).

²²⁴ See *National Guidelines for Behavioral Crisis Care: Best Practices Toolkit* (2020) Substance Abuse and Mental Health Services Admin., p. 12 <<https://www.samhsa.gov/sites/default/files/national-guidelines-for-behavioral-health-crisis-care-02242020.pdf>> [as of Dec. 2, 2021].

²²⁵ See, e.g., Title II of the Americans with Disabilities Act, *supra* note 204; Fair Employment and Housing Act, *supra* note 204; see also U.S. Dept. of J., Civ. Rights Div., *Commonly Asked Questions*, *supra* note 204.

²²⁶ See Consent Decree, *U.S. v. Police Dept. of Baltimore City*, *supra* note 155, at p. 40.

- Dispatch protocols must emphasize a preference for relying upon a community-based crisis response when they receive calls involving a person with a mental health disability or experiencing a mental health crisis.
- Policies must prioritize responses by trained mental health professionals, emphasize de-escalation, and prioritize the well-being of people whose needs are not being met.²²⁷
- Agencies should have a stand-alone policy on effective communication to reasonably ensure people with disabilities, including victims, witnesses, suspects, and arrestees, have equal access to law enforcement services, programs, and activities.²²⁸ For example, the fact that an individual appears to be nodding in agreement does not always mean they completely understand the message. When there is any doubt, officers should ask the individual to communicate back or otherwise demonstrate their understanding.
- Agency policies should explain how to furnish “appropriate auxiliary aids and services where necessary to afford qualified individuals with disabilities an equal opportunity to participate in or benefit from the services, programs, or activities of a public entity.”²²⁹ The individual’s preferred communication method must be honored unless it is unavailable and another effective method of communication exists under the circumstances.²³⁰
- Policies or agency procedures and training should also provide guidance on when it is appropriate to engage with family to help de-escalate a crisis or provide additional information to officers to help them resolve a crisis without force.
- When creating policies for communicating and interacting with individuals with disabilities, law enforcement agencies should include representatives from the disability rights community in drafting their policies and implementing their trainings.²³¹
- Police should not be at the forefront of resolving social issues, and municipalities, policymakers, and law enforcement agencies should eliminate specialized outreach teams, such as housing outreach, and instead shift the

“The disability rights movement’s demand ‘Nothing about us, without us’ requires substantive inclusion of disabled people in decision-making related to their interests”

- Guidry-Grimes, The Hastings Center Report, see footnote 231

²²⁷ See The Leadership Conference on Civil and Human Rights, *New Era of Public Safety: An Advocacy Toolkit for Fair, Safe, and Effective Community Policing* (2019), pp. 54-55 <<https://civilrights.org/wp-content/uploads/Toolkit.pdf>> [as of Dec. 2, 2021].

²²⁸ See Title II of the Americans with Disabilities Act, *supra* note 204; Fair Employment and Housing Act, *supra* note 204.

²²⁹ *U.S. v. Arlington County, VA Sheriff*, et. al (E.D. Va. 2016) 1:15-cv-00057-JCC-MSN.

²³⁰ See 28 CFR 35.160; Title II of the Americans with Disabilities Act, *supra* note 204; Fair Employment and Housing Act, *supra* note 204.

²³¹ See The Leadership Conference on Civil and Human Rights, *supra* note 227; Guidry-Grimes et al. *Disability rights as a necessary framework for crisis standards of care and the future of health care* (2020) *Hastings Center Rep.*, 50(3), pp. 28-32 <<https://doi.org/10.1002/hast.1128>> [as of Dec. 2, 2021].

responsibilities of those teams to community-based specialized social service outreach teams.²³²

- Law enforcement agencies as well as municipalities should eliminate practices, such as the practice of “sweeps,” that criminalize social welfare issues stemming from a lack of adequate community-based infrastructure, including housing.²³³
- Agencies and municipalities should adopt a policy where law enforcement supervisors and prosecuting agencies would decline to file or pursue charges if the underlying conduct is based on a mental health disability and it was a significant factor in the commission of the alleged offense.²³⁴

Policies Covering Treatment of Individuals with Disabilities Should Include a Component on Training and Community-Based Solutions

Any effective policy must also have an accompanying training component that emphasizes best practices and gives officers the tools needed to provide reasonable accommodations. When developing such trainings, agencies should partner with community members and advocacy organizations. There are a few foundational principles agencies should include in their practices and training:

- Agencies should strengthen crisis intervention training for all officers, recruits, and dispatchers that “focuses on identifying individuals with mental health disabilities and effectively responding to individuals with mental health disabilities, including making reasonable modifications and diversion to treatment services.”²³⁵
- Agencies should offer extensive anti-bias training on disability and more specifically on how institutional racism and implicit and explicit biases may compound issues for someone experiencing a mental health crisis or who has a mental health disability.²³⁶
- During training, agencies should teach officers not to make assumptions regarding the criminality or dangerousness of an individual based on behavior that may stem from a disability.

²³² See Felner, et al., *Why Cities Must End Their Reliance on Police to Manage Homelessness – and How They Can Do It* (Feb. 2020) Scholars Strategy Network <<https://scholars.org/contribution/why-cities-must-end-their-reliance-police-manage-homelessness-and-how-they-can-do-it>> [as of Dec. 2, 2021]; see also Anderson, *Baltimore Police no Longer have officers assigned to homeless outreach, but advocates say those resources can be better utilized* (Jan. 2020) Baltimore Sun <<http://www.baltimoresun.com/maryland/baltimore-city/bs-md-ci-homeless-20200123-ot5mxi3xovdhlhlnpt2bpr2g55m-story.html>> [as of Dec. 2, 2021].

²³³ See Felner et al., *supra* note 232.

²³⁴ This policy change would build upon existing statutory law regarding misdemeanor or felony diversion for arrest or offenses that stem from a mental health disability. See Pen. Code, §1001.36.

²³⁵ See U.S. Dept. of J., Civil Rights Div., *Investigation of the Baltimore City Police Dept.*, *supra* note 154, at p. 112.

²³⁶ See Mental Health America, *Racism and Mental Health* (2020) Mental Health America <<https://www.mhanational.org/racism-and-mental-health>> [as of Dec. 2, 2021].

- Agencies should adopt specific training on how to respect the rights of those with disabilities and how to provide reasonable accommodations.²³⁷
- Sworn staff, call takers, and dispatch personnel may need additional training regarding how to recognize when a person may have a mental health or other disability that affects their communication by taking into account a number of factors, including self-reporting, information provided by witnesses, the agencies’ previous knowledge of the individual, or an officer’s direct observation.
- Training should include communication, negotiation, and de-escalation techniques that equip officers with the skills necessary to resolve a crisis without using force.²³⁸
- Officers should be trained on how to properly use time, distance, and cover when responding to a crisis and eliminate “the use of concepts like the ‘21-foot rule’ and ‘drawing a line in the sand’ in favor of using distance and cover to create a “reaction gap.”²³⁹
- Training should also emphasize the importance of trauma-informed care, which requires “sensitivity to the prevalence and effects of trauma in the lives of people accessing services.”²⁴⁰ The training should equip officers with an intimate understanding and respect for how “poverty, class, racism, social isolation, past trauma, sex-based discrimination, and other social inequalities affect people’s vulnerability to and capacity” for getting treatment.²⁴¹
- Policies and training should also address how to apply the philosophy of harm reduction to treatment of those with disabilities. Harm reduction seeks to reduce harms associated with an untreated mental health disability or substance abuse disorder while also respecting a person’s autonomy and decision on how or if to seek treatment.²⁴² Officers and care providers may need training on how to work to minimize the harmful effects rather than simply ignoring or condemning them.²⁴³

²³⁷ See The Leadership Conference on Civil and Human Rights, *supra* note 227, at p. 29.

²³⁸ H.R.1159, 117th Congress (2021-2022) Preventing Tragedies Between Police and Communities Act of 2021.

²³⁹ *Ibid.*

²⁴⁰ See Isobel, et. al., *What is needed for Trauma Informed mental health services in Australia? Perspectives of clinicians and managers* (2020) *Internat. J. of Mental Health Nursing*, 30(1), pp. 72-82 <<https://pubmed.ncbi.nlm.nih.gov/33169478/>> [as of Dec. 2, 2021].

²⁴¹ See National Harm Reduction Coalition, *Principles of Harm Reduction* (2020) Nat. Harm Reduction Coalition <<https://harmreduction.org/about-us/principles-of-harm-reduction/>> [as of Dec. 2, 2021].

²⁴² See Mosel, *Harm Reduction Guide* (2020) American Addiction Centers <<https://americanaddictioncenters.org/harm-reduction/>> [as of Dec. 2, 2021]; see also *Crisis Services Meeting Needs, Saving Lives* (Dec. 2020) Substance Abuse and Mental Health Services Admin., p. 96 <<https://store.samhsa.gov/product/crisis-services-meeting-needs-saving-lives/PEP20-08-01-001>> [as of Dec. 2, 2021].

²⁴³ See National Harm Reduction Coalition, *supra* note 241.

- Officers should receive scenario-based training on interaction with individuals with disabilities, and a component of that training should include input from disability rights advocates.²⁴⁴
- Agencies should train officers on alternatives to incarceration, including local mutual aid programs and treatment providers.²⁴⁵
- Agencies should require that officers or mental health professionals who are specifically trained in interacting with individuals experiencing a mental health crisis and trained in the application of de-escalation techniques for handling such crises are dispatched to these calls when available.

The Board hopes these recommendations will be a starting point for law enforcement agencies and advocates to work together to improve police practices surrounding the treatment of individuals with disabilities. As many communities begin shifting certain roles – such as responding to a mental health crisis – away from law enforcement, agencies should partner with community groups and trained professionals to respond to certain calls for service and implement trainings to help officers identify when a community-based crisis response is appropriate.

More information and details on best practice recommendations related to calls for service and community-based crisis response can be found in the Calls for Service chapter of this Report on pages 185-189.

C. Stops and Searches

Tackling the complex issue of eliminating racial and identity profiling in law enforcement compels the Board to conduct both a micro- and macro-analysis of law enforcement policies and practices. In this Report, the Board examines profiling with respect to consensual searches and stops and searches of individuals on post-conviction supervision. Consensual searches – or consent searches – are searches conducted of someone’s person or property with the permission of that individual. Stops and searches of individuals under post-conviction supervision (usually by a court after pleading guilty to a crime or being released from jail or prison) may be part of the court-ordered conditions of supervision for individuals who are on

²⁴⁴ H.R.1159, *supra* note 238.

²⁴⁵ See, e.g., Baltimore Public Behavioral Health System Gap Analysis Report (Dec. 2019) p. 11 <<https://public.powerdms.com/BALTIMOREMD/documents/623350>> [as of Dec. 2, 2021]; U.S. Dept. of J., Civil Rights Div., Investigation of the Baltimore City Police Dept., *supra* note 154, at pp. 111-12.

parole,²⁴⁶ probation,²⁴⁷ post-release community supervision (PRCS),²⁴⁸ or mandatory supervision²⁴⁹ (hereinafter collectively referred to as “supervision”).

“Consent only” searches occur when “consent given” is the only basis for a search performed by an officer. “Supervision only” searches occur when a supervision condition is the only basis for a search by an officer. Consent only searches and supervision only searches occurred in a small portion of all stops in 2019 (1.6% and 1.7%, respectively) and 2020 (1.4% and 1.7% respectively), but for the over 102,033 individuals who experienced consent only searches and the 110,411 individuals searched only because of their supervision status, these law enforcement interactions are significant and can be life-changing. These types of searches also have different outcomes based on identity group, making it even more important to examine them closely.

Given the potential consequences that could result from these stops, this is an issue that deserves special attention, particularly if the initial contact between an individual and law enforcement is due to racial or identity profiling and not suspicion of any criminal activity. We must take a deeper look at the data to better understand the costs and benefits to the community in conducting these types of stops and searches. These analyses will help us identify policy reforms that could reduce disparities in who is stopped and searched, as well as eliminate racial and identity profiling, while still permitting the police to perform their lawful duties.

1. [Consent Searches](#)

A consent search is when an officer approaches a person and asks if they may search their person, car, or even residence. Officers are permitted to use their own discretion, which is rooted in the officer’s personal and professional experience, and do not need to suspect any criminal wrongdoing in order to request consent to search.²⁵⁰ Discretionary searches, by their

²⁴⁶ Parole is a period of supervision that follows a state prison sentence, during which an individual remains under the control of the California Department of Corrections and Rehabilitation’s Division of Adult Parole Operations. Individuals on parole are supervised by parole agents, and must follow certain requirements or “conditions” of parole. See Cal. Code Regs., tit. 15, § 2355; see also Root & Rebound, *What are the main types of supervision in California?* <<https://roadmap.rootandrebound.org/parole-probation/introduction/what-are-the-main-types-of-supervision-in-californ/>> [as of Dec. 2, 2021].

²⁴⁷ “Probation is a type of supervision that a judge orders at trial as *part of the original sentence*, either as an alternative to incarceration OR in addition to incarceration.” Root & Rebound, *What are the main types of supervision in California?*, *supra* note 246, original italics. Probation can be formal (meaning the individual has to check in with a probation officer) or informal (meaning there is no assigned probation officer). See Pen. Code, § 1203.

²⁴⁸ PRCS is a form of supervision by county probation officers (instead of state parole) when an individual is released from state prison after incarceration for a non-violent, non-serious, non-sexual crime. See Pen. Code § 3450; Cal. Code Regs., tit. 15, §§ 3079-79.1.

²⁴⁹ “Mandatory Supervision is a form of supervision provided for through a process called ‘split sentencing,’ a judge can split the time of a sentence between a jail term and a period of supervision by a county probation officer.” Root & Rebound, *What are the main types of supervision in California?*, *supra* note 246; Pen. Code, § 1170 (h)(5)(B).

²⁵⁰ See *Florida v. Royer* (1983) 460 U.S. 491; see also *Schneekloth v. Bustamonte* (1973) 412 U.S. 218.

nature, are vulnerable to bias, as there are no objective criteria for whom to stop or search and why.²⁵¹

This increased opportunity for bias can lead to disparities, as demonstrated by the trends in the 2019 and 2020 RIPA data. As the Board noted in its previous report, “given the disparities in consent only searches and discovery rates, and that neither state nor federal law requires officers to suspect any criminal wrongdoing before they request consent to search a person or their property, an obvious question is raised: should individuals be subjected to a search if, based on the officer’s perception, the individual is innocent of engaging in apparent criminal activity?”²⁵² The data analyses of the past several years underscore the Board’s concerns that consent searches are vulnerable to bias and result in disparate treatment of individuals based on their race or identity.

i. Data Analyses:

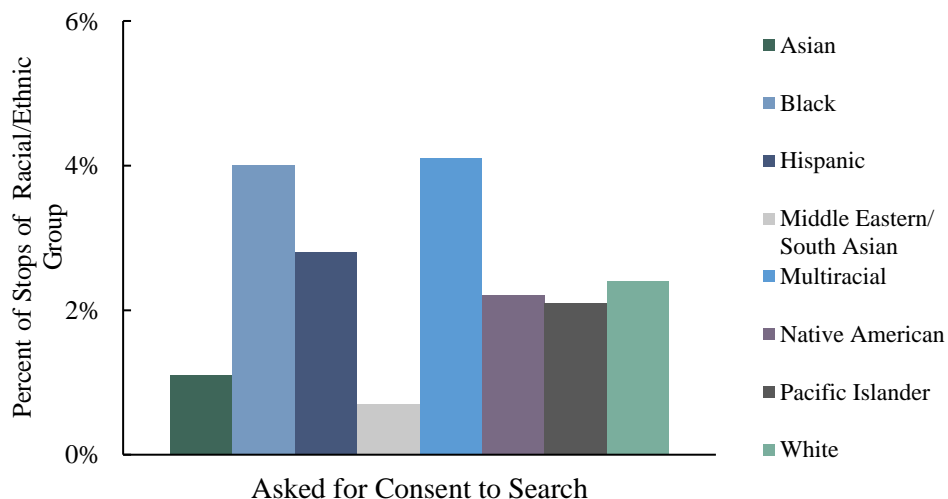
a. Persons Asked for Consent to Search

In capturing RIPA data, officers must report when they ask an individual for consent to search. This information is captured in two separate data fields, depending on the type of search the officers request to perform: 1) consent to search a person, and 2) consent to search their property. Officers must also indicate whether they received consent from the individual to perform a search. Overall, officers asked 2.7 percent of the individuals they stopped for consent to perform a search. The rate at which officers asked for consent to perform a search ranged from 0.7 percent of stopped individuals perceived to be Middle Eastern/South Asian to 4.1 percent of stopped individuals perceived to be Multiracial.

²⁵¹ See generally Ridgeway, *Assessing the Effect of Race Bias in Post-Traffic Stop Outcomes Using Propensity Scores* (2006) 22 J. Quantitative Criminology 1 <<https://www.rand.org/pubs/reprints/RP1252.html>> [as of Dec. 2, 2021]; see also, e.g., Eberhardt, *How racial bias works -- and how to disrupt it* (June 2020) TED <https://www.ted.com/talks/jennifer_l_eberhardt_how_racial_bias_works_and_how_to_disrupt_it/transcript?language=en> [as of Dec. 2, 2021]; Quattlebaum, *Let’s Get Real: Behavioral Realism, Implicit Bias, and the Reasonable Police Officer* (2018) 14 Stan. J. C.R. & C.L. 1, 17 <<https://law.stanford.edu/publications/lets-get-real-behavioral-realism-implicit-bias-and-the-reasonable-police-officer>> [as of Dec. 2, 2021] (citing Pamela M. Casey et al., *Addressing Implicit Bias in the Courts* (2013) 49 Ct. Rev. 64, 67).

²⁵² See Racial and Identity Profiling Advisory Board, Annual Report (2021), *supra* note 199, at p. 73.

Figure 39. Stopped Individuals Asked for Consent to Search by Race/Ethnicity



The results of this analysis reveal a trend in the 2019 and 2020 RIPA data: Black or Multiracial individuals are asked for consent to search at a higher rate than those who are perceived to be White. These disparities reported in the RIPA data are consistent with other data around the country demonstrating racial disparities in consent searches.²⁵³

b. Reported Consent Response

Overall, in the 2020 RIPA data, officers reported that 94.6 percent of individuals consented to a search when asked by an officer. Given such high rates of consent, when looking at the practice of consent searches, it is important to consider if these searches are truly consensual, i.e. whether a person feels free to decline an officer’s request to search.

Thinking critically about “voluntariness” is crucial to assessing this police practice because consensual searches must be voluntary in order to be constitutional.²⁵⁴ The U.S. Supreme Court cautioned about the meaning of “voluntariness” specifically with respect to consent searches under the Fourth Amendment, finding that “if under all the circumstances it has appeared that the consent was not given voluntarily -- that it was coerced by threats or force, or granted only in submission to a claim of lawful authority -- then we have found the consent invalid and the search unreasonable.”²⁵⁵ The research discussed in more detail on page 107-116 of this report,

²⁵³ See, e.g., Ross et al., *Testing for Disparities in Traffic Stops: Best Practices from the Connecticut Model* (2020) *Criminology & Public Policy*, p. 1297 <<https://onlinelibrary.wiley.com/doi/epdf/10.1111/1745-9133.12528>> [as of Dec. 2, 2021]; see generally Connecticut Racial Profiling Prohibition Project, *State of Connecticut: Traffic Stop Data Analysis and Findings*, 2018 (May 2020) <https://assets.website-files.com/6076e3f57e39855392637f16/608969ac86055d0bd5d5e680_2018-Connecticut-Racial-Profiles-Report.pdf> [as of Dec. 2, 2021]; Kelly, *Race, Cars and Consent: Reevaluating No-Suspicion Consent Searches* (2016) DePaul J. for Social Justice, pp. 253-54 <<https://via.library.depaul.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1066&context=jsj>> [as of Dec. 2, 2021]; *California Highway Patrol Bans Consent Searches Following Review of Data Collection Showing Discriminatory Pattern* (Apr. 2001) ACLU <<https://www.aclu.org/press-releases/california-highway-patrol-bans-consent-searches-following-review-data-collection>> [as of Dec. 2, 2021].

²⁵⁴ See *Bustamonte*, 412 U.S. at pp. 223-225.

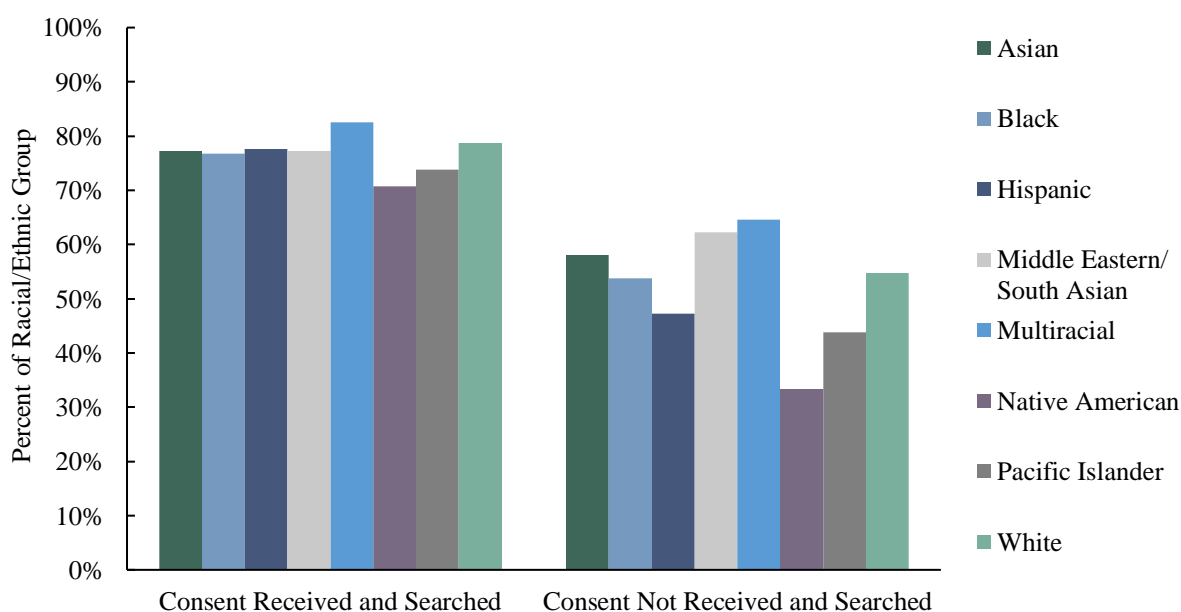
²⁵⁵ *Id.* at pp. 218, 233.

coupled with the RIPA data, strongly suggest that consensual searches actually may be submissions to a claim of lawful authority. If this is true, it is important to ask whether consent searches should be permitted at all given the important constitutional issues at stake.

c. Consent Given and Consent Refusal Search Rates

Another consideration when examining the impact of this policing tactic is what it means to refuse consent. Officers reported searching 77.7 percent of individuals that gave consent to search when asked.²⁵⁶ Officers also reported searching a little over half (52.1%) of the individuals who did not give consent by using some other basis for conducting the search.²⁵⁷ Officers who asked individuals for consent to perform a search reported the highest search rates for Multiracial individuals for both consent given searches (82.5%) and for searches where consent was not received (64.6%). The opposite was true for search rates reported for Native American individuals (70.7% for consent given and 33.3% for consent not provided).

Figure 40. Search Rates for Consent Response by Race/Ethnicity



It is worth noting that many law enforcement agencies’ policies characterize asking for consent as “minimiz[ing] the intrusiveness” of a search, which may account for the widespread use of

²⁵⁶ One possible explanation for this is a data entry error where officers are selecting they asked for consent but failed to select a search was actually performed.

²⁵⁷ The three most common search bases reported for instances where a stopped individual did not provide consent to an officer who asked for consent to search were for the officer’s safety/safety of others (33.1%), incident to arrest (30.3%), and condition of supervision (19.1%).

this policing tactic.²⁵⁸ However, at the end of the day, a search is invasive –regardless of the basis –and, for 52.1% of individuals who refused to give consent, they were searched anyway.

d. Search Rates Across Search Types

In collecting RIPA data, officers must indicate that they performed a search and must indicate the basis for performing the search by selecting from a list of 13 different criteria, including consent given.²⁵⁹ When applicable, officers may indicate that they had multiple bases for performing a search. Officers provided “consent given” as the basis for 83,854 (24.1%) of the searches that they performed in 2020. “Consent given” was the *sole* basis reported for 39,709 (11.4%) of searches performed by officers (hereafter referred to as “consent only searches”). The rate at which consent only searches occurred varied for each racial/ethnic group. Consent only search rates ranged from 0.3 percent of Middle Eastern/South Asian individuals to 2.1 percent of Black individuals who were stopped. In other words, the rate Black individuals were subjected to consent only searches was seven times the rate for Middle Eastern/South Asian individuals, the group with the least amount of consent only searches.

Officers reported “consent given” in addition to other search bases for 44,145 (12.7%) of searches that they performed (hereafter referred to as “consent plus searches”). The rate at which consent plus searches occurred varied by racial/ethnicity group, ranging from 0.4 percent of Middle Eastern/South Asian individuals to 2.8 percent of Multiracial individuals who were stopped. The rate for Multiracial individuals subjected to consent plus searches was seven times the rate for Middle Eastern/South Asian individuals, the group with the least amount of consent plus searches.

Compared to consent searches, search rates for other discretionary searches were more variable across racial/ethnic groups.²⁶⁰ Search rates for other discretionary searches ranged from 1 percent for Middle Eastern/South Asian individuals to 9.3 percent for Black individuals.²⁶¹

²⁵⁸ See, e.g., the Search and Seizure policies prepared by Lexipol and used by Anaheim PD, Fresno County SD, Riverside PD, Santa Ana PD, Ventura SD, Berkeley PD, Culver City PD, Rohnert Park, Cotati PD, and Petaluma PD (requiring officers to document “[a]ny efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys).”)

²⁵⁹ The other reportable search bases include officer safety/safety of others, search warrant, condition of supervision, suspected weapons, visible contraband, odor of contraband, canine detection, evidence of crime, incident to arrest, exigent circumstances/emergency, vehicle inventory, and suspected violation of school policy.

²⁶⁰ See the Known Supervision Stops and Searches section of this report for a further explanation and definition of “other discretionary searches.”

²⁶¹ The higher search rates for other discretionary searches, relative to consent only and consent plus search rates, is to be expected since there are more search bases encompassed within the other discretionary search category. However, the observed disparities for other discretionary searches also warrant future exploration to understand what may be driving these other discretionary search disparities.

Figure 41. Search Rates by Search Type and Race/Ethnicity

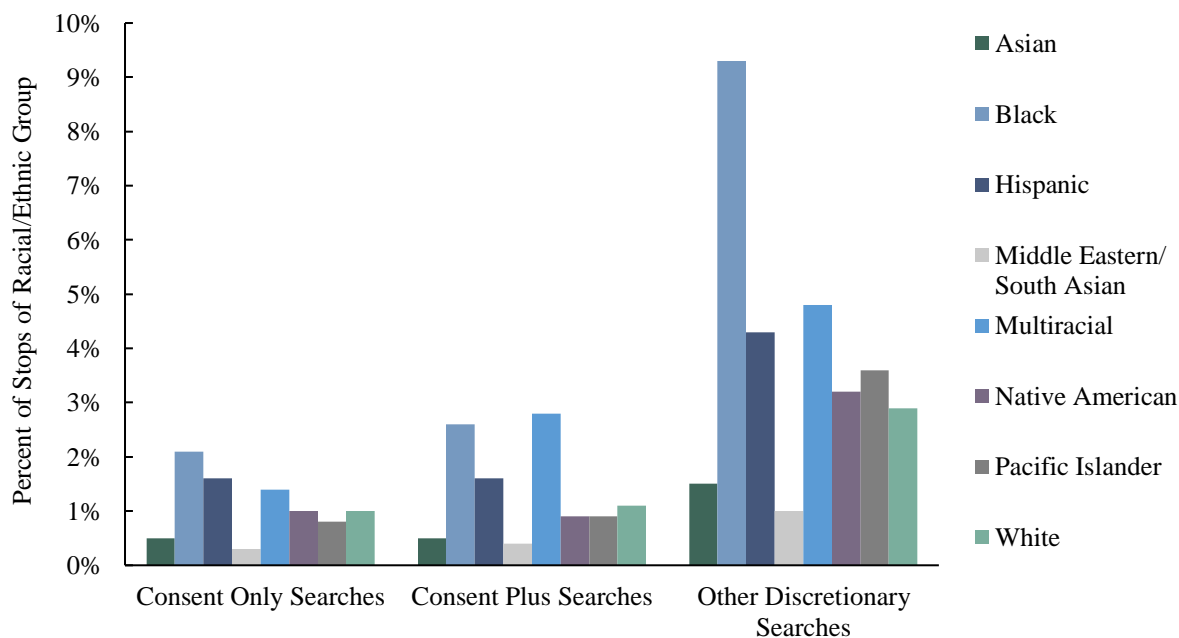


Figure 41 shows clear disparities in who is searched, regardless of the basis for search. Overall, these disparities in the data support what research has showed²⁶² – that when discretion and subjectivity are permitted, there is more potential for searches based upon bias rather than an objective assessment of behavior. The Board is interested in examining the “other discretionary searches” to determine other sources of disparities in future reports.

e. Discovery Rates by Search Type

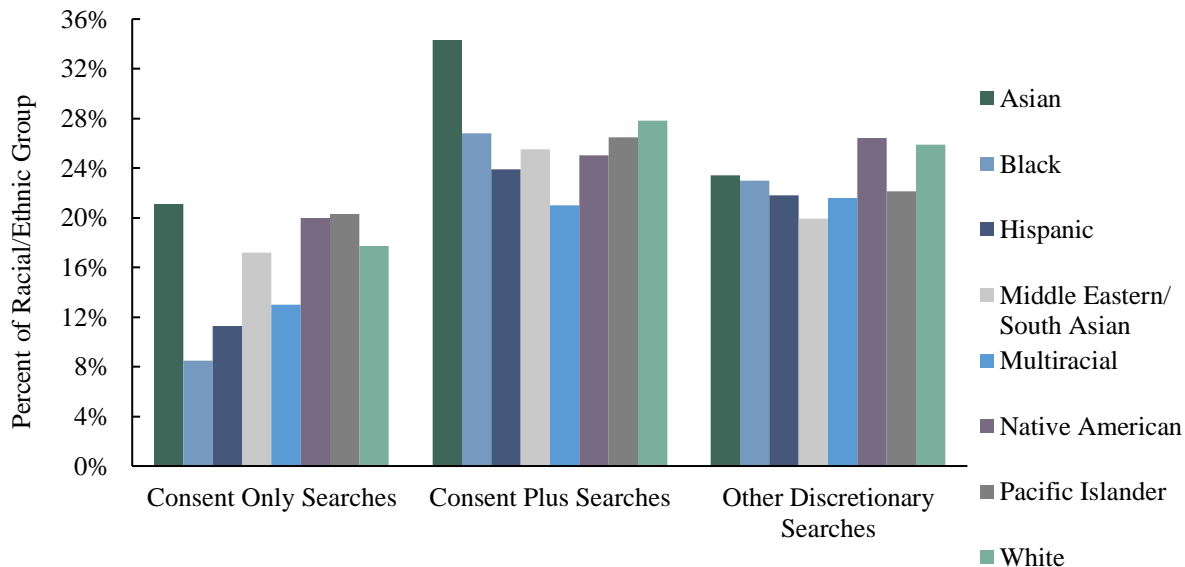
One way to test for disparities in the data is to look at the rate at which contraband is discovered. The hypothesis is that if officers are less likely to find contraband after searching people of a particular identity group, then those individuals are objectively less suspicious and may be searched, at least in part, because of their perceived identity.

Results indicate that discovery rates tended to vary more between racial/ethnic groups for “consent only searches” and “consent plus” than for other discretionary searches. Consent only searches also generally had lower discovery rates (12.3%) compared to both consent plus searches (25.7%) and other discretionary searches (23.1%). While Black, Hispanic/Latine(x), and Multiracial individuals were searched at higher rates for consent only searches compared to all other racial/ethnic groups, they had the lowest discovery rates for this type of search (8.5%, 11.3%, and 13.0% respectively). A similar pattern is shown for consent plus searches, where Hispanic/Latine(x) and Multiracial individuals are searched at higher rates but have the lowest discovery rates (23.9% and 21.0% respectively). For both consent only and consent plus searches, Asian individuals had the highest discovery rate (21.1% and 34.3% respectively).

²⁶² See Racial and Identity Profiling Advisory Board Report (2021), *supra* note 199, at p. 24 (citing Richardson, *Police Efficiency and the Fourth Amendment* (2012) 87 Ind. L.J. 1143, 1150).

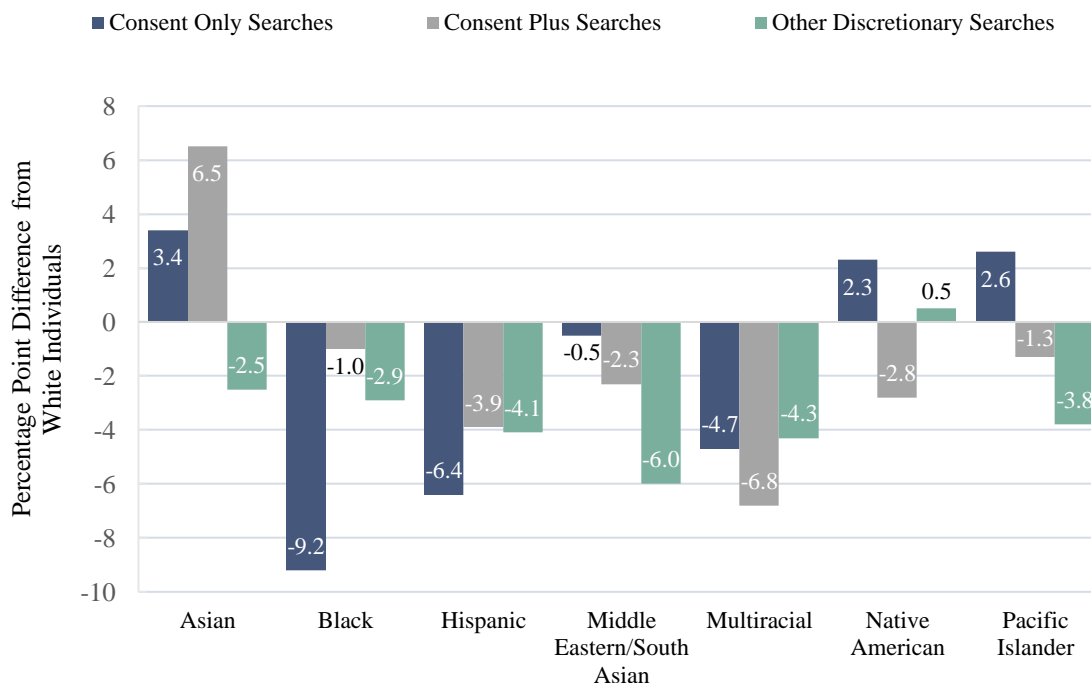
For other discretionary searches, discovery rates were highest for Native American individuals (26.4%) and lowest for Middle Eastern/South Asian individuals (19.9%).

Figure 42. Discovery Rates by Search Type and Race/Ethnicity



Discovery rates are presented in the following figure for each racial/ethnic group as differences from White individuals; White individuals had a discovery rate of 17.7 percent for consent searches, 27.8 percent for consent plus searches, and 25.9 percent for other discretionary searches. For consent only searches, Black individuals had the largest difference in discovery rates; Black individuals' discovery rate was 9.2 percentage points lower than the rate reported for White individuals. Overall, Asian, Native American, and Pacific Islander individuals all had higher discovery rates for consent only searches compared to White individuals. Lastly, Asian individuals had higher discovery rates for consent plus searches and Native Americans had higher rates for other discretionary searches compared to White individuals.

Figure 43. Discovery Rate Differences by Search Type and Race/Ethnicity



Law enforcement agencies and policymakers should critically consider the cost and the benefit, if any, these searches have for the community and for law enforcement legitimacy. The RIPA data shows that consent only searches result in relatively low discovery rates compared to searches based on reasonable suspicion or probable cause. The data also shows that the discovery rates of contraband or evidence are so low that consent only searches are difficult to justify as a benefit to public safety. Accordingly, at a time when resources within police departments are spread thin, it seems that resources would be better utilized in focusing on searches based upon reasonable suspicion or probable cause than consent searches.

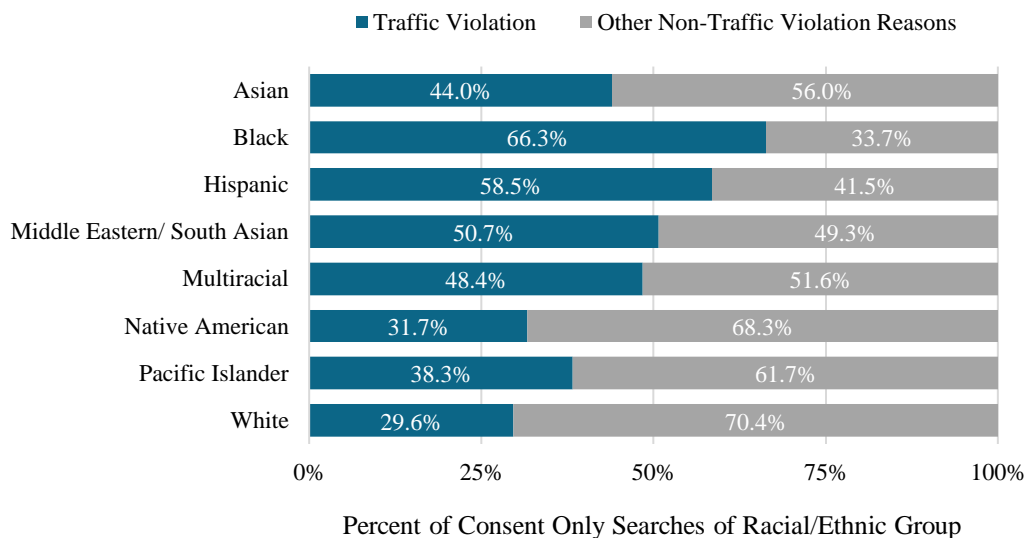
f. Reason for Stop for Consent Only Searches

One way to examine the impact of these consent searches is to look at when or under what circumstances a person is asked consent to search, i.e., why was the officer engaging with an individual to begin with. For stops in which officers provided “consent given” as the sole basis for search, 53.4 percent were reported as traffic violations and 46.6 percent were reported as categories grouped as “Other non-traffic violation” reasons for stopping the individual.²⁶³ The “reason for stop” reported for consent only searches varied across racial/ethnicity groups. Officers reported higher proportions of reasons in the “Other non-traffic violation” category for

²⁶³ Other reasons for stop that an officer could report include consensual encounter resulting in a search (19.7%), condition of supervision (0.9%), reasonable suspicion individual was engaged in criminal activity (24.4%), warrants/wanted person (0.8%), truancy (0.7%), investigation to determine whether student violated school policy (<0.1%), and possible violations of the Education Code (0.0%). These Primary Reason for Stop categories are combined in this section under the category of “other non-traffic violations.” See Appendix Table A.17 for a breakdown of all stop reasons reported for consent only searches by race/ethnicity.

White individuals (70.4%) and higher proportions of traffic violations for Black individuals (66.3%).

Figure 44. Reason for Stop for Consent Only Searches by Race/Ethnicity



Some consent searches may not have any nexus to the alleged offense for which the person is stopped and therefore could be pretextual stops.²⁶⁴ For example, if a person were stopped for a traffic infraction like a broken tail light, without other suspicion of a crime, asking for consent to search the vehicle seems unnecessary, and thus strongly suggests that the stop was pretextual. It also opens up the door to racial and identity profiling if officers have misperceptions that some individuals seem “suspicious” without being able to articulate reasonable suspicion or probable cause to search. The 2020 stop data reveals that over half of stops where officers conducted consent only searches of Black, Hispanic/Latine(x) and Middle Eastern/South Asian individuals were initiated in response to a traffic violation. Meanwhile, less than 30 percent of consent only searches of White individuals occurred during stops for traffic violations. These findings may suggest that officers perform pretextual stops at disparate rates across race and ethnicity groups.

g. Results of Stop for Consent Only Searches

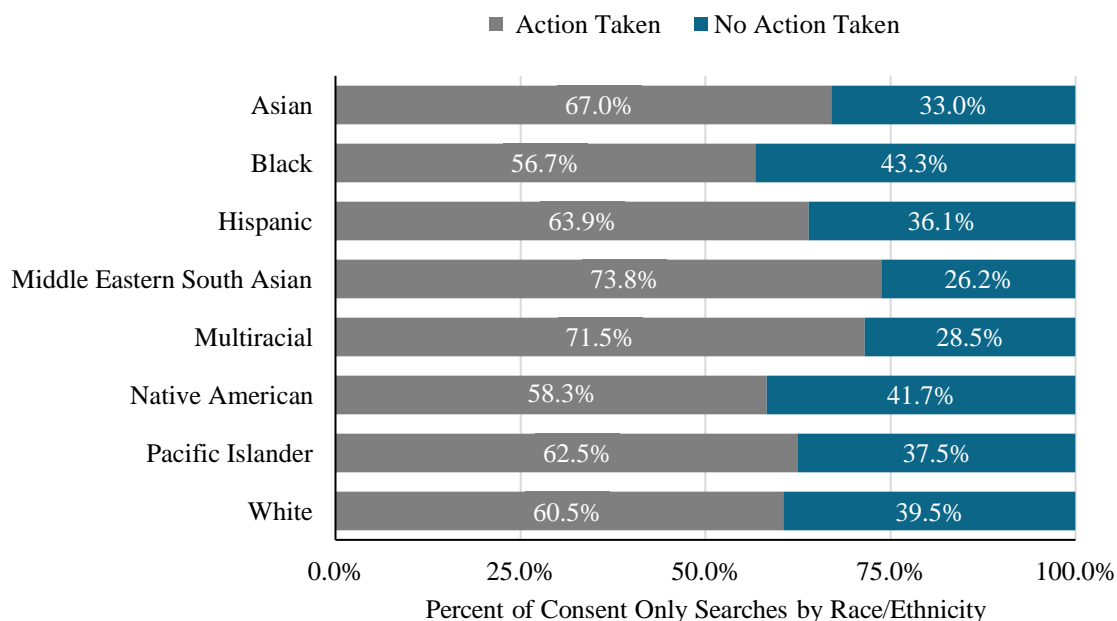
Another important consideration when looking at consent searches is the result of the stop.²⁶⁵ Overall, during stops in which officers reported conducting a consent only search, 38.5 percent of individuals had no reportable actions taken towards them as a result of the stop. For consent only searches, officers reported taking no action as the result of stop most frequently during stops of individuals they perceived to be Black (43.3%). Officers tended to take no

²⁶⁴ A detailed discussion on pretext stops appears on page 131.

²⁶⁵ “Result of Stop” options include: No action; Warning; Citation for Infraction; In-Field Cite and Release; Custodial Arrest Pursuant to Outstanding Warrant; Custodial Arrest Without Warrant; Field Interview Card Completed; Noncriminal Transport or Caretaking Transport; Contacted Parent/Legal Guardian or Other Person Responsible for Minor; Psychiatric Hold; Contacted U.S. Department of Homeland Security; Referral to School Administrator; and Referral to School Counselor.

action as the result of stop least often (26.2%) during stops of individuals they perceived to be Middle Eastern/South Asian.

Figure 45. Stop Result for Consent Only Searches by Race/Ethnicity



Stops where an officer does not take an action at the end of the encounter should be examined more closely to determine if bias or disparate treatment may be a cause for the initial reason for stop.²⁶⁶ These results, like low search discovery rates, may be an indicator that officers lack sufficient legal justifications to initiate a stop or search in the first place and that who officers decide to search may be motivated in part by implicit or explicit bias.

ii. Best Practices Recommendations for Policies

As evidenced by the data discussed in these sections, the RIPA data show similar patterns to what other researchers have found when evaluating consent searches. First there are racial and ethnic disparities in searches of White individuals compared to Black and Latine(x) individuals.²⁶⁷ Second, consent searches are statistically not as successful in locating

²⁶⁶ U.S. Dept. of J., Civil Rights Div., Investigation of the Baltimore City Police Department (2016) p. 28 <<https://www.justice.gov/crt/file/883296/download>> [as of Dec. 2, 2021].

²⁶⁷ See Examining Equity in Transportation Safety Enforcement, Hearings Testimony before House Com. on Transportation and Infrastructure, Subcom. On Highways and Transit, 117th Cong., 1st Sess. (“Examining Equity”) (Feb. 2021), testimony of Ken Barone <<https://transportation.house.gov/imo/media/doc/Barone%20Testimony.pdf>> [as of Dec. 2, 2021]; see also generally Schwartz, *So-called ‘Consent Searches’ Harm Our Digital Rights* (Jan. 2021) Electronic Frontier Foundation <<https://www.eff.org/deeplinks/2021/01/so-called-consent-searches-harm-our-digital-rights>> [as of Dec. 2, 2021] and *Rodriguez v. California Highway Patrol* (N.D. Cal. 2000) 89 F. Supp. 2d 1131.

contraband as other types of searches.²⁶⁸ Given these findings, the Board has considered best practice recommendations for consent only searches.

Voluntariness and Consent Searches:

Consent searches raise questions of voluntariness and the effect of an authority figure making such a request. Under the law, a person is free to give an officer permission to search or decline a request to search. However, unless there is an agency-specific policy, an officer does not have an affirmative responsibility to explain to the individual that they have the right to refuse consent to a search or that they can limit the scope of the search when giving consent.²⁶⁹ In fact, a person may have “consented” to a search simply by not objecting under the legal theory of implied consent.²⁷⁰ The courts have found that as long as the consent was given “voluntarily,” meaning it was freely given and without coercion, the search is legal.²⁷¹ The RIPA data shows 94.6% of people who are asked consent to search comply with the officer’s request.²⁷² Research suggests that nearly everyone “consents” to searches when asked by an authority figure due, in part, to the inherent power inequality. Because such a power inequality exists between an officer and a civilian, not everyone may feel entitled to exercise their right to say “no” to a search.

“People comply with police requests to perform searches for social rather than informational reasons. Crucial aspects of the social context, the authority of the police officer and the awkwardness of refusal, prevail even when people are properly informed of their rights. It is high time to abandon the myth that notifying people of their individual rights is enough.”

- Roseanna Sommers, University of Chicago, see footnote 275

“Like many Black drivers, I experience a hollowing fear anytime I’m stopped by police. My body tenses, it’s hard to breathe, and I genuinely wonder if I’ll make it through the situation. When police approach slowly and cautiously, as if they think I’m a potential threat, and ask for consent to search my car for drugs or weapons, those feelings intensify . . . fear made me contemplate letting the officer search my car, even though I knew it would lead me to feel more violated and traumatized than I already was.”

*- Philip V. McHarris*²⁷³

²⁶⁸ See Examining Equity, *supra* note 267.

²⁶⁹ See, e.g., *Fla. v. Rodriguez* (1984) 469 U.S. 1, 6-7; *Bustamonte*, 412 U.S. at p. 227.

²⁷⁰ See, e.g., *Bustamonte*, 412 U.S. at p. 219; *Fla. v. Jardines* (2013) 569 U.S. 1, 10; *Birchfield v. North Dakota* (2016) 579 U.S. 136 S. Ct. 2160, 2185.

²⁷¹ *Bustamonte*, 412 U.S. at pp. 226-28.

²⁷² See page 100 of RIPA report.

²⁷³ McHarris, *I Experience a Hollowing Fear Any Time I’m Stopped by Police: Gutting the Fourth Amendment* has turned tiny traffic violations into abusive traffic stops and coercive searches for millions of Black drivers like myself (Nov. 10, 2020) *The Nation* <<https://www.thenation.com/article/society/driving-black-police-stops/>> [as of Dec. 2, 2021].

A recent study, conducted by Sommers and Bohns,²⁷⁴ examined whether consent searches were truly voluntary by tracking whether participants would agree to a search of their cell phone when asked by researchers. The study included 200 participants of undergraduates at a university in the Northeast.²⁷⁵ One set of participants were asked, “before we begin the study, can you please unlock your phone and hand it to me? I’ll just need to take your phone outside of the room for a moment to check for some things.”²⁷⁶ A separate set of participants – the control group – watched the questioning of the other participants and then were asked if they would agree to the same request.²⁷⁷ The study allowed researchers to compare what participants thought they would do and what they actually did when faced with an intrusive search request. Overall, they found 97% of people asked to turn over their phone did so, although 86% people in the control group thought the request was unreasonable.²⁷⁸ Thus, nearly all of the participants consented to a search of their phone that the control group – representing the neutral observer –found unreasonable.

Next, Sommers and Bohns tested to see whether people withheld consent if they were advised that they could refuse the search. Researchers gave a Miranda-like warning to see if it changed the participants’ behavior and found the “practice did not significantly reduce the rates at which people handed over their phones.”²⁷⁹ They “also examined whether those who received the warning felt less pressured to agree to hand over their phones and found that the warning had no significant effect on how participants actually felt.”²⁸⁰ This study demonstrates the psychological pressure to comply with a search request and shows there is a significant difference between what an observer thinks they would do in this situation and what might happen in the field. Sommers and Bohns concluded that “people comply with police requests to perform searches for social rather than informational reasons. Crucial aspects of the social context, the authority of the police officer and the awkwardness of refusal, prevail even when people are properly informed of their rights. It is high time to abandon the myth that notifying people of their individual rights is enough.”²⁸¹

²⁷⁴ See Sommers, *Are Consent Searches Truly Voluntary?* (May 14, 2019) Scholars Strategy Network <<https://scholars.org/contribution/are-consent-searches-truly-voluntary>> [as of Dec. 2, 2021].

²⁷⁵ Roseanna Sommers is a Harry A. Bigelow Teaching Fellow and Lecturer in Law at University of Chicago Law School. Vanessa Bohns is an Associate Professor of Organizational Behavior at Cornell University ILR School. See Sommers et al., *The Voluntariness of Voluntary Consent: Consent Searches and the Psychology of Compliance* (2019) 128 Yale L.J. 1962, 1982.

²⁷⁶ Sommers, *Are Consent Searches Truly Voluntary?*, *supra* note 274; see also Sommers et al., *The Voluntariness of Voluntary Consent: Consent Searches and the Psychology of Compliance*, *supra* note 275, at p. 1983.

²⁷⁷ Sommers, *Are Consent Searches Truly Voluntary?*, *supra* note 274; see also Sommers et al., *The Voluntariness of Voluntary Consent: Consent Searches and the Psychology of Compliance*, *supra* note 275, at pp. 1983-84.

²⁷⁸ See Sommers, *Are Consent Searches Truly Voluntary?*, *supra* note 274; see also Sommers et al., *The Voluntariness of Voluntary Consent: Consent Searches and the Psychology of Compliance*, *supra* note 275, at p. 2010.

²⁷⁹ Sommers, *Are Consent Searches Truly Voluntary?*, *supra* note 274; see also Sommers et al., *The Voluntariness of Voluntary Consent: Consent Searches and the Psychology of Compliance*, *supra* note 275, at p. 1963.

²⁸⁰ Sommers, *Are Consent Searches Truly Voluntary?*, *supra* note 274; see also Sommers et al., *The Voluntariness of Voluntary Consent: Consent Searches and the Psychology of Compliance*, *supra* note 275, at p. 2019.

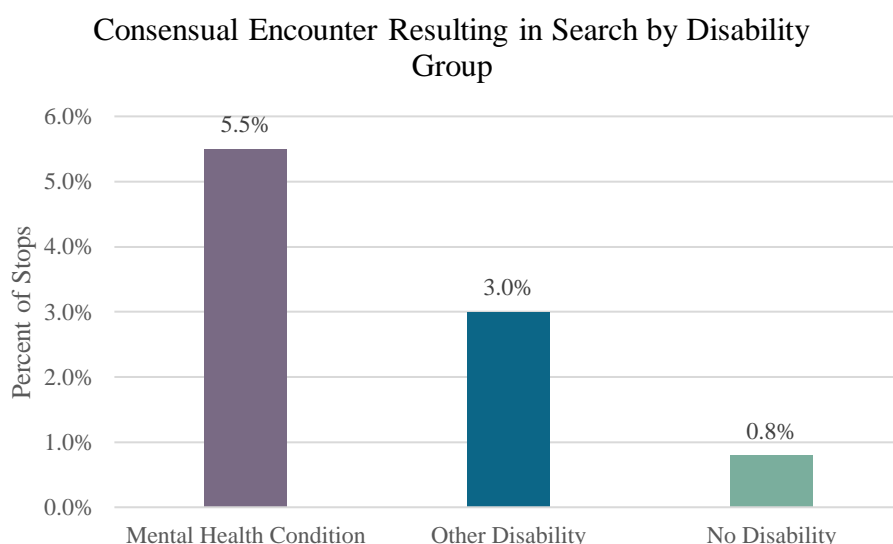
²⁸¹ Sommers, *Are Consent Searches Truly Voluntary?*, *supra* note 274; see also Sommers et al., *The Voluntariness of Voluntary Consent: Consent Searches and the Psychology of Compliance*, *supra* note 275, at pp. 2018-19. It is important to note that this research was conducted with undergraduate students, so it may have limited application to law enforcement interactions with civilians and potential contraband objects, but it does demonstrate some of the psychology underlying the concept of consent.

Prohibiting Consent Searches of Vulnerable Populations Based upon Disability and Age

Given the results of the Sommers and Bohns study, it is also important to consider how vulnerable populations, such as youth or individuals with a mental health disability, may be more influenced by authoritative pressure to comply with a request than the college students in the above experiment.

Scholars have found those with mental health and developmental disabilities are more likely to comply with an officer’s request and as a result are “over-criminalized as they fall subject to the consensual search trap.”²⁸² In fact, the RIPA data shows the proportion of stops that began as consensual encounters and resulted in searches was 6.9 times higher (5.5%) for individuals perceived to have a mental health disability and 3.6 times higher for individuals perceived to have other disabilities (3%) than for individuals whom officers perceived to have no disability (0.8%).²⁸³

Figure 46. Proportion of Stops That Began as Consensual Encounter Which Resulted in a Search by Disability Group



Youth are especially susceptible to comply with an officer’s request, and the U.S. Supreme Court has recognized that “children are generally more vulnerable to outside influences than adults and have limited understandings of the criminal justice system and the roles of the institutional actors within it.”²⁸⁴ The RIPA data also reveal that children have a higher

²⁸² See Hernandez, *Incapacity to Refuse Consent: Fourth Amendment Offenses in Consensual Searches of Individuals with Mental Illness* (2014) 23 S. Cal. Rev. L. & Social J. 387, 408

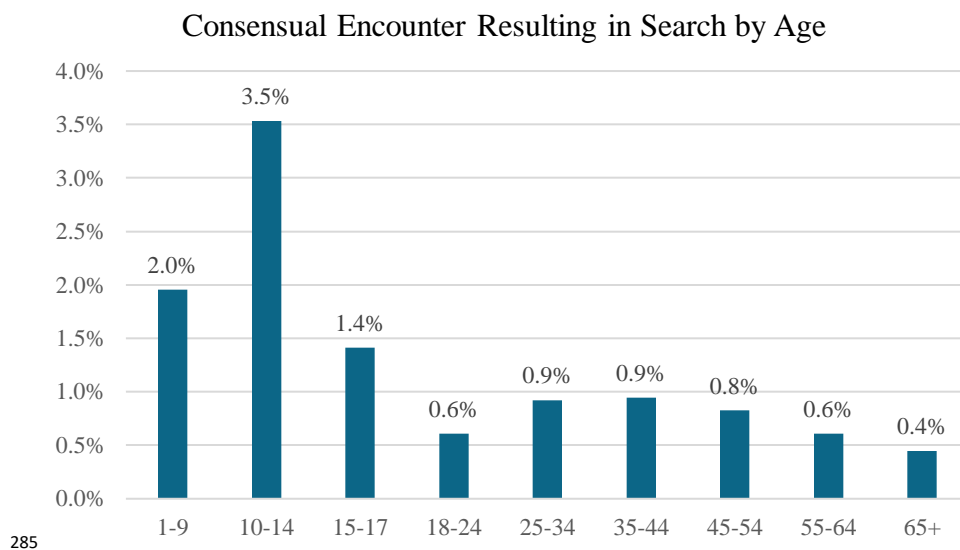
<https://gould.usc.edu/students/journals/rlsj/issues/assets/docs/volume23/Spring2014/2.Hernandez.pdf> [as of Dec. 2, 2021].

²⁸³ Please see Appendix Table A.32 for a full breakdown of all reason for stop fields by disability group.

²⁸⁴ See Sen. Bill No. 203 (2019-2020 Reg. Sess. § 1); *Roper v. Simmons* (2005) 543 U.S. 551, 569.

proportion of their stops begin as a consensual encounter and then result in a search than their adult counterparts.

Figure 47. Proportion of Stops That Began as Consensual Encounter Which Resulted in a Search by Age



Despite youth having numerous protections under the law due to their vulnerability, they “receive no added protection under the Fourth Amendment, as courts treat age as only one factor in determining voluntary consent.”²⁸⁶

Given all of these considerations, agencies may wish to review or amend their consent search policies to include specific provisions about interacting with youth or those with mental health disabilities or alternatively prohibit consent searches of certain vulnerable populations entirely. Officers would still be able to conduct searches if there is probable cause to do so. Advocates and legislators may also wish to consider legislative changes that would either limit or prohibit consent searches or increase protections for those with serious mental health disabilities or youth, as research has shown that these searches are likely not consensual.

Prohibiting Consent Searches of Vehicles and Cell Phones

As one solution, some law enforcement agencies and state legislatures have prohibited consent searches based on the type of search, such as a car or a cell phone. Several agencies have implemented policy changes prohibiting consent searches of vehicles. Rhode Island, for example, has a law stating “unless there exists reasonable suspicion or probable cause of criminal activity, no motor vehicle stopped for a traffic violation shall be detained beyond the time needed to address the violation.”²⁸⁷ Similarly, after working with researchers and

²⁸⁵ Totals are calculated from the RIPA data available on OpenJustice at <<https://openjustice.doj.ca.gov/data>>.

²⁸⁶ See Anderson, *The Costs of Youth: Voluntary Searches and the Laws Failure to Meaningfully Account for Age* (2020) 62 Ariz. L. Rev. 241, 245.

²⁸⁷ R.I. Gen. Laws, § 31-21.2-5(a) (2017).

reviewing stop data, the state of Connecticut passed a law in October 2020 prohibiting officers from requesting consent to search a vehicle stopped only for a motor vehicle violation.²⁸⁸

Special consideration should also be given to consent searches of cell phones, since “modern cell phones, as a category, implicate privacy concerns far beyond those implicated by the search of a cigarette pack, a wallet, or a purse.”²⁸⁹ Similar to other consent searches, a consent search of a cell phone is vulnerable to bias, and many agencies currently require written consent to search computers.²⁹⁰ What sets cell phone searches apart from other types of consent searches is the amount of data that can be obtained in that type of search. Cell phones store an immense amount of data “that reveal much more in combination than any isolated record.”²⁹¹ Under the law, an officer may search a phone incident to arrest only if they have a warrant to search the phone, but can evade the warrant requirement by asking for consent to search.²⁹²

A cell phone search is not only highly intrusive, but it is also rarely related to evidence of any crime that was the cause of the stop, such as having a broken tail light.²⁹³ Additionally, most people likely do not fully understand the scope of the consent they give nor what is going to be done with the data on their phone if they do consent.²⁹⁴ In fact, a cell phone search can involve the extraction all of the data from a person’s phone and can be reexamined by law enforcement at any time; this includes everything from text messages, conversations on apps, location data, deleted photos, internet search histories, etc.²⁹⁵ “The power and information asymmetries of cell phone consent searches are egregious and unfixable.”²⁹⁶ As such, agencies and policymakers should consider prohibiting consent searches of cell phones and instead require officers to obtain a warrant.²⁹⁷

²⁸⁸ Conn. Gen. Stats. §§ 54-33b; 54-33o.

²⁸⁹ *Riley v. California* (2014) 573 U.S. 373, 393; see generally Koepke et al., *Upturn Toward Justice in Technology, Mass Extraction: The Widespread Power of U.S. Law Enforcement to Search Mobile Phones* (2020) <<https://www.upturn.org/static/reports/2020/mass-extraction/files/Upturn%20-%20Mass%20Extraction.pdf> > [as of Dec. 2, 2021]; Schwartz, *So-called ‘Consent Searches’ Harm Our Digital Rights*, *supra* note 267.

²⁹⁰ Of the Wave 3 and 3.5 Agencies, Anaheim Police, Fresno Sheriff, Riverside Police, Santa Ana Police, Berkeley Police, Davis Police, Rohnert Park, Santa Rosa Police, Sonoma Police, Sonoma Sheriff, CSU Sonoma Police, Windsor PD, Cotati PD, and Petaluma PD all require a written consent form to search digital evidence.

²⁹¹ See *Riley v. California*, 573 U.S. at p. 375.

²⁹² See *id.* at p. 376; see also *Bustamonte*, 412 U.S. at p. 219.

²⁹³ See *Knowles v. Iowa* (1998) 525 U.S. 113, 114-19 (holding that the issuance of a citation did not authorize the officer, consistent with the Fourth Amendment, to conduct a full search of the car because (1) there was no need to discover and preserve evidence since once defendant was stopped and issued a citation, “all the evidence necessary to prosecute that offense had been obtained” and (2) the threat to safety from issuing a traffic citation was significantly less than in the case of a custodial arrest.)

²⁹⁴ Koepke et al., *supra* note 289, at pp. 53-54.

²⁹⁵ *Ibid.*

²⁹⁶ See Schwartz, *So-called ‘Consent Searches’ Harm Our Digital Rights*, *supra* note 267 (quoting Koepke et al., *supra* note 289, at p. 59).

²⁹⁷ See Koepke et al., *supra* note 289, at p. 58; see also Schwartz, *So-called ‘Consent Searches’ Harm Our Digital Rights*, *supra* note 267.

Written Consent Search Forms and Recording Consent on Body Worn Camera

A popular proposed reform to combatting the disparities with consent searches is to require written consent to search or record the consent response on camera.²⁹⁸ A written consent form is usually a standardized form that requires a signature of the person stopped affirming they consent to the search. Not all consent search forms are the same; some give a legal advisement about the right to refuse to search while others are just a statement the person “agrees” to the search.²⁹⁹ However, emerging research suggests that these forms may not solve the problem for a few reasons: (1) the forms may not mitigate the coercive nature or the psychological pressure to comply with an officer’s request to search;³⁰⁰ (2) the forms may not increase a person’s understanding of their rights;³⁰¹ and (3) obtaining a signed consent form could “insulate[] law enforcement from later invalidation of the search on voluntariness grounds.”³⁰²

Indeed, these consent forms can later be used by the courts as dispositive proof that the consent was “voluntary” even if that is truly not the case. In a study of suppression motions (motions to challenge the legality of a search), the accused prevailed 10% of the time; for consent searches, the accused prevailed 9% of the time and when a consent form was present only 5% of the time.³⁰³ This is in part because “consent” is an exception to the requirement for officers to have evidence of criminal activity prior to conducting a search. Though the Board’s review of policies showed that many agencies are encouraging the use of body worn cameras,³⁰⁴ cameras do nothing to inform the person stopped of their rights or alleviate the power differential during a police encounter.

Although written consent search forms, recording the consent on a body worn camera, or an advisory of the right to refuse or limit the scope of the search have become common reform proposals, such reforms do not address the root problems of these police practices, as

²⁹⁸ An Office of Inspector General Report regarding LAPD expressed concerns about whether individuals were giving consent for searches and whether the officers were asking the question or telling individuals they would be getting searched. (See generally L.A. of the Inspector Gen., *Review of Stops Conducted by the Los Angeles Police Department in 2019* (Oct. 27, 2020) <https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_d3e88738022547acb55f3ad9dd7a1dcb.pdf> [as of Dec. 2, 2021].) In response, in November 2020, the Los Angeles Police Commission approved a new LAPD policy entitled, “Field Officer’s Notebook, Form 15.03.00,” which requires officers to get written consent after asking for consent, advising the individual that they may withdraw consent at any time, and, if the officer gets “implied consent,” then they must get confirmation recorded on body-worn cameras or on their digital In-Car Video System. See Los Angeles Police Dept., Office of the Chief of Police Administrative Order No. 22 (Nov. 20, 2020) *Field Officer’s Notebook, Form 15.03.00 – Revised; and, Consent to Search Verbal Advisement, Form 15.05.00 Activated* <<https://lapdonlinestrgeacc.blob.core.usgovcloudapi.net/lapdonlinemedia/2021/09/AO-22-2020-FIELD-OFFICERS-NOTEBOOK-CONSENT-TO-SEARCH.pdf>> [as of Dec. 2, 2021].

²⁹⁹ Leong, et al., *Consent Forms and Consent Formalism* (2013) 2013 Wis. L. Rev. 751, 752-753.

³⁰⁰ See Sommers, *Are Consent Searches Truly Voluntary?* *supra* note 274; see also Sommers et al., *The Voluntariness of Voluntary Consent: Consent Searches and the Psychology of Compliance*, *supra* note 275; Leong et al., *Consent Forms and Consent Formalism*, *supra* note 299, at pp. 782-783, 788-789.

³⁰¹ See Leong et al., *Consent Forms and Consent Formalism*, *supra* note 299, at p. 753.

³⁰² See *id.* at pp. 753-754.

³⁰³ See *id.* at p. 779.

³⁰⁴ Of the Wave 3 and 3.5 Agencies, Alameda Sheriff, Kern Sheriff, Santa Ana Police, Santa Clara Sheriff, Ventura Sheriff, Berkeley Police, Sonoma Sheriff, Sonoma Police, and Windsor Police all require body worn cameras to be activated when requesting consent to search.

discussed above. Voluntary consent may not truly be voluntary because of the power dynamics at play between a law enforcement officer and a member of the public, particularly with more vulnerable populations.³⁰⁵ Moreover, research suggests that officers' discretion leads to disparate stops and searches of Black and Hispanic/Latine(x) individuals.³⁰⁶ Therefore, there are likely better solutions, such as severely limiting when a consent search would be appropriate or eliminating the practice entirely. Such solutions can require officers to focus on evidence-based searches, which may result in an increase in finding contraband and may improve community trust.

Evidence-Based Policing: Reducing Disparities, Improving Police Tactics and Community Relations

Reducing Disparities:

A significant part of what is driving the disparities is **who** is being asked consent to search. The 2019 and 2020 data show that Black and Hispanic/Latine(x) individuals are asked for consent to search at higher rates than White individuals.³⁰⁷ This suggests that such disparities are driven by explicit or implicit bias. In last year's report, the Board reviewed studies on implicit bias, explaining that implicit biases "arise from the natural functioning of the human brain and refer to the beliefs or attitudes a person holds that can shape their understanding, actions, and decisions in an unconscious manner. Relying on their implicit biases, individuals may make unconscious associations in an attempt to quickly make sense of a complex, highly evolving environment."³⁰⁸

Social psychologists point out that hunches or gut instincts are ripe for bias.³⁰⁹ Officers can mitigate this bias by adding in "friction" between the hunch and the actions they choose to take next. This friction occurs when the officer has to articulate a legal basis to search and ask themselves "is this stop intelligence led?"³¹⁰ Adding friction can work to interrupt implicit bias, and cause the person to stop and point to objective evidence of criminal activity. Simply having an officer ask themselves that question may result in a reduction of the disparities observed in the data. In fact, in Oakland, adding this type of friction before an officer stopped an individual reduced stops of individuals perceived as Black by 43 percent and those perceived as Hispanic or Latine(x) by 35 percent.³¹¹

³⁰⁵ See Sommers, *Are Consent Searches Truly Voluntary?*, *supra* note 274; see also generally Sommers et al., *The Voluntariness of Voluntary Consent: Consent Searches and the Psychology of Compliance*, *supra* note 274.

³⁰⁶ See Racial and Identity Profiling Advisory Board Report (2021), *supra* note 199, at p. 8.

³⁰⁷ See *id.* at p. 71.

³⁰⁸ See *id.* at p. 23 (citing Krieger Hamilton, *The Content of Our Categories: A Cognitive Bias Approach to Discrimination and Equal Employment Opportunity* (1995) 47 *Stan. L. Rev.* 1161, 1187).

³⁰⁹ See Ridgeway, *Assessing the Effect of Race Bias in Post-Traffic Stop Outcomes Using Propensity Scores*, *supra* note 108, at 1; see also Eberhardt, *How racial bias works -- and how to disrupt it*, *supra* note 251.

³¹⁰ See Eberhardt, *How racial bias works -- and how to disrupt it*, *supra* note 251; see also Oakland Police Department, Office of Chief of Police, *2016-18 Racial Impact Report* (2019) p. 3 <<https://cao-94612.s3.amazonaws.com/documents/OPD-Racial-Impact-Report-2016-2018-Final-16Apr19.pdf>> [as of Dec. 2, 2021] ("Preliminary results have shown that reductions in stop activity have caused the proportion of intelligence-led stops to increase. From 2017 to December 19, 2018, the overall percentage of intelligence-led stops increased from 27% to 31% (See Table 10).").

³¹¹ Eberhardt, *How racial bias works -- and how to disrupt it*, *supra* note 251; see also Oakland Police Department, Office of Chief of Police, *2016-18 Racial Impact Report*, *supra* note 310, at pp. 3-4.

Improving Police Tactics:

Even if reducing disparities is not the explicit goal of agencies making policy reforms, sometimes policy changes made for other reasons can have the benefit of reducing disparities and harm to BIPOC communities. Notably, the California Highway Patrol, the largest law enforcement agency in the state, issued a moratorium on consent searches from 2001 to 2006, prohibiting consent searches of a person or their vehicle. The recommendation to prohibit consent searches originally came from a team of CHP managers in the early 2000's. They reviewed the agency's consent search data and found that during the course of a year CHP officers had conducted 1,370 consent searches, a small fraction of the 3 million stops CHP conducted in 2000.³¹² Former CHP Commissioner Helmick questioned the practice, asking "With that few searches, I wondered are they worthy or beneficial for us to keep doing, when the public questions the need to do them? The whole idea of consent searches is bothersome to me, that you just ask a person if you can search their car."³¹³ Helmick then issued a six-month moratorium on consent searches in 2001.

The moratorium was then extended to 2006 as a part of the settlement of a lawsuit, *Rodriguez v. CHP*.³¹⁴ Data from discovery in the lawsuit showed that "Latinos were approximately three times as likely to be searched by drug interdiction officers than whites in the Central and Coastal Divisions, and African Americans were approximately twice as likely to be searched by drug interdiction officers in those divisions."³¹⁵ The ACLU noted that "the reforms agreed to by the CHP should serve as model policy for local police departments throughout the state."³¹⁶

Law enforcement agencies that have eliminated or prohibited consent searches may also see an increase in the likelihood of finding contraband. A law enforcement agency outside New Haven, Connecticut prohibited consent searches after significant disparities were identified in their stop data. Specifically researchers discovered that "the department made nearly 151 consent searches of Black motorists and 46 of Hispanic/Latine(x) motorists with hit-rates of 7.9 and 15.2 percent respectively."³¹⁷ After seeing these disparities, the agency consulted with community members and stakeholders and implemented policy changes. The agency found that by prohibiting consent searches, "[p]olice searches were more successful at finding contraband, i.e. a 63-percentage point increase, and the department ceased to be identified as having a disparity in subsequent annual analyses."³¹⁸ The agency also reformed their policies to focus traffic enforcement on hazardous driving behaviors, i.e. evidence-based stops, which is discussed in more detail in the Pretext Stops section of the report.

³¹² See : *California Highway Patrol Bans Consent Searches Following Review of Data Collection Showing Discriminatory Pattern*, *supra* note 253.

³¹³ See Herel, *CHP chief orders ban on consent searches of cars* (Apr. 2001) S.F. Gate <<https://www.sfgate.com/news/article/CHP-chief-orders-ban-on-consent-searches-of-cars-2929735.php>> [as of Dec. 2, 2021].

³¹⁴ See *Rodriguez v. CHP* (2003) ACLU <<https://www.aclunc.org/our-work/legal-docket/rodriguez-v-chp>> [Dec. 2, 2021].

³¹⁵ See *California Highway Patrol Bans Consent Searches Following Review of Data Collection Showing Discriminatory Pattern*, *supra* note 253.

³¹⁶ *Ibid.*

³¹⁷ See Connecticut Racial Profiling Prohibition Project, *State of Connecticut: Traffic Stop Data Analysis and Findings*, 2018, *supra* note 253, at p. 45.

³¹⁸ Ross et al., *Testing for Disparities in Traffic Stops: Best Practices from the Connecticut Model*, *supra* note 253, at p. 1297.

Community Relations:

Policy changes, like those implemented near New Haven, can have a great impact on improving police and community relations. If an officer conducts a search without an objectively legal basis, individuals may feel they are being unfairly targeted for enforcement. “Not only is public support fundamental to the legitimacy of the police, but it is also important for enlisting the public in efforts to reduce crime. Moreover, there is growing evidence that public support depends on the public’s perception that police treat people fairly and professionally.”³¹⁹

Agencies should be particularly mindful of the impact of consent search inquiries; to an officer it may seem like a minor intrusion, but to an individual the mere act of asking them for consent to search implies that the officer thinks the person could be a criminal. As such interactions become more commonplace and prevalent, such conduct ultimately fosters distrust among the community at large. Policy changes that focus on evidence-based searches, rather than subjective motivations or officer discretion, can help to reduce disparities and will thus increase community trust.

Recommendations to Agencies, Municipalities, and the Legislature –Consent Searches:

Piecemeal approaches to reduce the frequency of consent searches may have some impact, but the evidence does not show that they can eliminate or significantly reduce the substantial observed disparities indicative of racial and identity profiling. In light of the need for strong policy changes with impactful results, the Board recommends the Legislature pursue legislation that would severely limit and/or end the practice of consent searches. The Board further recommends that law enforcement agencies or municipalities adopt policies or laws that limit or prohibit consent searches and require officers to conduct only evidence-based searches based on reasonable suspicion or probable cause.

2. Known Supervision Stops and Searches

The Board also hopes to reduce disparities and improve community relationships by limiting situations where an officer asks someone about their supervision status – “are you on probation or parole?” In California, a person convicted of a crime may be placed on court-ordered supervision,³²⁰ and the judge may also impose certain conditions to being on supervision. A common condition of supervision is a Fourth Amendment Waiver, which allows officers to search a person and their home even if the officer does not have reasonable suspicion or probable cause that the person is engaged in criminal activity. However, the law requires that an officer know of the waiver prior to conducting any searches.³²¹

³¹⁹ Miller et al., Vera Institute of Justice, *Public Opinions of the Police: The Influence of Friends, Family and News Media* (May 2004) p. 1 <<https://www.ojp.gov/pdffiles1/nij/grants/205619.pdf>> [as of Dec. 2, 2021] (citing Tyler, *Why People Obey the Law* (1990) Yale University Press; Tyler, *Trust and Law Abidingness: A Proactive Model of Social Regulation* (2001) Boston University L.Rev. 81(2): 361-406).

³²⁰ For more information on the types of supervision, see notes 246-49.

³²¹ See, e.g., *People v. Sanders* (2003) 31 Cal. 4th 318, 333; *People v. Reyes* (1998) 19 Cal. 4th 743, 750-754; *In re Jaime P.* (2006) 40 Cal. 4th 128, 139.

Similarly, the law requires an officer to know that the person is on supervision *before* the officer stops a person because of supervision status. The courts have been explicit about this: “no conduct is more unreasonable than stopping a vehicle and then hoping the stop later can be justified if one of the occupants in the vehicle happens to be on probation or parole. Such a stop cannot reasonably be related to a probation/parole search condition because the officer(s) did not know the individual was on probation or parole.”³²² Given the far-reaching effect being on supervision has on a person’s constitutional rights, it is important to consider how bias may play a role in stops and searches where supervision may be an issue.

i. **Mass Incarceration and Systemic Issues that Contribute to Disparities in Stops:**

Throughout the nation, it is estimated that 1 out of 58 adults are on supervision.³²³ Black individuals are “2.6 times as likely to be on probation, and nearly 4 times as likely to be on parole, as compared to White individuals.”³²⁴ The percentage of Hispanic/Latine(x) individuals in the probation population (13%) is more in line with their share of the general population (19%), although Hispanic/Latine(x) individuals are systemically undercounted in correctional statistics³²⁵ and in census counts. Individuals identifying as Native American or Alaska Native are “48% more likely to be on probation, and 77% more likely to be on parole, than their [W]hite counterparts.”³²⁶

Studies have found that Black individuals are between 50% and over 100% more likely than White individuals to be charged with parole violations, even when “controlling for relevant demographic and legal factors,” such as overall supervision and residential populations, for example.³²⁷ This data on the disproportionate representation of people of color on supervision should be reviewed with care so as not to interpret the statistics as an indictment of specific groups of people, but rather as a reflection of the long-term impacts of poverty, segregation, discrimination, and urbanization.³²⁸

Notably, compared to other states, “California reincarcerated the largest absolute number of people (64,761) from probation in 2018, making up 47% of all exits from probation across the

³²² See *People v. Hester* (2004) 119 Cal. App. 4th 376, 380.

³²³ The Bureau of Justice Statistics releases reports annually on probation and parole data throughout the country but reviews prior years’ data; thus, the present report is a review of 2017-2018 data but it was published in 2020. See Kaebler, and Alper, U.S. Dept. of J., Bur. of Justice Statistics, Probation and Parole in the U.S., 2017-2018 (Aug. 2020) p. 1 <<https://www.bjs.gov/content/pub/pdf/ppus1718.pdf>> [as of Dec. 2, 2021].

³²⁴ See Bradner et al., *More Work to Do: Analysis of Probation and Parole in the U.S., 2017-2018* (“*More Work to Do*”) (Aug. 2020) Columbia Univ. Justice Lab, p. 6 <<https://justicelab.columbia.edu/sites/default/files/content/More%20Work%20to%20Do.pdf>> [as of Dec. 2, 2021].

³²⁵ Latine(x) people are systematically undercounted in correctional statistics, as many states do not report data on ethnicity even when they do report data on race. Therefore, we expect that the BJS data likely underestimates supervision disparities for Latine(x) people. See Eppler-Epstein et al., *The Alarming Lack of Data on Latinos in the Criminal Justice System* (2016) Washington, DC: The Urban Institute <<https://apps.urban.org/features/latino-criminal-justice-data/?language=english>> [as of Dec. 2, 2021].

³²⁶ Bradner et al., *More Work to Do*, *supra* note 324, at p. 6.

³²⁷ *Id.* at p. 7.

³²⁸ See National Resource Center on Children & Families of the Incarcerated, Rutgers University-Camden, Children and Families of the Incarcerated Fact Sheet (2014) <<https://nrccfi.camden.rutgers.edu/files/nrccfi-fact-sheet-2014.pdf>> [as of Dec. 2, 2021].

state.”³²⁹ This means that almost half of the people on probation in California were found to be in violation of their probation and were consequently reincarcerated. Additionally, “California also had the largest number of people incarcerated for technical violations – 46,479 people, or one-third (34%) of all Californians exiting probation for any reason in 2018.”³³⁰ A technical violation occurs when someone fails to comply with a term of supervision; typically it is not a new criminal offense. Some examples of technical violations could be failing to participate in a court-ordered class, missing an appointment with a probation officer, traveling to another city or state without pre-approval, failing to pay child support, or being late for curfew.

A 2018 Justice Center of Council of State Governments study estimates California spends \$2 billion annually to re-incarcerate people for supervision violations, and \$235 million per year on technical violations alone, “such as missing a drug rehab appointment or socializing with a friend who has a criminal record.”³³¹ Community supervision is not only costly, but it significantly contributes to mass incarceration by sending people back to prison for minor or technical rule violations. Experts have described this as “a tripwire that can trigger a vicious cycle of incarceration for people under supervision for administrative rule violations that would rarely lead someone not under supervision into prison.”³³² Research has shown that mass incarceration can decimate communities of color by socially and economically isolating individuals from their families and communities during and after their incarceration,³³³ given their prevalence, technical violations are likely a contributing factor. One way to help break this cycle is to stop making assumptions that an individual is engaged in criminal activity simply because they may have a criminal history. By closely examining the RIPA stop data and existing research on mass incarceration, we can begin to identify data-driven solutions to addressing bias in the context of supervision stops and searches.

ii. Data Analyses:

a. Search and Discovery Rates

Under the RIPA regulations, an officer may indicate the primary reason for a stop was known parole, probation, post-release community supervision (PRCS), or mandatory supervision only when the officer knew this information prior to initiating the stop. Officers can also indicate that a basis for performing a search was a condition of a person’s supervision regardless of the primary reason for stop. The 2020 RIPA data shows that 21,060 individuals were stopped for known supervision and 77,210 individuals were searched due to conditions of their supervision, indicating a number of individuals searched were not initially detained due to supervision status.

³²⁹ Bradner et al., *More Work to Do*, *supra* note 324, at p. 10.

³³⁰ *Ibid.*

³³¹ See Sen. Com. on Public Safety, analysis of Assem. Bill No. 1950 (2019-2020 Reg. Sess.) p. 4, citing The Council of State Governments Justice Center, *Confined and Costly: How Supervision Violations are Filling Prisons and Burdening Budgets* (2019) <<https://csgjusticecenter.org/publications/confined-costly/?usState=CA#primary>> [as of Dec. 2, 2021].

³³² See Equal Justice Initiative, *Probation and Parole Driving Mass Incarceration* (Nov. 25, 2020) <<https://eji.org/news/probation-and-parole-driving-mass-incarceration/>> [as of Dec. 2, 2021].

³³³ See Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (2010) pp. 12-15.

In cases where an officer performs a search pursuant to a condition of supervision, the officer must indicate that a basis for the search was “Condition of parole/probation/PRCS/mandatory supervision” (hereafter referred to as “condition of supervision”). Condition of supervision was the sole search basis reported for 63.8 percent (49,234) of these searches while the other 36.2 percent (27,976) included additional search bases in combination with condition of supervision.

Rates for supervision only searches³³⁴ per stop varied between racial/ethnic groups; rates ranged from 0.3 percent of Middle Eastern/South Asian individuals to 3.6 percent of Black individuals who were stopped. Middle Eastern/South Asian individuals (8.5%) also had the lowest proportion of their searches conducted solely due to a condition of supervision while Black individuals had the highest number and proportion (17,309; 17.3%). In comparison, 11,991 searches were conducted solely due to a condition of supervision for White individuals, constituting 14.7 percent of all searches of White individuals.

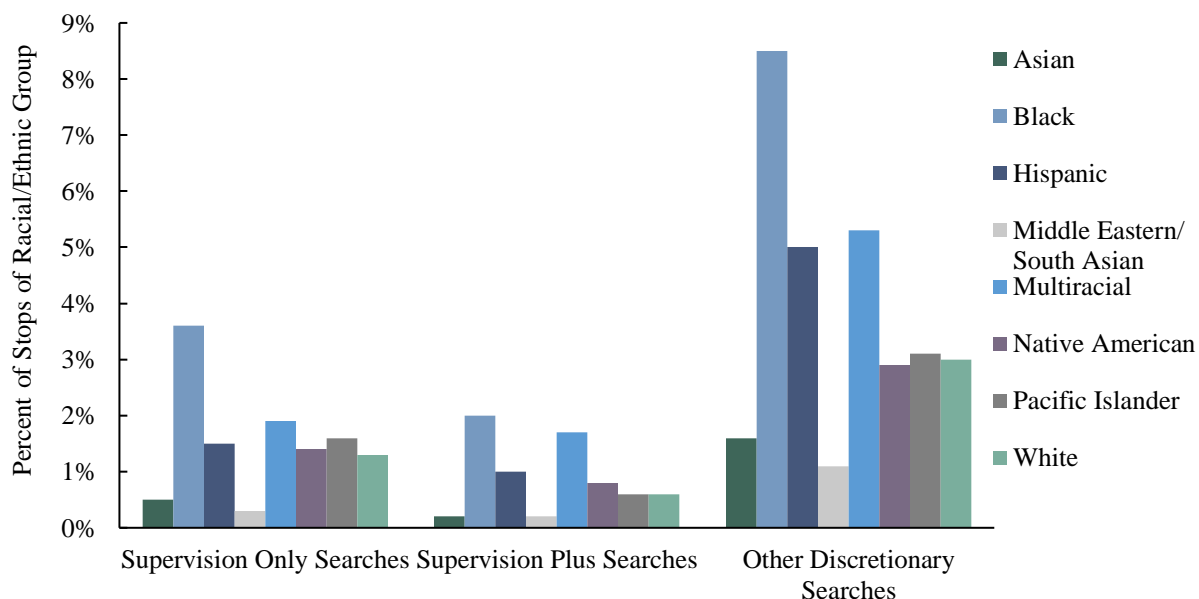
Officers reported performing supervision plus searches³³⁵ at higher rates for Black individuals (2.0%) they stopped and at lower rates for Asian (0.2%) and Middle Eastern/South Asian individuals (0.2%). For other discretionary searches, search rates ranged from 1.1 percent for Middle Eastern/South Asian individuals to 8.5 percent for Black individuals.³³⁶

³³⁴ For the purposes of the analyses included in the Known Supervision Stops and Searches Section of this report (condition of supervision search analyses), “supervision only searches” refers to searches where the condition of parole/probation/PRCS/mandatory supervision was the sole basis officers provided for performing the search.

³³⁵ For the purposes of the analyses included in the Known Supervision Stops and Searches Section of this report (condition of supervision search analyses), “supervision plus searches” refers to searches where the condition of parole/probation/PRCS/mandatory supervision was one of multiple search bases officers provided for performing the search.

³³⁶ For the purposes of the analyses included in the Known Supervision Stops and Searches Section of this report (condition of supervision search analyses), “other discretionary searches” refers to searches where incident to arrest, vehicle inventory, search warrant, and condition of parole/probation/PRCS/mandatory supervision search bases were *not* one of the search bases that officers provided for performing the search.

Figure 48. Search Rates by Search Basis and Race/Ethnicity³³⁷



This data illustrates clear disparities in who is searched based upon supervision status. Here, officers performed supervision only searches of individuals they stopped and perceived to be Black at 2.8 times the rate at which they performed these types of searches of stopped individuals they perceived to be White. Similarly, officers also performed supervision plus searches of Black individuals they stopped at 3.3 times the rate they performed supervision plus searches of White individuals they stopped. Although we know that there are higher numbers of Black and Latine(x) individuals under some form of supervision due to systemic racism embedded in our criminal legal system, that alone cannot explain the disparities illustrated above.³³⁸

b. Discovery Rates

Overall, officers reported lower discovery rates for supervision only searches (20.3%) and other discretionary searches (20.5%) while reporting higher discovery rates for supervision plus searches (30.4%). Discovery rates varied across racial/ethnicity groups for the three search types analyzed. For supervision only searches, discovery rates ranged from 16.8 percent for Black individuals to 28.2 percent for White individuals. For supervision plus searches, discovery rates ranged from 23.7 percent for Multiracial individuals to 40.2 percent for Pacific Islander individuals. For other discretionary searches, officers reported lower proportions of contraband/evidence discovered for Multiracial (18.6%), Pacific Islander (18.7%), and Middle

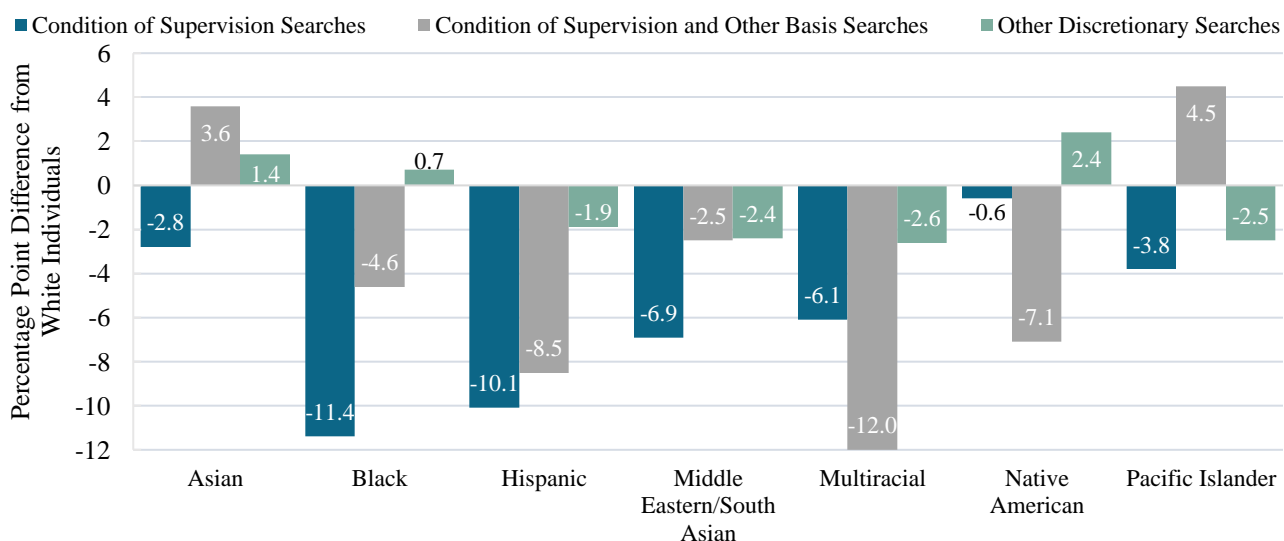
³³⁷ The higher search rates for other discretionary searches, relative to supervision only and supervision plus search rates, is to be expected since there are more search bases encompassed within the other discretionary search category. However, the observed disparities for other discretionary searches also warrants future exploration to understand what may be driving these other discretionary search disparities.

³³⁸ See Bradner et al., *More Work to Do*, *supra* note 324, at p. 7 (discussion of how Black and Latine(x) people are more likely to be charged with supervision violations or sent to prison as compared to similarly situated White people and how structural racism makes it more difficult for a person to successfully complete a term of probation).

Eastern/South Asian individuals (18.8%) while reporting higher proportions of contraband/evidence discovered for Native American individuals (23.6%).

Discovery rates are presented in the following figure for each racial/ethnic group as differences from White individuals; White individuals had a discovery rate of 28.2 percent for condition of supervision searches, 35.7 percent for condition of supervision and other basis searches, and 21.2 percent for other discretionary searches. The discovery rates for supervision only searches were lower for all racial/ethnic groups compared to White individuals; Black individuals had the largest difference in their discovery rate (-11.4 percentage points). For supervision and other basis searches, Multiracial individuals had the largest discovery rate difference compared to White individuals; the discovery rate for Multiracial individuals was 12 percentage points less than the rate for White individuals. Lastly, Asian, Black, and Native American individuals had higher discovery rates for other discretionary searches compared to White individuals.

Figure 49. Discovery Rate Differences by Search Type and Race/Ethnicity



When assessing this data, it is imperative to look holistically at our criminal legal system to understand the real world impacts. For example, in this figure above, the dark blue columns (for “condition of supervision searches” only) indicate that officers were less likely to find contraband or evidence when searching non-White individuals. Yet non-White individuals are subjected to more searches and more constant police interaction.

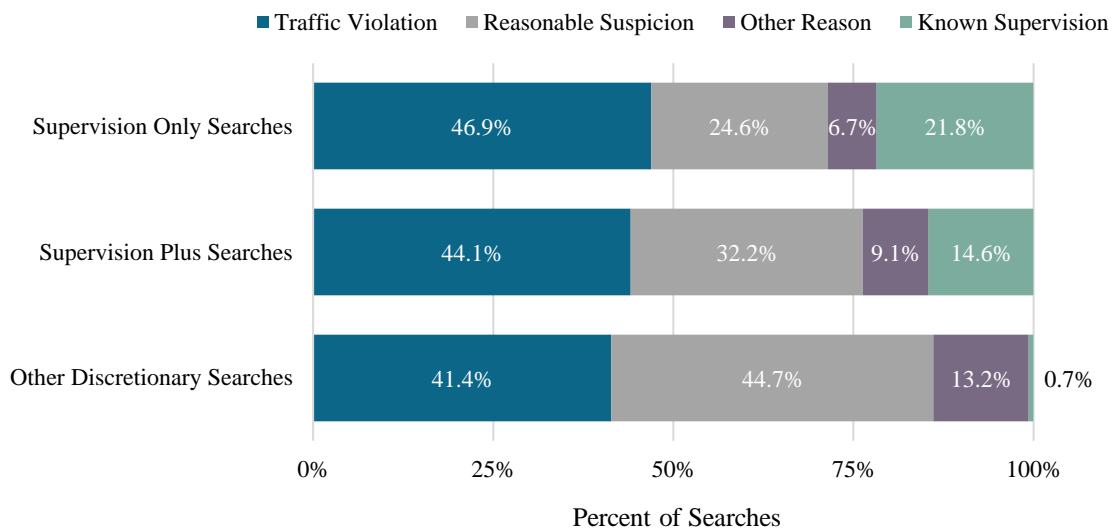
Reason for Stop for Condition of Supervision Searches

Across the three search types analyzed, officers reported a higher proportion of supervision only searches occurred during stops for traffic violations (46.9%) and a lower proportion occurred during reasonable suspicion stops (24.6%) and stops with reasons grouped together as “Other” (6.7%).³³⁹ Officers reported conducting a higher proportion of other discretionary

³³⁹ Other reasons for stop that the officer could report included consensual encounter resulting in a search, warrants/wanted person, truancy, investigation to determine whether student violated school policy, and possible violations of the Education

searches during reasonable suspicion stops (44.7%) and a lower proportion during known supervision stops (0.7%).

Figure 50. Reason for Stop by Search Type



We can see from this figure that most of these encounters are not initiated due to supervision status and may not have any nexus to the fact that an individual is on supervision. For example, just over one in five Supervision Only Searches (21.8%) occurred during a stop where the primary reason for the stop was that the person stopped was known to be on supervision, and stopped primarily because of their supervision status, i.e. non-criminal activity. Moreover, the highest proportion of stops that resulted in supervision only searches began with traffic violations (46.9%), where officers searched individuals for no reason other than the fact that they were on supervision.

The reason for stop distribution for each type of search varied by racial/ethnic group. Of stops where officers indicated that they conducted a supervision only search, Black individuals had higher proportions of being stopped for a traffic violation (58.2%) while White individuals had higher proportions of being stopped for reasonable suspicion (36.7%). Furthermore, of stops where officers conducted a supervision only search, Native Americans had higher proportions of being stopped for both known supervision (32.2%) and reasons grouped together as “Other” (12.6%).

Of stops where officers indicated that they conducted a supervision plus search, Black individuals had higher proportions of being stopped for a traffic violation (48.6%) and White individuals had higher proportions of being stopped for reasonable suspicion (38.6%). Multiracial individuals had higher proportions of being stopped for known supervision (18.6%)

Code. These Primary Reason for Stop categories are combined in this section under the category of “Other.” See Appendix Table A.21 for a breakdown of all stop reasons reported by race/ethnicity for each type of search analyzed in this section.

and Native American individuals had higher proportions of being stopped for reasons grouped together as “Other” (22.4%).

Lastly, of stops where officers indicated that they conducted other discretionary searches, Hispanic individuals had higher proportions of being stopped for a traffic violation (46.5%) while Asian (52.5%) and Pacific Islander individuals (52.4%) had higher proportions of being stopped for reasonable suspicion. Of stops where officers conducted other discretionary searches, Native American individuals had higher proportions of being stopped for known supervision (1.7%) and reasons grouped together as “Other” (25.3%).

Figure 51. Reason for Stop for Supervision Only Searches by Race/Ethnicity

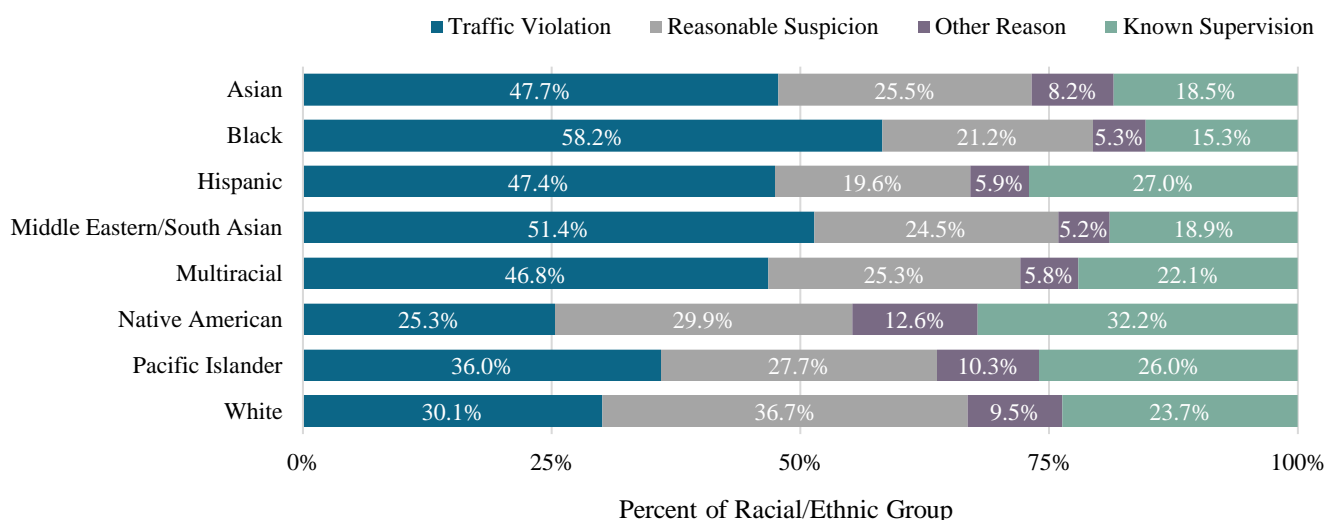


Figure 52. Reason for Stop for Supervision Plus Searches by Race/Ethnicity

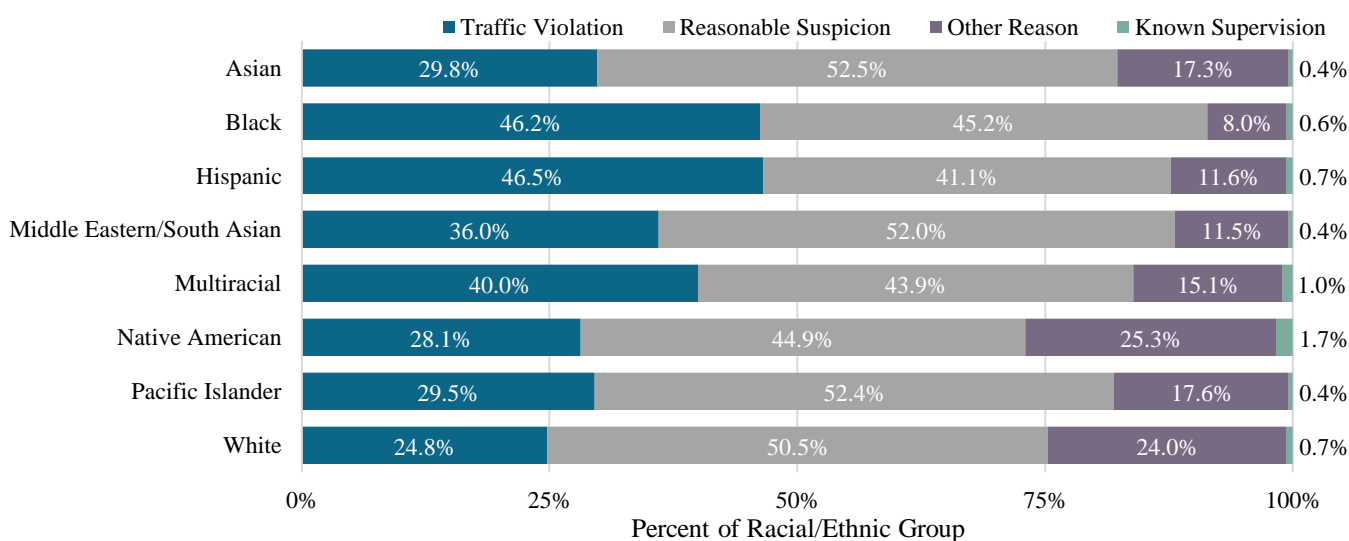
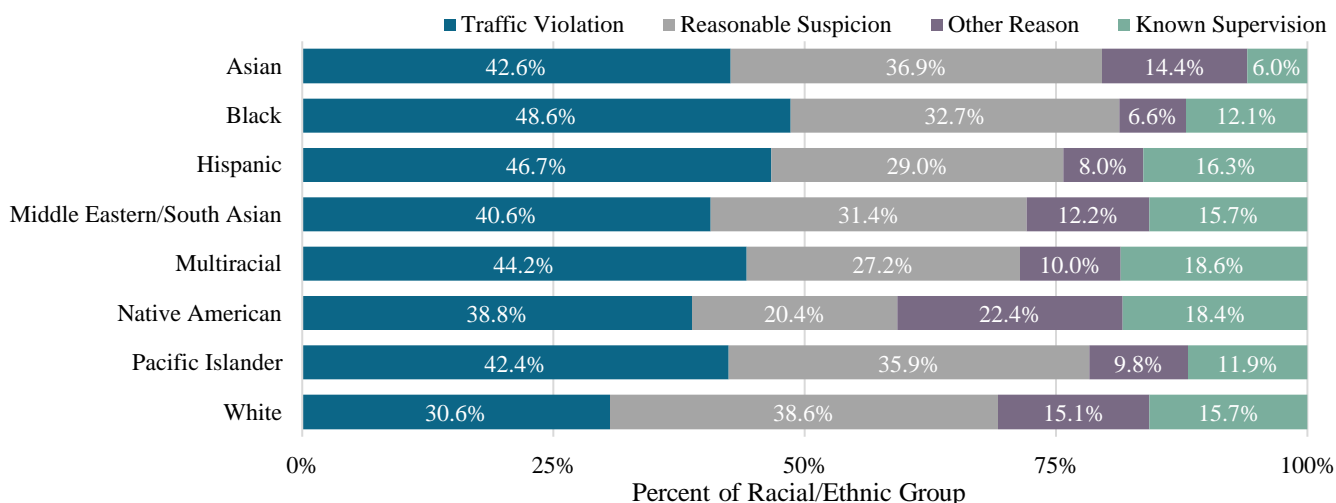


Figure 53. Reason for Stop for Other Discretionary Searches by Race/Ethnicity



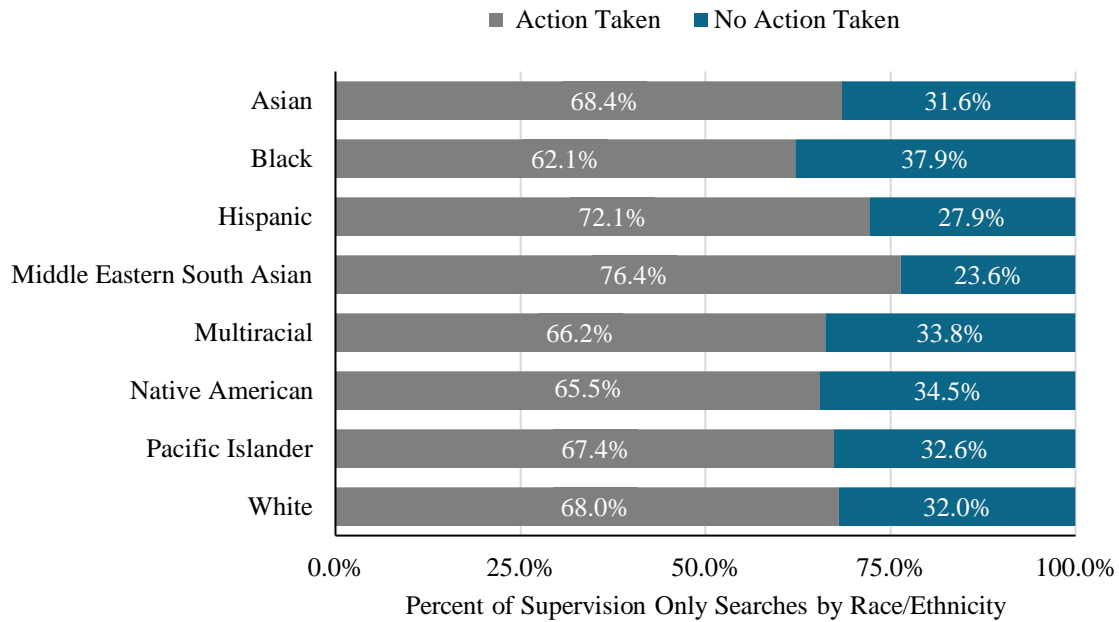
Generally, traffic stops are the most frequent reason officers interact with stopped individuals, and therefore, the data related to how those interactions play out is important. The data shows that for supervision only stops and supervision plus searches, approximately a quarter to 30 percent began as traffic stops for individuals perceived as White, whereas for individuals perceived as Black, just over 58 percent of supervision only searches and 48.6 percent of supervision plus searches began as a traffic stop.

c. Results of Stop for Condition of Supervision Only Searches

Another important consideration is the ultimate result or outcome of these supervision stops and searches. Overall, during stops in which officers conducted a supervision only search, 32.5 percent of individuals had no reportable actions taken towards them as a result of the stop. Action rates for supervision only searches varied between racial/ethnic groups. Officers reported taking no action as the result of stop most frequently during stops of individuals they perceived to be Black (37.9%). Officers tended to take no action as the result of stop least often (23.6%) during stops of individuals they perceived to be Middle Eastern/South Asian.

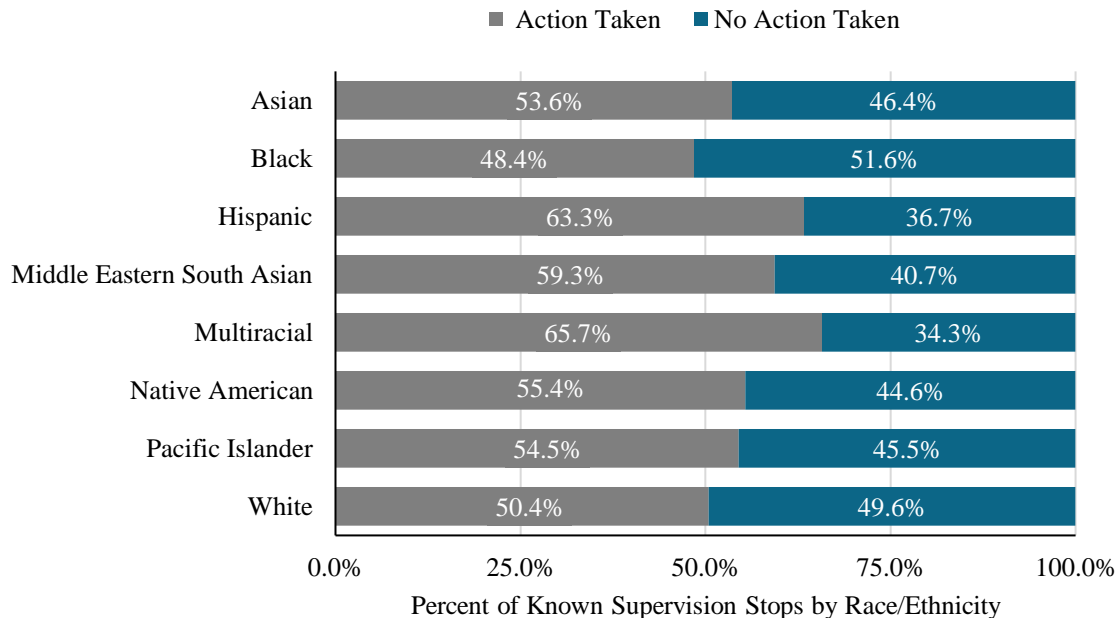
d. Results of Stop for Condition of Known Supervision Stops

Figure 54. Stop Result for Supervision Only Searches by Race/Ethnicity



Overall, of stops where officers reported known supervision as the reason for stop, 44.0 percent of individuals had no reportable actions taken towards them as a result of the stop. Officers reported taking no action as the result of stop most frequently during known supervision stops of individuals they perceived to be Black (51.6%). Officers tended to take no action as the result of stop least often (34.3%) during known supervision stops of individuals they perceived to be Multiracial.

Figure 55. Stop Result for Known Supervision Stops by Race/Ethnicity



Similarly to consent searches, stops where an officer does not take an action at the end of the encounter should be examined closely to determine if bias or disparate treatment may be a cause for the initial reason for stop.³⁴⁰ These results coupled with low search yield rates may be an indicator that there is lack of a sufficient justification to initiate a stop or search in the first place. A close examination of the data reveals that there may be concrete policy changes agencies can make now – such as prohibiting supervision inquiries and limiting supervision searches – that will greatly reduce disparate treatment of individuals.

iii. [Research on Model Policies/Language Limiting/Prohibiting Probation Inquiries/Searches](#)

Limiting Supervision Inquiries:

As with consent searches, the Board believes law enforcement agencies can begin to mitigate racial and identity disparities with respect to supervision by first examining who is being asked if they are on supervision.

In a study reviewing Oakland Police Department’s (OPD) stop data and comparing it to body worn camera footage, researchers found “officers were more likely to mention the word probation in conversations with African American community members” and also used more severe legal words – such as “arrest” or “prison” – in comparison to White community

³⁴⁰ See U.S. Dept. of J., Civil Rights Div., Investigation of the Baltimore City Police Dept., *supra* note 154, at p. 28.

members.³⁴¹ The study further found that “93% of probation/parole searches were of African Americans and Hispanics.”³⁴²

The OPD study also affirmed that Black and Hispanic/Latine(x) residents generally felt more disrespected and misunderstood by police than White or Asian residents.³⁴³ “Many respondents of color described feeling singled out, subject to increased scrutiny, or differentially treated because of their race when officers pulled them over.”³⁴⁴ After concluding the survey, researchers recommended that law enforcement agencies monitor public opinions of the police and experiences to help shape policy reforms.³⁴⁵

“Given that many of the underlying offenses that trigger supervision, as well as the stops and arrests that can lead to violation proceedings, stem from over-policing, particularly in poor and minority communities, [we must] develop and implement a plan, with specific metrics, to reduce disparate treatment of people based on race, poverty, and geography.”
– Human Rights Watch & ACLU, see footnote 347.

Municipalities and agencies need to evaluate whether asking someone if they are on supervision, without a specific law enforcement objective, is worth the significant negative consequences to police-community relations. For OPD, it was not. Instead, OPD acknowledged that even a simple inquiry into someone’s supervision status is intrusive; OPD then decided to prohibit inquiries into a person’s supervision status in an effort to rebuild community trust through transparency.³⁴⁶

The San Diego Police Department (SDPD) also developed a policy prohibiting inquiries into a person’s probation or parole status during a stop. SDPD’s police states that SDPD tracked an increase in civilian complaints raising community concerns related to questions about previous arrests, and/or probation or parole status and presumably this was one factor that went into the policy change.³⁴⁷ SDPD reports the policy is still in effect and it has seen a decrease in complaints since the policy change.

³⁴¹ See Eberhardt, J. L., Stanford Univ. SPARQ, *Strategies for Change: Research Initiatives and Recommendations to Improve Police-Community Relations in Oakland, Calif.* (“Strategies for Change”) (June 2016) p. 17 <<https://stanford.app.box.com/v/Strategies-for-Change>> [as of Dec. 2, 2021].

³⁴² See *id.* at p. 56.

³⁴³ See *id.* at p. 17.

³⁴⁴ See *id.* at p. 35.

³⁴⁵ See *id.* at p. 36.

³⁴⁶ An officer may only inquire into a person’s supervision status if “there is an [i]mmediate [t]hreat to [o]fficer safety or the safety of others.” Oakland Police Dept., *Dept. General Order R-02: Searches of Individuals on Probation, Parole, Mandatory Supervision and PRCS (Post-Release Community Supervision) (“Dept. General Order R-02”)* (Oct. 2019) <<https://public.powerdms.com/oakland/tree/documents/1800988>> [as of Dec. 2, 2021]; see also Tadayon, *New Oakland policy limits when parolees can be searched without a warrant* (July 2019) East Bay Times <<https://www.eastbaytimes.com/2019/07/10/new-oakland-police-policy-limits-warrantless-searches-on-parolees>> [as of Dec. 2, 2021].

³⁴⁷ See Dillon, *SDPD Will Have the Right to Remain Silent on Probation Question* (Apr. 22, 2014) Voice of San Diego <<https://www.voiceofsandiego.org/topics/politics/sdpd-will-have-the-right-to-remain-silent-on-probation-question/>> [as of Dec. 2, 2021]; San Diego Police Dept., Training Bulletin, TB 14-02, *Citizen Contacts – Inquiries of Probation or Parole* (Apr. 9, 2014) <<https://www.voiceofsandiego.org/wp-content/uploads/2014/04/Inquiries-of-Probation-or-Parole.pdf>> [as of Dec. 2, 2021],

Similarly, in an “effort to foster community trust,” Berkeley Police Department implemented a policy stating that officers “should not ask if a person is on probation or parole when a person has “satisfactorily identified themselves.”³⁴⁸ The policy instead encourages officers to simply run a records check on the person during a traffic or investigative stop.³⁴⁹

The officer yelled on the intercom, “Don’t you park your car right there. Move to the other side of the street,” Harvey-Slocum recalled the officer saying to her son. Eagle and Harvey-Slocum had his license and registration ready but said the officer was more concerned with another issue. ‘Are you on probation or parole?’

Eagle is set to graduate with a Master’s in mechanical engineering next fall at the age of 21 and he says to be asked if he’s on probation or parole is tough to reconcile.

‘You can’t really recognize, like, the feelings that you have. I was kind of just blown back,’ Eagle said. But that was not why Harvey-Slocum said she started recording. She said he ran a stop sign, but kept questioning, asking if he’s on probation or parole’... ‘I have worked too hard to get him where he is. I will not bury my son,’ Harvey-Slocum said.”

- Interview of Stacey Harvey-Slocum and Tobias Eagle ³⁵⁰

For law enforcement agencies, prohibiting or limiting probation inquiries is a policy change that could lead to big gains in community trust and respect that ultimately improve public safety. As noted in the sections above, evidence-based searches are more effective at reducing crime and may help improve community relations.

Limiting Supervision Searches:

Another important and related area that agencies may wish to explore is limiting when and how officers conduct supervision searches. For example, not only did OPD limit supervision inquiries, they also limited when an officer should conduct a supervision search. Presently OPD officers may perform a supervision search for an individual convicted of a non-violent offense only if they have reasonable suspicion the person is engaged in criminal activity.³⁵¹ Similarly, Berkeley Police Department does not allow officers to detain or search a person simply because an officer is aware of a person’s probation status.³⁵² Instead, the Berkeley Police Department

Human Rights Watch and ACLU, *Revoked: How Probation and Parole Feed Mass Incarceration in the U.S.* (Aug. 2020), p. 222 <<https://www.hrw.org/report/2020/07/31/revoked/how-probation-and-parole-feed-mass-incarceration-united-states>> [as of Dec. 2, 2021].

³⁴⁸ Berkeley Police Dept., Law Enforcement Services Manual, *Policy 311 Search and Seizure* (“*Policy 311 Search and Seizure*”) (2021), Section 311.5 <https://www.cityofberkeley.info/uploadedFiles/Police/Level_3_-_General/Search_and_Seizure.pdf> [as of Dec. 2, 2021].

³⁴⁹ *Ibid.*

³⁵⁰ Dickerson, *Man says he was ‘blown back’ by interaction with Elk Grove officer* (Sept. 2020) Fox40 KTXL <[man-says-he-was-blown-back-by-interaction-with-elk-grove-officer](https://www.fox40.com/news/man-says-he-was-blown-back-by-interaction-with-elk-grove-officer/)> [as of Dec. 2, 2021].

³⁵¹ See Oakland Police Dept., *Dept. General Order R-02*, *supra* note 346.

³⁵² See Berkeley Police Dept., *Policy 311 Search and Seizure*, *supra* note 348, at Section 311.6.

policy requires the officer to have at a minimum a reasonable suspicion the person is engaged in criminal activity.³⁵³

During the COVID-19 pandemic, some agencies, including the Los Angeles County Probation Department, relaxed probation requirements, such as reducing in home visits or searches to only those at high risk of “reoffending.”³⁵⁴ Both Humboldt County and Sacramento County also implemented similar changes, limiting technical violations as well as suspending searches and arrests to only those that are directly linked to a public safety concern.³⁵⁵

Numerous studies and researchers have found that if the changes like those implemented by Los Angeles County Probation, Humboldt, and Sacramento become permanent, they likely would have “no adverse effect on public safety.”³⁵⁶ These studies demonstrate “what does make a difference increasing public safety is engaging with those on supervision as community members rather than potential reoffenders.”³⁵⁷ Notably, a broad coalition, which includes more than 50 current and former elected prosecutors, 90 current and former probation and parole officials, and currently and formerly supervised people, among others, have called for probation and parole to be “smaller, less punitive, and more equitable, restorative, and hopeful.”³⁵⁸

Given the data, research, and positive outcomes, the Board recommends that California law enforcement agencies adopt policies restricting law enforcement inquiries into supervision status and searches.³⁵⁹

Evidence-Based Policing: Reducing Disparities, Improving Police Tactics & Community Relations:

The Board encourages agencies to monitor and review their data regularly for disparities and explore and implement policy changes that may address those disparities. When looking at supervision data, law enforcement agencies should ask if the practice “helps or hinders

³⁵³ See *id.* at Section 311.5.

³⁵⁴ See White, *Probation Conditions Relaxed During the Pandemic. Some Say They Should Stay That Way (“Probation Conditions Relaxed”)* (June 2020) *The Appeal* <<https://theappeal.org/coronavirus-probation-parole-technical-violations/>> [as of Dec. 2, 2021]; Equal Justice Initiative, *Probation and Parole Driving Mass Incarceration*, *supra* note 332.

³⁵⁵ See *COVID-19 Response* (Mar. 2020) EXiT: Executives Transforming Probation and Parole <<https://www.exitprobationparole.org/covid-19-response>> [as of Dec. 2, 2021].

³⁵⁶ Equal Justice Initiative, *Probation and Parole Driving Mass Incarceration*, *supra* note 332; see also Doleac, *Study after study shows ex-prisoners would be better off without intense supervision* (July 2018) Brookings Institute <<https://www.brookings.edu/blog/up-front/2018/07/02/study-after-study-shows-ex-prisoners-would-be-better-off-without-intense-supervision/>> [as of Dec. 2, 2021].

³⁵⁷ White, *Probation Conditions Relaxed*, *supra* note 354.

³⁵⁸ See, e.g., *Statement on the Future of Probation and Parole in the United States*, EXiT: Executives Transforming Probation and Parole, <<https://www.exitprobationparole.org/statement>> [as of Dec. 2, 2021]; Walker, *Community Supervision Is Overused, Overly Punitive and Fuels Mass Incarceration, Justice Leaders Say* (Dec. 2020) *Witness LA* <<https://witnessla.com/community-supervision-is-overused-and-overly-punitive-and-fuels-mass-incarceration-justice-leaders-say/>> [as of Dec. 2, 2021]; *COVID-19 Response*, EXiT: Executives Transforming Probation and Parole <<https://www.exitprobationparole.org/covid-19-response>> [as of Dec. 2, 2021].

³⁵⁹ See Equal Justice Initiative, *Probation and Parole Driving Mass Incarceration*, *supra* note 332; see also Doleac, *Study after study shows ex-prisoners would be better off without intense supervision*, *supra* note 356.

community-police relations, individuals' rehabilitation process, and the protection of the community from crime."³⁶⁰

The RIPA data collected during 2019 and 2020 indicates that the practice of conducting supervision only searches is not only characterized by racial disparities but also results in low yield rates (17.4% in 2019 and 20.3% in 2020). Given the low yield rates, law enforcement agencies should re-evaluate if it is necessary to search individuals they stop based solely on their supervision status.

In 2020, the state of California passed AB 1950, which reduced the length of probation terms. Proponents of the bill advocated that "reducing the length of probation terms would enable probation officers to more effectively manage their caseloads by focusing resources on those most at risk of reoffending."³⁶¹ Notably, the bill proponents specifically stated that one benefit of this change in policy is to help "end wasteful spending" and reduce the "length of time that a person might be subject to arbitrary or technical violations that result in re-incarceration."³⁶² Here too, by limiting probation inquiries and searches, officers can focus their limited time and resources on the most serious violations.

Recommendations to Agencies, Municipalities, and the Legislature – Supervision Inquiries, Stops, and Searches:

The Board recommends that agencies, municipalities, and the Legislature institute policies to prohibit or limit supervision inquiries. Additionally, the Board recommends prohibiting officers from detaining or searching a person simply because an officer is aware of a person's supervision status. Instead, the officer should have at a minimum a reasonable suspicion the person is engaged in criminal activity. Both of these policy changes can lead to big gains in community trust and respect that ultimately improve public safety and save officers time, while also preventing unlawful profiling and unnecessary detention and harassment of individuals not suspected of any illegal conduct.

³⁶⁰ Eberhardt, *Strategies for Change*, *supra* note 341, at p. 56.

³⁶¹ Sen. Rules Com., Off of Sen. Floor Analyses, 3d reading analysis of Assem. Bill No. 1950 (2019-2020 Reg. Sess.).

³⁶² *Ibid.*

3. Pretext Stops

“Traffic stops . . . are the most common entry point for contact between civilians and the police. And the harms that can accompany a traffic stop encompass far more than physical violence. . . . Even the most routine stop can cause apprehension or fear, for some. And a resulting ticket or fine can have devastating effects on the driver. For example, drivers who cannot afford to pay the fine often lose their license. As a result, those who need a license to work will lose their jobs. And that in turn makes it harder for them to pay their fines and have their license reinstated. The stakes for ensuring even-handed traffic enforcement are high. And traffic enforcement is not even-handed. The evidence is clear: [B]lack drivers are more likely to be stopped than [W]hite drivers”

– Rohit Asirvatham & Michael Frakes, et. al., Duke Law School, see footnote 363

A pretext stop is when an officer stops someone for a traffic violation or minor infraction with intention to use the stop to investigate a hunch that by itself would not amount to reasonable suspicion or probable cause.³⁶³ As noted in the Consent Searches section of this report, an officer may pull someone over for a broken tail light, but then ask a person to search their vehicle or person. There would be no reason to conduct a search based upon the broken tail light, and therefore, the officer is using the stop as a pretext to investigate something unrelated to the stop.³⁶⁴ During a pretextual stop, officers often ask the person stopped for consent to search in order to find evidence of a different crime.

In the analysis above, the Board explored the data related to consent searches, which revealed that people of color were disproportionately asked for consent to search. Given the serious questions raised by the disparate outcomes in the consent data, the Board wanted to evaluate the different types of traffic violations that may be ripe for pretextual stops. In this year’s report, the Board first identifies the most common types of traffic stops across the race/ethnicity demographic collected by the data.

i. Data Analyses

a. Traffic Violation Type

When an officer indicates that the primary reason for a stop was a traffic violation, they must also select the type of violation associated with the stop.³⁶⁵ Officers may select from three types of traffic violations: moving, non-moving, and equipment. Moving violations were the most common type of traffic violation officers listed as the primary reason for conducting stops

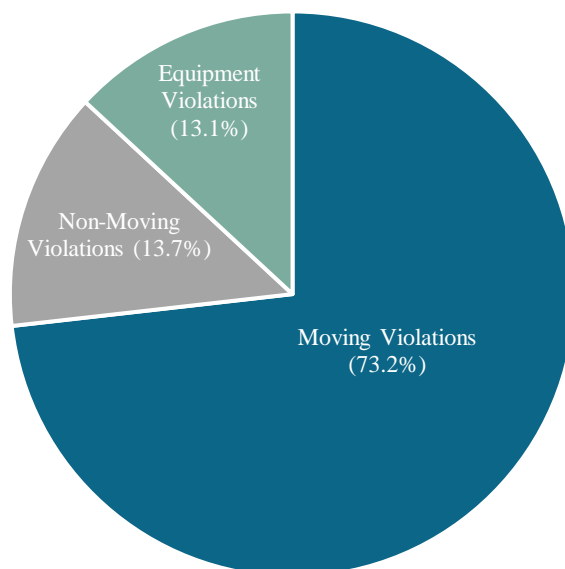
³⁶³ See generally Asirvatham and Frakes, *Are Constitutional Rights Enough? An Empirical Assessment of Racial Bias in Police Stops* (Aug. 2020) Duke L. School Public L. & Legal Theory Series No. 2020-56 <<http://dx.doi.org/10.2139/ssrn.3673574>> [as of Dec. 2, 2021].

³⁶⁴ See generally *Ibid.*

³⁶⁵ See Cal. Code Regs., tit. 11, § 999.226, subd. (a)(10)(A)(1) for information on the data elements required to be reported by officers for stops involving traffic violations as the primary reason for stop.

(73.2%), followed by non-moving violations (13.7%), and lastly, equipment violations (13.1%).³⁶⁶ Non-moving and equipment violations were grouped together for analyses, in part, due to the similarities of the Vehicle Code sections officers reported across the two violation types.³⁶⁷

Figure 56. Traffic Violation Type

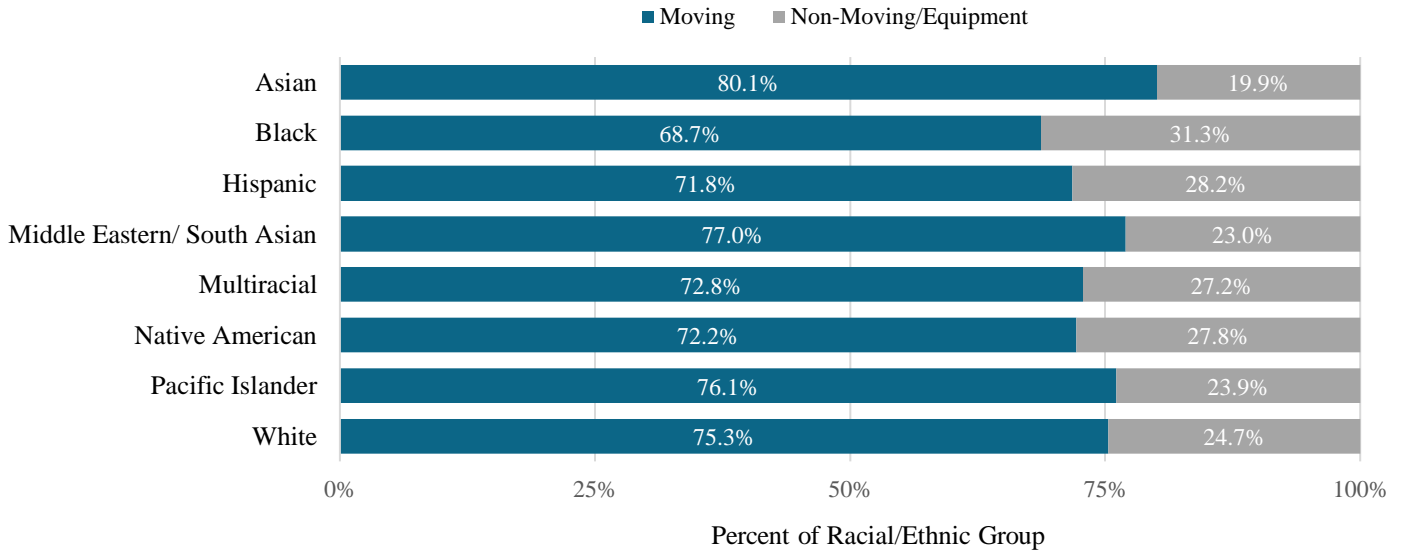


Rates of traffic violation type reported by officers varied by racial/ethnicity group. Officers reported higher proportions of moving violations for Asian individuals (80.1%) while reporting higher proportions of non-moving/equipment violations for Black individuals (31.3%) relative to other racial/ethnic groups. The proportion of traffic stops for moving violations were 4.8 percent higher for individuals perceived to be Asian than individuals perceived to be White. The proportion of traffic stops for non-moving equipment violations were 6.6 percent higher for individuals perceived to be Black than for individuals perceived to be White.

³⁶⁶ Due to a technical error, 20 records are missing information for the type of traffic violation.

³⁶⁷ The Vehicle Code sections “no registration,” “display of plates/tags,” and “failure to comply with commercial vehicle rule” made up 51.4 percent of non-moving violations and 42.8 percent of equipment violations.

Figure 57. Traffic Violation Type by Race/Ethnicity



b. Vehicle Code Sections Reported by Violation Type (Moving vs. Non-Moving/Equipment)

Figure 57 displays the top five Vehicle Code sections reported for moving violations, both overall and then repeated without including data from the CHP.³⁶⁸ Across both analyses, officers reported the same top five moving violations and reported the highest proportion for speeding-related violations. When CHP is removed from analysis, the proportion of speeding-related and unsafe lane change/turn violations reported decreased while the proportion of failure to stop at limit line, failure to obey traffic sign, and cellphone violations reported increased.³⁶⁹

³⁶⁸ Due to similarities among some of the Vehicle Code sections, we categorized similar codes together for purposes of analysis. For example, Cal. Veh. Code §§ 23123.5, (no handheld device while driving) and 23123 (no wireless telephone while driving without a hands-free device) were grouped together to create a category labeled “Cellphone Violation.” Please see Appendix Table B.1.1 for information on the specific Vehicle Code sections grouped together for analysis. Additionally, all descriptive statistics for the top five Vehicle Code sections are provided in Appendix Table B.1.2 for moving violations and Appendix Table B.1.3 for non-moving/equipment violations.

³⁶⁹ The California Highway Patrol accounts for a large proportion of stop records from 2020 (57.7%). Given that the practices of municipal agencies’ traffic enforcement differ substantially from those of a state patrol agency, like the California Highway Patrol, the Board also performs tests for disparities while only examining municipal agency data.

Figure 58. Top Five Moving Violation Codes

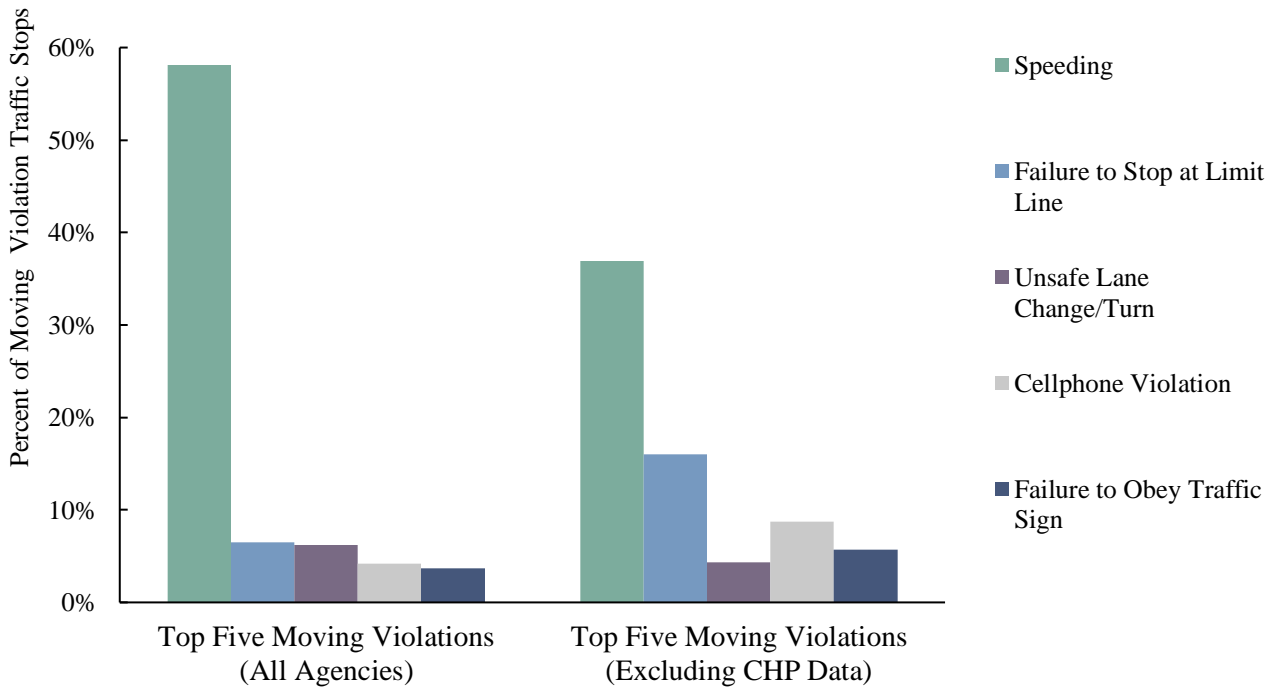


Figure 58 displays the top five Vehicle Code sections reported for non-moving/equipment violations, both overall and repeated without including data from the CHP. Officers reported the highest proportions for no registration, display of license plates/tags, vehicle lighting equipment, and obstructed window violations both with and without CHP data. When examining the data from all agencies, cellphone violations are the fifth highest violation reported by officers, while bike light violations are the fifth highest when CHP records are excluded.³⁷⁰

³⁷⁰ Bike light violations are identified the same way as the other offense types in this analysis, by identifying a specific vehicle code section – Cal. Veh. Code § 21201(d) – in the offense code field for stops where the primary reason for stop was a traffic violation. A proposal to amend the RIPA regulations under current consideration would add an additional field to the stops data collection form where officers would identify that the person stopped is a bicyclist, regardless of whether the bicycle was relevant to the reason for stop; however, in 2020, this was not a field that existed within the RIPA data. See Calif. Dep. of J., Proposed Text of Modified Regulations, *supra* note 74.

Figure 59. Top Five Non-Moving/Equipment Violation Codes

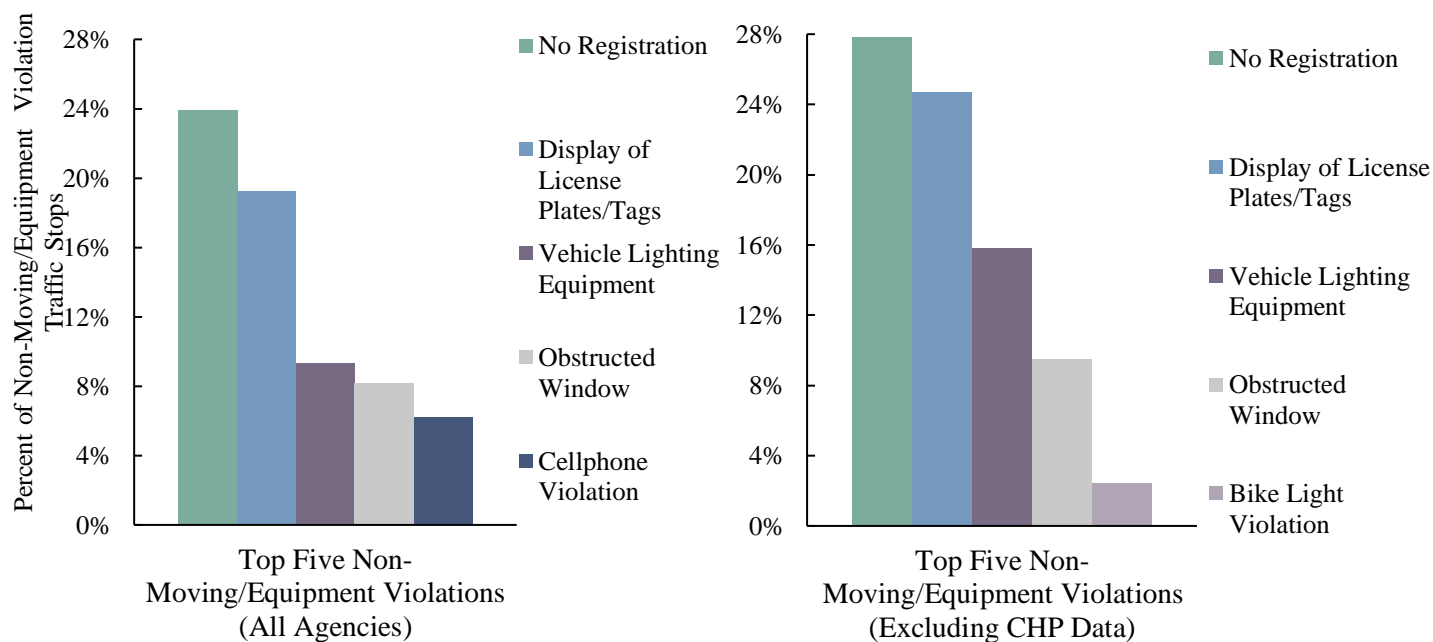


Table 5 displays the top five moving violation Vehicle Code sections across all agencies by the reported race/ethnicity of stopped individuals.³⁷¹ Speeding, failure to stop at limit line, cellphone violation, unsafe lane changes or turn, and failure to obey traffic sign were the top five Vehicle Code sections reported for moving violations across all racial/ethnic groups. White individuals had higher proportions of speeding violations (63.4%) while officers reported stopping a smaller proportion of Black individuals for speeding (52.4%). Officers reported higher proportions of violations relating to failing to stop at limit line for Asian individuals (8.6%) and reported lower proportions for individuals grouped in the “Other” category (5.5%).³⁷²

Officers reported higher proportions of cellphone violations for Asian individuals (5.6%) and lower proportions for Black individuals (3.4%). Individuals grouped in the “Other” category had higher proportions of unsafe lane change/turn violations reported (7.9%) while White individuals had lower proportions reported (5.3%). Lastly, officers reported higher proportions of failure to obey traffic sign violations for Asian individuals (4.6%) and lower proportions for White individuals (3.3%).

³⁷¹ The table from which officers select the primary reason for stop offense code is not dependent upon the violation type (i.e., whether officers select moving or non-moving violation). With the exception of registration violations, the RIPA regulations do not dictate what traffic violation type applies to which offense codes. Accordingly, in practice, officers vary in what traffic violation types they tend to select for stops made for some offense codes. For example, some officers may select that a stop for a violation of Cal. Veh. Code § 23123(a) – a cell phone violation – is a moving violation, while others may select that the stop was for a non-moving violation.

³⁷² Due to relatively low frequencies, stopped individuals perceived to be Middle Eastern or South Asian, Native American, Pacific Islander, or Multiracial were combined into the “Other” category for analyses presented in the Pretext Stops Section of this report.

Table 5. Top Five Moving Violation Codes by Race/Ethnicity (All Agencies)

Race/Ethnicity	Asian	Black	Hispanic	Other	White
Top Offense	Speeding (60.7%)	Speeding (52.4%)	Speeding (55.5%)	Speeding (60.6%)	Speeding (63.4%)
Second Offense	Failure to Stop at Limit Line (8.6%)	Unsafe Lane Change/Turn (7.2%)	Failure to Stop at Limit Line (6.7%)	Unsafe Lane Change/Turn (7.9%)	Failure to Stop at Limit Line (5.9%)
Third Offense	Unsafe Lane Change/Turn (7.0%)	Failure to Stop at Limit Line (6.9%)	Unsafe Lane Change/Turn (6.7%)	Failure to Stop at Limit Line (5.5%)	Unsafe Lane Change/Turn (5.3%)
Fourth Offense	Cellphone Violation (5.6%)	Cellphone Violation (3.4%)	Cellphone Violation (3.9%)	Cellphone Violation (4.8%)	Cellphone Violation (4.5%)
Fifth Offense	Failure to Obey Traffic Sign (4.6%)	Failure to Obey Traffic Sign (3.4%)	Failure to Obey Traffic Sign (3.9%)	Failure to Obey Traffic Sign (4.2%)	Failure to Obey Traffic Sign (3.3%)

When CHP data is excluded from analysis, the same violations (speeding, failure to stop at limit line, cellphone violation, unsafe lane change or turn, and failure to obey traffic sign) were identified as being the top five moving violations reported by officers across all racial/ethnic groups, with the exception of Black individuals (Table 5). Speeding, failure to stop at limit line, cellphone violation, display of plates/tags, and no registration violations were identified as being the top five moving violations for Black individuals. However, registration and display of plates/tags violations fall under the non-moving type of traffic violation and thus, may be a reporting error. When these are removed from the analysis, unsafe lane change (4.9%) and failure to obey traffic sign (3.8%) are identified in the top five moving violations reported by officers for Black individuals.

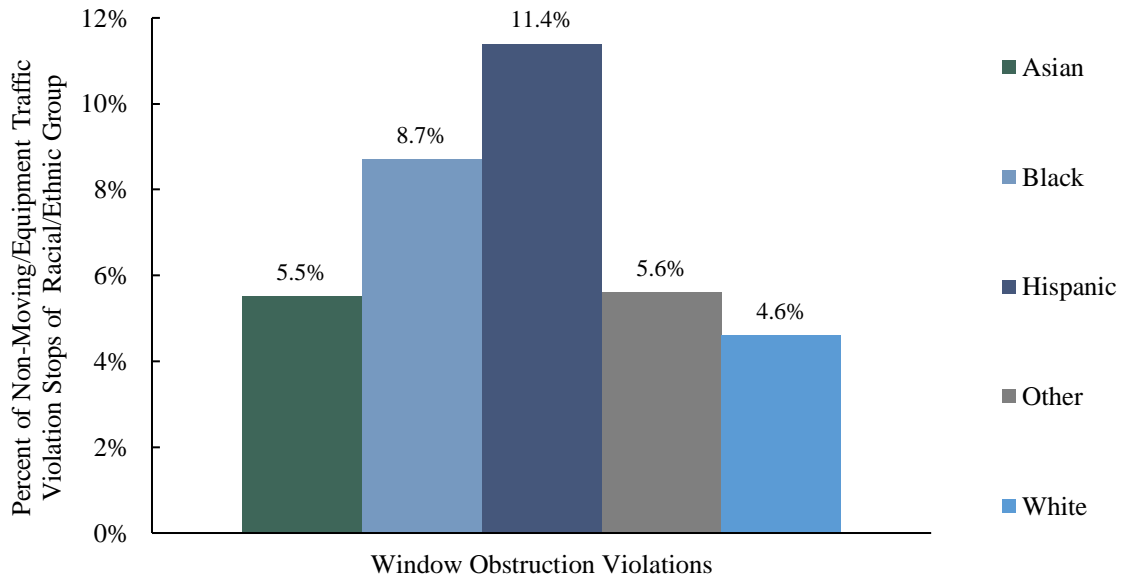
Table 6. Top Five Moving Violation Codes by Race/Ethnicity (Excludes CHP Data)

Race/Ethnicity	Asian	Black	Hispanic	Other	White
Top Offense	Speeding (35.8%)	Speeding (30.3%)	Speeding (35.5%)	Speeding (42.0%)	Speeding (43.3%)
Second Offense	Failure to Stop at Limit Line (21.3%)	Failure to Stop at Limit Line (14.9%)	Failure to Stop at Limit Line (15.5%)	Failure to Stop at Limit Line (16.0%)	Failure to Stop at Limit Line (16.4%)
Third Offense	Cellphone Violation (14.3%)	Cellphone Violation (6.0%)	Cellphone Violation (7.7%)	Cellphone Violation (11.4%)	Cellphone Violation (11.1%)
Fourth Offense	Failure to Obey Traffic Sign (7.4%)	Display of Plates/Tags (5.2%)	Failure to Obey Traffic Sign (5.6%)	Unsafe Lane Change/Turn (6.3%)	Failure to Obey Traffic Sign (6.0%)
Fifth Offense	Unsafe Lane Change/Turn (5.6%)	No Registration (5.1%)	Unsafe Lane Change/Turn (4.3%)	Failure to Obey Traffic Sign (6.2%)	Unsafe Lane Change/Turn (4.3%)

Compared to moving violations, the top five California Vehicle Code sections reported for non-moving and equipment violations were more variable across racial/ethnic groups (Table 6). No registration, display of plates/tags, and vehicle lighting equipment were identified as being in the top five non-moving/equipment violations reported by officers across all racial/ethnic groups. Officers reported higher proportions of stops based on no registration violations for Black individuals (28.2%) and the lowest for individuals grouped in the “Other” category (16.6%). For display of plates/tags violations, officers reported higher proportions of stops for Black individuals (26.0%) and lower proportions of stops for Hispanic/Latine(x) individuals (16.1%).

Black, Hispanic/Latine(x), and White individuals were the only groups where window obstruction violations were identified as the basis for stop among their top five non-moving/equipment violations reported by officers. Compared to White individuals (4.6%), officers reported nearly 2.5 times more stops based on window obstruction violations for Hispanic/Latine(x) individuals (11.4%) and 1.9 times more for Black individuals (8.7%).

Figure 60. Obstructed Window Non-Moving/Equipment Traffic Violations by Race/Ethnicity (All Agencies)



Asian individuals, individuals in the “Other” racial/ethnic group, and White individuals were the only groups where cellphone violations were identified among their top five non-moving/equipment violations reported by officers, ranging from 7.9 percent for White individuals to 14.1 percent for Asian individuals. Lastly, failure to obey traffic lane signs was identified among the top five non-moving/equipment violations reported for Asian (6.1%) and Black individuals (3.5%) while failure to comply with a commercial vehicle rule was identified in the top five for Hispanic/Latine(x) individuals (6.1%) and individuals grouped in the “Other” category (11.5%).

Table 7. Top Five Non-Moving/Equipment Violation Codes by Race/Ethnicity (All Agencies)

Race/Ethnicity	Asian	Black	Hispanic	Other	White
Top Offense	No Registration (19.8%)	No Registration (28.2%)	No Registration (21.5%)	Display of Plates/Tags (16.9%)	No Registration (27.0%)
Second Offense	Display of Plates/Tags (19.2%)	Display of Plates/Tags (26.0%)	Display of Plates/Tags (16.1%)	No Registration (16.6%)	Display of Plates/Tags (19.4%)
Third Offense	Cellphone Violation (14.1%)	Window Obstruction (8.7%)	Window Obstruction (11.4%)	Failure to Comply with Commercial Vehicle Rule (11.5%)	Vehicle Lighting Equipment (10.1%)
Fourth Offense	Vehicle Lighting Equipment (10.5%)	Vehicle Lighting Equipment (8.0%)	Vehicle Lighting Equipment (9.6%)	Cellphone Violation (9.2%)	Cellphone Violation (7.9%)
Fifth Offense	Failure to Obey Traffic Lane Signs (6.1%)	Failure to Obey Traffic Lane Signs (3.5%)	Failure to Comply with Commercial Vehicle Rule (6.1%)	Vehicle Lighting Equipment (8.0%)	Window Obstruction (4.6%)

When CHP data is excluded from analysis, display of plates/tags, no registration, vehicle lighting equipment, and obstructed window violations were identified as being in the top four non-moving/equipment violations reported by officers across all racial/ethnic groups (Table 7). The fifth most common non-moving/equipment violation reported by officers differed across racial/ethnic groups. Officers reported cellphone violations as the fifth most common non-moving/equipment violation for Asian individuals and White individuals. The fifth most common non-moving/equipment violation reported by officers for Black individuals was parking violations. Lastly, the fifth most common non-moving/equipment violation reported for Hispanic/Latine(x) individuals was bike light equipment violations and local ordinance violations were reported as the fifth most common non-moving/equipment for individuals grouped together in the “Other” category.

Table 8. Top Five Non-Moving/Equipment Violation Codes by Race/Ethnicity (Excludes CHP Data)

Race/Ethnicity	Asian	Black	Hispanic	Other	White
Top Offense	No Registration (23.3%)	Display of Plates/Tags (30.2%)	No Registration (26.0%)	Display of Plates/Tags (26.9%)	No Registration (31.1%)
Second Offense	Display of Plates/Tags (22.9%)	No Registration (28.9%)	Display of Plates/Tags (22.2%)	No Registration (23.5%)	Display of Plates/Tags (24.2%)
Third Offense	Vehicle Lighting Equipment (21.7%)	Vehicle Lighting Equipment (12.0%)	Vehicle Lighting Equipment (16.7%)	Vehicle Lighting Equipment (16.5%)	Vehicle Lighting Equipment (17.5%)
Fourth Offense	Window Obstruction (6.8%)	Window Obstruction (10.8%)	Window Obstruction (12.0%)	Window Obstruction (6.9%)	Window Obstruction (4.4%)
Fifth Offense	Cellphone Violation (4.7%)	Parking Violation (2.4%)	Bike Light Equipment (2.9%)	Local Ordinance Violation (4.5%)	Cellphone Violation (3.2%)

Delving into stops of members of the public for bike light violations can tell us a lot about pretext stops and racial and identity profiling in law enforcement. These stops, like vehicle stops, can and have turned deadly.³⁷³ In 2020 Dijon Kizsee, a young Black man, lost his life to a LASD deputy during a stop for riding a bike on the wrong side of the street, prompting weeks of protests calling for justice and accountability.³⁷⁴

A Los Angeles Times investigation uncovered that LASD deputies search 85% of bike riders whom deputies stop, and seven in 10 stops involve Hispanic/Latine(x) individuals.³⁷⁵ Bicyclists also explained they were often asked if they were on supervision or if they had any weapons on them, demonstrating that these stops may be pretextual.³⁷⁶

To illustrate this, Ojmarrh Mitchell, a criminology professor at Arizona State University who co-wrote a 2016 U.S. Department of Justice report that examined bike stops by the Tampa Police Department, stated: “These stops were made for searches. You’ve committed this tiny infraction, and now the officer is asking to run their hands through your pockets or pat you down. It doesn’t make sense unless they were using the stop as a pretext.”³⁷⁷

In the analysis below, the Board reviewed a narrow category of bicycle stops – lighting or biking equipment violations – to investigate potential disparities in these types of stops. The findings

³⁷³ Tchekmedyan, et al., *L.A. sheriff's deputies use minor stops to search bicyclists, with Latinos hit hardest*, Los Angeles Times (Nov. 4, 2021) <<https://www.latimes.com/projects/la-county-sheriff-bike-stops-analysis/>> [as of Dec. 2, 2021].

³⁷⁴ Ibid.

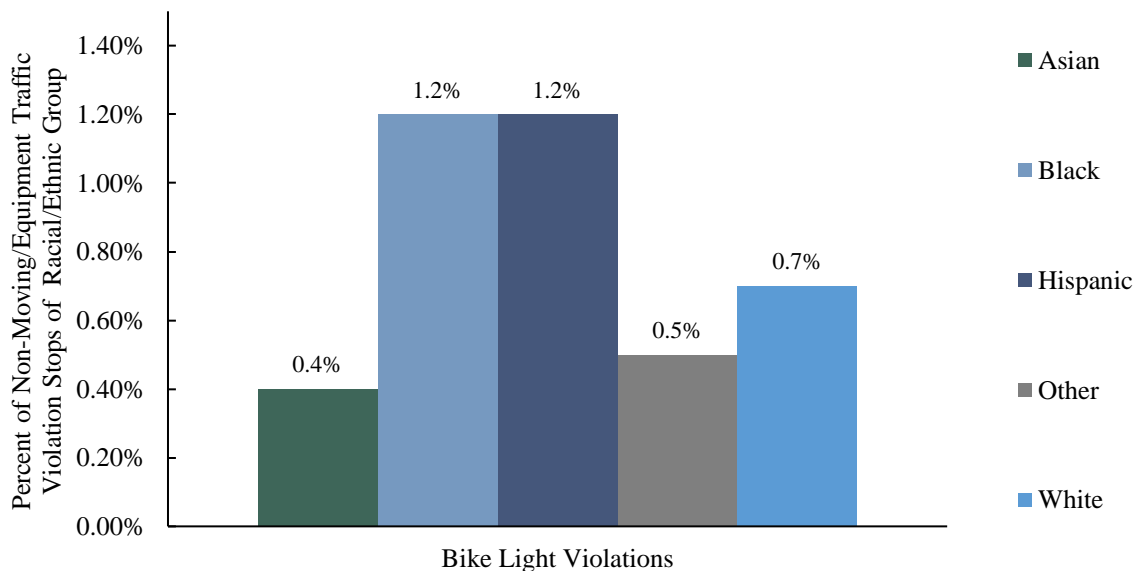
³⁷⁵ Ibid.

³⁷⁶ Ibid.

³⁷⁷ Ibid.

show that a larger proportion of non-moving/equipment violation stops were initiated for bicycle lighting violations for Black and Hispanic/Latine(x) individuals in comparison to White individuals.

Figure 61. Bike Light Non-Moving/Equipment Traffic Violations by Race/Ethnicity (All Agencies)



This analysis is a starting point for the Board and municipalities to begin analyzing their data for enforcement activities that result in disparate treatment and eliminating practices that drive those inequities. For example, the Los Angeles Times investigation also looked at violations for riding on the sidewalk.³⁷⁸ Likewise, in future reports the Board hopes to delve further into these stops and searches to identify data-driven solutions to improve public safety and eliminate pretextual stops.

ii. Data-Driven Solutions to Identify Pretext Stops and their Outcomes

In California and throughout the nation, traffic stops are the number one reason people come into contact with the police, and they can have serious – sometimes even fatal – consequences for those who are stopped.³⁷⁹ “Sandra Bland was pulled over for failing to signal a turn. [. . .] Philando Castile was pulled over because his brake lights were out. Each one the victim of a pretextual stop: when someone is detained for a minor infraction while police seek evidence of a more serious crime.”³⁸⁰

³⁷⁸ Ibid.

³⁷⁹ Asirvatham and Frakes, *Are Constitutional Rights Enough? An Empirical Assessment of Racial Bias in Police Stops*, *supra* note 363.

³⁸⁰ See Hodge and Johnson, *Ending Pretextual Stops is an Important Step Toward Racial Justice* (Dec. 18, 2020) Vera Institute of Justice <<https://www.vera.org/blog/ending-pretextual-stops-is-an-important-step-toward-racial-justice>> [as of Dec. 2, 2021].

As long as an officer can point to an objective reason for the stop, such as a broken tail light, the subjective reason for the stop, even if it is motivated in bias, will not affect the constitutionality of the search. This is because a 1996 Supreme Court case, *Whren v. United States*,³⁸¹ held that the constitutional reasonableness of traffic stops does not depend on the actual motivations of the individual officers involved.³⁸² *Whren* has become one of the most sharply criticized legal decisions of our time.³⁸³

“Whren is in many ways the Plessy of its era. It endorsed racial discrimination, and thereby encouraged its spread.”
– Gabriel J. Chin & Charles J. Vernon,
George Washington Law Review, see
footnote 383

Pretextual stops can be influenced by an officer’s own implicit or explicit bias, as well as agency policies that may focus certain types of enforcement actions in different neighborhoods, which can cause disparities in who is selected for enforcement actions or pulled over in the first place.³⁸⁴

Through analysis of stop data and working with researchers, several police agencies identified disparities in their traffic stops associated with pretextual stops, and then made policy changes to address those issues. For example, a police department near New Haven, Connecticut (discussed above on page 115) previously had a policy of stopping cars for low-level equipment violations and would request consent to search a vehicle. Researchers found that illegal contraband was rarely found during those searches (about 7%).³⁸⁵ As a result, after consulting with community members, they reformed their policies to focus traffic enforcement on hazardous driving behaviors rather than low-level equipment violations. After implementing these changes in conjunction with prohibiting consent searches, the law enforcement agency noticed a lower crime rate (5%), fewer traffic accidents (10%), and a 63% increase in searches yielding contraband.³⁸⁶

Similarly, officers in a police department near Hartford, Connecticut were stopping motorists for lighting violations in nearly 40% of vehicle stops, hoping to catch DUI drivers.³⁸⁷ When the department started working with researchers, they found that only one out of the 1,608 traffic stops for lighting violations resulted in a DUI arrest.³⁸⁸ Not only were these stops ineffective in locating DUI drivers, they were also the primary source of the disparities between White individuals and people of color who were pulled over.³⁸⁹ In response to the disparities

³⁸¹ *Whren v. United States* (1996) 517 U.S. 806, 819.

³⁸² *Id.* at p. 813.

³⁸³ See Chin and Vernon, *Reasonable but Unconstitutional: Racial Profiling and the Radical Objectivity of Whren v. United States* (2015) 83 Geo. Wash. L.Rev. 882, 941; see also *Plessy v. Ferguson* (1896) 163 U.S. 537, the U.S. Supreme Court decision that upheld the constitutionality of racial segregation under the “separate but equal” doctrine.

³⁸⁴ See Ross, et al., *Testing for Disparities in Traffic Stops: Best Practices from the Connecticut Model* (2020) *Criminology and Public Policy*, p. 1297 <<https://onlinelibrary.wiley.com/doi/epdf/10.1111/1745-9133.12528>> [as of Dec. 2, 2021].

³⁸⁵ Examining Equity in Transportation Safety Enforcement, Testimony by Ken Barone before House Com. on Transportation and Infrastructure, Subcom. on Highways and Transit, 117th Congress, 1st Sess. (“Examining Equity”) (Feb. 24, 2021) <<https://transportation.house.gov/imo/media/doc/Barone%20Testimony.pdf>> [as of Dec. 2, 2021].

³⁸⁶ See *Ibid.*

³⁸⁷ *Ibid.*

³⁸⁸ *Ibid.*

³⁸⁹ *Ibid.*

observed, the agency changed its practices. Officers were instead instructed to look for objective evidence of driving under the influence. After making this change, the department found that disparities were reduced and there was an increase in DUI arrests.³⁹⁰

The consequences of pretextual stops can be severe. Over half of all of the police killings in 2020 stemmed from non-violent incidents and over 10% of killings by police began with a traffic stop.³⁹¹ In 2015, Sandra Bland lost her life after a pretextual stop. A police officer targeted her and pulled up so closely behind her that he essentially forced her to get out of his way, and she changed lanes without signaling.³⁹² The officer then pulled her over for failing to signal. The next day Sandra Bland was found deceased in her jail cell after allegedly dying of suicide.³⁹³ This past year, Daunte Wright was shot and killed when a police officer admitted to firing her gun rather than her electronic control weapon (i.e., a Taser).³⁹⁴ Mr. Wright was pulled over for having expired vehicle registration tags and an air freshener hanging from the rear view mirror of the car.³⁹⁵ The Board calls on leaders of law enforcement agencies to examine their own data for disparities and reexamine their use of pretextual stops to avoid such tragic consequences.

Vision for Future Reports

In future reports, the Board will take a deeper look at the statistical data and specific types of stops that may be pretextual and the cause of disparate treatment of individuals. The Board would also like to explore emerging models that separate traffic enforcement from criminal investigations entirely. For example, the Berkeley Police Department in 2021 began the implementation phase of its new traffic enforcement model, allowing traffic enforcement stops only for driver safety-related issues rather than low-level offenses.³⁹⁶

The Board is also interested in exploring jurisdictions that have made legislative or policy changes to prevent officers from enforcing certain traffic code violations. The City of Philadelphia Police Department passed a law in 2021 that prohibits stops of vehicles for minor traffic infractions such as a damaged bumper or an expired registration tag.³⁹⁷ Similarly the city of Minneapolis now prohibits pretextual stops for low-level offenses, and in the state of Virginia officers are banned from making stops for reasons such as tinted windows or the odor of

³⁹⁰ *Ibid.*

³⁹¹ Rummier, *Over Half of Police-Involved Killings in 2020 began after non-violent incidents* (Apr. 12, 2021) Axios <<https://www.axios.com/police-killings-2020-non-violent-incidents-dd3035a9-3182-43b9-9742-1a5f8786ca6c.html>> [as of Dec. 2, 2021].

³⁹² See Montgomery, *Sandra Bland, It Turns Out, Filmed Traffic Stop Confrontation Herself*, The New York Times (May 7, 2019) <<https://www.nytimes.com/2019/05/07/us/sandra-bland-video-brian-encinia.html>> [as of Dec. 2, 2021].

³⁹³ See *Ibid.*

³⁹⁴ Bogel-Burroughs and Bosman, *Police Officer Who Shot and Killed Daunte Wright was Training Others*, The New York Times (Apr. 13, 2021) <<https://www.nytimes.com/2021/04/13/us/minnesota-officer-kim-potter-resigns.html>> [as of Dec. 2, 2021].

³⁹⁵ *Ibid.*

³⁹⁶ Raguso, *Plans firm up to remove police from traffic stops, but it's a long road ahead* (May 25, 2021) Berkeleyside <<https://www.berkeleyside.org/2021/05/25/berkeley-department-of-transportation-civilian-traffic-enforcement>> [as of Dec. 2, 2021].

³⁹⁷ Migdon, *Philadelphia first major city to end minor traffic stops to cut down 'negative interactions' with police* (Nov. 1, 2021) The Hill <<https://thehill.com/changing-america/respect/579410-philadelphia-first-major-city-to-end-minor-traffic-stops-to-cut-down>> [as of Dec. 2, 2021].

marijuana.³⁹⁸ The Board will follow these and other laws to learn more about the effectiveness of these changes.

Recommendations to Agencies, Municipalities, and the Legislature – Pretext Stops and Searches:

We are at a pivotal time where we can embrace change to remedy the disparities shown by the data. The Board calls on policymakers and law enforcement and municipal leaders to consider ways to eliminate pretextual stops and therefore reduce any potential for harm stemming from such stops.

³⁹⁸ Ibid.

RACIAL AND IDENTITY PROFILING POLICIES AND ACCOUNTABILITY

Police action that is based on racial and/or identity bias is illegal. Both the United States and California Constitutions provide for equal protection under the law and the right to be free from unreasonable searches and seizures conducted by the government. Many people have the misconception that profiling or bias-based policing is only about law enforcement’s decision to initiate a stop of an individual; however, bias-based policing can occur at any time during an interaction with police. California law defines racial or identity profiling as “the consideration of, or reliance on, to *any degree*, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop *or* in deciding upon the scope *or* substance of law enforcement activities following a stop. . . .”³⁹⁹ The statute further delineates “activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.”⁴⁰⁰ Given that bias can permeate all law enforcement activities, it is imperative that agencies understand this to properly identify issues and take corrective action where needed.

A. Criteria Used to Evaluate Bias-Free Policing Policies

In its 2019 Report, the Board found that while most agencies did have a specific policy or portion of a policy addressing racial and identity profiling, there was little consistency across agencies in the substance of those policies. Based on this lack of consistency, the Board provided best practice recommendations for bias-free policing policies. In its 2020 Report, the Board built upon this finding and provided model language that law enforcement agencies could include in their bias-free policing policies. Since 2020, the Board reviewed bias-free policing policies for the eight Wave 1 agencies and the seven Wave 2 agencies based on the best practices outlined in the 2019 Report. Those best practice recommendations against which the agency policies were compared include the following:⁴⁰¹

1. **Stand Alone Bias-Free Policing Policy:** each agency should have a separate policy dedicated to bias-free policing that expressly prohibits racial and identity profiling.
2. **Clearly Written Bias-Free Policing Policy:** an agency’s bias-free policing policy should explicitly and strongly express the agency’s core values and expectations when it comes to bias-free policing.

³⁹⁹ Pen. Code, § 13519.4, subd. (e) (emphasis added).

⁴⁰⁰ *Ibid.*

⁴⁰¹ See Racial and Identity Profiling Advisory Board, Annual Report (2021), *supra* note 199, at pp. 27-33.

3. **Easily Accessible Bias-Free Policing Policy:** the policy should be accessible in many formats, such as online, in person at the agency, at other governmental and non-governmental locations, and from agency personnel, if requested.
 - A. When the Board began its review, the posting of policies on an agency website was a best practice recommendation by the Board. Now, California law requires law enforcement agencies to make their policies, including their bias-free policing policies, “easily accessible” to the public by “conspicuously” posting them on their agency websites.⁴⁰² Therefore, each agency identified below must immediately post their policies on their websites in a conspicuous location to comply with state law.
4. **Uses Concrete Definitions of Bias-Free Policing and/or Racial & Identity Profiling:** the agency’s policy should include a robust list of concrete definitions of key terms – such as racial or identity profiling as defined in Penal Code 13519.4, protected classes, and characteristics to ensure principles are consistently applied.
5. **Includes a Component on the Limited Circumstances in which Characteristics of an Individual May be Considered:** the policy must be clear that officers may only take protected characteristics into account in establishing reasonable suspicion or probable cause when those characteristics are part of a specific suspect description based on trustworthy and relevant information that links a specific person to a particular unlawful incident.
6. **Includes a Component on Encounters with the Community:** an agency’s bias-free policing policy should include statements that all personnel should treat all members of the public with courtesy, professionalism, and respect; personnel should not use harassing, intimidating, derogatory, or prejudiced language, particularly when related to an individual’s actual or perceived protected characteristics; officers should introduce themselves to the person being stopped and provide an explanation for the stop as soon as is reasonable and practicable.
7. **Includes a Component on Racial and Identity Profiling Training:** the policy should provide that all agency personnel, including dispatchers and non-sworn personnel, should be educated on bias (explicit and implicit) and be expected to manage their biases so the biases do not affect their behavior; training should be adequate in quality, quantity, and scope and should be provided on a regular basis, consistently evaluated, and updated.
8. **Includes a Component on Data Analysis:** each agency collecting RIPA stop data should consider analyzing their data and civilian complaints; data should be reviewed to identify exceptional and deficient conduct, trends, unexplained disparities, compliance

⁴⁰² See Pen. Code, § 13650.

with policy, and training needs; data should be reviewed when relevant to investigating complaints of bias.

9. **Includes a Component on Requiring Accountability:** the bias-free policing policy should articulate that all agency personnel, including dispatchers and non-sworn personnel, are responsible for knowing and complying with the policy; personnel who engage in, ignore, or condone bias-based policing should be subject to discipline; personnel must report instances of bias they are aware of and the policy should provide details on how to report; retaliation should be prohibited.
10. **Includes Supervisory Review:** overseeing and reviewing the daily activities of police officers is essential to ensuring that the tenets of bias-free policing are integrated fully into the agency's culture. Agency policy should provide that supervisors will establish and enforce the expectation that officers will police in a manner consistent with law and policy; provide leadership, counseling, direction, and support; review documentation, including video from body-worn cameras, of investigatory stops, detentions, searches, and arrests; and take corrective action, requiring training or discipline where appropriate.

In the section below, the Board conducts its review of individual bias-free policing policies of the eleven Wave 3 agencies and twelve Wave 4 agencies that began collecting data in 2021.⁴⁰³

B. Wave 3 and 4 Agencies' Bias-Free Policing Policies Review

Davis Police Department (Davis Police): Davis Police has an 8-page policy that includes cross-references to other departmental policies. Uniquely, this policy states that members of the public may file complaints alleging bias-based policing and that the agency will investigate them all. This kind of cross-policy language is something the Board has not seen before. Moreover, the policy acknowledges that “explicit and implicit bias can occur at both an individual and institutional level” and provides that Davis Police “is committed to addressing and eradicating inappropriate use of biases.”

The policy dedicates approximately three and a half pages to definitions beyond “bias-based policing” and/or “racial and identity profiling,” including, for example, definitions of “explicit or conscious bias,” “implicit or unconscious bias,” “gender identity,” and “discriminatory policing.” Including these definitions helps ensure that Davis Police officers are knowledgeable about the different influences of bias and understand the connection to policing and interacting with the community. This policy also includes a section on “bias-by-proxy,” which contains a definition and outlines responsibilities for officers and dispatchers to be mindful of bias by proxy and share relevant information, as well as giving them discretion to not respond to a bias-based call.

⁴⁰³ The Board highlights all of the policy components reviewed in a matrix starting on page 153. The policies of these law enforcement agencies can be found in Appendix E.

The policy outlines various officer responsibilities, including referring “to all members of the public, including LGBT individuals, using the names, pronouns, and titles of respect appropriate to the individual’s gender identity as expressed or clarified by the individual.” Not only are officers given clear responsibilities to uphold individuals’ constitutional rights but supervisors are provided several ways to review their supervisees’ adherence to this policy. Supervisors are to review documentation, including video from body-worn cameras, of investigatory stops for accuracy, completeness, and adherence to law and departmental policy. Moreover, supervisors are to “lead efforts” to ensure that officers are “working actively to engage the community and increase public trust.” This policy also aims to hold the entire department accountable to their commitment to this policy by including an annual review of public concerns, complaints, and analysis of stop data that will be reviewed to identify any changes in training or operations that should be made; most importantly, this annual review must be reviewed and discussed by supervisors with their supervisees.

Alameda County Sheriff’s Office (Alameda Sheriff): This 2-page policy was last revised in February 2021. The policy includes definitions of “bias-based policing,” “criminal profiling,” and “racial or identity profiling.” The policy provides that bias-based policing is prohibited and all agency “transactions or enforcement” must be based on “legal and articulable standards.” Alameda Sheriff requires all personnel to immediately report incidents or complaints of bias-based policing to their supervisor. Any personnel who engage in bias-based policing will be subject to disciplinary action per policy. The agency’s Law Enforcement Services Contract Services Commander is required to conduct an annual review of the agency’s practices, report this to the Sheriff, and be responsible for taking any appropriate corrective action if bias-based policing is occurring. In addition to citing POST training on racial and identity profiling, the policy directs the Commanding Officer of the Regional Training Center to consult with several partners to ensure “all aspects of bias-based policing are addressed and current.”

The agency provided the Board with a training bulletin on this policy. The bulletin lays out the legal considerations officers must take into account for stops, including the Fourth and Fourteenth Amendments. In addition to constitutional considerations, the bulletin mentions pretextual stops under *Whren v. United States*, noting that while the decision legalizes officer discretion to make pretext stops, race cannot be used as a predictor. Additionally, the bulletin reminds officers that while a stop may be legal under the Fourth Amendment, it may still be illegal under the Fourteenth Amendment.

Kern County Sheriff’s Office (Kern Sheriff): On December 22, 2020, the California Attorney General’s Office entered into a Judgment with Kern Sheriff to reform a wide range of practices, including bias-free policing and use of force. Kern Sheriff is in the process of updating its stand-alone Bias-Free Policing Policy and Use of Force Policies under the oversight of a police practices monitor and the California Department of Justice. Specifically, the Bias-Free Policing Policy is currently being reviewed by their Community-Wide Advisory Council for input from community stakeholders. The agency reported that it will also be developing and implementing further training on bias and laws of arrest principles. For this version of the report, Kern Sheriff provided its current Bias-Free Policing policy. The current 7-page policy includes several

definitions of key terms like “bias-based policing,” “implicit bias,” and “bias by proxy.” There are a few instances where statements are repeated, which can make the policy difficult to follow. The policy also includes detailed information on RIPA. Additionally, the policy directs officers to follow certain strategies when engaging with the community during stops, such as introducing themselves, explaining the reason for the stop, and ensuring the length of the stop is no longer than necessary. Kern Sheriff reports it will be implementing an annual data analysis report that will be released to the public but this data analysis is not yet reflected in the policy still under review and development.

Los Angeles World Airport Police (LAX Police): The LAX Police’s Racial Profiling policy was last revised in January 2014. It provides that all stops and other law enforcement activities must be unbiased and based on reasonable suspicion or probable cause. Racial profiling is defined in the policy. Moreover, the policy states that an officer may not use race or identity to conduct stops and any violation of the policy is “an act of serious misconduct.” LAX Police require their employees to report any violations of this policy. The policy includes a single sentence about POST training and does not provide that officers are expected to learn about and manage biases.

Santa Clara County Sheriff’s Department (Santa Clara Sheriff): The Santa Clara Sheriff adopted General Order 17.12 on March 26, 2021. The Order includes a statement of the agency’s commitment to providing bias-free policing by expressly prohibiting racial and identity profiling. It also calls on officers to employ skills from their training and experience to be aware of implicit bias and bias-by-proxy when carrying out their duties. The Order includes definitions of racial or identity profiling, bias-based policing, explicit and implicit bias, and bias by proxy. The agency’s General Order 11 outlines detailed standards for encounters with the community and expectations of deputies. For example, deputies are expected to treat the public with courtesy and respect; not use harsh, profane, or uncivil language; not discriminate; and promptly and politely provide their name, badge number, and assignment when asked. Santa Clara Sheriff’s supervisory review is reported to be multifaceted and detailed in several General Orders. For example, General Order 10.06 requires supervisors to randomly review body worn camera recordings to ensure that the equipment is operating properly, deputies are using the devices appropriately, and in accordance with policy. The agency is currently evaluating different accountability options and tools specific to RIPA reporting.

Stockton Police Department (Stockton Police): The Stockton Police do not have a bias-free policing policy. In response to the Board’s inquiry, the agency provided the Board with a document entitled “Conduct Toward the Public.” This two-paragraph policy directs personnel to perform their duties in a manner consistent with the agency’s principles as outlined in its mission statement and to adhere to the tenants of procedural justice. Absent from this policy is any mention of the prohibition on racial and identity profiling, discrimination, protected characteristics, training, supervision, or accountability.

Agencies with Lexipol Policies

Sixteen agencies⁴⁰⁴ use policies purchased from Lexipol, which is a private corporation that offers policies through a paid subscription service to law enforcement agencies around the country. Most of the policies are 2-3 pages in length and include nearly identical language with few exceptions, likely because the agencies have not made any changes to the template provided by Lexipol. Lexipol entitles its policy as “Bias-Based Policing,” which implies that the policy governs policing in a biased manner. The Board recommends that Lexipol consider changing its policy to “Bias-Free Policing” to more accurately reflect the goal of the policy to reduce and eliminate biased policing. Globally, these policies include the following components:

- **Purpose and Scope**
- **Definition(s)** – usually only “bias-based policing.”
- **Policy** – a statement that the agency “is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.”
- **Racial/Bias-Based Enforcement Prohibited** – a statement that bias-based enforcement is prohibited, with the caveat that the policy does not “intend[] to prohibit a deputy from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.”
- **California Religious Freedom Act** – prohibits personnel from assisting the federal government and collecting information from individuals based on their religious affiliation, beliefs, practices, national origin, or ethnicity.
- **Member Responsibilities** – a note that department members must report suspected or known bias-based enforcement and intervene when reasonable.
- **Reason for Contact** – a reminder that personnel must be able to articulate sufficient reasons for the contact independent from the protected characteristics of the person.
- **Reporting Stops** – a description of data collected under RIPA and any agency-specific documentation required.

⁴⁰⁴ These agencies include Anaheim Police, Berkeley Police, Cotati Police, Sonoma State University Police, Culver City Police, Fresno Sheriff, Petaluma Police, Riverside Police, Rohnert Park, Santa Ana Police, Santa Rosa Police, San Francisco Sheriff, Sonoma Sheriff, Sonoma County Junior College Police, Ventura Sheriff, and Windsor Police.

- **Supervisor Responsibilities** – provides that supervisors will monitor those under their command, discuss and document any issues, periodically review contacts with the public to ensure they are within agency policy, initiate investigations for potential violations of the policy, and take prompt action to address any retaliation for reporting bias-based behavior.
- **Reporting to California Department of Justice** – outlines who within the agency will be responsible to submit the data to CA DOJ.
- **Administration** – states an annual review will be conducted by the person or unit identified by the agency, that this annual report will be shared with the leader of the agency, and that supervisors will review these reports with their supervisees.
- **Training** – requires officers to partake in POST training and encourages members to “familiarize themselves with and consider racial and cultural differences among members of [their] community.”

Each section may have agency-specific edits, including different but similar titles or a different order than what is shown above. While each agency’s policy may include the aforementioned pieces, it may also not include all of these or it may include additional pieces incorporated by the agency. The descriptions below note any difference from the standard Lexipol policy.

Berkeley Police Department (Berkeley Police): The agency changed the title to “Fair and Impartial Policing” and made some additions that speak specifically to bias-free policing. For example, under the “Policy” section, it states that all enforcement actions must be based on reasonable suspicion or probable cause and officers must be able to articulate specific facts and circumstances to establish this threshold. Following this requirement, the policy indicates that “discrimination or harassment based on a trait or class described above is considered a ‘serious allegation’ of misconduct.” In the “Responsibilities to Report and Take Corrective Action” section, the policy notes that all reports of biased policing will be investigated.

Ventura County Sheriff’s Department (Ventura Sheriff): This policy includes a section added by the Ventura Sheriff, which requires field supervisors to review and ensure there is no personally identifiable information included in the RIPA stop data submissions before their approval. The section on supervisory review is one sentence that requires cross-referencing to another policy.

Riverside Police Department (Riverside Police): Under the “Policy” section, Riverside Police includes the following: “Race, ethnicity or nationality, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or the enforcement of the law.” The section on limited characteristics provides officers can use individual characteristics to establish reasonable suspicion or probable cause in combination with other “legitimate factors” without providing those other factors.

Sonoma County Sheriff's Office (Sonoma Sheriff): The Sonoma Sheriff contractually conducts law enforcement for the Sonoma Police Department and Windsor Police Department. The Sonoma Police Department links to the Sonoma Sheriff's webpage for its policies. Their bias-based policing policy does not include a piece on "Administration."

Santa Ana Police Department (Santa Ana Police): The Santa Ana Police's Bias-Based Policing policy does not include a "component on encounters with the community"; however, this is addressed in the agency's Standards of Conduct policy that delineates what types of behavior against the public would be cause for discipline. This includes but is not limited to discourteous, disrespectful, or discriminatory treatment; use of obscene, indecent, profane, or derogatory language; and any other on- or off-duty conduct that is unbecoming, contrary to good order, efficiency, or morale, or tends to reflect unfavorably upon the agency.

The Board recommends that every law enforcement agency using Lexipol take a proactive role to ensure their policies meet the Board's and other best practice recommendations by critically reviewing the form policy provided to the agency by Lexipol and making revisions to the policies that best reflect the agency's values and incorporate community needs and input. For example, when using concrete definitions in the policy, it is important that agencies use the Penal Code's definition of racial and identity profiling verbatim rather than only citing to the code or summarizing the definition in a manner that does not fully capture the critical parts of the definition.

Wave 3 + 4 Agency	Stand-Alone Bias-Free Policing Policy?	Clearly Written?	Easily Accessible? ⁴⁰⁵	Uses Concrete Definitions of Bias-Free Policing and/or Racial & Identity Profiling	Component on Limited Circumstances in which Characteristics of Individual May Be Considered?
Davis Police	✓	✓	✓	✓	✓
Kern Sheriff	✓	✓	✓	✓	✓
Anaheim Police	✓	✓	✓	✓	✓
Culver City Police	✓	✓	✓	✓	✓
Sonoma Sheriff, Sonoma Police, & Windsor Police ⁴⁰⁶	✓	✓	✓	✓	✓
Fresno Sheriff	✓	✓	✓	✓	✓
Santa Ana Police	✓	✓	✓	✓	✓

Wave 3 + 4 Agency	Component on Encounters with Community?	Component on Racial and Identity Profiling Training?	Component on Data Analysis?	Component on Requiring Accountability?	Supervisory Review?
Davis Police	✓	✓	✓	✓	✓
Kern Sheriff	✓	✓	✗	✓	✓
Anaheim Police	✗	✓	✗	✓	✓
Culver City Police	✗	✓	✗	✓	✓
Sonoma Sheriff, Sonoma Police, & Windsor Police	✗	✓	✗	✓	✓
Fresno Sheriff	✗	✓	✗	✓	✓
Santa Ana Police	✗	✓	✗	✓	✓

⁴⁰⁵ As of January 1, 2020, each law enforcement agency must conspicuously post on their website all current standards, policies, practices, operation procedures, and education and training materials that would otherwise be available to the public through a Public Records Act request. See Pen. Code, § 13650.

⁴⁰⁶ Windsor Police does not have its policies online nor a link to the policies on the Sonoma Sheriff website.

Wave 3 + 4 Agency	Stand-Alone Bias-Free Policing Policy?	Clearly Written?	Easily Accessible?	Uses Concrete Definitions of Bias-Free Policing and/or Racial & Identity Profiling	Component on Limited Circumstances in which Characteristics of Individual May Be Considered?
CSU Sonoma Police	✓	✓	✓	✓	✓
Cotati Police	✓	✓	✓	✓	✓
Rohnert Park	✓	✓	✓	✓	✓
Petaluma Police	✓	✓	✓	✓	✓
Berkeley Police	✓	✓	✓	✓	✓
Ventura Sheriff	✓	✓	✓	✓	✓
Santa Clara Sheriff	✓	✓	✓	✓	✓

Wave 3 + 4 Agency	Component on Encounters with Community?	Component on Racial and Identity Profiling Training?	Component on Data Analysis?	Component on Requiring Accountability?	Supervisory Review?
CSU Sonoma Police	✗	✓	✗	✓	✓
Cotati Police	✗	✓	✗	✓	✓
Rohnert Park	✗	✓	✗	✓	✓
Petaluma Police	✗	✓	✗	✓	✓
Berkeley Police	✗	✓	✗	✓	✗
Ventura Sheriff	✗	✓	✗	✓	✗
Santa Clara Sheriff	✗	✓	✗	✓	✗

Wave 3 + 4 Agency	Stand-Alone Bias-Free Policing Policy?	Clearly Written?	Easily Accessible?	Uses Concrete Definitions of Bias-Free Policing and/or Racial & Identity Profiling	Component on Limited Circumstances in which Characteristics of Individual May Be Considered?
San Francisco Sheriff	✓	✓	✗ ⁴⁰⁷	✓	✓
Sonoma College Police	✓	✓	✗	✓	✓
Riverside Police	✓	✓	✓	✓	✗
LAX Police	✓	✓	✓	✓	✓
Santa Rosa Police	✓	✓	✓	✗	✓
Alameda Sheriff	✓	✓	✓	✓	✗
Stockton Police	✗	N/A	✓ ⁴⁰⁸	N/A	N/A

Wave 3 + 4 Agency	Component on Encounters with Community?	Component on Racial and Identity Profiling Training?	Component on Data Analysis?	Component on Requiring Accountability?	Supervisory Review?
San Francisco Sheriff	✗	✓	✗	✓	✓
Sonoma College Police	✗	✓	✗	✓	✓
Riverside Police	✗	✓	✗	✗	✓
LAX Police	✗	✗	✗	✓	✗
Santa Rosa Police	✗	✗	✗	✓	✓
Alameda Sheriff	✗	✓	✗	✓	✗
Stockton Police	N/A	N/A	N/A	N/A	N/A

⁴⁰⁷ The agency reports its bias-free policing policy is currently undergoing review and approval and therefore it is not posted online.

⁴⁰⁸ The agency does not have a bias-free policing policy to post on its website but its Conduct Towards the Public policy is online.

B. Wave 1 and 2 Agency Bias-Free Policing Policies Follow-Up

In an effort to meet its statutory mandate to “work in partnership with state and local law enforcement agencies,”⁴⁰⁹ the Board followed up with the Wave 1 agencies that did not receive a checkmark on one or more of the best practices outlined above and reported updates in the 2021 Report. The Board continues this follow-up with the Wave 2 agencies; below are updates from the Wave 1 and Wave 2 agencies’ bias-free policing policies.⁴¹⁰

The Board appreciates that agencies have worked to revise their policies to be more in line with the best practices it recommended in 2019.

California Highway Patrol (CHP): CHP developed and published a stand-alone bias-free policing policy in December 2020. The 12-page policy’s purpose “is to establish policy and procedures regarding the collection of demographic data, while emphasizing the Department’s commitment to bias-free policing and the equitable treatment of all during public contacts.” The policy includes definitions and provides that “CHP recognizes that implicit bias can occur at both an individual and institutional level and is committed to addressing and eradicating both.” Additional language in the policy addresses how personnel should engage with members of the public and with each other in order to keep each accountable under this policy. The policy outlines RIPA reporting requirements and includes DOJ’s CJIS 2000 form.

Los Angeles County Sheriff’s Department (LA Sheriff): The LA Sheriff updated its Bias-Free Policing policy effective August 16, 2021. The policy now includes concrete definitions of “racial or identity profiling,” “bias-based policing,” “implicit bias,” “bias by proxy,” and “stop.” The policy also includes a new section on data collection under RIPA and the agency is working on a process to enable auditing and analysis in the future.

San Jose Police Department (San Jose Police): The San Jose Police has not amended their bias-free policing policy since the Board’s review last year. However, it did provide additional information. The policy did not and does not provide a component on the limited circumstances when characteristics can be used because, as reported to DOJ, there is not an exemption in their duty manual to use individual characteristics in policing. The policy does not include a section on training but the agency reports that every sworn member has been trained in Fair and Impartial Policing and Procedural Justice. The policy also does not discuss data analysis; however, the agency reports it participated in a Stop Demographic Study with the University of Texas, El Paso on traffic and pedestrian stops. Lastly, the policy does not discuss supervisory review but San Jose Police reports that any allegation of bias-based policing is investigated by Internal Affairs. Additionally, there is supervisory review of body-worn cameras in the Field Training Operations program, patrol, and when there are indications of civilian complaints.

⁴⁰⁹ See Pen. Code, § 13519.4, subd. (j)(3)(C).

⁴¹⁰ The policies of the California Highway Patrol, LA Sheriff, San Jose Police, Orange County Sheriff, and Fresno Police can be found in Appendix F.

Orange County Sheriff’s Department (Orange County Sheriff): The Orange County Sheriff updated its bias-free policing policy in October 2021. The updated policy now includes components on encounters with the community and supervisory review, which were not included in the previous version. The agency also made updates to include more concrete definitions and a component on bias by proxy. The new section on encounters with the community includes direction to deputies to treat everyone with dignity and not engage in harassing or intimidating activities verbally, in writing, or by gesture. The new section on supervisory review requires supervisors to monitor their subordinates for compliance with the Bias-Free Policing policy and to take action when there are alleged or observed violations of the policy by following the procedure in the agency’s Personnel Complaint policy. In addition to updating its Bias-Free Policing policy, the agency updated Policy 403 on RIPA to include a component on data analysis. This section details that the agency’s Working Group will conduct data analysis on a quarterly basis and that it will be available to the public once it is posted to the agency’s website.

Fresno Police Department (Fresno Police): The Fresno Police updated its Racial Biased Based Policing policy in October 2021 to incorporate a missing component on encounters with the community. The policy now reiterates in two places how personnel should treat those whom they serve. Specifically, under the “purpose and scope” section of the policy, it states that members should not use harassing, intimidating, derogatory, or prejudiced language in relation to an individual’s actual or perceived protected characteristics.

C. Vision for Future Reports

In the coming years, the Board hopes to conduct more comprehensive research – examining both current agency policies and protocols and evidence-based research – into other areas of accountability systems to identify best practices. The Board is also committed to continuing a review of agency policies related to bias-free policing as it relates to various types of law enforcement activities.

D. Accountability Models and Best Practices

In its 2021 Annual Report, the Board identified ten components that make up accountability systems. In this section, the Board reviews policies and practices relating to several elements of accountability systems: auditing practices to enhance integrity of the stop data, use of data for policy change and staff supervision within agencies, and community-based accountability.

1. Auditing Practices to Enhance Integrity of the Stop Data

Auditing can benefit law enforcement agencies in a variety of ways. Audits can allow agencies to: assess the level of accuracy and completeness of data reporting; better understand policies or practices that lead to disparities across racial and other identity groups; assess causes of outlier patterns or unexpected changes in the data; and identify policy and training needs.

To better understand current law enforcement auditing practices in California, the Board reviewed audits of stop data by the Los Angeles Police Commission Office of the Inspector

General, the Oakland Police Department’s Office of the Inspector General, and the Independent Monitor for the Oakland Police Department. Each of these audits included video analysis and, in one example, all agency documentation and video recordings for a subset of incidents were audited. The following section summarizes findings from audits conducted by these independent auditors.

The Los Angeles Police Commission Office of the Inspector General’s Report, Review of Stops Conducted by the Los Angeles Police Department (LAPD), included review of the body-worn and in-car video footage from a small subset (190 stops, or 0.02%) of the 712,408 stops that LAPD reported in their 2019 stop data.⁴¹¹ The OIG aimed to assess the accuracy of the stop data reporting, including the reasons officers reported for stops and searches. The OIG also wanted to better understand the policies and practices that led to racial disparities in officer actions during stops and stop outcomes.⁴¹² The OIG found that about 61 percent of stop records appeared to be fully accurate.⁴¹³ The audit identified underreporting of stops and searches: officers did not report the stops they made in 10 percent of the cases reviewed and officers did not report all of their actions during stops – most often searches – in 18 percent of the stops reviewed.⁴¹⁴ To improve the accuracy of LAPD’s stop data reporting, the OIG recommended that LAPD implement routine auditing, which should include evaluating compliance with reporting of searches, and continuing training about what constitutes a search under the law.⁴¹⁵ The OIG also recommended that, when practical, officers be required to complete their stop data reports immediately after a stop. The OIG recommended that, when this is not practical, officers should review associated video or take other measures to ensure the accuracy of their stop data reports.⁴¹⁶ The OIG’s policy and staff supervision recommendations made as a result of this audit will be discussed in the next section of this chapter.

Assessing outlier patterns in stop data is another component of data validation. Based on observations of outlier patterns or significant unexplained changes in data over time, agencies and their oversight bodies may determine that specific types of auditing would be beneficial, as was the case with the Oakland Police Department OIG and the Independent Monitor for the Oakland Police Department (OPD). These bodies identified an unexplained pattern in the reduction of use of specific types of force across years, which prompted audits for validation purposes.⁴¹⁷ The Independent Monitor reviewed video recordings for 38 arrests that were

⁴¹¹ Office of the Inspector Gen., Review of Stops Conducted by the Los Angeles Police Department in 2019 (Oct. 27, 2020) pp. 1, 48 <https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_d3e88738022547acb55f3ad9dd7a1dcb.pdf> [as of Dec. 2, 2021].

⁴¹² See *id.* at p. 1.

⁴¹³ *Id.* at p. 48.

⁴¹⁴ The audit identified this issue in 25 percent of pat-down searches, 25 percent of searches of a person, and 7 percent of property searches. The OIG suggested that officers may not have realized that pat-down searches were required to be reported and may not have understood that raising a person’s clothing or asking an individual to raise their clothing to examine their tattoos constitutes a search. See *id.* at pp. 49-51.

⁴¹⁵ See *id.* at pp. 6, 51.

⁴¹⁶ See *id.* at p. 50.

⁴¹⁷ See Oakland Police Dept. Office of the Inspector Gen., Special Report: An Assessment of the Oakland Police Department’s Use of Force Reporting, Usage of Portable Digital Recording Devices, and Supervision of Incidents During Arrests for Offenses Where There Is a Significant Chance that Force Would Be Used (“Special Report”) (2019) <<http://www2.oaklandnet.com/oakca1/groups/police/documents/report/oak072446.pdf>> [as of Dec. 2, 2021] (This audit

likely to have involved a use of force and found underreporting of uses of force and a lack of consistency in video activation during arrests.⁴¹⁸ The audit resulted in recommendations that OPD consider policy revisions, training, and interventions to address the underreporting and video activation.⁴¹⁹ The OPD OIG reviewed all documentation and available video recordings of 47 incidents from 2018 to determine if additional types of force were underreported, identify any racial disparities in the underreporting of uses of force, and determine compliance with policies and procedures for using body-worn digital recording devices.⁴²⁰ The OPD OIG found that uses of force involving weaponless defense techniques and the pointing of a firearm were not always reported in accordance with policy and procedures; of the 47 incidents reviewed, there were 18 incidents involving 31 officers not complying with reporting requirements.⁴²¹ The OPD OIG also found that while 60 percent of the individuals arrested were Black individuals, 89 percent of individuals who experienced the pointing of a firearm that officers failed to report were Black.⁴²² Of all individuals identified in the audit that experienced weaponless defense techniques that officers failed to report as a use of force, 80 percent were Black individuals.⁴²³ Black individuals experienced 62 percent of the reported uses of force.⁴²⁴ In September 2018, based on the OPD OIG's preliminary findings, OPD implemented refresher training on use of force reporting requirements and published a Special Order requiring supervisory review of video footage of arrests involving threatening an officer, resisting arrest, or battery on an officer.⁴²⁵ Through the audit, the OIG was able to make specific recommendations for policy revisions and additional training.

Many agencies are beginning to conduct these types of audits. Effective use of body-worn camera footage in data auditing requires effective policies and practices in the use of body-worn cameras. Between 2015 and 2018, the U.S. Department of Justice awarded nearly \$60 million in grant funding to more than 250 law enforcement agencies to deploy body-worn cameras.⁴²⁶ In 2016, researchers found that 53 percent of 129 agencies that received U.S. DOJ grant funding to deploy body-worn cameras allowed supervisors to randomly or periodically review footage to ensure compliance with body-worn camera policy and procedures.⁴²⁷

included review of all documentation and available video footage for 47 incidents from 2018 where there was a high probability that officers would use force.); Warsaw, Fifty-Eighth Report of the Independent Monitor for the Oakland Police Department (Nov. 28, 2018) <<http://www2.oaklandnet.com/oakca1/groups/police/documents/agenda/oak071844.pdf>> [as of Dec. 2, 2021] (This audit reviewed video recordings associated with 38 arrests that appeared likely to have involved a use of force occurring during 2016-2018).

⁴¹⁸ Warsaw, *supra* note 417, at pp. 2-3.

⁴¹⁹ See *id.* at p. 3.

⁴²⁰ See Oakland Police Dept. Office of the Inspector Gen., *Special Report*, *supra* note 417, at pp. 3, 6.

⁴²¹ *Id.* at p. 2.

⁴²² *Id.* at pp. 14-15.

⁴²³ *Id.* at p. 14.

⁴²⁴ *Id.* at p. 15.

⁴²⁵ See *id.* at p. 4.

⁴²⁶ See White and Fradella, *The Intersection of Law, Policy, and Police Body-Worn Cameras: An Exploration of Critical Issues* (2018) 96 N.C. L.Rev. 1579, 1583 <<https://scholarship.law.unc.edu/cgi/viewcontent.cgi?article=6685&context=nclr>> [as of Dec. 2, 2021].

⁴²⁷ See *id.* at p. 1635.

Legal scholars recommend that agencies adopt policy provisions specifying events that officers are required to record on their cameras and clear directives on which incidents must be reviewed by supervisors.⁴²⁸ The Strategies for Change Report by Stanford University’s Social Psychological Answers to Real-World Questions (“SPARQ”) recommends that agencies improve systems for backing up and accessing body-worn camera footage and adopt policies requiring officers to tag footage with an incident number.⁴²⁹ SPARQ also recommends that agencies require officers to self-audit their body-worn camera footage and identify two interactions each month that were especially tense. This practice would better position command staff to help solve problems and offer support.⁴³⁰

Additional best practice recommendations include the use of emerging technology, such as camera activation when an officer’s car door is opened or camera activation when the lights or siren are turned on; establishing a training record; and policies establishing that failure to activate body-worn cameras is subject to discipline; and establishing a framework focused on training and education for initial infractions and providing for progressively more severe discipline when problems persist or worsen.⁴³¹

As one example of an auditing policy involving body-worn cameras, the San Francisco Police Department’s policy regarding body-worn cameras requires that officers are trained in the operation and care of body-worn cameras, including mandatory, permissible, and prohibited uses.⁴³² The policy also specifies that the Department’s Risk Management Office is responsible for conducting periodic and random audits of body-worn camera equipment, the computer server, and body-worn camera recordings to assess officers’ compliance with the policy.⁴³³

In 2020, the Center for Policing Equity (CPE) and the Policing Project⁴³⁴ co-authored the Guidebook *Collecting, Analyzing, and Responding to Stop Data*, which includes recommendations regarding data auditing procedures. CPE and the Policing Project recommend that, at minimum, agencies require supervisors to randomly spot-check an officer’s daily logs, arrest reports, field interview cards, dispatch logs, body-worn camera logs, civilian

⁴²⁸ See generally Murphy, *Is It Recording? – Racial Bias, Police Accountability, and the Body-Worn Camera Activation Policies of the Ten Largest Metropolitan Police Departments in the USA* (2018) 9 Columbia L.J., 141 <<https://journals.library.columbia.edu/index.php/cjrl/article/view/2238/1148>> [as of Dec. 2, 2021]; see also White and Fradella, *supra* note 426, at 1618-1619, 1635-1636.

⁴²⁹ Stanford University SPARQ, *Strategies for Change*, *supra* note 341, at pp. 45, 48

⁴³⁰ *Id.* at pp. 45-46.

⁴³¹ See generally Murphy, *Is It Recording? – Racial Bias, Police Accountability, and the Body-Worn Camera Activation Policies of the Ten Largest Metropolitan Police Departments in the USA*, *supra* note 428; see also Vallejo Police Department, CALDOJ Collaborative Reform Progress: VPD Compliance Measures, Recommendations 1-45, Master Tracking (Sept. 2, 2021) <https://p1cdn4static.civicleve.com/UserFiles/Servers/Server_16397369/Image/Public%20Information/Plans%20and%20Reports/VPD%20Compliance%20Measures%20Master%20Document,%20Sent%20to%20VPD.pdf> [as of Dec. 2, 2021].

⁴³² San Francisco Police Dept., General Order 10.11: Body Worn Cameras (Oct. 7, 2020) p. 1

<https://www.sanfranciscopolice.org/sites/default/files/2020-11/DGO10.11.BWC_.20201110.pdf> [as of Dec. 2, 2021].

⁴³³ *Ibid.*

⁴³⁴ The Center for Policing Equity is a research center that collects and analyzes data surrounding police interactions to diagnose and change disparities in policing. The Policing Project at New York University School of Law partners with communities and police to promote public safety through transparency, equity, and democratic engagement.

complaints, or a combination of these, against their stop data reports.⁴³⁵ They recommend that agencies compare data errors across different units and work-shifts to identify training and policy needs.⁴³⁶ They additionally recommend auditing to ensure that there have not been any glitches in the system that would omit or skew large amounts of data, such as a field defaulting to “no” for all stops.⁴³⁷

The Board recommends the following emerging practices and best practices to enhance the integrity of RIPA stop data. These practices were identified in the audits conducted by the LA OIG, the Independent Monitor for the OPD, the OPD OIG, and the *Collecting, Analyzing, and Responding to Stop Data* Guidebook.

Recommendations to Law Enforcement Agencies and their Oversight Bodies:

- Systematically audit stop data records to minimize the possibility of recording inaccurate or incomplete information;⁴³⁸ implement cross-review of other records that agencies collect, such as daily logs, arrest reports, field interview cards, dispatch logs, body-worn camera logs, use of force reports, civilian complaints, or a combination of these, as a cross-compliance measure.⁴³⁹
- Incorporate video analysis as a component of stop data auditing.⁴⁴⁰
- Assess outlier patterns in the agency’s stop data for validation purposes and follow up with focused audits to determine the causes for the patterns.⁴⁴¹
- Compare data fields that correspond to overlapping subject matter to ensure consistency (e.g., ensure that officers indicate that they made an arrest in the Result of Stop field when officers indicate that they performed a search incident to arrest in the Basis for Search field).⁴⁴²

⁴³⁵ See Center for Policing Equity and Policing Project at N.Y.U. School of Law, *Collecting, Analyzing, and Responding to Stop Data: A Guidebook for Law Enforcement Agencies, Government, and Communities* (“Guidebook”) (2020) p. 25 <https://policingequity.org/images/pdfs-doc/COPS-Guidebook_Final_Release_Version_2-compressed.pdf> [as of Dec. 2, 2021].

⁴³⁶ See *id.* at p. 26.

⁴³⁷ See *id.* at p. 27.

⁴³⁸ See *id.* at p. 23; see also Office of the Inspector Gen., *Review of Stops Conducted by the Los Angeles Police Department in 2019*, *supra* note 145; Warshaw, *supra* note 417; Oakland Police Dept. Office of the Inspector Gen., *Special Report*, *supra* note 417.

⁴³⁹ See, e.g., Center for Policing Equity and Policing Project at N.Y.U. School of Law, *Guidebook*, *supra* note 435, at p. 25; Oakland Police Dept. Office of the Inspector Gen., *Special Report*, *supra* note 417, at p. 4; Stipulated Judgment, *The People of the State of California v. County of Kern* (Super. Ct. Kern County, 2020, No. BCV-20-102971) pp. 15-16 <<https://oag.ca.gov/sites/default/files/Judgment.pdf>> [as of Dec. 2, 2021] (In the case of Kern County Sheriff’s Office, the use of force reports for review may include the incident reports that deputies are required to complete if they use reportable force or witness higher-level use of force incidents).

⁴⁴⁰ See, e.g., Office of the Inspector Gen., *Review of Stops Conducted by the Los Angeles Police Department in 2019*, *supra* note 145; Warshaw, *supra* note 417; Oakland Police Dept. Office of the Inspector Gen., *Special Report*, *supra* note 417.

⁴⁴¹ See, e.g., Warshaw, *supra* note 417; Oakland Police Dept. Office of the Inspector Gen., *Special Report*, *supra* note 417.

⁴⁴² Center for Policing Equity and Policing Project at N.Y.U. School of Law, *Guidebook*, *supra* note 435, at p. 25.

- Share data auditing findings with the public as a component of agencies’ accountability systems.

Recommendations to Law Enforcement Agencies:

- Develop policies regarding how the agency will respond to recurring data reporting issues.⁴⁴³

2. Use of Stop Data for Policy Change within Agencies and Staff Supervision

In the previous section, the Board reviewed several examples where auditing was used to assess the accuracy of data reporting. In this section, the Board discusses efforts in the Los Angeles, San Diego, and Oakland Police Departments where agencies and their oversight bodies are using analysis of RIPA stop data and body-worn camera footage to identify how the agencies’ policies and practices lead to disparities in policing and to develop targeted interventions. In two of these examples, agencies worked in partnership with an academic or research institution. Thereafter, the Board makes several recommendations to LEAs regarding stop data analysis for policy reform and staff supervision aimed at eliminating disparities.

Los Angeles Police Department

As discussed above, the Police Commission Office of the Inspector General audited LAPD stop data. As a part of this process, the Inspector General recommended several policy and practices changes in order to reduce racial disparities in officer actions during stops and stop outcomes and identified issues regarding compliance with policies and procedures. In 2019, individuals perceived to be Black were overrepresented in stops made by the LAPD, while those perceived to be White were significantly underrepresented.⁴⁴⁴ Additionally, individuals perceived as Black or Hispanic were more likely to be the subject of all types of actions taken by officers during stops than were individuals perceived as White.⁴⁴⁵ The video audit and stop data analyses both showed that officers in units focused on crime suppression were much more likely to take a significant number of actions during traffic stops than those specifically focused on traffic enforcement.⁴⁴⁶

Actions identified in the video audit involved prolonged questioning about a person’s background, such as their probation or parole status and their criminal record; searches, including discretionary searches; handcuffing or having a person face a wall with their hands behind their back; checking for tattoos; and completing field interview cards.⁴⁴⁷ The OIG concluded that some portion of the racial disparities in officer stops and post-stop actions, particularly in stops for traffic and other minor violations, were the result of officer strategies designed to use these violations as a pretext to identify more serious crimes. In 2019, traffic

⁴⁴³ *Id.* at pp. 25-26.

⁴⁴⁴ Office of the Inspector Gen., Review of Stops Conducted by the Los Angeles Police Department in 2019, *supra* note 145, at p. 2.

⁴⁴⁵ *Id.* at p. 3.

⁴⁴⁶ *Ibid.*

⁴⁴⁷ *Id.* at pp. 4-5.

stops of White individuals by the LAPD were most likely to be based on moving violations, while traffic stops of Black and Hispanic individuals were most likely to be based on equipment or regulatory violations, such as expired vehicle registration.⁴⁴⁸ The OIG noted that the data showed that these strategies were largely ineffective. Accordingly, the OIG recommended that LAPD refocus strategies away from the use of pretextual stops, particularly pretextual stops based on minor equipment or regulatory violations, to help reduce racial disparities in the frequency of stops.⁴⁴⁹

In a small number of the stops included in the video audit, the OIG identified areas of concern regarding compliance with policies and procedures. These areas of concern included officers failing to receive affirmative voluntary consent in searches officers reported as being consensual, officers moving or pulling up the clothes of people stopped without grounds for a search and failing to report that a search had occurred, officers taking photos while a person was handcuffed, officers failing to timely activate body-worn and in-car cameras, and officers inaccurately completing field interview cards.⁴⁵⁰ The OIG recommended that LAPD limit discretionary actions taken during stops that are not directly related to officer safety or the reason for the stop and for the agency to establish clear guidelines and parameters in policies about actions that officers may take during stops.⁴⁵¹ The OIG identified significant racial disparities in actions taken by officers during stops, including removal of individuals from their vehicle, searches, handcuffing, and the completion of field interview reports. The OIG found that the racial disparities were greater for higher-discretion searches.⁴⁵² Because of this, the OIG further recommended that LAPD revise its bias policing policy to clearly indicate that officers are prohibited from using race and other identity characteristics as a basis for taking discretionary actions, such as consent searches, questioning, and removing individuals from vehicles.⁴⁵³ The OIG recommended that LAPD conduct ongoing evaluation of its strategies and their impact on community members and perceptions of agency legitimacy.⁴⁵⁴

San Diego Police Department

While the Police Commission Office of the Inspector General's review of LAPD stop data is an example of audit by an oversight body, San Diego Police Department's work with CPE in the National Justice Database Project is an example of a partnership with an external research organization. CPE identified racial disparities in SDPD in the areas of traffic stops, non-traffic stops, and uses of force. People perceived as Black experienced non-traffic stops 3.5 times as often as people perceived as White. During traffic stops, officers searched people perceived as Black 2.5 times as often as people perceived as White and searched people perceived as Latine(x) 2.2 times as often as people perceived as White, taking into account the population size of each group. People perceived as Black were subjected to force five times as often as

⁴⁴⁸ *Id.* at p. 3.

⁴⁴⁹ See *id.* at pp. 4-5.

⁴⁵⁰ *Id.* at p. 5.

⁴⁵¹ *Ibid.*

⁴⁵² *Id.* at pp. 3-4.

⁴⁵³ See *id.* at pp. 5-6.

⁴⁵⁴ See *id.* at p. 6.

people perceived as White and people perceived as Latine(x) were subjected to force 1.2 times as often as people perceived as White, taking into account the population size of each group.⁴⁵⁵ CPE recommended that SDPD identify risk factors –including policies and practices – that lead to disparities and develop targeted interventions to address racial disparities in each area.⁴⁵⁶ For example, CPE found a disparity in officers’ use of force during vehicle stops of Black

“Evidence can prove liability or innocence in one specific case, but data can show patterns across incidents and possibly be used to change those patterns.” – see SPARQ, Strategies for Change, see footnote 341, at page 127.

individuals and indicated that reducing disparities in the frequency of vehicle stops may also reduce disparities in uses of force. CPE recommended that SDPD engage with community members to identify the outcomes that are priorities for the communities that SDPD serves and recommended periodic data analysis to measure the effectiveness of reforms.⁴⁵⁷

Oakland Police Department

Stanford University’s SPARQ researchers worked with the Oakland Police Department to evaluate officers’ language and communication in the body-worn camera footage. Researchers reviewed 380 stops of community members during April 2014 to better understand how officers typically interacted with community members and how those interactions might differ based upon the race of the community members involved.⁴⁵⁸ SPARQ identified differences in the form and focus of the officers’ conversations with Black versus White community members, finding that officers were more casual and asked more questions when speaking with Black community members and were more focused on elements of procedure, the actual offense, and more often explained the reason for the stop when speaking with White community members. SPARQ additionally found that officers asked Black community members about probation and parole more often than they asked White community members.⁴⁵⁹ The researchers’ use of body-worn camera video as data rather than evidence is innovative and allowed the researchers to identify patterns in the interactions.

⁴⁵⁵ Center for Policing Equity, Nat. J. Database City Report San Diego Police Department 2017-2020: Use of Force (June 2021) <https://public.tableau.com/views/SDCityCPE2021/1_SUMMARY?:embed=y&:showVizHome=no&:host_url=https%3A%2F%2Fpublic.tableau.com%2F&:device=desktop&:embed_code_version=3&:tabs=no&:toolbar=yes&:animate_transition=yes&:display_static_image=no&:display_spinner=no&:display_overlay=yes&:display_count=yes&:language=en-US&:loadOrderID=0> [as of Dec. 2, 2021].

⁴⁵⁶ See Center for Policing Equity, Nat. J. Database City Report San Diego Police Department, 2017-2020 (June 2021) <<https://justicenavigator.org/report/sandiego-city-ca-2021/summary>> [as of Dec. 2, 2021]

⁴⁵⁷ See The City of San Diego, *Tuesday Agenda Revised Added S500-S511 on 6/24/21 (“Tuesday Agenda”)* (June 24, 2021) <http://sandiego.granicus.com/player/clip/8222?meta_id=842592&redirect=true> [as of Dec. 2, 2021] (the portion of this meeting dedicated to CPE begins at 4:34:43).

⁴⁵⁸ Stanford University SPARQ, *Strategies for Change*, *supra* note 341, at pp. 14-15.

⁴⁵⁹ *Id.* at pp. 16-18.

In addition to using the body-worn camera footage as Oakland PD did through the SPARQ review, agencies can take a similar approach to find innovative ways to evaluate and improve officer performance. In 2016 researchers found that 93 percent of 129 agencies that received U.S. DOJ funding to deploy body-worn cameras allowed supervisors to review footage for general performance purposes unrelated to the use of body-worn cameras.⁴⁶⁰

Board Recommendations

Based on the review of audits conducted by the LA OIG and SPARQ, and CPE's analysis of SDPD stop data, the Board recommends the following best practices:

Recommendations to Law Enforcement Agencies:

- Provide the public with better access to your stop data, which will allow community members to engage in decision-making and policy development with agencies.⁴⁶¹
- Analyze stop data including body-worn camera footage to evaluate policies, identify performance issues, and inform both individual and department-wide training. The Board recommends that agencies analyze their stop data longitudinally and in relation to the introduction and implementation of reform measures, which will necessitate time stamping new directives, policies, and trainings.⁴⁶² Agencies should then evaluate those reform measures for effectiveness.
- Work in partnership with an academic or research institution to support analysis of patterns and trends in your stop data.⁴⁶³
- Implement routine review of service area data by command staff with agency leadership, such as the captain dedicated to the area, and compare stop data for the area to agency-wide stop data and data for other service areas.⁴⁶⁴
- Implement annual review of information about officers' individualized stop data by supervisors with each officer along with benchmarks, regardless of how they perform.⁴⁶⁵
- Identify officers with outlier trends in data regarding stops and searches and review this in conjunction with other performance metrics for the officers.⁴⁶⁶

⁴⁶⁰ White and Fradella, *supra* note 426, at pp. 1635-36.

⁴⁶¹ Center for Policing Equity and Policing Project at N.Y.U. School of Law, *Guidebook*, *supra* note 435, at pp. 27, 37-39 (CPE and the Policing Project recommend that agencies review their data for personally identifiable information that should not be included in data released to the public).

⁴⁶² Stanford University SPARQ, *Strategies for Change*, *supra* note 341, at p. 57; The City of San Diego, *Tuesday Agenda*, *supra* note 457.

⁴⁶³ Center for Policing Equity and Policing Project at N.Y.U. School of Law, *Guidebook*, *supra* note 435, at p. 9.

⁴⁶⁴ Stanford University SPARQ, *Strategies for Change*, *supra* note 341, at p. 54; The City of San Diego, *Tuesday Agenda*, *supra* note 457.

⁴⁶⁵ Stanford University SPARQ, *Strategies for Change*, *supra* note 341, at p. 49.

⁴⁶⁶ *Id.* at p. 54.

Community-based accountability is the final element of accountability systems that the Board began to review this year.

3. [Community-Based Accountability](#)

In this section, the Board will review several examples of community participation in oversight, advisory, and disciplinary boards. When institutions include communities in decision-making, they are investing their trust in those communities.

One form of community-based accountability is community oversight. Some of the goals of community oversight bodies are to ensure that law enforcement agencies can be held accountable for their actions, operate with maximum transparency, and perform their duties in a manner that is informed by community needs.⁴⁶⁷

There are many ways to establish community-based accountability. Public participation in determining law-enforcement agency policy, for instance, helps to build trust in the agency.⁴⁶⁸ In the Board's 2021 Report, it identified transparent and unbiased processes for selecting community members as a key principle for effective community participation in oversight bodies. The Community Oversight Task Force (COTF) charged with making recommendations to strengthen police accountability and police-community relations in Baltimore City recommended that civilian oversight bodies have original jurisdiction over any complaint – without limitations based on the type of allegation and with the ability to investigate any potential wrongdoing by officers even without a specific complaint.⁴⁶⁹ COTF also recommended that civilian oversight bodies have the capacity to audit procedures, review training and policy, assess trends, and conduct research.⁴⁷⁰ COTF specifically recommended that civilian oversight bodies review training and policies for their impact on racial equity, including the annual budget and the acquisition of military equipment.⁴⁷¹ COTF recommended that research and policy reviews undertaken by civilian oversight bodies be made publicly available and accessible to individuals with disabilities, and individuals for whom English is not their primary language.⁴⁷²

Critical Incident Review Boards

Generally speaking, Critical Incident Review Boards (CIRB), also referred to as Use of Force Review Boards in some agencies, evaluate cases involving officer shootings of community members and other serious incidents that have the potential to damage community trust or

⁴⁶⁷ See Chicago City Council, Ordinance Ch. 2-80: Community Com. for Public Safety and Accountability, pp. 1-2 <<https://news.wttw.com/sites/default/files/article/file-attachments/Civilian%20Oversight%20%28FINAL%207.18%29.pdf>> [as of Dec. 2, 2021].

⁴⁶⁸ *Ibid.*

⁴⁶⁹ See Community Oversight Task Force, *The Community Oversight Task Force's Recommendations for Strengthening Police Accountability and Police-Community Relations in Baltimore City* (Aug. 2018) p. 22 <https://www.baltimorepolice.org/sites/default/files/General%20Website%20PDFs/0909_COTF_Final_Web.pdf> [as of Dec. 2, 2021].

⁴⁷⁰ *Id.* at p. 22.

⁴⁷¹ *Ibid.*

⁴⁷² *Id.* at pp. 22-23.

confidence in the agency with the purpose of identifying any administrative, supervisory, training, tactical, or policy issues that need to be addressed.⁴⁷³ Many law enforcement agencies have a CIRB process in place, but they can vary widely in terms of scope and practice among agencies. In the U.S. DOJ's Final Report of the President's Task Force on 21st Century Policing, the task force recommended including community members on a CIRB.⁴⁷⁴ The community representatives provide community voices on issues related to training and policy, provide important non-law enforcement perspectives on CIRB recommendations (including how recommendations regarding policy changes might be received by the community), and increase department transparency to the community. Recommendations for improving these boards include training (including for community representatives), the authority to review cases involving officer-involved shootings and other serious incidents, and opportunities to question for voting community members.

Denver, Las Vegas, Olympia, Phoenix, Portland, Seattle, Tucson, and Solano County Sheriff include community members in CIRB.⁴⁷⁵ The Seattle CIRB includes a community member as a non-voting member, while all of the other Boards include voting community members.⁴⁷⁶

A researcher at the Naval Post Graduate School conducted a survey of nine Board members serving on six boards with voting community members and developed best practice recommendations for including community members in CIRB based on the survey findings and recommendations from literature. The researcher found that "people who participate in board operations believe that the involvement of community members benefits the departments"

⁴⁷³ Office of Community Oriented Policing Services, Final Report of the President's Task Force on 21st Century Policing (May 2015) <https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf> [as of Dec. 2, 2021].

⁴⁷⁴ See *id.* at p. 22.

⁴⁷⁵ See, e.g., Breckenridge, *Thesis: Civilians on Police Use of Force Review Boards: A Delphi Study Involving Six Police Departments* (Sept. 2018) Naval Post Graduate School p. 3 <<https://www.hsdl.org/?view&did=818124>> [as of Dec. 2, 2021] (listing Denver, Las Vegas, Olympia, Phoenix, Portland, and Tucson as cities with police departments that incorporate community members on their use-of-force review boards); Denver Police Department, Policy 105.05: Use of Force Review Board (Jan. 27, 2019) <https://www.denvergov.org/content/dam/denvergov/Portals/720/documents/OperationsManual/OMSBook/OM_Book.pdf> [as of Dec. 2, 2021] (the Use of Force Board includes two community members as voting Board members, who have received training in Denver's use of force policy and an overview of the Crisis Intervention Team program); Las Vegas Metropolitan Police Dept., *Critical Incident Review Process* <<https://www.lvmpd.com/en-us/InternalOversightConstitutionalPolicing/Pages/Critical-Incident-Review-Process.aspx>> [as of Dec. 2, 2021] (soliciting community members to join the Use of Force Review Board team as voting members); Olympia Police Department, Policy 301: Use of Force Review Boards (June 25, 2021) <<https://public.powerdms.com/OlympiaPD/tree/documents/1661375>> [as of Dec. 2, 2021] (composition of the Use of Force Board includes a community member as selected by the Chief of Police); Phoenix Police Department, Operations Order 3.18: Discipline and Policy and Review Boards (Jun. 2021) <https://www.phoenix.gov/policesite/Documents/operations_orders.pdf> [as of Dec. 2, 2021]; Portland Police Department, Directives 0336.00: Police Review Board (Apr. 25, 2021) <<https://www.portlandoregon.gov/police/article/759445>> [as of Dec. 2, 2021]; Tucson Police Department, General Orders 3213: Board Membership and Responsibilities (Sep. 2020) <<https://www.tucsonaz.gov/police/general-orders>> [as of Dec. 2, 2021]; Solano County Sheriff Office Policy Manual, Policy 301.4.1 – Use of Force Review Boards Composition of the Board (Jan. 27, 2021) <<https://public.powerdms.com/SolanoCounty/tree/documents/2027670>> [as of Dec. 2, 2021] (listing "public representative" as a "mandatory attendee").

⁴⁷⁶ Seattle Police Department, General Policy 8.500: Reviewing use of force (Apr. 2021) <<https://www.seattle.gov/police-manual/title-8---use-of-force/8500---reviewing-use-of-force>> [as of Dec. 2, 2021] (Seattle Police Department policy permits attendance by a non-voting "civilian observer" for any review of an officer involved shooting; the Mayor appoints this person).

and the procedure for selection of the community members varied across agencies.⁴⁷⁷ There are Boards in which the Chief of Police, an independent police auditor, the mayor, or City Council select the community members.

After reviewing research and model policies, the RIPA Board makes the following recommendations for agencies regarding CIRB:

- Include at least one community member as a voting member of a CIRB.
- Ensure that community members serving on CIRB receive use-of-force law and policy training.⁴⁷⁸

Community Advisory Boards

Community accountability can also be achieved by Community Advisory Boards (CAB), which may also be known as police advisory boards or civilian advisory groups. These boards are groups of community representatives who meet with or report regularly to a policing agency to discuss public safety in a jurisdiction, and they are one of the most common ways U.S. policing agencies engage the public.⁴⁷⁹ CAB's purposes can include "bridging the gap between the public and the police; advising and opining on various police policies and practices; and discussing neighborhood-specific issues. These bodies can be created by ordinance, by a policing agency, or by community initiative."⁴⁸⁰

The Policing Project at NYU Law conducted an in-depth national study of community advisory boards. The study revealed that CABs can be beneficial for law enforcement agencies and the communities they serve, but many of them suffer from deficiencies that prevent them from achieving their intended purpose.⁴⁸¹ Too often CABs can be "a result of pro forma efforts by policing agencies to signal a commitment to working with the public - without really working with the public."⁴⁸² The Policing Project offered key findings to guide policing agencies, community members, and advocates who seek to create or improve a CAB, including:

- Decide if forming a CAB actually is the best engagement strategy for your jurisdiction.
- Ensure the CAB is well-resourced.
- Create a clearly defined charter that establishes realistic expectations.
- Provide members with technical knowledge necessary to weigh in on policy matters.

⁴⁷⁷ Breckenridge, *supra* note 475, at p. 83.

⁴⁷⁸ *Id.* at p. 84.

⁴⁷⁹ See generally The Policing Project, *Community Advisory Boards: What Works and What Doesn't* <<https://www.policingproject.org/cab#cab1>> [as of Dec. 2, 2021].

⁴⁸⁰ See Clark and Friedman, The Policing Project, *Community Advisory Boards: What Works and What Doesn't, Lessons from a National Study* (Jan. 21, 2020) p. 3 <<https://static1.squarespace.com/static/58a33e881b631bc60d4f8b31/t/6009b0752b76712ea7ca955d/1611247735950/Clark+and+Friedman++Policing+Project+CAB+report-1-21-20.pdf>> [as of Dec. 2, 2021].

⁴⁸¹ *Id.* at pp. 3-4.

⁴⁸² See *id.* at p. 1.

- Ensure membership diversity along several dimensions.
- Ensure members do not suffer from participation fatigue and burnout.
- Establish operating procedures and meeting protocols.⁴⁸³

The Board encourages law enforcement agencies and advocates to consider these guidelines when establishing CABs in their communities.

Examples of Community Accountability

The Board reviewed examples of community accountability efforts in San Francisco, Chicago, and Vallejo and highlights them here to demonstrate how community accountability may look different in different places. Each community should determine what form of community accountability would be best for them.

City and County of San Francisco

San Francisco is one agency that has implemented several different layers of civilian and community oversight. In October 2018, the City and County published the San Francisco Police Department Community Policing Strategic Plan,⁴⁸⁴ which includes metrics for measuring the success of the Department’s objectives. Metrics for objectives related to communication are:

- language assistance inquiries;
- time spent meeting with civilians; and
- average time to respond to non-emergency inquiries.⁴⁸⁵

Metrics for objectives related to education are:

- attendance at Community Police Academy;
- the number of community policing related trainings and the number of participants; and
- the number of trainings given by community instructors.⁴⁸⁶

Metrics for objectives related to problem solving are:

- the percentage reduction in calls for service;
- percentage of community members by demographic who rate high feelings of safety during night and day;
- percentage of respondents who give high rating to public transportation safety;

⁴⁸³ See generally The Policing Project, *Community Advisory Boards: What Works and What Doesn’t, How to Create and Operate Effective CABs* <<https://www.policingproject.org/cab#cab1>> [as of Dec. 2, 2021].

⁴⁸⁴ See City and County of San Francisco, SFPD Community Policing Strategic Plan: U.S. DOJ Recommendation 40.1 (Oct. 2018) <<https://www.sanfranciscopolice.org/sites/default/files/2019-12/SFPDCommunityPolicingStrategicPlan.pdf>> [as of Dec. 2, 2021].

⁴⁸⁵ *Id.* at p. 6.

⁴⁸⁶ *Id.* at p. 7.

- percentage of neighborhoods that have a designated officer to lead problem solving; and
- the number of violent and property crimes reported.⁴⁸⁷

Metrics for objectives related to relationship building are:

- the percentage of time officers spent on positive youth interaction and citizen/community engagement;
- percent change in number of use of force incidents by race/ethnicity;
- percent change in total encounters by race/ethnicity;
- number of officer involved shootings by race/ethnicity; and
- number and percent change in complaints by category of conduct.⁴⁸⁸

Metrics for Department organization include:

- the percentage of community policing strategies articulated in the annual district plan that were reported as implemented;
- percentage of individuals by demographic arrested versus offered alternative;
- rate of recidivism;
- percentage of time spent on administration;
- amount of funding dedicated to community policing programs;
- amount of funding provided to district stations in support of community policing goals;
- percentage of hires by demographic categories by division and district;
- retention rates across demographics;
- demographics of sworn officers;
- number of certified bilingual officers;
- percentage of new hires for whom jurisdiction is their community of origin or are current residents;
- the number of bilingual officers deployed to predominantly monolingual areas where the predominant language is not English; and
- the percentage of officers at different ranks that are from historically underrepresented groups.⁴⁸⁹

The City has a Department of Police Accountability as well as a Police Commission. The SFPD itself has created various community advisory and working groups, including the SFPD Chief's

⁴⁸⁷ *Id.* at p. 8.

⁴⁸⁸ *Id.* at p. 9.

⁴⁸⁹ *Id.* at pp. 10-12.

Advisory Board, Executive Sponsor Working Groups, Community Police Advisory Boards broken down by district, and a Community Engagement Advisory Group, each of which has a different role in providing for community-based accountability.

The Department of Police Accountability handles civilian complaints regarding on-duty officers and conducts audits of the Police Department. Civilians who have never served as police officers in San Francisco staff the Department.⁴⁹⁰ The Director of the Department of Police Accountability is also on SFPD's Firearm Discharge Review Board (a type of CIRB) in an advisory role.

The Police Commission sets policy for and oversees the Police Department and the Department of Police Accountability. The Commission conducts disciplinary hearings on charges of police misconduct filed by the Chief of Police or Director of the Department of Police Accountability and can impose discipline. The Commission also hears officers' appeals regarding discipline imposed by the Chief of Police. Commissioners are community members appointed by the Mayor and the Board of Supervisors.⁴⁹¹

Community Police Advisory Board members are volunteers who live or work in a police district and meet with the district station captains monthly.⁴⁹² The Board members provide input regarding public safety, crime, and quality of life issues, as well as feedback on problem-solving efforts in their communities.

Chicago

In July 2021, the Chicago City Council voted to create three-member elected resident councils in each of the city's police districts and a seven-member resident Community Commission for Public Safety and Accountability to oversee the Chicago Police Department (CPD).⁴⁹³ Chicago intends for the District Councils to ensure that within each police district there is a forum for residents to raise concerns about policing in the district and discuss ways to address those concerns. The District Councils will also participate in the selection of Commission members.⁴⁹⁴

The Commission for Public Safety and Accountability (Commission) will approve policies for the CPD and is charged with ensuring that CPD policies and practices are rooted in community needs and public input.⁴⁹⁵ It will have the power to hire the head of the Civilian Office of Police Accountability (COPA), which investigates police misconduct. The Commission will also have the power to pass a resolution of "no confidence" in the police superintendent, the COPA head, or any member of the Chicago Police Board, which could result in City Council action. A council

⁴⁹⁰ City and County of San Francisco, Department of Police Accountability <<https://sf.gov/departments/department-police-accountability/about>> [as of Dec. 2, 2021].

⁴⁹¹ City and County of San Francisco, About the Police Commission <<https://sfgov.org/policecommission/>> [as of Dec. 2, 2021].

⁴⁹² San Francisco Police Department, Community Police Advisory Boards (CPABs) <<https://www.sanfranciscopolice.org/community/stations-meetings/community-police-advisory-boards-cpabs>> [as of Dec. 2, 2021].

⁴⁹³ Chicago City Council, Ordinance Ch. 2-80: Community Com. for Public Safety and Accountability, *supra* note 467, at pp. 4-5.

⁴⁹⁴ *Id.* at p. 2.

⁴⁹⁵ *Id.* at p. 4.

made up of non-citizens will advise the Commission on issues affecting the city’s immigrant and undocumented communities. The Mayor will appoint Commission members from applicants receiving a nomination by a Nominating Committee, who will then be confirmed by the City Council.⁴⁹⁶ Candidates must meet nine qualifications in order to be eligible to serve on the Commission.⁴⁹⁷ Commissioners will serve four-year terms, not to exceed not more than 12 years of service in total.

Vallejo

The Vallejo Police Department is in the first year of implementing a new Chief’s Advisory Board (CAB). The ten to fifteen-member CAB was “created to act as a resource for the Chief of Police in the formation of strategies, development of policing concepts, and increasing public awareness regarding policy issues,” with the goal of having a broad spectrum of viewpoints represented.⁴⁹⁸ The Board meets monthly. The members, who serve two-year terms, must be Vallejo residents or business owners and are encouraged to attend the Vallejo Police Citizen’s Academy.⁴⁹⁹ The Chief of Police selects members and they serve at the Chief’s discretion.⁵⁰⁰ The CAB application form is provided on Department’s webpage.⁵⁰¹ This Board serves an advisory function and does not have the authority to investigate or review personnel matters, civilian complaints, or specific police-related incidents.⁵⁰² The CAB has reviewed and commented on revisions to policies, provided updates on policing initiatives to share with the community, and informed the Chief of community needs and concerns.

Based on the review of examples of community accountability efforts in San Francisco, Chicago, and Vallejo, the Board recommends the following best practices to improve community-based accountability:

Recommendations to Law Enforcement Agencies:

- Use district councils – where residents can raise and work to address concerns about policing in the district – surveys, focus groups, and other sources of feedback from communities that show where to look for disparities in stops and analyze stop data in ways that will allow the agency to examine the areas of policing that are priorities for community members.⁵⁰³

⁴⁹⁶ *Id.* at pp. 6-7.

⁴⁹⁷ *Id.* at pp. 5-6.

⁴⁹⁸ Vallejo Police Dept., Police Chief’s Community Advisory Board: Board Description and Expectations, pp. 1-2 <https://vallejopd.net/community/boards_programs/chiefs_advisory_board> [as of Dec. 2, 2021].

⁴⁹⁹ *Id.* at pp. 2-3.

⁵⁰⁰ *Id.* at p. 2.

⁵⁰¹ Vallejo Police Dept., Chief’s Advisory Board <https://www.vallejopd.net/community/boards_programs/chiefs_advisory_board> [as of Dec. 2, 2021].

⁵⁰² *Id.* at p. 1.

⁵⁰³ Stanford University SPARQ, *Strategies for Change*, *supra* note 341, at p. 50; The City of San Diego, *Tuesday Agenda*, *supra* note 457.

- Include civilian input in policy development processes.⁵⁰⁴

E. Vision for Future Reports

The Board may wish to examine additional California law enforcement agencies regarding their stop data auditing practices and policies regarding audits of body-worn camera footage in supervisory review of stop data reports and how this review relates to the agencies' disciplinary practices.

⁵⁰⁴ City and County of San Francisco, SFPD Community Policing Strategic Plan: U.S. DOJ Recommendation 40.1, *supra* note 158, at p. 10.

CALLS FOR SERVICE AND BIAS BY PROXY

A. Introduction⁵⁰⁵

A call for service is a common term in policing that refers to when a public safety professional is dispatched to a call for assistance, typically prompted by a 911 call.⁵⁰⁶ Public safety professionals can range from more traditional services such as police, fire department, and emergency medical services to more modern models such as mobile mental health evaluation teams and bias response teams. Public safety professionals are assigned typically through computer aided dispatch systems (CAD), which give a priority to the call and may assign a particular unit – such as the fire department – to the call.⁵⁰⁷

Dispatchers are generally the first point of contact in any call for service, playing a critical role in protecting both the public and officers. In 2021, the skill and instincts of dispatchers were on full display during the murder trial of Derek Chauvin. The very first witness the prosecution called was dispatcher Jena Scurry, who monitored the officers responding to the scene of George Floyd’s arrest and reported to her sergeant when she saw excessive force being used that resulted in George Floyd’s murder.⁵⁰⁸ Dispatchers make critical lifesaving decisions every day, but the level of discretion and tools given to dispatchers throughout agencies vary significantly. As we continue to improve public safety, agencies should reflect on their own policies to find better ways to uplift the important work of dispatchers and use their wealth of knowledge as a resource for innovative ways to improve public safety.

Knowing that calls for service are a critical component of police and community relationships, the Board and its Calls for Service Subcommittee has focused on several important issues surrounding calls for service.

Recent analysis conducted by the Center for American Progress and the Law Enforcement Action Partnership examined police calls for service from eight cities and found that 23 to 39 percent of calls were low priority or nonurgent, while only 18 to 34 percent of calls were life-threatening emergencies. While many 911 calls do merit an emergency police response, unnecessarily dispatching armed officers to calls where their presence is unnecessary is more than just an ineffective use of safety resources; it can also create substantially adverse outcomes for communities of color, individuals with behavioral health disorders and disabilities, and other groups who have been disproportionately affected by the American criminal justice system.”

- Center for American Progress, see footnote 505

⁵⁰⁵ Irwin and Pearl, *The Community Responder Model: How Cities Can Send the Right Responder to Every 911 Call* (Oct. 28, 2020) Center for American Progress <<https://www.americanprogress.org/issues/criminal-justice/reports/2020/10/28/492492/community-responder-model/>> [as of Dec. 2, 2021].

⁵⁰⁶ *Calls for Service*, Police Data Initiative <<https://www.policedatainitiative.org/datasets/calls-for-service>> [as of Dec. 2, 2021].

⁵⁰⁷ See generally Neusteter et al., *The 911 Call Processing System: A Review of the Literature as it Relates to Policing* (July 2019) Vera Inst. of Justice <<https://www.vera.org/downloads/publications/911-call-processing-system-review-of-policing-literature.pdf>> [as of Dec. 2, 2021].

⁵⁰⁸ Bailey and Bellware, *Emotional first day of testimony at Derek Chauvin murder trial* (Mar. 29, 2021) Washington Post <<https://www.washingtonpost.com/nation/2021/03/29/derek-chauvin-trial/>> [as of Dec. 2, 2021].

(1) **Bias by Proxy** is when an individual calls the police and makes false or ill-informed claims about persons they dislike or are biased against.⁵⁰⁹ Several years ago the Board began exploring best practices for addressing when a bias-based call for service is made by a member of the public and how to address it – from the moment the 911 call is made to when officers respond and interact with community members. The Board continues that work with its review of dispatcher training.

(2) **A Mental Health Call for Service** is a call for service for someone who is experiencing a behavioral health crisis and who may require clinical intervention or care coordination from a health professional.⁵¹⁰ The Board has focused on reviewing alternatives to police responses for individuals experiencing a crisis. Last year the report covered the history of mental health in America and examined developing crisis response models. This year the Board continues that work by exploring the success of crisis response pilot programs that emerged in 2020-21 and data-driven solutions to improve calls for service. Further, as we continue to reimagine public safety and alternatives to police responses, dispatchers will continue to play a critical role in identifying, triaging, and diverting calls for service that may be more appropriate for a community-based response.

The RIPA data provides a unique opportunity to identify trends and outcomes in calls for service to determine if some calls for service may be more appropriate for a community-based versus law enforcement response.

B. Data Analysis Write Up

Comparing officer-initiated stops to stops made in response to a call for service is a preliminary way to begin to identify potential sources of disparities related to calls for service. To illustrate how the racial/ethnic distribution of individuals stopped differed by whether or not stops were initiated in response to a call for service, the Figures 62 and 63 below show two different comparisons between the RIPA data and American Community Survey data collected by the United States Census Bureau. Figure 62 displays the racial/ethnic distribution of persons stopped by officers in response to a call for service in comparison to the weighted racial/ethnic distribution of individuals of residents in the jurisdictions where officers made these stops. Similarly, Figure 63 displays the racial/ethnic distribution of persons stopped during officer-initiated stops in comparison to the weighted racial/ethnic distribution of individuals of residents in the jurisdictions where officers made these stops.⁵¹¹

Compared to the analysis of all stops (please see page 32 for the all stop analysis), the analysis of calls for service stops (5.9% of all stops in 2020) showed slightly different results. Overall, results from the analysis of stops conducted in response to a call for service continued to show that the largest disparity of overrepresentation between the proportion of stops and the

⁵⁰⁹ Fridell, *Producing Bias-Free Policing: A Science-Based Approach* (2017) Springer International Publishing, p. 90.

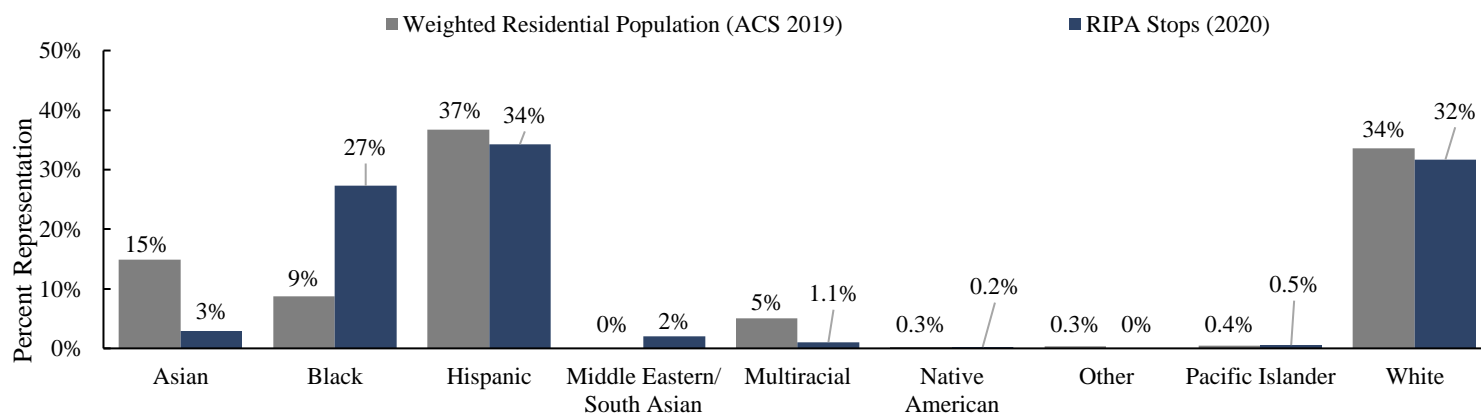
⁵¹⁰ See *Street Crisis Response Team Issue Brief*, Mental Health S.F. Implementation Working Group (Feb. 2021) S.F. Dept. of Health, p. 1 <sfdph.org/dph/files/IWG/SCRT_IWG_Issue_Brief_FINAL.pdf> [as of Dec. 2, 2021].

⁵¹¹ For more information about analyses that compare stop data to residential population data, please see the discussion on pages 48-52 of this report and Appendix C.

proportion of residential population was for Black individuals; Black individuals were stopped 211.8 percent more frequently than expected. However, the largest disparity for underrepresentation was for individuals perceived to be Asian followed by individuals perceived to be Multiracial; Asian individuals were stopped 80.7 percent less frequently while Multiracial individuals were stopped 78.8 percent less frequently.

Results from examining only calls for service stops also differed from the analysis of all stops with the proportion of stops corresponding to White individuals, instead of Hispanic individuals, most closely matching estimates from residential population data (5.8% less frequently than expected). The disparity for Black individuals was 3.3 times as great as the disparity for White individuals. The disparity for Asian individuals was 0.21 times as great and for Multiracial individuals it was 0.22 times as great as the disparity for White individuals.⁵¹²

Figure 62. Weighted Residential Population Comparison to Calls for Service Stops⁵¹³



Results from the analysis of officer-initiated stops (94.1% of all stops in 2020) showed very similar patterns compared to results from the analysis of all stops. Overall, results from the analysis of officer initiated stops continued to show that the greatest disparity between the proportion of stops and the proportion of residential population was greatest for Multiracial and Black individuals. Multiracial individuals were stopped 81.8 percent less frequently than expected, while Black individuals were stopped 146.4 percent more frequently. The results also continued to show that the proportion of stops corresponding to Hispanic individuals most closely matched estimates from residential population data (5.4% more frequent than expected). Furthermore, the greatest disparities between stop data and residential population data estimates continued to be for Black and Multiracial individuals. The disparity for Black

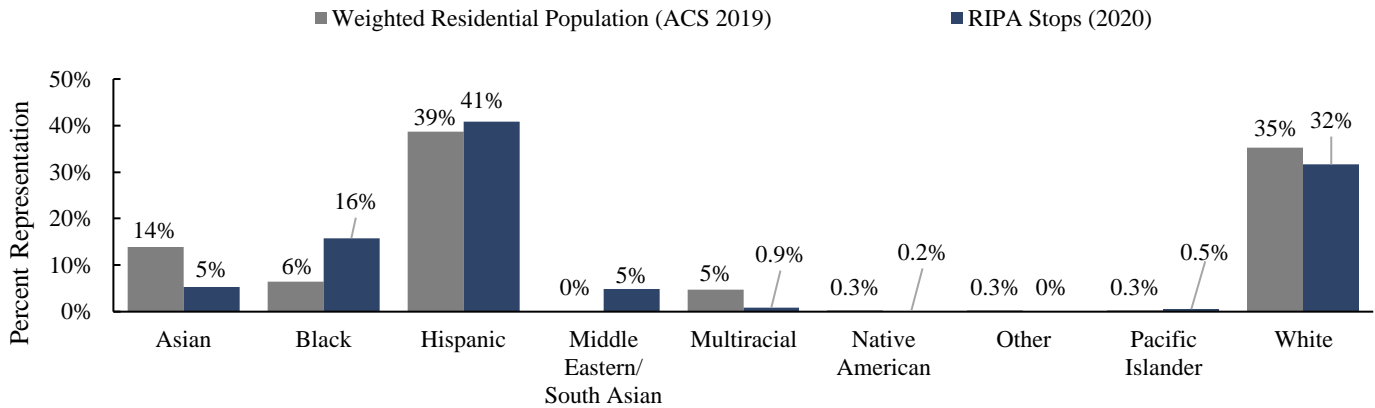
⁵¹² Please see Appendix D.1.2 for all disparity ratios and how the ratios are calculated.

⁵¹³ The ACS table used for these analyses does not contain a race category that is comparable to the Middle Eastern/South Asian group within the RIPA data. This is why there is no residential population bar for this group in Figure 62. For more information about the ACS data used in this section, please see Appendix C.

individuals was 2.7 times as great as the disparity for White individuals. For Multiracial individuals, the disparity was 0.2 times as great as the disparity for White individuals.⁵¹⁴

Figure 63. Weighted Residential Population Comparison to Officer Initiated Stops⁵¹⁵

The largest disparities that show overrepresentation in stops across types of stops are for



individuals perceived to be Black. Black individuals were stopped 211.8 percent more frequently than expected in response to a call for service and 146.4 percent more frequently in officer initiated stops. These preliminary analyses of calls for service data demonstrate stark disparities between who is stopped compared to residential population. And, these disparities exist regardless of whether the stops being examined were prompted by an officer or a community member. As we consider ways to address these disparities which suggest bias as a factor, dispatchers will be key in mitigating unlawful bias and diverting calls for service that do not require a police response.

C. Responding to Bias-Based Calls for Service⁵¹⁶

“Becoming a public safety dispatcher means choosing dispatching not only as a career, but as a moral commitment to maintain public trust.”
 - Commission on Peace Officer Standards and Training, see footnote 516

Dispatch is often the liaison between the public and the police; consequently, the policies and procedures surrounding dispatchers’ work are critical to improving community relationships, especially when addressing bias by proxy. This year the Report reviews updated dispatcher trainings and policies from the Police Officer Standards and Training (POST) Commission, which sets the minimum guidelines and training for dispatchers. The Report also looks at developments in

⁵¹⁴ Please see Appendix Table D.1.3 for all disparity ratios and how the ratios are calculated.

⁵¹⁵ The ACS table used for these analyses does not contain a race category that is comparable to the Middle Eastern/South Asian group within the RIPA data. This is why there is no residential population bar for this group in Figure 63. For more information about the ACS data used in this section, please see Appendix C.

⁵¹⁶ Cal. Comm. on Peace Officer Standards and Training, POST *Public Safety Dispatchers’ Basic Course Training Specifications* (July 2011) p. 17 <https://post.ca.gov/Portals/0/Publications/Dispatcher_Basic_Course.pdf?ver=2019-07-12-131112-730> [as of Dec. 2, 2021].

technology that may help improve communications between dispatch and officers so they can live stream calls for service.

In addition to improving training for dispatchers and officers, the Board is also looking at ways to promote healing in communities affected by a bias-based incident and prevent future harm. This year the Board continues to explore restorative justice approaches to bias-based incidents that focus on accountability and education. Restorative justice “is a theory of justice that emphasizes repairing the harm caused by criminal behavior. It is best accomplished through cooperative processes that allow all willing stakeholders to meet, although other approaches are available when that is impossible. This can lead to transformation of people, relationships and communities.”⁵¹⁷ Restorative justice is a training tool that law enforcement agencies in California have employed and found to be highly beneficial.

The Board is exploring several ways of implementing a restorative justice approach, including bias-response teams, or community-based teams that respond to a bias-based incident. In developing such approaches, it is imperative that communities continue to work together to develop creative alternatives to police responses.

1. [Updates on Trainings, Policies, and Procedures for Dispatchers and LEAs](#)

In reimagining public safety, it is important to explore how public safety is dispatched to a call for service. A Public Safety Dispatch Center is the central hub for aiding anyone who calls 911 for assistance with anything from a crime in progress to a medical emergency.⁵¹⁸ Dispatchers need the skills as well as tools to quickly assess a crisis and dispatch the appropriate first responders to the scene. In California, there are more than 400 Public Safety Dispatcher Centers, though they have struggled with adequate staffing for many years.⁵¹⁹ Presently there are only about 8,000 dispatchers, managers, and supervisors responsible for answering nearly 26 million calls for service with an additional 84,000 emergency text messages in 2020 alone.⁵²⁰

Given the important role dispatchers play in responding to calls, it is difficult to understand why there are no uniform policies and procedures to create standards for these centers. Some centers are completely independent while others work together. Most centers use computer-aided dispatch (CAD) systems that communicate the priority of the call, identify the status or

⁵¹⁷ *Lesson 1: What Is Restorative Justice?* Center for Justice & Reconciliation: Prison Fellowship International <<http://restorativejustice.org/restorative-justice/about-restorative-justice/tutorial-intro-to-restorative-justice/lesson-1-what-is-restorative-justice/>> [as of Dec. 2, 2021].

⁵¹⁸ See California Governor’s Office of Emergency Services, *Public Safety Communications* <<https://www.caloes.ca.gov/cal-oes-divisions/public-safety-communications>> [as of Dec. 2, 2021].

⁵¹⁹ See generally California Governor’s Office of Emergency Services, *CA 9-1-1 Emergency Communications Branch: State 9-1-1 Advisory Board Meeting Materials* (Feb. 17, 2021) <<https://www.caloes.ca.gov/PublicSafetyCommunicationsSite/Documents/9-1-1AdvisoryBoardFeb2021.pdf>> [as of Dec. 2, 2021]; see also California Governor’s Office of Emergency Services, *CA 9-1-1 Emergency Communications Branch – CA 9-1-1 Strategic Plan 2021 – DRAFT* (Oct. 20, 2021) <<https://www.caloes.ca.gov/individuals-families/ca-9-1-1-emergency-communications-branch>> [as of Dec. 2, 2021].

⁵²⁰ See generally California Governor’s Office of Emergency Services, *CA 9-1-1 Emergency Communications Branch: State 9-1-1 Advisory Board Meeting Materials*, supra note 519; see also French, Calif. Governor Signs Bill Classifying Dispatchers as First Responders (Sept. 14, 2020) <<https://www.ems1.com/communications-dispatch/articles/calif-governor-signs-bill-classifying-dispatchers-as-first-responders-3f997PZ11E2DYHVm/>> [as of Dec. 2, 2021].

location of first responders in the field, and dispatch responder personnel.⁵²¹ Usually the call is prioritized based on the nature of the 911 call, with life-threatening calls taking the highest priority.

Individual agencies also dictate how call priorities are assigned and there are many variations. Some CAD agencies have a predetermined computer program that assigns priority based on the radio or Penal Code the dispatcher enters.⁵²² Depending on the agency's policies, some dispatchers may have the ability to override the priority based on the information solicited from the caller, while other agencies rely primarily on the computer program to prioritize the calls.⁵²³ Some CAD systems have as few as four priorities, while others have many more priority codes. Another variation is the volume of calls – some dispatch centers receive only a few calls each hour, while others received hundreds.⁵²⁴

POST and the Dispatcher Advisory Council are responsible for establishing the minimum guidelines and training for the Public Safety Dispatcher Program.⁵²⁵ By law, every public safety dispatcher must complete the Public Safety Dispatcher Basic Course – a 3-week course – within 12 months after being hired by an agency. Currently, as long as the dispatcher completes the course within the first year of employment, they may start dispatching calls despite not having completed probation or basic training.⁵²⁶ With a shorter training program, dispatchers receive a majority of their training “on the job.”

POST does not mandate bias training for dispatchers and it is not a part of the academy course.⁵²⁷ Any anti-bias training is currently done at the agency itself. POST is presently in the process of updating their academy trainings, and the Board recommends to POST that they add a required course on bias to the basic training for dispatchers. Such a mandatory course would ensure that all dispatchers receive training on bias that is relevant to their position and would eliminate disparities in the foundational training dispatchers receive from their own agencies.

In the academy, dispatchers are trained on how to respond to “suspicious” person calls and to ask questions until they understand the situation. One such question they ask is “what makes that person suspicious?” Dispatchers are trained to continue to ask questions until they understand the situation. Once they understand the situation, dispatchers may be limited with respect to how to resolve the call, depending on the individual agency. For example, some agencies have a policy that they cannot refuse any call for service and will always send an

⁵²¹ See Dept. of Homeland Security, *Computer Aided Dispatch Systems* (2011) <https://www.dhs.gov/sites/default/files/publications/CAD_TN_0911-508.pdf> [as of Dec. 2, 2021].

⁵²² See Warner et al., *Characterization of Call Prioritization Time in a Police Priority Dispatch System* (Aug. 10, 2014) *Annals of Emergency Dispatch Response (AEDR) J.*, 2(2) <<https://www.aedrjournal.org/characterization-of-call-prioritization-time-in-a-police-priority-dispatch-system>> [as of Dec. 2, 2021].

⁵²³ See *ibid.*

⁵²⁴ See *ibid.*

⁵²⁵ See Cal. Code Regs., tit. 11, § 1018.

⁵²⁶ See *id.*

⁵²⁷ See Cal. Comm. on Peace Officer Stds. and Training, POST *Public Safety Dispatchers' Basic Course Training Specifications* (July 2011) <https://post.ca.gov/Portals/0/Publications/Dispatcher_Basic_Course.pdf?ver=2019-07-12-131112-730> [as of Dec. 2, 2021].

officer to the scene, while other agencies afford the dispatcher more discretion regarding when or how to dispatch a public safety professional.⁵²⁸

*In Aurora, Colorado, Elijah McClain was killed during an interaction with the police that began when a man called 911 to report Elijah walking with a mask on. The caller reported to 911 that “. . . when I passed by him, he puts his hands up and does all these kinds of signs. I don’t know. He looks sketchy.” When the police officer stopped Elijah, the officer told him “I have a right to stop you, because you’re being suspicious.” Elijah was doing nothing wrong, but police quickly escalated the situation and Elijah was placed in a chokehold and then injected with ketamine, a powerful sedative. The 23 year old Black man went into cardiac arrest on the way to the hospital and died a few days later. Absent that police contact, he would be alive today.*⁵²⁹

Sometimes suspicious calls are the result of bias, and both officers and dispatchers face significant challenges when responding to such a call for service. One way to mitigate bias by proxy is allowing for better communication between the dispatcher and officers in the field, since “officers who know ahead of time that the complaint or allegation is the result of bias are best-positioned to respond properly.”⁵³⁰ There are new tools available for agencies that allow them to livestream 911 calls directly to first responders in the field.⁵³¹ This gives officers and first responders significantly more details about the call, including the tone and demeanor of the 911 caller.⁵³² Officers are able to hear the questions and responses the dispatchers receive via radio and can decide to dismiss a call themselves.

“Caller expectations, PSAP trainings and protocols that overly emphasize customer service, and risk aversion may encourage call-takers to request and dispatchers to send police for most calls, however innocuous the situation may seem. But improved call-taker training and clearer protocols for handling potentially problematic calls—by, for example, encouraging callers to articulate their underlying suspicions—as well as public awareness campaigns to redefine expectations between callers and call-takers could help preserve both scarce police resources and community well-being.” - Rebecca Neusteter Vera Institute of Justice, see footnote 528

⁵²⁸ See Neusteter et al., The 911 Call Processing System: A Review of the Literature as it Relates to Policing, *supra* note 507.

⁵²⁹ *Elijah McClain Killing 911 Call & Police Body Cam Footage Transcript* (Aug. 25, 2019) <<https://www.rev.com/blog/transcripts/elijah-mcclain-killing-911-call-police-body-cam-footage-transcript>> [as of Dec. 2, 2021]; see also Tompkins, *Here’s What You Need to Know About Elijah McClain’s Death* (Oct. 19, 2021) *The New York Times* <<https://www.nytimes.com/article/who-was-elijah-mcclain.html>> [as of Dec. 2, 2021].

⁵³⁰ See The Leadership Conf. on Civil and Human Rights, *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing* (2019) <https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf> [as of Dec. 2, 2021].

⁵³¹ See Live 911, *How it Works* (2021) <<https://live911.com/how-it-works.html>> [as of Dec. 2, 2021].

⁵³² See *id.*

New technology may assist in dealing with bias by proxy, but there are other important circumstances – such as responding to mental health crises – to which dispatchers need to respond. Some of the response is learned in training, but some is set by policy. Policies related to dispatch can be developed in one of two ways: (1) the head of the law enforcement agency can regulate when or how calls are handled, or (2) POST has the ability to create regulations as well as mandate certain trainings by a vote of the POST Commission.

The ACLU sent the Board a letter expressing concerns that POST, as a law enforcement agency, may not have the capacity or the expertise to design dispatcher trainings related to non-law enforcement responses to – for example – a mental health crisis.⁵³³ The Board is interested in learning whether alternative sources exist that are better suited to provide guidance and training on these issues. In order to better understand the quality of trainings POST produces regarding dispatch, the Board would also like to further explore not only the basic training course produced by POST, but also any regulations and procedures related to dispatch.

2. [Bias Response Teams: Implementing Restorative Justice Approach to Bias-Based Calls for Services](#)

A bias-based call for service causes a ripple effect – not only does it harm the direct victim, but it also deeply affects entire communities. For example, the Central Park incident involving Amy Cooper⁵³⁴ brought up deep historical and present harms for many people. Sadly, walking while Black, being in the park while Black, and driving while Black are commonly used terms that reflect the broad experience of Black individuals who often cannot walk down the street without being stopped and harassed regardless of what they are doing at the time.⁵³⁵ Officers and law enforcement agencies must have an intimate understanding of both the present and historical harms Black, Indigenous, and people of color face, both in their interactions with law enforcement and more broadly with the compounding effects of structural racism.⁵³⁶ If an officer responds to a “suspicious circumstance” call motivated by bias, the officers become a proxy or a representation of that bias when they initiate a stop. Thus, a bias-based call for service can cause fear about police interactions and affect the public’s view of the legitimacy of the entire department.⁵³⁷

A restorative justice approach to bias-based incidents works to address this ripple effect and goes beyond punishing the offender; instead, it focuses on the harm caused, creates a system of accountability, and takes steps to prevent future harm.⁵³⁸ This approach “can be applied both reactively in response to conflict and/or crime, and proactively to strengthen community

⁵³³ See ACLU Comment Letter to RIPA Board (Aug. 24, 2021), Appendix G.

⁵³⁴ Amy Cooper made a false police report against Christian Cooper, a Black man who was birdwatching in Central Park. See Nir, *How 2 Lives Collided in Central Park, Rattling the Nation* (June 2020) *The New York Times* <<https://www.nytimes.com/2020/06/14/nyregion/central-park-amy-cooper-christian-racism.html>> [as of Dec. 2, 2021].

⁵³⁵ See *id.*

⁵³⁶ See *Proactive Policing: Effects on Crime and Communities* (2018) Nat. Academies of Sciences, Engineering, and Medicine <<https://doi.org/10.17226/24928>> [as of Dec. 2, 2021].

⁵³⁷ See *id.*

⁵³⁸ See *What is Restorative Justice?*, Restorative Justice Initiative <<https://restorativejustice.nyc/what-is-restorative-justice/>> [as of Dec. 2, 2021].

by fostering communication and empathy.”⁵³⁹ A community-based response to a bias-biased call for service that focuses on responding to the harm caused by the biased caller promotes healing and justice within affected communities.

In order to address these types of issues, numerous organizations and colleges have created bias response teams to address acts of hate. One such organization is the New York Commission on Human Rights, which launched its Bias Response Team in 2016.⁵⁴⁰ The Commission is staffed by “legal, community relations, policy, communications, and human resources” personnel from “across the City’s rich and diverse communities and beyond, representing many languages, cultures, and backgrounds.”⁵⁴¹ The Bias Response Team works to “support and stabilize communities after incidents of bias have occurred” and respond directly to needs identified by the harmed communities.⁵⁴²

The Bias Response Team will do everything from distributing literature to local businesses about protections under human rights laws, partnering with schools and youth to provide people with the tools to recognize and stand up to bias, canvassing neighborhoods with informational literature, and educating impacted community members about their rights, as well as providing direct support to affected victims.⁵⁴³ In 2019, they responded to 235 alleged incidents of bias.⁵⁴⁴ They work independently from the police department and are contacted directly when an incident occurs (though they may refer incidents to law enforcement if there is a suspected hate crime).⁵⁴⁵ Participation in response to team outreach efforts is voluntary for parties. Further, the function of the Bias Response Team – in addition to other restorative justice approaches – is not to punish, but to educate, promote healing within communities, and prevent any future harm.⁵⁴⁶

Another approach to bias-based calls for service and stops by police officers is proactively causing friction.⁵⁴⁷ This means taking a moment to pause and think prior to making a stop or a call to 911.⁵⁴⁸ If a dispatcher or officer follows the questions in this flow chart or simply asks the caller to slow down to think about what makes someone suspicious, it may interrupt the caller’s bias and instead ask them to point to objective signs that criminal activity may be taking place.⁵⁴⁹

⁵³⁹ *Id.*

⁵⁴⁰ *Bias Response Team*, New York Com. on Human Rights <<https://www1.nyc.gov/site/cchr/community/bias-response.page>> [as of Dec. 2, 2021].

⁵⁴¹ *Id.*

⁵⁴² *Id.*

⁵⁴³ *Ibid.*

⁵⁴⁴ *Ibid.*

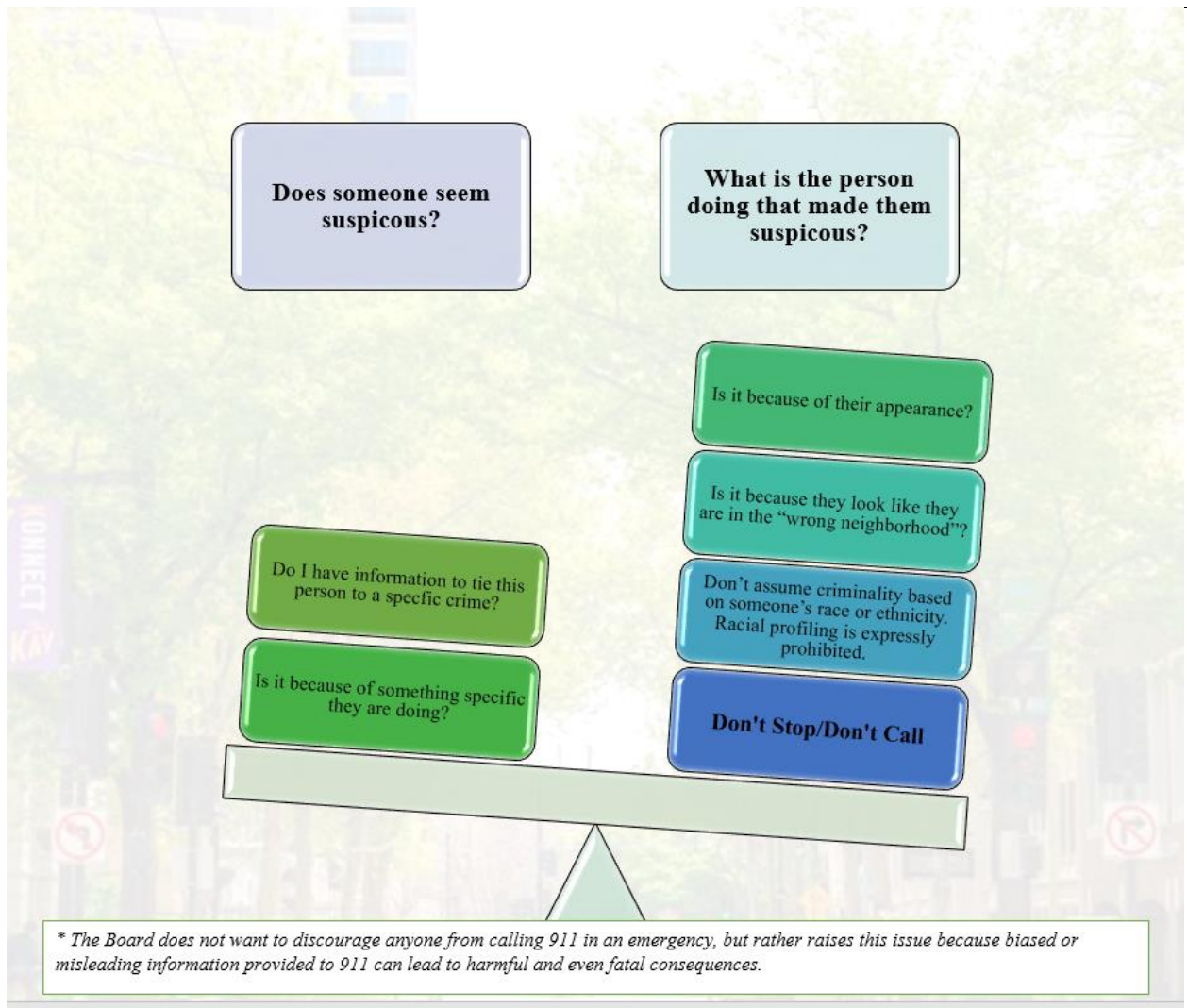
⁵⁴⁵ *Ibid.*

⁵⁴⁶ *Ibid.*

⁵⁴⁷ See Eberhardt, *How racial bias works -- and how to disrupt it* (June 2020) TED <https://www.ted.com/talks/jennifer_l_eberhardt_how_racial_bias_works_and_how_to_disrupt_it/transcript?language=en> [as of Dec. 2, 2021].

⁵⁴⁸ *Ibid.*

⁵⁴⁹ *Ibid.*



3. [Alternatives to Police Responses and Diverting Calls for Service](#)

Another important step in diverting calls for service is establishing protocols for circumstances when officers are not immediately necessary. As an example of this, due to high call volume and limited resources, the Tucson (AZ) Police Department and Camden (NJ) Police Department both began diverting calls for service to non-law enforcement personnel out of necessity in 2018.⁵⁵⁰

In response to large call volumes, the Camden Police Department also implemented a protocol where dispatchers instruct callers under certain circumstances to fill out a report at the station

⁵⁵⁰ See Neusteter, *The 911 Call Processing System: A Review of the Literature as it Relates to Policing*, *supra* note 507, at pp. 31-32.

or online rather than dispatching an officer. Calls that are diverted include vehicle accidents without injury, non-drivable cars, theft reports, or an unverified burglary alarm.⁵⁵¹

Similarly, the Tucson Police Department developed several initiatives to expand alternatives to police response, including: (1) using nonsworn personnel to handle issues such as code enforcement, traffic collisions with no injuries, or shoplifting; (2) encouraging the community to report alleged low-level crimes or minor collisions through the agency website; and (3) eliminating police responses to certain calls for service and transferring them to a more appropriate agency, including issues like a barking dog, stalled cars, lost electronic devices, theft related crimes, and status offenses such as a runaway child or underage drinking.⁵⁵²

As we continue to rethink public safety, communities should also have easily accessible information on alternatives to police services. For example, some calls for service are more appropriate for a community first response, such as someone experiencing a medical emergency like a mental health crisis. In June 2020, an online database called “Don’t Call the Police: Community-Based Alternatives to Police in your City” launched; it contains vetted local resources and alternatives to police responses, categorized by city.⁵⁵³ The resources address everything from “housing, mental health, domestic violence & sexual assault, LBGTQ+, youth, elders, crime and substance use.”⁵⁵⁴ Presently the database contains resources for over 80 cities throughout the nation and 13 cities and counties in the state of California.⁵⁵⁵ As municipalities continue to develop alternatives to armed police responses by funding community-based care, a key component will be ensuring the public knows about and can access these community-based lifesaving resources.

⁵⁵¹ *Ibid.*

⁵⁵² *Ibid.*

⁵⁵³ See *Alternatives to Calling the Police in a Crisis*, Mental Health in America

<<https://screening.mhanational.org/content/alternatives-calling-police-crisis/>> [as of Dec. 2, 2021]; see also Don’t Call the Police, *Community-based alternatives to police in your city* <<https://dontcallthepolice.com/about/>> [as of Dec. 2, 2021].

⁵⁵⁴ See *Alternatives to Calling the Police in a Crisis*, Mental Health in America, *supra* note 553; see also *Don’t Call the Police*, *Community-based alternatives to police in your city*, *supra* note 553.

⁵⁵⁵ Those 13 cities and counties include: Livermore, Los Angeles, Morongo Basin, Oakland, Orange County, Redding, Riverside, Sacramento, San Diego, S.F., San Jose, Santa Barbra, and Sonoma County. See *Alternatives to Calling the Police in a Crisis*, Mental Health in America, *supra* note 553; see also *Don’t Call the Police*, *Community-based alternatives to police in your city*, *supra* note 553.)

D. Responding to a Mental Health Crisis⁵⁵⁶

“Because the police are not set up to provide the necessary quality of service, police response can create negative outcomes for people with disabilities and those with chronic or acute behavioral health conditions. Often, these individuals are arrested and booked into jail, which can exacerbate their medical needs.”

– Center for American Progress, see footnote 505

The Board has been evaluating the diversion of calls for service involving someone in a mental health crisis from police to healthcare providers. A mental health episode is not a crime and should not have an armed law enforcement response. Yet nearly 1 in 4 individuals killed by police have been diagnosed with a mental health disability, 2 in 5 people who are incarcerated have a history of a mental health disability, and 70 percent of youth in the court system have been identified as having a mental health disability.⁵⁵⁷ A recent study also found “police are more likely to shoot and kill Black men who exhibit mental health conditions

than White men with similar behaviors.”⁵⁵⁸ Given these powerful statistics, policymakers should rethink, reimagine, and redefine what calls for service look like in our communities in order to reduce the criminalization of individuals who have a mental health disability.

I speak as a brother to Jazmyne Ha Eng, and as an advocate for compassion and community restoration. Jazmyne was killed on January 4, 2012 in a tragic encounter during a call for service. While experiencing mental crisis, four Los Angeles Sheriff's Deputies responded to a non-emergency call involving my sister Jazmyne. This took place in the lobby of a mental health facility where Jazmyne was a known patient. Negligence and choices made outside of protocol resulted in her tragic and preventable death. This transpired in under 12 minutes from when the call was placed. The actual physical interaction between Jazmyne and the four deputies took place in under two minutes. I believe that in order for us to move our communities forward, we must advance dignity for individuals impacted by police violence, we must center them and their families in policy formation

- Vinny Eng, Community Organizer and Mental Health Advocate ⁵⁵⁹

Responding criminally to a mental health crisis only further exacerbates the stigma around receiving treatment. Nearly 1 in 5 adults has a mental health disability, yet nearly 60 percent of those with a mental health disability are not receiving treatment.⁵⁶⁰ Destigmatizing mental health care is a racial justice issue; Black and Hispanic/Latine(x) individuals use mental health

⁵⁵⁶ See Irwin and Pearl, The Community Responder Model: How Cities Can Send the Right Responder to Every 911 Call, *supra* note 505.

⁵⁵⁷ See *Mental Illness and the Criminal Justice System*, Nat. Alliance on Mental Illness (NAMI), <https://www.nami.org/NAMI/media/NAMI-Media/Infographics/NAMI_CriminalJusticeSystem-v5.pdf> [as of Dec. 2, 2021].

⁵⁵⁸ See Thomas, et al., Black and unarmed: statistical interaction between age, perceived mental illness, and geographic region among males fatally shot by police using case-only design (Jan. 2021) *Annals of Epidemiology*, vol. 53, pp. 42-49 <<https://doi.org/10.1016/j.annepidem.2020.08.014>> [as of Dec. 2, 2021].

⁵⁵⁹ Eng, *Speakers for the Mental Health and Law Enforcement-Community Interaction Panel* (June 4, 2020) RIPA Calls for Service Subcommittee <<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/speaker-materials-060420.pdf?>> [as of Dec. 2, 2021].

⁵⁶⁰ See Nat. Alliance on Mental Illness (NAMI), *Mental Health Facts in America* <<https://www.nami.org/nami/media/nami-media/infographics/generalmhfacts.pdf>> [as of Dec. 2, 2021].

services at about half the rate of White individuals and Asian Americans at about one-third the rate.⁵⁶¹ “Marginalized, oppressed, and disenfranchised people have unique concerns, trauma, stress, obstacles, and challenges because of historical experiences, cultural differences, and social disparities.”⁵⁶² Law enforcement and municipal and community leaders must prioritize having a non-law enforcement response to a mental health crisis and also appropriately funding community-based care.

1. Fundamental Principles of Community-Based Crisis Response

One aspect of improving public safety and destigmatizing mental health care is funding community-based treatment and developing comprehensive crisis response systems for those experiencing a medical emergency. As cities strive to improve their crisis response systems to better protect everyone in their communities, the RIPA Board recommends that municipalities and communities keep certain fundamental principles in mind. The three common components of any effective crisis care model that provides a continuum of care include: (1) a regional crisis call center, (2) a crisis mobile response team, and (3) crisis receiving and stabilization facilities “providing shorter term care in a home-like, non-hospital environment.”⁵⁶³

Further, when establishing crisis response models, communities should consider certain guiding principles. This list is by no means exhaustive and should be seen as a starting point for communities, leadership, and law enforcement to have a discussion about how they can improve a community-first response to calls for services.

- **Care First Response / Least Criminalizing Response:** Communities should prioritize responses by trained mental health professionals and center the well-being of people whose mental health needs are not being met.⁵⁶⁴ Agencies should also emphasize a preference for relying upon a community-based crisis response when they receive calls involving a person in mental health crisis or with a mental health disability.⁵⁶⁵
- **Anti-Bias Training:** All dispatchers, responders, and healthcare workers should consider implementing extensive training on explicit and implicit bias. This could include ongoing training on structural racism and bias and “the unique strengths and needs of Black,

⁵⁶¹ *Ibid.*

⁵⁶² See MindSpring: Mental Health Alliance, *Minority Mental Health Month* (July 2021) <https://mindspringhealth.org/documents/news/61921_July_is_National_Minority_Men_OF6107ADC76F0.pdf> [as of Dec. 2, 2021].

⁵⁶³ See Substance Abuse and Mental Health Services Admin., *Nat. Guidelines for Behavioral Crisis Care: Best Practices Toolkit* (2020) p. 12 <<https://www.samhsa.gov/sites/default/files/national-guidelines-for-behavioral-health-crisis-care-02242020.pdf>> [as of Dec. 2, 2021].

⁵⁶⁴ See The Leadership Conf. on Civil and Human Rights, *New Era of Public Safety: An Advocacy Toolkit for Fair, Safe, and Effective Community Policing*, *supra* note 530.

⁵⁶⁵ *Ibid.*; see also Lindsay-Poland, *A local victory in California's East Bay: Care First, Jails Last*, American Friends Service Committee (June 22, 2021) <<https://www.afsc.org/blogs/news-and-commentary/local-victory-californias-east-bay-care-first-jails-last>> [as of Dec. 2, 2021].

Indigenous, and People of Color (BIPOC) youth and families, and how those intersect with behavioral health crises.”⁵⁶⁶

- **Trauma-Informed Care:** When developing a response team, the training for team members (e.g. dispatchers, first responders) should employ trauma-informed care strategies.⁵⁶⁷ This is an approach to mental health care that requires “sensitivity to the prevalence and effects of trauma in the lives of people accessing services.”⁵⁶⁸ This type of training can equip responders with the understanding that the effects of “poverty, class, racism, social isolation, past trauma, sex-based discrimination, and other social inequalities affect people’s vulnerability to and capacity” for getting treatment.⁵⁶⁹
- **Peer Intervention:** Peers (for example, those who have experienced mental health crises themselves or survived a suicide) can be a crucial part of crisis response teams. The use of peers as a member of the crisis team “supports engagement efforts through the unique power of bonding over common experiences while adding the benefits of the peer modeling that recovery is possible.”⁵⁷⁰
- **Harm Reduction:** This principle aims to reduce the sometimes harmful effects of untreated mental health disabilities by prioritizing the autonomy of an individual to choose a treatment plan.⁵⁷¹ Providing non-judgmental, non-coercive, compassionate care that seeks to reduce harms associated with those who have an untreated mental health disability or substance abuse disorder is an important principle for communities to keep in mind. Communities must be willing and open to meet the person “where they are” and work to minimize the harmful effects rather than simply ignoring or condemning them.⁵⁷²
- **Voluntariness:** Crisis response systems should consider voluntariness as a cornerstone to any crisis response model.⁵⁷³ This includes using clear communication to the individual in crisis regarding treatment options available; allowing the person time to understand those options and space for them to express their treatment preferences; engaging the family, where appropriate, to educate about ways to provide support to

⁵⁶⁶ Hoover, et al., *Improving the Child and Adolescent Crisis System: Shifting from a 9-1-1 to a 9-8-8 Paradigm in Substance Abuse and Mental Health Services Admin., Crisis Services Meeting Needs, Saving Lives* (2020) p. 238

<https://store.samhsa.gov/sites/default/files/SAMHSA_Digital_Download/PEP20-08-01-001%20PDF.pdf> [as of Dec. 2, 2021].

⁵⁶⁷ Substance Abuse and Mental Health Services Admin., *Nat. Guidelines for Behavioral Crisis Care: Best Practices Toolkit* (2020) p. 28 <<https://www.samhsa.gov/sites/default/files/national-guidelines-for-behavioral-health-crisis-care-02242020.pdf>> [as of Dec. 2, 2021].

⁵⁶⁸ Isobel et al., *What is needed for Trauma Informed mental health services in Australia? Perspectives of clinicians and managers* (Feb. 2020) *Internat. J. of Mental Health Nursing*, 30(1), pp. 72-82 <doi:10.1111/inm.12811> [as of Dec. 2, 2021].

⁵⁶⁹ Nat. Harm Reduction Coalition, *Principles of Harm Reduction* <<https://harmreduction.org/about-us/principles-of-harm-reduction/>> [as of Dec. 2, 2021].

⁵⁷⁰ See Substance Abuse and Mental Health Services Admin., *Nat. Guidelines for Behavioral Crisis Care: Best Practices Toolkit*, *supra* note 567, at p. 28.

⁵⁷¹ Hawk et al., *Harm Reduction Principles for Healthcare Settings* (2017) *Harm Reduction J.* <<https://doi.org/10.1186/s12954-017-0196-4>> [as of Dec. 2, 2021].

⁵⁷² Nat. Harm Reduction Coalition, *Principles of Harm Reduction*, *supra* note 569.

⁵⁷³ Substance Abuse and Mental Health Services Admin., *Nat. Guidelines for Behavioral Crisis Care: Best Practices Toolkit*, *supra* note 567, at 28.

their family member in crisis;⁵⁷⁴ and aiding the person in crisis to participate in their treatment and the development of a safety/recovery plan.⁵⁷⁵

- **Violence Free:** In providing services to the community, law enforcement agencies and community responders should consider a commitment to a no-force-first approach to crisis care and implement policies that prioritize the use of engagement, collaboration, and de-escalation.⁵⁷⁶
- **Zero Suicide Aspiration:** Suicide prevention and awareness is a core component of health care services. Both crisis responders and law enforcement agencies may want to explore how to implement policies to prevent suicide, which can range from negotiation strategies to a no-force first approach.⁵⁷⁷
- **Least Restrictive Intervention:** When agencies are connecting a person in crisis with services, they should use the least restrictive intervention, such as using home-like crisis stabilization facilities over traditional hospitalization.⁵⁷⁸
- **Short-Term and Long-Term Connection to Care:** A robust crisis response system offers both immediate connection to community-based care to address the specific crisis in the short term and aids the person in developing strategies for long-term treatment.⁵⁷⁹
- **Housing First:** Communities should consider how to establish permanent housing for those experiencing homelessness without a requirement to accept mental health treatment. This approach recognizes that housing is one of the greatest barriers to individuals achieving remission,⁵⁸⁰ which is a significant reduction in signs or symptoms related to a psychiatric disorder.⁵⁸¹ Access to housing should not be contingent on participating in services, sobriety, lack of criminal record, or completion of a treatment program.⁵⁸²

⁵⁷⁴ *Id.* at p. 20.

⁵⁷⁵ *Id.* at p. 28.

⁵⁷⁶ *Id.* at p. 33.

⁵⁷⁷ *Id.* at pp. 29-30.

⁵⁷⁸ *Id.* at p. 31.

⁵⁷⁹ Pinals, et al., *Legal Issues in Crisis Services* in Substance Abuse and Mental Health Services Admin., *Crisis Services Meeting Needs, Saving Lives* (2020) p. 176 <https://store.samhsa.gov/sites/default/files/SAMHSA_Digital_Download/PEP20-08-01-001%20PDF.pdf> [as of Dec. 2, 2021].

⁵⁸⁰ See U.S. Interagency Council on Homelessness, *Housing First Checklist* (Sept. 2016)

<https://www.usich.gov/resources/uploads/asset_library/Housing_First_Checklist_FINAL.pdf> [as of Dec. 2, 2021].

⁵⁸¹ See Salzer et. al, *Nat. Estimates of Recovery-Remission From Serious Mental Illness* (2018) *Psychiatric Services*, 69(5), pp. 523-528 <<https://doi.org/10.1176/appi.ps.201700401>> [as of Dec. 2, 2021].

⁵⁸² See U.S. Interagency Council on Homelessness, *Housing First Checklist*, *supra* note 580.

“. . . Homeless people being fined for holding out their hand. I have been charged with trespassing for digging in a restaurant garbage can. Just last week my companion was arrested for seeking help, they treated him so terrible out of fear I say to myself . . . to be included in society, why must it be so tough? I mean damn, a little humanity, are we asking too much? Hot soup, socks and a kind human touch. It would be cheaper to give us house keys, not handcuffs.”
- Douglas Levon Dawkins, *Narrative Poem: House Keys, Not Handcuffs*, April 7, 2021.⁵⁸³

These principles reflect a community-based approach to care that focuses on some of the main barriers to accessing treatment and achieving long term stability.⁵⁸⁴ Policymakers and community leaders should embrace these principles when developing a comprehensive crisis response system and incorporate them into every aspect of a crisis intervention model –from mobile response teams to dispatch centers. These principles demonstrate the path forward for implementing a community-based crisis response.

2. [Lessons Learned from Emerging Crisis Response Models](#)

In its 2021 Report, the Board considered the history of crisis response in America and the difficulties in obtaining funding for community-based mental health care. The Board also began reviewing several developing crisis response models throughout California and the nation. This year, the Board continues to review response models, with a focus on emerging programs that have begun or completed pilot programs. As communities continue to explore these models, the Board would like to highlight implementation successes, ranging from saving money to even saving lives.

i. [San Francisco: Street Crisis Response Teams \(SCRT\)](#)

One of the pilot programs the Board highlighted in its 2021 report is the SCRT. The program began its planning phase in the summer of 2020 and launched its first crisis response team in November 2020.⁵⁸⁵ By March 2021, the SCRT had 6 total teams and 24/7 citywide coverage, including care support staff who provide follow-up care and linkage to programs within 24 hours of the initial contact with SCRT.⁵⁸⁶ This year, the Board invited the leadership of SCRT to

⁵⁸³ Dawkins, *Narrative Poem: House Keys, Not Handcuffs* (Apr. 2021) *The Street Spirit* <<https://thestreetspirit.org/2021/04/07/narrative-poem-house-keys-not-handcuffs/>> [as of Dec. 2, 2021].

⁵⁸⁴ See Substance Abuse and Mental Health Services Admin., *Nat. Guidelines for Behavioral Crisis Care: Best Practices Toolkit*, *supra* note 563, at p. 26.

⁵⁸⁵ San Francisco Dept. of Public Health Com., *Street Crisis Response Team Presentation to Health Commission* (Mar. 16, 2021) <<https://sf.gov/sites/default/files/2021-03/SCRT%20Presentation%20to%20Health%20Commission%203.16.21%20%282%29.pdf>> [as of Dec. 2, 2021].

⁵⁸⁶ *Id.*

give a presentation on their program development and lessons learned in implementing and creating a community-based crisis response.

After a review of the 911 dispatch data, the SCRT teams identified the highest-need regions in the city based on volume of call and call type. The program launched with a focus on calls for service regarding a “mentally disturbed person” where no weapon or violence is involved.⁵⁸⁷ The teams plan to expand the types of calls they respond to as the program grows and develops.⁵⁸⁸

Each SCRT team includes an emergency services vehicle staffed with a community paramedic, a behavioral health clinician, a peer support specialist, and a staff member dedicated to linking the person in crisis to follow-up care.⁵⁸⁹ The teams primarily respond to calls through the 911 dispatch but also respond to people they encounter between calls who are in visible need of support or “special calls” from other agencies.⁵⁹⁰ As part of their on-boarding and continuous learning, each team member receives extensive training on racial equity.

In their first two months of operation, the teams responded to almost 200 calls for service and successfully diverted 20 percent of these calls from law enforcement.⁵⁹¹ None of these calls during the first two months required law enforcement to respond and only seven calls resulted in emergency room admissions or Penal Code section 5150 psychiatric holds.⁵⁹²

“Addressing racial equity and reducing institutional racism that is often reflected by overrepresentation of incarcerated Black/African Americans is a key object of the SCRT. The program will be closely monitoring its ability to reduce incarceration, emergency room use and involuntary detentions, especially through the lens of race and ethnicity.”
– STAR, see footnote 591

⁵⁸⁷ Ibid.

⁵⁸⁸ Ibid.

⁵⁸⁹ Ibid.

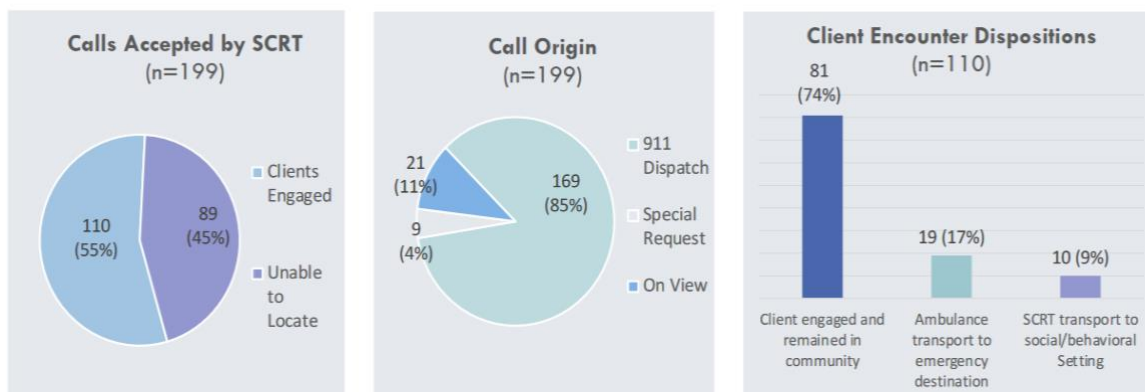
⁵⁹⁰ Ibid.

⁵⁹¹ *Street Crisis Response Team Issue Brief*, Mental Health S.F. Implementation Working Group, *supra* note 510.

⁵⁹² Ibid.



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Seventy four percent of clients were engaged by SCRT, offered assessments and therapeutic de-escalation, and ultimately remained safely in the community. These initial results are consistent with the experience of programs in other jurisdictions, such as Maricopa County, Arizona, which reports 71% of their mobile crisis encounters as resolved in the community. More detail on the nature of these encounters will be available in the evaluation reports from Harder + Company and the RWJF-funded research study.

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At the close of September of 2021, SCRT responded to 3,834 crisis calls with a remarkable average response time of 15 minutes.⁵⁹³ A majority of these calls began with a 911 call for service (83%), while other contacts were either self-initiated (10%) or dispatched from a non-crisis community support line (4%).⁵⁹⁴ The teams have also been successful at resolving over 60 percent of the crises on the scene with the person remaining safely in the community. Only a small percentage of clients were transported to a hospital (15%) or placed on a 5150 hold (7%).⁵⁹⁵

From their experience in developing their program, the SCRT has identified several lessons learned for policymakers to consider when creating their own programs:

- (1) Engagement with community stakeholders is key to providing a robust crisis response system that is responsive to the community's needs. The community should play an active role in the planning, implementation, and continuous evaluation of the effectiveness of these teams.⁵⁹⁶
- (2) Collaboration between the community, law enforcement, and the Department of Emergency Management is imperative to the success of this program. For example, the city reviewed 911 dispatch data, identified calls for service that should have a

⁵⁹³ City and County of San Francisco, *Street Crisis Response Team (SCRT) Pilot – September 2021 Update* (Sept. 2021) <<https://sf.gov/sites/default/files/2021-10/SCRT%20September%20Update%20%281%29.pdf>> [as of Dec. 2, 2021].

⁵⁹⁴ Ibid.

⁵⁹⁵ Ibid.

⁵⁹⁶ Almeida et al, *Panel Presentation on Responses to Calls for Service and Crisis Intervention* (Mar. 9, 2021) RIPA Calls for Service Subcommittee <<https://www.youtube.com/watch?v=AChgICExo3E>> [as of Dec. 2, 2021].

community-based response, and worked with public safety dispatchers to determine appropriate aid to a person in crisis.⁵⁹⁷

(3) Peer intervention specialists embedded in the crisis teams are an important aspect of this program. The SCRT teams have found that someone with lived experience can play a key role in deescalating a crisis.⁵⁹⁸

(4) Team members – from officers to peer intervention specialists – should receive extensive training on explicit and implicit bias.⁵⁹⁹

(5) Crises do not always happen during business hours (9 a.m. to 5 p.m. Monday through Friday), so citywide coverage 24/7 is vital to providing consistent care to the community.⁶⁰⁰

ii. Denver: Support Team Assistance Response (STAR)⁶⁰¹

The STAR team is a community-based mobile crisis response team that launched its pilot program in June 2020. They work in collaboration with the Caring for Denver Foundation, Denver Police Department, Mental Health Center of Denver (MHCD), Denver Health Paramedic Division, Denver 911, and community supports and resources.

During the 6-month pilot program, the mobile teams responded to several types of calls including: “assist, intoxicated persons, suicidal series, welfare check, indecent exposure, trespass, and syringe disposal.” The teams were staffed Monday through Friday from 10 a.m. to 6 p.m. and only responded to a specific geographic area; in the next phase of the project they hope to have 24/7 coverage throughout the city. The teams are dispatched in three different ways: (1) 911 call takers flagging calls or dispatching STAR (41.8%); (2) officers requesting STAR to respond (34.8%); and (3) STAR self-initiating a response or contacting someone in crisis in the field (23.4%).⁶⁰²

“In 748 calls handled by the STAR van during the pilot program, no calls required the assistance of the Denver Police Department and no individuals were arrested.”
– STAR Program Evaluation, see footnote 601

In their first 6 months of service, the mobile teams responded to 748 calls, and none of those calls resulted in calls for police back-up or led to arrests.⁶⁰³ The team attributes this success to being dispatched to the right calls and more importantly the right people on the STAR response

⁵⁹⁷ *Ibid.*

⁵⁹⁸ *Ibid.*

⁵⁹⁹ *Ibid.*

⁶⁰⁰ *Ibid.*

⁶⁰¹ *Star Pilot 6 Month Program Evaluation* (Jan. 8, 2021) p. 5 <https://wp-denverite.s3.amazonaws.com/wp-content/uploads/sites/4/2021/02/STAR_Pilot_6_Month_Evaluation_FINAL-REPORT.pdf> [as of Dec. 2, 2021].

⁶⁰² See *Star Pilot 6 Month Program Evaluation*, *supra* note 601, at p. 4.

⁶⁰³ See *id.*

teams.⁶⁰⁴ Responders know someone who is in crisis or has a mental health disability is not inherently threatening and as such are equipped to aid the person in resolving the crisis.⁶⁰⁵ The program is also not constrained by time, in that they do not need to rush to the next call as officers do, so they can spend as much time as needed with the person to help them resolve the crisis.⁶⁰⁶

The STAR program also successfully diverted nearly 3 percent of all calls for service. Of those who were contacted by the STAR teams, “approximately 68% of people contacted were experiencing homelessness, and there were mental health concerns in 61% of cases.”⁶⁰⁷ The teams have responded to more than 1,800 calls for service since STAR’s launch in June of 2020, and for 33 percent of those calls a person was transported to a community-based care provider.⁶⁰⁸ Notably the average call time or response time to a scene was about 5 minutes faster than a typical police response for that type of call.⁶⁰⁹

By the close of 2021, the STAR program will be providing citywide coverage seven days a week. The program has been so successful that the city of Denver is investing 3.4 million dollars to expand the program throughout the city. Michael B. Hancock, the Mayor of Denver, remarked on the success of the program: “We know that alternative response works. It works at getting people the help they truly need, and it works at keeping our officers focused on preventing crime. It’s a fundamental issue of equity in the pursuit of justice.”⁶¹⁰

The STAR program identified a number of lessons learned to provide guidance to other cities looking to implement similar programs. Their recommendations include the following:

- (1) It is important to identify what calls for service will be diverted to a community-based response and collaborate with community partners – including law enforcement – so there is effective communication as to who should be responding to each call.⁶¹¹
- (2) Mobile teams should ensure their vans are wheelchair-accessible and may need resources on hand such as cleaning products, food, clothing, and blankets to provide to individuals they encounter.⁶¹²

⁶⁰⁴ See City of Denver, *STAR Community Advisory Committee Meeting* (Oct. 2021)

<<https://www.denvergov.org/Government/Agencies-Departments-Offices/Public-Health-Environment/Community-Behavioral-Health/Behavioral-Health-Strategies/Support-Team-Assisted-Response-STAR-Program>> [as of Dec. 2, 2021].

⁶⁰⁵ *Ibid.*

⁶⁰⁶ *Ibid.*

⁶⁰⁷ See Hauck, *Denver successfully sent mental health professionals not police to hundreds of calls* (Feb. 6, 2021) USA Today

<<https://www.usatoday.com/story/news/nation/2021/02/06/denver-sent-mental-health-help-not-police-hundreds-calls/4421364001/>> [as of Dec. 2, 2021].

⁶⁰⁸ See McRae, *STAR Program In Denver Expands to Respond to Calls Seven Days A Week* (Aug. 31, 2021) CBS Denver <<https://denver.cbslocal.com/2021/08/31/star-program-mental-health-denver-police/>> [as of Dec. 2, 2021]; see also City of Denver, *STAR Community Advisory Committee Meeting*, *supra* note 604.

⁶⁰⁹ See McRae, *STAR Program In Denver Expands to Respond to Calls Seven Days A Week*, *supra* note 608.

⁶¹⁰ *Ibid.*

⁶¹¹ See *Star Pilot 6 Month Program Evaluation*, *supra* note 601.

⁶¹² See *id.*

(3) In developing the program, STAR teams consulted a diverse community advisory committee dedicated to ensuring the program is engaging the community and embracing its core values, reviewing outcome data, and providing feedback from the community on the program.⁶¹³

iii. Sacramento and Oakland: Mental Health First (MH First)

MH First is comprised of mobile crisis response teams that are independent from the police department and traditional 911 dispatch centers. The nonprofit launched its pilot program in Sacramento, California in January 2020 and has now expanded its operations to Oakland, California. The teams respond to “mental health crises including, but not limited to, psychiatric emergencies, substance use disorder support, and domestic violence situations that require victim extraction.”⁶¹⁴ The purpose is to provide peer-based support – through de-escalation assistance –to help decriminalize and end the stigma against those in a mental health crisis.

The teams can be contacted directly through a crisis line and will respond to the person’s location if needed. MH First teams consist of approximately 30 volunteers who are health experts, doctors, EMTs, nurses, and safety liaisons.⁶¹⁵ MH First in Sacramento currently operates from 7 pm to 7 am on Friday, Saturday, and Sunday. Since its launch in Sacramento, it has responded to an average of 30 to 40 calls per month.⁶¹⁶ With additional funding and support, the program hopes to expand its operations to be available 24/7.

MH First teams not only respond to crises but also conduct proactive street outreach to promote harm reduction and build community relationships with those who are at risk. MH First is a bridge to a larger community of care and works with other community-based organizations to provide support to the person in crisis. The ultimate goal is to aid the person in crisis to participate in their treatment and the development of a safety/recovery plan.⁶¹⁷ MH First is entirely voluntary, violence free, and provides trauma-informed care to its participants.

There are several lessons learned from the implementation of MH First program that policymakers and communities may also wish to consider.

⁶¹³ See Denver Community and Behavioral Health, *Support Team Assisted Response (STAR) Program: The STAR Community Advisory Committee* (2020) <<https://www.denvergov.org/Government/Agencies-Departments-Offices/Public-Health-Environment/Community-Behavioral-Health/Behavioral-Health-Strategies/Support-Team-Assisted-Response-STAR-Program>> [as of Dec. 2, 2021].

⁶¹⁴ Anti-Police Terror Project, *MH First Sacramento* <<https://www.antipoliceterrorproject.org/mh-first>> [as of Dec. 2, 2021].

⁶¹⁵ See Nonko, *A Volunteer-Run Program Could Be Model for Mental Health Response Without Police Intervention* (Oct. 1, 2020) Next City <<https://nextcity.org/daily/entry/volunteer-run-program-model-mental-health-response-police-intervention>> [as of Dec. 2, 2021].

⁶¹⁶ See Buxbaum, *California Initiatives Moves Away from Policing Mental Health Crises* (July 23, 2020) ShadowProof <<https://shadowproof.com/2020/07/23/california-initiative-moves-away-from-relying-on-police-to-address-mental-health-crises/>> [as of Dec. 2, 2021].

⁶¹⁷ See Ross, *The Abolitionist Project: Building Alternatives to Policing* (Nov. 4, 2020) <<https://www.essence.com/essence-policylink/the-abolitionist-project-building-alternatives-to-policing/>> [as of Dec. 2, 2021].

(1) One of the key takeaways from the launch of the MH First is the importance of shifting funding from law enforcement to community-based care providers.⁶¹⁸

(2) City governments and policymakers must be willing to work in partnership with the community they serve and listen to their needs. Leadership must understand a robust crisis response system means properly funding social services so they can provide the care so greatly needed to community members.⁶¹⁹

iv. Los Angeles: Community Alternatives to 911 or CAT-911

CAT-911 is another entirely community-based crisis response model and alternative to calling emergency dispatch services. CAT-911 was established over three years ago and consists of a network of 15 teams spread throughout Southern California, from the county of Los Angeles to the cities of Riverside and Long Beach.⁶²⁰ The teams respond to a variety of community needs including conflict resolution between individuals or groups in neighborhoods, police violence, domestic violence, sexual violence, mental health crises, and acute first aid needs when either paramedics are not responding or there is a concern about police involvement.⁶²¹ CAT-911 is able to address these issues through the action teams, but it also has several committees dedicated to organizing alternatives to police services. The committees focus on aspects such as creating a rapid response network to address immediate crises, developing community care infrastructure that can help prevent a crisis from occurring, establishing alternatives to police in K-12 schools and university settings, creating a local network to provide emergency first aid for drug overdoses or wound care, and mobilizing faith communities to support alternatives to 911.⁶²²

Both MH First and CAT-911 are founded on the principle of transformative justice. Transformative justice has similarities to restorative justice, but it goes further in that it (1) aims to transform the system that is the root cause of harm rather than focusing on a specific instance and (2) acknowledges this transformation cannot occur within the existing system and must be done outside of the state, i.e. that community-based solutions come from the community.⁶²³ Transformative justice teaches us that true healing comes from the community itself and not from an outside actor.

⁶¹⁸ See generally Anti-Police-Terror Project, *MH First Oakland* (2021) <<https://www.antipoliceterrorproject.org/mh-first-oakland>> [as of Dec. 2, 2021].

⁶¹⁹ See Buxbaum, California Initiatives Moves Away from Policing Mental Health Crises, *supra* note 616.

⁶²⁰ Teams are currently located in North East Los Angeles, Riverside, Greater Long Beach/South Bay, East Los Angeles/Boyle Heights, Echo Park, West Los Angeles, San Fernando Valley, South Central Los Angeles, Downtown Los Angeles, San Gabriel Valley, Koreatown, and Orange County. See *Local Cat Teams*, CAT-911.org <<https://cat-911.org/local-cat-teams/>> [as of Dec. 2, 2021].

⁶²¹ See generally Community Alternatives to 911 <<https://cat-911.org/>> [as of Dec. 2, 2021].

⁶²² See *id.*

⁶²³ See, e.g., *id.*; Center for Justice and Reconciliation, *Restorative justice and transformative justice: definitions and debates* (Mar. 2003) <<http://restorativejustice.org/rj-library/restorative-justice-and-transformative-justice-definitions-and-debates/11558/#sthash.Axi3qAdT.dpbs>> [as of Dec. 2, 2021].

There are several lessons learned from the implementation of CAT 911 that communities should also consider.

(1) Through numerous decentralized neighborhood action teams, the organizations are able to draw from a broad array of experiences as well as skills of different community members to provide a wide range of services to a large geographic region.⁶²⁴

(2) By creating various committees, the teams are not only able to respond to a person in acute crisis, but also can address broader issues such as building the necessary infrastructure to support the community-based care.⁶²⁵

(3) When supporting and uplifting the work of community-based crisis response, leaders should consider ways in which they can increase financial and other support to their local mutual aid programs.⁶²⁶

Marginalized communities have long relied on support practices at the very local level for sharing resources and skills. These practices are now often referred to as mutual aid, and historically range from indigenous lifeways to mutual support in enslaved communities, to the Black Panthers community support programs, to queer communities surviving the AIDS crisis, to pod mapping for chronically ill people.

– Mutual Aid NYC, see footnote 626

v. Community-Based Crisis Response Saves Lives and Money

Data shows that community response models to mental health crises can save lives and reduce use of force incidents. Since 2015, 1,400 people in the United States have been killed by police when responding to a person in crisis, and these troubling trends are seen in California as well.⁶²⁷ In California, the Legislature has declared that “individuals with physical, mental health, developmental, or intellectual disabilities are significantly more likely to experience greater levels of physical force during police interactions, as their disability may affect their ability to understand or comply with commands from peace officers.”⁶²⁸

For example, in 2019 researchers reviewed data showing the San Diego Sheriff’s Department and Police Department were more likely to search and use force against those perceived to have a mental health disability.⁶²⁹ Further, more than one quarter of arrests of youths by San Diego Police involved a child with a mental health disability.⁶³⁰ Over-incarceration and lack of

⁶²⁴ See Community Alternatives to 911, *supra* note 621; see also ACLU Comment Letter to RIPA Board (Aug. 24, 2021), Appendix G.

⁶²⁵ See Community Alternatives to 911, *supra* note 621; see also ACLU Comment Letter to RIPA Board (Aug. 24, 2021), Appendix G.

⁶²⁶ See *Mutual Aide NYC: About* (2021) <<https://mutualaid.nyc/about/>> [as of Dec. 2, 2021].

⁶²⁷ See *Fatal Force: Police Shootings Database* (2021) The Washington Post <<https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>> [as of Dec. 2, 2021].

⁶²⁸ See Pen. Code, § 835, subd. (a).

⁶²⁹ See Singyawe, *Evaluating Police in San Diego* (2019) Campaign Zero <<https://policescorecard.org/sandiego>> [as of Dec. 2, 2021]; see also ACLU Comment Letter to RIPA Board (Aug. 24, 2021), Appendix G.

⁶³⁰ See Singyawe, *Evaluating Police in San Diego*, *supra* note 629; see also ACLU Comment Letter to RIPA Board (Aug. 24, 2021), Appendix G.

meaningful community-based treatment are thought to be contributing factors in San Diego having the highest reported number of suicides in its jail system through the state.⁶³¹ Advocacy organization Disability Rights California found:

“The County’s mental health care system, both inside and outside of the jail, has long operated in a way that leads to the dangerous, costly, and counter-productive over-incarceration of people with mental health-related disabilities. This includes a historical failure to provide sufficient community-based mental health services and supports that help individuals with mental health needs to thrive and avoid entanglement with the criminal justice system and incarceration.”⁶³²

For individuals experiencing mental health crises, having unarmed community responders trained to provide a mental health response can reduce death, serious injury, and incarceration.⁶³³

By diverting non-violent calls for service involving a wide range of social issues – from mental health care to being unhoused – officers can focus their efforts on the most serious crimes. Community-based response programs have already been successful at diverting nearly 20 percent of all police calls for service, giving officers more time to investigate the most serious crimes.⁶³⁴ Only 4 to 10 percent of calls for service involve a report of a violent crime.⁶³⁵ In last year’s report, the Board highlighted a study’s findings that “every 10 additional organizations focusing on crime and community life in a city with 100,000 residents leads to a 9% reduction in the murder rate, a 6% reduction in the violent crime rate, and a 4% reduction in the property crime rate.”⁶³⁶

⁶³¹ Disability Rights Cal., *Suicides in San Diego County Jail: A System Failing People with Mental Illness* (Apr. 2018) <<https://www.disabilityrightsca.org/system/files/file-attachments/SDsuicideReport.pdf>> [as of Dec. 2, 2021].

⁶³² *Ibid.*

⁶³³ See Gerety, *An Alternative to Police that Police Can Get Behind* (Dec. 28, 2020) The Atlantic <<https://www.theatlantic.com/politics/archive/2020/12/cahoots-program-may-reduce-likelihood-of-police-violence/617477/>> [as of Dec. 2, 2021].

⁶³⁴ See, e.g., Crisis Assistance Helping Out On the Streets (CAHOOTS) White Bird Clinic, Media Guide 2020 <<https://whitebirdclinic.org/wp-content/uploads/2020/06/CAHOOTS-Media-Guide-20200626.pdf>> [as of Dec. 2, 2021]; *Street Crisis Response Team Issue Brief*, Mental Health S.F. Implementation Working Group, *supra* note 510.

⁶³⁵ See, e.g., Asher and Horwitz, *How Do the Police Actually Spend Their Time?* (June 2020) New York Times <<https://www.nytimes.com/2020/06/19/upshot/unrest-police-time-violent-crime.html>> [as of Dec. 2, 2021]; Rubin and Poston, *LAPD responds to a million 911 calls a year but relatively few for violent crimes* (July 5, 2020) Los Angeles Times <<https://www.latimes.com/california/story/2020-07-05/lapd-911-calls-reimagining-police>> [as of Dec. 2, 2021].

⁶³⁶ In reaching these conclusions, researchers reviewed crime rates and trends in 264 cities spanning a period of 20 years. See Sharkey et. al, *Community and the Crime Decline: The Causal Effect of Local Nonprofits on Violent Crime* (2017) American Sociological Review, 82(6), pp. 1214-1240 <doi:10.1177/0003122417736289> [as of Dec. 2, 2021].

Not only can community first responses to mental health crises save lives, but they can also save time and money. The Health Care Financial Management Association estimates that by providing comprehensive community-based crisis services, the U.S. could save as much as \$4.6 billion annually.⁶³⁷ Several communities have already seen significant cost savings by investing in their crisis response systems.

“Police themselves have been saying for years that they are asked to do too much. Why do we continue to ask them to respond to crisis calls that health professionals could address more safely and effectively?”

– Beck, Reuland, and Pope, Vera Institute of Justice, see footnote 639

Maricopa County Arizona has an established crisis response system that, by their calculations, in one year alone saved the county “\$260 million in hospital spending, \$37 million in emergency department spending, 45 years of emergency department psychiatric boarding hours, and 37 full-time equivalents (FTEs) of police officer time and salary.”⁶³⁸ Eugene, Oregon’s community-based crisis response teams have been in place for over 30 years, and they serve as a model for a number of the pilot programs, including SCRT, and STAR. Not only do the crisis teams handle about 20 percent of the calls for service throughout the city, they also save the city about \$8 million dollars annually on public safety and \$14 million in emergency rooms costs.⁶³⁹

Law enforcement, policymakers, and communities have agreed for years that police should not be the first responders to someone experiencing a mental health crisis.⁶⁴⁰ Yet, presently people who are in a mental health crisis are more likely to see the police than get medical attention.⁶⁴¹ With widespread agreement that armed peace officers should not be responding to these calls, it is the responsibility of policymakers and community leaders to fund the necessary infrastructure to provide compassionate stigma-free community-based care.

Robust crisis response systems benefit the entire community. The Board hopes that all stakeholders will continue to rally together to end these practices. Both community, municipal, and law enforcement leadership have the ability to end dangerous responses to mental health calls for service by (1) shifting calls related to mental health crises to community responders and (2) prioritizing and funding community-based care.

⁶³⁷ See Balfour, et al., *Cops, Clinicians, or Both? Collaborative Approaches to Responding to Behavioral Health Emergencies in Substance Abuse and Mental Health Services Admin., Crisis Services Meeting Needs, Saving Lives*, *supra* note 242, at p. 289.

⁶³⁸ *Ibid.*

⁶³⁹ See CAHOOTS White Bird Clinic, *Media Guide 2020*, *supra* note 634; Beck, et al., *Behavioral Health Alternatives: Shifting from Police to Community Responses* (Nov. 2020) Vera Inst. of Justice < <https://www.vera.org/behavioral-health-crisis-alternatives> > [as of Dec. 2, 2021].

⁶⁴⁰ See Wiener, *Who Responds to Nonviolent Crises? New Urgency to Remove Police from the Equation* (July 2020) Capital Public Radio < <https://www.capradio.org/articles/2020/07/02/who-responds-to-nonviolent-crises-new-urgency-to-remove-police-from-the-equation/> > [as of Dec. 2, 2021].

⁶⁴¹ See Butler and Sheriff, *Innovative Solutions to Address the Mental Health Crisis: Shifting Away from Police as First Responders* (Nov. 2020) Brookings Inst. < <https://www.brookings.edu/research/innovative-solutions-to-address-the-mental-health-crisis-shifting-away-from-police-as-first-responders/> > [as of Dec. 2, 2021].

E. Vision for Future Reports

In the future, the Board will begin to review agency-specific policies and training surrounding dispatch procedures related to bias by proxy as well as mental health calls for service. The Board hopes to examine the different policies and protocols for responding to bias-based calls for service. The Board would like to examine the dispatcher trainings provided by POST and research evidence-based best practices for designing trainings related to mental health crises and bias-based calls. The Board will also continue to review best practices, measurements of effectiveness, and measurable impacts of community-based crisis response models. The Board would like to invite leaders from the community response teams to upcoming subcommittee or Board meetings to discuss both obstacles in implementation and successes or lessons learned.

CIVILIAN COMPLAINTS: POLICIES AND DATA ANALYSES

State law has required California law enforcement agencies to submit civilian complaint information to the Department for the past 40 years. In 2015, RIPA required law enforcement agencies to submit the total number of complaints alleging racial or identity profiling, along with the number of complaints with dispositions of “sustained,” “exonerated,” “not sustained,” and “unfounded.”⁶⁴² Furthermore, RIPA requires this data to be disaggregated and analyzed for inclusion in the Board’s annual report. Included below is an overview and analysis of the civilian complaint data submitted to the DOJ, a review of the civilian complaint forms of Wave 3 and Wave 4 agencies that started reporting in 2021, and the Board’s recommendations to standardize California law on civilian complaints to ensure a uniform and equitable system.

Because law enforcement agencies have discretion to implement their complaint processes and outreach differently,⁶⁴³ comparisons across law enforcement agencies should be made with care, as disparities may be the result of a variety of factors. The Board has identified the following factors as important to consider in analyzing complaint data: 1) distinct definitions of “civilian complaint” and inconsistencies in how complaints are categorized; 2) different civilian complaint intake and investigation processes; 3) varying outreach and education to members of the public about an agency’s complaint process; 4) variable accessibility for people with disabilities; and 5) the potential deterrent impact of language from Penal Code section 148.6 on complaint forms.⁶⁴⁴

A. Overview of Civilian Complaint Data

In 2020, 692 agencies employing peace officers in California collected and submitted civilian complaint data. The agencies reported 16,547 complaints across three categories: non-criminal, misdemeanor, and felony. The majority of complaints (15,826, or 95.6%) alleged non-criminal conduct; complaints alleging behavior constituting a misdemeanor offense accounted for 2.4 percent (404) of complaints, and allegations of behavior constituting a felony represented 1.9 percent (317) of complaints.

Law enforcement agencies are also required to report the number of complaints that contain an allegation of racial or identity profiling.⁶⁴⁵ Specifically, agencies submit data to the Department detailing profiling complaints that fall into nine categories: age, gender, gender

⁶⁴² “Sustained” means the investigation disclosed sufficient evidence to prove the truth of the allegation in the complaint by a preponderance of the evidence. “Exonerated” means the investigation clearly established that the employee’s actions that formed the basis of the complaint were not a violation of law or agency policy. “Not sustained” means the investigation failed to disclose sufficient evidence to clearly prove or disprove the complaint’s allegation. “Unfounded” means the investigation clearly established that the allegation is not true. (Pen. Code, § 13012, subd. (a)(5)(B).)

⁶⁴³ See Pen. Code, § 832.5.

⁶⁴⁴ Racial and Identity Profiling Advisory Board, Annual Report (2020) pp. 64-75

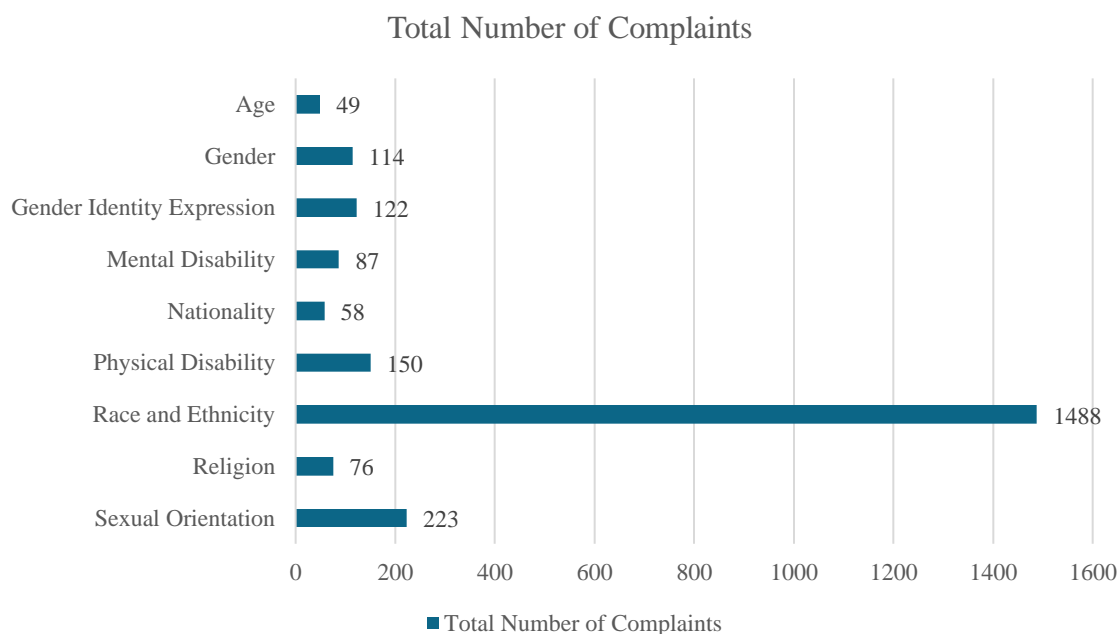
<<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2020.pdf>> [as of Dec. 2, 2021].

⁶⁴⁵ Pen. Code, § 13012, subd. (a)(5)(A).

identity/expression, mental disability, nationality, physical disability, race, religion, sexual orientation.

Agencies reported 2,033 complaints alleging an element, or elements, of racial or identity profiling, constituting 12.3 percent of total complaints reported in 2020. Those 2,033 complaints consisted of 2,367 identity profiling allegations as, in some cases, civilians alleged experiencing more than one type of profiling. Accordingly, Figure 64, below, displays the number of reported allegations in each of the nine identity groups.

Figure 64. Total allegation of Racial and Identity Profiling Reported in 2020



Analysis of Racial and Identity Civilian Complaint Data Submitted by RIPA Agencies

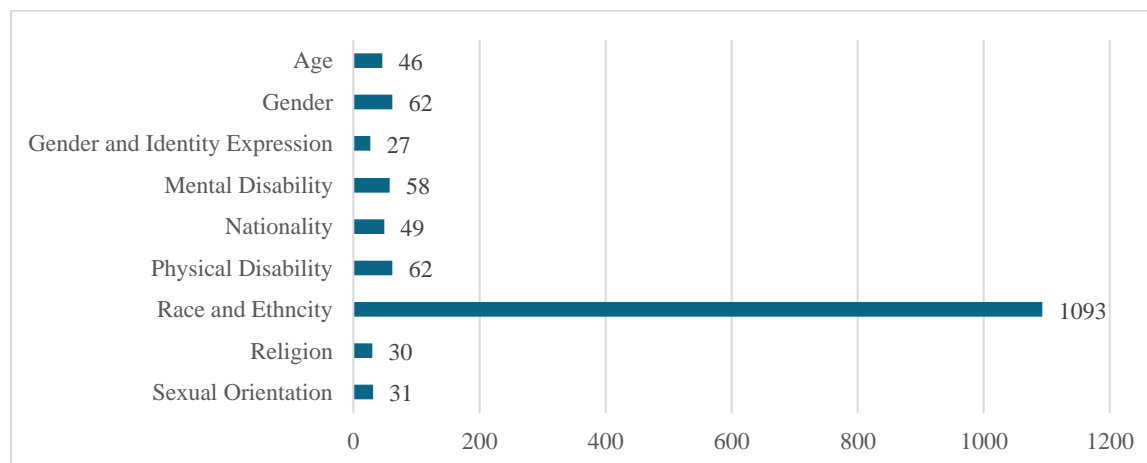
Of the 692 agencies employing peace officers in California that reported civilian complaint data in 2020, 444 agencies are subject to RIPA’s stop data reporting requirements (hereafter RIPA agencies). These 444 RIPA agencies include municipal and district police departments, county sheriff’s departments, the California Highway Patrol, and the law enforcement agencies of the University of California, California State Universities, California Community Colleges, as well as K-12 school district police departments.⁶⁴⁶ The sections that follow examine only the data submitted by the 444 RIPA agencies that are currently or will soon begin collecting RIPA stop data.

⁶⁴⁶ For more information on the law enforcement agencies that are required to report under RIPA, see Cal. Code Regs., tit. 11, § 999.225.

RIPA agencies reported a total of 10,648 civilian complaints in 2020. Most complaints alleged noncriminal conduct (10,043, or 94.3%), followed by complaints alleging misdemeanor offenses (378, or 3.5%); approximately two percent of complaints (227) alleged felony conduct.

Of the 10,648 complaints reported by RIPA reporting agencies, 1,259 (11.8%) complaints alleged an element, or elements, of racial or identity profiling. Those 1,259 complaints consisted of 1,458 identity profiling allegations, since in some cases civilians alleged experiencing more than one type of profiling. For example, a civilian may file a complaint alleging they experienced profiling based on both their age and mental disability. This example would count as a single complaint with two types of alleged identity profiling. Of the nine identity categories, complaints alleging race and ethnicity profiling were the most common and constituted 75 percent of complaints alleging profiling.⁶⁴⁷ Conversely, gender and identity expression was the least common profiling category at 1.9 percent. Figure 65 displays the 1,259 allegations of racial or identity profiling reported by RIPA reporting agencies in 2020 broken down by the nine identity types.

Figure 65. Total Racial and Identity Profiling Complaints Reported by RIPA agencies



⁶⁴⁷ The nine categories include: age, gender, gender identity/expression, mental disability, nationality, physical disability, race, religion, sexual orientation.

Dispositions of Civilian Complaints for RIPA Agencies

Of the 10,648 complaints reported by RIPA agencies, 9,878 (92.8%) reached a disposition in the 2020 calendar year. Of the 9,878 complaints that reached a disposition, 933 (9.4%) were sustained, 3,313 (33.5%) were exonerated, 996 (10.1%) were not sustained, and 4,636 (46.9%) were unfounded.⁶⁴⁸

Ninety RIPA agencies (19.5%) reported that they did not receive any complaints in the 2020 calendar year.⁶⁴⁹ The remaining 354 (79.7%) RIPA agencies reported they received one or more civilian complaints; of the RIPA agencies that reported having at least one complaint in 2020, 147 (33.1 %) reported one or more civilian complaints alleging racial or identity profiling.

Those 147 agencies reported a total of 1,259 complaints alleging racial or identity profiling, 729 of which reached disposition in 2020. Of these 729 racial and identity profiling complaints which reached disposition, 14 (1.9%) were sustained, 132 (18.1%) were exonerated, 80 (11%) were not sustained, and 503 (69%) were determined to be unfounded. Figure 66 displays the distribution of disposition types within the 2020 data for (1) all complaints that reached disposition and (2) complaints of racial and identity profiling that reached disposition.⁶⁵⁰

DISPOSITION KEY TERMS

Sustained: investigation disclosed sufficient evidence to prove truth of allegation in complaint by preponderance of evidence.

Exonerated: investigation clearly established that employee's actions that formed basis of allegations in complaint were not a violation of law or agency policy.

Not sustained: investigation failed to disclose sufficient evidence to clearly prove or disprove complaint's allegation.

Unfounded: investigation clearly established that allegation is not true.

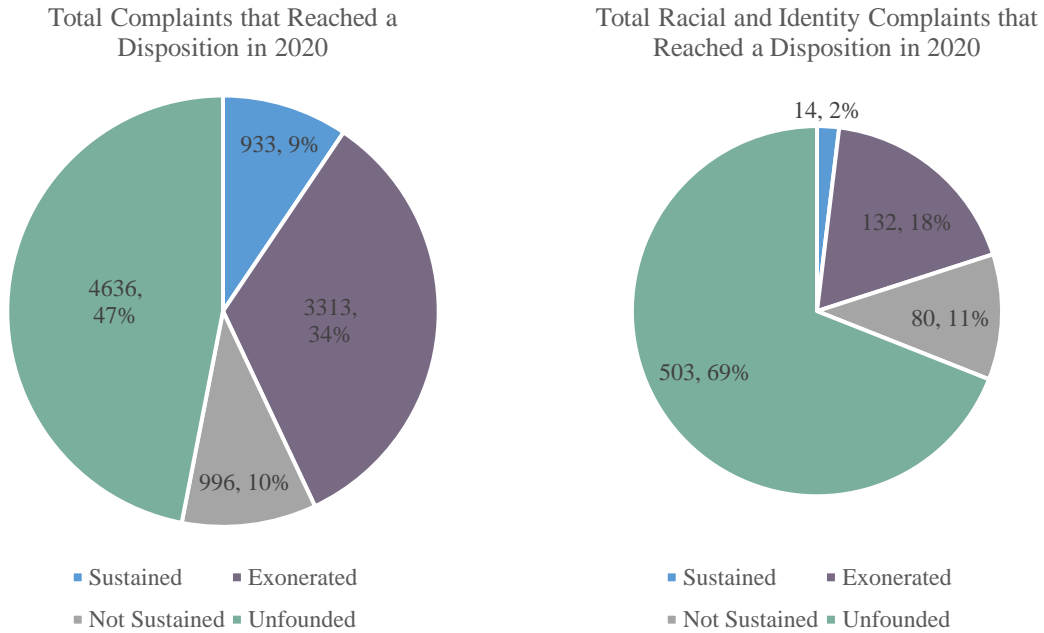
Pending: number of complaints reported in the current year that are currently awaiting disposition.

⁶⁴⁸ It is important to note that not every complaint reaches a disposition during the same year it is initially reported. Accordingly, it is possible that some complaints that appeared in the 2020 disposition categories were first reported in 2019 or earlier.

⁶⁴⁹ In 2019, 84 agencies reported zero complaints.

⁶⁵⁰ For an agency-level breakdown of how many profiling complaints reached each disposition type in 2019, see Appendix Table H.1.

Figure 66. Disposition Distribution of 2020 Complaints



Agency-Level Data Snapshot: 2020 Civilian Complaints for Wave 1, 2, and Early Reporting Agencies

Table 1 displays civilian complaint totals broken down for agencies that collected stop data in 2020. The table provides the following information: the total number of complaints reported; the number of complaints reported alleging racial or identity profiling; and the number of sworn personnel each agency reported employing in 2020.⁶⁵¹

⁶⁵¹ Sworn personnel totals are calculated from the information contained within the Law Enforcement Personnel file available at <<https://openjustice.doj.ca.gov/data>>. The Department of Justice collects the Law Enforcement Personnel data through a one-day survey taken on October 31st of each year.

Table 9. Total Sworn Personnel and Civilian Complaints for Wave 1, 2, and Early Reporting Agencies

Wave	Agency	Total Complaints Reported	Total Racial and Identity Complaints Reported	Total Sworn Personnel
1	California Highway Patrol	295	42	7,001
1	Los Angeles County Sheriff's Department	985	71	9,933
1	Los Angeles Police Department	2,097	389	9,863
1	Riverside County Sheriff's Department	33	0	1,779
1	San Bernardino County Sheriff's Department	118	71	1,985
1	San Diego County Sheriff's Department	204	44	2,582
1	San Diego Police Department	194	31	1,846
1	San Francisco Police Department	842	44	2,239
2	Fresno Police Department	146	12	788
2	Long Beach Police Department	157	7	809
2	Oakland Police Department	1414	112	740
2	Orange County Sheriff's Department	61	9	1,879
2	Sacramento County Sheriff's Department	191	4	1,333
2	Sacramento Police Department	238	14	684
2	San Jose Police Department	247	44	1,170
3	Bakersfield Police Department	44	5	403
4	Davis Police Department	7	3	56
4	Los Angeles Schools Police Department	7	0	-

Cross-Year Comparisons

The following sections cover the total number of complaints and total number of racial and identity profiling complaints submitted by year since 2016 for agencies that collected RIPA stop data in 2020.

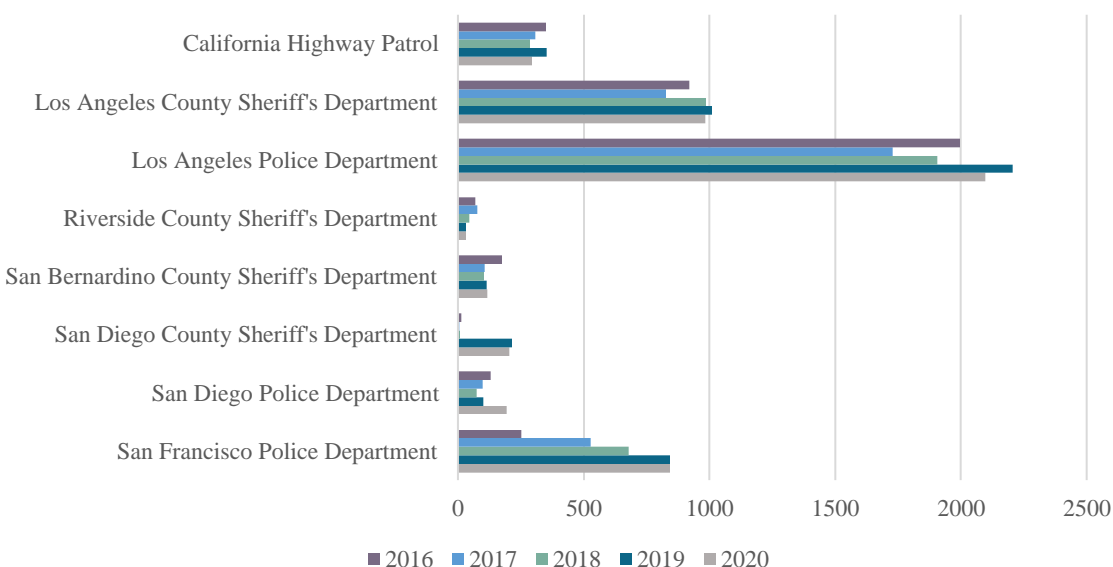
Wave 1 Agency Complaints Reported (2016-2020)

In 2020, the eight largest law enforcement agencies in the state (hereafter referred to as Wave 1 agencies) reported a total of 4,768 civilian complaints; this constituted a 2.1 percent decrease relative to the total number of civilian complaints reported in the prior year (4,872). Of the

past five reporting years (2016-2020), agencies received the second highest number of complaints in 2020.

Half of Wave 1 agencies reported a decrease in total complaints in 2020, relative to the number of complaints in 2019. The agency that experienced the largest decrease was California Highway Patrol (16.4%, 353 to 295). Two agencies, the San Diego Police Department and the San Bernardino Sheriff’s Department, reported an increase in complaints; the San Diego Police Department experienced the largest increase (90.2%, 102 to 194) in complaints from 2019 to 2020. Two Wave 1 agencies, the Riverside County Sheriff Department and San Francisco Police Department, reported having the same total number of complaints in 2020 as they reported in 2019.

Wave 1: Total Complaints Reported



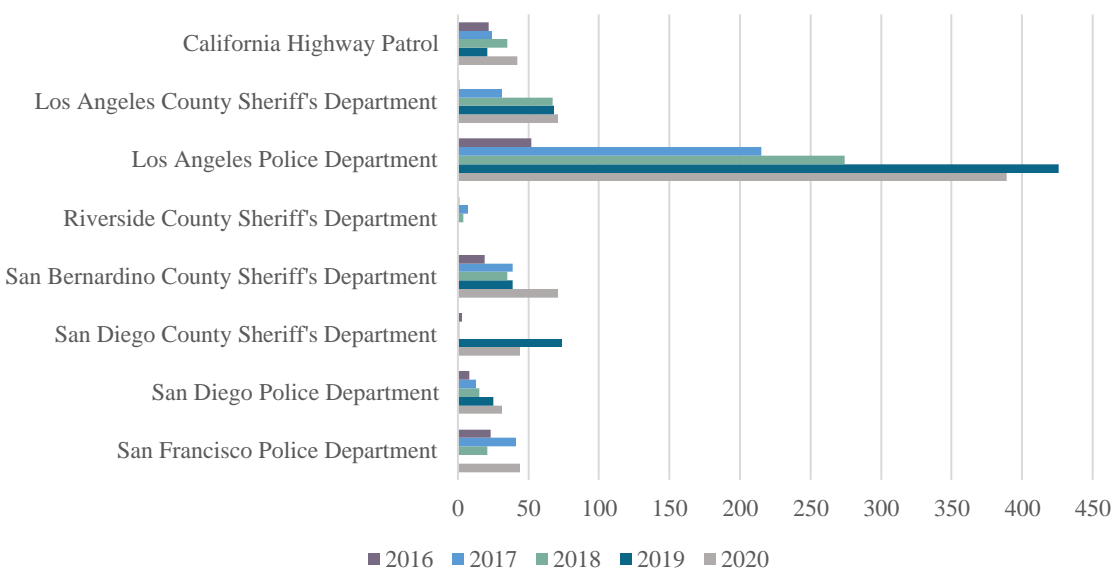
Wave 1 Total Racial and Identity Profiling Complaints

Figure 66 displays the total number of racial and identity profiling complaints Wave 1 agencies reported by year from 2016 to 2020. The total number of racial and identity profiling complaints was 692 in 2020, a six percent increase from 2019. The total number of profiling complaints reported by Wave 1 agencies has increased each year over the past five years; as such, in 2020, Wave 1 agencies reported the highest number of racial and identity profiling complaints since agencies first started collecting this information in 2016.

Half of the Wave 1 agencies experienced an increase in the number of racial and identity profiling civilian complaints between 2019 and 2020, while two experienced a decrease and two reported the same number across both years. The San Francisco Police Department reported the largest relative increase in racial and identity profiling complaints, with 44

complaints in 2020 after reporting zero racial and identity profiling complaints in 2019. Conversely, the San Diego Sheriff’s Department had the largest relative decrease (40.5%, 74 to 44) in the number of racial and identity profiling complaints reported from 2019 to 2020. The Riverside Sheriff Department did not report having any racial and identity profiling complaints in both 2019 and 2020.

Wave 1: Total Racial and Identity Profiling Complaints Reported



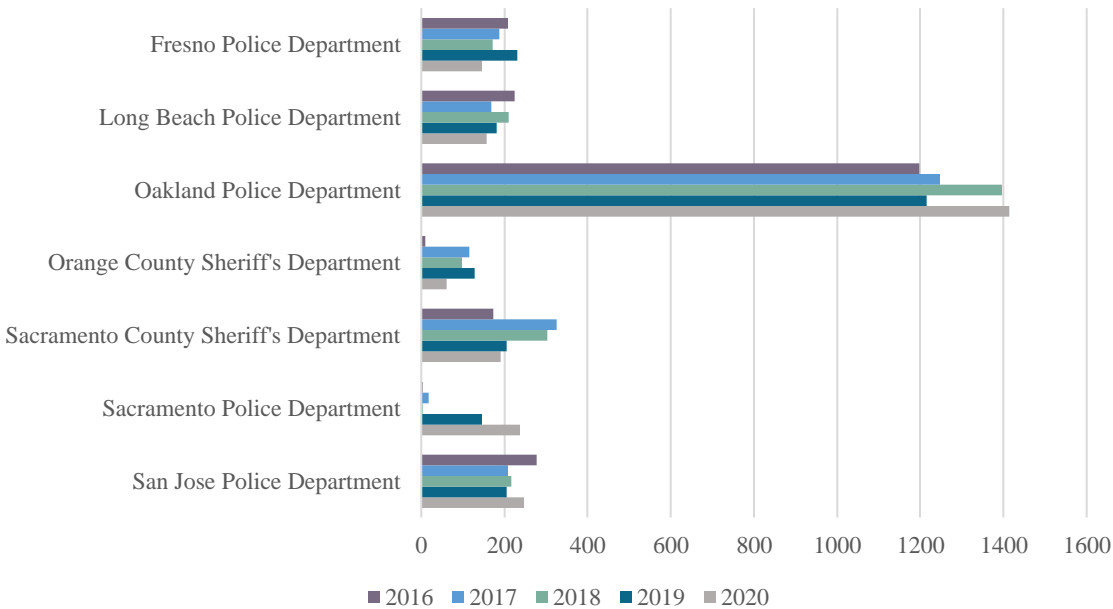
Wave 2 Agency Complaints Reported (2016-2020)

Agencies that began collecting RIPA data in 2019 (hereafter referred to as Wave 2 agencies) reported 2,454 complaints in 2020, the highest number of complaints these agencies have reported in the previous five years. This was a 6.1 percent increase from 2019 (2,313).

The majority of Wave 2 agencies (four out of seven) experienced a decrease in the total number of civilian complaints reported between 2019 and 2020. The agency that experienced the largest decrease was the Orange County Sheriff’s Department (129 to 61, 52.7%). While the majority of Wave 2 agencies experienced a decrease in complaints from 2019 to 2020, the Sacramento Police Department experienced a substantial increase (146 to 238, 63%). This increase was smaller than the increase in complaints the agency reported between 2018 and 2019 (4 to 146, 3,550%); however, the cross-year increase between 2018 and 2019 was largely attributed to the policy change in August 2019, which ended the Sacramento Police Department’s practice of categorizing certain complaints as “inquiries” to be resolved informally at the precinct/watch level. This policy change was the result of a Department of Justice review of Sacramento Police Department’s practices and its recommendation that all personnel complaints be tracked uniformly and classified by type of alleged misconduct.⁶⁵²

⁶⁵² See Racial and Identity Profiling Advisory Board, Annual Report (2020), *supra* note 644, at pp. 68-69.

Wave 2: Total Complaints



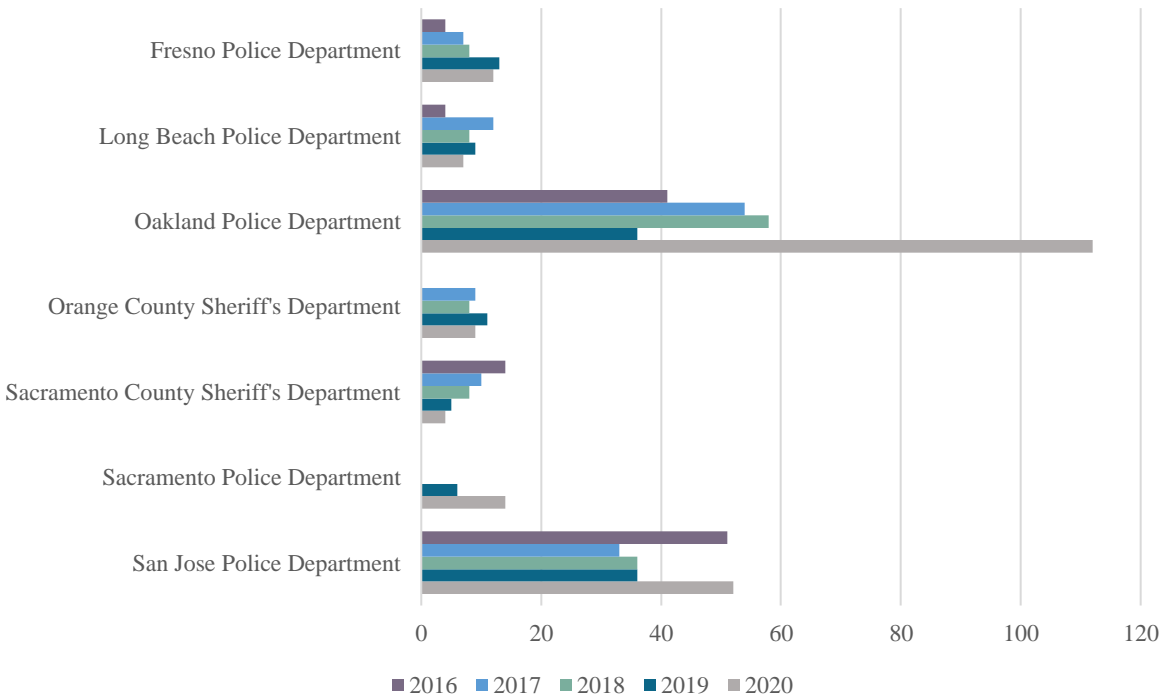
Wave 2 Racial and Identity Profiling Complaints

Wave 2 agencies reported an 81 percent increase in civilian complaints from 2019 to 2020 (116 to 210). As was the case with Wave 1 agencies, Wave 2 agencies reported increases in the number of profiling complaints each year over the past five years, meaning that 2020 was the year that Wave 2 agencies reported the highest number of racial and identity profiling complaints since agencies first began transmitting this information to the Department of Justice.

The majority of Wave 2 agencies (4 out of 7) experienced an increase in the number of racial and identity profiling complaints between 2019 and 2020. The Oakland Police Department experienced the largest relative increase (36 to 112, 211.1%) with more than triple the number of profiling complaints in 2020 than in the previous year. The Long Beach Police Department experienced the largest relative decrease between 2019 and 2020 (9 to 7, 22.2%).⁶⁵³

⁶⁵³ The Orange County Sheriff's Department also reported a decrease of two complaints (9 from 11) between 2020 and 2019.

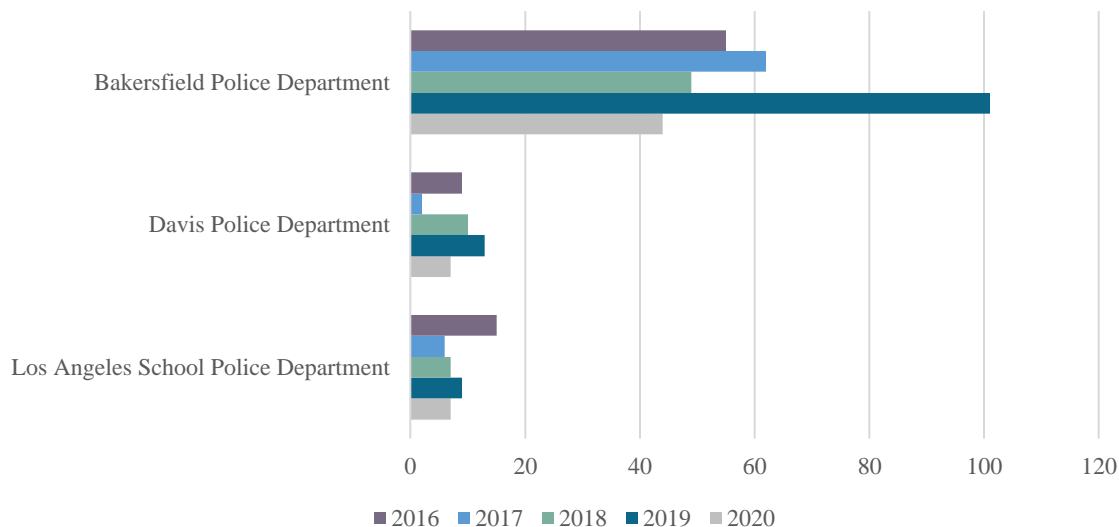
Wave 2: Total Racial and Identity Profiling Complaints



Early Reporting Agencies Total Complaints

In 2019, three agencies began reporting RIPA data earlier than they were required to under statute: Bakersfield Police Department, Los Angeles School Police Department, and Davis Police Department. These three agencies are referred to as early reporting agencies, since they began collecting prior to their statutorily mandated year. In 2020, a total of 58 complaints were reported by the three early reporting agencies, which constituted a substantial decrease from the year prior (123). This large reduction is primarily explained by the difference in the number of total complaints reported by the Bakersfield Police Department, which reported 101 complaints in 2019 and 44 complaints in 2020, a 56.4 percent decrease. The Los Angeles School Police Department also saw a decrease in complaints between 2019 and 2020 (9 to 7, 22.2%). The Davis Police Department reported seven complaints in 2020, which constituted a 46.2 percent decrease in total complaints from 2019 (13).

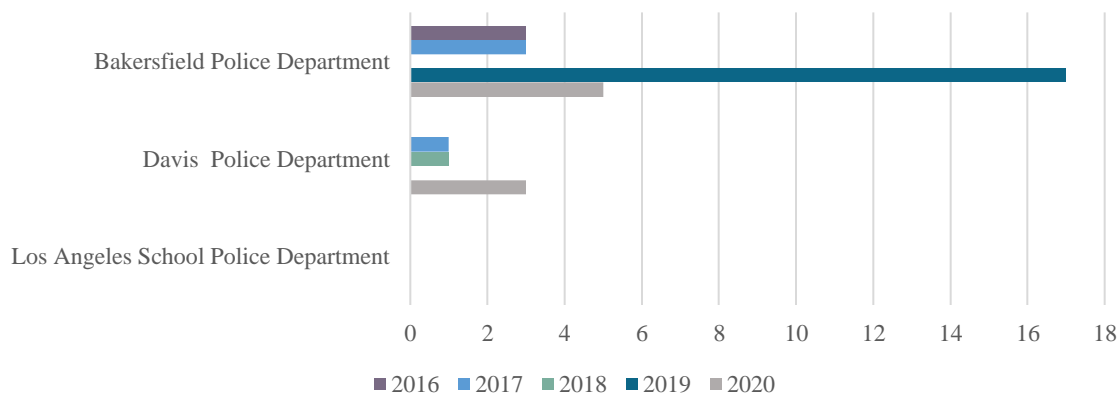
Early Reporting Agencies: Total Complaints



Early Reporting Agencies Racial and Identity Profiling Complaints

Early reporting agencies saw a 70.6 percent decrease in profiling complaints from 2019 (17) to 2020 (5). The Bakersfield Police Department reported five racial and identity profiling complaints in 2020, which was 70.6 percent fewer profiling complaints than the agency reported in 2019. The Davis Police Department reported three racial and identity profiling complaints in 2020. In the past five years, it had reported one in 2017 (200% increase) and one in 2018 (200% increase), but did not report any racial and identity profiling complaints in 2016 or 2019. The Los Angeles School Police Department has not reported any racial and identity profiling complaints in the five years since agencies were required to collect this information.

Early Reporting Agencies: Total Racial and Identity Profiling Complaints



B. Wave 3 and 4 Agencies' Civilian Complaint Form Review

In its 2019 report, the Board made recommendations for best practices for civilian complaint procedures and policies.⁶⁵⁴ In its 2020 report, the Board built upon this review and made evidence-based best practice recommendations regarding civilian complaint forms.⁶⁵⁵ Last year, the Board conducted an initial review of the Wave 1 and Wave 2 agencies' civilian complaint forms; the Board is now extending that review to the Wave 3 agencies and those Wave 4 agencies that began reporting in 2021.⁶⁵⁶

Alameda County Sheriff's Office (Alameda Sheriff)

Methods of Submission

Complaints may be submitted in person at any Alameda Sheriff's station, by phone to the Internal Affairs (IA) Office, or by mail.

Telephone Access

The Alameda Sheriff's website provides several phone numbers to call to file a complaint. Members of the community can call IA directly, the Personnel Complaints phone lines for submitting a complaint during the day or nighttime, or the Emergency/Hearing Impaired phone line if needed. The agency reports that when a complainant uses the phone to file a complaint, it also recommends the complainant send a confirming e-mail to the employee who took their complaint.

Complaint Procedure Information

The agency's website and complaint brochure provide specific information on the civilian complaint procedure and investigation process. This information is also summarized on the complaint form itself.

Deterrent Language

The agency's website, complaint form, and brochure include language from Penal Code 148.6 and Cal. Civil Code 47.5.

Translation

The complaint form is only offered in English. Alameda Sheriff has a translation line and certified bilingual staff available to assist with translation of the form.

Anonymous/Third Party Complaints

The current policy states that the Alameda Sheriff accepts anonymous complaints. The agency reports that it does not accept third-party complaints.

⁶⁵⁴ See Racial and Identity Profiling Advisory Board, Annual Report (2019) pp. 41-44

<<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2019.pdf>> [as of Dec. 2, 2021].

⁶⁵⁵ See Racial and Identity Profiling Advisory Board, Annual Report (2020) *supra* note 644, at pp. 58-80.

⁶⁵⁶ See Appendix I for these law enforcement agencies' civilian complaint forms.

Anaheim Police Department (Anaheim Police)

Methods of Submission

Complaint forms may be retrieved online, at any police station, the City Clerk’s Office, any Anaheim public library, or the Community Services Office. The form can then be submitted in person, by mail, or online. Additionally, members of the public may submit their complaint through an online form.

Complaint Form Details

The online and printed or PDF forms are nearly identical except for a question about whether or not the complaint is based on racial or identity bias; this question is only included on the printed or PDF form and not the online form.

Anonymous/Third Party Complaints

The current policy states that the Anaheim Police accepts both anonymous and third-party complaints.

Translation

The online and print or PDF complaint forms are available in English and Spanish. The agency reports it provides forms in these two languages based on the demographics of the community they serve.

Complaint Procedure Information

The complaint form includes some information about the civilian complaint process, such as whether the complainant will be informed of the results of the investigation, but it does not describe the investigation process or provide a timeline.

Deterrent Language

Both the online and printed forms include nearly verbatim language from Penal Code section 148.6.

Fresno County Sheriff’s Department (Fresno Sheriff)

Methods of Submission


Members of the public may file a civilian complaint with the Fresno Sheriff by completing a form or calling Internal Affairs during business hours. If the call is made after hours, the complainant must contact the Watch Commander.


Complaint Form Details


The complaint form details information that is “needed to process [a] complaint,” including: 1) the complainant’s name, address, and telephone number; 2) the location, date, and time of the alleged incident; 3) the name, address, and telephone number (if available) of all witnesses; 4) the names or other identification of Sheriff’s Office personnel involved; 5) all details of the alleged incident prompting the complaints; and 6) a signature on both sides of the complaint. The form does not explain that a complainant only need to provide as much information that is known to them.

Deterrent Language

The complaint form includes nearly verbatim language from Penal Code section 148.6 and cites to Penal Code section 129, which references criminal liability for perjury.

 Complaint Procedure Information
Information about the civilian complaint process is attached to the complaint form.


 Translation
The complaint form is only available in English.

 Anonymous/Third Party Complaints

Because the form states the aforementioned details are “needed to process a complaint” without an additional disclaimer, a complainant may think they cannot submit a complaint unless they provide every item of information listed above. Moreover, couching the complaint as requiring the six areas of information, including a name and signature, suggests that anonymous complaints may not be processed. Therefore, it is unclear whether the Fresno Sheriff will accept anonymous complaints.

Kern County Sheriff’s Office (Kern Sheriff)

The agency reports that their current complaint form and associated policies are under review and in the process of significant updates to incorporate the best practices contained within the RIPA Board’s 2019 and 2020 Annual Reports.

 Translation

The complaint form is available in English and Spanish. Kern Sheriff is currently assessing what other translations it may be required to have for its forms under the Stipulated Judgment with California Department of Justice filed in December 2020. At this time, the agency’s practice is to use telephonic translation services available through their 9-1-1 system and through the use of certified bilingual employees.

 Methods of Submission


Complaints against Kern Sheriff employees may be submitted in person at the Personnel Division or any substation and by mail. The agency’s website encourages members of the community to call and speak with an investigator. Kern Sheriff reports that it is currently developing an online submission method.

 Complaint Procedure Information

The complaint form includes some information about the civilian complaint process.


 Anonymous/Third Party Complaints

Kern Sheriff accepts anonymous and third-party complaints.

 Deterrent Language

The complaint form includes nearly verbatim language from Penal Code section 148.6.


Los Angeles World Airport Police (LAX Police)

 Methods of Submission


Complaints may be submitted online or in-person.

 Translation


The online and PDF complaint forms are only offered in English.

 Deterrent Language

The printed or PDF complaint form includes nearly verbatim language from Penal Code section 148.6.


 Anonymous/Third Party Complaints

The agency reports it accepts anonymous and/or third-party complaints.

 Complaint Procedure Information

The agency's website does not provide information on the complaint process. The printed or PDF complaint form does include details about the complaint procedure attached to it.

Riverside Police Department (Riverside Police)

 Methods of Submission

Complaint forms are available online and at all Riverside Police Stations. Complaints are accepted in person, by phone, or by mail. Members of the community can submit their complaint to Riverside Police and/or the Civilian Police Review Commission (CPRC).

 Complaint Form Details


All complaints submitted within six months of the allegations are investigated by the CPRC.

 Translation

The complaint form is available in English and Spanish, which the agency reports are the two languages spoken by most of the population they serve.


 Anonymous/Third Party Complaints

The Riverside Police accept anonymous and third-party complaints. They are investigated to the extent that sufficient information is available. Complainants' signatures are optional.

 Complaint Procedure Information

The Riverside Police provide a detailed description of the Personnel Complaint Process, Investigation Process, and the Disposition on their website. All complainants receive a letter from the Internal Affairs bureau advising them that their complaint was received and is being investigated. They will also receive further notice if the investigation is extended beyond 120 days. At the conclusion of the investigation and review process, they will receive a final notification of the disposition within 30 days. It is unclear if this process information is provided to complainants who receive the complaint form in person or by mail.

San Francisco County Sheriff's Department (San Francisco Sheriff)

 Methods of Submission

Complaints may be filed with the San Francisco Sheriff by mail, by phone, by e-mail, or in person at the Internal Affairs unit.

 Deterrent Language

The complaint form includes language from and cites to Penal Code section 148.6.

Translation

The complaint form is offered in English, Spanish, and Cantonese. San Francisco Sheriff determines the languages needed for translating its complaint form by doing a bi-annual tracking of a two-week period of non-English speaking public contacts. This information is provided to the City to ensure the proper languages are being offered. Translations are provided by the City and County of San Francisco Department of Human Resources in accordance with the city and county Language Access Ordinance.

Complaint Form Details

The complaint form makes it optional to release medical records from the complainant to assist in the investigation.

Anonymous/Third Party Complaints

The agency reports that it accepts third party and anonymous complaints.

Complaint Procedure Information

The agency's website provides details on the civilian complaint procedure and investigation. This information is not attached to the complaint form itself.

Santa Ana Police Department (Santa Ana Police)

Methods of Submission

Santa Ana Police accept complaints either in person or by mail.

Deterrent Language

The agency's complaint form includes near verbatim language from Penal Code section 148.6.

Complaint Procedure Information

A detailed description of the purpose and procedure of the civilian complaint process is posted on their website and attached to the civilian complaint form. The description includes a general timeframe for the review and information about what the complainant can expect if the complaint alleges criminal behavior.

Translation

The complaint form is available in English and Spanish. Santa Ana Police report that these languages were chosen by City leadership. City staff perform the translations.

Anonymous/Third Party Complaints

The Santa Ana Police accept anonymous and third-party complaints.

Santa Clara County Sheriff's Department (Santa Clara Sheriff)

Complaint Procedure Information

Both the website and the PDF complaint form have information on the complaint process and investigation. The website also lists the name and contact information of other organizations

Translation

The PDF complaint form is available in English, Mandarin, Vietnamese, and Spanish; the online form is available in English only.

that a complainant may go to if they are unsatisfied with the investigation outcome, including DOJ and the Santa Clara ACLU chapter.

Methods of Submission

Civilian complaints may be filed at any Santa Clara Sheriff's facility, online, by phone, or mail.

Deterrent Language

The Santa Clara Sheriff's website has a specific note to complainants that their investigation of officer conduct is wholly separate from any connected criminal prosecution and will not affect the prosecutor's decision. Following this note, it provides:

"A complaint which is false, however, and made with knowledge of its falsity, and made with spite, hatred, or ill will, which accuses an officer of misconduct, criminal conduct, or incompetence, will expose the maker of such false complaint to a civil action brought by the officer. This advisement is not made to dissuade the making of a bona fide complaint, for such complaints should be made and investigated. It is directed only to those few individuals who believe that false complaints against officers can be made with impunity."

Complaint Form Details

The two complaint forms are generally the same, except the online form asks for the "associated police report."

Stockton Police Department (Stockton Police)

Methods of Submission

Stockton Police receive complaints by phone, in person, or by mail. Civilian complaint forms can be found at Stockton public libraries, the City Clerk's Office, or any Stockton Police station.

Translation

The complaint form is offered in English and Spanish.

Complaint Form Details

At the top of the complaint form, it states "if your concern stems from an arrest or citation issued, it may not be investigated until the legal matter has been resolved."

Complaint Procedure Information

The agency's website does not explain the civilian complaint process or procedure. It is unclear whether a complaint brochure or something similar exists and is provided to complainants. The agency has its civilian complaint policy on its website.

Deterrent Language

While the complaint form does not include language from Penal Code section 148.6, the signature block of the complaint form references Civil Code section 47.5 regarding an officer's ability to file a civil claim against the complainant for a false complaint.

Anonymous/Third Party Complaints

The current policy states that the Stockton Police accept anonymous and third-party complaints.


Ventura County Sheriff's Department (Ventura Sheriff)

Methods of Submission

Civilian complaints are accepted in person, by phone, or by mail. The forms can be found at any Ventura Sheriff station.

Deterrent Language

Penal Code section 148.6 is directly quoted and cited to in the signature block of the form. There is also an advisory about Civil Code 47.5 and Penal Code 148.5.

 Anonymous/Third Party Complaints The agency reports that it accepts anonymous and third-party complaints.

Complaint Procedure Information

The agency's website has two separate places where civilian complaints are discussed. One webpage provides links to the complaint forms with no additional information about the complaint process. The other webpage – connected to Internal Affairs – provides details on the process and types of dispositions. More detailed information about the process is attached to the civilian complaint form.

Translation

The complaint form is offered in English and Spanish. Ventura Sheriff provides its complaint form in these languages because they are the primary languages spoken in Ventura County. If any other language assistance is needed, the agency reports that it has access to translation services.

Berkeley Police Department (Berkeley Police)

Methods of Submission

Berkeley Police accepts complaints by phone, by e-mail, or in person at the Public Safety Building. Complaints may also be submitted to and reviewed by the Police Review Commission.

Complaint Form Details


The complaint form lists ten types of department policy violations a complainant may allege, including "other." The form also includes a space for specifying the type of discrimination the complainant alleges.


Deterrent Language

The complaint form includes the following language before the open narrative space for a complainant to describe their allegation, "[i]f your complaint is more than 30 days from the date of incident upon which the complaint is based, please explain in your synopsis the circumstances that caused a delay in filing."


Translation


The complaint form is offered in English and Spanish. The agency informed DOJ that the form is translated by a translator service.


 Anonymous/Third Party Complaints
The form includes a field for “victim” and specifies “if other than the complainant,” suggesting that the agency accepts third-party complaints.


 Complaint Procedure Information
The agency’s website and the complaint form do not have information on the civilian complaint process or procedure. There is some information on who investigates the complaints.


Culver City Police Department (Culver City Police)


 Methods of Submission
Members of the public can submit civilian complaints by phone, by mail, in person, or electronically.

 Deterrent Language
The form includes near verbatim language of Penal Code section 148.6.


 Anonymous/Third Party Complaints
The agency makes clear on its website that anyone may file a complaint, including a parent or representative of an involved party. It is not clear if the complaint may be anonymous.


 Complaint Procedure Information
The agency’s website provides detailed information about the complaint process and procedure, including what the investigation may entail and what the disposition could be.

 Translation
Culver City Police offers its complaint form in English and Spanish. The agency informed DOJ that Culver City Police command staff decide what languages are needed for translation and the translation is done by a certified translator.

 Data
In addition to covering details about the civilian complaint process and procedure, Culver City Police provides complaint statistics on its website. The statistics include the total number of complaints and the number of sustained complaints for both external and internal complaints since 2015.

Davis Police Department (Davis Police)

 Methods of Submission
Complaints may be submitted to the Davis Police by mail, in person, by e-mail, by phone, or by contacting the City Manager’s Office or the Independent Police Auditor.

 Anonymous/Third Party Complaints
The agency accepts anonymous and third-party complaints.

Complaint Procedure Information

The agency’s webpage explains the civilian complaint process or procedure. Additionally, there is a link to the PDF complaint form, which also includes two pages of information regarding the civilian complaint process and procedure. Complainants also have the option to resolve the complaint through the “Community-Police Alternative Conflict Resolution Program” process.

Translation

The form is also available in Spanish and Russian. The agency informed DOJ that it provides translation services for most languages. The agency reported that it determined the languages needed for translating the complaint form from reviewing census data and other local resources.

Petaluma Police Department (Petaluma Police)

Methods of Submission

Petaluma Police accept complaints by mail, phone, fax, e-mail, and in person.

Deterrent Language

The form includes nearly verbatim language from Penal Code 148.6.

Complaint Form Details

The agency’s complaint form does not include an open narrative field for the complainant to write a summary of their allegations; instead, they are required to attach a summary of the allegations on an additional sheet.

Complaint Procedure Information

Information on the agency’s civilian complaint process or procedure is available on its website and attached to the complaint form.

Anonymous/Third Party Complaints

The agency’s website makes clear that anyone can file a civilian complaint – even those under 18 years of age – as long as they are accompanied by an adult.

Translation

The complaint form is available in English and Spanish. Petaluma Police reports it determines the languages for translation of its civilian complaint form based on community needs. In this case, 76% of the community speaks English and the second most common language in Petaluma is Spanish. The agency uses an outside translation service to complete the translation of its form.


Rohnert Park Department of Public Safety (Rohnert Park)


Methods of Submission

Complaints to Rohnert Park can be submitted by phone, by mail, or in person.

Deterrent Language

The complaint form can be used for both a commendation and complaint, and it includes nearly verbatim language of Penal Code section 148.6.


 Complaint Procedure Information
The complaint process is detailed on its website and on the complaint form. There is one difference between the two: the agency’s website includes an FAQ titled “What if I File a False Criminal Complaint?”


 Anonymous/Third Party Complaints
The complaint form makes clear that anyone can file a civilian complaint – even those under 18 years of age – as long as they are accompanied by their parent or an adult.

 Translation

The form is available in English and Spanish. Rohnert Park informed DOJ that if a member of the community requests translation in another language, a certified bilingual employee would translate the text. In the event they do not have a certified bilingual employee for that language, they would use a third-party translation service.

Santa Rosa Police Department (Santa Rosa Police)


 Methods of Submission
A civilian complaint may be made in person or by phone, e-mail, or fax.


 Deterrent Language
The complaint form includes language verbatim to what is found in Penal Code section 148.6.

 Complaint Form Details

The form does not include an open narrative field so the complainant must attach additional sheets. The form includes the following language:

“We invite citizens to bring their concerns regarding police practices and services to our attention. If you have a complaint and are not sure how to proceed, a telephone call to any on-duty watch commander will provide you the options available.”

 Anonymous/Third Party Complaints
The complaint form makes clear that anyone can file a civilian complaint – even those under 18 years of age – as long as they are accompanied by their parent or an adult. A complainant has the option to remain anonymous.

 Complaint Procedure Information
The Santa Rosa Police website and civilian complaint form include information on its civilian complaint process or procedure.

 Translation

The form is available in English and Spanish. Santa Rosa Police reports it translates its civilian complaint forms into certain languages based on community needs. In this case, 68% of the community speaks English and the second most common language in Santa Rosa is Spanish. The agency uses an outside translation service to complete the translation of its form.

Sonoma County Sheriff’s Office (Sonoma Sheriff), Sonoma Police Department (Sonoma Police), and Windsor Police Department (Windsor Police)

These agencies are reviewed together because Sonoma Police and Windsor Police are staffed by the Sonoma Sheriff on a contract basis and therefore use the same civilian complaint form governed by the same policies and procedures.

i Methods of Submission

The agencies accept complaints by phone, by mail, or in person at any station or a mutually convenient location. Complaints may also be filed with the Independent Law Enforcement Review and Outreach.

🔑 Deterrent Language

The forms include nearly verbatim language from Penal Code section 148.6.

? Anonymous/Third Party Complaints

The agencies report to DOJ that they accept third-party and anonymous complaints.

🗣️ Translation The complaint forms are available in English and Spanish

✍️ Complaint Form Details

Community members who file complaints are provided the opportunity to indicate what type of complaint they are filing. There are six options in addition to “other” including: discourtesy, improper procedure, neglect of duty, bias policing, conduct unbecoming, and unnecessary/excessive use of force. The complaint form includes language noting the agencies do not tolerate any “intimidation or retaliatory action against any person who files a complaint against a member of this office.”

📣 Complaint Procedure Information

Information on the civilian complaint process or procedure is available on the Sonoma Sheriff’s and the Windsor Police’s websites. Sonoma Police does not have any information about civilian complaints on its website. The civilian complaint form used by the agencies does include details on the complaint investigation procedure. Both the agency’s website and the complaint form include the FAQ titled “What if I File a False Criminal Complaint?”

Sonoma State University Police Department (CSU Sonoma Police)

i Methods of Submission


Civilian complaints may be submitted to the CSU Sonoma Police online, in person, by phone, by fax, or by mail.


? Anonymous/Third Party Complaints

The CSU Sonoma Police reports it accepts anonymous and/or third-party complaints.


✍️ Complaint Form Details


CSU Sonoma Police reports its complaint form, policy, and procedures are largely dictated by the CSU system at large. The current form includes the agency’s mission.


 Complaint Procedure Information
Information on the agency’s civilian complaint process or procedure is available on its website and attached to the complaint form. There is a complaint process brochure that also explains details of the investigation process including possible dispositions.


 Translation
The complaint form is currently only available in English. The agency informed DOJ that it will determine what other languages may be necessary based on the most common languages spoken in the area. Additionally, if a complainant requires translation services, the agency reports they will be provided.


Sonoma County Junior College District Police Department (Sonoma College Police)

 Methods of Submission
Sonoma College Police accept complaints by telephone, by mail, and in person. The complaint may be made at the Police Department or another mutually convenient location.

 Deterrent Language
The complaint form includes language from Penal Code section 148.6.

 Complaint Procedure Information
Information on the agency’s civilian complaint process and procedures is available on the complaint form.


 Translation
The complaint form is available in English and Spanish.


 Anonymous/Third Party Complaints
The agency accepts anonymous and third party complaints.


 Complaint Form Details


The agency’s printed complaint form includes an open narrative field for the complainant to write a summary of their allegations. The form states that the agency is “primarily interested in learning of your concerns about law enforcement conduct or a need for improvement in our delivery of services.”

Cotati Police Department (Cotati Police)

 Methods of Submission
Cotati Police accept complaints by mail, by phone, online, and in person. The complaint may be made at the Police Department or another mutually convenient location.

 Deterrent Language
The complaint form includes language from and cites to Penal Code section 148.6.

 Complaint Procedure Information
Information on the agency’s civilian complaint process and procedures is available on the complaint form and online.

 Translation
The complaint form is available in English and Spanish.

Complaint Form Details

The agency's printed complaint form does not include an open narrative field for the complainant to write a summary of their allegations; instead, they are required to attach a summary of the allegations on an additional sheet. The online complaint form does include an open narrative field.

? Anonymous/Third Party Complaints

The agency reports that it accepts anonymous and third party complaints; however, if the complaint is vague or contains little to no information it would be difficult for them to conduct follow-up.

Wave 3 + 4 Agency	Form Accessible Online?	Can Submit Online?	Multiple Methods of Submission?	Available in Multiple Languages? ⁶⁵⁷
Davis Police	✓	✓	✓	✓
CSU Sonoma Police	✓	✓	✓	✗
Santa Clara Sheriff	✓	✓	✓	✗ OS ✓ PV
Berkeley Police	✓	✓	✓	✓
Ventura Sheriff	✓	✗	✓	✓
Kern Sheriff	✓	✗	✓	✓
Riverside Police	✓	✗	✓	✓
Rohnert Park	✓	✗	✓	✓
Wave 3 + 4 Agency	Third Party Complaints Allowed?	Includes Narrative Field for Description of Complaint?	Does Not Include Language from PC §148.6? ⁶⁵⁸	Complaint Process Information Attached to Form?
Davis Police	✓	✓	✓	✓
CSU Sonoma Police	✓	✓	✓	✓
Santa Clara Sheriff	N/A	✓	✓	✓
Berkeley Police	✓	✓	✓	✗
Ventura Sheriff	✓	✓	✗	✓
Kern Sheriff	✓	✓	✗	✓
Riverside Police	✓	✓	✓	✗
Rohnert Park	✓	✓	✗	✓

⁶⁵⁷ Federal and state law require federally and state assisted law enforcement agencies to provide meaningful access to Limited English Proficient (LEP) individuals. Under federal law, to determine the extent of its obligation to provide services to the LEP population, the Federal Coordination and Compliance Section recommends that law enforcement agencies engage in a four-factor analysis. (See U.S. Dep’t of Justice, Federal Coordination and Compliance Section, Planning Tool: Considerations for Creation of a Language Assistance Policy and Implementation Plan for Addressing Limited English Proficiency in a Law Enforcement Agency <https://www.justice.gov/crt/fcs/Law_Enforcement_Planning_Tool> [as of Dec. 2, 2021].) California state law also requires local agencies that receive state funding to provide language access services to LEP populations. (See Gov. Code, § 11135, subd. (a); Gov. Code, § 7290). Law enforcement agencies may ask local community-based organizations to help translate complaint forms or create a database of qualified interpreters for speakers of any language, including sign language.

⁶⁵⁸ The Ninth Circuit and California Supreme Court have come to opposite conclusions regarding whether Penal Code section 148.6 is constitutional. (Compare *People v. Stanistreet* (2002) 29 Cal. 4th 497, 510 [Section 148.6 is a permissible regulation of prohibited speech, namely, false allegations against peace officers, which, on its face, does not violate the First Amendment to the United States Constitution] with *Chaker v. Crogan* (9th Cir. 2005) 428 F.3d 1215, 1222, cert. denied, 547 U.S. 1128 (2006) [Penal Code section 148.6’s criminal sanction violates the First Amendment of the United States Constitution because it regulates content-based speech on the basis of that speech’s content].) As such, many California law enforcement agencies have removed the warning from their civilian complaint forms and accept anonymous complaints. The California Attorney General’s Office has also determined that a law enforcement agency can investigate allegations of police misconduct, even if the complainant did not sign the admonition as required by Penal Code section 148.6. (79 Ops. Cal.Atty.Gen. 1631 (1996).) **For purposes of this review, a checkmark denotes that an agency does not include Penal Code section 148.6 language on their form.**

Wave 3 + 4 Agency	Form Accessible Online?	Can Submit Online?	Multiple Methods of Submission?	Available in Multiple Languages?
LAX Police	✓	✓	✓	✗
Stockton Police	✓	✗	✓	✓
Santa Ana Police	✓	✗	✓	✓
Sonoma Sheriff, Sonoma Police, & Windsor Police	✓ ⁶⁵⁹	✗	✓	✓
Anaheim Police	✓	✓	✓	✓
Santa Rosa Police	✓	✓	✓	✓
Petaluma Police	✓	✓	✓	✓
Wave 3 + 4 Agency	Third Party Complaints Allowed?	Includes Narrative Field for Description of Complaint?	Does Not Include Language from PC §148.6?	Complaint Process Information Attached to Form?
LAX Police	✓	✓	✓	✗ OS ✓ PV
Stockton Police	✓	✓	✓	✗
Santa Ana Police	✓	✓	✗	✓
Sonoma Sheriff, Sonoma Police, & Windsor Police	✓	✓	✗	✓
Anaheim Police	✓	✓	✗	✗ OS ⁶⁶⁰ ✓ PV ⁶⁶¹
Santa Rosa Police	✓	✗	✗	✓
Petaluma Police	✓	✗	✗	✓

⁶⁵⁹ This rating does not apply to the Sonoma Police as it does not have the civilian complaint form available on its website nor any information on the civilian complaint process.

⁶⁶⁰ "OS" refers to the online submission form.

⁶⁶¹ "PV" refers to the printed or PDF version of the complaint form.

Wave 3 + 4 Agency	Form Accessible Online?	Can Submit Online?	Multiple Methods of Submission?	Available in Multiple Languages?
San Francisco Sheriff	✓	✓	✓	✗ OS ✓ PV
Fresno Sheriff	✓	✗	✓	✗
Culver City Police	✓	✗	✓	✓
Cotati Police	✓	✓	✓	✓ PV ✗ OS
Alameda Sheriff	✗	✗	✓	✗
Sonoma College Police	N/A	N/A	✓	✓
Wave 3 + 4 Agency	Third Party Complaints Allowed?	Includes Narrative Field for Description of Complaint?	Does Not Include Language from PC §148.6?	Complaint Process Information Attached to Form?
San Francisco Sheriff	✓	✓	✗	✗
Fresno Sheriff	N/A	✓	✗	✓
Culver City Police	✓	✓	✗	✗
Cotati Police	✓	✓ OS ✗ PV	✓ OS ✗ PV	✓
Alameda Sheriff	✓	✓	✗	✓
Sonoma College Police	✓	✓	✗	✓

C. Standardizing California LEA Civilian Complaint Processes and Procedures

California law sets out limited requirements for law enforcement agencies to follow with respect to their civilian complaint processes and procedures. In its 2019 Report, the RIPA Board provided best practice recommendations regarding standardizing the civilian complaint intake and investigation process.⁶⁶² The Board also separately wrote a letter to the legislature concerning the potential deterrent effect of Penal Code section 148.6 and the conflict between state and federal law around potential violations of the First Amendment in regulating speech about peace officers.

This year the Board is recommending changes to state law to ensure best practices are codified to create a more uniform and equitable civilian complaint procedure across the state. These changes will also ensure more accurate and comparable civilian complaint data. The Board recognizes that its mandate to “eliminate racial and identity profiling in policing” necessitates that members of the public feel welcome to submit their concerns and confident that their concerns will be taken and investigated seriously.

1. Current State Law

Law enforcement civilian complaint processes and procedures are governed by the State’s Penal Code. Each law enforcement agency is required to establish a civilian complaint investigation procedure, but the law does not detail specific steps for agencies to include in the procedure.⁶⁶³ State law requires this procedure must be made available to the public.⁶⁶⁴

State law requires agencies to retain civilian complaints and any reports or findings related to the complaint for a minimum of five years.⁶⁶⁵ However, there is a gap in the law because it does not provide a uniform definition of what constitutes a “civilian complaint.” This means that each agency has discretion to decide what community concerns are officially labeled “civilian complaints” and thus what incidents will be investigated, reported, and retained as required.

State law requires agencies to retain civilian complaints and any corresponding documentation in either the officer’s personnel file or in a separate file.⁶⁶⁶ However, if the agency chooses to retain them in an officer’s personnel file, the law requires the agency to remove the complaint and corresponding documentation *before* any “official determination” of promotion, transfer, or disciplinary action.⁶⁶⁷

⁶⁶² See Racial and Identity Profiling Advisory Board, Annual Report (2019) *supra* note 654, at pp. 41-44.

⁶⁶³ Pen. Code, § 832.5, subd. (a)(1).

⁶⁶⁴ *Ibid.*

⁶⁶⁵ *Id.* at § 832.5 subd. (b).

⁶⁶⁶ *Ibid.*

⁶⁶⁷ *Ibid.*

Although state law does not provide law enforcement with instructions on *how* to assess and investigate civilian complaints, it requires agencies to report the outcome under the four categories of “frivolous,”⁶⁶⁸ “unfounded,”⁶⁶⁹ “exonerated,”⁶⁷⁰ or “sustained.”⁶⁷¹

If an agency determines that a complaint or any portion of a complaint is “frivolous, or unfounded or exonerated,” the law prohibits those complaints and corresponding documentation from being saved in the officer’s personnel file. Nevertheless, the agency is still required to save these documents in a separate file which, by law, are deemed “personnel records.”⁶⁷² While agencies must retain these complaints and corresponding documentation, state law does not permit their disclosure to members of the public.⁶⁷³ State law specifies that officers named in these complaints may be required to do counseling or additional training but no reference to the complaint may be made in their personnel file.⁶⁷⁴ This concerns the RIPA Board: if an officer may be in need of counseling or additional training, why are these complaints determined to be frivolous, unfounded, or exonerated and agencies permitted to obscure the complaints and findings from public inspection?

Personnel files are generally confidential in both civil and criminal proceedings, with specific and limited exceptions outlined in state law under the Evidence Code, Penal Code, and the California Public Records Act.⁶⁷⁵ Some exceptions are triggered by the subject matter or finding of an investigation. For example, records relating to “discharge of a firearm at a person by an officer” and incidents of use of force that resulted in death or great bodily injury must be disclosed regardless of whether there is an investigation or an investigation outcome,⁶⁷⁶ whereas other subject matters may be kept confidential unless there is a certain outcome to an investigation. Current state law only requires disclosure of records involving matters of “sustained” findings of sexual assault involving a member of the public and dishonesty by the officer.⁶⁷⁷

Penal Code section 832.7 also outlines the specific narrow disclosures regarding civilian complaints. Law enforcement agencies are required to provide a complainant with the complainant’s own statement(s) *at the time the complaint is filed*.⁶⁷⁸ It is unclear whether this requirement extends to any additional statements the complainant may provide throughout the investigation. The other statutory requirement relating to an agency’s communication with

⁶⁶⁸ “Frivolous” is defined as “totally and completely without merit or for the sole purpose of harassing an opposing party.” Code Civ. Proc., § 128.5.

⁶⁶⁹ “Unfounded” is defined as “the investigation clearly established the allegation is not true.” Pen. Code, § 832.5, subd. (d)(2).

⁶⁷⁰ “Exonerated” is defined as “the investigation clearly established that the actions of the [officer] that formed the basis for the complaint are not violations of law or department policy.” Pen. Code, § 832.5, subd. (d)(3).

⁶⁷¹ “Sustained” is defined as “a final determination by an investigating agency, commission, board, hearing officer, or arbitrator, as applicable, following an investigation and opportunity for an administrative appeal, that the actions of the [officer] were found to violate law or department policy.” Pen. Code, § 832.8, subd. (b).

⁶⁷² Pen. Code, § 832.5, subd. (c).

⁶⁷³ *Id.*, § 832.7, subd. (b)(8).

⁶⁷⁴ *Id.*, § 832.5, subd. (c)(3).

⁶⁷⁵ See *id.*, § 832.7; Evid. Code, §§ 1043, 1046; Gov. Code, § 6250 et seq.

⁶⁷⁶ See Pen. Code, § 832.7, subds. (b)(1)(A)(i)-(ii).

⁶⁷⁷ See *id.*, § 832.7, subds. (b)(1)(B)(i) and (b)(1)(C).

⁶⁷⁸ *Id.*, § 832.7 (c).

a complainant occurs at the end of the investigation. State law requires agencies to provide the complainant with written notification of the disposition of the complaint within 30 days of the disposition.⁶⁷⁹ State law prohibits this written notification from being used as evidence in any subsequent proceeding “brought before an arbitrator, court, or judge of this state or the United States.”⁶⁸⁰

2. Board Recommendations to the Legislature

The Board has identified several gaps in current state law that may impede adequate access to the civilian complaint process across the state. Some of these gaps can be filled by codifying best practice recommendations the Board has identified over the past four years. Without changes to state law, the civilian complaint process will remain inconsistent across the state and agency data regarding complaints will be difficult to compare and evaluate for access and effectiveness. To address the identified gaps in state law, the Board recommends the California legislature create legislation to standardize the civilian complaint process by making the following specific changes to state law:

Define “Civilian Complaint”

A gap in state law is the lack of a definition of “civilian complaint.” In its 2020 Annual Report, the Board discussed at length the concerns this raises and factors to consider in developing a definition.⁶⁸¹ After reviewing several civilian complaint definitions and revisiting the considerations raised in previous reports, the Board recommends that the legislature add the following definition to Penal Code section 832.5:

(1) Complaint means either of the following:

(A) any issue brought to a department or agency where the complainant perceives that a department or agency employee engaged in criminal conduct, abusive or discriminatory behavior, inappropriate or discourteous conduct, or violation of any law or rules, policies, and regulations of the department or agency; or

(B) disagreement solely with the policies, procedures, or services of the department or agency and not with the performance of any personnel. If during the course of investigating this type of complaint, conduct is discovered that could be the basis of a complaint under subdivision (1)(A), the investigator shall report this conduct to a supervisor, which should be logged, tracked, and investigated separately from the original complaint.

⁶⁷⁹ *Id.*, § 832.7, subd. (f)(1).

⁶⁸⁰ *Id.*, § 832.7, subd. (8)(f)(2).

⁶⁸¹ Racial and Identity Profiling Advisory Board, Annual Report (2020) *supra* note 644, at pp. 64-70.

Require Agencies to Adopt Best Practices to Improve the Civilian Complaint Process.

As detailed above, current law gives each individual law enforcement agency the freedom to create their own civilian complaint procedure and only outlines a few requirements for that procedure. The outcome of this kind of statutory framework is unequal access to the civilian complaint process and a lack of transparency. Given the concerns raised by the community and through the RIPA Board's research, the Board asks the Legislature to amend state law to include the following best practices to ensure uniform accessibility and accountability in the civilian complaint process. Penal Code Section 832.5 or 832.7 should require agencies to:

- Provide complaint forms and instructions on filing a complaint in any language spoken by more than 5% of the jurisdiction's population, as defined in the Dymally-Alatorre Bilingual Services Act;⁶⁸²
- Ensure complaint forms are made available in an easily accessible location within the agencies' offices and in a variety of governmental and community-centered public locations;⁶⁸³
- In order to fully comply with state law, explicitly inquire on the civilian complaint form whether the complaint alleges racial or identity profiling and, if so, provide space to specify the type of racial or identity profiling alleged;⁶⁸⁴
- Inform the public of their right to make a complaint by posting signage of that right in any location where complaint forms are available;⁶⁸⁵
- Require an officer to inform a member of the public of their right to file a complaint and the department or agency's complaint procedures when a member of the public describes alleged misconduct by an officer;⁶⁸⁶
- Accept all complaints, in any form, including in person, by phone, e-mail, or fax, and electronically online;⁶⁸⁷

⁶⁸² See Gov. Code § 7296.2, 7299.6; see also Racial and Identity Profiling Advisory Board, Annual Report (2018) p. 33 <<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2018.pdf>> [as of Dec. 2, 2021].

⁶⁸³ See, e.g., *U.S. v. Police Department of Baltimore City, et. al.* (Md. 2017) 1:17-cv-00099-JKB <<https://www.justice.gov/opa/file/925056/download>> [as of Dec. 2, 2021]; *U.S. v. City of Newark* (2016) 2:16-cv-01731-MCA-MAH <<https://www.justice.gov/crt/file/868131/download>> [as of Dec. 2, 2021]; U.S. DOJ Office of Community Oriented Policing Services, *Standards and Guidelines for Internal Affairs: Recommendations from a Community Practice* ("COPS Recommendations from a Community Practice") (2008) <<https://cops.usdoj.gov/ric/Publications/cops-p164-pub.pdf>> [as of Dec. 2, 2021].

⁶⁸⁴ Agencies are currently required to report civilian complaint data at this granular level but not all agencies provide space on their civilian complaint forms for this information to be provided by the complainant. See Pen. Code, § 13012, subd. (a)(5)(A)(iii); Cal. Dep't of Justice, DLE-2015-06: Citizens' Complaints Against Peace Officers (2015).

⁶⁸⁵ See COPS Recommendations from a Community Practice, *supra* note 683.

⁶⁸⁶ See Consent Decree, *U.S. v. Police Dept. of Baltimore City*, *supra* note 155.

⁶⁸⁷ See Racial and Identity Profiling Advisory Board, Annual Report (2018) *supra* note 682, at p. 32; see also U.S. DOJ Office of Community Oriented Policing Services, Police Executive Research Forum, *Critical Response Technical Assessment Review: Police Accountability – Findings and National Implications of an Assessment of the San Diego Police Department ("PERF SDPD")* (2015) p. 6 <<https://cops.usodj.gov/ric/Publications/cops-w0756-pub.pdf>> [as of Dec. 2, 2021]; Consent Decree, *U.S. v. Police Dept. of Baltimore City*, *supra* note 155.

- Create an online portal for members of the public to prepare, submit, and track their complaints;⁶⁸⁸
- Accept complaints from all people, including minors, parents or legal guardians filing complaints on behalf of their minor dependent, non-English-speaking persons, third-party complainants (i.e. witnesses to misconduct against another person, persons who are aware of misconduct by an officer), or anonymous parties;⁶⁸⁹
- Assign a number⁶⁹⁰ and log every complaint when it is received with the following details:
 - Provide complainants with written acknowledgement of their complaint with a tracking number, the identity of the investigator, and contact information or other information to track the progress of their complaint;⁶⁹¹
 - Provide complainants with an opportunity to review their complaint and/or statements for accuracy;⁶⁹²
 - Include clearly delineated standards for review and disposition categories in their policy, procedures, and trainings. These standards and categories should be provided to a complainant upon submission of a complaint;⁶⁹³
 - Include a timeline for complaint investigations in their policy and procedures that must be followed. This timeline should be provided to a complainant upon submission of a complaint.⁶⁹⁴ Complainants should be notified of any delays in the investigation process;⁶⁹⁵
- Investigate all complaints received;⁶⁹⁶
- Conduct audits of the complaint process;⁶⁹⁷
- Require an officer to submit a complaint in the event a member of the public provides the officer with information about alleged misconduct by another officer but does not

⁶⁸⁸ See, e.g., *U.S. v. Alamance County Sheriff Terry Johnson* (2016) 2:16-cv-01731-MCA-MAH; Consent Decree, *U.S. v. Police Dept. of Baltimore City*, *supra* note 155; COPS Recommendations from a Community Practice, *supra* note 683.

⁶⁸⁹ See, e.g., PERF SDPD, *supra* note 687, at p. 6; Consent Decree, *U.S. v. Police Dept. of Baltimore City*, *supra* note 155; COPS Recommendations from a Community Practice, *supra* note 683.

⁶⁹⁰ Consent Decree, *U.S. v. Police Dept. of Baltimore City*, *supra* note 155.

⁶⁹¹ See COPS Recommendations from a Community Practice, *supra* note 683.

⁶⁹² See *ibid.*

⁶⁹³ See *Investigation of Allegations of Employee Misconduct* (2019) IACP Law Enforcement Policy Center

<[https://www.theiacp.org/sites/default/files/2020-](https://www.theiacp.org/sites/default/files/2020-08/Investigation%20of%20Allegations%20of%20Employee%20Misconduct%20-%20FULL.pdf)

08/Investigation%20of%20Allegations%20of%20Employee%20Misconduct%20-%20FULL.pdf> [as of Dec. 2, 2021]; *U.S. v.*

Alamance County Sheriff Terry Johnson, *supra* note 688; *U.S. v. The City of Ferguson*, (2016) 4:16-cv-000180-CP.

⁶⁹⁴ Racial and Identity Profiling Advisory Board, Annual Report (2018) *supra* note 687, at p. 34; See *Investigation of Allegations of Employee Misconduct*, *supra* note 393; *U.S. v. The City of Ferguson*, *supra* note 693.

⁶⁹⁵ Racial and Identity Profiling Advisory Board, Annual Report (2018) *supra* note 687, at p. 34.

⁶⁹⁶ See *Investigation of Allegations of Employee Misconduct*, *supra* note 693; *U.S. v. Alamance County Sheriff Terry Johnson*, *supra* note 688; *U.S. v. The City of Ferguson*, *supra* note 693.

⁶⁹⁷ See COPS Recommendations from a Community Practice, *supra* note 683.

wish to pursue a complaint themselves or does not express any desire for any remedy, such as discipline of the officer;⁶⁹⁸ and

- Prohibit the department or agency from terminating an investigation into a complaint solely on the basis of a complainant's withdrawal of a complaint.⁶⁹⁹

Remove Deterrent Language from Civilian Complaint Forms

Generally, the civilian complaint process should not discourage complainants in any way.⁷⁰⁰ Discouragement from filing a complaint can happen in many ways, including by the phrasing of the content contained on the complaint form itself or in the description of the agency's complaint investigation process on their website or in a printed brochure.

Penal Code section 148.6

Penal Code section 148.6 is a longstanding concern of the RIPA Board. This law makes it a misdemeanor to knowingly file a false allegation of misconduct against a law enforcement officer and requires complainants to read and sign advisory language that states:

“YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CIVILIANS' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CIVILIAN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.

IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.”

The Board has identified that this language has a chilling effect that may deter members of the public from pursuing a complaint against an officer for fear of criminal sanctions in spite of having a bona fide complaint.

The RIPA Board renews its request to the Legislature to address the inaccessibility and deterrence caused by the Penal Code by removing this advisory language and signature requirement from state law.

⁶⁹⁸ See Consent Decree, *U.S. v. Police Dept. of Baltimore City*, *supra* note 155.

⁶⁹⁹ *Ibid.*

⁷⁰⁰ See COPS Recommendations from a Community Practice, *supra* note 683.

Civil Code 47.5

The Board has seen an increase in the inclusion of a civil advisory on agencies' civilian complaint forms, websites, or civilian complaint procedure descriptions. The advisory varies by agency; some include the code section verbatim while others simply state that officers have the right to bring a civil action.

California Civil Code Section 47.5 allows peace officers to:

“bring an action for defamation against an individual who has filed a complaint with that officer’s employing agency alleging misconduct, criminal conduct, or incompetence, if that complaint is false, the complaint was made with knowledge that it was false and that it was made with spite, hatred, or ill will. Knowledge that the complaint was false may be proved by a showing that the complainant had no reasonable grounds to believe the statement was true and the complainant exhibited a reckless disregard for ascertaining the truth.”

This provision of the law has been called into question by conflicting decisions by the California Court of Appeal. However, federal district courts have found it unconstitutional. Like Penal Code 148.6, including this civil advisory could have a chilling effect on the submission of bona fide complaints. Therefore, the Board recommends that the Legislature amend state law to prohibit agencies from including this advisory on their complaint forms.

D. Vision for Future Reports

In the coming years, the Board will continue to review civilian complaint policies and data to establish additional recommendations and best practices. The Board’s goal is to ensure that civilian complaints function as the effective law enforcement oversight tool intended by the Legislature.

POST TRAINING AND RECRUITMENT

A. Addressing Biases in Peace Officers in the Hiring Phase

1. AB 846 Summary

On September 30, 2020, Governor Gavin Newsom signed California Assembly Bill (AB) 846 into law. AB 846 heightened the minimum standards for peace officer employment and evaluation for fitness as an officer. Prior to its enactment, officers were required to be “free from any physical, emotional, or mental condition that might adversely affect the exercise of the powers of a peace officer” and to undergo an evaluation of their emotional and mental condition. AB 846 expanded this standard by requiring that officers be “free” of “bias against race or ethnicity, gender, nationality religion, disability, or sexual orientation.” In turn, the state Commission on Peace Officer Standards and Training (POST) is required by January 1, 2022 to study, review, and update regulations and screening materials related to the emotional and mental condition evaluation of officers to incorporate both explicit and implicit bias towards race or ethnicity, gender, nationality, religion, disability, or sexual orientation.⁷⁰¹

i. Background, Rationale, and Support for AB 846

Lawmakers introduced AB 846 among several bills that advanced reforms to policing practices in the wake of the tragic murder of George Floyd by Minneapolis Police Department Officer Derek Chauvin. The authors observed that implicit biases among officers were “especially dangerous because of the positions of power they hold”⁷⁰² and noted the various disparities in stops, searches, and arrest rates, as well as the killings of Black men by White police officers across our nation.⁷⁰³

Given these disparities, AB 846 authors determined that it was “critical ... [to] require screening of bias during the hiring process and recognize how to take steps to counteract [its] influence.”⁷⁰⁴ To that end, the authors intended for AB 846 to take a “slightly different tact” from previous legislation that focused on training or policy changes; instead, AB 846 would require that officers “undergo an evaluation to determine whether they hold biases that could impact their ability to effectively and neutrally act in the role of a peace officer, and to handle the extraordinary responsibility that goes along with that highly-trusted role.”⁷⁰⁵

⁷⁰¹ Assem. Bill No. 846 (2019-2020 Reg. Sess.) Ch. 322. Consistent with this new requirement, AB 846 also adds Section 13651 to the Penal Code, requiring every entity that employs peace officers to review the job description used in recruitment and hiring and make changes emphasizing community-based policing while de-emphasizing the paramilitary aspects of the job.

⁷⁰² Off. of Assem. Floor Analyses, Analysis of Assem. Bill No. 846 (2019-2020 Reg. Sess.) Aug. 29, 2020, p. 2 <https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201920200AB846#> [as of Dec. 2, 2021].

⁷⁰³ Ibid.

⁷⁰⁴ Ibid.

⁷⁰⁵ Sen. Rules Com., Off. of Sen. Floor Analyses, 3d reading analysis of Assem. Bill No. 846 (2019-2020 Reg. Sess.) as amended Aug. 21, 2020, p. 5 <https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201920200AB846#> [as of Dec. 2, 2021].

News coverage of bias-related incidents by law enforcement officers supported the need for peace officers to undergo a screening for implicit and explicit biases.⁷⁰⁶ As discussed more fully in last year’s annual RIPA report, in June 2020, the mayor of San Jose called for the firing of four San Jose police officers accused of making racist comments on Facebook in what he called “an online ring of hate.”⁷⁰⁷ Supporters of AB 846 believed that the bill’s enactment would be a “significant step towards protecting the people of California from biased law enforcement officers who have no place in our law enforcement agencies.”⁷⁰⁸

The authors believed that the changes to the hiring standards for and evaluations of peace officers would help to “reform the system as it currently exists and move us in the direction of equity.”⁷⁰⁹ Co-author of the bill, Assemblymember Jacqui Irwin, explained that “screening police officer applicants for dangerous biases is a common sense approach for any state that wishes to see its law enforcement fully protect and serve its diverse communities.”⁷¹⁰ Co-author Assemblymember Autumn Burke likewise stated that “the way we recruit and screen officer candidates is an incredibly necessary step in the fight for criminal justice reform and racial equality.”⁷¹¹

In sum, AB 846 authors and supporters are hopeful that AB 846 will help to change the culture of law enforcement, and in turn improve policing outcomes. Nevertheless, whether AB 846 will achieve the Legislature’s goals will depend on how AB 846’s various components are implemented.

ii. Progress in Implementing AB 846’s Mandates

Since AB 846’s passage, POST has taken steps to study, review, and update regulations and screening materials related to the emotional and mental condition evaluation as required by the bill. This work started with POST conducting a psychological evaluator survey seeking input

⁷⁰⁶ Implicit bias leads to negative stereotypes, and when acted upon, can result in explicit forms of bias which may in turn lead to disparate policing. See Racial and Identity Profiling Advisory Board, Annual Report 2021, *supra* note 199, at p. 24 (citing Salmanowitz, *Unconventional Methods for A Traditional Setting: The Use of Virtual Reality to Reduce Implicit Racial Bias in the Courtroom* (2016) 15 U.N.H.L. Rev. 117, 123 [citations omitted]). The RIPA 2021 Annual Report also noted that research that found that “when White participants view Black faces, there is increased activity in the regions of the brain associated with threat and fear processing, disgust reactions, and social stereotyping” and “[t]his attentional bias and brain activity associated with threat and fear, among other processes, may explain disproportionate stops of Black individuals in some jurisdictions. That is, officers may have an attentional bias towards Black individuals, and may experience brain activity associated with threat and fear processing, which causes the officers to pay more attention to Black individuals and, in turn stop them at disproportionate rates.” Racial and Identity Profiling Advisory Board, Annual Report 2021, *supra* note 199, at p. 24.

⁷⁰⁷ Off. of Assem. Floor Analyses, Analysis of Assem. Bill No. 846, *supra* note 702, at p. 2; Racial and Identity Profiling Advisory Board, Annual Report 2021, *supra* note 199, at p. 26.

⁷⁰⁸ Sen. Rules Com., Off. of Sen. Floor Analyses, 3d reading analysis of Assem. Bill No. 846, *supra* note 705, at p. 6.

⁷⁰⁹ Off. of Assem. Floor Analyses, Analysis of Assem. Bill No. 846, *supra* note 702, at p. 2.

⁷¹⁰ Assemblymember Irwin, *Newsom signs legislation reforming police officer recruitment and pre-employment evaluations* (Oct. 1, 2020) Press Release <<https://a44.asmdc.org/press-releases/20201001-governor-newsom-signs-legislation-reforming-police-officer-recruitment-and>> [as of Dec. 2, 2021].

⁷¹¹ *Ibid.* AB 846 was not without opposition. The California Police Chiefs Association (CPCA) opposed the bill, arguing that its mandates would be costly, duplicative of existing screening imposed by POST, and would unnecessarily increase costs to local agencies already facing budget cuts due to the pandemic. See Off. of Assem. Floor Analyses, Analysis of Assem. Bill No. 846, *supra* note 702, at pp. 2-3. Further, CPCA contended that the bill would hamper law enforcement agencies’ ability to recruit qualified candidates. *Ibid.*

on current methods used for assessing bias of California peace officer candidates in the context of pre-employment psychological evaluations.⁷¹²

POST then organized its work on implementing AB 846 into the following three phases. In Phase One, POST created a working group of subject matter experts (hereafter, SME Panel) to study, review, and update regulations and associated screening materials related to the emotional and mental condition evaluation as provided by AB 846 requirements.⁷¹³ The SME Panel exchanged research articles intended to assist the panel's focus in determining whether there were any existing methods to measure bias, and specifically whether those methods have been used in the context of peace officer or personnel selection.⁷¹⁴

The SME Panel then developed a bias assessment framework that could be used to assess a person's biases.⁷¹⁵ The framework identified three "targeted constructs" to evaluate individuals for bias. Those constructs are "biased behaviors, biased attitudes, and bias-relevant traits & attributes."⁷¹⁶ From there, POST identified negative and positive factors for each construct.⁷¹⁷ For example, POST lists examples of negative factors demonstrating biased behavior as "[s]tatements, social media postings and other behaviors indicating bias, social group dominance/ supremacy, or espousing intolerance of or hostile action against a person or group because of one or more actual or perceived characteristics involving disability, gender, nationality, race or ethnicity, religion, or sexual orientation, or because of association with a person with one or more of these actual or perceived characteristics."⁷¹⁸

Finally, the framework identified specific sources (the psychological interview, the individual's personal history, and written documents) that could be used to identify those negative and positive factors.⁷¹⁹ Additionally, the SME Panel recommended the addition and development of a draft definition for multicultural competence to the POST Psychological Screening Manual.⁷²⁰

In Phase Two, POST reached out to POST-compliant screening psychologists (the Psychological Evaluator Advisory Group) along with other stakeholders, including background investigators and law enforcement agencies, to review and provide feedback on the draft recommendations of the SME Panel. It is worth noting that, in light of RIPA's overall goal of reducing bias in policing and its stated interest in participating as stakeholder, the RIPA Board had hoped to participate in the Phase Two stakeholder review process. However, POST presented the materials to the Board only after the stakeholders had already reviewed them and POST

⁷¹² See Com. on Peace Officer Stds. and Training, Bull. No. 2021-22, *Update on the Assembly Bill (AB) 846 Project: Bias Screening of Peace Officer Candidates* ("Bull. No. 2021-22") (May 27, 2021) p. 1 <https://post.ca.gov/Portals/0/post_docs/bulletin/2021-22.pdf> [as of Dec. 2, 2021].

⁷¹³ See *ibid.*

⁷¹⁴ See *id.* at pp. 1-2.

⁷¹⁵ See generally Com. on Peace Officer Stds. and Training, *Bias Assessment Framework* (Sept. 10, 2021) <https://post.ca.gov/Portals/0/post_docs/regulationnotices/2021/Bias_Assessment_Framework.pdf> [as of Dec. 2, 2021].

⁷¹⁶ Com. on Peace Officer Stds. and Training, *Text of Proposed Reg. Action* (Sept. 10, 2021) p. 5

<https://post.ca.gov/Portals/0/post_docs/regulationnotices/2021/2021-38_TPR.pdf> [as of Dec. 2, 2021].

⁷¹⁷ See *ibid.*

⁷¹⁸ *Ibid.*

⁷¹⁹ See Com. on Peace Officer Stds. and Training, Bull. No. 2021-22, *supra* note 712, at p. 2.

⁷²⁰ See *ibid.*

submitted the final proposed regulations to the POST Commission in Phase Three, as described in more detail below. Thus, the Board was not able to evaluate at this stage.⁷²¹

In Phase Three, the SME Panel reviewed the recommendations and feedback received by the stakeholders. From there, POST prepared proposed regulations, which would require background investigators to include any findings of biased behavior, traits, or attributes – as listed in the bias assessment framework described above –in their narrative reports describing the results of their investigation into a peace officer candidate’s background.⁷²² In a similar vein, the proposed regulations would also require psychological evaluators to use the bias assessment framework to assess a person for biased behavior, traits, or attributes.⁷²³ POST provided these proposed regulations, including the bias assessment framework, to the POST Commission for its review and approval on September 1, 2021.⁷²⁴

The POST Commission approved the proposed regulations and POST submitted them to the Office of Administrative Law (OAL) for publication on September 10, 2021.⁷²⁵ The publication of the proposed regulations triggered a 45-day public comment period during which members of the public and other interested stakeholders could comment on the proposals.⁷²⁶

On October 25, 2021, the RIPA Board submitted a comment letter recommending revisions to the proposed regulations.⁷²⁷ First, the Board recommended that the regulations specifically require background investigators and evaluators to search for and review an applicant’s social media—including prior postings, affiliations, and conduct reflecting agreement or opposition to others’ postings – as part of the background investigation into finding evidence of explicit or implicit bias.

Second, the Board recommended that the regulations require background investigators and evaluators to provide specific findings with respect to each of the “targeted constructs.” With respect to background investigators, POST’s proposed regulations state that the investigative report on a candidate must include any findings on any of the targeted constructs.⁷²⁸ In other words, the investigative report need not address *all* of the targeted constructs. The Board’s letter proposes more specific requirements that (1) the background investigator make specific findings with respect to every targeted construct, and (2) the findings clearly explain the assessment for each construct, including sources used and evidence used.

With respect to psychological evaluators, POST’s proposed regulations would only require psychological evaluators to “use” the Bias Assessment Framework to assess biased behaviors,

⁷²¹ Ventura County Sheriff and current RIPA Board Member William Ayub did participate in his capacity as a California State Sheriff’s Association representative but not in his capacity as a RIPA Board member.

⁷²² See Com. on Peace Officer Stds. and Training, Text of Proposed Reg. Action, *supra* note 716, at p. 2.

⁷²³ See *id.* at p. 5.

⁷²⁴ See generally *id.*

⁷²⁵ See generally Cal. Reg. Notice Register 2021, No. 37-Z, pp. 1236-1238 <<https://oal.ca.gov/wp-content/uploads/sites/166/2021/09/2021-Notice-Register-Number-37-Z-September-10-2021.pdf>> [as of Dec. 2, 2021].

⁷²⁶ See generally *ibid.*

⁷²⁷ Please see Appendix K for a copy of the RIPA Board’s Comment letter.

⁷²⁸ See generally Com. on Peace Officer Stds. and Training, Text of Proposed Reg. Action *supra* note 716.

attitudes, and traits and attributes.⁷²⁹ However, the proposed regulations do not require the evaluator to provide clear findings with respect to every targeted construct. The Board’s letter recommends that the evaluator provide (1) detailed findings of its evaluation for each targeted construct of the candidate and (2) clearly explain the evaluator’s finding, including the identification of sources, evidence used, and other factors relied upon, and an explanation of how they contributed the evaluator’s analysis and decision.

The RIPA Board believed that its recommendations for more specific and detailed requirements and findings would better equip agencies to determine whether a person is “free” of biases, as contemplated by the Legislature in passing AB 846.

On November 16, 2021, POST sent the Board a letter stating that it “would be unable to assemble further work groups and incorporate regulatory changes associated with the recommendations” before its January 1, 2022 deadline to complete them.⁷³⁰

POST also raised concerns about possible free speech issues related to checking social media within the context of a pre-employment background check.⁷³¹ The Board does not believe that there are such constraints, and social media was given as an example of something to search in the proposed regulations. The Board simply recommended that POST require investigators and evaluators to check candidates’ social media, rather than leave it as discretionary.

Concerning recommendations on investigator’s findings, POST notes that it must ensure that the responsibilities of investigators and evaluators are “bifurcated, to insure the [i]nvestigator is not placed in a position to make medical assessment, which would go beyond his/her professional scope.”⁷³² Concerning recommendations on evaluator’s findings, POST notes that it must “consult with psychologists in order to determine if such recommendations comport with medical assessment protocols and reporting procedures within the profession.”⁷³³ The intention of the Board’s recommendation is not to require the investigator to make a medical assessment or to require anything of evaluators that might not comport with medical assessment protocols and reporting procedures. Simply put, the Board recommended that investigators and evaluators specifically look at each biased behavior and/or bias-relevant traits and attributes identified by POST in the Bias Assessment Framework—rather than have the discretion to make findings as to “any” of those categories. The Board further recommended that the regulations require that the investigators and evaluators document the support for each finding.

At its December 1, 2021 meeting, the Board spent considerable time discussing POST’s letter. Many Board members expressed significant concerns about POST’s rejection of the Board’s recommendations and believed that POST’s unwillingness to consider the Board’s recommendations demonstrated that POST had not adequately fulfilled the obligations

⁷²⁹ See generally *ibid.*

⁷³⁰ See Appendix K for a copy of POST’s Response to the RIPA Board’s Comment letter.

⁷³¹ See *ibid.*

⁷³² See *ibid.*

⁷³³ See *ibid.*

conferred upon it by the Legislature to ensure a robust evaluation of explicit and implicit bias in peace officer candidates. Other Board members wanted to work with POST to see if there was a way to incorporate the recommendations in the future. Ultimately, the Board voted to include language in this report expressing its disagreement with POST's decision to reject its recommendations. Specifically, the Board felt that, in rejecting the recommendation concerning social media, POST was ignoring significant evidence that social media has been an important tool to identify officer bias. In addition, the Board expressed that POST's rejection of the recommendation that investigators and evaluators document the factors involved in their decisions was not best practice and believed it would undermine the intent of the Legislature.⁷³⁴

POST subsequently postponed the publishing of the regulations to engage with Board members to evaluate and fully consider the Board's recommendations. POST plans to address its regulations at its March 2022 Commission meeting. The Board is committed to work with POST in a meaningful way to ensure its recommendations are addressed by the Commission. As discussed above, the RIPA board has in previous reports written about the value of screening social media and has reviewed the utility of specific tools intended to measure implicit bias. The Board is committed to directly engaging with POST to share previous analysis and reasoning driving the recommendations with the aim of effective implementation of AB 846.

[2. The Board's Assessment of AB 846's Mandates and Suggested Next Steps for Stakeholders](#)

Given that POST's regulations implementing AB 846 are not yet finalized and approved by the Office of Administrative Law, the long-term impact of AB 846 remains to be seen. However, the Board has some preliminary observations about AB 846 and the requirements of the bill.

As a threshold matter, the RIPA Board recognizes the historical significance of AB 846's purpose in seeking to evaluate officers for bias against race or ethnicity, gender, nationality religion, disability, or sexual orientation. AB 846 is ground-breaking legislation that places a welcome focus on law enforcement organizational transformation at the front end—when a person is first hired by an agency. Additionally, the Board appreciates the spirit behind AB 846, which is to ensure that peace officers will be found free of biases that might adversely affect their ability to be a peace officer. The Board shares the Legislature's belief that the cumulative impact of changing how agencies hire officers may change the culture of the organization such that officers police in a less biased manner.

While the Board appreciates AB 846's focus on using the hiring process to identify biased officers, there are a few issues that should be carefully considered. A threshold issue is whether it is even possible to find applicants who could meet the statutory standard of being "free" of biases that would "adversely affect the exercise of the powers of a peace officer." Indeed, studies suggest that all individuals hold some implicit biases.⁷³⁵ Thus, it may be an

⁷³⁴ See *ibid.*; see also Off. of Assem. Floor Analyses, Analysis of Assem. Bill No. 846, *supra* note 702, at p. 2.

⁷³⁵ See, e.g., Su, *A Proposal to Properly Address Implicit Bias in the Jury* (2020) 31 *Hastings Women's L.J.* 79, 86; Chi Cantalupo, *And Even More of Us Are Brave: Intersectionality & Sexual Harassment of Women Students of Color* (2019) 42 *Harv. J. L. & Gender* 1, 78 (citations omitted); Johnson, *Everyone Is Biased: Harvard Professor's Work Reveals We Barely Know Our*

“unrealistic expectation” to expect to find applicants who are “100 percent bias-free.”⁷³⁶ And, as leading bias expert and social psychologist Jennifer Eberhardt explains, it may be impossible to rid oneself of biases and, instead, the goal should be on managing those biases:

We’re kind of limited . . . to the extent that we can actually rid ourselves of bias. I don’t even know if that’s a goal that is achievable. People always want to know how we can get over bias. And I understand that. But bias is not something we cure, it’s something we manage. There’s no magical moment where bias just ends and we never have to deal with it again.⁷³⁷

Even if law enforcement agencies and POST did not take AB 846’s mandate literally and instead focused on screening out applicants for strong biases against various identity groups, AB 846 does not lay out what specific metrics would be used to measure a person’s biases.

There are, in fact, tests developed by social psychologists that purport to measure a person’s implicit biases.⁷³⁸ The most widely known test is the Implicit Association Test (IAT), which is a collection of several tests that measure how quickly a person associates and pairs “good” and “bad” words and images with people from different identity groups; a quicker association of bad or good words (such as the words “evil,” “kind,” or an image of a gun) with a person of a certain identity group may reflect a bias towards people within that identity group.⁷³⁹ But there does not appear to be wide consensus—nor sufficient research—to support the position that these tests accurately measure a person’s implicit biases.⁷⁴⁰ Nor does there appear to be agreement among leading social psychologists on implicit bias research that implicit biases can predict how a person will behave in real world contexts.⁷⁴¹ As implicit bias expert and UCLA law

Own Minds (Feb. 5, 2013) *Boston.com* <<https://www.boston.com/news/science/2013/02/05/everyone-is-biased-harvard-professors-work-reveals-we-barely-know-our-own-minds>> [as of Dec. 2, 2021].

⁷³⁶ See Office of Community Oriented Policing Services, United States Department of Justice, *Hiring for the 21st Century Law Enforcement Officer* (2017) p. 17 <<https://cops.usdoj.gov/RIC/Publications/cops-w0831-pub.pdf>> [as of Dec. 2, 2021].

⁷³⁷ See Chang, *Can We Overcome Racial Bias? ‘Biased’ Author Says to Start By Acknowledging It* (Mar. 28, 2019) NPR <<https://www.npr.org/2019/03/28/705113639/can-we-overcome-racial-bias-biased-author-says-to-start-by-acknowledging-it>> [as of Dec. 2, 2021].

⁷³⁸ See Feigenberg, et al., *Implicit Bias Training for Police*, University of Chicago Urban Labs Crime Lab (Apr. 23, 2021) p. 2 <<https://urbanlabs.uchicago.edu/attachments/a11adfec96ff6054bc4146c1d366bdf26861fcc7/store/35ceee1c8a33feebad18b35aa80f7c55c435ce0f7f9e56d6cbee40b6bf27/Implicit+Bias+Training+for+Police.pdf>> [as of Dec. 2, 2021].

⁷³⁹ Various IAT tests are available here: <https://implicit.harvard.edu/implicit/takeatest.html>.

⁷⁴⁰ Banks, et al., *Discrimination and Implicit Bias in A Racially Unequal Society* (2006) 94 Cal. L. Rev. 1169, 1187.

⁷⁴¹ Feigenberg, et al., *Implicit Bias Training for Police*, *supra* note 738, at p. 2 (“Estimated correlations between implicit (and, for that matter, explicit) lab-based bias measures and lab-based discriminatory behaviors are generally modest but have held up in meta-analyses.”); but see Banks, et al., *Discrimination and Implicit Bias in A Racially Unequal Society* (2006) 94 Cal. L. Rev. 1169, 1187 (beyond the domain of race and crime, evidence linking IAT scores and racially discriminatory behavior is similarly sparse. The few published studies that have found a statistically significant relationship between participants’ Race IAT scores and their performance in a study concern aspects of one’s demeanor that are both subtle and ambiguous (e.g., eye contact, speech errors, and facial expression); see also Villegas, *How much bias is too much to become a police officer? Experts fear new law might backfire*, *Washington Post* (Oct. 27, 2020) <<https://www.washingtonpost.com/nation/2020/10/27/how-much-bias-is-too-much-become-police-officer-experts-fear-policing-law-might-backfire/>> [as of Dec. 2, 2021] (“These types of evaluations, [experts] say, do not necessarily predict future behavior or future beliefs as they are constantly relearned by individuals and supplied by society.”).

professor Jerry Kang explained: “[AB 846] worryingly assumes there is an easy way to identify emotional and mental conditions that include implicit bias on specific individuals.”⁷⁴²

Because there do not appear to be reliable tests to measure implicit bias, the RIPA Board recommends that POST and law enforcement agencies consider using additional approaches to reducing bias-based policing. To that end, the RIPA Board recommends that the Legislature consider legislation that would provide funding to stakeholders, including academic researchers and community organizations, to explore in a meaningful way other approaches to reducing biased policing. This type of legislation will further the goals of AB 846 to change the culture of law enforcement and to reduce harm to California communities.

i. Evaluating officers’ social media for evidence of explicit bias

One approach would be to evaluate officers’ social media for explicit biases. As noted above, the Board already recommended that POST revise its proposed regulations implementing AB 846 to include a specific requirement to evaluate a peace officer candidate’s social media profile. This recommendation is informed by widely publicized examples of officers using social media to share and discuss information and images evidencing biased beliefs.

In last year’s annual report, the Board referenced the Plain View Project, which examined the Facebook accounts of 2,900 officers from eight departments across the country and an additional 600 retired officers from those same departments for evidence of bias and now maintains an active database.⁷⁴³ The Plain View Project found thousands of Facebook posts that included racist or otherwise offensive language.⁷⁴⁴ Of the Facebook accounts that Plain View researchers could identify as belonging to officers or retired officers, about 1 in 5 of the current officers and 2 in 5 of the retired officers made public posts or comments that included biased language or otherwise undermined confidence or trust in law enforcement by using dehumanizing language or praising violence.⁷⁴⁵ Some of those Facebook posts were linked to actual harm: the Plain View Project collaborated with Injustice Watch, a Chicago-based nonprofit newsroom, which determined that, of 327 officers in the Philadelphia Police Department who posted troubling content, 138 officers—or more than 33%—may have been defendants in at least one federal civil rights lawsuit.⁷⁴⁶ For 99 of those 138 officers (or nearly 72%), those lawsuits ended in settlements or verdicts against the officers or the city of Philadelphia.

In a similar fashion, the Center for Investigative Reporting (CIR) conducted an investigation and found that almost 400 current and retired law enforcement officers are members of Confederate, Islamophobia, misogynistic, or anti-government militia groups on Facebook,

⁷⁴² Villegas, How much bias is too much to become a police officer? Experts fear new law might backfire, *supra* note 741.

⁷⁴³ See Racial and Identity Profiling Advisory Board, Annual Report 2021, *supra* note 199, at p. 26.

⁷⁴⁴ See *ibid.*

⁷⁴⁵ Hoerner, et al., *Cops Around the Country Are Posting Racist and Violent Comments on Facebook* (2019) Injustice Watch <<https://www.injusticewatch.org/interactives/cops-troubling-facebook-posts-revealed/>> [as of Dec. 2, 2021].

⁷⁴⁶ See *ibid.* InjusticeWatch linked the officers to these lawsuits based on the officers’ names, badge numbers, and/or other corroborating details.

resulting in more than 50 departments launching internal investigations.⁷⁴⁷ Like the Plain View/Injustice Watch investigation, CIR determined that at least some officers who belonged to these groups engaged in actual harm: for example, one Madison County, Mississippi sheriff's deputy was a member of a Facebook group called "White Lives Matter" and in a deposition filed by the ACLU against his department, admitted that he "may have" used the "N-word."⁷⁴⁸ A lieutenant with the Chicago Police Department joined an Islamophobic Facebook group and posted anti-transgender memes. Citizens Police Data Project determined that this lieutenant was the subject of 70 allegations of misconduct, including allegations of unlawful use of force.⁷⁴⁹ CIR's findings prompted an associate professor of sociology who has studied extremist groups to assert that it is not "consistent with what we know about the decision-making process" "[t]o think that people could completely separate these extremist right-wing views from their actions."⁷⁵⁰

These examples lend support to the public calls for agencies to evaluate job applicants' social media posts to identify any examples of explicit biases.

ii. Evaluating officers for their motivation not to police in a biased manner

Another approach that law enforcement agencies and POST could consider to address bias among officers is evaluating officers' motivations to police in an unbiased manner. Several researchers have studied people's motivations to avoid biased actions, and this appears to be a promising avenue to identify individuals who might be less likely to engage in disparate policing. Prominent researchers in this area, Patricia G. Devine and Ashby Plant, theorized that there are two types of motivations to act in a nonbiased manner (or to respond without prejudice, as the researchers describe it): internal and external motivation.⁷⁵¹

Internal motivation to act in a nonbiased manner comes from within—a person has "internalized and personally important nonprejudiced standards."⁷⁵² A person with internal motivation would agree with the following statement: "Being nonprejudiced toward Black people is important to my self-concept."⁷⁵³ External motivation to act in a nonbiased manner is driven by "social pressure to comply with nonprejudiced norms."⁷⁵⁴ A person with external motivation would agree with the following statement: "I attempt to appear nonprejudiced toward Black people in order to avoid disapproval from others."⁷⁵⁵

⁷⁴⁷ See Carless et al., *To protect and slur: Inside hate groups on Facebook, police officers trade racist memes, conspiracy theories and Islamophobia* (June 14, 2019) Reveal News <<https://revealnews.org/article/inside-hate-groups-on-facebook-police-officers-trade-racist-memes-conspiracy-theories-and-islamophobia/>> [as of Dec. 2, 2021].

⁷⁴⁸ See *ibid.*

⁷⁴⁹ See *ibid.*

⁷⁵⁰ *Ibid.*

⁷⁵¹ See Devine et al., *Internal and External Motivation to Respond without Prejudice* (1998) 75 J. of Personality and Soc. Psychol. 811, 811.

⁷⁵² *Id.* at p. 813.

⁷⁵³ *Ibid.*

⁷⁵⁴ *Ibid.*

⁷⁵⁵ *Ibid.*

Plant and Devine conducted two studies on a university campus to determine whether these two forms of motivation can predict future actions or feelings. In the first study, researchers measured student participants' responses to discrepancies in how they believed they *should* treat Black individuals and how they believed they *would* actually treat Black individuals in various hypothetical scenarios.⁷⁵⁶

The authors found that participants with high internal motivation to act in a nonbiased manner experienced more guilt and self-criticism when there were large discrepancies between their own personal standards for how to treat Black individuals and how they believed they would actually treat them. Participants with high external motivation experienced more threat-related feelings when there were large discrepancies between the broader campus norms and how they would actually treat Black individuals.⁷⁵⁷

In the second study, participants answered the questions in front of a live individual. The researchers found that only those with high external motivation—which has a “clear focus on concern over how one would be evaluated by others”—changed their prejudiced reactions under the scrutiny of a live experimenter.⁷⁵⁸ Plant and Devine also found that those with high internal motivation also reported low-prejudice attitudes; by contrast, the range of prejudice scores was wide (from high to low) for people with external motivations.⁷⁵⁹

Plant and Devine, as well as other researchers, have expanded on this research and have found that internal motivation not to be biased has stronger and more consistent impact on actual biased attitudes and responses than external motivation. In one study of White participants' interactions with Black individuals, researchers found that White participants who were more internally motivated to respond without prejudice were more concerned about showing their partner respect, more focused on their partner's needs, exhibited more partner-engaged behaviors, and were more likely to remember details about their partners. In contrast, more externally motivated individuals were more focused on themselves and did not exhibit as much care towards the needs of their partner.⁷⁶⁰

⁷⁵⁶ *Id.* at p. 818. The researchers separated the participants into two groups – the first group measured the discrepancies from participants' own personal standards (the difference between (1) their own internalized standards on how they should treat Black individuals and (2) how they believed they would actually treat Black individuals) and the second group measured discrepancies from broader norms of the campus (the difference between (1) the broader campus's standard on how they should treat Black individuals and (2) how they believed they would actually treat Black individuals). Participants were given a list of scenarios (the one provided by Plant and Devine was “Imagine that you saw a young Black woman at the grocery store with four small children. Your initial thought should be—‘How typical’”). For each scenario, the participant would have to provide, on a 1-7 scale, how strongly they would agree with a statement. They first would measure based on whether they *should* agree and then second based on whether they *would* actually respond. For example, one situation read as follows: “Imagine that you saw a young Black woman at the grocery store with four small children. Your initial thought should be—‘How typical’.” The second section of the questionnaire assessed how participants believed they actually would respond in the same scenarios.

⁷⁵⁷ See *id.* at p. 823.

⁷⁵⁸ See *id.* at pp. 814, 824.

⁷⁵⁹ See *id.* at p. 826.

⁷⁶⁰ See LaCosse et al., Internal Motivation to Respond without Prejudice Fosters Respectful Responses in Interracial Interactions (2019) *J. of Personality and Soc. Psychol.*; see also Devine et al., The Regulation of Explicit and Implicit Race Bias: the Role of Motivations to Respond without Prejudice (2002) 82 *J. of Personality and Soc. Psychol.* 835, 840 (participants with low levels of

While it is not clear whether Plant and Devine’s findings would reliably apply to a different set of subjects, nor is it clear whether the questions that Plant and Devine developed to determine a person’s internal and external motivations would work in the law enforcement context, these studies may highlight an avenue by which POST and law enforcement agencies could work towards the Legislature’s goal of “counteract[ing] [the] influence” of officers’ biases. The Board invites academics to engage in further research, and invites the Legislature to consider funding in this area to determine whether examining officer candidates’ motivations may have an impact on officers’ interactions, and in turn, disparities in policing.

iii. Long-term interventions to address implicit biases

Researchers have also suggested looking beyond evaluating the individual characteristics of an officer (i.e. their implicit biases or motivations) to looking at other approaches to reduce biased policing.⁷⁶¹ While there has not been significant research on these other approaches to determine their impacts on biased policing (and specifically, disparities in police encounters), it is at least worth noting these other approaches.

Leading social psychologists on bias research, Benjamin Feigenberg, Jack Glaser, and Eleni Packis, have surveyed various other approaches. One approach involves employing various strategies to decrease the impact of implicit bias on people’s behaviors, including: (1) guiding people to take the perspective of a person from an identity group different from one’s own; (2) exposing them to counter-stereotypes of an identity group to reduce the stereotypic associations one has of that identity group; and (3) asking people to recall times they behaved in an objective manner so as to promote equitable behavior.⁷⁶²

There is some indication that employing these types of strategies over the course of a several-week “intervention” may have a sustained reduction on individuals’ implicit biases. In a study of 91 non-Black psychology students, social psychologists worked for 12 weeks to employ various bias reduction strategies, including the ones described above.⁷⁶³ Researchers measured participants IAT scores at various intervals throughout the 12-week study (at the start of the intervention, at 4 weeks, and at 8 weeks) and concluded that people who participated in the intervention had lower IAT scores than those who did not participate, and those lower scores persisted throughout the study.⁷⁶⁴

However, it is unclear whether this type of long-term intervention is replicable in the policing context. Indeed, another study involving a similar type of multi-week intervention, but with

internal motivation to control prejudice reported higher levels of explicit race bias and participants with high internal motivation and low external motivation had the lowest levels of implicit bias and were the most effective at regulating their biases on difficult-to-control reactions).

⁷⁶¹ See Villegas, How much bias is too much to become a police officer? Experts fear new law might backfire, *supra* note 741.

⁷⁶² See Feigenberg et al., *Implicit Bias Training for Police*, *supra* note 738, at pp. 2-3.

⁷⁶³ See *ibid.*

⁷⁶⁴ See generally Devine, et al., *Long-term reduction in implicit race bias: A prejudice habit-breaking intervention* (2012) *J. Exp. Soc. Psychol.* 2012 Nov; 48(6): 1267-1278 <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3603687/>> [as of Dec. 2, 2021].

non-students, did not produce the same sustained reductions in IAT scores.⁷⁶⁵ Nor is it clear that a reduction in IAT scores would necessarily translate into better policing outcomes, as described above.

iv. Implicit bias trainings

Implicit bias trainings are also another potential method to reduce biases. Thus far, social psychologists who have researched bias reduction strategies have identified only one study that has evaluated the impact of implicit bias trainings in the policing context (and specifically at the New York City Police Department). This study found no impact from this type of training on arrests, stops, frisks in stops, summonses, searches in stops, use of force in stops, use of force in arrests, and citizen complaints.⁷⁶⁶ One study alone, of course, should not be a basis to discourage implicit bias trainings. Indeed, this study found that implicit bias trainings had some positive impact on officers: the study found that officers were more concerned about “the potential for bias by the police toward the public” after the implicit bias training.⁷⁶⁷ After taking the implicit bias training, officers were also more likely to agree with the statement that bias in policing is a legitimate community concern.⁷⁶⁸

Given that this study did find some benefit to implicit bias trainings, it is worth further exploration into their impact. Leading social psychologists on bias and policing, in fact, suggest that “further evidence is needed to assess whether [these types of] trainings that differ in terms of both content and dosage may hold more promise”⁷⁶⁹ In other words, there needs to be further study into whether different types of implicit bias trainings and the frequency of those trainings could have a long-term impact on policing disparities. A promising development in this regard is a study conducted by a researcher out of Washington State University, Dr. Lois James. Dr. James is the director and developer of Counter Bias Training Simulation, a training that has officers undergo various simulations, using video scenarios, designed to have officers make split-second decisions, de-escalate situations, and interact with community members. These video simulations are intended to have officers understand how implicit biases influence those decisions.⁷⁷⁰ Dr. James is currently studying body-worn camera footage from the Sacramento Police Department to determine whether there is any impact of this type of

⁷⁶⁵ See Feigenberg et al., *Implicit Bias Training for Police*, *supra* note 738, at pp. 2-3 (citing Carnes, et al., *Effect of an Intervention to Break the Gender Bias Habit for Faculty at one Institution: A Cluster Randomized, Controlled Trial* (2015) *Academic Medicine: J. of the Assn. of American Medical Colleges* 90(2), 221-230.)

⁷⁶⁶ See Feigenberg et al., *Implicit Bias Training for Police*, *supra* note 738, at pp. 5-7 (describing a study of New York Police Department’s rollout of implicit bias trainings and its conclusion that there were “essentially no changes in racial disparities across the range of policing outcomes.”).

⁷⁶⁷ See Worden et al., *The Impacts of Implicit Bias Awareness Training in the NYPD*, The John F. Finn Institute (July 2020) p. 91 <https://www1.nyc.gov/assets/nypd/downloads/pdf/analysis_and_planning/impacts-of-implicit-bias-awareness-training-in-%20the-nypd.pdf> [as of Dec. 2, 2021].

⁷⁶⁸ See *ibid.*

⁷⁶⁹ See Feigenberg et al., *Implicit Bias Training for Police*, *supra* note 738, at p. 7.

⁷⁷⁰ See *Advanced Curriculum Solutions for Counter Bias Training*, FAAC <<https://www.faac.com/milo/cognitive/cbtsim/>> [as of Dec. 2, 2021].

training on policing behavior.⁷⁷¹ The RIPA Board will continue to monitor this study for future reports.

v. Impact of supervisors on officers' behavior

Feigenberg, Glaser, and Packis further suggest research into the impact supervisors (i.e. sergeants) have on reducing biases among officers under their command and the impact they have on disparate policing in general.⁷⁷² Because of a “widespread belief that sergeants play a critical role in [both] establishing departmental norms” and incentivizing officers, there is a critical need to think creatively on how to engage supervisors in helping officers address their individual policing outcomes and to examine supervisory impact on disparities in policing outcomes in the aggregate.⁷⁷³ One approach would be for agencies to develop dashboards that use RIPA data to identify policing outcomes for individual officers. To the extent that a dashboard reveals disparities when looking at an officer’s shift, patrol neighborhood demographics, and the policing outcomes of other officers during those same shifts and patrol neighborhoods, supervisors could work with the individual officer to determine if any of those disparities are the result of the conduct of the officer and if so, provide the officer remedial support. An agency in the long term could evaluate whether early intervention in this form has any impact on reducing stop disparities.

In sum, all these various approaches—evaluation of officers’ motivations, long-term use of bias reduction strategies, implicit bias training, and data-driven supervisory engagement—require further research specifically in the context of policing. AB 846’s passage suggests that the Legislature is primed to consider further legislation to evaluate these other approaches, which may be found to further the AB 846’s authors’ goals of “reform[ing] the system as it currently exists and mov[ing] . . . in the direction of equity.”⁷⁷⁴ This legislation could come in the form of funding for POST (in consultation with subject matter experts), law enforcement agencies themselves, and/or California universities to conduct this additional research.

vi. Strategies to reduce bias in the broader context

Of course, regardless of the type of reform the Legislature considers, any approach aimed at reducing biases in policing must be understood in the broader context in which policing takes place. As the Board discussed in the 2021 Report, “biases may, in part, explain individual officer behavior, but there are other systemic factors that impact certain racial, ethnic, and other identity groups that help to explain stop disparities in the aggregate.”⁷⁷⁵ Those “[l]arger systemic and social oppression [may also] inform officers’ decisions – both directly and indirectly – to interact more with certain groups and in different ways, and thus lead to stop

⁷⁷¹ See Matussek et al., *Police reforms surge after months of racial justice protests*, The Christian Science Monitor (Sept. 30, 2020) <<https://www.csmonitor.com/USA/Justice/2020/1002/Police-reforms-surge-after-months-of-racial-justice-protests>> [as of Dec. 2, 2021].

⁷⁷² See Feigenberg et al., *Implicit Bias Training for Police*, *supra* note 738, at p. 8.

⁷⁷³ See *ibid.*

⁷⁷⁴ Off. of Assem. Floor Analyses, Analysis of Assem. Bill No. 846, *supra* note 702, at p. 2.

⁷⁷⁵ See Racial and Identity Profiling Advisory Board, Annual Report 2021, *supra* note 199, at pp. 26-27.

data disparities.”⁷⁷⁶ These “external” factors have led Robert E. Worden, lead author of the study behind the NYPD’s implicit bias trainings described above, to observe that it is “not at all clear that the enforcement disparities that we commonly see in law enforcement are due even in part to implicit bias.”⁷⁷⁷ Nor is it clear that rooting out officers with apparent explicit biases would also have a meaningful impact on stop disparities. In short, given the other contributors to stop data disparities, the Legislature should strongly consider addressing stop disparities in a holistic manner by expanding the focus to include not just reforms to policing but to other areas (such as housing, judicial system, prosecutorial conduct), which contribute to systemic inequities that inform the disparities we are seeing.

B. Law Enforcement Training Related to Racial and Identity Profiling

1. Introduction and Background

i. California Law Enforcement Training

Since the inception of policing systems, it has been challenging to develop consistent training for officers and ensure that the training evolves with community needs. The early 1900’s marked the beginning of a new police system in California, initiated by August Vollmer, the Chief of Police for the City of Berkeley.⁷⁷⁸ He introduced the concept of training American peace officers; the first United States police training academy was the August Vollmer’s Berkeley Police School, which opened in the early 1900’s.⁷⁷⁹ Vollmer pioneered several policing practices, including being the first to put officers on bicycles, developing a call box system throughout the city so officers could communicate with one another, and establishing the country’s first crime lab.⁷⁸⁰

While Vollmer’s innovations in professionalizing peace officer practices laid the foundation for modern day policing, he has also been sharply criticized for both “pioneering the militarization of the police and espousing the racist theories of eugenics.”⁷⁸¹ Vollmer’s early proposed police training curriculum included eugenics theory, and in some of his writings, he theorized that Black people were predisposed to commit crime.⁷⁸² Some have suggested his work and trainings may have “planted the seeds for policing methods, such as racial profiling” that still

⁷⁷⁶ See *id.* at p. 28.

⁷⁷⁷ See Matussek et al., *Police reforms surge after months of racial justice protests*, *supra* note 771.

⁷⁷⁸ City of Berkeley Police Department History, *The Earliest Years 1905-1925, First in Policing*

<https://www.cityofberkeley.info/Police/Home/History_The_Earliest_Years_1905-1925.aspx> [as of Dec. 2, 2021].

⁷⁷⁹ Hicks, *Berkeley’s First Police Chief Supported Eugenics, Prompting Calls to Rename Vollmer Peak*, *Berkeleyside News* (Sept. 2020) <[https://www.berkeleyside.org/2020/09/15/berkeleys-first-police-chief-supported-eugenics->](https://www.berkeleyside.org/2020/09/15/berkeleys-first-police-chief-supported-eugenics-) [as of Dec. 2, 2021].

⁷⁸⁰ *Ibid.*

⁷⁸¹ See Newitz, *How the Father of Modern Policing ‘Abolished’ the Police*, *N.Y. Times* (June 2021)

<<https://www.nytimes.com/2021/06/03/opinion/august-vollmer-abolish-police.html>> [as of Dec. 2, 2021]. The American Eugenics Society (AES) described eugenics as the study of improving the genetic composition of humans through controlled reproduction of different races and classes of people. See Hicks, *supra* note 779.

⁷⁸² See Newitz, *supra* note 781; see also Moffitt, *Weighing August Vollmer’s tarnished legacy: Should his name be scrubbed from peak?* (Sept. 2020) *S.F. Gate* <<https://www.sfgate.com/bayarea/article/Berkeley-Vollmer-Peak-police-chief-eugenics-15597927.php>> [as of Dec. 2, 2021].

affect policing to this day.⁷⁸³ Understanding these historical roots of police training in California will help develop and shape future trainings that break free from bias-based concepts.

In 1959, the California Legislature took steps to develop more consistent peace officer standards and training by establishing the Commission of Peace Officer Standards and Training (POST). Since the formation of POST, there has been an increased demand by both the public and law enforcement for enhanced training by officers. The public release of video recordings by bystanders and body worn cameras has highlighted the need for training that reinforces the constitutional mandates of treating people equitably and without unnecessary uses of force. In addition, communities have called for training aimed at acknowledging and healing the historical strain between communities of color and law enforcement. Meaningful reform to police training and practices throughout the state of California begins with POST.

ii. Commission on Peace Officer Standards and Training (POST)

POST is responsible for setting the minimum guidelines and training for most officers throughout the state. POST is an independent state entity within the California Executive Branch that reports directly to the Governor. It was created for the purpose of establishing minimum selection and training standards for California law enforcement officers. The POST Commission has the authority to (1) issue regulations regarding uniform standards and training and (2) set the minimum standards for training at the basic academy. POST is the central hub for any training and regulations for peace officers throughout the state.⁷⁸⁴ The work of POST is supported by a full-time staff with an extensive budget; the 2021-22 Governor’s Budget for POST is \$83 million.⁷⁸⁵ POST is comprised of 135 employees who enforce hiring standards, develop and deliver trainings, and conduct audits of 41 police academies and 611 law enforcement agencies that voluntarily participate in the POST Program.⁷⁸⁶ POST is an incentive-based program; this means that if a law enforcement agency agrees to abide by the standards established by POST, they become eligible to receive the services and benefits from the Commission, which include:

- research into improved officer selection standards;
- management counseling services;

⁷⁸³ See, e.g., Newitz, *supra* note 781.

⁷⁸⁴ Despite its central role in the regulation of peace officers, POST, until recently, lacked the authority to deny or cancel a peace officer’s certification. Senate Bill 2, effective January 1, 2022, restores this meaningful oversight mechanism, previously revoked by the legislature in 2003, by giving POST the authority to decertify officers who have been fired for serious misconduct. In doing so, California became the 47th state with the authority to decertify peace officers. (Stats. 2021, ch. 409; Assem. Com. on Appropriations, Analysis of Sen. Bill No. 2. (2020-2021 Reg. Sess.), as amended July 7, 2021, p. 7 [argument in support according to the ACLU of California references the legislature’s 2003 elimination of POST’s decertification authority].) <https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB2> [as of Dec. 2, 2021].

⁷⁸⁵ See 2021-2022 State Budget: General Government: 8120 Commission on Peace Officer Standards and Training (June 28, 2021) <<https://www.ebudget.ca.gov/2021-22/pdf/Enacted/GovernorsBudget/8000/8120.pdf>> [as of Dec. 2, 2021].

⁷⁸⁶ Little Hoover Commission, Public Hearing on Law Enforcement Training (Part 1) (Feb. 11, 2021), written testimony of Executive Director Manny Alvarez, California Commission on Peace Officer Standards & Training Information (“Alvarez Public Hearing Testimony”), p. 1 <<https://lhc.ca.gov/sites/lhc.ca.gov/files/CurrentStudies/PoliceTraining/PTWrittenTestimony/Alvarez%20Testimony.pdf>> [as of Dec. 2, 2021].

- the development of new training courses;
- reimbursement for training; and
- quality leadership training programs.

A combination of 652 law enforcement agencies and academies participate in the POST Program. There are approximately 84,300 full time peace officers and 8,100 public safety dispatchers who participate in the POST Program⁷⁸⁷ and are eligible to receive training by POST.

The POST Peace Officer Training Program also provides financial assistance to participating jurisdictions for instructional costs associated with selected training courses. To encourage and assist local law enforcement agencies in meeting and maintaining minimum standards in the selection and training of law enforcement officers, POST provides financial assistance to all 58 counties, approximately 346 cities, and numerous specialized districts and local agencies which have agreed to meet the Commission's standards. The POST training program is designed to enhance the skills of entry-level peace officers and provide continuing education for seasoned peace officers. Table 1 provides a summary of the minimum training requirements for entry-level peace officers and continuing education for seasoned officers.

Any meaningful reform to policing practices must consider the role POST plays in shaping the minimum standards for officers. Presently there is very little oversight of POST, but with strong public support to reform policing throughout the country, several agencies are taking a closer look at training, funding, and ways to increase accountability.

As one aspect of community accountability, the Board notes that the POST Commission itself consists of 18 members but by law, ten of those members must

Entry-Level Peace Officers	Continuing Professional Training
<p>Entry-level peace officers (new recruits) come primarily from participating law enforcement agencies and are required to complete a minimum of 1064 hours of training. The training is delivered through two components and both must be successfully completed to fulfill the requirements of the academy.</p> <p>1. Component One: Regular Basic Course consists of a minimum 664 hours of classroom training.</p> <p>2. Component Two: The Field Training Program consists of a minimum of 400 hours of on-the-job training.</p>	<p>Every peace officer (other than a level III Reserve Peace Officer), Public Safety Dispatcher, and Public Safety Dispatch Supervisor shall satisfactorily complete the CPT requirement of a minimum 18 or more hours of POST-qualifying training during every two years.</p> <p>Peace officers assigned to patrol, traffic, or investigation who routinely effect the physical arrest of criminal suspects are required to complete perishable Skills and Communications training.</p> <p>Perishable Skills Program training consists of a minimum of 18 hours in each two-year period. Of the total 18 hours required, the course breakdown is as follows:</p> <ol style="list-style-type: none"> 1. Arrest and Control (4) 2. Driver Training (4) 3. Tactical Firearms (4) 4. Strategic Communication (2) 5. Use of Force (4)

⁷⁸⁷ *Ibid.*

be from law enforcement.⁷⁸⁸ In other words, more than half of the Commission brings law enforcement perspectives to the Commission’s important work of setting the standards for training and certification for peace officers,⁷⁸⁹ which includes designing and administering training on bias, diversity, and historical perceptions of discriminatory enforcement practices.

In order to better conceptualize and understand the composition of the POST Commission, the Board reviewed the composition of 35 licensing boards.⁷⁹⁰ Of those Boards, 91% had significantly more public members than the POST Commission. For example, the Medical Board of California is comprised of 44.6% public members, more than double the amount of public members on the POST Board. The Medical Board of California is even advocating for more public members on their Board, which as noted by some, “could give the public more

⁷⁸⁸ The Governor appoints members after consultation with, and with the advice of, the Attorney General and with the advice and consent of the Senate. (Pen. Code, § 13500, subd. (a).) The composition of the Commission is as follows:

- (1) Two members shall be (i) sheriffs or chiefs of police or peace officers nominated by their respective sheriffs or chiefs of police, (ii) peace officers who are deputy sheriffs or city police officers, or (iii) a combination thereof.
- (2) Three members shall be sheriffs, chiefs of police, or peace officers nominated by their respective sheriffs or chiefs of police.
- (3) Four members shall be peace officers of the rank of sergeant or below with a minimum of five years’ experience as a deputy sheriff, city police officer, marshal, or state-employed peace officer for whom the commission sets standards. Each member shall have demonstrated leadership in the recognized employee organization having the right to represent the member, as set forth in the Meyers-Milias-Brown Act (Chapter 10 (commencing with Section 3500)) and Chapter 10.5 (commencing with Section 3525) of Division 4 of Title 1 of the Government Code.
- (4) One member shall be an elected officer or chief administrative officer of a county in this state.
- (5) One member shall be an elected officer or chief administrative officer of a city in this state.
- (6) Two members shall be public members who shall not be peace officers.
- (7) One member shall be an educator or trainer in the field of criminal justice.
- (8) One member shall be a peace officer in California of the rank of sergeant or below with a minimum of five years’ experience as a deputy sheriff, city police officer, marshal, or state-employed peace officer for whom the commission sets standards. This member shall have demonstrated leadership in a California-based law enforcement association that is also a presenter of POST-certified law enforcement training that advances the professionalism of peace officers in California.
- (c) In addition to the members of the commission appointed pursuant to subdivisions (a) and (b), the President pro Tempore of the Senate and the Speaker of the Assembly shall each appoint a commission member who is not a peace officer. The two appointees shall each have demonstrated expertise in one or more of the following areas:
 - (1) Implicit and explicit bias.
 - (2) Cultural competency.
 - (3) Mental health and policing.
 - (4) Work with vulnerable populations, including, but not limited to, children, elderly persons, people who are pregnant, and people with physical, mental, and developmental disabilities.
- (d) The Attorney General shall be an ex officio member of the commission.
- (e) All members of the commission shall serve for a term of three years and until appointment and qualification of their successors, each term to commence on the expiration date of the term of the predecessor.

(Pen. Code, § 13500, subds. (b)-(e).)

⁷⁸⁹ Pen. Code, § 832, subd. (a).

⁷⁹⁰ *Member Roster* (Nov. 19, 2021) California Department of Consumer Affairs <https://www.dca.ca.gov/about_us/board_members/roster.pdf> [as of Dec. 2, 2021].

confidence that the board is focused on protecting healthcare consumers, not healthcare providers.”⁷⁹¹

Presently, there is also no requirement that any POST Commission member have any experience or expertise with civil rights in the context of the criminal justice system, nor does the mandated composition reflect the diverse experiences of Californians regarding policing. Increasing the number of public members on the POST Commission could have the benefit of (1) improving and modernizing trainings, (2) increasing public trust and confidence in how the trainings are developed, and (3) allowing the public to be an active participant in developing those trainings. The Board believes the POST Commission would benefit from more public members who represent the diverse views of the community.

Specifically, the Commission would benefit from members who are not former law enforcement, including but not limited to:

- A university professor specializing in policing, and racial and identity equity or criminal justice.
- A representative of an organization that specializes in civil or human rights.
- A representative of a community organization that specializes in civil rights and/or criminal justice.
- A person with substantial experience working at a nonprofit or academic institution on issues related to police accountability.
- A person with substantial experience working at a community-based organization on issues related to police accountability.
- A person with prior criminal justice system involvement or who was previously incarcerated.
- A person who has been subject to wrongful use of force likely to cause death or serious bodily injury by a peace officer, or who is a surviving family member of a person killed by the wrongful use of deadly force by a peace officer.
- A representative from the California Public Defenders Association, or their designee.
- A religious clergy member who specializes in addressing and reducing racial and identity bias toward individuals and groups.
- An attorney with substantial professional experience involving oversight of peace officers.

Expanding the number of public members on the POST Commission who represent a broad range of views and perspectives of the community will give the public a voice in the

⁷⁹¹ Editorial Board, *Put Non-Physicians in Charge of the State Medical Board*, L.A. Times (July 6, 2021) <<https://www.latimes.com/opinion/story/2021-07-06/california-medical-board-reform>> [as of Dec. 2, 2021].

Commission’s work and help shift the focus to how enforcement actions affect the people law enforcement agencies serve.

The Board recommends the Legislature increase the number of community members on the POST Commission and require that those community members reflect the diverse experiences of Californians regarding policing.

2. Oversight of POST

i. A. Little Hoover Commission’s 2021 Study on Law Enforcement Training in California

The Little Hoover Commission (LHC) is an independent state oversight agency created in 1962.⁷⁹² “The Commission’s mission is to investigate state government operations and policy, and – through reports and legislative proposals – make recommendations to the Governor and Legislature to promote economy, efficiency, and improved service in state operations. In addition, the Commission has a statutory obligation to review and make recommendations on all proposed government reorganization plans.”⁷⁹³ This year, LHC is examining the development of training standards for California’s law enforcement community.

Given lawmakers’ ongoing interest in ensuring California peace officers receive adequate and appropriate training, the Commission set out to examine the role of POST in shaping law enforcement training standards for California’s peace officers.⁷⁹⁴

The LHC conducted three public hearings and one advisory committee meeting on law enforcement training in 2021 that took place in February, March, and June.⁷⁹⁵ At one of the hearings, the Executive Director of POST presented testimony.⁷⁹⁶ The LHC also conducted a survey of California peace officers to gain an understanding of the training they receive. Following the completion of the survey, the LHC hosted a public advisory meeting to discuss the findings obtained from the survey and the hearings. There were twelve attendees – eight from POST or a law enforcement agency or organization and four academicians. In November 2021, LHC released two Issue Briefs and a final report on research gathered from the peace officer survey and from a review of basic training academy models across the country and in

⁷⁹² Little Hoover Commission, *History* < <https://lhc.ca.gov/about/history> > [as of Dec. 2, 2021].

⁷⁹³ *Ibid.*

⁷⁹⁴ See, e.g., Little Hoover Commission, Issue Brief: California Law Enforcement Survey (Nov. 2021) <<https://lhc.ca.gov/sites/lhc.ca.gov/files/Reports/263/Report263.pdf>> [as of Dec. 2, 2021]; Little Hoover Commission, Issue Brief: Comparing Law Enforcement Basic Training Academies (Nov. 2021)

<<https://lhc.ca.gov/sites/lhc.ca.gov/files/Reports/264/Report264.pdf>> [as of Dec. 2, 2021]; Little Hoover Commission, Law Enforcement Training: Identifying What Works for Officers and Communities (Nov. 2021)

<<https://lhc.ca.gov/sites/lhc.ca.gov/files/Reports/265/Report265.pdf>> [as of Dec. 2, 2021].

⁷⁹⁵ Little Hoover Commission, Police Training (2021) < <https://lhc.ca.gov/report/police-training> > [as of Dec. 2, 2021].

⁷⁹⁶ See generally Little Hoover Commission, Alvarez Public Hearing Testimony, *supra* note 786.

California.⁷⁹⁷ The Issue Briefs are informational and do not contain recommendations. The final report makes 11 recommendations within five general categories:⁷⁹⁸

- Incorporating Research: California must incorporate academic research into a thorough assessment of how current training shapes peace officers' behavior on the job, and identify effective practices and deficiencies. Assessing Academies: California must learn about the structure of the state's 41 basic training academies to determine what kind of training works best.
- Rightsizing Entry Level Officer Training: California should reassess its approach to entry-level training to promote retention of knowledge and ensure that the training lines up with the knowledge and skills officers will need in the field.
- Developing Robust Ongoing Education: The state must ensure that officers receive training throughout their careers.
- Creating a More Representative POST: The POST Commission membership should incorporate more members of the public.

ii. B. California Legislative Analyst Office –Funding for POST

The Legislative Analyst's Office (LAO) provides nonpartisan fiscal and policy analysis to the California Legislature and has done so since 1941. The LAO (1) assists the Legislature in all aspects of the budget process, through its analytical and oversight activities; (2) responds to legislative requests for information and analysis of the state's budget and programs; and (3) conducts independent studies and produces self-generated reports on topics of importance to the state.

In the 2019-2020 budget, POST received a \$34.9 million General Fund augmentation for law enforcement training costs. \$20 million must be used to prioritize use of force and de-escalation training in 2019-20 and 2020-2021.

In the 2019-2020 budget, POST received a \$34.9 million General Fund budget increase for law enforcement training costs.⁷⁹⁹ The funds were used for POST administration, training, and oversight, as well as local assistance and training-related reimbursements. The budget increase provided that \$20 million of this amount be used to prioritize use of force, de-escalation, and mental health crisis training in 2019-20 as well as in 2020-21.⁸⁰⁰ However, the LAO explained

⁷⁹⁷ Little Hoover Commission, Issue Brief: California Law Enforcement Survey (Nov. 2021), *supra* note 794; Little Hoover Commission, Issue Brief: Comparing Law Enforcement Basic Training Academies (Nov. 2021) <<https://lhc.ca.gov/sites/lhc.ca.gov/files/Reports/264/Report264.pdf>> [as of Dec. 2, 2021]; Little Hoover Commission, Law Enforcement Training: Identifying What Works for Officers and Communities (Nov. 2021) <<https://lhc.ca.gov/sites/lhc.ca.gov/files/Reports/265/Report265.pdf>> [as of Dec. 2, 2021].

⁷⁹⁸ Little Hoover Commission, Law Enforcement Training: Identifying What Works for Officers and Communities (Nov. 2021), *supra* note 794, at pp. 3-4.

⁷⁹⁹ See Legis. Analyst, The 2019-20 Budget: California Spending Plan, Judiciary and Criminal Justice <<https://lao.ca.gov/Publications/Report/4097#other-criminal-justice-programs>> [as of Dec. 2, 2021].

⁸⁰⁰ See *ibid.*; see also Legis. Analyst, 2019-20 Budget: Analysis of the Governor's Criminal Justice Proposals (February 2019) p. 44 <<https://lao.ca.gov/reports/2019/3940/2019-20-CJ-Analysis-021919.pdf>> [as of Dec. 2, 2021].

under the proposed expenditure plan it was unclear how much of the increased funding would be used for these specific purposes.⁸⁰¹

POST also submitted a 2021-22 Budget Change Proposal seeking re-appropriation of funding provided in prior years, including \$10 million for distance learning and modernization of POST's learning management system and \$300,000 for equipment purchase specific to use of force and de-escalation.⁸⁰²

Both the Board and the LAO suggest the Legislature conduct a more extensive review about how POST is spending the money, what trainings it is prioritizing, and what the performance measures are for those trainings prior to allocating additional funding for those trainings.⁸⁰³ It is important both to track how funds are being used but also the quality of trainings being produced. If the Legislature approves additional funding for POST, the LAO recommends adopting "trailer bill language directing POST to report annually on specific outcome and performance measures that are tied to legislative expectations for the additional funding. **For example, if additional funding is provided for training, POST should collect and report information on the number of officers trained, how training was delivered, and the cost per training attendee, as well as the effect of specific trainings on officers' job performance.** To the extent that it takes time to begin collecting information on certain performance measures, the Legislature can direct POST to report on how it plans on acquiring or measuring that information in the near-term until the information becomes available for annual reporting. Such reporting would help the Legislature evaluate the impact of any new funding provided, as well as make decisions on appropriate funding and service levels in the future."⁸⁰⁴

3. Legislative Mandates for Racial and Identity Profiling

i. AB 953 Mandates Specific Training

Penal Code section 13519.4 requires POST to create specific law enforcement training courses aimed at preventing racial and identity profiling. The law requires academy level courses for new recruits and expanded training for seasoned in-service officers. The Legislature stressed that these courses should teach an understanding and respect for racial, identity, and cultural differences.

The legislative intent was to mandate effective methods of carrying out law enforcement duties in a racially and culturally diverse environment. Penal Code section 13519.4 requires the curriculum "be evidence-based patterns, practices, and protocols that prevent racial or identity profiling."⁸⁰⁵ In developing the training courses, POST is required to consult with the RIPA Board. The results of the RIPA Board's evaluations must be included in their annual report.

⁸⁰¹ See Legis. Analyst, 2019-20 Budget: Analysis of the Governor's Criminal Justice Proposals, *supra* note 800, at p. 44.

⁸⁰² See POST Budget Change Proposal: 2021-2022 Distance Learning and Use of Force Training Appropriations (submitted to Legislature April 1, 2021) <https://esd.dof.ca.gov/Documents/bcp/2122/FY2122_ORG8120_BCP4553.pdf> [as of Dec. 2, 2021].

⁸⁰³ See Legis. Analyst, 2019-20 Budget: Analysis of the Governor's Criminal Justice Proposals, *supra* note at 800, pp. 42-44.

⁸⁰⁴ *Id.* at p. 44, emphasis added.

⁸⁰⁵ Pen. Code, § 13519.4, subd. (h).

ii. AB 953 DOJ Training Update

In the Fall of 2020, the Department received certification from POST to begin teaching a web-based course entitled “Reporting Stop Data for RIPA (AB 953).” This course is presently being conducted via a live webinar to provide an overview of the stop data reporting requirements pursuant to AB 953.⁸⁰⁶ The target audience includes sworn and non-sworn personnel, as the course is intended for those responsible for working on their agency’s overall RIPA implementation, agency trainers, and key stakeholders. Attendees learn information pertaining to the background, legislation, and data elements required under RIPA and review detailed scenarios to gain an understanding of how data on stops should be reported. The course also addresses roles and key activities for implementation, publication of the data, and resource materials. It is co-taught by instructors from the Civil Rights Enforcement Section and the California Justice Information Services Division.

The training incorporates multiple learning approaches, including a PowerPoint presentation, videos, interactive review of scenarios, a system demonstration, and knowledge checks. The goal of the course is to ensure uniform reporting across agencies. Sessions are three hours in length, and offered twice a month.

In 2021, the Department offered 22 courses. There were 853 total participants that completed the course, and 633 participants received Continuing Professional Training (CPT) credit. In order to meet high demand for the course once it reached capacity for POST participants, 1024 additional law enforcement agency staff requested to join the webinar for informational purposes only.

There were a total of 324 optional participant surveys completed, and the measurable results were as follows:

- **93%** of participants rated the overall course as either exceeded or met their expectations;
- **97%** of participants found the course material to be extremely useful, very useful or somewhat useful;
- **78%** of participants rated the length of the course as about the right length;
- **81%** of participants were either very likely or likely to recommend this course to a colleague;
- **96%** of participants rate the course as extremely useful, very useful, or somewhat useful; and
- **99%** of participants rated the quality and knowledge of the instructors as above average or average.

⁸⁰⁶ The Department anticipates offering in-person courses in the future.

On May 3, 2021, the RIPA training course was evaluated by the POST Quality Assessment Program (QAP).⁸⁰⁷ The trainer observed the course and provided verbal feedback at the conclusion of the course. On May 12, 2021, the course instructors received the formal evaluation from QAP. Appendix J contains the QAP form evaluators use when reviewing course content.

The POST Quality Assessment Program evaluator provided the following observations, among others:

- “By having attorneys from the Civil Rights Enforcement section put the legislation in perspective through the many different short scenarios helped reduce anxiety on operational impacts.”
- “The course would benefit from reducing the time spent on resources related to implementing stop data reporting and focusing more on factual scenarios that get students thinking about how to report stop data.”
- “Students should have an opportunity to address any specific questions in front of the entire class and instructors should also consider randomly calling on students for answers to ensure students are engaging with the course materials.”
- “Practice actually inputting the data will be helpful for students getting familiar with reporting.”
- “Without an effective ‘message’ to the patrol officers on the street, trying to obtain statistical data with legal requirements centered around the term ‘perceived’ will only exacerbate the challenges. An effective deployment message rests entirely with the Affective learning domain.”
- “However, the legislation centers around ‘perceptions’ of the law enforcement officer, for which no training was provided.”
- “Other than brief references to the legislative requirements there was no training or significant class discussion on the term ‘perception’ and the questions agencies might have in implementing the collection requirements. Gender and racial identification have become complex societal challenges in the past couple of years, yet there is limited training for peace officers in the topic.”
- “To report “perceived” race or ethnicity of a subject means the officer will likely have to see skin color, hear voice dialogue, or have some other method of influencing their interpretation of race, ethnicity, and so on. The same is true for all the other reportable categories.”

Since receiving the assessment, the DOJ has modified the course in the following ways: (1) the course content regarding resources has been cut down so the course can focus more on the

⁸⁰⁷ The QAP provides recommendations for updating and improving trainings and participation in the program is voluntary. Regardless of whether the feedback and recommendations are minor or major, updates are at the instructor’s discretion and there is no follow up from QAP.

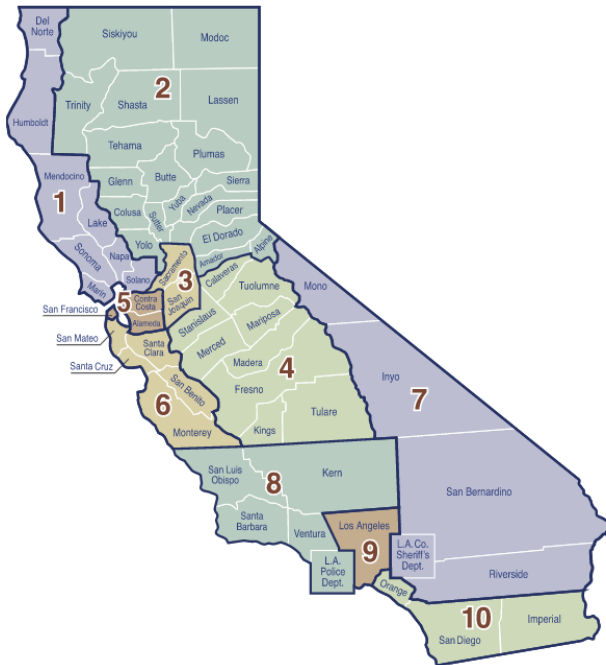
factual scenarios; (2) instructors continue to read out loud student questions submitted in the chat and encourage students to share additional questions in the chat; and (3) instructors now spend more time discussing perception in an effort to remind law enforcement that they form perceptions every day and that the statute merely requires them to record it.

Although there was some helpful feedback from the POST QAP, there was other content in the course evaluation that was troubling. The evaluator suggested that course instructors should teach students how to perceive identity demographics, such as how to perceive whether someone is LGBT. This is a question course instructors receive from officers during almost every session when teaching the RIPA course. The course developers and instructors believe it would be highly inappropriate to teach anyone how to perceive identity demographics. Instead, the course instructors will continue to emphasize that demographic perceptions do not have to be a “charged” topic or instill fear or defensiveness in officers either personally or professionally. Instructors will make clear that people make perceptions every day and it is a routine part of an officer’s job – for example, when an officer makes a stop based on a suspect description. RIPA asks officers to record that perception, and does not –contrary to the law enforcement personnel comments –ask officers to do anything inappropriate (i.e. racially profile) or beyond what they already do every single day. Instructors invite officers to take a curious and open-minded approach and recognize that making perceptions is natural and what matters is how those perceptions affect their behavior.

4. [POST Training Program](#)

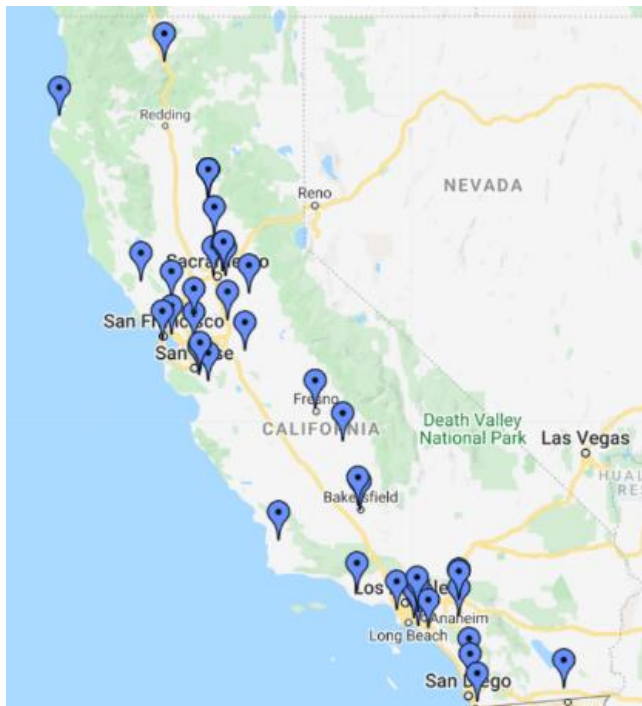
In order to meet the mandates of setting standards and providing training to the California law enforcement community, POST has organized into 10 regions, as can be seen in Map 1. Within each region, there are several training academies. The academies have the primary responsibility for administering the basic training programs.

MAP 1: REGIONS



Map 2 shows the locations of the distribution of the academies; most of the academies are concentrated in the Bay Area and around Los Angeles.

MAP 2: ACADEMIES



Each academy is responsible for delivering 43 Regular Basic Training Courses, as noted in Table 2. In addition, the hiring agencies are responsible for ensuring that the new recruits receive the Field Training necessary to achieve 18 competencies, as indicated in Table 3.

TABLE 2
REGULAR BASIC COURSE TRAINING
• Regular Basic Course Minimum Hourly Requirements
• LD 01 Leadership, Professionalism and Ethics
• LD 02 Criminal Justice System
• LD 03 Principled Policing in the Community
• LD 04 Victimology/Crisis Intervention
• LD 05 Introduction to Criminal Law
• LD 06 Property Crimes
• LD 07 Crimes Against Persons
• LD 08 General Criminal Statutes
• LD 09 Crimes Against Children
• LD 10 Sex Crimes
• LD 11 Juvenile Law and Procedure
• LD 12 Controlled Substances
• LD 13 ABC Law
• LD 15 Laws of Arrest
• LD 16 Search and Seizure
• LD 17 Presentation of Evidence
• LD 18 Investigative Report Writing
• LD 19 Vehicle Operations
• LD 20 Use of Force/De-escalation
• LD 21 Patrol Techniques
• LD 22 Vehicle Pullovers
• LD 23 Crimes in Progress
• LD 24 Handling Disputes/Crowd Control
• LD 25 Domestic Violence
• LD 26 Critical Incidents
• LD 27 Missing Persons
• LD 28 Traffic Enforcement
• LD 29 Traffic Accident Investigation
• LD 30 Crime Scenes, Evidence, and Forensics
• LD 31 Custody
• LD 32 Lifetime Fitness
• LD 33 Arrest and Control
• LD 34 First Aid and CPR
• LD 35 Firearms/Chemical Agents
• LD 36 Information Systems
• LD 37 People with Disabilities
• LD 38 Gang Awareness
• LD 39 Crimes Against the Justice System
• LD 40 Weapons Violations
• LD 42 Cultural Diversity/Discrimination
• LD 43 Terrorism Awareness

TABLE 3
FIELD TRAINING PROGRAM
• 1 - Agency Orientation / Department Policies
• 2 - Officer Safety Procedures
• 3 - Ethics
• 4 - Use of Force
• 6 - Community Relations / Professional Demeanor
• 7 - Radio Communication Systems
• 8 - Leadership
• 9 - California Codes and Laws
• 10 - Search and Seizure
• 11 - Report Writing
• 12 - Control of Persons/Prisoners/Mentally Ill
• 13 - Patrol Procedures
• 14 - Investigations / Evidence
• 15 - Tactical Communication / Conflict Resolution
• 16 - Traffic (doc)
• 17 - Self-Initiated Activities
• 18 - Agency-Specific Activities

POST has an internal Bureau that oversees the POST academies. POST also has Regional Consultants assigned to each of the 10 academy regions. The Regional Training Consultants **work directly with law enforcement agencies and training managers** by assisting with the course certification requests and processes, advising on training requirements, and conducting regular audits. Regional Consultants are available for contact by training managers should any questions arise.⁸⁰⁸

Academy Courses

The Regular Basic Training Academy Courses – or Learning Domains – are entry level training for California peace officers. There are 43 Learning Domains (“LD”) for a total 664 minimum mandatory hours that are made available to all 41 academies. POST certifies the academies, and they must meet the minimum mandates of providing 664 hours of the Basic Regular Course curriculum.⁸⁰⁹

The Regular Basic Course Learning Domain 3 –Principled Policing in the Community – is led by an instructor and covers six overarching topics: Community Policing; Community Partnerships; Problem Solving; Principled Policing; Historical and Current Events; and Implicit Bias.⁸¹⁰

In-Service Courses

After trainees complete the academy and other necessary requirements to obtain their basic certificate, POST regulations require them to obtain 24 hours of POST Certified Continuing Professional Training (CPT) during every two-year training cycle. Penal Code § 13519.4 requires POST to create refresher courses on racial and identity profiling and cultural awareness for in-service officers. These courses must be taken at a minimum of every 5 years.

The Beyond Bias: Racial and Identity Profiling Update for In-Service officers is one such refresher course. The RIPA Board’s feedback regarding this course is included in this year’s report.

Other Courses/Guidelines

POST is creating a module entitled “De-Escalation” within the Strategic Communications course of the Perishable Skills Program (PSP). The course is available to seasoned officers and dispatchers and upon completion counts towards POST’s Continuing Professional Training requirements. POST invited the RIPA Board to comment on the De-Escalation module and other modules within the Strategic Communication course and their comments are included in this year’s annual report.

⁸⁰⁸ Cal. Dept. of Human Resources, Law Enforcement Consultants, Commission on Peace Officer Standards and Training Series (Feb. 2016) <<https://www.calhr.ca.gov/state-hr-professionals/pages/8527.aspx>> [as of Dec. 2, 2021].

⁸⁰⁹ According to POST, most academies teach above the minimum requirements for an average of 800+ hours of basic training, but POST has not increased their minimum hourly requirement.

⁸¹⁰ Cal. Com. on Peace Officer Stds. and Training, Basic Course Workbook Series Student Materials: Learning Domain 3, Principled Policing in the Community, Version 5.1 (“Learning Domain 3, Principled Policing in the Community”) (April 2020) pp. i-ii <https://post.ca.gov/portals/0/post_docs/basic_course_resources/workbooks/LD_03_V-5.1.pdf> [as of Dec. 2, 2021].

Pursuant to California legislation regarding use of deadly force – AB 392 – POST also developed Use of Force Guidelines in 2020.⁸¹¹ A representative from the RIPA Board participated in the early development workshops for the Guidelines.

5. POST and RIPA Training Review

Over the past four years, POST and the RIPA Board have worked together to meet the mandates of RIPA. POST provided the RIPA Board with the names of six courses that they believe meet the RIPA mandate:

1. Principled Policing in The Community (26 hours), Regular Basic Course, Academy Learning Domain (“LD”) 3 (*In Progress*)
2. Cultural Diversity/Discrimination (18 hours), Regular Basic Course, Academy LD 42 (*Not Yet Reviewed*)
3. Bias and Racial Profiling Video Refresher for In-Service Officers (2 hours) (*Completed*)
4. Beyond Bias: Racial and Identity Profiling Update online course for In-Service Officers (2 hours) (*Completed*)
5. Supervisory Support: Racial and Identity Profiling Self-Assessment for Supervisors (2 hours) (*Completed*)
6. Strategic Communications Courses for In-Service Officers (Ongoing)
 - De-Escalation online module (2 hours) (*Completed*)
 - Mindfulness online module (*Completed*)
 - Persuasion – Getting What You Want online (2 hours) (*Completed*)
 - Remaining Communications Modules – Establishing a Safe Space, Active Listening, Persons with Communications Challenges, and Team Communication⁸¹² (*In Progress*)

Course Review Status

The Board has reviewed and provided input and comments on four of the courses:

- (1) Strategic Communications⁸¹³ for In-Service Officers and Dispatchers: De-Escalation, Mindfulness, Active Listening Persuasion, and others in script form reviews (2022 Report)
- (2) Bias and Racial Profiling Video for In-Service Officers (2021 Report)
- (3) Beyond Bias: Racial and Identity Profiling Update online course for In-Service Officers (2021 & 2022 Report).
- (4) Supervisory Support: Racial and Identity Profiling Self-Assessment (2022 Report)

⁸¹¹ Cal. Com. on Peace Officers Stds. and Training, POST Use of Force Standards and Guidelines (Nov. 2021) pp. 3, 8 <https://post.ca.gov/Portals/0/post_docs/publications/Use_Of_Force_Standards_Guidelines.pdf> [as of Dec. 2, 2021].

⁸¹² The titles of these modules are not final and are subject to revision.

⁸¹³ The Strategic Communications training module contains several sections of course content that the Board is reviewing including: de-escalation, active listening, persuasion, initiating, and self-assessment tools.

The Board is currently reviewing the following courses:

- (6) Remaining Strategic Communications Modules
- (7) Principled Policing in the Community (Regular Basic Course, Academy LD 3)

The Board has not yet reviewed the following course:

- (8) Cultural Diversity/Discrimination (Regular Basic Course, Academy LD 42).

Course Reviews and Comments

The Legislature mandated that the RIPA Board make recommendations and participate in reviewing and developing racial and identity profiling training. This included a requirement that the POST Commission develop an expanded evidence-based curriculum to “include and examine evidence-based patterns, practices, and protocols to prevent racial and identity profiling.”⁸¹⁴ The law further requires the POST Commission to consult with the RIPA Board in the development and review of courses that have a significant consideration of the following subjects:

- “(1) Identification of key indices and perspectives that make up racial, identity, and cultural differences among residents in a local community.
- (2) Negative impact of intentional and implicit biases, prejudices, and stereotyping on effective law enforcement, including examination of how historical perceptions of discriminatory enforcement practices have harmed police-community relations and contributed to injury, death, disparities in arrest detention and incarceration rights, and wrongful convictions.
- (3) The history and role of the civil and human rights movement and struggles and their impact on law enforcement.
- (4) Specific obligations of peace officers in preventing, reporting, and responding to discriminatory or biased practices by fellow peace officers.
- (5) Perspectives of diverse, local constituency groups and experts on particular racial, identity, and cultural and police-community relations issues in a local area.
- (6) The prohibition against racial or identity profiling in subdivision (f).”⁸¹⁵

The RIPA Board is also charged with analyzing law enforcement training under the above-cited Penal Code section.⁸¹⁶ This year, the RIPA Board completed their review of the De-Escalation and Mindfulness modules of Strategic Communications and the Beyond Bias: Racial and Identity Profiling Update online course for In-Service Officers. The Board also reviewed Supervisory

⁸¹⁴ Pen. Code, § 13519.4, subd. (h).

⁸¹⁵ *Id.*, subd. (h)(1)-(6)

⁸¹⁶ *Id.*, § 13519.4, subd. (j)(3)(B).

Support: Racial and Identity Profiling and the academy course for new officers, LD 3 Principled Policing in the Community, discussed fully below.

The Board would like to gain a better understanding from POST on how the Board's feedback will be incorporated into trainings and how POST intends to work with the Board to identify other courses that fall within the statute. POST has indicated that some of the RIPA Board recommendations in the courses have been adopted, as described in more detail below. However, the Board has not yet seen revised versions of the courses to see how POST has incorporated the Board's feedback. Nonetheless, the Board is encouraged that POST is incorporating some of its feedback and looks forward to reviewing the revised versions of these courses.

The following is a brief summary of key comments by RIPA Board Members.

i. [A. Strategic Communications Online Course for In-Service Officers and Dispatchers:](#)

De-Escalation Module

Board members completed a detailed review of the De-escalation module in the Strategic Communications online course and found it provided a proper balance of information. The Board was appreciative of the opportunity to review this course because de-escalation as a focus of communication is critical to building community trust and eliminating racial and identity profiling. There was a positive response about how the module was arranged in such a way that the participant was placed in the shoes of the officer as well as the community.

The Board identified several areas where the course could be improved, including but not limited to:

- The Board would like POST to provide them with advance notice and more time to review these courses.
- There should be more examples and opportunities for de-escalation in the scenarios.
- The training should emphasize the importance of early initiation of de-escalation strategies which can increase safety and more positive outcomes for both the public and the officer.
- In the introduction, terms such as knowing your triggers, disengagement, and neutrality can have different meanings to different people. An open discussion with the students about these and the other terms will help to set the foundation for what the course is trying to accomplish. Also, this would allow the students to have some introspection on their own triggers, what could they do to remain calm in stressful situations, and how are they being perceived.
- The course should capitalize on using the individual scenarios and the specific word choices to further illustrate how officer tone, empathy, and professionalism can de-

escalate a communication exchange and can often prevent a situation from escalating at the outset.

The Board members provided POST with their comments, and they look forward to seeing how POST will incorporate them into the module as it is being developed.

Persuasion Online Course for In-Service Officers

The goal of this strategic communications course is to teach officers the value of the tool of persuasion to achieve favorable outcomes for everyone in challenging situations. The scripted scenarios included a speeding ticket, a 911 call of suspicious activity, and shoplifting by teenagers.

The Board member comments are summarized as follows:

- Emphasize professional conduct, have patience when speaking to citizens, and make initial efforts to persuade.
- In the speeding ticket scenario, explain that signing a traffic ticket is not an admission of guilt and show the citizen the options on the back of the ticket that can be used to resolve it. Treat all citizens how you would expect to be treated.
- In the shoplifting scenario, know the statutes regarding custodial interrogations of juveniles and refrain from making comments about the ability of the District Attorney to press charges. It was a positive action that officers planned to talk to the teen's parents and the shop owner.

Other Communications Training Modules

POST requested that the Board review two additional modules within the Strategic Communications Course: Mindful Communication and Active Listening. A RIPA Board member had the opportunity to review the modules, and found that overall the scenarios seemed appropriate for communications training. One aspect of the feedback was that the communication scenario should remind the officer to focus on the facts of what the person did prior to and at the time of an incident. Regarding calls for service related to attempted suicide, the Board member recommended that officers be required to have accessible a copy of their agency's policy and resources for addressing individuals suffering from possible mental illness. Finally, the officers should be encouraged to always ask open-ended questions. Due to the limited timeframe provided for review, most Board members were not able to participate. Reviews are in progress for other communications modules.

ii. *Beyond Bias: Racial and Identity Profiling Update Online Course for In-Service Officers*

The Board initially reviewed this course and provided input in 2020. This year, multiple Board members provided a second review of the online refresher course on implicit bias and racial profiling. POST adopted several of the previous Board members' comments in its revisions.

In the current version of the course, Board members found that it included an adequate balance of information. Members indicated that the introduction set the proper tone, identified the scope of the training, the goals, the segments and the reasons why recognizing bias is important. Although the history section was not fully completed at the time of the Board's review, they felt that the personal stories presented good illustrations explaining certain communities' distrust of law enforcement.

Some members stated that the photos about preferences caused the viewer to pause and think and the information provided a good overview of the law. Other Board members felt that this section of the training should be rewritten because in its current form this section could actually lead to reinforcing biases. Board members did feel that the scenarios throughout the training were good illustrations of the impacts different officer responses can have on the outcomes of stops.

Board members identified several areas where the Implicit Bias and Racial Profiling course could be improved, including but not limited to:

- In the introduction, use a quote referencing the RIPA data – such as one from the Quick Facts 2021 – to underscore the presumptions that sometimes cause disparate treatment experienced by Black individuals, such as how often individuals are searched, detained, handcuffed, or how often contraband is found when compared to how often they are searched.⁸¹⁷
- In the history section, emphasize that community distrust is based on historical experiences by using references to slave patrols and targeted and aggressive police practices during the years of Jim Crow and segregation. Also, acknowledge the role of elected officials in policing.
- The history section should extend to the present, instead of suggesting that the public's views of policing are based upon events that happened 60-200 years ago. Board members expressed that although this issue began over 200 years ago, policing has not changed in many crucial respects and the public very much feels the effects of this history to this day.
- Explain that bias results in presumptions based on unconscious associations or recognized preferences. When biases are acted upon by law enforcement, such bias has the power to put others' lives at risk or even cause death.
- Require officers to ask themselves questions about their intended actions to evaluate whether or not their actions have a non-biased intent before pulling a person over.
- Show examples of a White individual being treated preferentially during a stop.
- Thread stories into the training to show why people may act defensively or be hostile when stopped by law enforcement.

⁸¹⁷ See Racial and Identity Profiling Advisory Board, 2021 Quick Facts <<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-quick-facts-2021-01.pdf>> [as of Dec. 2, 2021].

- Add discipline to the discussion of department responses to misconduct.
- In officer stories, show them positively connecting to the community.
- In a scenario where an officer makes a stop, it is also important to include discussion about the decisions an officer makes during the course of the stop.
- The training needs to show officers relaying their reason for the stop.
- Provide this Implicit Bias training to police executives and elected officials so they can better explain their expectations of officers.

Board members have submitted their comments to POST and POST has indicated that it has largely incorporated their feedback. For example, POST explained that it incorporated data from the 2021 RIPA Report in the course, including data on stop disparities by race/identity, actions taken during stop by race/identity, and possible explanations of those disparities. POST has also indicated that it has incorporated suggestions to emphasize various perspectives, officer reporting obligations, and peer intervention skills. As noted earlier, the Board has not yet had an opportunity to review how these changes are incorporated in practice so the Board cannot comment whether it would have further feedback.

iii. Supervisory Support: Racial and Identity Profiling

In 2020, after the Board began its review of the Profiling and Implicit Bias Online Course for In-Service Officers, both Board members and POST discussed a mutual interest in working collaboratively on the companion course for supervisors.

This course is designed for law enforcement supervisors to ask themselves if they know their agency's policy on bias and how they would handle an employee who exhibits biased behavior. It also discusses how to handle racial profiling in the context of the Peace Officer Bill of Rights (POBAR). The course also contains a self-assessment tool to determine if supervisors are connecting with the community and offers ways to set up programs to bridge the gap. The sub-topics of the course are Manage the Impact of Bias, Connect with the Community, Build a Positive Culture, and Recognize Your Responsibility.

The Board members provided the following comments and suggestions:

- The course does not deal with explicit bias and what to look for, and it should discuss practices that lead to biased outcomes, such as consent searches, and provide input on how removing these practices could impact policy.
- The course should discuss ways to review subordinates' behavior to identify biased treatment and provide examples of discipline. It should review the concept of racial profiling and underscore that profiling occurs when stopping an individual based upon their identity, except in the limited circumstance where the individual matches a suspect description. Agency policies on Field Identification card checks and consent searches may be good examples to use in this type of discussion.

- The discussion of the link between community engagement and building trust was powerful. The actions listed in the course were deemed appropriate, however the discussion could be strengthened to show how each action is useful to eliminating bias.
- The self-assessment tool to promote a positive culture in the agency was deemed valuable.
- It was suggested that the course close the training with a story that empowers supervisors.

POST has indicated that it has incorporated some of the feedback from Board members, though it did not provide an exhaustive list. As some examples of the feedback incorporated by POST, POST has represented that it has provided explanations for incorrect answers raised during the training to provide to trainees, provided a clearer definition of explicit bias, and used graphics from RIPA annual reports to make the course more visually appealing. As noted earlier, the Board has not yet had an opportunity to review how these changes are incorporated in practice so the Board cannot comment whether it would have further feedback.

iv. Principled Policing in the Community (Regular Basic Course, Academy LD 3)⁸¹⁸

The basic training officers receive should equip them with the skills and empathy necessary to serve the community in which they work. The academy is one of the first opportunities to educate new recruits on the importance of recognizing one’s own biases and not letting them affect behavior, the concepts of principled policing, and what it means to serve the public.

This year the Board began its review of the academy courses related to racial and identity profiling by examining the workbook for LD 3. A few Board members were also able to observe the course being taught at basic training academies for both CHP and San Bernardino County. It is important to note this review is of the POST mandated training course outline, which is the foundation for the training conducted by the 41 different academies throughout California, rather than a review of individual instructors. The quality of any training course is dependent on the materials and learning requirements provided to instructors, which is the responsibility of POST, and how the instructors convey the materials and teach their recruits.

The Board in its review of LD 3 has expressed serious, wide-ranging concerns about the content of the course that warrant further exploration. Although this course was updated in April of 2020, Board members believe the course: (1) lacks a primary focus on principled policing concepts; (2) emphasizes outdated policing theories, such as broken windows policing,⁸¹⁹ and (3) fails to actually incorporate any community member perspectives.

⁸¹⁸ Cal. Com. on Peace Officer Stds. and Training, Learning Domain 3, Principled Policing in the Community, *supra* note 810.

⁸¹⁹ The theory of broken windows policing “argues that maintaining order by policing low-level offenses can prevent more serious crimes. But in cities where broken windows policing has taken root, there’s little evidence that it’s worked as intended. The theory has instead resulted in what critics say is aggressive over-policing of minority communities, which often creates more problems than it solves. Such practices can strain criminal justice systems, burden impoverished people with fines for minor offenses, and fracture the relationship between police and minorities. It can also lead to tragedy: In New York in 2014, Eric Garner died from a police chokehold after officers approached him for selling loose cigarettes on a street corner.”

The Board has identified several areas where the course could be improved and modernized, including but not limited to:

- POST represented they presently do not provide a facilitator guide to instructors, meaning there is no guideline that ensures consistency for the academy courses. However, it does appear that POST may in fact provide materials to instructors in addition to the course workbook, including (1) PowerPoint presentations and (2) instructor guides for the learning activities. These materials were not provided to the Board for review.
- In one particular section, it was noted that there was not much content or context to the historical and current events listed in the workbook such as Jim Crow laws, redlining, segregation, etc. This is concerning because the facilitation of this section is based on the instructors' own knowledge, there is no guide provided to instructors, and the level of knowledge instructors have to teach these topics is unknown. This underscores the need to have more information and resources regarding these topics in the workbook outline and makes it difficult to evaluate.
- The perspectives of each community are not meaningfully incorporated into the course. For example, not all communities feel safer when they see a police officer. Course material should reflect the individual communities being policed by partnering with each community and considering the needs of that community. This concept should be a clearly stated building block in the LD3 training.
- Board members expressed that the training should reflect that there are often differences in how the training is applied in practice in disparate communities. Community input into the design of the policing practices should be addressed in the training. Board members recommended that POST include scenarios in the academy course materials to help demonstrate the disparate impact of bias-based and inequitable enforcement activities on different communities. It would provide officers with the opportunity to evaluate their own biases regarding activities viewed as criminal behavior in some communities and not others.
- Cultural competencies and examples regarding bias should be addressed in the course from a philosophical perspective and supported by the entire department from the academy to field training, so that they are taught, accepted, and practiced in day-to-day policing.
- Alternatives to police interventions, particularly with mental health crises, should be interwoven throughout the course. Police officers should be taught to defer or connect to appropriate agencies for social services or mental health concerns and be open-minded that they cannot solve all public safety and health concerns. This will show that officers are vested in the health and safety of the community and influence how they see their role.

Childress, *The Problem with "Broken Windows" Policing*, Frontline PBS (Jun. 2015)
<<https://www.pbs.org/wgbh/frontline/article/the-problem-with-broken-windows-policing/>> [as of Dec. 2, 2021].

- Referrals to other agencies should be addressed in the problem-solving section, especially regarding those who are unhoused.
- The definition of community policing provided in the course did not emphasize efforts to improve relations with the community and create true partnership; instead, it focused on arresting people. Moreover, predictive or targeted policing can turn into excessive policing and the criminalization of certain communities, which is inconsistent with serving the community and can in fact be harmful.
- In one section, Board members indicated that distinct communities have different ways of using their public spaces, and that certain activities are not signs of disorder. Community policing efforts should be focused on understanding these differences without presuming criminality.
- The course should remove the section regarding the outdated concept of “Broken Window” policing and ensure that those principles are not included throughout the course content.
 - Board members explained the research suggests there is not as much value in this theory as a crime-fighting strategy and that it was very concerning that the theory is being presented to trainees in this course. This philosophy teaches officers that they should crack down on everything they see no matter how minor the offense.
 - This training encourages officers to target certain neighborhoods – which often produces inequitable outcomes – and alienates communities, by contributing to policing policies and practices that do not actually deter or identify crime such as stop and frisk. In fact, there is little evidence to support crime reduction, whereas evidence does demonstrate that it has a negative impact on police-community relationships.⁸²⁰
- Implicit Bias and Historical/Current events are significant chapters in the LD3 training but are extremely brief in content. Both chapters lack depth, context, and specificity and would benefit from revision.
- In the history section, there is not much content or context to the historical and current events listed in the workbook, such as Jim Crow laws, redlining, or segregation. Without information behind each of these topics, it is difficult to know how they are being presented and therefore it was difficult for the Board to fully evaluate.
- The course lacked discussion of the important and necessary historical context of policing and specifically policing communities of color. Doing so would provide officers with the context as to why they are receiving training on racial and identity profiling. POST could include examples that show when implicit or explicit biases are involved.
- Current events, particularly with respect to racial and identity profiling and police murders of Black, Indigenous, and people of color, were not discussed despite this

⁸²⁰ See Martin, *Do More Broken Windows Mean More Crime?* Northeastern University News (May 15, 2019) <<https://news.northeastern.edu/2019/05/15/northeastern-university-researchers-find-little-evidence-for-broken-windows-theory-say-neighborhood-disorder-doesnt-cause-crime/>> [as of Dec. 2, 2021].

course being updated in 2020. It also appears the supplementary materials provided to academy trainers are outdated, as the most recent reference material was from 2004.

- Law enforcement agencies must take ownership of how both the history of policing and contemporary events contribute to community mistrust. The premise that law enforcement officers historically were just neutrally enforcing the laws of the time is not an accurate presentation of historical policing, especially when that law enforcement activity violated individual civil rights. For example, the law did not require officers to beat and command dogs to attack peaceful protestors and children crossing a bridge in Selma. This should be recognized and incorporated into the training.
- The section on implicit bias would benefit from including concrete examples as well as data that discuss implicit bias and how it influences everyday decisions. Additionally, there is not enough information nor sufficient examples or data provided to truly address implicit bias in a way that would help officers. It was unclear to the Board whether the course supplied the trainees with the tools to self-identify biases when they are out in the community and give them opportunities to practice how to self-correct.
- The Principled Policing section is not as well developed, and therefore this does not give the impression that this is the primary focus of the course. There should be more emphasis placed on this chapter and real-life examples of how to apply the tenets of procedural justice. The goal of the course should be for officers to use the tenets of principled policing in every community and to apply the tenets equally to bring pride to their community so that problem solving can be a team effort.

POST Subcommittee Board members had the opportunity to directly provide their recommendations about the training to POST during the POST Training and Recruitment Subcommittee meeting⁸²¹ and look forward to a further discussion with POST about the development of their academy courses.

C. Visions and Next Steps

- The Board will continue to monitor the training recommendations made from course review comments and will seek specific updates from POST on prior recommendations. The Board would like to have more transparency from POST as to how their recommendations have been incorporated into POST trainings. In those instances, where POST had decided not to adopt a Board recommendation, the Board would like an explanation providing the reasoning the recommendation is not adopted, or information supporting an alternative but equivalent solution.
- The Board would also like a more transparent and inclusive process when developing POST training materials.

⁸²¹ A full recording of the meeting and the Board comments regarding LD 3 is available online. See California Department of Justice, *POST Training and Recruitment Subcommittee Meeting (Part 1 of 2)*, YouTube (July 29, 2021) <<https://www.youtube.com/watch?v=44Jbr4E1Ei4>>; California Department of Justice, *POST Training and Recruitment Subcommittee Meeting (Part 2 of 2)*, YouTube (July 29, 2021) <https://www.youtube.com/watch?v=zPBg9_xMyxl>.

- The Board plans to examine the Little Hoover Commissions evaluations regarding whether the training courses are producing the desired outcomes of preventing and eliminating racial and identity profiling.
- The Board would like to learn more about diversifying the POST Commission and those who develop POST trainings, including subject matter experts.
- The DOJ will continue to teach the POST certified AB 953 course to law enforcement agencies including those that are beginning to compile data. This training will help to increase officer understanding of how and when to report data from stops.
- The Board will continue to seek a better understanding of the POST Academy, including the Field and the In-Service Training Programs. The Board will continue to learn more about the role and makeup of the POST Commission and its role in establishing effective training courses. In addition, the Board will continue to research evidence-based best practice training courses that strengthen the way racial and identity profiling, bias, and cultural awareness trainings are incorporated throughout an officer’s career training experience.
- The Board would like to learn more about the POST training development process, including how subject matter experts are selected and how the quality assessment program within POST evaluates trainings.
- The RIPA Board will continue to review additional POST training courses that relate to racial and identity profiling and bias. This includes but will not be limited to a review of the Regular Basic Course Academy Learning Domain #42 entitled Cultural Diversity and Discrimination. The Board will further examine the Regular Basic Courses and how the training is incorporated as well as reinforced during the Field Training Program.

RELEVANT LEGISLATION ENACTED IN 2021

This Report highlights legislation enacted in 2021 that may impact the Board’s work towards eliminating racial and identity profiling, as well as require updated trainings for officers and revisions to agencies’ policies and procedures. Below is an overview of the main changes to the law that result from the enacted legislation.

Accountability

SB 2 – Decertification

SB 2, entitled the Kenneth Ross Jr. Police Decertification Act of 2021, includes a wide range of changes to peace officer employment and liability. In enacting this law, the Legislature declared the following: First, California is one of only four states that does not have a process for de-certifying peace officers. Second, 172 Californians were killed by the police in 2017, and our state’s police departments have some of the highest rates of killings in the nation. Of the unarmed people California police killed, three out of four were people of color. Black and Latine(x) families and communities of color are disproportionately vulnerable to police violence, creating generations of individual and community trauma. Third, law enforcement officers are entrusted with extraordinary powers including the power to carry a firearm, to stop and search, to arrest, and to use force. They must be held to the highest standards of accountability, and the state should ensure that officers who abuse their authority by committing serious or repeated misconduct, or otherwise demonstrate a lack of fitness to serve as peace officers, are removed from the streets. Finally, to ensure public trust that the system for decertification will hold peace officers accountable for misconduct and that California’s standards for law enforcement reflect community values.

The bill amends several laws; some of those changes are described below.

SB 2 amends the Bane Civil Rights Act, lifting state qualified immunity protections for peace officers.

SB 2 amends the Bane Civil Rights Act, Civil Code section 52.1, which permits individuals to sue a public entity or peace officer who through “threats, intimidation, or coercion” interferes with a person’s rights guaranteed under the law, regardless of the perpetrator’s state of mind or intent. The new amendments prohibit existing state qualified immunity provisions to apply to a Bane Act claim and makes clear that indemnification provisions of sections 825, 825.2, 825.4, and 825.6 of the Government Code apply to the public entity for Bane Act violations committed by their current or former employees.

SB 2 authorizes POST to suspend, revoke, or cancel any peace officer certification.

This bill also amends Section 1029 of the Government Code, which provides the criteria that would disqualify an individual from serving as a law enforcement officer in California.

SB 2 amends section 13510.1 of the Penal Code to authorize POST to suspend, revoke, or cancel any peace officer certification.⁸²² SB 2 adds section 13510.8 to the Penal Code to require POST to develop regulations to define “serious misconduct”; the definition must include conduct such as excessive or unreasonable use of force and demonstrating bias on the basis of race or identity.

SB 2 expands the responsibilities of law enforcement agencies related to the investigations of their peace officers.

Newly added section 13510.8 would also require law enforcement agencies, beginning on January 1, 2023, to complete investigations of allegations of “serious misconduct” regardless of the employment status of the subject of the investigation. In other words, agencies cannot end an investigation if a person under investigation leaves the agency voluntarily or is terminated. SB 2 also adds section 13510.9 to the Penal Code which requires law enforcement agencies to report to POST, among other events: (1) any employment or appointment by the agency; (2) any termination or separation from employment or appointment by the agency, of any peace officer; (3) any complaint, charge, or allegation of conduct against a peace officer that could render that officer subject to suspension or revocation of their certification, and (4) the final disposition of any investigation that determines a peace officer engaged in conduct that could render a peace officer subject to suspension or revocation of certification or any civil judgment or court finding of the same.

SB 2 creates a new Peace Officer Standards Accountability Division within POST and a Peace Officer Standards Advisory Board, charged with investigating and reviewing allegations of conduct that are grounds for decertification.

SB 2 adds section 13509.5 to the Penal Code, which creates a Peace Officer Standards Accountability Division within POST to review investigations conducted by law enforcement agencies into serious misconduct that are grounds for suspension or revocation of certification and to conduct its own additional investigation as necessary. Likewise, SB 2 adds section 13509.6 to the Penal Code, which creates a Peace Officer Standards Advisory Board; six of its nine members must be members of the public who are not former peace officers. The Advisory Board will review findings made by the Accountability Division, conduct public hearings on those findings, and make recommendations to the POST Commission as to decertification if there is clear and convincing evidence to support decertification.

Although the Legislature declared that its intent was for “the entities charged with investigating and rendering decisions on decertification [to] be under independent civilian control and maintain independence from law enforcement,”⁸²³ the POST Commission, not the Advisory Board, is the final decision maker on decertification. SB 2 specifically adds section 13510.85 to the Penal Code, which requires the POST Commission (the majority of whose members are

⁸²² POST previously only had the authority to cancel certification if it was obtained by misrepresentation or fraud or administrative error on the part of POST or the employing agency.

⁸²³ Sen. Bill No. 2, approved by Governor, Sept. 30, 2021 (2021-2022 Reg. Sess.).

statutorily required to be from law enforcement backgrounds⁸²⁴) to review and decide on the decertification based on the Advisory Board's recommendations. Under section 13510.85, the POST Commission must vote on the Advisory Board's recommendations and decertification carries if it gets two-thirds of the vote of present Commissioners. If the POST Commission reaches a different determination than the Advisory Board's recommendation, the Commission must, in writing, provide an analysis and reasons for its determination.

SB 2 requires POST to notify employing agencies and the district attorney officers regarding investigations into peace officers.

SB 2 adds Section 13510.9 to the Penal Code, which requires POST to notify the employing agency of any investigation, finding, final determination, or adjudication related to the peace officer's certification. POST must also notify the district attorney in the county in which the officer is employed if the peace officer's certification is suspended or revoked.

SB 16 - Release of Records Relating to Sustained Findings of Misconduct

SB 16 amends the California Public Records Act (CPRA) (section 832.7 of the Penal Code), expanding the categories of records subject to public disclosure. The following are now subject to disclosure under the CPRA: (1) a sustained finding involving a complaint alleging unreasonable or excessive use of force; (2) any sustained finding of an officer failing to intervene when another officer is using "clearly" unreasonable or excessive force; (3) any sustained findings of conduct based on prejudice or discrimination against a number of protected groups, including race, religion, and mental disability; and/or (4) records related to sustained findings of unlawful arrest or searches. These records can be obtained even if an officer resigned before the completion of the investigation into any alleged incident of misconduct and agencies must retain all complaints related to investigations.

Hiring and Recruitment

AB 89 - Increase Minimum Age Qualifications of Peace Officers

AB 89 adds section 1031.4 to the Government Code, which increases the minimum age for officers from 18 to 21 years old. The law also adds section 13511.1 to the Penal Code, which creates a requirement for the Office of the Chancellor of the California Community Colleges to develop a modern policing degree program, with the POST Commission and other stakeholders to serve as advisors, and to submit a report on recommendations and a plan to the Legislature by June 1, 2023. The bill requires the report to include, among other things, recommendations to adopt financial assistance for students of historically underserved and disadvantaged communities with barriers to higher education access.

⁸²⁴ Pen. Code, § 13500, subd. (b).

Use of Force and Police Tactics

AB 48 - Kinetic Energy Projectiles and Chemical Agents

AB 48 adds section 13652 to the Penal Code, which prohibits law enforcement from using kinetic energy projectiles or chemical agents to disperse a protest or demonstration unless the use “is objectively reasonable to defend against a threat to life or serious bodily injury to any individual . . . or to bring an objectively dangerous and unlawful situation safely and effectively under control.” Even under these permitted circumstances, the deployment of kinetic energy projectiles or chemical agents must satisfy several requirements, including that “[d]e-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.” The law further prohibits the use of projectiles or chemical agents solely with respect to a violation of an imposed curfew, verbal threat, or noncompliance with a law enforcement directive. Any use of force incident under these circumstances must be posted within 60 days on the agency’s website with a summary of the incident.

AB 48 amends Government Code section 12525.2 by now requiring monthly as opposed to yearly reporting to the Department of Justice of the shooting of or by a peace officer or incidents resulting in death or serious bodily harm to a civilian, a.k.a. URSUS Data.

AB 481 - Military Equipment

AB 481 adds sections 7070, 7071, 7072, 7073, 7074 and 7075 to the Government Code. These new laws require a law enforcement agency to seek approval from its local governing body prior to acquiring (including borrowing or leasing) military equipment, seeking funds for military equipment, collaborating with another law enforcement agency in the deployment or other use of military equipment, or using military equipment in a manner not previously approved by the government body.

The law provides that the governing body can only approve a military equipment use policy if it determines, among other requirements, that the military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety, the proposed military equipment use policy will safeguard the public’s welfare, safety, civil rights and civil liberties, and if purchasing the equipment, it is reasonably cost effective compared to available alternatives.⁸²⁵

Any agencies with military equipment must provide an annual report on each type of approved military equipment they possess, including a summary of how it was used, the total annual cost, and any complaints or concerns received. The agency must also hold a community engagement meeting so that the public can discuss the annual military equipment report. Local governing bodies can annually review the report and can disapprove a renewal or require modifications if there is any noncompliance.

⁸²⁵ Assem. Bill No. 481, approved by Governor, Sept. 30, 2021 (2021-2022 Reg. Sess.).

AB 26 – Duty to Intercede: Policies Related to Use of Force

AB 26 amends Government Code section 7286, governing the minimum standards that must be included in a law enforcement agency’s use of force policy. This new law defines the terms excessive force (i.e. force violating Penal Code section 835a or any other law), retaliation, and the duty to “intercede.”⁸²⁶

Under AB 26, the duty to intercede is now clearly defined as follows: “Intercede” includes, but is not limited to, physically stopping the excessive use of force, recording the excessive force, if equipped with a body-worn camera, and documenting efforts to intervene, efforts to deescalate the offending officer’s excessive use of force, and confronting the offending officer about the excessive force during the use of force and, if the officer continues, reporting to dispatch or the watch commander on duty and stating the offending officer’s name, unit, location, time, and situation, in order to establish a duty for that officer to intervene.⁸²⁷

The law further provides that use of force policies must include provisions that (1) officers must “immediately” report potential excessive use of force⁸²⁸ and (2) retaliation against an officer reporting a suspected violation of law or a regulation is prohibited.

AB 490 - Positional Asphyxia

AB 490 amends Government Code section 7286.5, which banned the use of carotid restraints and choke holds by law enforcement. Under AB 490, the law now specifies that a law enforcement agency “shall not authorize techniques or transport methods that involve a substantial risk of positional asphyxia,” which is defined as “situating a person in a manner that compresses their airway” reducing a person’s ability to breathe.⁸²⁹

Criminal Justice Reform

AB 1475 - Social Media and Booking Photos

AB 1475 adds section 13665 to the Penal Code, prohibiting law enforcement agencies from sharing on social media booking photos of a person arrested under the suspicion of a nonviolent crime, except under limited circumstances, such as when the agency determines that the person is a fugitive or an imminent threat to an individual or public safety and releasing the person’s image may assist in locating the person or eliminating the threat. Agencies must also remove the booking photo of a person arrested for a nonviolent crime within 14 days, upon the request of the person unless any of the above noted circumstances exist. Agencies must also remove photos of a person arrested for a “violent felony,” as defined in Penal Code section 667.5, at the request of the person if they have demonstrated one of a number of

⁸²⁶ Assem. Bill No. 26, approved by Governor, Sept. 30, 2021 (2021-2022 Reg. Sess.).

⁸²⁷ Ibid.

⁸²⁸ Government Code section 7286 previously did not provide any deadline by which a peace officer would have to report potential excessive use of force.

⁸²⁹ Assem. Bill No. 490, approved by Governor, Sept. 30, 2021 (2021-2022 Reg. Sess.).

applicable circumstances, such as their record being sealed, their conviction being dismissed or expunged, or a finding of not guilty.

Mental Health and Crisis Response

AB 118 - Emergency Services: Community Response Grant Program

AB 118 adds sections 18999.91, 18999.92, 18999.93, 18999.94, and 18999.95 to the Welfare and Institutions Code, creating a grant pilot program which would award each grantee a minimum of \$250,000 per year to fund community-based alternatives to law enforcement with the end goal of reducing police responses to someone experiencing a health related crisis. The Department of Social Services will convene and consult with a stakeholder working group to make recommendations regarding implementation of the grant program.

CONCLUSION

This year marks the Board's fifth annual report since the enactment of the Racial and Identity Profiling Act of 2015. Last year, the Board committed to delving deeper into topics of import to the community and law enforcement to make recommendations that will continue to effect positive change and ultimately improve relationships and trust between law enforcement and the community. To that end, in this year's report the Board has more thoroughly examined and made concrete recommendations in the areas of civilian complaints, bias, accountability, pretext stops, gender disparities, consent searches and interactions with individuals on supervision and those perceived to have a disability. Future reports will continue this work.

So many events related to policing in California and the nation over the past two years have not only raised awareness of longstanding injustices, but have also shown the complexities of the relationship between law enforcement, individuals, communities and other governmental institutions. Systemic change is not easy, but the similar disparities shown in the data over the years make clear that change is needed to ensure everyone has the equal protection of the law. And, while equality seems like an unattainable goal, the Board will continue to bring individuals with diverse backgrounds together and persevere with this important work toward its common goal of eradicating racial and identity profiling in policing.



CRIME

IN CALIFORNIA

2019

Xavier Becerra, Attorney General
California Department of Justice
California Justice Information Services Division
Justice Data & Investigative Services Bureau
Criminal Justice Statistics Center

CRIME

IN CALIFORNIA

The Role of the Criminal Justice Statistics Center is to:

- Collect, analyze, and report statistical data that provide valid measures of crime and the criminal justice process.
- Examine these data on an ongoing basis to better describe crime and the criminal justice system.
- Promote the responsible presentation and use of crime statistics.



CALIFORNIA DEPARTMENT OF JUSTICE
Xavier Becerra, Attorney General

Executive Summary

Crime in California

2019

Crime in California 2019 presents an overview of the criminal justice system in California. Current year statistics, provided by California law enforcement agencies to the California Department of Justice (DOJ), are presented for reported crimes, arrests, dispositions of adult felony arrests, adult probation, criminal justice personnel, civilians' complaints against peace officers, domestic violence-related calls for assistance, anti-reproductive-rights crimes, and law enforcement officers killed or assaulted.

Highlights for 2019:

Crime Rates per 100,000 Population

- The violent crime rate decreased 2.4 percent in 2019 (from 444.1 in 2018 to 433.5 in 2019), while the property crime rate decreased 3.1 percent in 2019 (from 2,362.8 in 2018 to 2,290.3 in 2019) (Table 2).
- The homicide rate decreased 4.5 percent in 2019 (from 4.4 in 2018 to 4.2 in 2019) (Table 2).
- The robbery rate decreased 4.5 percent in 2019 (from 136.4 in 2018 to 130.3 in 2019) (Table 2).
- The motor vehicle theft rate decreased 9.6 percent in 2019 (from 389.6 in 2018 to 352.2 in 2019) (Table 2).
- The burglary and arson rates decreased 8.2 and 3.3 percent in 2019, respectively (from 413.2 and 21.4 in 2018 to 379.4 and 20.7 in 2019) (Table 2).
- From 2018 to 2019, the total felony arrest rate decreased 3.0 percent, while the total misdemeanor arrest rate decreased 3.3 percent (Table 17).
- From 2018 to 2019, the total violent offense arrest rate decreased 3.3 percent. The homicide, robbery, and assault arrest rates decreased 4.3, 3.5, and 3.0 percent, respectively (Table 22).
- From 2018 to 2019, the burglary and motor vehicle theft arrest rate decreased 4.9 and 15.0 percent, respectively (Table 22).
- From 2018 to 2019, the felony forgery, checks, access cards offense arrest rate decreased 6.9 percent (Table 22).
- From 2018 to 2019, the total felony drug offense arrest rate decreased 3.9 percent, with narcotics and dangerous drug offense arrest rates decreasing 5.1 and 0.8, respectively (Table 22).
- From 2018 to 2019, the petty theft, assault and battery, and driving under the influence offense arrest rates decreased 4.9, 1.2, and 2.7 percent, respectively, while the misdemeanor drug offense arrest rate increased 0.7 percent (Table 27).

Arrest Rates per 100,000 Population at Risk

- The 2019 total arrest rate of 3,410.9 is 3.3 percent lower than the 2018 total arrest rate of 3,527.5 (Table 17).
- From 2018 to 2019, the adult and juvenile total arrest rates decreased 3.5 and 5.0, respectively (Table 17).

Dispositions – Adult Felony Arrests

- In 2019, 68.4 percent of adult felony arrests resulted in conviction (Table 37).
- Probation with jail continues to be the most frequent sentence given for adult felony arrest convictions (Table 38A).
- From 2018 to 2019, the percentage of convictions resulting in incarceration in a state institution have decreased from 20.1 to 17.2 percent (Table 40).
- From 2018 to 2019, the percentage of violent and drug offense convictions resulting in incarceration in a state institution have decreased from 26.0 and 13.0 to 22.6 and 11.3 percent, respectively (Table 40).

Adult Probation

- In 2019, the total number of adults on active probation was 199,313 – its lowest since 1984 (Table 41).
- From 2018 to 2019, there was a 4.0 percent decrease in the total number of adults placed on probation and a 10.3 percent decrease in the total number of adults removed from probation (Table 42).
- From 2018 to 2019, there was a 1.2 percent decrease in the rate of adults placed on probation for a felony offense, and a 13.0 percent decrease in the rate of adults placed on probation for a misdemeanor offense (Table 42).

Criminal Justice Full-Time Personnel

- From 2018 to 2019, the total number of full-time criminal justice personnel increased 0.5 percent (Table 44).
- From 2018 to 2019, the number of law enforcement, prosecution, and public defense personnel increased 1.0, 1.3 and 2.0 percent, respectively, while the number of probation personnel decreased 3.0 percent (Table 44).

Civilians' Complaints Against Peace Officers

- The total number of reported civilians' complaints against peace officers decreased from 16,525 in 2018 to 15,890 in 2019 (Table 46).
- The total number of reported criminal complaints fell to 865, its lowest since 1987 (Table 46).

Domestic Violence-Related Calls For Assistance

- The total number of domestic violence-related calls for assistance decreased from 166,890 in 2018 to 161,123 in 2019 (Table 48).
- The total number of domestic violence-related calls for assistance involving a firearm increased from 1,383 in 2018 to 1,388 in 2019, while the number of calls involving personal weapons (hands, fists, or feet) decreased from 60,473 to 59,525 (Table 48).

Law Enforcement Officers Killed or Assaulted

- The total number of law enforcement officers assaulted in the line of duty decreased from 11,148 in 2018 to 10,512 in 2019 (Table 49).
- In 2019, five officers lost their lives in the line of duty, 4 feloniously and 1 accidentally (Table 49).
- From 2018 to 2019, the number of law enforcement officers assaulted with a firearm increased 3.2 percent, while the number assaulted with personal weapons (hands, fists, or feet) decreased 7.2 percent (Table 50).

Understanding the Data

Data Characteristics and Known Limitations

CRIMES

Uniform Crime Reporting (UCR) Program

- Crime data from the UCR Program are available from 1952 to 2019.
- The number of reported homicide, rape, and aggravated assault crimes represents known victims; while for robbery, burglary, larceny-theft, motor vehicle theft, and arson, the number represents known incidents.
- If multiple crimes occur during the same event, only the most serious (based upon a hierarchy) is counted. Arson is the exception.
- Law enforcement agencies began submitting arson crimes data in 1979; however, 1980 was the first year of complete reporting. Agencies must report as arson only fires determined through investigation to have been willfully or maliciously set. Attempts to burn are included in this offense, but fires of suspicious or unknown origins are not.
- In 2011, the lower limit of felony theft in California was raised from \$400 to \$950. It was not feasible to adjust the California DOJ's data collection process to collect the new lower limit of felony larceny-theft, and consequently, it is no longer possible to distinguish felony from misdemeanor larceny-theft. Therefore, it was decided to include total larceny-theft crime in the property crime category regardless of value.
- In 2013, the Federal Bureau of Investigation's UCR Program revised the definition of "forcible rape" (the carnal knowledge of a female forcibly and against her will) to "rape," which is now defined as "penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim."

The California DOJ implemented this definition change in January 2014. During 2014, agencies were encouraged to report using the new definition, but were allowed to report under the historical definition while transitioning their reporting systems.

ARRESTS

Monthly Arrest and Citation Register (MACR)

- Arrest data from the MACR reporting system are available from 1957 to 2019.
- If a person is arrested for multiple offenses on the same day, MACR selects only the most serious offense based on the severity of possible punishment.
- Felony arrest counts may include some misdemeanor warrants for felony offenses.
- The subjectivity of the classification and labeling process must be considered in analyses of race/ethnic group data.
- The Bakersfield Police Department was unable to provide arrest data for February through December 1995. The Oakland Police Department was unable to provide any arrest data for 1995. Estimates for both agencies were added to the 1995 statewide totals for publication trend tables.
- Beginning in 2004, the population category of "other" for race/ethnic group includes the Department of Finance's race/ethnic group of "multi-racial."
- In 2011, there were notable changes in California law that affected arrest data. First, the lower limit of felony theft was raised from \$400 to \$950, contributing to the decline in felony theft arrests and the increase in misdemeanor theft arrests.

Second, some misdemeanor marijuana statutes were re-classified as infractions, leading to a significant decline in misdemeanor marijuana arrests.

- In 2014, the definition of rape changed. Refer to the preceding, “Crimes” section for more detailed explanation and Appendix 2 for a list of included offense codes.
- In November 2014, California voters passed Proposition 47 which reduced numerous “non-violent” offenses from felonies to misdemeanors. Caution should be used when comparing felony and misdemeanor arrest data to prior years.
- In November 2016, California voters passed Proposition 64 which legalized the possession and use of marijuana for individuals 21 years of age and older and reduced the offense degree for a number of marijuana-related offenses. Caution should be used when comparing drug offense arrests to prior years.

DISPOSITIONS OF ADULT FELONY ARRESTS

- Adult felony arrest disposition data are extracted annually from the California DOJ Criminal History System. The data statistically capture the number of adult-level final dispositions that occur each year as a result of a felony arrest and are displayed by the year of disposition regardless of the year in which an arrest occurred.
- Disposition data do not reflect the actual number of final dispositions occurring each year. Fluctuations from year to year may not necessarily be the result of actual occurrences in the criminal justice system but may reflect the degree to which reports of dispositions were reported and processed.

- “Final disposition” refers to the last adult-level legal action that is reported prior to the close of the annual file. Final disposition can occur at the law enforcement, prosecutorial, or court level. Intermediate dispositions (diversion programs, suspended proceedings, or subsequent actions) are not included in the data.

- Dispositions that occur at the law enforcement or prosecutorial level involving releases, rejections, or resolutions can be reported in one calendar year file, proceed to adjudication at the court level, and then be reported again in a subsequent year file. The law enforcement release or prosecutorial rejection reported in the prior year’s file is not retroactively updated or removed.

- If a person is arrested for multiple offenses, the extract selects only the most serious offense based on the severity of possible punishment. If there are multiple dispositions, the extract selects the most serious disposition and the associated offense.

- Disposition data on state institutional commitments may vary from information compiled and reported by other state agencies because of differences in the data collection systems and criteria.

- The adult felony arrest disposition file includes some persons whose age at arrest was under 18. These minors received a final disposition in adult court under provisions of Welfare and Institutions Code sections 602, 707(a), 707(b), 707(c), and 707.1(a).

- In 2019, there was a decrease in the number of final dispositions and sentences for felony adult arrests reported to the California DOJ.

ADULT PROBATION

- Probation data include adults placed on supervised probation only. Court probation, diversion, and summary probation data are not included.
- Adult probation data are limited to original grants of probation and do not include subsequent grants of probation to those already under supervised probation in the same county. Probationers are counted for each jurisdiction in which they are on probation.
- From 2001 to 2005, San Francisco did not report adult probation data. San Francisco resumed reporting in 2006.
- Counts for adults on active probation for felony offenses may also include adults on probation for misdemeanor offenses for the following counties and years: Contra Costa (2000–2019), Kern (2010–2019), Lake (2001–2012), Merced (2003–2016), Sacramento (2003–2015), Shasta (2016–2019), Siskiyou (2000–2012), Tulare (2000–2009), and Yolo (2000–2009).
- Some counties may have counted individuals on Post Release Community Supervision.
- In 2014, the San Bernardino County Probation Department discovered inaccurate probation statistics due to a flaw in their case management records system. Correcting the flaw resulted in a probation caseload decrease of 10,000 from previous years.
- In 2016, the Sacramento County Probation Department discovered that revoked and reinstated counts were not accurately reported in the data submitted for the reporting periods 2013–2015. Correcting the reporting practice resulted in a reduced beginning felony caseload for 2016.

- In October 2018, the San Joaquin County Probation Department discovered that probation caseload data had historically been inaccurately reported. An assessment of their records resulted in a decrease of both felony and misdemeanor caseloads by approximately 6,000.

CRIMINAL JUSTICE PERSONNEL

- The UCR definition of law enforcement personnel specifies that law enforcement agencies report only personnel paid by funds designated for law enforcement.
- The 1996 data collection survey forms were revised in an attempt to collect counts on the number of criminal justice personnel employed by prosecutors, public defenders, and probation departments, regardless of the funding source. Prior to 1996, counts excluded state and federally funded positions.

CIVILIANS' COMPLAINTS AGAINST PEACE OFFICERS

- Data on civilians' complaints against peace officers have been collected since 1981. Data are available as statewide totals only.
- Because of the nature of the requirements of Penal Code section 832.5, reporting definitions and procedures may vary among individual reporting agencies.
- Based on a survey conducted in 2004, it was estimated that approximately one-third of complaints against peace officers were made by inmates in prison and jails.
- In 2007, two law enforcement agencies adjusted their reporting policies, substantially affecting the number of reported non-criminal and felony complaints.
- In 2017, California Penal Code section 13012 was amended replacing the word citizens' with civilians'. This modification was applied to the 2018 data collection.

DOMESTIC VIOLENCE-RELATED CALLS FOR ASSISTANCE

- Reporting of domestic violence-related calls for assistance began in July 1986. The first full year of reporting was 1987.
- The definition of "domestic violence" is subject to varying interpretations by law enforcement agencies. As a result, different types of domestic relationships are included in the database.
- The San Francisco Police Department did not report domestic violence data from April 1997 to December 1999.
- Included in the data are any cases that resulted in a report being written by the responding law enforcement agencies. Therefore, data include both cases where an arrest was made and those where circumstances did not warrant an arrest.
- In April 2002, law enforcement agencies were instructed to report personal weapons (hands, fists, or feet) only if the assault resulted in an injury (aggravated assault). This instruction resulted in a notable decrease in the number of personal weapons reported.
- In 2017, California Penal Code section 13730 was amended. Beginning in 2018, law enforcement agencies were instructed to include whether there were indications that the incident involved strangulation or suffocation. This includes whether a witness or victim reported such an incident, or symptoms thereof, or whether an officer observed any other indications of strangulation or suffocation.

LAW ENFORCEMENT OFFICERS KILLED OR ASSAULTED (LEOKA)

- LEOKA data from the UCR Program are available from 1990 to 2019.
- State correctional officers and federal agents are not included in LEOKA data.

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Table 1
CRIMES, 1966-2019
 Number and Rate per 100,000 Population

Year(s)	Violent crimes					Property crimes				Arson ²
	Total	Homicide	Rape ¹	Robbery	Aggravated assault	Total	Burglary	Motor vehicle theft	Total larceny-theft	
	Number									
2019.....	173,205	1,679	14,720	52,050	104,756	915,197	151,596	140,732	622,869	8,266
2018.....	176,866	1,739	15,500	54,312	105,315	940,998	164,540	155,170	621,288	8,523
2017.....	178,553	1,829	14,724	56,609	105,391	986,769	176,638	168,327	641,804	8,650
2016.....	174,701	1,930	13,695	54,769	104,307	1,001,380	188,162	176,676	636,542	7,766
2015.....	166,588	1,861	12,793	52,785	99,149	1,023,828	197,189	170,788	655,851	7,380
2014.....	151,425	1,697	9,397	48,650	91,681	946,682	202,556	151,790	592,336	7,135
2013.....	151,634	1,745	7,459	53,621	88,809	1,018,333	231,909	165,217	621,207	7,446
2012.....	160,629	1,878	7,828	56,491	94,432	1,048,764	245,601	168,516	634,647	7,519
2011.....	155,313	1,794	7,678	54,358	91,483	974,666	230,334	147,030	597,302	7,164
2010.....	163,957	1,809	8,325	58,100	95,723	981,523	228,672	152,494	600,357	7,864
2009.....	174,579	1,970	8,698	64,006	99,905	1,006,788	229,523	163,651	613,614	9,233
2008.....	185,233	2,143	8,906	69,391	104,793	1,081,272	237,988	192,631	650,653	10,674
2007.....	191,493	2,258	9,047	70,702	109,486	1,112,366	237,759	220,126	654,481	11,400
2006.....	194,128	2,483	9,213	70,961	111,471	1,156,010	246,449	242,692	666,869	12,687
2005 ^a	189,593	2,503	9,345	63,424	114,321	1,195,381	249,563	256,998	688,820	12,272
2004.....	197,432	2,394	9,598	61,573	123,867	1,223,275	244,914	251,747	726,614	12,660
2003.....	204,591	2,402	9,918	63,597	128,674	1,209,030	240,705	240,798	727,527	13,677
2002.....	207,988	2,392	10,176	64,805	130,615	1,171,644	237,445	221,780	712,419	14,007
2001.....	210,510	2,201	9,882	63,299	135,128	1,120,487	229,922	201,074	689,491	15,060
2000.....	210,492	2,074	9,785	60,243	138,390	1,054,860	222,247	181,049	651,564	14,406
1999.....	207,874	2,006	9,443	60,027	136,398	1,053,936	223,828	168,465	661,643	14,454
1998.....	229,766	2,170	9,777	68,752	149,067	1,187,982	268,847	195,402	723,733	14,314
1997.....	257,409	2,579	10,182	81,413	163,235	1,311,157	298,882	228,540	783,735	15,875
1996.....	274,675	2,910	10,238	94,137	167,390	1,382,812	311,778	242,196	828,838	17,948
1995 ^b	304,998	3,530	10,550	104,581	186,337	1,535,960	353,817	280,317	901,826	17,105
1994.....	318,946	3,699	10,960	112,149	192,138	1,621,207	384,414	308,303	928,490	18,711
1993.....	336,100	4,095	11,754	126,347	193,904	1,676,990	413,671	319,225	944,094	20,343
1992.....	345,508	3,920	12,751	130,867	197,970	1,715,376	427,305	320,019	968,052	21,979
1991.....	330,916	3,876	12,942	125,105	188,993	1,726,455	426,066	316,631	983,758	19,375
1990.....	311,923	3,562	12,716	112,460	183,185	1,660,912	402,533	303,209	955,170	19,458
1989.....	284,015	3,159	11,956	96,424	172,476	1,680,633	410,148	298,392	972,093	19,102
1988.....	261,990	2,947	11,771	86,190	161,082	1,606,245	407,555	265,975	932,715	18,846
1987.....	254,137	2,929	12,114	83,373	155,721	1,546,647	420,182	229,695	896,770	18,490
1986.....	248,352	3,030	12,118	92,513	140,691	1,576,402	457,743	205,602	913,057	19,722
1985.....	202,066	2,781	11,442	86,464	101,379	1,519,041	449,065	177,330	892,646	20,455
1984.....	195,650	2,724	11,702	84,015	97,209	1,462,682	443,624	161,341	857,717	19,407
1983.....	194,489	2,640	12,092	85,824	93,933	1,486,292	460,401	158,899	866,992	17,705
1982.....	201,433	2,778	12,529	91,988	94,138	1,599,829	499,468	164,530	935,831	20,274
1981.....	208,165	3,140	13,545	93,638	97,842	1,622,123	539,809	162,267	920,047	24,534
1980.....	209,903	3,405	13,661	90,282	102,555	1,628,514	543,846	174,548	910,120	28,446
1979.....	183,704	2,941	12,199	75,649	92,915	1,505,448	494,736	167,244	843,468	-
1978.....	164,751	2,601	11,249	67,920	82,981	1,410,431	485,742	153,106	771,583	-
1977.....	152,827	2,481	10,715	62,207	77,424	1,364,015	462,736	144,014	757,265	-
1976.....	143,507	2,214	9,552	59,132	72,609	1,404,807	465,758	138,069	800,980	-
1975.....	138,400	2,196	8,787	59,747	67,670	1,384,429	468,433	132,933	783,063	-
1974.....	127,469	1,970	8,480	52,742	64,277	1,299,538	431,863	133,169	734,506	-
1973.....	116,506	1,862	8,349	49,524	56,771	1,181,761	407,375	131,223	643,163	-
1972.....	110,680	1,789	8,131	48,834	51,926	1,200,424	398,465	139,373	662,586	-
1971.....	104,489	1,633	7,281	47,477	48,098	1,245,966	391,157	143,911	710,898	-
1970.....	94,347	1,355	6,992	41,397	44,603	1,173,112	348,575	137,629	686,908	-
1969.....	89,191	1,376	6,958	39,212	41,645	1,082,544	321,749	131,466	629,329	-
1968.....	80,382	1,171	5,419	36,858	36,934	-	299,589	119,160	-	-
1967.....	67,671	1,051	4,430	28,508	33,682	-	265,780	97,087	-	-
1966.....	56,942	897	4,078	22,315	29,652	-	234,535	86,929	-	-

(continued)

Table 1 - continued
CRIMES, 1966-2019
 Number and Rate per 100,000 Population

Year(s)	Violent crimes					Property crimes				Arson ²
	Total	Homicide	Rape ¹	Robbery	Aggravated assault	Total	Burglary	Motor vehicle theft	Total larceny-theft	
	Rate per 100,000 population									
2019.....	433.5	4.2	36.8	130.3	262.2	2,290.3	379.4	352.2	1,558.8	20.7
2018.....	444.1	4.4	38.9	136.4	264.4	2,362.8	413.2	389.6	1,560.0	21.4
2017.....	450.7	4.6	37.2	142.9	266.1	2,491.0	445.9	424.9	1,620.2	21.8
2016.....	443.9	4.9	34.8	139.2	265.0	2,544.5	478.1	448.9	1,617.5	19.7
2015.....	426.4	4.8	32.7	135.1	253.8	2,620.4	504.7	437.1	1,678.6	18.9
2014.....	393.3	4.4	24.4	126.4	238.1	2,459.0	526.1	394.3	1,538.6	18.5
2013.....	396.9	4.6	19.5	140.4	232.5	2,665.5	607.0	432.5	1,626.0	19.5
2012.....	424.7	5.0	20.7	149.3	249.6	2,772.6	649.3	445.5	1,677.8	19.9
2011.....	413.3	4.8	20.4	144.7	243.4	2,593.7	612.9	391.3	1,589.5	19.1
2010.....	439.3	4.8	22.3	155.7	256.5	2,630.1	612.8	408.6	1,608.7	21.1
2009.....	470.9	5.3	23.5	172.6	269.5	2,715.4	619.0	441.4	1,655.0	24.9
2008.....	502.6	5.8	24.2	188.3	284.3	2,933.8	645.7	522.7	1,765.4	29.0
2007.....	523.9	6.2	24.8	193.4	299.5	3,043.2	650.5	602.2	1,790.5	31.2
2006.....	535.6	6.9	25.4	195.8	307.5	3,189.3	679.9	669.6	1,839.8	35.0
2005 ^a	526.9	7.0	26.0	176.2	317.7	3,321.8	693.5	714.2	1,914.2	34.1
2004.....	552.2	6.7	26.8	172.2	346.5	3,421.5	685.0	704.1	2,032.3	35.4
2003.....	578.1	6.8	28.0	179.7	363.6	3,416.4	680.2	680.4	2,055.8	38.6
2002.....	595.3	6.8	29.1	185.5	373.8	3,353.5	679.6	634.8	2,039.1	40.1
2001.....	609.9	6.4	28.6	183.4	391.5	3,246.6	666.2	582.6	1,997.8	43.6
2000.....	619.1	6.1	28.8	177.2	407.0	3,102.5	653.7	532.5	1,916.3	42.4
1999.....	610.7	5.9	27.7	176.4	400.7	3,096.5	657.6	495.0	1,944.0	42.5
1998.....	686.0	6.5	29.2	205.3	445.1	3,546.9	802.7	583.4	2,160.8	42.7
1997.....	781.0	7.8	30.9	247.0	495.3	3,978.4	906.9	693.4	2,378.1	48.2
1996.....	848.2	9.0	31.6	290.7	516.9	4,270.2	962.8	747.9	2,559.5	55.4
1995 ^b	951.2	11.0	32.9	326.2	581.2	4,790.4	1,103.5	874.3	2,812.7	53.3
1994.....	992.4	11.5	34.1	348.9	597.8	5,044.2	1,196.1	959.3	2,888.9	58.2
1993.....	1,058.8	12.9	37.0	398.0	610.9	5,283.2	1,303.2	1,005.7	2,974.3	64.1
1992.....	1,103.9	12.5	40.7	418.1	632.5	5,480.4	1,365.2	1,022.4	3,092.8	70.2
1991.....	1,079.8	12.6	42.2	408.2	616.7	5,633.5	1,390.3	1,033.2	3,210.1	63.2
1990.....	1,055.3	12.1	43.0	380.5	619.8	5,619.2	1,361.8	1,025.8	3,231.5	65.8
1989.....	987.2	11.0	41.6	335.1	599.5	5,841.4	1,425.6	1,037.1	3,378.7	66.4
1988.....	933.7	10.5	41.9	307.2	574.0	5,724.2	1,452.4	947.9	3,323.9	67.2
1987.....	927.9	10.7	44.2	304.4	568.6	5,647.1	1,534.2	838.7	3,274.3	67.5
1986.....	928.7	11.3	45.3	346.0	526.1	5,894.9	1,711.7	768.8	3,414.4	73.8
1985.....	773.8	10.7	43.8	331.1	388.2	5,817.3	1,719.7	679.1	3,418.4	78.3
1984.....	764.6	10.6	45.7	328.3	379.9	5,716.4	1,733.8	630.6	3,352.1	75.8
1983.....	775.6	10.5	48.2	342.3	374.6	5,927.2	1,836.1	633.7	3,457.5	70.6
1982.....	820.6	11.3	51.0	374.7	383.5	6,517.5	2,034.8	670.3	3,812.5	82.6
1981.....	866.0	13.1	56.3	389.5	407.0	6,748.0	2,245.6	675.0	3,827.4	102.1
1980.....	886.9	14.4	57.7	381.4	433.3	6,880.6	2,297.8	737.5	3,845.3	120.2
1979.....	790.0	12.6	52.5	325.3	399.5	6,473.7	2,127.4	719.2	3,627.0	-
1978.....	721.4	11.4	49.3	297.4	363.3	6,175.5	2,126.8	670.4	3,378.4	-
1977.....	683.8	11.1	47.9	278.3	346.4	6,103.0	2,070.4	644.4	3,388.2	-
1976.....	654.2	10.1	43.5	269.6	331.0	6,404.4	2,123.4	629.4	3,651.6	-
1975.....	642.6	10.2	40.8	277.4	314.2	6,428.1	2,175.0	617.2	3,635.9	-
1974.....	602.0	9.3	40.1	249.1	303.6	6,137.7	2,039.7	629.0	3,469.1	-
1973.....	558.3	8.9	40.0	237.3	272.0	5,663.0	1,952.2	628.8	3,082.1	-
1972.....	537.7	8.7	39.5	237.2	252.3	5,831.5	1,935.7	677.1	3,218.8	-
1971.....	513.6	8.0	35.8	233.3	236.4	6,123.9	1,922.5	707.3	3,494.0	-
1970.....	470.8	6.8	34.9	206.6	222.6	5,854.1	1,739.5	686.8	3,427.9	-
1969.....	449.2	6.9	35.0	197.5	209.7	5,452.0	1,620.4	662.1	3,169.5	-
1968.....	411.1	6.0	27.7	188.5	188.9	-	1,532.1	609.4	-	-
1967.....	347.4	5.4	22.7	146.4	172.9	-	1,364.5	498.4	-	-
1966.....	297.6	4.7	21.3	116.6	155.0	-	1,225.9	454.4	-	-

Notes: Rates may not add to totals because of rounding.

Rates are based on annual population estimates provided by the Demographic Research Unit, California Department of Finance (see Table 52).

Dash indicates data not available.

^a Prior to 2005, the Los Angeles Police Department had included child abuse and domestic violence simple assaults in its aggravated assault statistics. This change may have contributed to the large decrease in aggravated assaults from 2004 to 2005.

^b Includes estimated annual 1995 data provided by the Oakland Police Department.

¹ In 2014, the crime of "forcible rape" was changed to "rape." The definition was expanded to include both male and female victims and reflects the various forms of sexual penetration understood to be rape. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.

² Data for arson crimes are not available prior to 1980. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.

Table 2
CRIMES, 2014-2019
 Number, Rate per 100,000 Population, and Percent Change

Year(s)	Violent crimes					Property crimes					Arson
	Total	Homicide	Rape ¹	Robbery	Aggra- vated assault Number	Total	Burglary	Motor vehicle theft	Total larceny-theft	Total	
2019.....	173,205	1,679	14,720	52,050	104,756	915,197	151,596	140,732	622,869	8,266	
2018.....	176,866	1,739	15,500	54,312	105,315	940,998	164,540	155,170	621,288	8,523	
2017.....	178,553	1,829	14,724	56,609	105,391	986,769	176,638	168,327	641,804	8,650	
2016.....	174,701	1,930	13,695	54,769	104,307	1,001,380	188,162	176,676	636,542	7,766	
2015.....	166,588	1,861	12,793	52,785	99,149	1,023,828	197,189	170,788	655,851	7,380	
2014.....	151,425	1,697	9,397	48,650	91,681	946,682	202,556	151,790	592,336	7,135	
	Percent change in number										
2018 to 2019.....	-2.1	-3.5	-5.0	-4.2	-0.5	-2.7	-7.9	-9.3	0.3	-3.0	
2017 to 2018.....	-0.9	-4.9	5.3	-4.1	-0.1	-4.6	-6.8	-7.8	-3.2	-1.5	
2016 to 2017.....	2.2	-5.2	7.5	3.4	1.0	-1.5	-6.1	-4.7	0.8	11.4	
2015 to 2016.....	4.9	3.7	7.1	3.8	5.2	-2.2	-4.6	3.4	-2.9	5.2	
2014 to 2015.....	10.0	9.7	-	8.5	8.1	8.1	-2.6	12.5	10.7	3.4	
2014 to 2019.....	14.4	-1.1	-	7.0	14.3	-3.3	-25.2	-7.3	5.2	15.9	
	Rate per 100,000 population ²										
2019.....	433.5	4.2	36.8	130.3	262.2	2,290.3	379.4	352.2	1,558.8	20.7	
2018.....	444.1	4.4	38.9	136.4	264.4	2,362.8	413.2	389.6	1,560.0	21.4	
2017.....	450.7	4.6	37.2	142.9	266.1	2,491.0	445.9	424.9	1,620.2	21.8	
2016.....	443.9	4.9	34.8	139.2	265.0	2,544.5	478.1	448.9	1,617.5	19.7	
2015.....	426.4	4.8	32.7	135.1	253.8	2,620.4	504.7	437.1	1,678.6	18.9	
2014.....	393.3	4.4	24.4	126.4	238.1	2,459.0	526.1	394.3	1,538.6	18.5	
	Percent change in rate										
2018 to 2019.....	-2.4	-4.5	-5.4	-4.5	-0.8	-3.1	-8.2	-9.6	-0.1	-3.3	
2017 to 2018.....	-1.5	-4.3	4.6	-4.5	-0.6	-5.1	-7.3	-8.3	-3.7	-1.8	
2016 to 2017.....	1.5	-6.1	6.9	2.7	0.4	-2.1	-6.7	-5.3	0.2	10.7	
2015 to 2016.....	4.1	2.1	6.4	3.0	4.4	-2.9	-5.3	2.7	-3.6	4.2	
2014 to 2015.....	8.4	9.1	-	6.9	6.6	6.6	-4.1	10.9	9.1	2.2	
2014 to 2019.....	10.2	-4.5	-	3.1	10.1	-6.9	-27.9	-10.7	1.3	11.9	

Notes: Rates may not add to totals because of rounding.

Dash indicates that a percent change was not calculated due to data definition change.

¹ In 2014, the crime of "forcible rape" was changed to "rape". The definition was expanded to include both male and female victims and reflects the various forms of sexual penetration understood to be rape. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.

² Rates are based on annual population estimates provided by the Demographic Research Unit, California Department of Finance (see Table 52).

Table 3
CRIMES, 2014-2019
 By Category and Crime

Category and crime	2014		2015		2016		2017		2018		2019	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Crimes within category												
Violent crimes.....	151,425	100.0	166,588	100.0	174,701	100.0	178,553	100.0	176,866	100.0	173,205	100.0
Homicide.....	1,697	1.1	1,861	1.1	1,930	1.1	1,829	1.0	1,739	1.0	1,679	1.0
Rape ¹	9,397	6.2	12,793	7.7	13,695	7.8	14,724	8.2	15,500	8.8	14,720	8.5
Robbery.....	48,650	32.1	52,785	31.7	54,769	31.4	56,609	31.7	54,312	30.7	52,050	30.1
Aggravated assault.....	91,681	60.5	99,149	59.5	104,307	59.7	105,391	59.0	105,315	59.5	104,756	60.5
Property crimes.....	946,682	100.0	1,023,828	100.0	1,001,380	100.0	986,769	100.0	940,998	100.0	915,197	100.0
Burglary.....	202,556	21.4	197,189	19.3	188,162	18.8	176,638	17.9	164,540	17.5	151,596	16.6
Motor vehicle theft.....	151,790	16.0	170,788	16.7	176,676	17.6	168,327	17.1	155,170	16.5	140,732	15.4
Total larceny-theft.....	592,336	62.6	655,851	64.1	636,542	63.6	641,804	65.0	621,288	66.0	622,869	68.1

Note: Percentages may not add to 100.0 because of rounding.

¹ In 2014, the crime of "forcible rape" was changed to "rape." The definition was expanded to include both male and female victims and reflects the various forms of sexual penetration understood to be rape. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.

Table 4
HOMICIDE CRIMES, 2014-2019
 By Type of Weapon Used

Type of weapon used	2014		2015		2016		2017		2018		2019		Percent change	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	2014-2019	2018-2019
Total.....	1,697		1,861		1,930		1,829		1,739		1,679			
Unknown.....	37		40		28		33		25		23			
Known.....	1,660	100.0	1,821	100.0	1,902	100.0	1,796	100.0	1,714	100.0	1,656	100.0	-0.2	-3.4
Firearm.....	1,169	70.4	1,276	70.1	1,368	71.9	1,274	70.9	1,178	68.7	1,142	69.0	-2.3	-3.1
Knife or cutting instrument.....	256	15.4	263	14.4	280	14.7	258	14.4	252	14.7	252	15.2	-1.6	0.0
Blunt object ¹	65	3.9	97	5.3	89	4.7	76	4.2	112	6.5	71	4.3	9.2	-36.6
Personal weapon ²	97	5.8	90	4.9	89	4.7	103	5.7	87	5.1	102	6.2	5.2	17.2
Other.....	73	4.4	95	5.2	76	4.0	85	4.7	85	5.0	89	5.4	21.9	4.7

Note: Percentages may not add to 100.0 because of rounding.

¹ Club, etc.

² Hands, feet, etc.

Table 5
RAPE CRIMES, 2014-2019
 By Type

	2014		2015		2016		2017		2018		2019		Percent change	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	2014-2019	2018-2019
Total.....	9,397	100.0	12,793	100.0	13,695	100.0	14,724	100.0	15,500	100.0	14,720	100.0	-	-5.0
Rape.....	8,562	91.1	11,827	92.4	12,785	93.4	13,799	93.7	14,526	93.7	13,791	93.7	-	-5.1
Attempts to commit rape.....	835	8.9	966	7.6	910	6.6	925	6.3	974	6.3	929	6.3	-	-4.6

Notes: In 2014, the crime of "forcible rape" was changed to "rape." The definition was expanded to include both male and female victims and reflects the various forms of sexual penetration understood to be rape. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.
 Dash indicates that a percent change was not calculated due to data definition change.

Table 6
ROBBERY CRIMES, 2014-2019
 By Location, Type of Robbery, and Type of Weapon Used

Location, type of robbery, and weapon	2014		2015		2016		2017		2018		2019		Percent change	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	2014-2019	2018-2019
Total.....	48,650	100.0	52,785	100.0	54,769	100.0	56,609	100.0	54,312	100.0	52,050	100.0	7.0	-4.2
Total														
Location														
Highway ¹	22,052	45.3	22,872	43.3	22,953	41.9	22,494	39.7	21,231	39.1	19,782	38.0	-10.3	-6.8
Commercial ²	11,145	22.9	13,669	25.9	14,512	26.5	16,040	28.3	15,620	28.8	14,903	28.6	33.7	-4.6
Residence.....	4,370	9.0	4,283	8.1	4,730	8.6	4,504	8.0	4,343	8.0	4,275	8.2	-2.2	-1.6
Bank.....	696	1.4	662	1.3	669	1.2	596	1.1	568	1.0	443	0.9	-36.4	-22.0
Other ³	10,387	21.4	11,299	21.4	11,905	21.7	12,975	22.9	12,550	23.1	12,647	24.3	21.8	0.8
Type of robbery														
Armed.....	22,917	47.1	25,385	48.1	26,764	48.9	27,128	47.9	25,070	46.2	23,201	44.6	1.2	-7.5
Strong-arm ⁴	25,733	52.9	27,400	51.9	28,005	51.1	29,481	52.1	29,242	53.8	28,849	55.4	12.1	-1.3
Type of weapon used														
Armed.....	22,917	100.0	25,385	100.0	26,764	100.0	27,128	100.0	25,070	100.0	23,201	100.0	1.2	-7.5
Firearm.....	13,546	59.1	14,706	57.9	15,490	57.9	15,349	56.6	13,501	53.9	12,414	53.5	-8.4	-8.1
Knife or cutting instrument.....	4,553	19.9	5,028	19.8	5,207	19.5	5,277	19.5	5,031	20.1	4,719	20.3	3.6	-6.2
Other dangerous weapon.....	4,818	21.0	5,651	22.3	6,067	22.7	6,502	24.0	6,538	26.1	6,068	26.2	25.9	-7.2

Notes: Percentages may not add to 100.0 because of rounding.
 Data may not match previously published data.

¹ Streets, parks, parking lots, etc.

² Commercial house, gas or service station, convenience store, etc.

³ Churches, schools, government buildings, trains, wooded areas, etc.

⁴ Muggings and similar offenses where no weapon is used, but strong-arm tactics (limited to the use of personal weapons such as hands, arms, feet, fists, teeth, etc.) are employed or their use is threatened.

Table 7
ASSAULT CRIMES, 2014-2019
By Type of Assault and Type of Weapon Used

Type of assault and weapon used	2014		2015		2016		2017		2018		2019		Percent change	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	2014-2019	2019-2018
Total.....	332,396		350,587		357,126		363,977		367,972		362,253		9.0	-1.6
Aggravated assault.....	91,681	100.0	99,149	100.0	104,307	100.0	105,391	100.0	105,315	100.0	104,756	100.0	14.3	-0.5
Firearm.....	15,801	17.2	18,286	18.4	20,633	19.8	19,157	18.2	17,908	17.0	17,748	16.9	12.3	-0.9
Knife or cutting instrument.....	14,859	16.2	17,100	17.2	17,157	16.4	17,123	16.2	16,936	16.1	16,413	15.7	10.5	-3.1
Other dangerous weapon.....	32,481	35.4	33,985	34.3	36,048	34.6	36,579	34.7	36,494	34.7	35,093	33.5	8.0	-3.8
Personal weapon ¹	28,540	31.1	29,778	30.0	30,469	29.2	32,532	30.9	33,977	32.3	35,502	33.9	24.4	4.5
Not-aggravated assault ²	240,715		251,438		252,819		258,586		262,657		257,497		7.0	-2.0

Note: Percentages may not add to 100.0 because of rounding.

¹ Hands, feet, etc.

² Assaults that do not involve the use of a firearm, knife, cutting instrument, or other dangerous weapon and in which there are no serious or aggravated injuries to the victims. Not-aggravated (simple) assaults are not included in the violent crime count. This category is shown here as a means of quality control and for the purpose of looking at total assault violence.

Table 8
BURGLARY CRIMES, 2014-2019
By Location, Time of Day, Type of Burglary, and Type of Entry

Location, time of day, type of burglary, and type of entry	2014		2015		2016		2017		2018		2019		Percent change	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	2014-2019	2019-2018
Total.....	202,556	100.0	197,189	100.0	188,162	100.0	176,638	100.0	164,540	100.0	151,596	100.0	-25.2	-7.9
	Total													
	Location													
Residence.....	125,136	61.8	120,297	61.0	108,783	57.8	95,942	54.3	85,693	52.1	72,710	48.0	-41.9	-15.2
Nonresidence.....	77,420	38.2	76,892	39.0	79,379	42.2	80,696	45.7	78,847	47.9	78,886	52.0	1.9	0.0
	Time of day													
Daytime.....	82,234	40.6	75,560	38.3	68,041	36.2	60,582	34.3	55,694	33.8	50,367	33.2	-38.8	-9.6
Nighttime.....	57,321	28.3	59,308	30.1	61,161	32.5	60,180	34.1	57,725	35.1	55,943	36.9	-2.4	-3.1
Unknown.....	63,001	31.1	62,321	31.6	58,960	31.3	55,876	31.6	51,121	31.1	45,286	29.9	-28.1	-11.4
	Type of burglary													
Burglary.....	191,190	94.4	186,176	94.4	177,426	94.3	166,705	94.4	155,306	94.4	143,232	94.5	-25.1	-7.8
Attempted burglary.....	11,366	5.6	11,013	5.6	10,736	5.7	9,933	5.6	9,234	5.6	8,364	5.5	-26.4	-9.4
	Type of entry													
Burglary.....	191,190	100.0	186,176	100.0	177,426	100.0	166,705	100.0	155,306	100.0	143,232	100.0	-25.1	-7.8
Force.....	112,803	59.0	115,641	62.1	112,906	63.6	109,141	65.5	102,415	65.9	96,594	67.4	-14.4	-5.7
No force.....	78,387	41.0	70,535	37.9	64,520	36.4	57,564	34.5	52,891	34.1	46,638	32.6	-40.5	-11.8

Notes: Percentages may not add to 100.0 because of rounding.
Data may not match previously published data.

Table 9
MOTOR VEHICLE THEFT CRIMES, 2014-2019
 By Type of Vehicle

Type of vehicle	2014		2015		2016		2017		2018		2019		Percent change	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	2014-2019	2018-2019
Total.....	151,790	100.0	170,788	100.0	176,676	100.0	168,327	100.0	155,170	100.0	140,732	100.0	-7.3	-9.3
Autos.....	120,088	79.1	136,119	79.7	138,391	78.3	123,726	73.5	110,141	71.0	98,110	69.7	-18.3	-10.9
Trucks and buses ¹	21,816	14.4	23,365	13.7	26,040	14.7	32,127	19.1	33,524	21.6	31,303	22.2	43.5	-6.6
Other vehicles ²	9,886	6.5	11,304	6.6	12,245	6.9	12,474	7.4	11,505	7.4	11,319	8.0	14.5	-1.6

Note: Percentages may not add to 100.0 because of rounding.

¹ Includes pickup trucks, vans, and motor homes.

² Includes motorcycles, snowmobiles, motor scooters, trail bikes, etc.

Table 10
LARCENY-THEFT CRIMES, 2014-2019
 Number, Rate per 100,000 Population, and Percent Change

Value categories	2014		2015		2016		2017		2018		2019		Percent change	
	Number	Rate per 100,000 population ¹	Number	Rate per 100,000 population ¹	Number	Rate per 100,000 population ¹	Number	Rate per 100,000 population ¹	Number	Rate per 100,000 population ¹	Number	Rate per 100,000 population ¹	2014-2019	2018-2019
Total.....	592,336	1,538.6	655,851	1,678.6	636,542	1,617.5	641,804	1,620.2	621,288	1,560.0	622,869	1,558.8	5.2	0.3
Under \$50.....	181,375	471.1	204,858	524.3	201,738	512.6	185,186	467.5	161,456	405.4	158,298	396.2	-12.7	-2.0
\$50-\$199.....	110,108	286.0	120,590	308.6	112,408	285.6	108,836	274.7	105,185	264.1	100,697	252.0	-8.5	-4.3
\$200-\$400.....	85,033	220.9	91,947	235.3	86,853	220.7	86,436	218.2	84,523	212.2	82,438	206.3	-3.1	-2.5
Over \$400.....	215,820	560.6	238,456	610.3	235,543	598.5	261,346	659.7	270,124	678.3	281,436	704.3	30.4	4.2
Total.....	1,538.6	1,538.6	1,678.6	1,678.6	1,617.5	1,617.5	1,620.2	1,620.2	1,560.0	1,560.0	1,558.8	1,558.8	1.3	-0.1
Under \$50.....	471.1	471.1	524.3	524.3	512.6	512.6	467.5	467.5	405.4	405.4	396.2	396.2	-15.9	-2.3
\$50-\$199.....	286.0	286.0	308.6	308.6	285.6	285.6	274.7	274.7	264.1	264.1	252.0	252.0	-11.9	-4.6
\$200-\$400.....	220.9	220.9	235.3	235.3	220.7	220.7	218.2	218.2	212.2	212.2	206.3	206.3	-6.6	-2.8
Over \$400.....	560.6	560.6	610.3	610.3	598.5	598.5	659.7	659.7	678.3	678.3	704.3	704.3	25.6	3.8

Note: Rates may not add to total because of rounding.

¹ Rates are based on annual population estimates provided by the Demographic Research Unit, California Department of Finance (see Table 52).

Table 11
LARCENY-THEFT CRIMES, 2014-2019
 By Type and Value Categories

Type of larceny-theft and value categories	2014		2015		2016		2017		2018		2019		Percent change	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	2014-2019	2018-2019
Total	592,336	100.0	655,851	100.0	636,542	100.0	641,804	100.0	621,288	100.0	622,869	100.0	5.2	0.3
Type of larceny-theft														
Shoplifting.....	97,301	16.4	108,659	16.6	98,589	15.5	91,553	14.3	89,378	14.4	90,309	14.5	-7.2	1.0
From motor vehicles.....	202,916	34.3	235,419	35.9	238,185	37.4	256,625	40.0	243,040	39.1	245,795	39.5	21.1	1.1
Motor vehicle accessories.....	48,029	8.1	53,541	8.2	51,656	8.1	51,897	8.1	51,872	8.3	55,209	8.9	14.9	6.4
Bicycles.....	33,095	5.6	36,554	5.6	31,739	5.0	28,996	4.5	27,336	4.4	24,494	3.9	-26.0	-10.4
From buildings.....	80,294	13.6	77,023	11.7	72,225	11.3	69,892	10.9	69,324	11.2	66,657	10.7	-17.0	-3.8
All other.....	130,701	22.1	144,655	22.1	144,148	22.6	142,841	22.3	140,338	22.6	140,405	22.5	7.4	0.0
Pocket-picking.....	3,293	0.6	3,783	0.6	3,903	0.6	4,874	0.8	5,228	0.8	6,033	1.0	83.2	15.4
Purse-snatching.....	2,706	0.5	2,790	0.4	2,472	0.4	2,599	0.4	2,312	0.4	2,444	0.4	-9.7	5.7
From coin machines.....	1,230	0.2	1,307	0.2	1,468	0.2	1,406	0.2	1,037	0.2	1,055	0.2	-14.2	1.7
Other.....	123,472	20.8	136,775	20.9	136,305	21.4	133,962	20.9	131,761	21.2	130,873	21.0	6.0	-0.7
Value categories														
Under \$50.....	181,375	30.6	204,858	31.2	201,738	31.7	185,186	28.9	161,456	26.0	158,298	25.4	-12.7	-2.0
\$50 to \$199.....	110,108	18.6	120,590	18.4	112,408	17.7	108,836	17.0	105,185	16.9	100,697	16.2	-8.5	-4.3
\$200 to \$400.....	85,033	14.4	91,947	14.0	86,853	13.6	86,436	13.5	84,523	13.6	82,438	13.2	-3.1	-2.5
Over \$400.....	215,820	36.4	238,456	36.4	235,543	37.0	261,346	40.7	270,124	43.5	281,436	45.2	30.4	4.2

Note: Percentages may not add to subtotals or 100.0 because of rounding.

Table 12
VALUE OF STOLEN AND RECOVERED PROPERTY, 2014-2019
 By Type and Percent Change
 (Value Shown in Thousands of Dollars)

Year(s)	Stolen						Recovered						Percent recovered to stolen ¹				
	Total		Motor vehicles		All other		Total		Motor vehicles		All other		Total		Motor vehicles		
	Value	Percent	Value	Percent	Value	Percent	Value	Percent	Value	Percent	Value	Percent	Value	Percent	Value	Percent	
2019.....	\$2,819,081	100.0	1,042,003	37.0	1,777,079	63.0	\$880,637	100.0	687,552	78.1	193,086	21.9	31.2	66.0	10.9	66.0	10.9
2018.....	\$2,895,111	100.0	1,115,651	38.5	1,779,458	61.5	\$953,648	100.0	749,514	78.6	204,134	21.4	32.9	67.2	11.5	67.2	11.5
2017.....	\$2,684,284	100.0	1,089,849	40.6	1,594,435	59.4	\$940,499	100.0	744,369	79.1	196,130	20.9	35.0	68.3	12.3	68.3	12.3
2016.....	\$2,633,591	100.0	1,074,038	40.8	1,559,553	59.2	\$777,928	100.0	706,114	90.8	71,814	9.2	29.5	65.7	4.6	65.7	4.6
2015.....	\$2,467,550	100.0	970,117	39.3	1,497,433	60.7	\$743,433	100.0	636,399	85.6	107,033	14.4	30.1	65.6	7.1	65.6	7.1
2014.....	\$2,179,803	100.0	766,902	35.2	1,412,901	64.8	\$567,270	100.0	488,560	86.1	78,710	13.9	26.0	63.7	5.6	63.7	5.6
Percent change in value																	
2018 to 2019.....	-2.6		-6.6		-0.1		-7.7		-8.3		-5.4		-5.4		-5.4		-5.4
2014 to 2019.....	29.3		35.9		25.8		55.2		40.7		145.3		145.3		145.3		145.3

Note: Values may not add to total because of rounding.

¹ Percent recovered is the ratio of the value of property recovered within the year to the value of property stolen within the same year.

Table 13
VALUE OF STOLEN AND RECOVERED PROPERTY, 2014-2019
 By Type of Property
 (Value Shown in Thousands of Dollars)

Type of property	2014		2015		2016		2017		2018		2019		Percent change	
	Value	Percent	Value	Percent	Value	Percent	Value	Percent	Value	Percent	Value	Percent	2014-2019	2018-2019
Total.....	\$2,179,803	100.0	\$2,467,550	100.0	\$2,633,590	100.0	\$2,684,284	100.0	\$2,895,111	100.0	\$2,819,081	100.0	29.3	-2.6
Currency, notes, etc.....	175,146	8.0	191,305	7.8	196,792	7.5	208,500	7.8	249,173	8.6	230,734	8.2	31.7	-7.4
Jewelry and precious metals.....	354,643	16.3	340,421	13.8	358,869	13.6	292,533	10.9	334,480	11.6	287,682	10.2	-18.9	-14.0
Clothing and furs.....	79,612	3.7	91,103	3.7	95,688	3.6	100,178	3.7	113,872	3.9	113,755	4.0	42.9	-0.1
Motor vehicles.....	766,902	35.2	970,117	39.3	1,074,038	40.8	1,089,849	40.6	1,115,651	38.5	1,042,003	37.0	35.9	-6.6
Office equipment.....	111,164	5.1	139,353	5.6	123,232	4.7	122,975	4.6	132,897	4.6	136,306	4.8	22.6	2.6
Televisions, radios, stereos, etc.....	82,442	3.8	87,926	3.6	75,512	2.9	77,467	2.9	66,709	2.3	84,509	3.0	2.5	26.7
Firearms.....	13,067	0.6	16,919	0.7	13,302	0.5	12,695	0.5	18,832	0.7	12,029	0.4	-7.9	-36.1
Household goods.....	43,014	2.0	42,151	1.7	39,606	1.5	39,278	1.5	41,478	1.4	41,768	1.5	-2.9	0.7
Consumable goods.....	20,270	0.9	24,212	1.0	30,526	1.2	29,989	1.1	31,258	1.1	55,212	2.0	172.4	76.6
Livestock.....	937	0.0	1,224	0.0	948	0.0	1,203	0.0	1,023	0.0	770	0.0	-17.8	-24.7
Other ¹	532,608	24.4	562,819	22.8	625,077	23.7	709,616	26.4	789,736	27.3	814,314	28.9	52.9	3.1
Stolen														
Total.....	\$567,270	100.0	\$743,433	100.0	\$777,929	100.0	\$940,499	100.0	\$953,648	100.0	\$880,637	100.0	55.2	-7.7
Currency, notes, etc.....	3,593	0.6	6,521	0.9	3,640	0.5	3,145	0.3	5,396	0.6	6,161	0.7	71.5	14.2
Jewelry and precious metals.....	6,980	1.2	7,360	1.0	5,705	0.7	5,634	0.6	10,772	1.1	5,306	0.6	-24.0	-50.7
Clothing and furs.....	8,414	1.5	29,283	3.9	6,272	0.8	6,210	0.7	5,626	0.6	6,078	0.7	-27.8	8.0
Motor vehicles.....	488,560	86.1	636,399	85.6	706,114	90.8	744,369	79.1	749,514	78.6	687,552	78.1	40.7	-8.3
Office equipment.....	4,139	0.7	4,894	0.7	4,632	0.6	3,802	0.4	3,656	0.4	5,373	0.6	29.8	47.0
Televisions, radios, stereos, etc.....	3,075	0.5	2,949	0.4	2,603	0.3	2,486	0.3	3,823	0.4	2,659	0.3	-13.5	-30.4
Firearms.....	774	0.1	887	0.1	917	0.1	1,417	0.2	972	0.1	1,509	0.2	95.0	55.2
Household goods.....	1,542	0.3	1,589	0.2	1,570	0.2	1,550	0.2	1,354	0.1	1,150	0.1	-25.4	-15.1
Consumable goods.....	3,009	0.5	2,577	0.3	3,290	0.4	2,337	0.2	3,004	0.3	3,053	0.3	1.5	1.6
Livestock.....	73	0.0	133	0.0	102	0.0	89	0.0	112	0.0	144	0.0	97.3	28.6
Other ¹	47,112	8.3	50,840	6.8	43,084	5.5	169,460	18.0	169,419	17.8	161,653	18.4	243.1	-4.6
Recovered														

Note: Values and percentages may not add to total or 100.0 because of rounding.

¹ The "Other" category includes personal electronic devices.

Table 14
ARSON CRIMES, 2014-2019
 By Type of Property and Value of Property Damage
 (Value Shown in Thousands of Dollars)

Type of property	2014		2015		2016		2017		2018		2019		Percent change	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	2014-2019	2018-2019
	Number of crimes													
Total.....	7,135	100.0	7,380	100.0	7,766	100.0	8,650	100.0	8,523	100.0	8,266	100.0	15.9	-3.0
Total structural property.....	2,459	34.5	2,450	33.2	2,805	36.1	3,175	36.7	2,825	33.1	2,877	34.8	17.0	1.8
Residential.....	1,244	17.4	1,280	17.3	1,362	17.5	1,477	17.1	1,275	15.0	1,284	15.5	3.2	0.7
Single occupancy ¹	817	11.5	888	12.0	915	11.8	1,001	11.6	853	10.0	855	10.3	4.7	0.2
Other ²	427	6.0	392	5.3	447	5.8	476	5.5	422	5.0	429	5.2	0.5	1.7
Storage ³	128	1.8	116	1.6	124	1.6	144	1.7	121	1.4	113	1.4	-11.7	-6.6
Commercial.....	397	5.6	446	6.0	485	6.2	651	7.5	604	7.1	625	7.6	57.4	3.5
Industrial, manufacturing.....	32	0.4	38	0.5	29	0.4	61	0.7	49	0.6	57	0.7	-	-
Other ⁴	365	5.1	408	5.5	456	5.9	590	6.8	555	6.5	568	6.9	55.6	2.3
Community/public ⁵	421	5.9	394	5.3	518	6.7	572	6.6	497	5.8	491	5.9	16.6	-1.2
Other ⁶	269	3.8	214	2.9	316	4.1	331	3.8	328	3.8	364	4.4	35.3	11.0
Total mobile property.....	1,825	25.6	1,853	25.1	1,943	25.0	1,979	22.9	2,047	24.0	1,773	21.4	-2.8	-13.4
Motor vehicles ⁷	1,750	24.5	1,751	23.7	1,843	23.7	1,876	21.7	1,953	22.9	1,675	20.3	-4.3	-14.2
Other ⁸	75	1.1	102	1.4	100	1.3	103	1.2	94	1.1	98	1.2	30.7	4.3
Other property ⁹	2,851	40.0	3,077	41.7	3,018	38.9	3,496	40.4	3,651	42.8	3,616	43.7	26.8	-1.0
	Value of property damage													
Total.....	\$140,455	100.0	\$137,059	100.0	\$104,359	100.0	\$261,135	100.0	\$172,672	100.0	\$118,050	100.0	-16.0	-31.6
Total structural property.....	119,819	85.3	111,938	81.7	84,389	80.9	212,531	81.4	147,727	85.6	91,683	77.7	-23.5	-37.9
Residential.....	46,587	33.2	47,604	34.7	40,253	38.6	49,502	19.0	104,647	60.6	45,451	38.5	-2.4	-56.6
Single occupancy ¹	35,158	25.0	35,956	26.2	27,856	26.7	38,298	14.7	35,830	20.8	36,671	31.1	4.3	2.3
Other ²	11,429	8.1	11,648	8.5	12,397	11.9	11,204	4.3	68,817	39.9	8,780	7.4	-23.2	-87.2
Storage ³	1,542	1.1	2,645	1.9	2,719	2.6	7,645	2.9	2,167	1.3	3,478	2.9	125.6	60.5
Commercial.....	34,313	24.4	54,262	39.6	36,037	34.5	124,773	47.8	35,181	20.4	35,204	29.8	2.6	0.1
Industrial, manufacturing.....	9,565	6.8	31,456	23.0	1,727	1.7	2,819	1.1	8,956	5.2	16,001	13.6	67.3	78.7
Other ⁴	24,748	17.6	22,806	16.6	34,310	32.9	121,954	46.7	26,225	15.2	19,203	16.3	-22.4	-26.8
Community/public ⁵	8,889	6.3	5,316	3.9	4,033	3.9	29,358	11.2	3,924	2.3	2,217	1.9	-75.1	-43.5
Other ⁶	28,488	20.3	2,111	1.5	1,347	1.3	1,251	0.5	1,809	1.0	5,332	4.5	-81.3	194.7
Total mobile property.....	15,543	11.1	16,848	12.3	15,755	15.1	17,106	6.6	17,504	10.1	16,236	13.8	4.5	-7.2
Motor vehicles ⁷	14,957	10.6	15,390	11.2	14,698	14.1	16,187	6.2	16,605	9.6	15,310	13.0	2.4	-7.8
Other ⁸	586	0.4	1,458	1.1	1,057	1.0	919	0.4	899	0.5	926	0.8	58.0	3.0
Other property ⁹	5,092	3.6	8,273	6.0	4,215	4.0	31,498	12.1	7,441	4.3	10,131	8.6	99.0	36.2

Notes: Values and percentages may not add to subtotals, total, or 100.0 because of rounding.

¹ Property type is determined by the point of origin of a fire.

² Single occupancy - houses, townhouses, duplexes, etc.

³ Storage - barns, garages, warehouses, etc.

⁴ Other commercial - stores, restaurants, offices, etc.

⁵ Community/public - churches, jails, schools, hospitals, etc.

⁶ Other residential - apartments, tenements, hotels, motels, etc.

⁷ Motor vehicles - autos, trucks, buses, etc.

⁸ Other mobile property - trailers, recreational vehicles, airplanes, boats, etc.

⁹ Other property - crops, timber, fences, etc.

Table 15
CRIMES CLEARED, 2014-2019

Number of Crimes, Clearances, and Clearance Rate

Crimes, clearances, and clearance rates	2014	2015	2016	2017	2018	2019	Percent change	
							2014-2019	2018-2019
Number of crimes reported								
Violent crimes.....	151,425	166,588	174,701	178,553	176,866	173,205	14.4	-2.1
Homicide.....	1,697	1,861	1,930	1,829	1,739	1,679	-1.1	-3.5
Rape ¹	9,397	12,793	13,695	14,724	15,500	14,720	-	-5.0
Robbery.....	48,650	52,785	54,769	56,609	54,312	52,050	7.0	-4.2
Aggravated assault.....	91,681	99,149	104,307	105,391	105,315	104,756	14.3	-0.5
Property crimes.....	946,682	1,023,828	1,001,380	986,769	940,998	915,197	-3.3	-2.7
Burglary.....	202,556	197,189	188,162	176,638	164,540	151,596	-25.2	-7.9
Motor vehicle theft.....	151,790	170,788	176,676	168,327	155,170	140,732	-7.3	-9.3
Total larceny-theft.....	592,336	655,851	636,542	641,804	621,288	622,869	5.2	0.3
Arson.....	7,135	7,380	7,766	8,650	8,523	8,266	15.9	-3.0
Number of clearances								
Violent crimes.....	71,420	76,342	77,997	80,122	79,687	79,073	10.7	-0.8
Homicide.....	1,091	1,145	1,140	1,144	1,116	1,084	-0.6	-2.9
Rape ¹	3,921	5,304	5,585	5,427	5,329	5,284	-	-0.8
Robbery.....	14,938	16,264	16,489	17,324	16,758	16,401	9.8	-2.1
Aggravated assault.....	51,470	53,629	54,783	56,227	56,484	56,304	9.4	-0.3
Property crimes.....	134,955	128,653	114,766	103,843	97,984	97,686	-27.6	-0.3
Burglary.....	28,789	21,525	20,151	18,871	18,059	17,740	-38.4	-1.8
Motor vehicle theft.....	12,328	14,296	14,916	15,336	14,631	14,625	18.6	0.0
Total larceny-theft.....	93,838	92,832	79,699	69,636	65,294	65,321	-30.4	0.0
Arson.....	1,230	1,306	1,323	1,624	1,682	1,685	37.0	0.2
Clearance rate ²								
Violent crimes.....	47.2	45.8	44.6	44.9	45.1	45.7	-3.2	1.3
Homicide.....	64.3	61.5	59.1	62.5	64.2	64.6	0.5	0.6
Rape ¹	41.7	41.5	40.8	36.9	34.4	35.9	-	4.4
Robbery.....	30.7	30.8	30.1	30.6	30.9	31.5	2.6	1.9
Aggravated assault.....	56.1	54.1	52.5	53.4	53.6	53.7	-4.3	0.2
Property crimes.....	14.3	12.6	11.5	10.5	10.4	10.7	-25.2	2.9
Burglary.....	14.2	10.9	10.7	10.7	11.0	11.7	-17.6	6.4
Motor vehicle theft.....	8.1	8.4	8.4	9.1	9.4	10.4	28.4	10.6
Total larceny-theft.....	15.8	14.2	12.5	10.9	10.5	10.5	-33.5	0.0
Arson.....	17.2	17.7	17.0	18.8	19.7	20.4	18.6	3.6

Note: Dash indicates that a percent change was not calculated due to data definition change.

¹ In 2014, the crime of "forcible rape" was changed to "rape." The definition was expanded to include both male and female victims and reflects the various forms of sexual penetration understood to be rape. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.

² Percentage of clearances to total crimes reported.

Table 16
TOTAL ARRESTS, 1966-2019
 Number and Rate per 100,000 Population at Risk

Year(s)	Total			Law violations									Status offenses ¹
				Total			Felony			Misdemeanor			
	Total	Adult	Juvenile	Total	Adult	Juvenile	Total	Adult	Juvenile	Total	Adult	Juvenile	Juvenile
	Number												
2019.....	1,055,622	1,012,441	43,181	1,051,565	1,012,441	39,124	293,509	277,221	16,288	758,056	735,220	22,836	4,057
2018.....	1,091,694	1,045,271	46,423	1,086,759	1,045,271	41,488	302,514	285,249	17,265	784,245	760,022	24,223	4,935
2017.....	1,097,083	1,040,834	56,249	1,090,253	1,040,834	49,419	306,024	286,651	19,373	784,229	754,183	30,046	6,830
2016.....	1,120,759	1,058,016	62,743	1,113,428	1,058,016	55,412	308,860	289,204	19,656	804,568	768,812	35,756	7,331
2015.....	1,158,812	1,086,889	71,923	1,150,118	1,086,889	63,229	314,748	293,367	21,381	835,370	793,522	41,848	8,694
2014 ^a	1,212,845	1,126,022	86,823	1,201,964	1,126,022	75,942	439,958	412,307	27,651	762,006	713,715	48,291	10,881
2013.....	1,205,536	1,108,599	96,937	1,193,726	1,108,599	85,127	442,741	411,929	30,812	750,985	696,670	54,315	11,810
2012.....	1,238,496	1,117,776	120,720	1,222,104	1,117,776	104,328	429,807	393,439	36,368	792,297	724,337	67,960	16,392
2011.....	1,267,196	1,117,633	149,563	1,245,369	1,117,633	127,736	419,914	376,511	43,403	825,455	741,122	84,333	21,827
2010.....	1,394,425	1,208,558	185,867	1,366,831	1,208,558	158,273	448,552	396,532	52,020	918,279	812,026	106,253	27,594
2009.....	1,466,852	1,262,156	204,696	1,436,662	1,262,156	174,506	466,441	407,886	58,555	970,221	854,270	115,951	30,190
2008.....	1,543,665	1,314,561	229,104	1,509,666	1,314,561	195,105	499,628	434,665	64,963	1,010,038	879,896	130,142	33,999
2007.....	1,551,900	1,315,044	236,856	1,515,864	1,315,044	200,820	523,276	457,085	66,191	992,588	857,959	134,629	36,036
2006.....	1,539,364	1,306,515	232,849	1,502,868	1,306,515	196,353	534,460	469,271	65,189	968,408	837,244	131,164	36,496
2005.....	1,508,210	1,289,431	218,779	1,477,212	1,289,431	187,781	538,166	477,005	61,161	939,046	812,426	126,620	30,998
2004.....	1,499,083	1,280,937	218,146	1,468,343	1,280,937	187,406	522,781	462,910	59,871	945,562	818,027	127,535	30,740
2003.....	1,471,083	1,247,763	223,320	1,438,863	1,247,763	191,100	507,081	446,203	60,878	931,782	801,560	130,222	32,220
2002.....	1,426,233	1,196,599	229,634	1,390,613	1,196,599	194,014	487,364	425,825	61,539	903,249	770,774	132,475	35,620
2001.....	1,420,680	1,180,194	240,486	1,380,667	1,180,194	200,473	472,677	408,684	63,993	907,990	771,510	136,480	40,013
2000.....	1,424,893	1,181,803	243,090	1,385,361	1,181,803	203,558	459,632	395,743	63,889	925,729	786,060	139,669	39,532
1999.....	1,496,459	1,238,334	258,125	1,453,720	1,238,334	215,386	467,936	399,433	68,503	985,784	838,901	146,883	42,739
1998.....	1,571,724	1,301,765	269,959	1,531,917	1,301,765	230,152	508,257	432,153	76,104	1,023,660	869,612	154,048	39,807
1997.....	1,620,381	1,343,861	276,520	1,580,746	1,343,861	236,885	547,550	464,802	82,748	1,033,196	879,059	154,137	39,635
1996.....	1,622,535	1,348,340	274,195	1,585,442	1,348,340	237,102	533,989	448,349	85,640	1,051,453	899,991	151,462	37,093
1995 ^b	1,656,379	1,394,732	261,647	1,624,207	1,394,732	229,475	570,803	482,887	87,916	1,053,404	911,845	141,559	32,172
1994.....	1,652,723	1,394,894	257,829	1,624,789	1,394,894	229,895	581,264	489,265	91,999	1,043,525	905,629	137,896	27,934
1993.....	1,667,522	1,412,431	255,091	1,643,443	1,412,431	231,012	564,307	472,334	91,973	1,079,136	940,097	139,039	24,079
1992.....	1,718,254	1,471,058	247,196	1,695,153	1,471,058	224,095	564,416	470,932	93,484	1,130,737	1,000,126	130,611	23,101
1991.....	1,791,312	1,546,002	245,310	1,767,750	1,546,002	221,748	541,346	447,681	93,665	1,226,404	1,098,321	128,083	23,562
1990.....	1,979,355	1,736,828	242,527	1,955,744	1,736,828	218,916	577,268	485,895	91,373	1,378,476	1,250,933	127,543	23,611
1989.....	1,969,168	1,730,927	238,241	1,946,265	1,730,927	215,338	590,285	501,259	89,026	1,355,980	1,229,668	126,312	22,903
1988.....	1,903,067	1,673,864	229,203	1,879,183	1,673,864	205,319	550,446	469,688	80,758	1,328,737	1,204,176	124,561	23,884
1987.....	1,859,342	1,635,731	223,611	1,834,012	1,635,731	198,281	496,246	422,663	73,583	1,337,766	1,213,068	124,698	25,330
1986.....	1,794,481	1,558,601	235,880	1,769,204	1,558,601	210,603	469,982	393,790	76,192	1,299,222	1,164,811	134,411	25,277
1985.....	1,716,040	1,485,079	230,961	1,690,267	1,485,079	205,188	413,673	340,152	73,521	1,276,594	1,144,927	131,667	25,773
1984.....	1,680,721	1,458,674	222,047	1,653,997	1,458,674	195,323	384,861	315,872	68,989	1,269,136	1,142,802	126,334	26,724
1983.....	1,653,914	1,435,788	218,126	1,631,397	1,435,788	195,609	373,609	302,421	71,188	1,257,788	1,133,367	124,421	22,517
1982.....	1,621,944	1,378,695	243,249	1,597,903	1,378,695	219,208	386,995	302,559	84,436	1,210,908	1,076,136	134,772	24,041
1981.....	1,632,351	1,366,481	265,870	1,604,898	1,366,481	238,417	386,195	293,168	93,027	1,218,703	1,073,313	145,390	27,453
1980.....	1,542,850	1,260,324	282,526	1,512,454	1,260,324	252,130	372,190	274,814	97,376	1,140,264	985,510	154,754	30,396
1979.....	1,442,037	1,147,485	294,552	1,411,235	1,147,485	263,750	357,632	256,467	101,165	1,053,603	891,018	162,585	30,802
1978.....	1,382,805	1,098,602	284,203	1,351,539	1,098,602	252,937	334,647	233,957	100,690	1,016,892	864,645	152,247	31,266
1977.....	1,402,930	1,091,287	311,643	1,360,991	1,091,287	269,704	327,215	224,961	102,254	1,033,776	866,326	167,450	41,939
1976.....	1,395,447	1,043,153	352,294	1,314,685	1,043,153	271,532	327,535	224,532	103,003	987,150	818,621	168,529	80,762
1975.....	1,439,857	1,068,907	370,950	1,353,720	1,068,907	284,813	393,658	265,816	127,842	960,062	803,091	156,971	86,137
1974.....	1,488,102	1,079,971	408,131	1,380,204	1,079,971	300,233	402,421	267,904	134,517	977,783	812,067	165,716	107,898
1973.....	1,383,234	1,020,617	362,617	1,280,177	1,020,617	259,560	358,024	239,395	118,629	922,153	781,222	140,931	103,057
1972.....	1,340,438	987,206	353,232	1,154,325	987,206	167,119	343,578	240,231	103,347	810,747	746,975	63,772	186,113
1971.....	1,347,479	968,025	379,454	1,139,121	968,025	171,096	332,693	229,476	103,217	806,428	738,549	67,879	208,358
1970.....	1,340,072	957,137	382,935	1,123,750	957,137	166,613	315,232	214,836	100,396	808,518	742,301	66,217	216,322
1969.....	1,299,951	905,834	394,117	1,070,157	905,834	164,323	299,574	198,529	101,045	770,583	707,305	63,278	229,794
1968.....	1,188,905	822,454	366,451	975,102	822,454	152,648	258,462	168,511	89,951	716,640	653,943	62,697	213,803
1967.....	1,118,261	794,834	323,427	920,248	794,834	125,414	203,233	138,488	64,745	717,015	656,346	60,669	198,013
1966.....	1,047,056	744,036	303,020	856,191	744,036	112,155	166,245	114,283	51,962	689,946	629,753	60,193	190,865

(continued)

Table 16 - continued
TOTAL ARRESTS, 1966-2019
 Number and Rate per 100,000 Population at Risk

Year(s)	Total			Law violations									Status offenses ¹ Juvenile
	Total	Adult	Juvenile	Total			Felony			Misdemeanor			
				Total	Adult	Juvenile	Total	Adult	Juvenile	Total	Adult	Juvenile	
	Rate per 100,000 population at risk ^{2,3}												
2019.....	3,410.9	3,776.8	1,042.6	3,397.8	3,776.8	944.6	948.4	1,034.1	393.3	2,449.4	2,742.6	551.4	98.0
2018.....	3,527.5	3,912.2	1,097.5	3,511.6	3,912.2	980.9	977.5	1,067.6	408.2	2,534.1	2,844.6	572.7	116.7
2017.....	3,565.2	3,917.9	1,337.4	3,543.0	3,917.9	1,175.0	994.5	1,079.0	460.6	2,548.5	2,838.9	714.4	162.4
2016.....	3,655.1	3,994.5	1,502.5	3,631.2	3,994.5	1,326.9	1,007.3	1,091.9	470.7	2,623.9	2,902.6	856.2	175.6
2015.....	3,808.6	4,121.8	1,772.7	3,780.0	4,121.8	1,558.4	1,034.5	1,112.5	527.0	2,745.6	3,009.3	1,031.4	214.3
2014 ^a	4,017.3	4,309.3	2,138.3	3,981.3	4,309.3	1,870.3	1,457.3	1,577.9	681.0	2,524.0	2,731.4	1,189.3	268.0
2013.....	4,028.7	4,292.6	2,365.6	3,989.2	4,292.6	2,077.4	1,479.6	1,595.0	751.9	2,509.7	2,697.6	1,325.5	288.2
2012.....	4,165.1	4,367.5	2,914.5	4,109.9	4,367.5	2,518.7	1,445.4	1,537.3	878.0	2,664.5	2,830.2	1,640.7	395.7
2011.....	4,287.4	4,408.3	3,558.2	4,213.6	4,408.3	3,039.0	1,420.7	1,485.1	1,032.6	2,792.8	2,923.2	2,006.4	519.3
2010.....	4,737.7	4,802.2	4,357.4	4,644.0	4,802.2	3,710.5	1,524.0	1,575.6	1,219.6	3,120.0	3,226.6	2,491.0	646.9
2009.....	5,042.1	5,079.9	4,820.9	4,938.3	5,079.9	4,109.9	1,603.3	1,641.7	1,379.1	3,335.0	3,438.3	2,730.8	711.0
2008.....	5,347.0	5,369.2	5,222.9	5,229.2	5,369.2	4,447.8	1,730.6	1,775.4	1,481.0	3,498.6	3,593.9	2,966.9	775.1
2007.....	5,426.7	5,435.5	5,378.4	5,300.7	5,435.5	4,560.1	1,829.8	1,889.3	1,503.0	3,470.9	3,546.2	3,057.1	818.3
2006.....	5,436.1	5,463.0	5,290.4	5,307.2	5,463.0	4,461.2	1,887.4	1,962.2	1,481.1	3,419.8	3,500.8	2,980.1	829.2
2005.....	5,373.7	5,445.5	4,986.4	5,263.3	5,445.5	4,279.9	1,917.5	2,014.5	1,394.0	3,345.8	3,431.0	2,885.9	706.5
2004.....	5,385.5	5,459.7	4,987.6	5,275.1	5,459.7	4,284.8	1,878.1	1,973.0	1,368.9	3,397.0	3,486.6	2,915.9	702.8
2003.....	5,350.1	5,387.1	5,152.4	5,232.9	5,387.1	4,409.0	1,844.2	1,926.4	1,404.6	3,388.7	3,460.6	3,004.4	743.4
2002.....	5,264.5	5,242.1	5,384.2	5,133.0	5,242.1	4,549.0	1,798.9	1,865.5	1,442.9	3,334.0	3,376.6	3,106.1	835.2
2001.....	5,319.5	5,239.7	5,749.0	5,169.7	5,239.7	4,792.4	1,769.9	1,814.4	1,529.8	3,399.8	3,425.3	3,262.6	956.5
2000.....	5,427.6	5,329.2	5,962.6	5,277.0	5,329.2	4,992.9	1,750.8	1,784.6	1,567.1	3,526.2	3,544.7	3,425.9	969.7
1999.....	5,820.1	5,666.1	6,692.9	5,653.9	5,666.1	5,584.7	1,819.9	1,827.6	1,776.2	3,834.0	3,838.5	3,808.5	1,108.2
1998.....	6,221.4	6,055.2	7,170.4	6,063.9	6,055.2	6,113.1	2,011.9	2,010.2	2,021.4	4,052.0	4,045.1	4,091.7	1,057.3
1997.....	6,290.2	6,126.6	7,228.4	6,136.3	6,126.6	6,192.3	2,125.6	2,119.0	2,163.1	4,010.8	4,007.6	4,029.2	1,036.1
1996.....	6,349.4	6,177.8	7,354.0	6,204.2	6,177.8	6,359.2	2,089.6	2,054.2	2,296.9	4,114.6	4,123.5	4,062.3	994.8
1995 ^b	6,593.1	6,485.4	7,233.9	6,465.1	6,485.4	6,344.4	2,272.1	2,245.4	2,430.7	4,193.0	4,240.0	3,913.8	889.5
1994.....	6,690.3	6,581.7	7,346.0	6,577.2	6,581.7	6,550.1	2,353.0	2,308.6	2,621.2	4,224.2	4,273.1	3,928.9	795.9
1993.....	6,852.5	6,750.4	7,478.7	6,753.5	6,750.4	6,772.8	2,319.0	2,257.4	2,696.4	4,434.6	4,493.0	4,076.3	705.9
1992.....	7,166.7	7,119.9	7,458.1	7,070.3	7,119.9	6,761.1	2,354.1	2,279.3	2,820.5	4,716.2	4,840.6	3,940.6	697.0
1991.....	7,595.1	7,594.5	7,599.0	7,495.2	7,594.5	6,869.1	2,295.3	2,199.2	2,901.5	5,199.9	5,395.3	3,967.6	729.9
1990.....	8,539.4	8,672.2	7,696.0	8,437.6	8,672.2	6,946.8	2,490.5	2,426.1	2,899.5	5,947.1	6,246.0	4,047.3	749.2
1989.....	8,742.4	8,898.6	7,753.7	8,640.7	8,898.6	7,008.3	2,620.6	2,576.9	2,897.4	6,020.1	6,321.6	4,110.9	745.4
1988.....	8,662.1	8,863.3	7,430.5	8,553.4	8,863.3	6,656.3	2,505.4	2,487.0	2,618.1	6,048.0	6,376.2	4,038.2	774.3
1987.....	8,654.7	8,900.1	7,202.1	8,536.8	8,900.1	6,386.3	2,309.9	2,299.7	2,370.0	6,226.9	6,600.4	4,016.3	815.8
1986.....	8,541.3	8,705.7	7,593.7	8,421.0	8,705.7	6,780.0	2,237.0	2,199.6	2,452.9	6,184.0	6,506.2	4,327.1	813.7
1985.....	8,345.2	8,501.3	7,463.9	8,219.8	8,501.3	6,631.0	2,011.7	1,947.2	2,376.0	6,208.1	6,554.1	4,255.0	832.9
1984.....	8,333.6	8,538.5	7,198.9	8,201.1	8,538.5	6,332.5	1,908.3	1,849.0	2,236.7	6,292.8	6,689.5	4,095.8	866.4
1983.....	8,327.6	8,565.2	7,041.7	8,214.2	8,565.2	6,314.8	1,881.1	1,804.1	2,298.1	6,333.0	6,761.1	4,016.6	726.9
1982.....	8,313.0	8,398.7	7,858.5	8,189.8	8,398.7	7,081.8	1,983.5	1,843.1	2,727.8	6,206.3	6,555.6	4,354.0	776.7
1981.....	8,513.9	8,496.8	8,602.9	8,370.7	8,496.8	7,714.6	2,014.3	1,822.9	3,010.1	6,356.4	6,673.9	4,704.5	888.3
1980.....	8,196.1	7,987.4	9,277.8	8,034.6	7,987.4	8,279.6	1,977.2	1,741.6	3,197.7	6,057.4	6,245.7	5,081.9	998.2
1979.....	7,849.2	7,488.5	9,662.8	7,681.6	7,488.5	8,652.3	1,946.6	1,673.7	3,318.7	5,734.9	5,814.8	5,333.6	1,010.5
1978.....	7,676.7	7,365.2	9,177.1	7,503.2	7,365.2	8,167.5	1,857.8	1,568.5	3,251.3	5,645.4	5,796.7	4,916.2	1,009.6
1977.....	7,962.4	7,541.4	9,897.3	7,724.4	7,541.4	8,565.4	1,857.1	1,554.6	3,247.4	5,867.2	5,986.8	5,317.9	1,331.9
1976.....	8,080.2	7,408.3	11,047.1	7,612.6	7,408.3	8,514.6	1,896.6	1,594.6	3,229.9	5,716.0	5,813.7	5,284.7	2,532.5
1975.....	8,512.5	7,805.2	11,521.0	8,003.3	7,805.2	8,845.8	2,327.3	1,941.0	3,970.5	5,676.0	5,864.2	4,875.2	2,675.3
1974.....	8,984.1	8,095.8	12,660.1	8,332.7	8,095.8	9,313.1	2,429.5	2,008.3	4,172.7	5,903.2	6,087.5	5,140.4	3,347.0
1973.....	8,519.0	7,832.2	11,310.5	7,884.3	7,832.2	8,096.0	2,205.0	1,837.1	3,700.2	5,679.3	5,995.1	4,395.8	3,214.5
1972.....	8,416.5	7,737.4	11,152.0	7,247.9	7,737.4	5,276.2	2,157.3	1,882.9	3,262.8	5,090.6	5,854.6	2,013.4	5,875.8
1971.....	8,606.1	7,717.8	12,183.7	7,275.4	7,717.8	5,493.6	2,124.9	1,829.5	3,314.1	5,150.5	5,888.2	2,179.5	6,690.1
1970.....	8,714.0	7,756.6	12,601.8	7,307.4	7,756.6	5,483.0	2,049.8	1,741.0	3,303.9	5,257.5	6,015.6	2,179.1	7,118.8
1969.....	8,844.9	7,770.3	12,966.1	7,281.4	7,770.3	5,406.1	2,038.3	1,703.0	3,324.3	5,243.1	6,067.3	2,081.8	7,560.0
1968.....	8,268.1	7,212.2	12,314.8	6,781.2	7,212.2	5,129.8	1,797.4	1,477.7	3,022.9	4,983.8	5,734.5	2,107.0	7,185.0
1967.....	7,950.3	7,122.3	11,130.0	6,542.5	7,122.3	4,315.8	1,444.9	1,241.0	2,228.1	5,097.6	5,881.3	2,087.8	6,814.2
1966.....	7,644.6	6,843.3	10,729.4	6,251.1	6,843.3	3,971.2	1,213.8	1,051.1	1,839.9	5,037.3	5,792.2	2,131.3	6,758.2

Notes: Statewide arrest data from 1952 through 1965 can be found in Table 16 of *Crime in California*, 2006.

Since 1966 there have been many changes in laws, data collection procedures, etc.; therefore, caution should be used when comparing data for the 1966 through 2018 period.

Juvenile misdemeanor arrest data for 1973 through 2017 are not comparable to prior years because of changes in reporting criteria.

^a In November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. These changes affected the offenses reported. Caution should be used when comparing felony and misdemeanor arrest data to prior years. For additional information, see Understanding the Data, Data Characteristics and Known Limitations and Appendix 2, Arrest Offense Codes.

^b Includes estimated annual data for the Bakersfield Police Department and the Oakland Police Department. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.

¹ Status offenses include truancy, incorrigibility, running away, and curfew violations. These offenses can only be committed or engaged in by a juvenile.

² Rates are based on annual population estimates provided by the Demographic Research Unit, California Department of Finance (see Table 52).

³ Rates are based on the population at risk for each year. The categories are total (10-69 years of age), adult (18-69 years of age), and juvenile (10-17 years of age) (see Table 52).

³ Rates are based on the population at risk for each year. The categories are total (10-69 years of age), adult (18-69 years of age), and juvenile (10-17 years of age) (see Table 52).

Table 17
TOTAL ARRESTS, 2014-2019
 Number, Rate per 100,000 Population, and Percent Change

Year(s)	Total			Law violations						Status offenses ¹			
	Total	Total		Felony			Misdemeanor			Juvenile			
		Adult	Juvenile	Total	Adult	Juvenile	Total	Adult	Juvenile				
2019.....	1,055,622	1,012,441	43,181	1,051,565	1,012,441	39,124	293,509	277,221	16,288	758,056	735,220	22,836	4,057
2018.....	1,091,694	1,045,271	46,423	1,086,759	1,045,271	41,488	302,514	285,249	17,265	784,245	760,022	24,223	4,935
2017.....	1,097,083	1,040,834	56,249	1,090,253	1,040,834	49,419	306,024	286,651	19,373	784,229	754,183	30,046	6,830
2016.....	1,120,759	1,058,016	62,743	1,113,428	1,058,016	55,412	308,860	289,204	19,656	804,568	768,812	35,756	7,331
2015.....	1,158,812	1,086,889	71,923	1,150,118	1,086,889	63,229	314,748	293,367	21,381	835,370	793,522	41,848	8,694
2014 ^a	1,212,845	1,126,022	86,823	1,201,964	1,126,022	75,942	439,958	412,307	27,651	762,006	713,715	48,291	10,881
2018 to 2019.....	-3.3	-3.1	-7.0	-3.2	-3.1	-5.7	-3.0	-2.8	-5.7	-3.3	-3.3	-5.7	-17.8
2017 to 2018.....	-0.5	0.4	-17.5	-0.3	0.4	-16.0	-1.1	-0.5	-10.9	0.0	0.8	-19.4	-27.7
2016 to 2017.....	-2.1	-1.6	-10.4	-2.1	-1.6	-10.8	-0.9	-0.9	-1.4	-2.5	-1.9	-16.0	-6.8
2015 to 2016.....	-3.3	-2.7	-12.8	-3.2	-2.7	-12.4	-1.9	-1.4	-8.1	-3.7	-3.1	-14.6	-15.7
2014 to 2015.....	-4.5	-3.5	-17.2	-4.3	-3.5	-16.7	-28.5	-28.8	-22.7	9.6	11.2	-13.3	-20.1
2014 to 2019.....	-13.0	-10.1	-50.3	-12.5	-10.1	-48.5	-33.3	-32.8	-41.1	-0.5	3.0	-52.7	-62.7
2019.....	2,641.8	2,533.7	108.1	2,631.6	2,533.7	97.9	734.5	693.8	40.8	1,897.1	1,839.9	57.1	10.2
2018.....	2,741.2	2,624.6	116.6	2,728.8	2,624.6	104.2	759.6	716.3	43.4	1,969.2	1,908.4	60.8	12.4
2017.....	2,769.5	2,627.5	142.0	2,752.3	2,627.5	124.8	772.5	723.6	48.9	1,979.7	1,903.9	75.8	17.2
2016.....	2,847.9	2,688.4	159.4	2,829.2	2,688.4	140.8	784.8	734.9	49.9	2,044.4	1,953.6	90.9	18.6
2015.....	2,965.9	2,781.8	184.1	2,943.6	2,781.8	161.8	805.6	750.8	54.7	2,138.1	2,031.0	107.1	22.3
2014.....	3,150.3	2,924.8	225.5	3,122.0	2,924.8	197.3	1,142.8	1,070.9	71.8	1,979.3	1,853.8	125.4	28.3
2019.....	3,410.9	3,776.8	1,042.6	3,397.8	3,776.8	944.6	948.4	1,034.1	393.3	2,449.4	2,742.6	551.4	98.0
2018.....	3,527.5	3,912.2	1,097.5	3,511.6	3,912.2	980.9	977.5	1,067.6	408.2	2,534.1	2,844.6	572.7	116.7
2017.....	3,565.2	3,917.9	1,337.4	3,543.0	3,917.9	1,175.0	994.5	1,079.0	460.6	2,548.5	2,838.9	714.4	162.4
2016.....	3,655.1	3,994.5	1,502.5	3,631.2	3,994.5	1,326.9	1,007.3	1,091.9	470.7	2,623.9	2,902.6	856.2	175.6
2015.....	3,808.6	4,121.8	1,772.7	3,780.0	4,121.8	1,558.4	1,034.5	1,112.5	527.0	2,745.6	3,009.3	1,031.4	214.3
2014.....	4,017.3	4,309.3	2,138.3	3,981.3	4,309.3	1,870.3	1,457.3	1,577.9	681.0	2,524.0	2,731.4	1,189.3	268.0
2018 to 2019.....	-3.3	-3.5	-5.0	-3.2	-3.5	-3.7	-3.0	-3.1	-3.7	-3.3	-3.6	-3.7	-16.0
2017 to 2018.....	-1.1	-0.1	-17.9	-0.9	-0.1	-16.5	-1.7	-1.1	-11.4	-0.6	0.2	-19.8	-28.1
2016 to 2017.....	-2.5	-1.9	-11.0	-2.4	-1.9	-11.4	-1.3	-1.2	-2.1	-2.9	-2.2	-16.6	-7.5
2015 to 2016.....	-4.0	-3.1	-15.2	-3.9	-3.1	-14.9	-2.6	-1.9	-10.7	-4.4	-3.5	-17.0	-18.1
2014 to 2015.....	-5.2	-4.4	-17.1	-5.1	-4.4	-16.7	-29.0	-29.5	-22.6	8.8	10.2	-13.3	-20.0
2014 to 2019.....	-15.1	-12.4	-51.2	-14.7	-12.4	-49.5	-34.9	-34.5	-42.2	-3.0	0.4	-53.6	-63.4

Note: Rates calculated from the total population may not add to subtotals or total because of rounding.
^aIn November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. These changes affected the offenses reported. Caution should be used when comparing felony and misdemeanor arrest data to prior years. For additional information, see Understanding the Data, Data Characteristics and Known Limitations and Appendix 2, Arrest Offense Codes.
¹Status offenses include truancy, incorrigibility, running away, and curfew violations. These offenses can only be committed or engaged in by a juvenile.
²Rates are based on annual population estimates provided by the Demographic Research Unit, California Department of Finance (see Table 52).
³Rates are based on the population at risk for each year. The categories are total (10-69 years of age), adult (18-69 years of age), and juvenile (10-17 years of age) (see Table 52).

Table 18
TOTAL ARRESTS, 2014-2019
 By Level of Offense for Adult and Juvenile Arrests

Level of offense	2014 ^a		2015		2016		2017		2018		2019	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total.....	1,212,845	100.0	1,158,812	100.0	1,120,759	100.0	1,097,083	100.0	1,091,694	100.0	1,055,622	100.0
Total												
Level of offense												
Felony.....	439,958	36.3	314,748	27.2	308,860	27.6	306,024	27.9	302,514	27.7	293,509	27.8
Misdemeanor.....	762,006	62.8	835,370	72.1	804,568	71.8	784,229	71.5	784,245	71.8	758,056	71.8
Status offenses ¹	10,881	0.9	8,694	0.8	7,331	0.7	6,830	0.6	4,935	0.5	4,057	0.4
Level of offense for adult and juvenile arrests												
Adult.....	1,126,022	92.8	1,086,889	93.8	1,058,016	94.4	1,040,834	94.9	1,045,271	95.7	1,012,441	95.9
Felony.....	412,307	34.0	293,367	25.3	289,204	25.8	286,651	26.1	285,249	26.1	277,221	26.3
Misdemeanor.....	713,715	58.8	793,522	68.5	768,812	68.6	754,183	68.7	760,022	69.6	735,220	69.6
Juvenile.....	86,823	7.2	71,923	6.2	62,743	5.6	56,249	5.1	46,423	4.3	43,181	4.1
Felony.....	27,651	2.3	21,381	1.8	19,656	1.8	19,373	1.8	17,265	1.6	16,288	1.5
Misdemeanor.....	48,291	4.0	41,848	3.6	35,756	3.2	30,046	2.7	24,223	2.2	22,836	2.2
Status offenses.....	10,881	0.9	8,694	0.8	7,331	0.7	6,830	0.6	4,935	0.5	4,057	0.4

Note: Percentages may not add to subtotals or 100.0 because of rounding.

^a In November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. These changes affected the offenses reported. Caution should be used when comparing felony and misdemeanor arrest data to prior years. For additional information, see Understanding the Data, Data Characteristics and Known Limitations and Appendix 2, Arrest Offense Codes.

¹ Status offenses include truancy, incorrigibility, running away, and curfew violations. These offenses can only be committed or engaged in by a juvenile.

Table 19
FELONY ARRESTS, 2014-2019
 By Category

Category	2014 ^a		2015		2016		2017		2018		2019	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total.....	439,958	100.0	314,748	100.0	308,860	100.0	306,024	100.0	302,514	100.0	293,509	100.0
Violent offenses.....	107,791	24.5	109,756	34.9	108,977	35.3	111,478	36.4	112,461	37.2	108,785	37.1
Property offenses.....	97,806	22.2	73,970	23.5	75,506	24.4	77,223	25.2	72,962	24.1	68,357	23.3
Drug offenses ¹	137,054	31.2	44,629	14.2	38,988	12.6	29,955	9.8	28,376	9.4	27,280	9.3
All other.....	97,307	22.1	86,393	27.4	85,389	27.6	87,368	28.5	88,715	29.3	89,087	30.4

Note: Percentages may not add to 100.0 because of rounding.

^a In November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. These changes affected the offenses reported. Caution should be used when comparing felony and misdemeanor arrest data to prior years. For additional information, see Understanding the Data, Data Characteristics and Known Limitations and Appendix 2, Arrest Offense Codes.

¹ In November 2016, California voters passed Proposition 64 which legalized the possession and use of marijuana for individuals 21 years of age and older and reduced the offense degree for numerous state statutes. Caution should be used when comparing drug offense arrests to prior years.

Table 20
FELONY ARRESTS, 2014-2019
 By Category and Offense

Category and offense	2014 ^a		2015		2016		2017		2018		2019	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total.....	439,958		314,748		308,860		306,024		302,514		293,509	
Violent offenses.....	107,791	100.0	109,756	100.0	108,977	100.0	111,478	100.0	112,461	100.0	108,785	100.0
Homicide.....	1,427	1.3	1,439	1.3	1,440	1.3	1,501	1.3	1,416	1.3	1,352	1.2
Rape ¹	2,444	2.3	2,467	2.2	2,558	2.3	2,557	2.3	2,541	2.3	2,233	2.1
Robbery.....	14,799	13.7	15,903	14.5	15,892	14.6	17,000	15.2	16,713	14.9	16,112	14.8
Assault.....	87,735	81.4	88,348	80.5	87,415	80.2	88,693	79.6	90,089	80.1	87,422	80.4
Kidnapping.....	1,386	1.3	1,599	1.5	1,672	1.5	1,727	1.5	1,702	1.5	1,666	1.5
Property offenses.....	97,806	100.0	73,970	100.0	75,506	100.0	77,223	100.0	72,962	100.0	68,357	100.0
Burglary.....	45,112	46.1	24,101	32.6	23,209	30.7	22,551	29.2	20,887	28.6	19,884	29.1
Theft.....	32,308	33.0	26,533	35.9	27,643	36.6	29,507	38.2	28,964	39.7	28,328	41.4
Motor vehicle theft.....	13,629	13.9	17,234	23.3	18,344	24.3	19,216	24.9	17,714	24.3	15,037	22.0
Forgery, checks, access cards.....	5,860	6.0	5,068	6.9	5,166	6.8	4,566	5.9	4,031	5.5	3,736	5.5
Arson.....	897	0.9	1,034	1.4	1,144	1.5	1,383	1.8	1,366	1.9	1,372	2.0
Drug offenses.....	137,054	100.0	44,629	100.0	38,988	100.0	29,955	100.0	28,376	100.0	27,280	100.0
Narcotics.....	36,476	26.6	11,596	26.0	10,228	26.2	9,605	32.1	9,061	31.9	8,600	31.5
Marijuana ²	13,300	9.7	8,866	19.9	7,949	20.4	2,086	7.0	1,617	5.7	1,181	4.3
Dangerous drugs.....	85,931	62.7	22,712	50.9	19,518	50.1	17,107	57.1	16,457	58.0	16,352	59.9
Other.....	1,347	1.0	1,455	3.3	1,293	3.3	1,157	3.9	1,241	4.4	1,147	4.2
All other.....	97,307	100.0	86,393	100.0	85,389	100.0	87,368	100.0	88,715	100.0	89,087	100.0

Note: Percentages may not add to 100.0 because of rounding.

^a In November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. These changes affected the offenses reported. Caution should be used when comparing felony and misdemeanor arrest data to prior years. For additional information, see Understanding the Data, Data Characteristics and Known Limitations and Appendix 2, Arrest Offense Codes.

¹ In 2014, the crime of "forcible rape" was changed to "rape." The definition was expanded to include both male and female victims and reflects the various forms of sexual penetration understood to be rape. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.

² In November 2016, California voters passed Proposition 64 which legalized the possession and use of marijuana for individuals 21 years of age and older and reduced the offense degree for numerous state statutes. Caution should be used when comparing drug offense arrests to prior years.

Table 21
FELONY ARRESTS, 2014-2019
 By Category and Offense for Adult and Juvenile Arrests

Category and offense	2014 ^a		2015		2016		2017		2018		2019	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	439,958	100.0	314,748	100.0	308,860	100.0	306,024	100.0	302,514	100.0	293,509	100.0
Total												
Adult and juvenile arrests												
Adult.....	412,307	93.7	293,367	93.2	289,204	93.6	286,651	93.7	285,249	94.3	277,221	94.5
Juvenile.....	27,651	6.3	21,381	6.8	19,656	6.4	19,373	6.3	17,265	5.7	16,288	5.5
Category and offense for adult and juvenile arrests												
Violent offenses.....	107,791	100.0	109,756	100.0	108,977	100.0	111,478	100.0	112,461	100.0	108,785	100.0
Adult.....	99,767	92.6	102,415	93.3	101,849	93.5	104,187	93.5	105,141	93.5	101,656	93.4
Juvenile.....	8,024	7.4	7,341	6.7	7,128	6.5	7,291	6.5	7,320	6.5	7,129	6.6
Homicide.....	1,427	100.0	1,439	100.0	1,440	100.0	1,501	100.0	1,416	100.0	1,352	100.0
Adult.....	1,332	93.3	1,351	93.9	1,349	93.7	1,403	93.5	1,332	94.1	1,284	95.0
Juvenile.....	95	6.7	88	6.1	91	6.3	98	6.5	84	5.9	68	5.0
Rape ¹	2,444	100.0	2,467	100.0	2,558	100.0	2,557	100.0	2,541	100.0	2,233	100.0
Adult.....	2,169	88.7	2,217	89.9	2,285	89.3	2,267	88.7	2,296	90.4	2,037	91.2
Juvenile.....	275	11.3	250	10.1	273	10.7	290	11.3	245	9.6	196	8.8
Robbery.....	14,799	100.0	15,903	100.0	15,892	100.0	17,000	100.0	16,713	100.0	16,112	100.0
Adult.....	12,062	81.5	13,306	83.7	13,288	83.6	14,037	82.6	13,763	82.3	13,166	81.7
Juvenile.....	2,737	18.5	2,597	16.3	2,604	16.4	2,963	17.4	2,950	17.7	2,946	18.3
Assault.....	87,735	100.0	88,348	100.0	87,415	100.0	88,693	100.0	90,089	100.0	87,422	100.0
Adult.....	82,885	94.5	84,019	95.1	83,338	95.3	84,835	95.7	86,116	95.6	83,582	95.6
Juvenile.....	4,850	5.5	4,329	4.9	4,077	4.7	3,858	4.3	3,973	4.4	3,840	4.4
Kidnapping.....	1,386	100.0	1,599	100.0	1,672	100.0	1,727	100.0	1,702	100.0	1,666	100.0
Adult.....	1,319	95.2	1,522	95.2	1,589	95.0	1,645	95.3	1,634	96.0	1,587	95.3
Juvenile.....	67	4.8	77	4.8	83	5.0	82	4.7	68	4.0	79	4.7

(continued)

Table 21 - continued
FELONY ARRESTS, 2014-2019
 By Category and Offense for Adult and Juvenile Arrests

Category and offense	2014 ^a		2015		2016		2017		2018		2019	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Property offenses.....	97,806	100.0	73,970	100.0	75,506	100.0	77,223	100.0	72,962	100.0	68,357	100.0
Adult.....	87,672	89.6	67,285	91.0	69,640	92.2	70,987	91.9	68,162	93.4	64,327	94.1
Juvenile.....	10,134	10.4	6,685	9.0	5,866	7.8	6,236	8.1	4,800	6.6	4,030	5.9
Burglary.....	45,112	100.0	24,101	100.0	23,209	100.0	22,551	100.0	20,887	100.0	19,884	100.0
Adult.....	38,592	85.5	20,595	85.5	20,408	87.9	19,880	88.2	18,941	90.7	18,348	92.3
Juvenile.....	6,520	14.5	3,506	14.5	2,801	12.1	2,671	11.8	1,946	9.3	1,536	7.7
Theft.....	32,308	100.0	26,533	100.0	27,643	100.0	29,507	100.0	28,964	100.0	28,328	100.0
Adult.....	30,346	93.9	25,107	94.6	26,314	95.2	27,919	94.6	27,664	95.5	27,125	95.8
Juvenile.....	1,962	6.1	1,426	5.4	1,329	4.8	1,588	5.4	1,300	4.5	1,203	4.2
Motor vehicle theft.....	13,629	100.0	17,234	100.0	18,344	100.0	19,216	100.0	17,714	100.0	15,037	100.0
Adult.....	12,289	90.2	15,749	91.4	16,884	92.0	17,494	91.0	16,341	92.2	13,881	92.3
Juvenile.....	1,340	9.8	1,485	8.6	1,460	8.0	1,722	9.0	1,373	7.8	1,156	7.7
Forgery, checks, access cards.....	5,860	100.0	5,068	100.0	5,166	100.0	4,566	100.0	4,031	100.0	3,736	100.0
Adult.....	5,766	98.4	4,988	98.4	5,098	98.7	4,511	98.8	3,997	99.2	3,690	98.8
Juvenile.....	94	1.6	80	1.6	68	1.3	55	1.2	34	0.8	46	1.2
Arson.....	897	100.0	1,034	100.0	1,144	100.0	1,383	100.0	1,366	100.0	1,372	100.0
Adult.....	679	75.7	846	81.8	936	81.8	1,183	85.5	1,219	89.2	1,283	93.5
Juvenile.....	218	24.3	188	18.2	208	18.2	200	14.5	147	10.8	89	6.5
Drug offenses.....	137,054	100.0	44,629	100.0	38,988	100.0	29,955	100.0	28,376	100.0	27,280	100.0
Adult.....	133,996	97.8	43,096	96.6	37,655	96.6	29,279	97.7	27,889	98.3	26,854	98.4
Juvenile.....	3,058	2.2	1,533	3.4	1,333	3.4	676	2.3	487	1.7	426	1.6
Narcotics.....	36,476	100.0	11,596	100.0	10,228	100.0	9,605	100.0	9,061	100.0	8,600	100.0
Adult.....	35,875	98.4	11,317	97.6	9,961	97.4	9,359	97.4	8,887	98.1	8,451	98.3
Juvenile.....	601	1.6	279	2.4	267	2.6	246	2.6	174	1.9	149	1.7
Marijuana ²	13,300	100.0	8,866	100.0	7,949	100.0	2,086	100.0	1,617	100.0	1,181	100.0
Adult.....	11,917	89.6	7,987	90.1	7,254	91.3	1,907	91.4	1,489	92.1	1,090	92.3
Juvenile.....	1,383	10.4	879	9.9	695	8.7	179	8.6	128	7.9	91	7.7
Dangerous drugs.....	85,931	100.0	22,712	100.0	19,518	100.0	17,107	100.0	16,457	100.0	16,352	100.0
Adult.....	84,882	98.8	22,361	98.5	19,153	98.1	16,867	98.6	16,277	98.9	16,174	98.9
Juvenile.....	1,049	1.2	351	1.5	365	1.9	240	1.4	180	1.1	178	1.1
Other.....	1,347	100.0	1,455	100.0	1,293	100.0	1,157	100.0	1,241	100.0	1,147	100.0
Adult.....	1,322	98.1	1,431	98.4	1,287	99.5	1,146	99.0	1,236	99.6	1,139	99.3
Juvenile.....	25	1.9	24	1.6	6	0.5	11	1.0	5	0.4	8	0.7
All other.....	97,307	100.0	86,393	100.0	85,389	100.0	87,368	100.0	88,715	100.0	89,087	100.0
Adult.....	90,872	93.4	80,571	93.3	80,060	93.8	82,198	94.1	84,057	94.7	84,384	94.7
Juvenile.....	6,435	6.6	5,822	6.7	5,329	6.2	5,170	5.9	4,658	5.3	4,703	5.3

^a In November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. These changes affected the offenses reported. Caution should be used when comparing felony and misdemeanor arrest data to prior years. For additional information, see Understanding the Data, Data Characteristics and Known Limitations and Appendix 2, Arrest Offense Codes.
¹ In 2014, the crime of "forcible rape" was changed to "rape." The definition was expanded to include both male and female victims and reflects the various forms of sexual penetration understood to be rape. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.
² In November 2016, California voters passed Proposition 64 which legalized the possession and use of marijuana for individuals 21 years of age and older and reduced the offense degree for numerous state statutes. Caution should be used when comparing drug offense arrests to prior years.

Table 22 - continued
FELONY ARRESTS, 2014-2019
 Number, Rate per 100,000 Population at Risk, and Percent Change

Year(s)	Property offenses																	
	Total			Burglary			Theft			Motor vehicle theft			Forgery, checks, access cards			Arson		
	Total	Adult	Juvenile	Total	Adult	Juvenile	Total	Adult	Juvenile	Total	Adult	Juvenile	Total	Adult	Juvenile	Total	Adult	Juvenile
2019.....	68,357	64,327	4,030	19,884	18,348	1,536	28,328	27,125	1,203	15,037	13,881	1,156	3,736	3,690	46	1,372	1,283	89
2018.....	72,962	68,162	4,800	20,887	18,941	1,946	28,964	27,664	1,300	17,714	16,341	1,373	4,031	3,997	34	1,366	1,219	147
2017.....	77,223	70,987	6,236	22,551	19,880	2,671	29,507	27,919	1,588	19,216	17,494	1,722	4,566	4,511	55	1,383	1,183	200
2016.....	75,506	69,640	5,866	23,209	20,408	2,801	27,643	26,314	1,329	18,344	16,884	1,460	5,166	5,098	68	1,144	936	208
2015.....	73,970	67,285	6,685	24,101	20,595	3,506	26,533	25,107	1,426	17,234	15,749	1,485	5,068	4,988	80	1,034	846	188
2014 ^a	97,806	87,672	10,134	45,112	38,592	6,520	32,308	30,346	1,962	13,629	12,289	1,340	5,860	5,766	94	897	679	218
	Percent change in number																	
2018 to 2019.....	-6.3	-5.6	-16.0	-4.8	-3.1	-21.1	-2.2	-1.9	-7.5	-15.1	-15.1	-15.8	-7.3	-7.7	-	0.4	5.3	-39.5
2017 to 2018.....	-5.5	-4.0	-23.0	-7.4	-4.7	-27.1	-1.8	-0.9	-18.1	-7.8	-6.6	-20.3	-11.7	-11.4	-38.2	-1.2	3.0	-26.5
2016 to 2017.....	2.3	1.9	6.3	-2.8	-2.6	-4.6	6.7	6.1	19.5	4.8	3.6	17.9	-11.6	-11.5	-19.1	20.9	26.4	-3.8
2015 to 2016.....	2.1	3.5	-12.3	-3.7	-0.9	-20.1	4.2	4.8	-6.8	6.4	7.2	-1.7	1.9	2.2	-15.0	10.6	10.6	10.6
2014 to 2015.....	-24.4	-23.3	-34.0	-46.6	-46.6	-46.2	-17.9	-17.3	-27.3	26.5	28.2	10.8	-13.5	-13.5	-14.9	15.3	24.6	-13.8
2014 to 2019.....	-30.1	-26.6	-60.2	-55.9	-52.5	-76.4	-12.3	-10.6	-38.7	10.3	13.0	-13.7	-36.2	-36.0	-51.1	53.0	89.0	-59.2
	Rate per 100,000 population at risk ³																	
2019.....	220.9	240.0	97.3	64.2	68.4	37.1	91.5	101.2	29.0	48.6	51.8	27.9	12.1	13.8	1.1	4.4	4.8	2.1
2018.....	235.8	255.1	113.5	67.5	70.9	46.0	93.6	103.5	30.7	57.2	61.2	32.5	13.0	15.0	0.8	4.4	4.6	3.5
2017.....	251.0	267.2	148.3	73.3	74.8	63.5	95.9	105.1	37.8	62.4	65.9	40.9	14.8	17.0	1.3	4.5	4.5	4.8
2016.....	246.2	262.9	140.5	75.7	77.0	67.1	90.2	99.3	31.8	59.8	63.7	35.0	16.8	19.2	1.6	3.7	3.5	5.0
2015.....	243.1	255.2	164.8	79.2	78.1	86.4	87.2	95.2	35.1	56.6	59.7	36.6	16.7	18.9	2.0	3.4	3.2	4.6
2014 ^a	324.0	335.5	249.6	149.4	147.7	160.6	107.0	116.1	48.3	45.1	47.0	33.0	19.4	22.1	2.3	3.0	2.6	5.4
	Percent change in rate																	
2018 to 2019.....	-6.3	-5.9	-14.3	-4.9	-3.5	-19.3	-2.2	-2.2	-5.5	-15.0	-15.4	-14.2	-6.9	-8.0	37.5	0.0	4.3	-40.0
2017 to 2018.....	-6.1	-4.5	-23.5	-7.9	-5.2	-27.6	-2.4	-1.5	-18.8	-8.3	-7.1	-20.5	-12.2	-11.8	-38.5	-2.2	2.2	-27.1
2016 to 2017.....	1.9	1.6	5.6	-3.2	-2.9	-5.4	6.3	5.8	18.9	4.3	3.5	16.9	-11.9	-11.5	-18.8	21.6	28.6	-4.0
2015 to 2016.....	1.3	3.0	-14.7	-4.4	-1.4	-22.3	3.4	4.3	-9.4	5.7	6.7	-4.4	0.6	1.6	-20.0	8.8	9.4	8.7
2014 to 2015.....	-25.0	-23.9	-34.0	-47.0	-47.1	-46.2	-18.5	-18.0	-27.3	25.5	27.0	10.9	-13.9	-14.5	-13.0	13.3	23.1	-14.8
2014 to 2019.....	-31.8	-28.5	-61.0	-57.0	-53.7	-76.9	-14.5	-12.8	-40.0	7.8	10.2	-15.5	-37.6	-37.6	-52.2	46.7	84.6	-61.1

(continued)

Table 22 - continued
FELONY ARRESTS, 2014-2019
 Number, Rate per 100,000 Population at Risk, and Percent Change

Year(s)	Drug offenses												All other					
	Total			Narcotics			Marijuana ²			Dangerous drugs			Other		All other			
	Adult	Juve- nile	Total	Adult	Juve- nile	Total	Adult	Juve- nile	Total	Adult	Juve- nile	Total	Adult	Juve- nile	Adult	Juve- nile		
2019.....	27,280	26,854	426	8,600	8,451	149	1,181	1,090	91	16,352	16,174	178	1,147	1,139	89,087	84,384	4,703	
2018.....	28,376	27,889	487	9,061	8,887	174	1,617	1,489	128	16,457	16,277	180	1,241	1,236	88,715	84,057	4,658	
2017.....	29,955	29,279	676	9,605	9,359	246	2,086	1,907	179	17,107	16,867	240	1,157	1,146	87,368	82,198	5,170	
2016.....	38,988	37,655	1,333	10,228	9,961	267	7,949	7,254	695	19,518	19,153	365	1,293	1,287	85,389	80,060	5,329	
2015.....	44,629	43,096	1,533	11,596	11,317	279	8,866	7,987	879	22,712	22,361	351	1,455	1,431	86,393	80,571	5,822	
2014 ^a	137,054	133,996	3,058	36,476	35,875	601	13,300	11,917	1,383	85,931	84,882	1,049	1,347	1,322	97,307	90,872	6,435	
Percent change in number																		
2018 to 2019.....	-3.9	-3.7	-12.5	-5.1	-4.9	-14.4	-27.0	-26.8	-28.9	-0.6	-0.6	-1.1	-7.6	-7.8	-	0.4	0.4	1.0
2017 to 2018.....	-5.3	-4.7	-28.0	-5.7	-5.0	-29.3	-22.5	-21.9	-28.5	-3.8	-3.5	-25.0	7.3	7.9	-	1.5	2.3	-9.9
2016 to 2017.....	-23.2	-22.2	-49.3	-6.1	-6.0	-7.9	-73.8	-73.7	-74.2	-12.4	-11.9	-34.2	-10.5	-11.0	-	2.3	2.7	-3.0
2015 to 2016.....	-12.6	-12.6	-13.0	-11.8	-12.0	-4.3	-10.3	-9.2	-20.9	-14.1	-14.3	4.0	-11.1	-10.1	-	-1.2	-0.6	-8.5
2014 to 2015.....	-67.4	-67.8	-49.9	-68.2	-68.5	-53.6	-33.3	-33.0	-36.4	-73.6	-73.7	-66.5	8.0	8.2	-	-11.2	-11.3	-9.5
2014 to 2019.....	-80.1	-80.0	-86.1	-76.4	-76.4	-75.2	-91.1	-90.9	-93.4	-81.0	-80.9	-83.0	-14.8	-13.8	-	-8.4	-7.1	-26.9
Rate per 100,000 population at risk ³																		
2019.....	88.1	100.2	10.3	27.8	31.5	3.6	3.8	4.1	2.2	52.8	60.3	4.3	3.7	4.2	287.9	314.8	113.6	
2018.....	91.7	104.4	11.5	29.3	33.3	4.1	5.2	5.6	3.0	53.2	60.9	4.3	4.0	4.6	286.7	314.6	110.1	
2017.....	97.3	110.2	16.1	31.2	35.2	5.8	6.8	7.2	4.3	55.6	63.5	5.7	3.8	4.3	283.9	309.4	122.9	
2016.....	127.2	142.2	31.9	33.4	37.6	6.4	25.9	27.4	16.6	63.7	72.3	8.7	4.2	4.9	278.5	302.3	127.6	
2015.....	146.7	163.4	37.8	38.1	42.9	6.9	29.1	30.3	21.7	74.6	84.8	8.7	4.8	5.4	283.9	305.6	143.5	
2014 ^a	454.0	512.8	75.3	120.8	137.3	14.8	44.1	45.6	34.1	284.6	324.8	25.8	4.5	5.1	322.3	347.8	158.5	
Percent change in rate																		
2018 to 2019.....	-3.9	-4.0	-10.4	-5.1	-5.4	-12.2	-26.9	-26.8	-26.7	-0.8	-1.0	0.0	-7.5	-8.7	100.0	0.4	0.1	3.2
2017 to 2018.....	-5.8	-5.3	-28.6	-6.1	-5.4	-29.3	-23.5	-22.2	-30.2	-4.3	-4.1	-24.6	5.3	7.0	-66.7	1.0	1.7	-10.4
2016 to 2017.....	-23.5	-22.5	-49.5	-6.6	-6.4	-9.4	-73.7	-73.7	-74.1	-12.7	-12.2	-34.5	-9.5	-12.2	200.0	1.9	2.3	-3.7
2015 to 2016.....	-13.3	-13.0	-15.6	-12.3	-12.4	-7.2	-11.0	-9.6	-23.5	-14.6	-14.7	0.0	-12.5	-9.3	-83.3	-1.9	-1.1	-11.1
2014 to 2015.....	-67.7	-68.1	-49.8	-68.5	-68.8	-53.4	-34.0	-33.6	-36.4	-73.8	-73.9	-66.3	6.7	5.9	0.0	-11.9	-12.1	-9.5
2014 to 2019.....	-80.6	-80.5	-86.3	-77.0	-77.1	-75.7	-91.4	-91.0	-93.5	-81.4	-81.4	-83.3	-17.8	-17.6	-66.7	-10.7	-9.5	-28.3

Note: Dash indicates that a percent change is not calculated when the base number is less than 50.

^a In November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. These changes affected the offenses reported. Caution should be used when comparing felony and misdemeanor arrest data to prior years. For additional information, see Understanding the Data, Data Characteristics and Known Limitations and Appendix 2, Arrest Offense Codes.

¹ In 2014, the crime of "forcible rape" was changed to "rape." The definition was expanded to include both male and female victims and reflects the various forms of sexual penetration understood to be rape. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.

² In November 2016, California voters passed Proposition 64 which legalized the possession and use of marijuana for individuals 21 years of age and older and reduced the offense degree for numerous state statutes. Caution should be used when comparing drug offense arrests to prior years.

³ Rates are based on the population at risk for each year. The categories are total (10-69 years of age), adult (18-69 years of age), and juvenile (10-17 years of age) (see Table 52).

Table 23
ADULT FELONY ARRESTS, 2014-2019
By Category, Offense, and Law Enforcement Disposition

Category, offense, and law enforcement disposition	2014 ^a	2015	2016	2017	2018	2019		Percent change	
						Number	Percent	2014-2019	2018-2019
Total	412,307	293,367	289,204	286,651	285,249	277,221	100.0	-32.8	-2.8
Category and offense									
Violent offenses.....	99,767	102,415	101,849	104,187	105,141	101,656	36.7	1.9	-3.3
Homicide.....	1,332	1,351	1,349	1,403	1,332	1,284	0.5	-3.6	-3.6
Rape ¹	2,169	2,217	2,285	2,267	2,296	2,037	0.7	-6.1	-11.3
Robbery.....	12,062	13,306	13,288	14,037	13,763	13,166	4.7	9.2	-4.3
Assault.....	82,885	84,019	83,338	84,835	86,116	83,582	30.1	0.8	-2.9
Kidnapping.....	1,319	1,522	1,589	1,645	1,634	1,587	0.6	20.3	-2.9
Property offenses.....	87,672	67,285	69,640	70,987	68,162	64,327	23.2	-26.6	-5.6
Burglary.....	38,592	20,595	20,408	19,880	18,941	18,348	6.6	-52.5	-3.1
Theft.....	30,346	25,107	26,314	27,919	27,664	27,125	9.8	-10.6	-1.9
Motor vehicle theft.....	12,289	15,749	16,884	17,494	16,341	13,881	5.0	13.0	-15.1
Forgery, checks, access cards.....	5,766	4,988	5,098	4,511	3,997	3,690	1.3	-36.0	-7.7
Arson.....	679	846	936	1,183	1,219	1,283	0.5	89.0	5.3
Drug offenses.....	133,996	43,096	37,655	29,279	27,889	26,854	9.7	-80.0	-3.7
Narcotics.....	35,875	11,317	9,961	9,359	8,887	8,451	3.0	-76.4	-4.9
Marijuana ²	11,917	7,987	7,254	1,907	1,489	1,090	0.4	-90.9	-26.8
Dangerous drugs.....	84,882	22,361	19,153	16,867	16,277	16,174	5.8	-80.9	-0.6
Other.....	1,322	1,431	1,287	1,146	1,236	1,139	0.4	-13.8	-7.8
Sex offenses.....	5,256	4,927	4,718	4,896	4,667	4,931	1.8	-6.2	5.7
Lewd or lascivious.....	2,041	1,934	1,811	1,736	1,609	1,701	0.6	-16.7	5.7
Other ¹	3,215	2,993	2,907	3,160	3,058	3,230	1.2	0.5	5.6
All other.....	85,616	75,644	75,342	77,302	79,390	79,453	28.7	-7.2	0.1
Weapons.....	16,664	17,912	19,506	20,561	20,864	20,749	7.5	24.5	-0.6
Driving under the influence.....	4,873	4,898	5,194	4,930	4,906	4,918	1.8	0.9	0.2
Hit-and-run.....	1,132	1,111	1,274	1,276	1,207	1,057	0.4	-6.6	-12.4
Escape.....	233	250	236	235	321	279	0.1	19.7	-13.1
Other.....	62,714	51,473	49,132	50,300	52,092	52,450	18.9	-16.4	0.7
Law enforcement disposition									
Released.....	19,774	15,634	16,278	15,791	16,201	17,071	6.2	-13.7	5.4
Turned over to other agency.....	3,196	2,879	2,846	3,301	3,921	3,839	1.4	20.1	-2.1
Complaint sought.....	389,337	274,854	270,080	267,559	265,127	256,311	92.5	-34.2	-3.3

Note: Percentages may not add to subtotals or 100.0 because of rounding.
^a In November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. These changes affected the offenses reported. Caution should be used when comparing felony and misdemeanor arrest data to prior years. For additional information, see Understanding the Data, Data Characteristics and Known Limitations and Appendix 2, Arrest Offense Codes.
¹ In 2014, the crime of "forcible rape" was changed to "rape." The definition was expanded to include both male and female victims and reflects the various forms of sexual penetration understood to be rape. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.
² In November 2016, California voters passed Proposition 64 which legalized the possession and use of marijuana for individuals 21 years of age and older and reduced the offense degree for numerous statutes. Caution should be used when comparing drug offense arrests to prior years.

Table 24
JUVENILE FELONY ARRESTS, 2014-2019
 By Category, Offense, and Law Enforcement Disposition

Category, offense, and law enforcement disposition	2014 ^a	2015	2016	2017	2018	2019		Percent change 2014-2019	2018-2019
						Number	Percent		
Total	27,651	21,381	19,656	19,373	17,265	16,288	100.0	-41.1	-5.7
Total									
Category and offense									
Violent offenses.....	8,024	7,341	7,128	7,291	7,320	7,129	43.8	-11.2	-2.6
Homicide.....	95	88	91	98	84	68	0.4	-28.4	-19.0
Rape ¹	275	250	273	290	245	196	1.2	-28.7	-20.0
Robbery.....	2,737	2,597	2,604	2,963	2,950	2,946	18.1	7.6	-0.1
Assault.....	4,850	4,329	4,077	3,858	3,973	3,840	23.6	-20.8	-3.3
Kidnapping.....	67	77	83	82	68	79	0.5	17.9	16.2
Property offenses.....	10,134	6,685	5,866	6,236	4,800	4,030	24.7	-60.2	-16.0
Burglary.....	6,520	3,506	2,801	2,671	1,946	1,536	9.4	-76.4	-21.1
Theft.....	1,962	1,426	1,329	1,588	1,300	1,203	7.4	-38.7	-7.5
Motor vehicle theft.....	1,340	1,485	1,460	1,722	1,373	1,156	7.1	-13.7	-15.8
Forgery, checks, access cards.....	94	80	68	55	34	46	0.3	-51.1	-
Arson.....	218	188	208	200	147	89	0.5	-59.2	-39.5
Drug offenses.....	3,058	1,533	1,333	676	487	426	2.6	-86.1	-12.5
Narcotics.....	601	279	267	246	174	149	0.9	-75.2	-14.4
Marijuana ²	1,383	879	695	179	128	91	0.6	-93.4	-28.9
Dangerous drugs.....	1,049	351	365	240	180	178	1.1	-83.0	-1.1
Other.....	25	24	6	11	5	8	0.0	-	-
Sex offenses.....	726	666	629	623	512	472	2.9	-35.0	-7.8
Lewd or lascivious.....	443	370	354	309	280	282	1.7	-36.3	0.7
Other ¹	283	296	275	314	232	190	1.2	-32.9	-18.1
All other.....	5,709	5,156	4,700	4,547	4,146	4,231	26.0	-25.9	2.1
Weapons.....	2,403	2,173	1,974	1,810	1,612	1,728	10.6	-28.1	7.2
Driving under the influence.....	33	29	34	34	33	35	0.2	-	-
Hit-and-run.....	30	36	40	40	44	44	0.3	-	-
Escape.....	6	13	7	7	11	7	0.0	-	-
Other.....	3,237	2,905	2,645	2,656	2,446	2,417	14.8	-25.3	-1.2
Law enforcement disposition									
Released.....	1,940	1,349	1,332	1,484	1,079	1,119	6.9	-42.3	3.7
Turned over to other agency.....	379	330	358	341	388	659	4.0	73.9	69.8
Complaint sought.....	25,332	19,702	17,966	17,548	15,798	14,510	89.1	-42.7	-8.2

Notes: Percentages may not add to subtotals because of rounding. Dash indicates that a percent change is not calculated when the base number is less than 50.

^a In November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. These changes affected the offenses reported. Caution should be used when comparing felony and misdemeanor arrest data to prior years. For additional information, see Understanding the Data, Data Characteristics and Known Limitations and Appendix 2, Arrest Offense Codes.

¹ In 2014, the crime of "forcible rape" was changed to "rape." The definition was expanded to include both male and female victims and reflects the various forms of sexual penetration understood to be rape. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.

² In November 2016, California voters passed Proposition 64 which legalized the possession and use of marijuana for individuals 21 years of age and older and reduced the offense degree for numerous statutes. Caution should be used when comparing drug offense arrests to prior years.

Table 25
MISDEMEANOR ARRESTS, 2014-2019
 By Offense

Offense	2014 ^a		2015		2016		2017		2018		2019	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total.....	762,006	100.0	835,370	100.0	804,568	100.0	784,229	100.0	784,245	100.0	758,056	100.0
Assault and battery.....	78,122	10.3	81,733	9.8	80,968	10.1	80,700	10.3	82,057	10.5	81,095	10.7
Petty theft.....	58,569	7.7	53,877	6.4	43,104	5.4	34,831	4.4	30,358	3.9	28,887	3.8
Drug offenses.....	92,469	12.1	163,073	19.5	181,002	22.5	183,649	23.4	191,706	24.4	193,095	25.5
Drunk.....	90,061	11.8	78,860	9.4	70,189	8.7	63,752	8.1	58,697	7.5	55,601	7.3
Driving under the influence....	151,416	19.9	137,677	16.5	125,963	15.7	119,354	15.2	123,253	15.7	119,975	15.8
All other.....	291,369	38.2	320,150	38.3	303,342	37.7	301,943	38.5	298,174	38.0	279,403	36.9

Note: Percentages may not add to 100.0 because of rounding.

^a In November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. These changes affected the offenses reported. Caution should be used when comparing felony and misdemeanor arrest data to prior years. For additional information, see Understanding the Data, Data Characteristics and Known Limitations and Appendix 2, Arrest Offense Codes.

Table 26
MISDEMEANOR ARRESTS, 2014-2019
 By Offense for Adult and Juvenile Arrests

Offense	2014 ^a		2015		2016		2017		2018		2019	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	762,006	100.0	835,370	100.0	804,568	100.0	784,229	100.0	784,245	100.0	758,056	100.0
Adult and juvenile arrests												
Adult.....	713,715	93.7	793,522	95.0	768,812	95.6	754,183	96.2	760,022	96.9	735,220	97.0
Juvenile.....	48,291	6.3	41,848	5.0	35,756	4.4	30,046	3.8	24,223	3.1	22,836	3.0
Offense for adult and juvenile arrests												
Assault and battery.....	78,122	100.0	81,733	100.0	80,968	100.0	80,700	100.0	82,057	100.0	81,095	100.0
Adult.....	67,779	86.8	71,980	88.1	71,978	88.9	72,145	89.4	74,008	90.2	73,309	90.4
Juvenile.....	10,343	13.2	9,753	11.9	8,990	11.1	8,555	10.6	8,049	9.8	7,786	9.6
Petty theft.....	58,569	100.0	53,877	100.0	43,104	100.0	34,831	100.0	30,358	100.0	28,887	100.0
Adult.....	48,761	83.3	46,612	86.5	37,472	86.9	30,791	88.4	27,821	91.6	26,415	91.4
Juvenile.....	9,808	16.7	7,265	13.5	5,632	13.1	4,040	11.6	2,537	8.4	2,472	8.6
Drug offenses.....	92,469	100.0	163,073	100.0	181,002	100.0	183,649	100.0	191,706	100.0	193,095	100.0
Adult.....	87,031	94.1	157,894	96.8	176,023	97.2	180,458	98.3	189,217	98.7	190,958	98.9
Juvenile.....	5,438	5.9	5,179	3.2	4,979	2.8	3,191	1.7	2,489	1.3	2,137	1.1
Drunk.....	90,061	100.0	78,860	100.0	70,189	100.0	63,752	100.0	58,697	100.0	55,601	100.0
Adult.....	88,509	98.3	77,750	98.6	69,305	98.7	63,047	98.9	58,173	99.1	55,137	99.2
Juvenile.....	1,552	1.7	1,110	1.4	884	1.3	705	1.1	524	0.9	464	0.8
Driving under the influence..	151,416	100.0	137,677	100.0	125,963	100.0	119,354	100.0	123,253	100.0	119,975	100.0
Adult.....	150,920	99.7	137,189	99.6	125,501	99.6	118,927	99.6	122,807	99.6	119,526	99.6
Juvenile.....	496	0.3	488	0.4	462	0.4	427	0.4	446	0.4	449	0.4
All other.....	291,369	100.0	320,150	100.0	303,342	100.0	301,943	100.0	298,174	100.0	279,403	100.0
Adult.....	270,715	92.9	302,097	94.4	288,533	95.1	288,815	95.7	287,996	96.6	269,875	96.6
Juvenile.....	20,654	7.1	18,053	5.6	14,809	4.9	13,128	4.3	10,178	3.4	9,528	3.4

^aIn November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. These changes affected the offenses reported. Caution should be used when comparing felony and misdemeanor arrest data to prior years. For additional information, see Understanding the Data, Data Characteristics and Known Limitations and Appendix 2, Arrest Offense Codes.

Table 27
MISDEMEANOR ARRESTS, 2014-2019
Number, Rate per 100,000 Population at Risk, and Percent Change

Year(s)	Total			Assault and battery			Petty theft			Drug offenses			Drunk			Driving under the influence			All other		
	Total	Adult	Juvenile	Total	Adult	Juvenile	Total	Adult	Juvenile	Total	Adult	Juvenile	Total	Adult	Juvenile	Total	Adult	Juvenile	Total	Adult	Juvenile
2019.....	758,056	735,220	22,836	81,095	73,309	7,786	28,887	26,415	2,472	193,095	190,958	2,137	55,601	55,137	464	119,975	119,526	449	279,403	269,875	9,528
2018.....	784,245	760,022	24,223	82,057	74,008	8,049	30,358	27,821	2,537	191,706	189,217	2,489	58,697	58,173	524	123,253	122,807	446	298,174	287,996	10,178
2017.....	784,229	754,183	30,046	80,700	72,145	8,555	34,831	30,791	4,040	183,649	180,458	3,191	63,752	63,047	705	119,354	118,927	427	301,943	288,815	13,128
2016.....	804,568	768,812	35,756	80,968	71,978	8,990	43,104	37,472	5,632	181,002	176,023	4,979	70,189	69,305	884	125,963	125,501	462	303,342	288,533	14,809
2015.....	835,370	793,522	41,848	81,733	71,980	9,753	53,877	46,612	7,265	163,073	157,894	5,179	78,860	77,750	1,110	137,677	137,189	488	320,150	302,097	18,053
2014 ^a	762,006	713,715	48,291	78,122	67,779	10,343	58,569	48,761	9,808	92,469	87,031	5,438	90,061	88,509	1,552	151,416	150,920	496	291,369	270,715	20,654
2018 to 2019.....	-3.3	-3.3	-5.7	-1.2	-0.9	-3.3	-4.8	-5.1	-2.6	0.7	0.9	-14.1	-5.3	-5.2	-11.5	-2.7	-2.7	0.7	-6.3	-6.3	-6.4
2017 to 2018.....	0.0	0.8	-19.4	1.7	2.6	-5.9	-12.8	-9.6	-37.2	4.4	4.9	-22.0	-7.9	-7.7	-25.7	3.3	3.3	4.4	-1.2	-0.3	-22.5
2016 to 2017.....	-2.5	-1.9	-16.0	-0.3	0.2	-4.8	-19.2	-17.8	-28.3	1.5	2.5	-35.9	-9.2	-9.0	-20.2	-5.2	-5.2	-7.6	-0.5	0.1	-11.4
2015 to 2016.....	-3.7	-3.1	-14.6	-0.9	0.0	-7.8	-20.0	-19.6	-22.5	11.0	11.5	-3.9	-11.0	-10.9	-20.4	-8.5	-8.5	-5.3	-5.3	-4.5	-18.0
2014 to 2015.....	9.6	11.2	-13.3	4.6	6.2	-5.7	-8.0	-4.4	-25.9	76.4	81.4	-4.8	-12.4	-12.2	-28.5	-9.1	-9.1	-1.6	9.9	11.6	-12.6
2014 to 2019.....	-0.5	3.0	-52.7	3.8	8.2	-24.7	-50.7	-45.8	-74.8	108.8	119.4	-60.7	-38.3	-37.7	-70.1	-20.8	-20.8	-9.5	-4.1	-0.3	-53.9
2019.....	2,449.4	2,742.6	551.4	262.0	273.5	188.0	93.3	98.5	59.7	623.9	712.3	51.6	179.7	205.7	11.2	387.7	445.9	10.8	902.8	1,006.7	230.0
2018.....	2,534.1	2,844.6	572.7	265.1	277.0	190.3	98.1	104.1	60.0	619.4	708.2	58.8	189.7	217.7	12.4	398.3	459.6	10.5	963.5	1,077.9	240.6
2017.....	2,548.5	2,838.9	714.4	262.3	271.6	203.4	113.2	115.9	96.1	596.8	679.3	75.9	207.2	237.3	16.8	387.9	447.7	10.2	981.2	1,087.2	312.1
2016.....	2,623.9	2,902.6	856.2	264.1	271.8	215.3	140.6	141.5	134.9	590.3	664.6	119.2	228.9	261.7	21.2	410.8	473.8	11.1	989.3	1,089.3	354.6
2015.....	2,745.6	3,009.3	1,031.4	268.6	273.0	240.4	177.1	176.8	179.1	536.0	598.8	127.6	259.2	294.9	27.4	452.5	520.3	12.0	1,052.2	1,145.7	445.0
2014 ^a	2,524.0	2,731.4	1,189.3	258.8	259.4	254.7	194.0	186.6	241.6	306.3	333.1	133.9	298.3	338.7	38.2	501.5	577.6	12.2	965.1	1,036.0	508.7
2018 to 2019.....	-3.3	-3.6	-3.7	-1.2	-1.3	-1.2	-4.9	-5.4	-0.5	0.7	0.6	-12.2	-5.3	-5.5	-9.7	-2.7	-3.0	2.9	-6.3	-6.6	-4.4
2017 to 2018.....	-0.6	0.2	-19.8	1.1	2.0	-6.4	-13.3	-10.2	-37.6	3.8	4.3	-22.5	-8.4	-8.3	-26.2	2.7	2.7	2.9	-1.8	-0.9	-22.9
2016 to 2017.....	-2.9	-2.2	-16.6	-0.7	-0.1	-5.5	-19.5	-18.1	-28.8	1.1	2.2	-36.3	-9.5	-9.3	-20.8	-5.6	-5.5	-8.1	-0.8	-0.2	-12.0
2015 to 2016.....	-4.4	-3.5	-17.0	-1.7	-0.4	-10.4	-20.6	-20.0	-24.7	10.1	11.0	-6.6	-11.7	-11.3	-22.6	-9.2	-8.9	-7.5	-6.0	-4.9	-20.3
2014 to 2015.....	8.8	10.2	-13.3	3.8	5.2	-5.6	-8.7	-5.3	-25.9	75.0	79.8	-4.7	-13.1	-12.9	-28.3	-9.8	-9.9	-1.6	9.0	10.6	-12.5
2014 to 2019.....	-3.0	0.4	-53.6	1.2	5.4	-26.2	-51.9	-47.2	-75.3	103.7	113.8	-61.5	-39.8	-39.3	-70.7	-22.7	-22.8	-11.5	-6.5	-2.8	-54.8

^aIn November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. These changes affected the offenses reported. Caution should be used when comparing felony and misdemeanor arrest data to prior years. For additional information, see Understanding the Data, Data Characteristics and Known Limitations and Appendix 2, Arrest Offense Codes.

¹Rates are based on the population at risk for each year. The categories are total (10-69 years of age), adult (18-69 years of age), and juvenile (10-17 years of age) (see Table 52).

Table 28
ADULT MISDEMEANOR ARRESTS, 2014-2019
 By Offense and Law Enforcement Disposition

Offense and law enforcement disposition	2014 ^a	2015	2016	2017	2018	2019		Percent change	
	Number	Number	Number	Number	Number	Number	Percent	2014-2019	2018-2019
Total	713,715	793,522	768,812	754,183	760,022	735,220	100.0	3.0	-3.3
Total									
Offense									
Assault and battery.....	67,779	71,980	71,978	72,145	74,008	73,309	10.0	8.2	-0.9
Burglary.....	3,048	18,125	15,926	14,280	13,496	13,377	1.8	338.9	-0.9
Petty theft.....	48,761	46,612	37,472	30,791	27,821	26,415	3.6	45.8	-5.1
Checks and access cards.....	468	1,110	1,050	1,073	1,003	965	0.1	106.2	-3.8
Drug offenses.....	87,031	157,894	176,023	180,458	189,217	190,958	26.0	119.4	0.9
Indecent exposure.....	1,288	1,426	1,386	1,455	1,593	1,440	0.2	11.8	-9.6
Annoying children.....	475	473	441	428	435	338	0.0	-28.8	-22.3
Obscene matter.....	60	52	62	47	47	34	0.0	-43.3	-
Lewd conduct.....	1,367	1,249	1,259	1,117	1,077	1,165	0.2	-14.8	8.2
Prostitution.....	8,648	7,679	7,236	6,751	6,071	5,502	0.7	-36.4	-9.4
Drunk.....	88,509	77,750	69,305	63,047	58,173	55,137	7.5	-37.7	-5.2
Liquor laws.....	13,643	10,667	7,707	6,068	5,052	4,573	0.6	-66.5	-9.5
Disorderly conduct.....	7,942	7,384	6,497	6,788	7,206	4,742	0.6	-40.3	-34.2
Disturbing the peace.....	3,352	2,776	2,662	2,364	2,469	2,433	0.3	-27.4	-1.5
Vandalism.....	6,766	7,498	7,668	7,472	6,974	6,749	0.9	-0.3	-3.2
Trespassing.....	16,401	21,204	23,139	25,271	27,854	28,582	3.9	74.3	2.6
Weapons.....	4,037	4,636	4,786	4,941	4,704	4,509	0.6	11.7	-4.1
Driving under the influence.....	150,920	137,189	125,501	118,927	122,807	119,526	16.3	-20.8	-2.7
Hit-and-run.....	5,090	5,125	5,466	5,501	5,271	4,937	0.7	-3.0	-6.3
Selected traffic violations.....	12,575	11,927	9,550	7,721	7,602	6,770	0.9	-46.2	-10.9
Gambling.....	270	233	256	271	341	497	0.1	84.1	45.7
Nonsupport.....	46	62	43	46	59	50	0.0	-	-15.3
All other.....	185,239	200,471	193,399	197,221	196,742	183,212	24.9	-1.1	-6.9
Law enforcement disposition									
Released.....	36,945	36,242	32,499	30,742	32,786	34,772	4.7	-5.9	6.1
Turned over to other agency.....	6,705	8,078	9,245	9,341	11,697	11,045	1.5	64.7	-5.6
Complaint sought.....	670,065	749,202	727,068	714,100	715,539	689,403	93.8	2.9	-3.7

Notes: Percentages may not add to 100.0 because of rounding.

Dash indicates that a percent change is not calculated when the base number is less than 50.

^a In November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. These changes affected the offenses reported.

Caution should be used when comparing felony and misdemeanor arrest data to prior years. For additional information, see Understanding the Data, Data Characteristics and Known Limitations and Appendix 2, Arrest Offense Codes.

Table 29
JUVENILE MISDEMEANOR AND STATUS OFFENSE ARRESTS, 2014-2019
 By Level of Offense, Offense, and Law Enforcement Disposition

Offense and law enforcement disposition	2014 ^a	2015	2016	2017	2018	2019		Percent change	
						Number	Percent	2014-2019	2018-2019
Total	59,172	50,542	43,087	36,876	29,158	26,893	100.0	-54.6	-7.8
Total									
Offense									
Assault and battery.....	10,343	9,753	8,990	8,555	8,049	7,786	29.0	-24.7	-3.3
Burglary.....	393	2,059	1,809	1,407	924	933	3.5	137.4	1.0
Petty theft.....	9,808	7,265	5,632	4,040	2,537	2,472	9.2	-74.8	-2.6
Checks and access cards.....	17	46	46	42	26	29	0.1	-	-
Drug offenses.....	5,438	5,179	4,979	3,191	2,489	2,137	7.9	-60.7	-14.1
Indecent exposure.....	44	41	41	42	33	23	0.1	-	-
Annoying children.....	130	133	98	83	67	78	0.3	-40.0	16.4
Obscene matter.....	74	71	71	83	35	64	0.2	-13.5	82.9
Lewd conduct.....	106	86	113	113	64	72	0.3	-32.1	12.5
Prostitution.....	174	141	102	14	8	16	0.1	-90.8	-
Drunk.....	1,552	1,110	884	705	524	464	1.7	-70.1	-11.5
Liquor laws.....	2,190	1,659	1,219	1,140	934	848	3.2	-61.3	-9.2
Disorderly conduct.....	173	125	101	107	88	68	0.3	-60.7	-22.7
Disturbing the peace.....	2,978	1,927	1,260	1,198	1,007	1,083	4.0	-63.6	7.5
Vandalism.....	2,788	2,334	1,978	1,655	1,166	1,281	4.8	-54.1	9.9
Trespassing.....	1,296	1,243	1,069	988	705	565	2.1	-56.4	-19.9
Weapons.....	1,279	1,324	1,396	1,276	1,138	1,005	3.7	-21.4	-11.7
Driving under the influence.....	496	488	462	427	446	449	1.7	-9.5	0.7
Hit-and-run.....	224	206	222	212	225	190	0.7	-15.2	-15.6
Selected traffic violations.....	262	254	253	294	239	223	0.8	-14.9	-6.7
Joy riding.....	26	29	51	42	28	40	0.1	-	-
Gambling.....	15	20	3	11	8	9	0.0	-	-
Glue sniffing.....	54	57	55	30	38	44	0.2	-18.5	-
All other.....	8,431	6,298	4,922	4,391	3,445	2,957	11.0	-64.9	-14.2
Status offenses ¹	10,881	8,694	7,331	6,830	4,935	4,057	15.1	-62.7	-17.8
Law enforcement disposition									
Released.....	14,135	11,624	10,547	8,859	6,555	5,516	20.5	-61.0	-15.9
Turned over to other agency.....	604	600	593	513	527	717	2.7	18.7	36.1
Complaint sought.....	44,433	38,318	31,947	27,504	22,076	20,660	76.8	-53.5	-6.4

Notes: Percentages may not add to 100.0 because of rounding.

Dash indicates that a percent change is not calculated when the base number is less than 50.

^a In November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. These changes affected the offenses reported.

Caution should be used when comparing felony and misdemeanor arrest data to prior years. For additional information, see Understanding the Data, Data Characteristics and Known Data Limitations and Appendix 2, Arrest Offense Codes.

¹ Status offenses include truancy, incorrigibility, running away, and curfew violations. These offenses can only be committed or engaged in by a juvenile.

Table 30
FELONY AND MISDEMEANOR ARRESTS, 2019
 Gender, Age, and Race/Ethnic Group of Arrestee

Gender, age, and race/ethnic group	Total		Total		Felony		Misdemeanor	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total.....	1,051,565	100.0	1,051,565	100.0	293,509	27.9	758,056	72.1
Gender								
Male.....	804,074	76.5	804,074	100.0	232,337	28.9	571,737	71.1
Female.....	247,491	23.5	247,491	100.0	61,172	24.7	186,319	75.3
Age								
Under 18.....	39,124	3.7	39,124	100.0	16,288	41.6	22,836	58.4
18-29.....	364,523	34.7	364,523	100.0	110,649	30.4	253,874	69.6
18-19.....	34,011	3.2	34,011	100.0	13,037	38.3	20,974	61.7
20-29.....	330,512	31.4	330,512	100.0	97,612	29.5	232,900	70.5
30 and over.....	647,918	61.6	647,918	100.0	166,572	25.7	481,346	74.3
Race/ethnic group								
White.....	372,522	35.4	372,522	100.0	89,189	23.9	283,333	76.1
Hispanic.....	444,920	42.3	444,920	100.0	125,391	28.2	319,529	71.8
Black.....	168,619	16.0	168,619	100.0	60,619	36.0	108,000	64.0
Other.....	65,504	6.2	65,504	100.0	18,310	28.0	47,194	72.0
American Indian.....	5,457	0.5	5,457	100.0	1,553	28.5	3,904	71.5
Asian Indian.....	2,282	0.2	2,282	100.0	602	26.4	1,680	73.6
Cambodian.....	307	0.0	307	100.0	130	42.3	177	57.7
Chinese.....	2,082	0.2	2,082	100.0	752	36.1	1,330	63.9
Filipino.....	3,816	0.4	3,816	100.0	1,155	30.3	2,661	69.7
Japanese.....	323	0.0	323	100.0	102	31.6	221	68.4
Korean.....	490	0.0	490	100.0	117	23.9	373	76.1
Laotian.....	383	0.0	383	100.0	135	35.2	248	64.8
Vietnamese.....	2,572	0.2	2,572	100.0	729	28.3	1,843	71.7
Other Asian.....	14,441	1.4	14,441	100.0	4,082	28.3	10,359	71.7
Guamanian.....	186	0.0	186	100.0	45	24.2	141	75.8
Hawaiian.....	1,320	0.1	1,320	100.0	319	24.2	1,001	75.8
Pacific Islander.....	2,205	0.2	2,205	100.0	751	34.1	1,454	65.9
Samoan.....	618	0.1	618	100.0	221	35.8	397	64.2
Other.....	29,022	2.8	29,022	100.0	7,617	26.2	21,405	73.8

Note: Percentages may not add to subtotals because of rounding.

Table 31
FELONY ARRESTS, 2019
 Category and Offense by Gender and Race/Ethnic Group of Arrestee

Category and offense	Number						Percent							
	Total	Gender		Race/ethnic group			Total	Gender		Race/ethnic group				
		Male	Female	White	Hispanic	Black		Other	Male	Female	White	Hispanic	Black	Other
Total.....	293,509	232,337	61,172	89,189	125,391	60,619	18,310	100.0	79.2	20.8	30.4	42.7	20.7	6.2
Violent offenses.....	108,785	84,137	24,648	29,513	46,914	25,017	7,341	100.0	77.3	22.7	27.1	43.1	23.0	6.7
Homicide.....	1,352	1,191	161	258	609	381	104	100.0	88.1	11.9	19.1	45.0	28.2	7.7
Rape.....	2,233	2,194	39	499	1,226	351	157	100.0	98.3	1.7	22.3	54.9	15.7	7.0
Robbery.....	16,112	13,137	2,975	2,880	6,513	6,073	646	100.0	81.5	18.5	17.9	40.4	37.7	4.0
Assault.....	87,422	66,178	21,244	25,519	37,763	17,818	6,322	100.0	75.7	24.3	29.2	43.2	20.4	7.2
Kidnapping.....	1,666	1,437	229	357	803	394	112	100.0	86.3	13.7	21.4	48.2	23.6	6.7
Property offenses.....	68,357	51,221	17,136	21,891	28,584	13,739	4,143	100.0	74.9	25.1	32.0	41.8	20.1	6.1
Burglary.....	19,884	16,079	3,805	6,402	7,674	4,755	1,053	100.0	80.9	19.1	32.2	38.6	23.9	5.3
Theft.....	28,328	20,140	8,188	9,577	11,436	5,310	2,005	100.0	71.1	28.9	33.8	40.4	18.7	7.1
Motor vehicle theft.....	15,037	11,387	3,650	4,071	7,428	2,829	709	100.0	75.7	24.3	27.1	49.4	18.8	4.7
Forgery, checks, access cards.....	3,736	2,529	1,207	1,339	1,515	607	275	100.0	67.7	32.3	35.8	40.6	16.2	7.4
Arson.....	1,372	1,086	286	502	531	238	101	100.0	79.2	20.8	36.6	38.7	17.3	7.4
Drug offenses.....	27,280	22,300	4,980	9,682	11,985	3,906	1,707	100.0	81.7	18.3	35.5	43.9	14.3	6.3
Narcotics.....	8,600	7,109	1,491	3,379	3,161	1,543	517	100.0	82.7	17.3	39.3	36.8	17.9	6.0
Marijuana.....	1,181	1,038	143	252	493	263	173	100.0	87.9	12.1	21.3	41.7	22.3	14.6
Dangerous drugs.....	16,352	13,333	3,019	5,637	7,874	1,997	844	100.0	81.5	18.5	34.5	48.2	12.2	5.2
Other.....	1,147	820	327	414	457	103	173	100.0	71.5	28.5	36.1	39.8	9.0	15.1
Sex offenses.....	5,403	5,202	201	1,565	2,468	1,006	364	100.0	96.3	3.7	29.0	45.7	18.6	6.7
Lewd or lascivious.....	1,983	1,927	56	381	1,318	160	124	100.0	97.2	2.8	19.2	66.5	8.1	6.3
Other.....	3,420	3,275	145	1,184	1,150	846	240	100.0	95.8	4.2	34.6	33.6	24.7	7.0
Driving offenses.....	6,054	4,726	1,328	1,789	3,145	668	452	100.0	78.1	21.9	29.6	51.9	11.0	7.5
Driving under the influence.....	4,953	3,867	1,086	1,488	2,600	513	352	100.0	78.1	21.9	30.0	52.5	10.4	7.1
Hit-and-run.....	1,101	859	242	301	545	155	100	100.0	78.0	22.0	27.3	49.5	14.1	9.1
All other.....	77,630	64,751	12,879	24,749	32,295	16,283	4,303	100.0	83.4	16.6	31.9	41.6	21.0	5.5
Weapons.....	22,477	20,677	1,800	5,772	10,531	5,093	1,081	100.0	92.0	8.0	25.7	46.9	22.7	4.8
Escape.....	286	226	60	130	98	46	12	100.0	79.0	21.0	45.5	34.3	16.1	4.2
Other.....	54,867	43,848	11,019	18,847	21,666	11,144	3,210	100.0	79.9	20.1	34.4	39.5	20.3	5.9

Note: Percentages may not add to 100.0 because of rounding.

Table 32
FELONY ARRESTS, 2019
 Category and Offense by Age Group of Arrestee

Category and offense	Number					Percent						
	Total	Under 18	18-19	20-29	30-39	40 and over	Total	Under 18	18-19	20-29	30-39	40 and over
Total.....	293,509	16,288	13,037	97,612	87,778	78,794	100.0	5.5	4.4	33.3	29.9	26.8
Violent offenses.....	108,785	7,129	5,219	36,235	30,595	29,607	100.0	6.6	4.8	33.3	28.1	27.2
Homicide.....	1,352	68	117	529	318	320	100.0	5.0	8.7	39.1	23.5	23.7
Rape.....	2,233	196	118	647	592	680	100.0	8.8	5.3	29.0	26.5	30.5
Robbery.....	16,112	2,946	1,744	5,802	3,367	2,253	100.0	18.3	10.8	36.0	20.9	14.0
Assault.....	87,422	3,840	3,139	28,626	25,820	25,997	100.0	4.4	3.6	32.7	29.5	29.7
Kidnapping.....	1,666	79	101	631	498	357	100.0	4.7	6.1	37.9	29.9	21.4
Property offenses.....	68,357	4,030	3,166	23,786	22,186	15,189	100.0	5.9	4.6	34.8	32.5	22.2
Burglary.....	19,884	1,536	1,179	7,149	5,967	4,053	100.0	7.7	5.9	36.0	30.0	20.4
Theft.....	28,328	1,203	1,183	9,676	9,497	6,769	100.0	4.2	4.2	34.2	33.5	23.9
Motor vehicle theft.....	15,037	1,156	660	5,485	4,804	2,932	100.0	7.7	4.4	36.5	31.9	19.5
Forgery, checks, access cards.....	3,736	46	115	1,127	1,472	976	100.0	1.2	3.1	30.2	39.4	26.1
Arson.....	1,372	89	29	349	446	459	100.0	6.5	2.1	25.4	32.5	33.5
Drug offenses.....	27,280	426	786	8,047	8,483	9,538	100.0	1.6	2.9	29.5	31.1	35.0
Narcotics.....	8,600	149	281	3,077	2,508	2,585	100.0	1.7	3.3	35.8	29.2	30.1
Marijuana.....	1,181	91	89	479	264	258	100.0	7.7	7.5	40.6	22.4	21.8
Dangerous drugs.....	16,352	178	373	4,087	5,393	6,321	100.0	1.1	2.3	25.0	33.0	38.7
Other.....	1,147	8	43	404	318	374	100.0	0.7	3.7	35.2	27.7	32.6
Sex offenses.....	5,403	472	190	1,111	1,236	2,394	100.0	8.7	3.5	20.6	22.9	44.3
Lewd or lascivious.....	1,983	282	72	361	471	797	100.0	14.2	3.6	18.2	23.8	40.2
Other.....	3,420	190	118	750	765	1,597	100.0	5.6	3.5	21.9	22.4	46.7
Driving offenses.....	6,054	79	225	2,458	1,555	1,737	100.0	1.3	3.7	40.6	25.7	28.7
Driving under the influence.....	4,953	35	155	2,037	1,295	1,431	100.0	0.7	3.1	41.1	26.1	28.9
Hit-and-run.....	1,101	44	70	421	260	306	100.0	4.0	6.4	38.2	23.6	27.8
All other.....	77,630	4,152	3,451	25,975	23,723	20,329	100.0	5.3	4.4	33.5	30.6	26.2
Weapons.....	22,477	1,728	1,460	8,094	6,174	5,021	100.0	7.7	6.5	36.0	27.5	22.3
Escape.....	286	7	5	102	105	67	100.0	2.4	1.7	35.7	36.7	23.4
Other.....	54,867	2,417	1,986	17,779	17,444	15,241	100.0	4.4	3.6	32.4	31.8	27.8

Note: Percentages may not add to 100.0 because of rounding.

Table 33
FELONY ARRESTS, 2019
 Category and Offense by Gender, Race/Ethnic Group, and Age Group of Arrestee

Category, offense, and age	Total		White		Hispanic		Black		Other		
	Total	Female	Total	Male	Total	Male	Total	Male	Total	Female	
Total.....	293,509	61,172	89,189	67,476	125,391	102,588	60,619	47,940	18,310	14,333	3,977
Under 10.....	21	1	6	6	8	8	5	4	2	2	0
10-17.....	16,267	2,931	2,426	1,922	8,553	7,193	4,411	3,486	877	735	142
18-19.....	13,037	2,460	2,074	1,590	6,793	5,741	3,542	2,772	628	474	154
20-29.....	97,612	21,342	23,862	17,454	47,747	38,747	20,840	16,128	5,163	3,941	1,222
30-39.....	87,778	19,408	29,057	21,609	37,257	30,033	15,459	12,053	6,005	4,675	1,330
40-69.....	77,552	14,858	31,133	24,359	24,776	20,638	16,151	13,307	5,492	4,390	1,102
70 and over.....	1,242	172	631	536	257	228	211	190	143	116	27
Violent offenses.....	108,785	24,648	29,513	21,853	46,914	37,514	25,017	19,195	7,341	5,575	1,766
Under 10.....	6	0	1	1	3	3	2	2	0	0	0
10-17.....	7,123	1,329	1,045	831	3,621	2,993	2,105	1,662	352	308	44
18-19.....	5,219	1,136	780	555	2,705	2,202	1,482	1,134	252	192	60
20-29.....	36,235	8,721	7,478	5,348	18,025	14,157	8,698	6,528	2,034	1,481	553
30-39.....	30,595	7,126	8,846	6,471	13,334	10,645	6,127	4,658	2,288	1,695	593
40-69.....	28,954	6,237	11,047	8,390	9,101	7,407	6,482	5,102	2,324	1,818	506
70 and over.....	653	99	316	257	125	107	121	109	91	81	10
Homicide.....	1,352	161	258	222	609	545	381	337	104	87	17
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	68	8	8	6	46	42	13	11	1	1	0
18-19.....	117	12	9	9	73	66	32	27	3	3	0
20-29.....	529	57	71	61	273	245	144	131	41	35	6
30-39.....	318	40	63	53	143	126	83	75	29	24	5
40-69.....	313	43	104	90	73	65	106	91	30	24	6
70 and over.....	7	1	3	3	1	1	3	2	0	0	0
Rape.....	2,233	39	499	481	1,226	1,213	351	343	157	157	0
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	196	4	51	50	105	104	29	27	11	11	0
18-19.....	118	1	26	26	64	64	15	14	13	13	0
20-29.....	647	17	130	125	384	376	87	83	46	46	0
30-39.....	592	7	130	126	336	334	83	82	43	43	0
40-69.....	644	10	148	140	321	319	136	136	39	39	0
70 and over.....	36	0	14	14	16	16	1	1	5	5	0
Robbery.....	16,112	2,975	2,880	2,248	6,513	5,547	6,073	4,802	646	540	106
Under 10.....	1	0	0	0	1	1	0	0	0	0	0
10-17.....	2,945	432	233	202	1,361	1,189	1,225	1,010	126	112	14
18-19.....	1,744	318	150	105	789	673	753	605	52	43	9
20-29.....	5,802	1,090	950	728	2,495	2,128	2,138	1,671	219	185	34
30-39.....	3,367	687	900	704	1,248	1,037	1,087	832	132	107	25
40-69.....	2,240	446	644	507	619	519	864	679	113	89	24
70 and over.....	13	2	3	2	0	0	6	5	4	4	0

(continued)

Table 33 - continued
FELONY ARRESTS, 2019
 Category and Offense by Gender, Race/Ethnic Group, and Age Group of Arrestee

Category, offense, and age	Total		White		Hispanic		Black		Other		
	Total	Female	Total	Female	Total	Female	Total	Female	Total	Female	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	
Assault.....	87,422	21,244	25,519	6,919	37,763	8,261	17,818	4,445	6,322	4,703	1,619
Under 10.....	5	0	1	0	2	0	2	0	0	0	0
10-17.....	3,835	871	742	178	2,063	445	817	218	213	183	30
18-19.....	3,139	794	587	180	1,724	372	650	191	178	127	51
20-29.....	28,626	7,490	6,226	1,878	14,533	3,439	6,174	1,667	1,693	1,187	506
30-39.....	25,820	6,305	7,637	2,146	11,368	2,416	4,774	1,191	2,041	1,489	552
40-69.....	25,406	5,688	10,032	2,479	7,965	1,571	5,292	1,168	2,117	1,647	470
70 and over.....	591	96	294	58	108	18	109	10	80	70	10
Kidnapping.....	1,666	229	357	55	803	96	394	54	112	88	24
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	79	14	11	9	46	6	21	6	1	1	0
18-19.....	101	11	8	8	55	47	32	3	6	6	0
20-29.....	631	67	101	86	340	26	155	136	35	28	7
30-39.....	498	411	116	97	239	43	100	14	43	32	11
40-69.....	351	50	119	19	123	13	84	12	25	19	6
70 and over.....	6	0	2	0	0	0	2	0	2	2	0
Property offenses.....	68,357	17,136	21,891	6,195	28,584	6,388	13,739	3,504	4,143	3,094	1,049
Under 10.....	4	0	1	0	2	0	0	0	1	1	0
10-17.....	4,026	855	601	155	1,981	393	1,269	258	175	126	49
18-19.....	3,166	748	507	376	1,451	306	1,052	793	156	104	52
20-29.....	23,786	6,127	6,461	1,947	11,218	2,496	4,935	1,370	1,172	858	314
30-39.....	22,186	5,845	7,957	2,380	9,172	2,126	3,572	980	1,485	1,126	359
40-69.....	15,079	3,534	6,306	1,572	4,743	1,062	2,889	633	1,141	874	267
70 and over.....	110	27	58	10	17	5	22	4	13	5	8
Burglary.....	19,884	3,805	6,402	1,437	7,674	1,331	4,755	843	1,053	859	194
Under 10.....	1	0	0	0	1	0	0	0	0	0	0
10-17.....	1,535	208	251	41	697	90	532	70	55	48	7
18-19.....	1,179	191	156	30	486	66	484	82	53	40	13
20-29.....	7,149	1,355	1,873	423	3,090	502	1,868	369	318	257	61
30-39.....	5,967	1,229	2,288	528	2,251	437	1,078	203	350	289	61
40-69.....	4,026	818	1,819	413	1,145	235	787	119	275	224	51
70 and over.....	27	4	15	2	4	1	6	0	2	1	1
Theft.....	28,328	8,188	9,577	2,997	11,436	2,960	5,310	1,665	2,005	1,439	566
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	1,203	332	158	59	591	156	382	92	72	47	25
18-19.....	1,183	824	202	148	515	147	398	261	68	47	21
20-29.....	9,676	2,969	2,851	994	4,342	1,147	1,937	660	546	378	168
30-39.....	9,497	2,776	3,509	1,131	3,832	970	1,448	484	708	517	191
40-69.....	6,713	1,732	2,828	751	2,147	537	1,137	290	601	447	154
70 and over.....	56	20	29	8	9	3	8	2	10	3	7

(continued)

Table 33 - continued
FELONY ARRESTS, 2019
 Category and Offense by Gender, Race/Ethnic Group, and Age Group of Arrestee

Category, offense, and age	Total		White		Hispanic		Black		Other		
	Total	Male	Female	Total		Total		Total		Total	
				Male	Female	Male	Female	Male	Female	Male	Female
Identity theft.....	3,181	1,969	1,212	660	759	423	379	201	262	171	91
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	22	15	7	3	9	4	2	1	1	1	0
18-19.....	47	26	21	6	10	10	5	3	7	5	2
20-29.....	1,023	626	397	185	267	142	150	79	51	24	27
30-39.....	1,327	810	517	289	305	168	140	79	125	76	49
40-69.....	761	491	270	177	168	99	81	39	78	65	13
70 and over.....	1	1	0	0	0	0	1	0	0	0	0
Other theft.....	25,147	18,171	6,976	5,920	7,717	2,537	3,266	1,464	1,743	1,268	475
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	1,181	856	325	96	426	152	288	91	71	46	25
18-19.....	1,136	798	338	142	358	137	390	134	61	42	19
20-29.....	8,653	6,081	2,572	1,672	2,928	1,005	1,708	581	495	354	141
30-39.....	8,170	5,911	2,259	2,089	2,557	802	824	405	583	441	142
40-69.....	5,952	4,490	1,462	1,900	1,442	438	766	251	523	382	141
70 and over.....	55	35	20	21	6	3	5	2	10	3	7
Motor vehicle theft.....	15,037	11,387	3,650	2,920	5,873	1,555	2,069	760	709	525	184
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	1,156	866	290	107	501	138	233	91	40	25	15
18-19.....	660	507	153	73	385	82	150	33	23	14	9
20-29.....	5,485	4,115	1,370	893	2,451	677	610	260	215	161	54
30-39.....	4,804	3,582	1,222	996	1,824	477	772	222	279	212	67
40-69.....	2,922	2,308	614	846	793	181	557	153	151	112	39
70 and over.....	10	9	1	5	1	0	2	1	1	1	0
Forgery, checks, access cards.....	3,736	2,529	1,207	824	1,067	448	442	165	275	196	79
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	46	30	16	5	12	6	13	3	4	3	1
18-19.....	115	74	41	20	40	11	19	7	9	2	7
20-29.....	1,127	754	373	220	348	144	206	69	74	49	25
30-39.....	1,472	966	506	324	413	204	197	47	108	79	29
40-69.....	970	700	270	251	253	82	172	39	80	63	17
70 and over.....	6	5	1	4	1	1	0	0	0	0	0
Arson.....	1,372	1,086	286	407	437	94	167	71	101	75	26
Under 10.....	3	3	0	1	1	0	0	0	1	1	0
10-17.....	86	77	9	25	33	3	18	2	4	3	1
18-19.....	29	25	4	9	14	0	1	0	3	1	2
20-29.....	349	289	60	94	140	26	54	12	19	13	6
30-39.....	446	334	112	119	133	38	77	24	40	29	11
40-69.....	448	348	100	154	115	27	83	32	34	28	6
70 and over.....	11	10	1	5	1	0	4	1	0	0	0

(continued)

Table 33 - continued
FELONY ARRESTS, 2019
 Category and Offense by Gender, Race/Ethnic Group, and Age Group of Arrestee

Category, offense, and age	Total		White		Hispanic		Black		Other	
	Total	Female	Total	Female	Total	Female	Total	Female	Total	Female
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Drug offenses.....	27,280	4,980	9,682	2,210	11,985	1,986	3,906	471	1,707	313
Under 10.....	0	0	0	0	0	0	0	0	0	0
10-17.....	426	57	79	18	286	31	32	2	29	6
18-19.....	786	92	182	25	493	55	70	6	41	6
20-29.....	8,047	1,587	2,464	653	4,189	707	939	131	455	96
30-39.....	8,483	1,708	3,092	741	3,839	736	958	126	594	105
40-69.....	9,444	1,526	3,826	767	3,157	455	1,884	206	577	98
70 and over.....	94	10	39	6	21	2	23	0	11	2
Narcotics.....	8,600	1,491	3,379	748	3,161	466	1,543	197	517	80
Under 10.....	0	0	0	0	0	0	0	0	0	0
10-17.....	149	26	33	10	96	11	10	1	10	4
18-19.....	281	27	93	84	145	13	24	2	19	3
20-29.....	3,077	549	1,228	300	1,309	178	334	37	206	34
30-39.....	2,508	478	1,123	250	882	156	342	49	161	23
40-69.....	2,548	410	897	178	721	108	812	108	118	16
70 and over.....	37	1	5	4	8	0	21	0	3	0
Marijuana.....	1,181	143	252	38	493	44	263	31	173	30
Under 10.....	0	0	0	0	0	0	0	0	0	0
10-17.....	91	8	18	1	58	5	7	0	8	2
18-19.....	89	7	21	2	52	4	12	1	4	0
20-29.....	479	52	70	9	223	14	138	21	48	8
30-39.....	264	40	64	18	94	12	63	6	43	4
40-69.....	252	35	75	7	66	9	43	3	68	16
70 and over.....	6	1	4	3	0	0	0	0	2	0
Dangerous drugs.....	16,352	3,019	5,637	1,325	7,874	1,315	1,997	217	844	162
Under 10.....	0	0	0	0	0	0	0	0	0	0
10-17.....	178	21	24	6	128	14	15	1	11	0
18-19.....	373	39	63	12	263	22	31	3	16	2
20-29.....	4,087	832	1,062	321	2,440	411	422	56	163	44
30-39.....	5,393	1,128	1,769	442	2,752	549	529	65	343	72
40-69.....	6,279	993	2,694	541	2,280	317	998	92	307	43
70 and over.....	42	6	25	3	11	2	2	0	4	1
Other drugs.....	1,147	327	414	99	457	161	103	26	173	41
Under 10.....	0	0	0	0	0	0	0	0	0	0
10-17.....	8	2	4	1	4	1	0	0	0	0
18-19.....	43	19	5	3	33	0	3	0	1	1
20-29.....	404	154	104	23	217	104	45	17	38	10
30-39.....	318	62	136	31	111	19	24	18	47	6
40-69.....	365	88	160	41	90	21	31	28	61	23
70 and over.....	9	7	5	4	2	0	0	0	2	1

(continued)

Table 33 - continued
FELONY ARRESTS, 2019
 Category and Offense by Gender, Race/Ethnic Group, and Age Group of Arrestee

Category, offense, and age	Total		White		Hispanic		Black		Other		
	Total	Female	Total	Female	Total	Female	Total	Female	Total	Female	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	
Sex offenses.....	5,403	2,011	1,565	68	2,468	78	1,006	29	364	338	26
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	472	58	110	14	263	31	66	8	33	28	5
18-19.....	190	9	33	32	109	4	30	3	18	17	1
20-29.....	1,111	39	217	208	550	20	269	7	75	72	3
30-39.....	1,236	40	314	16	590	13	238	7	78	74	4
40-69.....	2,272	55	819	28	901	10	397	4	155	142	13
70 and over.....	122	0	56	0	55	0	6	0	5	5	0
Lewd or lascivious.....	1,983	56	381	15	1,318	33	160	5	124	121	3
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	282	17	65	2	156	12	45	3	16	16	0
18-19.....	72	3	12	11	46	9	10	1	4	4	0
20-29.....	361	15	50	48	251	12	32	0	28	27	1
30-39.....	471	11	88	5	325	5	36	1	22	22	0
40-69.....	745	10	151	5	507	3	36	0	51	49	2
70 and over.....	52	0	15	0	33	0	1	0	3	3	0
Other sex.....	3,420	145	1,184	53	1,150	45	846	24	240	217	23
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	190	41	45	12	107	19	21	5	17	12	5
18-19.....	118	6	21	0	63	3	20	2	14	13	1
20-29.....	750	24	167	7	299	8	237	7	47	45	2
30-39.....	765	29	242	11	265	8	202	6	56	52	4
40-69.....	1,527	45	668	23	394	7	361	4	104	93	11
70 and over.....	70	0	41	0	22	0	5	0	2	2	0
Driving offenses.....	6,054	1,328	1,789	527	3,145	545	668	168	452	364	88
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	79	17	15	6	47	9	7	1	10	9	1
18-19.....	225	45	42	33	146	29	24	5	13	11	2
20-29.....	2,458	560	573	170	1,459	285	241	64	185	144	41
30-39.....	1,555	346	456	136	807	145	164	42	128	105	23
40-69.....	1,677	348	662	198	679	76	229	55	107	88	19
70 and over.....	60	12	41	8	7	1	3	1	9	7	2
Driving under the influence.....	4,953	1,086	1,488	443	2,600	446	513	132	352	287	65
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	35	7	9	2	23	4	2	1	1	1	0
18-19.....	155	25	29	5	106	16	11	2	9	7	2
20-29.....	2,037	481	477	330	1,233	249	181	52	146	113	33
30-39.....	1,295	293	378	115	679	122	130	36	108	88	20
40-69.....	1,393	274	566	169	555	54	188	41	84	74	10
70 and over.....	38	6	29	5	4	1	1	0	4	4	0

(continued)

Table 33 - continued
FELONY ARRESTS, 2019
 Category and Offense by Gender, Race/Ethnic Group, and Age Group of Arrestee

Category, offense, and age	Total		White		Hispanic		Black		Other	
	Total	Female	Total	Female	Total	Female	Total	Female	Total	Female
Hit-and-run.....	1,101	242	301	84	545	99	155	36	100	77
Under 10.....	0	0	0	0	0	0	0	0	0	0
10-17.....	44	10	6	4	24	19	5	5	9	8
18-19.....	70	20	13	9	40	27	13	10	4	4
20-29.....	421	79	96	23	226	36	60	48	39	31
30-39.....	260	53	78	21	128	105	34	28	20	17
40-69.....	284	74	96	29	124	102	41	27	23	14
70 and over.....	22	6	12	3	3	0	2	1	5	3
All other felonies.....	77,630	12,879	24,749	5,053	32,295	4,406	16,283	2,685	4,303	3,568
Under 10.....	11	1	4	0	3	3	3	1	1	1
10-17.....	4,141	615	576	97	2,355	268	932	213	278	241
18-19.....	3,451	430	530	93	1,889	155	884	149	148	115
20-29.....	25,975	4,308	6,669	1,499	12,306	1,624	5,758	970	1,242	1,027
30-39.....	23,723	4,343	8,376	1,800	9,515	1,515	4,400	782	1,432	1,186
40-69.....	20,126	3,158	8,473	1,552	6,195	841	4,270	566	1,188	989
70 and over.....	203	24	121	12	32	3	36	4	14	9
Weapons.....	22,477	1,800	5,772	644	10,531	686	5,093	396	1,081	1,007
Under 10.....	6	0	2	0	1	1	2	0	1	1
10-17.....	1,722	138	174	16	1,143	81	318	282	87	82
18-19.....	1,460	82	157	19	859	822	396	374	48	44
20-29.....	8,094	658	1,536	202	4,166	3,909	2,043	1,867	349	326
30-39.....	6,174	552	1,908	224	2,693	204	1,242	1,139	331	310
40-69.....	4,982	367	1,975	182	1,661	106	1,064	1,025	262	242
70 and over.....	39	3	20	1	8	7	8	0	3	2
Escape.....	286	60	130	30	98	19	46	7	12	8
Under 10.....	1	0	0	0	1	0	0	0	0	0
10-17.....	6	3	1	1	1	0	4	2	0	0
18-19.....	5	1	0	0	3	2	1	1	1	0
20-29.....	102	26	42	13	41	9	13	12	6	3
30-39.....	105	22	50	12	34	6	18	15	3	2
40-69.....	67	8	37	4	18	3	10	9	2	2
70 and over.....	0	0	0	0	0	0	0	0	0	0
Cruelty to animals.....	116	25	49	11	48	8	7	4	12	9
Under 10.....	0	0	0	0	0	0	0	0	0	0
10-17.....	3	1	3	1	0	0	0	0	0	0
18-19.....	7	0	3	0	3	0	0	0	1	0
20-29.....	32	4	13	2	15	14	1	1	3	2
30-39.....	24	7	13	3	6	4	4	2	1	1
40-69.....	44	13	13	5	22	17	2	1	7	5
70 and over.....	6	0	4	0	2	2	0	0	0	0
Other.....	54,751	10,994	18,798	4,368	21,618	3,693	11,137	8,858	3,198	2,544
Under 10.....	4	1	2	0	1	1	1	0	0	0
10-17.....	2,410	473	398	79	1,211	187	610	435	191	159
18-19.....	1,979	347	370	74	1,024	907	487	360	98	69
20-29.....	17,747	3,620	5,078	1,282	8,084	6,727	3,701	2,908	884	696
30-39.....	17,420	3,762	6,405	1,561	6,782	5,479	3,136	2,462	1,097	873
40-69.....	15,033	2,770	6,448	1,361	4,494	3,767	3,174	2,669	917	740
70 and over.....	158	21	97	11	22	20	28	24	11	7

Table 34
MISDEMEANOR ARRESTS, 2019
 Offense by Gender and Race/Ethnic Group of Arrestee

Offense	Number						Percent							
	Total	Gender		Race/ethnic group			Total	Gender		Race/ethnic group				
		Male	Female	White	Hispanic	Black		Other	Male	Female	White	Hispanic	Black	Other
Total.....	758,056	571,737	186,319	283,333	319,529	108,000	47,194	100.0	75.4	24.6	37.4	42.2	14.2	6.2
Assault and battery.....	81,095	58,470	22,625	25,886	33,084	16,491	5,634	100.0	72.1	27.9	31.9	40.8	20.3	6.9
Burglary.....	14,310	8,412	5,898	5,112	4,996	3,166	1,036	100.0	58.8	41.2	35.7	34.9	22.1	7.2
Petty theft.....	28,887	17,453	11,434	11,102	9,876	5,783	2,126	100.0	60.4	39.6	38.4	34.2	20.0	7.4
Checks and access cards.....	994	690	304	394	371	162	67	100.0	69.4	30.6	39.6	37.3	16.3	6.7
Marijuana.....	3,769	2,945	824	837	1,869	509	554	100.0	78.1	21.9	22.2	49.6	13.5	14.7
Other drug.....	189,326	147,500	41,826	82,251	76,499	20,759	9,817	100.0	77.9	22.1	43.4	40.4	11.0	5.2
Indecent exposure.....	1,463	1,345	118	525	508	330	100	100.0	91.9	8.1	35.9	34.7	22.6	6.8
Annoying children.....	416	376	40	95	239	49	33	100.0	90.4	9.6	22.8	57.5	11.8	7.9
Obscene matter.....	98	81	17	40	36	15	7	100.0	82.7	17.3	40.8	36.7	15.3	7.1
Lewd conduct.....	1,237	1,009	228	375	529	238	95	100.0	81.6	18.4	30.3	42.8	19.2	7.7
Prostitution.....	5,518	1,982	3,536	720	1,683	2,491	624	100.0	35.9	64.1	13.0	30.5	45.1	11.3
Drunk.....	55,601	44,614	10,987	25,059	21,892	5,429	3,221	100.0	80.2	19.8	45.1	39.4	9.8	5.8
Liquor laws.....	5,421	3,910	1,511	1,917	2,315	584	605	100.0	72.1	27.9	35.4	42.7	10.8	11.2
Disturbing the peace.....	3,516	2,533	983	1,149	1,370	792	205	100.0	72.0	28.0	32.7	39.0	22.5	5.8
Vandalism.....	8,030	6,359	1,671	2,672	3,498	1,357	503	100.0	79.2	20.8	33.3	43.6	16.9	6.3
Trespassing.....	29,147	21,194	7,953	11,657	10,209	5,756	1,525	100.0	72.7	27.3	40.0	35.0	19.7	5.2
Weapons.....	5,514	4,805	709	1,778	2,481	877	378	100.0	87.1	12.9	32.2	45.0	15.9	6.9
Driving under the influence..	119,975	92,598	27,377	37,350	61,895	11,115	9,615	100.0	77.2	22.8	31.1	51.6	9.3	8.0
Hit-and-run.....	5,127	3,804	1,323	1,658	2,508	479	482	100.0	74.2	25.8	32.3	48.9	9.3	9.4
Selected traffic violations.....	6,993	6,057	936	1,726	3,781	766	720	100.0	86.6	13.4	24.7	54.1	11.0	10.3
Gambling.....	506	361	145	95	206	84	121	100.0	71.3	28.7	18.8	40.7	16.6	23.9
All other.....	191,113	145,239	45,874	70,935	79,684	30,768	9,726	100.0	76.0	24.0	37.1	41.7	16.1	5.1

Note: Percentages may not add to 100.0 because of rounding.

Table 35
MISDEMEANOR ARRESTS, 2019
 Offense by Age Group of Arrestee

Offense	Number						Percent					
	Total	Under 18	18-19	20-29	30-39	40 and over	Total	Under 18	18-19	20-29	30-39	40 and over
Total.....	758,056	22,836	20,974	232,900	220,770	260,576	100.0	3.0	2.8	30.7	29.1	34.4
Assault and battery.....	81,095	7,786	3,006	24,473	21,868	23,962	100.0	9.6	3.7	30.2	27.0	29.5
Burglary.....	14,310	933	729	4,653	4,075	3,920	100.0	6.5	5.1	32.5	28.5	27.4
Petty theft.....	28,887	2,472	1,256	8,190	7,964	9,005	100.0	8.6	4.3	28.4	27.6	31.2
Checks and access cards.....	994	29	37	305	320	303	100.0	2.9	3.7	30.7	32.2	30.5
Marijuana.....	3,769	1,209	393	1,063	511	593	100.0	32.1	10.4	28.2	13.6	15.7
Other drug.....	189,326	928	2,666	55,251	64,918	65,563	100.0	0.5	1.4	29.2	34.3	34.6
Indecent exposure.....	1,463	23	25	387	420	608	100.0	1.6	1.7	26.5	28.7	41.6
Annoying children.....	416	78	45	89	82	122	100.0	18.8	10.8	21.4	19.7	29.3
Obscene matter.....	98	64	2	6	16	10	100.0	65.3	2.0	6.1	16.3	10.2
Lewd conduct.....	1,237	72	38	319	312	496	100.0	5.8	3.1	25.8	25.2	40.1
Prostitution.....	5,518	16	581	2,924	1,027	970	100.0	0.3	10.5	53.0	18.6	17.6
Drunk.....	55,601	464	1,418	17,057	14,750	21,912	100.0	0.8	2.6	30.7	26.5	39.4
Liquor laws.....	5,421	848	1,317	1,484	517	1,255	100.0	15.6	24.3	27.4	9.5	23.2
Disturbing the peace.....	3,516	1,083	128	766	620	919	100.0	30.8	3.6	21.8	17.6	26.1
Vandalism.....	8,030	1,281	375	2,524	2,008	1,842	100.0	16.0	4.7	31.4	25.0	22.9
Trespassing.....	29,147	565	582	7,047	8,743	12,210	100.0	1.9	2.0	24.2	30.0	41.9
Weapons.....	5,514	1,005	333	1,755	1,216	1,205	100.0	18.2	6.0	31.8	22.1	21.9
Driving under the influence.....	119,975	449	3,231	48,464	32,593	35,238	100.0	0.4	2.7	40.4	27.2	29.4
Hit-and-run.....	5,127	190	362	1,872	1,127	1,576	100.0	3.7	7.1	36.5	22.0	30.7
Selected traffic violations.....	6,993	223	869	3,114	1,440	1,347	100.0	3.2	12.4	44.5	20.6	19.3
Gambling.....	506	9	6	89	164	238	100.0	1.8	1.2	17.6	32.4	47.0
All other.....	191,113	3,109	3,575	51,068	56,079	77,282	100.0	1.6	1.9	26.7	29.3	40.4

Note: Percentages may not add to 100.0 because of rounding.

Table 36
MISDEMEANOR ARRESTS, 2019
Offense by Gender, Race/Ethnic Group, and Age Group of Arrestee

Offense and age	Total		White		Hispanic		Black		Other		
	Total	Female	Total	Male	Total	Male	Total	Male	Total	Male	
	758,056	186,319	283,333	201,014	319,529	255,115	64,414	108,000	80,226	47,194	35,382
Under 10.....	21	16	3	2	9	7	2	8	6	1	1
10-17.....	22,815	7,433	5,160	3,469	12,185	8,451	3,734	3,986	2,434	1,484	1,028
18-19.....	20,974	15,059	5,082	3,493	11,446	8,876	2,570	3,016	1,701	1,430	989
20-29.....	232,900	173,876	70,114	48,812	116,387	92,453	23,934	32,548	22,376	13,851	10,235
30-39.....	220,770	167,108	82,613	58,244	94,820	75,999	18,821	29,600	22,493	13,737	10,372
40-69.....	255,630	196,385	117,461	84,810	83,703	68,483	15,220	38,239	30,683	16,227	12,409
70 and over.....	4,946	3,911	2,900	2,184	979	846	133	603	533	464	348
Assault and battery.....	81,095	58,470	25,886	17,969	33,084	24,745	8,339	16,491	11,765	5,634	3,991
Under 10.....	10	6	1	0	3	2	1	6	4	0	0
10-17.....	7,776	4,900	1,657	1,069	4,079	2,618	1,461	1,654	951	386	262
18-19.....	3,006	2,127	584	372	1,591	1,214	377	673	430	158	111
20-29.....	24,473	17,613	6,031	4,148	11,665	8,748	2,917	5,244	3,654	1,533	1,063
30-39.....	21,868	16,062	7,210	4,954	8,986	6,928	2,058	4,121	3,098	1,551	1,082
40-69.....	23,219	17,172	9,988	7,101	6,647	5,146	1,501	4,694	3,547	1,890	1,378
70 and over.....	743	590	415	325	113	89	24	99	81	116	95
Burglary.....	14,310	8,412	5,112	2,987	4,996	2,923	2,073	3,166	1,922	1,036	580
Under 10.....	1	1	0	0	0	0	0	1	1	0	0
10-17.....	932	503	185	104	444	251	193	231	113	72	35
18-19.....	729	388	139	82	328	175	153	207	102	55	29
20-29.....	4,653	2,702	1,520	890	1,790	1,053	737	1,084	618	466	259
30-39.....	4,075	2,470	1,743	1,049	1,330	803	527	736	452	284	166
40-69.....	3,845	2,311	1,496	847	1,091	636	455	894	627	364	201
70 and over.....	75	37	29	15	13	5	8	13	9	20	8
Petty theft.....	28,887	17,453	11,102	6,638	9,876	6,101	3,775	5,783	3,513	2,126	1,201
Under 10.....	1	1	0	0	1	1	0	0	0	0	0
10-17.....	2,471	1,366	496	283	1,231	694	537	538	281	206	108
18-19.....	1,256	637	152	152	602	320	282	294	120	96	45
20-29.....	8,190	4,993	2,696	1,647	3,183	2,033	1,150	1,797	1,019	514	294
30-39.....	7,964	4,880	3,415	2,036	2,619	1,654	965	1,354	847	576	343
40-69.....	8,819	5,464	4,128	2,451	2,211	1,383	828	1,787	1,234	693	396
70 and over.....	186	112	103	69	29	16	13	13	12	41	15
Identity theft.....	818	531	317	191	335	225	110	94	65	72	50
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	13	8	4	2	6	5	1	2	0	1	1
18-19.....	17	13	4	2	10	9	1	2	1	1	1
20-29.....	278	186	95	62	133	87	46	29	21	16	5
30-39.....	317	190	126	72	122	75	47	37	23	32	20
40-69.....	193	134	88	53	64	49	15	24	20	17	12
70 and over.....	0	0	0	0	0	0	0	0	0	0	0
Other petty theft.....	28,069	16,922	10,785	6,447	9,541	5,876	3,665	5,689	3,448	2,054	1,151
Under 10.....	1	1	0	0	1	1	0	0	0	0	0
10-17.....	2,458	1,358	492	281	1,225	689	536	536	281	205	107
18-19.....	1,239	624	150	110	592	311	281	292	119	95	44
20-29.....	7,912	4,807	2,601	1,585	3,050	1,946	1,104	1,768	998	770	493
30-39.....	7,647	4,690	3,289	1,964	2,497	1,579	918	1,317	824	544	323
40-69.....	8,626	5,330	4,040	2,398	2,147	1,334	813	1,763	1,214	676	384
70 and over.....	186	112	103	69	29	16	13	13	12	41	15

(continued)

Table 36 - continued
MISDEMEANOR ARRESTS, 2019
 Offense by Gender, Race/Ethnic Group, and Age Group of Arrestee

Offense and age	Total		White		Hispanic		Black		Other			
	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female
Checks and access cards.....	994	690	304	394	260	134	371	262	109	162	119	43
Under 10.....	0	0	0	0	0	0	0	0	0	0	0	0
10-17.....	29	23	6	12	9	3	6	4	2	10	9	1
18-19.....	37	25	12	15	9	6	8	6	2	10	6	4
20-29.....	305	207	98	103	69	34	127	90	37	55	36	19
30-39.....	320	215	105	134	87	47	133	93	40	31	18	13
40-69.....	301	219	82	129	86	43	97	69	28	56	50	6
70 and over.....	2	1	1	1	0	1	0	0	0	0	0	0
Drug offenses.....	193,095	150,445	42,650	83,088	60,108	22,980	78,368	64,362	14,006	21,268	17,679	3,589
Under 10.....	3	2	1	1	1	0	1	0	1	0	0	0
10-17.....	2,134	1,519	615	524	339	185	1,349	985	364	120	92	28
18-19.....	3,059	2,287	772	932	623	309	1,767	1,407	360	222	162	60
20-29.....	56,314	42,983	13,331	21,774	14,996	6,778	26,946	21,977	4,969	5,035	4,039	996
30-39.....	65,429	50,912	14,517	28,045	20,254	7,791	27,123	22,320	4,803	6,608	5,425	1,183
40-69.....	65,761	52,399	13,362	31,617	23,734	7,883	21,104	17,601	3,503	9,189	7,873	1,316
70 and over.....	395	343	52	195	161	34	78	72	6	94	88	6
Marijuana.....	3,769	2,945	824	837	649	188	1,869	1,408	461	509	443	66
Under 10.....	3	2	1	1	1	0	1	0	1	0	0	0
10-17.....	1,206	850	356	286	197	89	761	539	222	85	63	22
18-19.....	393	324	69	92	72	20	230	193	37	230	39	5
20-29.....	1,063	828	235	164	132	32	567	403	164	231	202	29
30-39.....	511	459	52	140	121	19	186	167	19	95	91	4
40-69.....	574	467	107	150	122	28	122	104	18	52	48	4
70 and over.....	19	15	4	4	4	0	2	2	0	2	0	2
Other drug.....	189,326	147,500	41,826	82,251	59,459	22,792	76,499	62,954	13,545	20,759	17,236	3,523
Under 10.....	0	0	0	0	0	0	0	0	0	0	0	0
10-17.....	928	669	259	238	142	96	588	446	142	35	29	6
18-19.....	2,666	1,963	703	840	551	289	1,537	1,214	323	178	123	55
20-29.....	55,251	42,155	13,096	21,610	14,864	6,746	26,379	21,574	4,805	4,804	3,837	967
30-39.....	64,918	50,453	14,465	27,905	20,133	7,772	26,937	22,153	4,784	6,513	5,334	1,179
40-69.....	65,187	51,932	13,255	31,467	23,612	7,855	20,982	17,497	3,485	9,137	7,825	1,312
70 and over.....	376	328	48	191	157	34	76	70	6	92	88	4
Indecent exposure.....	1,463	1,345	118	525	467	58	508	473	35	330	310	20
Under 10.....	0	0	0	0	0	0	0	0	0	0	0	0
10-17.....	23	23	0	6	6	0	12	12	0	4	4	0
18-19.....	25	24	1	5	5	0	15	14	1	3	3	0
20-29.....	387	355	32	89	83	6	178	161	17	93	85	8
30-39.....	420	390	30	129	111	18	142	135	7	124	120	4
40-69.....	571	516	55	270	236	34	156	146	10	103	95	8
70 and over.....	37	37	0	26	26	0	5	5	0	3	3	0
Annoying children.....	416	376	40	95	86	9	239	221	18	49	41	8
Under 10.....	0	0	0	0	0	0	0	0	0	0	0	0
10-17.....	78	49	29	16	11	5	44	27	17	10	6	4
18-19.....	45	42	3	14	13	1	23	23	0	4	3	1
20-29.....	89	87	2	8	8	0	62	62	0	14	12	2
30-39.....	82	80	2	19	18	1	49	48	1	9	9	0
40-69.....	117	113	4	34	32	2	60	60	0	12	11	1
70 and over.....	5	5	0	4	4	0	1	1	0	0	0	0

(continued)

Table 36 - continued
MISDEMEANOR ARRESTS, 2019
 Offense by Gender, Race/Ethnic Group, and Age Group of Arrestee

Offense and age	Total		White		Hispanic		Black		Other		
	Total	Female	Total	Male	Total	Male	Total	Male	Total	Male	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	
Obscene matter.....	98	81	17	35	36	28	8	15	13	7	5
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	64	49	15	15	28	21	7	13	11	2	4
18-19.....	2	1	1	0	0	0	0	0	0	1	1
20-29.....	6	6	0	1	5	5	0	0	0	0	0
30-39.....	16	15	1	10	3	2	1	2	2	1	1
40-69.....	10	10	0	9	0	0	0	0	0	1	1
70 and over.....	0	0	0	0	0	0	0	0	0	0	0
Lewd conduct.....	1,237	1,009	228	289	529	453	76	238	182	95	85
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	72	59	13	13	32	25	7	13	11	2	11
18-19.....	38	27	11	4	17	13	4	7	6	5	4
20-29.....	319	243	76	53	144	120	24	77	50	27	20
30-39.....	312	260	52	94	129	113	16	65	53	24	21
40-69.....	481	407	74	141	204	179	25	70	60	30	27
70 and over.....	15	13	2	5	3	3	0	2	2	3	3
Prostitution.....	5,518	1,982	3,536	238	1,683	1,180	503	2,491	295	624	269
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	16	7	9	2	4	3	1	8	2	2	2
18-19.....	581	55	526	64	117	31	86	368	8	32	9
20-29.....	2,924	682	2,242	324	750	441	309	1,700	122	150	69
30-39.....	1,027	600	427	156	442	367	75	278	88	190	87
40-69.....	955	626	329	169	367	335	32	135	73	284	100
70 and over.....	15	12	3	5	3	3	0	2	2	5	2
Drunk.....	55,601	44,614	10,987	19,119	21,892	18,479	3,413	5,429	4,406	3,221	2,610
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	464	316	148	81	286	203	83	28	14	27	18
18-19.....	1,418	1,077	341	324	791	604	187	86	66	101	83
20-29.....	17,057	13,680	3,377	4,527	8,512	7,084	1,428	1,533	1,208	1,118	861
30-39.....	14,750	12,024	2,726	4,734	5,939	5,036	903	1,809	1,513	917	741
40-69.....	21,562	17,214	4,348	9,278	6,267	5,456	811	1,944	1,578	1,051	902
70 and over.....	350	303	47	175	97	96	1	29	27	7	5
Liquor laws.....	5,421	3,910	1,511	1,290	2,315	1,777	538	584	459	605	384
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	848	538	310	181	470	305	165	35	22	45	30
18-19.....	1,317	869	448	376	487	366	121	49	30	175	97
20-29.....	1,484	1,021	463	350	545	454	157	114	87	214	130
30-39.....	517	432	85	138	258	226	32	66	54	55	44
40-69.....	1,214	1,018	196	319	471	411	60	314	262	110	79
70 and over.....	41	32	9	11	18	15	3	6	4	6	4
Disorderly conduct.....	4,810	3,482	1,328	1,827	1,185	929	256	787	576	194	150
Under 10.....	0	0	0	0	0	0	0	0	0	0	0
10-17.....	68	49	19	18	32	25	7	5	4	2	2
18-19.....	54	38	16	9	26	22	4	11	7	0	0
20-29.....	864	621	243	281	264	222	42	142	93	35	25
30-39.....	1,242	894	348	427	364	294	70	202	145	42	28
40-69.....	2,532	1,838	694	1,071	493	361	132	410	312	114	94
70 and over.....	50	42	8	21	6	5	1	17	15	1	0

(continued)

Table 36 - continued
MISDEMEANOR ARRESTS, 2019
 Offense by Gender, Race/Ethnic Group, and Age Group of Arrestee

Offense and age	Total		White		Hispanic		Black		Other					
	Total	Male	Female	Total		Total		Total		Total				
				Male	Female	Male	Female	Male	Female	Male	Female			
Disturbing the peace.....	3,516	2,533	983	1,149	851	298	1,370	994	376	544	248	205	144	61
Under 10.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10-17.....	1,083	682	401	157	113	44	532	330	202	200	138	56	39	17
18-19.....	128	93	35	31	24	7	52	40	12	22	13	10	7	3
20-29.....	766	606	160	229	173	36	359	282	77	114	39	45	37	8
30-39.....	620	487	133	229	175	54	237	194	43	109	20	45	29	16
40-69.....	849	632	217	464	339	125	181	144	37	156	38	48	31	17
70 and over.....	70	33	37	59	27	32	9	4	5	1	0	1	1	0
Vandalism.....	8,030	6,359	1,671	2,672	2,092	580	3,498	2,916	582	937	420	503	414	89
Under 10.....	1	1	0	0	0	0	1	1	0	0	0	0	0	0
10-17.....	1,280	1,036	244	376	292	84	665	572	93	112	49	78	60	18
18-19.....	375	311	64	79	69	10	201	172	29	65	22	30	27	3
20-29.....	2,524	2,055	469	681	553	128	1,305	1,111	194	404	126	134	113	21
30-39.....	2,008	1,529	479	686	522	164	834	658	176	369	117	119	97	22
40-69.....	1,794	1,387	407	822	632	190	489	400	89	346	104	137	113	24
70 and over.....	48	40	8	28	24	4	3	2	1	12	2	5	4	1
Trespassing.....	29,147	21,194	7,953	11,657	7,902	3,755	10,209	7,687	2,522	4,462	1,294	1,525	1,143	382
Under 10.....	1	1	0	0	0	0	0	0	0	1	0	0	0	0
10-17.....	564	443	121	133	100	33	286	227	59	88	22	35	28	7
18-19.....	582	423	159	141	91	50	284	213	71	129	28	28	18	10
20-29.....	7,047	5,302	1,745	2,117	1,481	636	2,937	2,256	681	1,678	360	315	247	68
30-39.....	8,743	6,248	2,495	3,358	2,242	1,116	3,239	2,388	851	1,731	422	415	309	106
40-69.....	11,966	8,595	3,371	5,756	3,885	1,871	3,427	2,570	857	2,071	456	712	525	187
70 and over.....	244	182	62	152	103	49	36	33	3	36	6	20	16	4
Weapons.....	5,514	4,805	709	1,778	1,511	267	2,481	2,202	279	757	120	378	335	43
Under 10.....	2	2	0	1	1	0	1	1	0	0	0	0	0	0
10-17.....	1,003	874	129	210	181	29	634	557	77	83	10	66	53	13
18-19.....	333	300	33	51	48	3	201	180	21	56	8	25	24	1
20-29.....	1,755	1,546	209	452	383	69	827	739	88	354	43	122	113	9
30-39.....	1,216	1,029	187	475	388	87	461	402	59	199	37	81	77	4
40-69.....	1,186	1,039	147	576	500	76	354	320	34	174	153	82	66	16
70 and over.....	19	15	4	13	10	3	3	3	0	1	1	2	2	0
Driving under the influence.....	119,975	92,598	27,377	37,350	25,907	11,443	61,895	51,105	10,790	8,311	2,804	9,615	7,275	2,340
Under 10.....	1	1	0	0	0	0	1	1	0	0	0	0	0	0
10-17.....	448	341	107	156	111	45	257	205	52	10	4	25	19	6
18-19.....	3,231	2,599	632	762	583	179	2,108	1,747	361	130	95	231	174	57
20-29.....	48,464	36,882	11,582	12,033	8,379	3,654	28,420	22,707	5,713	3,949	2,786	4,062	3,010	1,052
30-39.....	32,593	25,560	7,033	9,453	6,603	2,790	17,161	14,396	2,765	3,247	800	2,732	2,054	678
40-69.....	34,143	26,399	7,744	14,183	9,642	4,541	13,758	11,885	1,873	3,708	796	2,494	1,960	534
70 and over.....	1,095	816	279	763	529	234	190	164	26	71	6	71	58	13
Glue sniffing.....	1,347	1,087	260	282	198	84	874	743	131	116	28	75	58	17
Under 10.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10-17.....	44	38	6	5	5	1	36	30	6	1	0	2	2	0
18-19.....	224	173	51	18	11	7	186	144	42	5	1	15	14	1
20-29.....	602	503	99	85	63	22	444	384	60	42	6	31	20	11
30-39.....	219	174	45	65	47	18	117	100	17	23	7	14	11	3
40-69.....	257	198	59	109	72	37	91	85	6	44	14	13	11	2
70 and over.....	1	1	0	0	0	0	0	0	0	1	0	0	0	0

(continued)

Table 36 - continued
MISDEMEANOR ARRESTS, 2019
 Offense by Gender, Race/Ethnic Group, and Age Group of Arrestee

Offense and age	Total		White		Hispanic		Black		Other	
	Total	Female	Total	Female	Total	Female	Total	Female	Total	Female
	Male	Male	Male	Male	Male	Male	Male	Male	Male	Female
Hit-and-run.....	5,127	1,323	1,658	518	2,508	534	479	348	482	140
Under 10.....	0	0	0	0	0	0	0	0	0	0
10-17.....	190	64	36	17	118	35	18	14	18	8
18-19.....	362	101	61	43	226	62	44	35	31	19
20-29.....	1,872	467	453	142	1,060	212	211	142	148	104
30-39.....	1,127	293	389	127	545	115	92	67	101	75
40-69.....	1,436	356	628	188	526	97	113	89	169	122
70 and over.....	140	42	91	26	33	13	1	1	15	12
Selected traffic violations.....	6,993	936	1,726	273	3,781	408	766	600	720	89
Under 10.....	0	0	0	0	0	0	0	0	0	0
10-17.....	223	8	72	6	115	2	6	6	30	0
18-19.....	869	44	160	9	563	25	45	41	101	95
20-29.....	3,114	352	639	87	1,832	176	305	251	338	303
30-39.....	1,440	274	385	75	708	118	210	159	137	107
40-69.....	1,330	255	463	96	557	85	199	142	111	94
70 and over.....	17	3	7	0	6	2	1	1	3	2
Gambling.....	506	145	95	33	206	70	84	70	121	28
Under 10.....	0	0	0	0	0	0	0	0	0	0
10-17.....	9	1	2	0	2	0	5	4	0	0
18-19.....	6	4	0	0	2	2	1	0	3	2
20-29.....	89	31	18	9	34	15	19	17	18	13
30-39.....	164	49	29	16	59	23	31	26	45	37
40-69.....	235	59	45	35	107	30	28	23	55	14
70 and over.....	3	1	1	0	2	0	0	0	0	0
Cruelty to animals.....	50	43	16	13	20	18	2	2	12	10
Under 10.....	0	0	0	0	0	0	0	0	0	0
10-17.....	0	0	0	0	0	0	0	0	0	0
18-19.....	0	0	0	0	0	0	0	0	0	0
20-29.....	10	10	3	3	6	6	1	1	0	0
30-39.....	13	2	5	4	6	5	1	1	1	1
40-69.....	20	16	7	5	6	5	0	0	7	6
70 and over.....	7	6	1	1	2	2	0	0	4	3
Nonsupport.....	50	12	16	3	22	5	8	3	4	1
Under 10.....	0	0	0	0	0	0	0	0	0	0
10-17.....	0	0	0	0	0	0	0	0	0	0
18-19.....	0	0	0	0	0	0	0	0	0	0
20-29.....	15	1	4	0	7	7	3	1	1	1
30-39.....	23	7	6	1	12	5	2	0	3	2
40-69.....	12	4	6	2	3	3	3	2	0	0
70 and over.....	0	0	0	0	0	0	0	0	0	0
All other.....	184,856	44,241	67,977	19,408	77,583	15,554	29,855	22,824	9,441	2,248
Under 10.....	1	1	0	0	1	0	0	0	0	0
10-17.....	2,996	778	630	179	1,523	364	575	400	268	60
18-19.....	3,297	822	693	196	1,851	368	568	369	185	59
20-29.....	49,577	37,553	13,936	4,134	24,919	4,924	8,541	6,098	2,181	1,658
30-39.....	54,582	40,714	13,695	6,026	23,924	5,148	8,181	6,141	2,756	523
40-69.....	73,015	56,477	23,521	8,730	25,036	4,723	11,789	9,635	3,939	931
70 and over.....	1,388	211	746	143	329	27	201	181	112	21

Table 37
DISPOSITIONS OF ADULT FELONY ARRESTS, 1982-2019
 By Type of Disposition

Year(s)	Total		Law enforcement releases		Prosecution rejections and resolutions ¹		Court dispositions			
							Dismissed, acquitted ²		Convicted	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2019 ^a	110,002	100.0	2,661	2.4	17,428	15.8	14,711	13.4	75,202	68.4
2018.....	215,283	100.0	6,524	3.0	40,099	18.6	27,154	12.6	141,506	65.7
2017.....	218,933	100.0	7,910	3.6	39,815	18.2	26,678	12.2	144,530	66.0
2016.....	207,022	100.0	7,058	3.4	36,588	17.7	25,961	12.5	137,415	66.4
2015.....	242,460	100.0	7,537	3.1	38,733	16.0	33,908	14.0	162,282	66.9
2014 ^b	315,782	100.0	10,227	3.2	48,235	15.3	39,632	12.6	217,688	68.9
2013.....	305,503	100.0	10,525	3.4	45,273	14.8	36,315	11.9	213,390	69.8
2012.....	295,465	100.0	9,572	3.2	48,029	16.3	35,451	12.0	202,413	68.5
2011.....	292,231	100.0	9,780	3.3	45,988	15.7	40,642	13.9	195,821	67.0
2010.....	298,647	100.0	9,980	3.3	46,054	15.4	40,793	13.7	201,820	67.6
2009.....	306,170	100.0	9,894	3.2	43,317	14.1	45,000	14.7	207,959	67.9
2008.....	325,241	100.0	9,435	2.9	41,610	12.8	46,485	14.3	227,711	70.0
2007.....	332,647	100.0	10,273	3.1	42,632	12.8	48,728	14.6	231,014	69.4
2006.....	319,818	100.0	9,107	2.8	42,506	13.3	46,456	14.5	221,749	69.3
2005.....	319,587	100.0	10,114	3.2	39,034	12.2	43,638	13.7	226,801	71.0
2004.....	345,415	100.0	10,721	3.1	43,179	12.5	48,150	13.9	243,365	70.5
2003.....	316,377	100.0	10,352	3.3	42,922	13.6	45,775	14.5	217,328	68.7
2002.....	287,499	100.0	11,195	3.9	39,833	13.9	41,020	14.3	195,451	68.0
2001.....	271,992	100.0	11,248	4.1	39,414	14.5	37,703	13.9	183,627	67.5
2000.....	267,512	100.0	7,698	2.9	37,152	13.9	36,576	13.7	186,086	69.6
1999.....	278,715	100.0	9,616	3.5	40,217	14.4	36,004	12.9	192,878	69.2
1998.....	314,483	100.0	13,880	4.4	42,763	13.6	39,866	12.7	217,974	69.3
1997.....	326,768	100.0	14,289	4.4	47,829	14.6	42,842	13.1	221,808	67.9
1996.....	328,168	100.0	12,802	3.9	47,941	14.6	43,566	13.3	223,859	68.2
1995.....	345,125	100.0	15,100	4.4	45,877	13.3	45,838	13.3	238,310	69.1
1994.....	342,321	100.0	16,713	4.9	44,791	13.1	45,108	13.2	235,709	68.9
1993.....	345,469	100.0	16,464	4.8	44,512	12.9	43,157	12.5	241,336	69.9
1992.....	284,810	100.0	12,273	4.3	32,284	11.3	40,134	14.1	200,119	70.3
1991.....	303,707	100.0	20,222	6.7	45,756	15.1	42,002	13.8	195,727	64.4
1990.....	258,734	100.0	15,444	6.0	33,503	12.9	40,444	15.6	169,343	65.5
1989.....	275,151	100.0	20,773	7.5	45,682	16.6	41,069	14.9	167,627	60.9
1988.....	265,990	100.0	19,230	7.2	51,222	19.3	41,867	15.7	153,671	57.8
1987.....	270,496	100.0	21,019	7.8	52,464	19.4	43,413	16.0	153,600	56.8
1986.....	258,832	100.0	22,773	8.8	47,807	18.5	39,962	15.4	148,290	57.3
1985.....	240,978	100.0	23,003	9.5	39,732	16.5	37,710	15.6	140,533	58.3
1984.....	210,398	100.0	20,180	9.6	35,498	16.9	34,453	16.4	120,267	57.2
1983.....	201,158	100.0	19,006	9.4	37,215	18.5	33,284	16.5	111,653	55.5
1982.....	203,805	100.0	20,895	10.3	37,010	18.2	34,457	16.9	111,443	54.7

Source: Data extracted from the California Department of Justice Criminal History System. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.

Notes: This table presents the number and type of final dispositions and sentences for felony arrests reported to the California Department of Justice by law enforcement agencies, district attorneys, and courts. Caution should be used when interpreting this information because arrests and dispositions are underreported. It should also be noted that approximately 0.9% of the adult felony convictions contained in these data represent a disposition that the California Department of Justice was unable to positively link to a criminal record; accordingly, an arrest event was created based solely upon the disposition information provided. There is no way for the California Department of Justice to estimate the exact percentage of underreported dispositions. The nature, extent, and reasons for this underreporting vary from agency to agency and from year to year. Percentages may not add to subtotals or 100.0 because of rounding.

^a In 2019, there was a decrease in the number of final dispositions and sentences for felony adult arrests reported to the California Department of Justice.

^b In November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. Caution should be used when comparing felony arrest disposition data to prior years.

¹ The "prosecution rejections and resolutions" category includes single complaints, combined cases, and petitions to revoke probation.

² The "dismissed, acquitted" category includes diversions that have been dismissed.

Table 38A
DISPOSITIONS OF ADULT FELONY ARRESTS, 2014-2019
 By Type of Disposition and Sentence

Type of disposition and sentence	2014 ^a		2015		2016		2017		2018		2019 ^b	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total.....	315,782	100.0	242,460	100.0	207,022	100.0	218,933	100.0	215,283	100.0	110,002	100.0
Law enforcement releases (PC 849(b)).....	10,227	3.2	7,537	3.1	7,058	3.4	7,910	3.6	6,524	3.0	2,661	2.4
Complainant refuses to prosecute.....	53	0.0	50	0.0	42	0.0	57	0.0	36	0.0	14	0.0
Arrestee exonerated.....	79	0.0	62	0.0	31	0.0	44	0.0	38	0.0	14	0.0
Further investigation.....	354	0.1	179	0.1	335	0.2	328	0.1	303	0.1	58	0.1
Admissible evidence insufficient.....	602	0.2	524	0.2	561	0.3	648	0.3	534	0.2	181	0.2
Ascertained evidence insufficient.....	264	0.1	283	0.1	607	0.3	665	0.3	270	0.1	9	0.0
Other ¹	8,865	2.8	6,420	2.6	5,472	2.6	6,156	2.8	5,334	2.5	2,383	2.2
Unspecified.....	10	0.0	19	0.0	10	0.0	12	0.0	9	0.0	2	0.0
Prosecution rejections and resolutions.....	48,235	15.3	38,733	16.0	36,588	17.7	39,815	18.2	40,099	18.6	17,428	15.8
Lack of corpus.....	881	0.3	698	0.3	471	0.2	490	0.2	421	0.2	201	0.2
Lack of sufficient evidence.....	27,475	8.7	22,742	9.4	21,973	10.6	24,140	11.0	24,200	11.2	9,743	8.9
Inadmissible search and seizure.....	1,426	0.5	612	0.3	542	0.3	474	0.2	632	0.3	282	0.3
Victim unavailable/ decline to testify.....	1,894	0.6	1,662	0.7	1,468	0.7	1,718	0.8	1,640	0.8	798	0.7
Witness unavailable/ decline to testify.....	218	0.1	161	0.1	197	0.1	184	0.1	115	0.1	36	0.0
Combined with other counts/cases.....	463	0.1	623	0.3	417	0.2	491	0.2	389	0.2	155	0.1
Interest of justice.....	3,254	1.0	2,508	1.0	2,424	1.2	2,811	1.3	3,299	1.5	855	0.8
Deferred to revocation of parole.....	395	0.1	204	0.1	175	0.1	164	0.1	153	0.1	102	0.1
Prosecutor pre-filing deferral/diversion.....	710	0.2	451	0.2	542	0.3	644	0.3	578	0.3	137	0.1
Probation revocation in lieu of filing.....	1,573	0.5	773	0.3	557	0.3	366	0.2	266	0.1	128	0.1
Other ²	9,946	3.1	8,299	3.4	7,822	3.8	8,333	3.8	8,406	3.9	4,991	4.5
Court dispositions.....	257,320	81.5	196,190	80.9	163,376	78.9	171,208	78.2	168,660	78.3	89,913	81.7
Dismissed.....	36,953	11.7	30,657	12.6	24,165	11.7	25,381	11.6	26,143	12.1	14,406	13.1
Divisions dismissed.....	2,294	0.7	2,686	1.1	1,309	0.6	806	0.4	500	0.2	57	0.1
Acquitted.....	385	0.1	565	0.2	487	0.2	491	0.2	511	0.2	248	0.2
Convicted.....	217,688	68.9	162,282	66.9	137,415	66.4	144,530	66.0	141,506	65.7	75,202	68.4
Sentence												
Death.....	13	0.0	14	0.0	9	0.0	11	0.0	5	0.0	3	0.0
State institutions ³	32,212	10.2	27,711	11.4	25,434	12.3	28,333	12.9	28,414	13.2	12,954	11.8
Probation.....	31,812	10.1	15,616	6.4	11,848	5.7	11,465	5.2	10,656	4.9	5,336	4.9
Probation with jail.....	121,171	38.4	95,314	39.3	78,273	37.8	80,995	37.0	80,929	37.6	45,288	41.2
Jail.....	26,196	8.3	19,306	8.0	17,413	8.4	18,633	8.5	17,931	8.3	9,255	8.4
Fine.....	2,382	0.8	1,720	0.7	1,410	0.7	1,421	0.6	1,320	0.6	686	0.6
Other ⁴	3,902	1.2	2,601	1.1	3,028	1.5	3,672	1.7	2,251	1.0	1,680	1.5

Source: Data extracted from the California Department of Justice Criminal History System. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.

Notes: This table presents the number and type of final dispositions and sentences for felony arrests reported to the California Department of Justice by law enforcement agencies, district attorneys, and courts. Caution should be used when interpreting this information because arrests and dispositions are underreported. It should also be noted that approximately 0.9% of the adult felony convictions contained in these data represent a disposition that the California Department of Justice was unable to positively link to a criminal record; accordingly, an arrest event was created based solely upon the disposition information provided. There is no way for the California Department of Justice to estimate the exact percentage of underreported dispositions. The nature, extent, and reasons for this underreporting vary from agency to agency and from year to year. Percentages may not add to subtotals or 100.0 because of rounding.

^a In November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. Caution should be used when comparing felony arrest disposition data to prior years.

^b In 2019, there was a decrease in the number of final dispositions and sentences for felony adult arrests reported to the California Department of Justice.

¹ The "other" category includes release due to delay, subject reported deceased, handled administratively, Penal Code section 849(b)(2) - intoxication only, and Penal Code section 849(b)(3) - under the influence of a controlled substance and delivered to a treatment facility.

² The "other" category includes rejection due to continuing investigations and due process or jurisdictional considerations.

³ The "state institutions" category includes sentences to prison, California Rehabilitation Center, and the Division of Juvenile Justice.

⁴ The "other" category includes no sentence given, sentence suspended, and sentence stayed.

Table 38B
DISPOSITIONS OF ADULT FELONY ARRESTS, 2014-2019
 By Type of Disposition and Sentence
 Percent Distribution of Court Dispositions

Type of disposition and sentence	2014 ^a		2015		2016		2017		2018		2019 ^b	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total.....	315,782		242,460		207,022		218,933		215,283		110,002	
Law enforcement releases (PC 849(b)).....	10,227		7,537		7,058		7,910		6,524		2,661	
Complainant refuses to prosecute.....	53		50		42		57		36		14	
Arrestee exonerated.....	79		62		31		44		38		14	
Further investigation.....	354		179		335		328		303		58	
Admissible evidence insufficient.....	602		524		648		561		534		181	
Ascertained evidence insufficient.....	264		283		607		665		270		9	
Other ^c	8,865		6,420		5,472		6,156		5,334		2,383	
Unspecified.....	10		19		10		12		9		2	
Prosecution rejections and resolutions.....	48,235		38,733		36,588		39,815		40,099		17,428	
Lack of corpus.....	881		698		471		490		421		201	
Lack of sufficient evidence.....	27,475		22,742		21,973		24,140		24,200		9,743	
Inadmissible search and seizure.....	1,426		612		542		474		632		282	
Victim unavailable/ decline to testify.....	1,894		1,662		1,468		1,718		1,640		798	
Witness unavailable/ decline to testify.....	218		161		197		184		115		36	
Combined with other counts/cases.....	463		623		417		491		389		155	
Interest of justice.....	3,254		2,508		2,424		2,811		3,299		855	
Deferred to revocation of parole.....	395		204		175		164		153		102	
Prosecutor preflight deferral/diversion.....	710		451		542		644		578		137	
Probation revocation in lieu of filing.....	1,573		773		557		366		266		128	
Other ^d	9,946		8,299		7,822		8,333		8,406		4,991	
Court dispositions.....	257,320	100.0	196,190	100.0	163,376	100.0	171,208	100.0	168,660	100.0	89,913	100.0
Dismissed.....	36,953	14.4	30,657	15.6	24,165	14.8	25,381	14.8	26,143	15.5	14,406	16.0
Diversions dismissed.....	2,294	0.9	2,686	1.4	1,309	0.8	806	0.5	500	0.3	57	0.1
Acquitted.....	385	0.1	565	0.3	487	0.3	491	0.3	511	0.3	248	0.3
Convicted.....	217,688	84.6	162,282	82.7	137,415	84.1	144,530	84.4	141,506	83.9	75,202	83.6
Sentence												
Death.....	13	0.0	14	0.0	9	0.0	11	0.0	5	0.0	3	0.0
State institutions ³	32,212	12.5	27,711	14.1	25,434	15.6	28,333	16.5	28,414	16.8	12,954	14.4
Probation.....	31,812	12.4	15,616	8.0	11,848	7.3	11,465	6.7	10,656	6.3	5,336	5.9
Probation with jail.....	121,171	47.1	95,314	48.6	78,273	47.9	80,995	47.3	80,929	48.0	45,288	50.4
Jail.....	26,196	10.2	19,306	9.8	17,413	10.7	18,633	10.9	17,931	10.6	9,255	10.3
Fine.....	2,382	0.9	1,720	0.9	1,410	0.9	1,421	0.8	1,320	0.8	686	0.8
Other ⁴	3,902	1.5	2,601	1.3	3,028	1.9	3,672	2.1	2,251	1.3	1,680	1.9

Source: Data extracted from the California Department of Justice Criminal History System. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.
 Notes: This table presents the number and type of final dispositions and sentences for felony arrests reported to the California Department of Justice by law enforcement agencies, district attorneys, and courts. Caution should be used when interpreting this information because arrests and dispositions are underreported. It should also be noted that approximately 0.9% of the adult felony convictions contained in these data represent a disposition that the California Department of Justice was unable to positively link to a criminal record; accordingly, an arrest event was created based solely upon the disposition information provided. There is no way for the California Department of Justice to estimate the exact percentage of underreported dispositions. The nature, extent, and reasons for this underreporting vary from agency to agency and from year to year. Percentages may not add to subtotals or 100.0 because of rounding.

^a In November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. Caution should be used when comparing felony arrest disposition data to prior years.
^b In 2019, there was a decrease in the number of final dispositions and sentences for felony adult arrests reported to the California Department of Justice.
¹ The "other" category includes release due to delay, subject reported deceased, handled administratively, Penal Code section 849(b)(2) - intoxication only, and Penal Code section 849(b)(3) - under the influence of a controlled substance and delivered to a treatment facility.
² The "other" category includes rejection due to continuing investigations and due process or jurisdictional considerations.
³ The "state institutions" category includes sentences to prison, California Rehabilitation Center, and the Division of Juvenile Justice.
⁴ The "other" category includes no sentence given, sentence suspended, and sentence stayed.

Table 39
DISPOSITIONS OF ADULT FELONY ARRESTS, 2019
 Arrest Offense Category by Type of Disposition

Type of disposition	Total		Violent offenses ¹		Property offenses ²		Drug offenses		All other	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total.....	110,002	100.0	39,213	100.0	31,752	100.0	13,831	100.0	25,206	100.0
Law enforcement releases.....	2,661	2.4	980	2.5	753	2.4	480	3.5	448	1.8
Prosecution rejections and resolutions ³	17,428	15.8	9,802	25.0	3,480	11.0	1,226	8.9	2,920	11.6
Dismissed, acquitted ⁴	14,711	13.4	4,865	12.4	3,833	12.1	2,522	18.2	3,491	13.8
Convicted.....	75,202	68.4	23,566	60.1	23,686	74.6	9,603	69.4	18,347	72.8

Source: Data extracted from the California Department of Justice Criminal History System. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.

Notes: This table presents the number and type of final dispositions and sentences for felony arrests reported to the California Department of Justice by law enforcement agencies, district attorneys, and courts. Caution should be used when interpreting this information because arrests and dispositions are underreported.

It should also be noted that approximately 0.9% of the adult felony convictions contained in these data represent a disposition that the California Department of Justice was unable to positively link to a criminal record; accordingly, an arrest event was created based solely upon the disposition information provided. There is no way for the California Department of Justice to estimate the exact percentage of underreported dispositions. The nature, extent, and reasons for this underreporting vary from agency to agency and from year to year.

¹ Percentages may not add to subtotals or 100.0 because of rounding.

² Violent offenses include homicide, rape, robbery, assault, and kidnapping.

³ Property offenses include burglary; theft, motor vehicle theft; forgery, check, and access card offenses; and arson.

⁴ The "prosecution rejections and resolutions" category includes single complaints, combined cases, and petitions to revoke probation.

⁵ The "dismissed, acquitted" category includes diversions that have been dismissed.

Table 40
ADULT FELONY ARRESTEES CONVICTED, 2014-2019
 By Convicted Offense Category and Type of Sentence

Convicted offense category and type of sentence	2014 ^a		2015		2016		2017		2018		2019 ^b	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total convictions.....	217,688	100.0	162,282	100.0	137,415	100.0	144,530	100.0	141,506	100.0	75,202	100.0
Total												
Type of sentence												
State institutions ¹	32,225	14.8	27,725	17.1	25,443	18.5	28,344	19.6	28,419	20.1	12,957	17.2
Probation ²	38,096	17.5	19,937	12.3	16,286	11.9	16,558	11.5	14,227	10.1	7,702	10.2
Probation with jail.....	121,171	55.7	95,314	58.7	78,273	57.0	80,995	56.0	80,929	57.2	45,288	60.2
Jail.....	26,196	12.0	19,306	11.9	17,413	12.7	18,633	12.9	17,931	12.7	9,255	12.3
Convicted offense category and type of sentence												
Violent offenses ³	38,943	100.0	39,470	100.0	34,721	100.0	37,020	100.0	37,647	100.0	19,025	100.0
State institutions ¹	9,576	24.6	9,728	24.6	8,847	25.5	9,560	25.8	9,770	26.0	4,296	22.6
Probation ²	2,717	7.0	3,004	7.6	2,974	8.6	3,127	8.4	2,906	7.7	1,575	8.3
Probation with jail.....	24,031	61.7	24,354	61.7	20,539	59.2	21,800	58.9	22,436	59.6	11,931	62.7
Jail.....	2,619	6.7	2,384	6.0	2,361	6.8	2,533	6.8	2,535	6.7	1,223	6.4
Property offenses ⁴	53,337	100.0	37,154	100.0	33,095	100.0	35,011	100.0	34,087	100.0	18,710	100.0
State institutions ¹	7,008	13.1	5,459	14.7	5,231	15.8	5,825	16.6	5,566	16.3	2,721	14.5
Probation ²	4,598	8.6	3,437	9.3	3,150	9.5	3,494	10.0	3,000	8.8	1,713	9.2
Probation with jail.....	33,663	63.1	23,021	62.0	19,922	60.2	20,717	59.2	20,542	60.3	11,925	63.7
Jail.....	8,068	15.1	5,237	14.1	4,792	14.5	4,975	14.2	4,979	14.6	2,351	12.6
Drug offenses.....	67,699	100.0	32,121	100.0	22,518	100.0	21,053	100.0	17,923	100.0	9,999	100.0
State institutions ¹	5,596	8.3	2,680	8.3	2,304	10.2	2,419	11.5	2,329	13.0	1,126	11.3
Probation ²	22,443	33.2	5,882	18.3	3,658	16.2	3,253	15.5	2,396	13.4	1,282	12.8
Probation with jail.....	30,647	45.3	17,278	53.8	11,558	51.3	10,019	47.6	8,577	47.9	5,080	50.8
Jail.....	9,013	13.3	6,281	19.6	4,998	22.2	5,362	25.5	4,621	25.8	2,511	25.1
All other offenses.....	57,709	100.0	53,537	100.0	47,081	100.0	51,446	100.0	51,849	100.0	27,468	100.0
State institutions ¹	10,045	17.4	9,858	18.4	9,061	19.2	10,540	20.5	10,754	20.7	4,814	17.5
Probation ²	8,338	14.4	7,614	14.2	6,504	13.8	6,684	13.0	5,925	11.4	3,132	11.4
Probation with jail.....	32,830	56.9	30,661	57.3	26,254	55.8	28,459	55.3	29,374	56.7	16,352	59.5
Jail.....	6,496	11.3	5,404	10.1	5,262	11.2	5,763	11.2	5,796	11.2	3,170	11.5

Source: Data extracted from the California Department of Justice Criminal History System. For additional information, see Understanding the Data, Data Characteristics and Known Limitations.

Notes: This table presents the number and type of final dispositions and sentences for felony arrests reported to the California Department of Justice by law enforcement agencies, district attorneys, and courts. Caution should be used when interpreting this information because arrests and dispositions are underreported. It should also be noted that approximately 0.9% of the adult felony convictions contained in these data represent a disposition that the California Department of Justice was unable to positively link to a criminal record, accordingly, an arrest event was created based solely upon the disposition information provided. There is no way for the California Department of Justice to estimate the exact percentage of underreported dispositions. The nature, extent, and reasons for this underreporting vary from agency to agency and from year to year.

Data include convictions for both misdemeanors and felonies.

Percentages may not add to subtotals or 100.0 because of rounding.

^a In November 2014, California voters passed Proposition 47 which reduced some felony offenses to misdemeanors. Caution should be used when comparing felony arrest disposition data to prior years.

^b In 2019, there was a decrease in the number of final dispositions and sentences for felony adult arrests reported to the California Department of Justice.

¹ The "state institutions" category includes sentences to death, prison, California Rehabilitation Center (civil addict), and the Division of Juvenile Justice.

² The "probation" category includes straight probation, fine, and other (no sentence given, sentence suspended, and sentence stayed).

³ Violent offenses include homicide, rape, robbery, assault, and kidnapping.

⁴ Property offenses include burglary, theft, motor vehicle theft, forgery, check, and access card offenses; and arson.

Table 41
ADULTS ON ACTIVE PROBATION AS OF DECEMBER 31, 1966-2019
 By Level of Offense

Year(s)	Total		Felony offense		Misdemeanor offense	
	Number	Percent	Number	Percent	Number	Percent
2019.....	199,313	100.0	161,120	80.8	38,193	19.2
2018 ^a	209,763	100.0	166,745	79.5	43,018	20.5
2017.....	233,046	100.0	183,623	78.8	49,423	21.2
2016 ^b	239,735	100.0	190,686	79.5	49,049	20.5
2015.....	263,531	100.0	221,243	84.0	42,288	16.0
2014 ^{c,d}	285,681	100.0	244,122	85.5	41,559	14.5
2013.....	296,964	100.0	254,106	85.6	42,858	14.4
2012.....	294,993	100.0	249,173	84.5	45,820	15.5
2011.....	297,917	100.0	247,770	83.2	50,147	16.8
2010.....	311,692	100.0	255,006	81.8	56,686	18.2
2009.....	331,270	100.0	266,249	80.4	65,021	19.6
2008.....	341,584	100.0	269,023	78.8	72,561	21.2
2007.....	347,199	100.0	269,384	77.6	77,815	22.4
2006.....	346,495	100.0	268,828	77.6	77,667	22.4
2005.....	344,442	100.0	263,911	76.6	80,531	23.4
2004.....	341,214	100.0	257,043	75.3	84,171	24.7
2003.....	352,449	100.0	252,530	71.7	99,919	28.3
2002.....	336,740	100.0	239,618	71.2	97,122	28.8
2001.....	328,540	100.0	235,951	71.8	92,589	28.2
2000.....	333,288	100.0	238,520	71.6	94,768	28.4
1999.....	338,785	100.0	244,460	72.2	94,325	27.8
1998.....	330,945	100.0	233,625	70.6	97,320	29.4
1997.....	302,236	100.0	210,960	69.8	91,276	30.2
1996.....	289,503	100.0	197,862	68.3	91,641	31.7
1995.....	286,986	100.0	193,389	67.4	93,597	32.6
1994.....	285,105	100.0	186,701	65.5	98,404	34.5
1993.....	280,749	100.0	153,278	54.6	127,471	45.4
1992.....	302,754	100.0	148,989	49.2	153,765	50.8
1991.....	315,421	100.0	141,923	45.0	173,498	55.0
1990.....	305,700	100.0	131,277	42.9	174,423	57.1
1989.....	285,018	100.0	117,189	41.1	167,829	58.9
1988.....	265,643	100.0	104,149	39.2	161,494	60.8
1987.....	242,529	100.0	93,699	38.6	148,830	61.4
1986.....	220,614	100.0	87,194	39.5	133,420	60.5
1985.....	210,449	100.0	81,921	38.9	128,528	61.1
1984.....	197,413	100.0	75,562	38.3	121,851	61.7
1983.....	176,555	100.0	72,152	40.9	104,403	59.1
1982.....	157,009	100.0	67,300	42.9	89,709	57.1
1981.....	152,563	100.0	64,632	42.4	87,931	57.6
1980.....	151,382	100.0	61,648	40.7	89,734	59.3
1979.....	150,566	100.0	59,207	39.3	91,359	60.7
1978.....	153,113	100.0	61,371	40.1	91,742	59.9
1977.....	149,587	100.0	61,303	41.0	88,284	59.0
1976.....	152,242	100.0	63,458	41.7	88,784	58.3
1975.....	153,140	100.0	63,753	41.6	89,387	58.4
1974.....	158,887	100.0	71,599	45.1	87,288	54.9
1973.....	150,292	100.0	72,539	48.3	77,753	51.7
1972.....	143,183	100.0	72,757	50.8	70,426	49.2
1971.....	132,078	100.0	68,379	51.8	63,699	48.2
1970.....	117,095	100.0	62,141	53.1	54,954	46.9
1969.....	102,042	100.0	55,124	54.0	46,918	46.0
1968.....	93,282	100.0	46,263	49.6	47,019	50.4
1967.....	83,517	100.0	39,474	47.3	44,043	52.7
1966.....	80,645	100.0	36,053	44.7	44,592	55.3

Note: These data include adults placed on supervised probation only. Data are limited to original grants of probation and do not include subsequent grants of probation to persons already under supervised probation in the same county.

^a In 2018, San Joaquin County Probation discovered inaccurate reporting of caseload counts resulting in corrected felony and misdemeanor caseload counts for October.

^b In 2016, Sacramento County Probation discovered inaccurate reporting of caseload counts from 2013-2015 resulting in a corrected beginning felony caseload count for 2016.

^c In November 2014, California voters passed Proposition 47 which reduced numerous state statutes from felonies to misdemeanors. Caution should be used when comparing felony and misdemeanor data to prior years.

^d San Bernardino County Probation revised their beginning caseload counts for 2014. The revision resulted in a decrease of almost 9,000 felony cases and an increase of almost 400 misdemeanor cases.

Table 42

ADULTS PLACED ON AND REMOVED FROM PROBATION, 2014-2019

By Level of Offense, Type of Removal, and Rate per 100,000 Population at Risk

Placement and removal by level of offense	2014 ^a		2015		2016		2017		2018		2019		Percent change 2014-2019			
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent		
Placed on probation																
Total.....	169,501	100.0	153,050	100.0	138,876	100.0	137,412	100.0	119,646	100.0	114,802	100.0	114,802	100.0	-32.3	-4.0
Felony offense.....	140,890	83.1	111,689	73.0	104,045	74.9	104,146	75.8	90,836	75.9	89,724	78.2	89,724	78.2	-36.3	-1.2
Misdemeanor offense.....	28,611	16.9	41,361	27.0	34,831	25.1	33,266	24.2	28,810	24.1	25,078	21.8	25,078	21.8	-12.3	-13.0
Rate per 100,000 population at risk ¹ - Placed on probation																
Total.....	648.7		580.4		524.3		517.2		447.8		428.3		428.3		-34.0	-4.4
Felony offense.....	539.2		423.6		392.8		392.0		340.0		334.7		334.7		-37.9	-1.6
Misdemeanor offense.....	109.5		156.9		131.5		125.2		107.8		93.5		93.5		-14.6	-13.3
Removed from probation																
Total.....	163,075	100.0	161,166	100.0	136,166	100.0	133,943	100.0	136,638	100.0	122,539	100.0	122,539	100.0	-24.9	-10.3
Felony offense.....	134,970	82.8	119,320	74.0	103,172	75.8	100,745	75.2	102,212	74.8	93,245	76.1	93,245	76.1	-30.9	-8.8
Misdemeanor offense.....	28,105	17.2	41,846	26.0	32,994	24.2	33,198	24.8	34,426	25.2	29,294	23.9	29,294	23.9	4.2	-14.9
Terminated.....	70,397	43.2	75,165	46.6	58,090	42.7	57,496	42.9	71,869	52.6	57,427	46.9	57,427	46.9	-18.4	-20.1
Felony offense.....	58,865	36.1	53,855	33.4	44,860	32.9	44,151	33.0	52,594	38.5	42,339	34.6	42,339	34.6	-28.1	-19.5
Misdemeanor offense...	11,532	7.1	21,310	13.2	13,230	9.7	13,345	10.0	19,275	14.1	15,088	12.3	15,088	12.3	30.8	-21.7
Revoked.....	62,942	38.6	60,351	37.4	53,388	39.2	52,475	39.2	46,484	34.0	47,892	39.1	47,892	39.1	-23.9	3.0
Felony offense.....	53,060	32.5	46,226	28.7	39,804	29.2	38,759	28.9	35,757	26.2	37,763	30.8	37,763	30.8	-28.8	5.6
Misdemeanor offense...	9,882	6.1	14,125	8.8	13,584	10.0	13,716	10.2	10,727	7.9	10,129	8.3	10,129	8.3	2.5	-5.6
Other ²	29,736	18.2	25,650	15.9	24,688	18.1	23,972	17.9	18,285	13.4	17,220	14.1	17,220	14.1	-42.1	-5.8
Felony offense.....	23,045	14.1	19,239	11.9	18,508	13.6	17,835	13.3	13,861	10.1	13,143	10.7	13,143	10.7	-43.0	-5.2
Misdemeanor offense...	6,691	4.1	6,411	4.0	6,180	4.5	6,137	4.6	4,424	3.2	4,077	3.3	4,077	3.3	-39.1	-7.8
Rate per 100,000 population at risk ¹ - Removed from probation																
Total.....	624.1		611.2		514.1		504.2		511.4		457.1		457.1		-26.8	-10.6
Terminated.....	269.4		285.1		219.3		216.4		269.0		214.2		214.2		-20.5	-20.4
Revoked.....	240.9		228.9		201.6		197.5		174.0		178.7		178.7		-25.8	2.7
Other.....	113.8		97.3		93.2		90.2		68.4		64.2		64.2		-43.6	-6.1

Notes: Rates and percentages may not add to subtotals, total, or 100.0 because of rounding.

These data include adults placed on supervised probation only. Data are limited to original grants of probation and do not include subsequent grants of probation to persons already under supervised probation in the same county.

Rates per 100,000 population at risk for 2015 and 2017 will not match previously published data.

^a In November 2014, California voters passed Proposition 47 which reduced numerous state statutes from felonies to misdemeanors. Caution should be used when comparing felony and misdemeanor data to prior years.

¹ Rates are based on the adult population at risk (18-69 years of age) for each year (see Table 52).

² "Other" includes transfer of jurisdiction from one county to another, death, sentence vacated, successful appeal, deportation, etc.

Table 43
CRIMINAL JUSTICE FULL-TIME PERSONNEL, 1969-2019
 By Type of Agency

Year(s)	Total personnel	Law enforcement	Prosecution ¹	Public defense	Probation
2019.....	154,352	121,163	10,500	4,305	18,384
2018.....	153,549	120,005	10,366	4,222	18,956
2017.....	153,431	119,648	10,199	4,200	19,384
2016.....	152,427	119,148	9,918	4,101	19,260
2015.....	151,439	118,309	9,776	4,006	19,348
2014.....	151,178	118,393	9,639	3,977	19,169
2013.....	149,798	117,340	9,429	3,926	19,103
2012.....	149,353	117,238	9,367	3,938	18,810
2011.....	148,772	116,794	9,479	3,914	18,585
2010.....	152,379	118,981	9,852	4,131	19,415
2009.....	157,704	122,042	10,199	4,091	21,372
2008.....	159,156	123,680	10,429	4,320	20,727
2007.....	155,503	121,305	10,179	4,137	19,882
2006.....	149,237	116,128	9,619	3,924	19,566
2005.....	145,435	113,604	9,297	3,791	18,743
2004.....	143,936	112,826	9,166	3,733	18,211
2003.....	147,790	114,945	9,480	3,788	19,577
2002.....	148,208	115,552	10,069	3,773	18,814
2001.....	147,650	108,208	17,296	3,686	18,460
2000.....	142,132	103,579	18,481	3,950	16,122
1999.....	139,304	102,769	16,476	3,857	16,202
1998.....	133,841	98,495	15,876	3,651	15,819
1997.....	129,332	96,322	14,826	3,622	14,562
1996.....	124,090	94,207	12,548	3,533	13,802
1995.....	119,850	91,198	11,998	3,246	13,408
1994.....	115,244	86,933	11,461	3,224	13,626
1993.....	113,287	85,989	10,324	3,278	13,696
1992.....	113,256	87,020	10,272	3,220	12,744
1991.....	115,554	88,628	10,027	3,255	13,644
1990.....	113,440	86,814	9,984	3,104	13,538
1989.....	108,905	83,807	8,955	3,040	13,103
1988.....	96,341	72,586	8,251	2,822	12,682
1987.....	100,117	77,015	8,334	2,390	12,378
1986.....	98,282	75,437	8,470	2,270	12,105
1985.....	95,611	73,582	8,072	2,163	11,794
1984.....	93,912	74,536	7,686	2,013	9,677
1983.....	91,090	72,618	7,460	1,987	9,025
1982.....	89,762	71,352	7,407	1,972	9,031
1981.....	87,993	69,420	7,184	1,929	9,460
1980.....	87,425	67,321	7,272	1,893	10,939
1979.....	83,675	65,120	6,916	1,766	9,873
1978.....	83,715	64,928	6,806	1,782	10,199
1977.....	85,195	65,971	6,809	1,784	10,631
1976.....	82,873	64,060	6,183	1,680	10,950
1975.....	81,105	64,177	4,875	1,574	10,479
1974.....	77,757	62,020	4,352	1,559	9,826
1973.....	74,693	59,697	4,439	1,385	9,172
1972.....	71,483	58,028	3,428	1,236	8,791
1971.....	69,991	57,099	3,227	1,120	8,545
1970.....	66,482	55,320	2,506	929	7,727
1969.....	61,553	51,104	2,786	914	6,749

Note: Personnel in the Department of Justice and state regulatory agencies are not included.

¹ The passage of Assembly Bill 196 required that county-level child support programs, previously administered by district attorneys, be operated by local child support agencies. This accounts for the large decrease in prosecution personnel since 2001.

Table 44
CRIMINAL JUSTICE FULL-TIME PERSONNEL, 2014-2019
 By Type of Agency and Personnel Classification

Type of agency and personnel classification	2014	2015	2016	2017	2018	2019	Percent change	
							2014- 2019	2018- 2019
Total.....	151,178	151,439	152,427	153,431	153,549	154,352	2.1	0.5
Law enforcement.....	118,393	118,309	119,148	119,648	120,005	121,163	2.3	1.0
Prosecution.....	9,639	9,776	9,918	10,199	10,366	10,500	8.9	1.3
Attorneys.....	3,954	3,995	4,014	4,113	4,100	4,048	2.4	-1.3
Investigators.....	1,571	1,650	1,652	1,741	1,676	1,663	5.9	-0.8
Clerical and all other.....	4,114	4,131	4,252	4,345	4,590	4,789	16.4	4.3
Public defense.....	3,977	4,006	4,101	4,200	4,222	4,305	8.2	2.0
Attorneys.....	2,423	2,438	2,483	2,514	2,523	2,549	5.2	1.0
Investigators.....	476	482	486	517	529	527	10.7	-0.4
Clerical and all other.....	1,078	1,086	1,132	1,169	1,170	1,229	14.0	5.0
Probation.....	19,169	19,348	19,260	19,384	18,956	18,384	-4.1	-3.0
Probation officers.....	13,722	13,388	13,412	13,920	12,842	13,442	-2.0	4.7
All other.....	5,447	5,960	5,848	5,464	6,114	4,942	-9.3	-19.2

Sources: Law enforcement, district attorney, public defender, and probation personnel surveys conducted by the Criminal Justice Statistics Center. Law enforcement personnel counts are obtained from a one-day survey taken on October 31st. All other personnel survey counts are taken on June 30th.

Note: Personnel in the Department of Justice and state regulatory agencies are not included.

Table 45
LAW ENFORCEMENT FULL-TIME PERSONNEL, 2014-2019
 By Type of Agency

Type of agency	2014	2015	2016	2017	2018	2019	Percent change	
							2014-2018	2018-2019
Total	118,393	118,309	119,148	119,648	120,005	121,163	2.3	1.0
	Total							
	Sworn and civilian							
Sworn.....	77,139	77,351	77,824	78,715	79,113	79,568	3.1	0.6
Civilian.....	41,254	40,958	41,324	40,933	40,892	41,595	0.8	1.7
	Agency							
Police departments.....	51,500	51,634	52,218	52,530	53,065	53,539	4.0	0.9
Sworn.....	37,214	37,472	37,676	37,964	38,151	38,443	3.3	0.8
Civilian.....	14,286	14,162	14,542	14,566	14,914	15,096	5.7	1.2
Sheriffs' departments.....	52,668	52,593	52,672	52,542	52,310	52,975	0.6	1.3
Sworn.....	30,098	30,080	30,386	30,690	30,796	31,016	3.1	0.7
Civilian.....	22,570	22,513	22,286	21,852	21,514	21,959	-2.7	2.1
California Highway Patrol.....	10,551	10,414	10,591	10,737	10,529	10,529	-0.2	0.0
Sworn.....	7,275	7,226	7,197	7,401	7,286	7,230	-0.6	-0.8
Civilian.....	3,276	3,188	3,394	3,336	3,243	3,299	0.7	1.7
Other law enforcement agencies ¹	3,674	3,668	3,667	3,839	4,101	4,120	12.1	0.5
Sworn.....	2,552	2,573	2,565	2,660	2,880	2,879	12.8	0.0
Civilian.....	1,122	1,095	1,102	1,179	1,221	1,241	10.6	1.6

Source: Law Enforcement Personnel Survey conducted by the Criminal Justice Statistics Center. The one-day survey is taken October 31st.

Note: Personnel in the Department of Justice and state regulatory agencies are not included.

¹ The "other law enforcement agencies" category includes personnel from University of California, State Parks and Recreation, California State University, and Bay Area Rapid Transit.

Table 46
CIVILIANS' COMPLAINTS AGAINST PEACE OFFICERS, 1981-2019
 By Type of Complaint and Level of Criminal Complaint

Year(s)	Total		Non-criminal		Criminal					
	Reported ¹	Sustained	Reported	Sustained	Total		Felony		Misdemeanor	
					Reported	Sustained	Reported	Sustained	Reported	Sustained
2019.....	15,890	1,316	15,025	1,264	865	52	393	13	472	39
2018.....	16,525	1,241	15,635	1,168	890	73	314	13	576	60
2017.....	16,841	1,169	15,946	1,084	895	85	342	22	553	63
2016.....	15,406	1,227	14,360	1,141	1,046	86	379	26	667	60
2015.....	14,402	1,325	13,080	1,195	1,322	130	428	41	894	89
2014.....	15,693	1,288	14,407	1,179	1,286	109	487	40	799	69
2013.....	17,032	1,646	15,815	1,531	1,217	115	461	32	756	83
2012.....	20,363	1,612	18,984	1,456	1,379	156	537	51	842	105
2011.....	18,590	1,724	17,112	1,554	1,478	170	589	58	889	112
2010.....	22,458	2,178	20,715	2,023	1,743	155	573	62	1,170	93
2009.....	22,614	1,844	21,181	1,692	1,433	152	600	51	833	101
2008.....	23,470	1,687	22,330	1,499	1,140	188	621	46	519	142
2007 ^a	24,358	1,735	23,460	1,638	898	97	401	27	497	70
2006.....	21,620	1,688	19,957	1,572	1,663	116	1,122	46	541	70
2005.....	21,653	2,143	19,851	2,020	1,802	123	1,283	37	519	86
2004.....	20,609	2,053	18,782	1,932	1,827	121	1,154	41	673	80
2003.....	20,937	1,992	19,267	1,841	1,670	151	1,035	47	635	104
2002.....	21,970	2,574	20,259	2,405	1,711	169	1,015	61	696	108
2001.....	22,455	2,688	20,377	2,523	2,078	165	1,373	52	705	113
2000.....	23,395	2,395	21,470	2,166	1,925	229	1,217	54	708	175
1999.....	19,034	2,549	17,802	2,307	1,232	242	604	94	628	148
1998.....	17,483	2,706	15,902	2,433	1,581	273	890	115	691	158
1997.....	16,966	2,458	15,702	2,240	1,264	218	601	75	663	143
1996.....	19,376	2,728	17,865	2,439	1,511	289	646	93	865	196
1995.....	19,233	3,340	17,470	2,968	1,763	372	798	152	965	220
1994.....	19,629	2,860	18,291	2,576	1,338	284	490	101	848	183
1993.....	18,931	2,555	17,070	2,315	1,861	240	739	97	1,122	143
1992.....	17,468	2,769	15,723	2,459	1,745	310	782	110	963	200
1991.....	16,467	2,632	15,063	2,377	1,404	255	544	89	860	166
1990.....	14,755	2,754	13,343	2,459	1,412	295	493	86	919	209
1989.....	14,855	2,759	13,388	2,491	1,467	268	603	98	864	170
1988.....	13,817	2,438	12,363	2,148	1,454	290	605	115	849	175
1987.....	14,180	2,244	13,334	2,077	846	167	251	57	595	110
1986.....	12,811	2,412	12,083	2,252	728	160	245	49	483	111
1985.....	13,999	2,839	13,172	2,593	827	246	290	97	537	149
1984.....	12,875	2,357	12,137	2,204	738	153	223	49	515	104
1983.....	12,008	2,353	11,321	2,194	687	159	228	75	459	84
1982.....	11,599	2,092	10,156	1,854	1,443	238	322	40	1,121	198
1981.....	8,686	1,552	8,081	1,450	605	102	188	42	417	60

Source: Civilians' Complaints Against Peace Officer counts are obtained from an annual survey conducted in January of the following statistical year.
 Notes: Data collection began in 1981.
 Because of the individual nature of the requirements of Penal Code section 832.5(e), reporting definitions and procedures vary among reporting agencies.
¹ Based on a survey conducted in 2004, it is estimated that complaints from inmates in prisons and jails may constitute approximately one-third of all complaints reported by law enforcement agencies.
^a The increase in the number of reported non-criminal complaints and the decrease in the number of reported felony complaints result from reporting-policy changes made by two law enforcement agencies.

Table 47
CIVILIANS' COMPLAINTS AGAINST PEACE OFFICERS, 2019
 By Type of Complaint by Finding

Type of complaint	Reported	Sustained	Exonerated	Not sustained	Unfounded	Pending
Total complaints	15,890	1,316	3,599	3,370	5,068	5,043
Non criminal.....	15,025	1,264	3,435	3,289	4,492	4,619
Misdemeanor.....	472	39	109	45	376	231
Felony.....	393	13	55	36	200	193
Local detention facility complaints						
Total detention facility complaints	2,584	86	671	297	911	1,048
Non criminal.....	2,374	83	619	287	693	929
Misdemeanor.....	95	2	23	7	125	53
Felony.....	115	1	29	3	93	66
Profiling complaints						
Total profiling complaints	1,427	27	228	232	786	526
Race/ethnicity.....	1,187	13	170	140	659	487
Nationality.....	44	1	7	4	23	9
Gender.....	66	1	12	10	53	10
Age.....	46	1	7	3	28	6
Religion.....	47	0	10	10	29	4
Gender identity/expression.....	47	2	5	15	22	9
Sexual orientation.....	77	5	18	24	32	9
Mental disability.....	84	1	17	7	53	9
Physical disability.....	103	0	20	26	41	13

Source: Civilians' Complaints Against Peace Officer counts are obtained from an annual survey conducted in January of the following statistical year.
 Notes: Expanded categories of complaint findings and profiling data collection began in 2016 as a result of the passage of Assembly Bill 953 (2015).
 Reporting agencies may use more findings than those captured on the annual survey. Complaints reported in previous years may be finalized and their findings reported in subsequent years. Consequently, the sum of the findings may not add up to the total reported.
 More than one type of profiling complaint can be reported per citizen complaint. Consequently, the total number of profiling complaints is less than the sum of the types of complaints.
 Because of the individual nature of the requirements of Penal Code section 832.5(a), reporting definitions and procedures vary among reporting agencies.
 The data collected under Penal Code section 13012(e) are accurate and complete to the extent that the contributing agencies met reporting obligations.

Table 48
DOMESTIC VIOLENCE-RELATED CALLS FOR ASSISTANCE, 1986-2019
 By Type of Call and Weapon

Year(s)	Total calls		Type of weapon ¹					Total strangulation and suffocation ⁴			
	Total	Cases without a weapon	Cases involving a weapon	Firearm	Knife or cutting instrument	Other dangerous weapon	Personal weapon ²	Not reported ³	Total	Cases with strangulation	Cases with suffocation
2019.....	161,123	85,995	75,128	1,388	3,280	10,935	59,525	0	8,552	7,820	732
2018.....	166,890	90,183	76,707	1,383	3,370	11,481	60,473	0	7,531	7,029	502
2017.....	169,362	94,260	75,102	1,429	3,418	11,762	58,493	0	-	-	-
2016.....	164,569	93,783	70,786	1,281	3,357	11,059	55,089	0	-	-	-
2015.....	162,302	93,717	68,585	905	3,122	9,916	54,642	0	-	-	-
2014.....	155,965	89,320	66,645	813	2,911	9,910	53,011	0	-	-	-
2013.....	151,325	89,121	62,204	754	2,901	9,090	49,459	0	-	-	-
2012.....	157,634	94,085	63,549	804	3,009	9,303	50,433	0	-	-	-
2011.....	158,548	96,615	61,933	975	3,061	9,014	48,879	4	-	-	-
2010.....	166,361	100,496	65,865	867	2,991	9,895	52,112	0	-	-	-
2009.....	167,087	99,385	67,702	819	3,219	10,172	53,492	0	-	-	-
2008.....	166,343	101,124	65,219	940	3,258	10,006	51,015	0	-	-	-
2007.....	174,649	105,227	69,422	1,027	3,442	10,940	54,013	0	-	-	-
2006.....	176,299	95,353	80,946	1,277	3,662	11,953	64,054	0	-	-	-
2005.....	181,362	88,335	93,027	1,233	3,700	12,867	75,227	0	-	-	-
2004.....	186,439	88,703	97,736	1,193	4,028	13,054	79,461	0	-	-	-
2003.....	194,288	87,557	106,731	1,380	4,027	14,194	87,130	0	-	-	-
2002 ^a	196,569	76,710	119,859	1,528	4,091	15,295	98,945	0	-	-	-
2001.....	198,031	61,665	136,366	1,325	4,213	15,557	115,271	0	-	-	-
2000.....	196,880	61,724	135,156	1,441	4,363	15,048	114,304	0	-	-	-
1999 ^b	186,406	58,611	127,795	1,520	4,237	13,929	108,109	0	-	-	-
1998 ^b	196,832	60,174	136,658	1,921	4,422	15,535	114,780	0	-	-	-
1997 ^b	220,156	64,506	155,650	2,073	5,462	17,502	130,613	0	-	-	-
1996.....	227,899	68,824	159,075	2,327	5,868	16,474	134,406	0	-	-	-
1995 ^c	246,315	72,016	174,299	2,838	6,370	16,385	148,706	0	-	-	-
1994.....	250,439	68,199	182,240	3,089	6,491	16,716	155,944	0	-	-	-
1993.....	238,895	65,635	173,260	2,951	6,273	15,366	148,670	0	-	-	-
1992.....	240,826	65,473	175,353	3,053	6,507	14,518	151,275	0	-	-	-
1991.....	203,638	55,083	148,555	3,129	5,423	12,008	127,958	37	-	-	-
1990.....	195,019	54,079	140,940	2,610	5,417	10,879	117,693	4,341	-	-	-
1989.....	188,581	52,512	136,069	2,730	5,276	9,935	113,907	4,221	-	-	-
1988.....	182,540	54,345	128,195	2,532	5,048	9,634	110,068	913	-	-	-
1987.....	181,112	57,232	123,880	2,704	4,865	8,228	107,055	1,028	-	-	-
1986 ^d	83,661	27,818	55,843	1,255	2,293	4,062	47,778	455	-	-	-

¹ Penal Code section 13730 does not require that the type of weapon involved in a domestic violence-related call be reported.

² Hands, feet, etc.

³ Prior to 1989, the "personal weapon" category was not recognized by all reporting agencies as a type of weapon. When those agencies began reporting personal weapon calls as cases involving weapons, they did not provide the type of weapon designation. This accounts for the large increase in "not reported" weapons in 1989 and 1990.

⁴ Data for cases with strangulation or suffocation are not available prior to 2018. For additional information, See Understanding the Data, Data Characteristics and Known Limitations.

^a In April 2002, law enforcement agencies were instructed to report personal weapons only if the assault resulted in an injury (aggravated assault).

^b The San Francisco Police Department was unable to provide complete data for 1997, and did not report data for 1998 and 1999 because of computer problems.

^c In 1996, this department reported 6,422 domestic violence-related calls for assistance.

^d The Oakland Police Department was unable to provide 1995 data. In 1994, this department reported 5,237 domestic violence-related calls for assistance.

^e Data collection began in July 1986; therefore, only six months of data are available and displayed for 1986.

Table 49
LAW ENFORCEMENT OFFICERS KILLED OR ASSAULTED, 1990-2019
 Deaths and Assaults in the Line of Duty By Type of Activity

Year(s)	Law enforcement officers killed		Law enforcement officers assaulted										All other ²
	Felonious	Accidental	Total	Type of activity							Mentally deranged	Traffic pursuits and stops	
				Responding to disturbance	Crimes in progress ¹	Attempting other arrests	Handling prisoners	Investigating suspicious persons	All other ²				
2019.....	4	1	10,512	3,376	309	1,551	1,472	1,202	355	799	1,448		
2018.....	4	3	11,148	3,578	289	1,617	1,542	1,087	340	852	1,843		
2017.....	2	4	10,770	3,468	313	1,495	1,363	1,133	388	926	1,684		
2016.....	6	4	9,933	3,331	239	1,312	1,333	1,173	316	770	1,459		
2015.....	2	2	9,924	3,154	308	1,345	1,265	1,225	353	704	1,570		
2014.....	5	9	8,998	2,652	198	1,291	1,378	981	276	678	1,544		
2013.....	5	2	8,388	2,680	265	1,177	1,181	924	180	722	1,259		
2012.....	2	0	8,087	2,585	229	1,092	1,112	998	180	674	1,217		
2011.....	2	4	8,424	2,847	227	938	1,138	975	173	738	1,388		
2010.....	4	6	8,426	2,823	220	849	1,380	940	155	766	1,293		
2009.....	4	2	8,996	2,929	211	881	1,594	1,050	183	901	1,247		
2008.....	3	7	8,730	2,658	208	981	1,437	965	185	816	1,480		
2007.....	4	5	8,480	2,492	176	910	1,504	845	246	932	1,375		
2006.....	5	6	7,973	2,394	186	898	1,323	956	184	836	1,196		
2005.....	5	9	8,372	2,399	159	961	1,532	948	178	900	1,295		
2004.....	4	7	8,423	2,491	202	879	1,463	1,092	199	874	1,223		
2003.....	6	11	8,218	2,517	195	755	1,307	1,033	168	919	1,324		
2002.....	4	4	7,768	2,407	189	702	1,214	969	150	856	1,281		
2001.....	6	5	7,748	2,555	180	675	1,171	979	179	933	1,076		
2000.....	2	8	7,921	2,640	233	671	1,043	1,090	152	934	1,158		
1999.....	4	3	6,857	2,253	171	656	979	1,022	133	809	834		
1998.....	7	8	6,823	2,416	153	608	948	1,005	106	784	803		
1997.....	7	6	6,874	2,439	192	783	654	1,017	160	796	833		
1996.....	4	7	6,601	2,265	189	813	715	1,112	98	648	761		
1995.....	10	3	7,088	2,486	175	885	809	1,091	141	760	741		
1994.....	9	4	7,547	2,591	235	1,018	833	965	192	778	935		
1993.....	8	5	7,492	2,514	270	950	868	1,031	105	725	1,029		
1992.....	5	1	8,269	2,637	211	1,326	1,028	997	115	778	1,177		
1991.....	3	1	7,570	2,280	211	1,291	1,038	1,003	70	793	884		
1990.....	5	1	8,806	2,846	207	1,355	1,149	1,206	97	1,001	945		

¹"Crimes in progress" includes burglaries and robberies.

²"All other" includes "civil disorder", "ambush", and other miscellaneous types of activity.

Table 50
LAW ENFORCEMENT OFFICERS ASSAULTED, 2014-2019
 By Type of Weapon and Injury

Type of weapon and injury	2014		2015		2016		2017		2018		2019		Percent change	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	2014-2019	2018-2019
Total.....	8,998	100.0	9,924	100.0	9,933	100.0	10,770	100.0	11,148	100.0	10,512	100.0	16.8	-5.7
Firearm.....	326	3.6	339	3.4	343	3.5	429	4.0	282	2.5	291	2.8	-10.7	3.2
With injury.....	22	0.2	25	0.3	37	0.4	32	0.3	22	0.2	24	0.2	-	-
Without injury.....	304	3.4	314	3.2	306	3.1	397	3.7	260	2.3	267	2.5	-12.2	2.7
Knife/other cutting inst.....	168	1.9	155	1.6	223	2.2	201	1.9	199	1.8	175	1.7	4.2	-12.1
With injury.....	27	0.3	12	0.1	23	0.2	18	0.2	14	0.1	18	0.2	-	-
Without injury.....	141	1.6	143	1.4	200	2.0	183	1.7	185	1.7	157	1.5	11.3	-15.1
Other dangerous weapon.....	1,396	15.5	1,565	15.8	1,504	15.1	1,578	14.7	1,496	13.4	1,533	14.6	9.8	2.5
With injury.....	239	2.7	266	2.7	256	2.6	248	2.3	235	2.1	225	2.1	-5.9	-4.3
Without injury.....	1,157	12.9	1,299	13.1	1,248	12.6	1,330	12.3	1,261	11.3	1,308	12.4	13.1	3.7
Hands, fists, feet.....	7,108	79.0	7,865	79.3	7,863	79.2	8,562	79.5	9,171	82.3	8,513	81.0	19.8	-7.2
With injury.....	2,347	26.1	2,515	25.3	2,514	25.3	2,556	23.7	2,800	25.1	2,669	25.4	13.7	-4.7
Without injury.....	4,761	52.9	5,350	53.9	5,349	53.9	6,006	55.8	6,371	57.1	5,844	55.6	22.7	-8.3

Notes: Percentages may not add to subtotals or 100.0 because of rounding.

Dash indicates that a percent change is not calculated when the base number is less than 50.

Table 51
ANTI-REPRODUCTIVE-RIGHTS CRIMES, 2014-2019
 By Type of Offense, Type of Weapon, Location, and Type of Victim

	2014	2015	2016	2017	2018	2019
Events ¹	2	4	2	10	11	6
Offenses.....	2	5	2	10	11	6
Victims ²	2	5	2	10	11	6
Suspects ³	2	3	1	4	6	5
Type of offense						
Total.....	2	5	2	10	11	6
Arson.....	0	0	1	0	0	0
Assault.....	1	2	0	3	3	2
Burglary.....	0	0	0	0	2	1
Malicious mischief.....	0	1	0	0	0	0
Robbery.....	0	0	0	0	0	1
Theft.....	0	0	0	1	0	0
Trespass.....	0	0	1	0	1	0
Vandalism.....	1	2	0	6	5	2
Type of weapon						
Total.....	2	4	2	10	11	6
Handgun.....	0	0	0	0	0	0
Blunt object.....	0	0	0	0	2	0
Personal weapons ⁴	0	0	0	2	1	2
Other.....	0	0	1	1	0	0
Not applicable ⁵	2	4	1	7	8	4
Location						
Total.....	2	4	2	10	11	6
Residence/home/driveway.....	0	0	0	3	0	0
Public health facility.....	2	1	1	3	9	4
Private health facility.....	0	3	1	2	1	2
Other.....	0	0	0	2	1	0
Type of victim						
Total.....	2	5	2	10	11	6
Individual.....	1	2	0	6	4	3
Client.....	0	0	0	2	0	0
Employee.....	1	0	0	3	1	1
Other.....	0	2	0	1	3	2
Property.....	1	3	2	4	7	3
Business.....	0	2	0	0	3	1
Government.....	0	1	0	0	0	0
Health facility.....	1	0	2	4	4	2

¹ An "event" is an occurrence of one or more criminal offenses committed against one or more victims by one or more suspects/perpetrators.

² A "victim" may be an individual, a reproductive health facility, a religious facility, a residence, etc. A victim can have more than one offense committed against them.

³ Suspect counts only reflect when certain demographics are reported.

⁴ Hands, feet, etc.

⁵ The type of weapon only applies to crimes against persons or in cases involving incendiary devices.

Table 52
POPULATION ESTIMATES, 1966-2019

Year(s)	Total population	Population at risk		
		Total ¹	Adult ²	Juvenile ³
2019.....	39,959,095	30,948,835	26,807,124	4,141,711
2018.....	39,825,181	30,947,933	26,718,187	4,229,746
2017.....	39,613,045	30,771,994	26,566,180	4,205,814
2016.....	39,354,432	30,662,726	26,486,720	4,176,006
2015.....	39,071,323	30,426,258	26,369,040	4,057,218
2014.....	38,499,378	30,190,364	26,129,967	4,060,397
2013.....	38,204,597	29,923,597	25,825,829	4,097,768
2012.....	37,826,160	29,735,335	25,593,235	4,142,100
2011.....	37,578,616	29,556,094	25,352,813	4,203,281
2010.....	37,318,481	29,432,329	25,166,828	4,265,501
2009.....	37,077,204	29,092,061	24,846,056	4,246,005
2008.....	36,856,222	28,869,786	24,483,271	4,386,515
2007.....	36,552,529	28,597,658	24,193,795	4,403,863
2006.....	36,246,822	28,317,290	23,915,923	4,401,367
2005.....	35,985,582	28,066,451	23,678,907	4,387,544
2004.....	35,752,765	27,835,492	23,461,739	4,373,753
2003.....	35,388,928	27,496,472	23,162,159	4,334,313
2002.....	34,938,290	27,091,683	22,826,738	4,264,945
2001.....	34,512,742	26,707,152	22,524,040	4,183,112
2000.....	34,000,835	26,252,783	22,175,874	4,076,909
1999.....	34,036,000	25,711,892	21,855,190	3,856,702
1998.....	33,494,000	25,263,064	21,498,170	3,764,894
1997.....	32,957,000	25,760,375	21,934,916	3,825,459
1996.....	32,383,000	25,554,242	21,825,735	3,728,507
1995.....	32,063,000	25,122,782	21,505,839	3,616,943
1994.....	32,140,000	24,703,379	21,193,571	3,509,808
1993.....	31,742,000	24,334,534	20,923,632	3,410,902
1992.....	31,300,000	23,975,578	20,661,120	3,314,458
1991.....	30,646,000	23,585,168	20,356,984	3,228,184
1990.....	29,557,836	23,178,961	20,027,633	3,151,328
1989.....	28,771,207	22,524,392	19,451,763	3,072,629
1988.....	28,060,746	21,969,953	18,885,349	3,084,604
1987.....	27,388,477	21,483,563	18,378,758	3,104,805
1986.....	26,741,621	21,009,362	17,903,122	3,106,240
1985.....	26,112,632	20,563,314	17,468,941	3,094,373
1984.....	25,587,254	20,167,923	17,083,479	3,084,444
1983.....	25,075,581	19,860,746	16,763,095	3,097,651
1982.....	24,546,566	19,510,945	16,415,571	3,095,374
1981.....	24,038,711	19,172,812	16,082,355	3,090,457
1980.....	23,668,145	18,824,197	15,778,999	3,045,198
1979.....	23,255,000	18,371,691	15,323,376	3,048,315
1978.....	22,839,000	18,012,901	14,916,032	3,096,869
1977.....	22,350,000	17,619,453	14,470,680	3,148,773
1976.....	21,935,000	17,269,884	14,080,872	3,189,012
1975.....	21,537,000	16,914,556	13,694,793	3,219,763
1974.....	21,173,000	16,563,671	13,339,906	3,223,765
1973.....	20,868,000	16,237,031	13,031,007	3,206,024
1972.....	20,585,000	15,926,249	12,758,809	3,167,440
1971.....	20,346,000	15,657,238	12,542,795	3,114,443
1970.....	20,039,000	15,378,312	12,339,580	3,038,732
1969.....	19,856,000	14,697,200	11,657,600	3,039,600
1968.....	19,554,000	14,379,400	11,403,700	2,975,700
1967.....	19,478,000	14,065,700	11,159,800	2,905,900
1966.....	19,132,000	13,696,700	10,872,500	2,824,200

Source: Population estimates were provided by the Demographic Research Unit, California Department of Finance (Jan 2020).

¹ Total population at risk: 10-69 years of age.

² Adult population at risk: 18-69 years of age.

³ Juvenile population at risk: 10-17 years of age.

Appendix 1

Computational Formulas

CRIMES

Crime rate – A crime rate describes the number of crimes reported to law enforcement agencies for every 100,000 persons within a population. A crime rate is calculated by dividing the number of reported crimes by the total population. The result is then multiplied by 100,000. For example, in 2019 there were 52,050 robberies in California and the population was 39,959,095. This equals a robbery crime rate of 130.3 per 100,000.

$$\frac{52,050}{39,959,095} = 0.0013026 \times 100,000 = 130.3 \text{ per } 100,000$$

Clearance rate – A clearance rate describes the percentage of clearances reported to the number of crimes reported. A clearance rate is calculated by dividing the number of clearances by the number of crimes reported. The result is multiplied by 100. For example, in 2019 there were 1,084 clearances for homicide crimes and 1,679 homicides reported. This equals a homicide clearance rate of 64.6 percent.

$$\frac{1,084}{1,679} = 0.64562 \times 100 = 64.6 \text{ percent}$$

ARRESTS

Arrest rate – An arrest rate describes the number of arrests made by law enforcement agencies per 100,000 total population or per 100,000 population considered to be at risk for arrest. Regardless of the population used, both rates are calculated in the same manner. An arrest rate is calculated by dividing the number of reported arrests by the desired population. The result is multiplied by 100,000.

For example: 1) In 2019, there were 293,509 total felony arrests and the total population was 39,959,095, which equates to a 734.5 arrest rate; 2) In 2019, there were 293,509 total felony arrests and the population at risk (10-69 years of age) was 30,948,835, which equates to a 948.4 arrest rate.

$$1) \quad \frac{293,509}{39,959,095} = 0.0073451 \times 100,000 = 734.5 \text{ per } 100,000 \text{ population}$$

$$2) \quad \frac{293,509}{30,948,835} = 0.0094837 \times 100,000 = 948.4 \text{ per } 100,000 \text{ population at risk}$$

ADDITIONAL INFORMATION

Percent change – A percent change describes the change in number or rate from one year to another. A percent change is calculated by subtracting the base-year data from the current-year data. The result is divided by the base-year data and multiplied by 100. For example, in 2019 the robbery crime rate was 130.3. In 2014, the robbery crime rate was 126.4. The percent change in rate from 2014 to 2019 is a 3.1 percent increase.

$$\frac{130.3 - 126.4}{126.4} = -0.03085 \times 100 = 3.1 \text{ percent}$$

Populations at risk – The Arrest tables in this report (16, 17, 22, and 27) include three comparison populations: total (10–69 years of age), adult (18–69 years of age), and juvenile (10–17 years of age). The term Population at Risk refers to that portion of the total population who, because of like characteristics to the specific study group, are considered “at-risk”. For example, juveniles, all persons ages 10-17 would constitute the at-risk population. Both populations, 10-17 years of age and 18-69 years of age are grouped together as the population- at risk for the purpose of this publication for arrest incident occurrences.

When a series of rates is calculated using different populations, the rate calculated for the total will not equal the sum of the rates for the parts. For example, the arrest rate calculated using the total at-risk population will not equal the sum of the juvenile arrest rate (based on the juvenile at-risk population) and the adult arrest rate (based on the adult at-risk population).

Also, the percent changes calculated for these at-risk rates cannot be added. This is because the percent change in the total arrest rate is the result of independent changes in both the number of arrests and the at-risk populations of adults and juveniles.

Appendix 2

Arrest Offense Codes

The following statutes and their offense groupings were valid at the time of the closeout of the 2019 arrest offense code file. All statutory codes listed are for Penal Code sections unless indicated as follows:

BP - Business and Professions Code
CC - Corporations Code
CI - Civil Code
EC - Education Code
FA - Food and Agriculture Code
FC - Financial Code

FG - Fish and Game Code
GC - Government Code
HN - Harbors and Navigation Code
HS - Health and Safety Code
IC - Insurance Code
LC - Labor Code

MV - Military and Veterans Code
PR - Public Resources Code
RT - Revenue and Taxation Code
SH - Streets and Highways Code
UI - Unemployment Insurance Code
VC - Vehicle Code
WI - Welfare and Institutions Code

FELONY-LEVEL ARREST OFFENSES

Homicide - 128, 187(a), 192(a), 192(b), 273ab(a), 18755(a)

Rape - 220, 220(a)(1), 220(a)(2), 220(b), 261(a)(1), 261(a)(2), 261(a)(3), 261(a)(4), 261(a)(4)(a), 261(a)(4)(b), 261(a)(4)(c), 261(a)(4)(d), 261(a)(5), 261(a)(6), 261(a)(7), 262(a)(1), 262(a)(2), 262(a)(3), 262(a)(4), 262(a)(5), 264(c)(1), 264(c)(2), 264.1(a), 264.1(b)(1), 264.1(b)(2), 266c, 269(a)(1), 269(a)(2), 269(a)(3), 269(a)(4), 269(a)(5), 286(b)(1)*, 286(b)(2), 286(c)(1), 286(c)(2)(a), 286(c)(2)(b), 286(c)(2)(c), 286(c)(3), 286(d)(1), 286(e), 286(f), 286(f)(1), 286(f)(2), 286(f)(3), 286(f)(4), 286(g), 286(h), 286(i), 286(j), 286(k), 287(b)(1)*, 287(b)(2), 287(c)(1), 287(c)(2)(a), 287(c)(2)(b), 287(c)(2)(c), 287(c)(3), 287(d)(1)(a), 287(d)(1)(b), 287(d)(1)(c), 287(d)(2), 287(d)(3), 287(e)*, 287(f), 287(f)(1), 287(f)(2), 287(f)(3), 287(f)(4), 287(g), 287(h)*, 287(i), 287(j), 287(k), 288.7(a), 288.7(b), 289(a)(1)(a), 289(a)(1)(b), 289(a)(1)(c), 289(a)(2), 289(b), 289(c), 289(d), 289(d)(1), 289(d)(2), 289(d)(3), 289(d)(4), 289(e), 289(f), 289(g), 289(h)*, 289(i), 289(j)

Robbery - 211, 212.5(a), 212.5(b), 212.5(c), 213(a)(1)(a), 213(a)(2), 214, 215(a)

Assault - 69*, 71, 76(a)*, 95.1, 139(a), 140(a)*, 146e(b), 148(b)*, 148(c), 148(d)*, 148(d)(1), 148.1(a), 148.1(b), 148.1(c), 148.1(d), 148.3(b), 148.4(b)(1), 148.4(b)(2), 148.10(a)*, 149*, 151(a)(2), 186.26(a), 186.26(c), 203, 205, 206, 217.1(a), 217.1(b), 218, 218.1*, 219, 219.1, 219.2*, 220, 222, 241.1, 241.4, 241.7, 242*, 243(c)(1)*, 243(c)(2)*, 243(d), 243.1, 243.3*, 243.6*, 243.7, 243.9(a)*, 244, 244.5(b)*, 244.5(c)*, 245(a)(1)*, 245(a)(2)*, 245(a)(3), 245(a)(4)*, 245(b), 245(c), 245(d)(1), 245(d)(2), 245(d)(3), 245.2, 245.3, 245.5(a), 245.5(b), 245.5(c), 246*, 246.3(a)*, 247(a), 247(b), 247.5*, 273a(a)*, 273ab(b), 273d(a), 273.5(a)*, 273.5(f)(1)*, 273.5(f)(2)*, 347(a)(1), 347(b), 368(b)(1)*, 375(a)*, 375(d), 401, 405a, 417(b)*, 417(c)*, 417.3, 417.6(a), 417.8, 422(a)*, 422.7(a), 588a*, 601(a)(1), 601(a)(2), 625c, 664/187(a), 664/192(a), 1768.8(b) WI, 1768.85(a) WI*, 1808.4(d) VC, 4131.5, 4500, 4501, 4501.1(a), 4501.5, 11412, 11413(a), 11418(a)(1), 11418(a)(2), 11418(b)(1), 11418(b)(2), 11418(b)(3), 11418(b)(4), 11418(c), 11418(d)(1), 11418(d)(2), 11418.1*, 11418.5(a)*, 11419(a)*, 12308, 12309, 15656(a) WI, 18715(a)(1), 18715(a)(2), 18715(a)(3), 18715(a)(5), 18725(a), 18725(b), 18725(c), 18740, 18750, 18755(b), 20110(a), 20110(b), 21464(c) VC, 23110(b) VC, 38318(b) VC, 38318.5(b) VC

Kidnapping - 157, 207(a), 207(b), 207(c), 207(d), 208(b), 209(a), 209(b)(1), 209.5(a), 209.5(b), 210, 278, 278.5(a), 280(b), 4503

Burglary - 459*, 460, 460(a), 460(b)*, 461, 461.1, 461.2, 463(a), 464, 664/459, 664/460, 664/460(a), 664/460(b)

Theft - 72, 115(a), 115.5(b), 116, 117, 134, 154(b), 155(b), 155.5(b), 156, 182(a)(4), 304 HN, 305 HN, 332(a)*, 334(a)*, 337.7, 350(a)*, 350(a)(2)*, 350(b), 368(d)*, 368(e)*, 424(a)1, 424(a)2, 424(a)3, 424(a)4, 424(a)5, 424(a)6, 424(a)7, 463(b), 474, 481, 481.1(a), 483.5(a), 484(a)*, 484(b)(1)*, 484b*, 484c, 484.1(a)*, 485*, 487(a)*, 487(b)(1)(a), 487(b)(2)*, 487(b)(3)*, 487(c)*, 487(d)(2), 487a(a)*, 487a(b)*, 487a(c)*, 487b, 487d, 487e, 487g, 487h(a), 487i*, 487j*, 490.2*, 490.4(a)(1)*, 490.4(a)(2)*, 490.4(a)(3)*, 490.4(a)(4)*, 495, 496(a), 496(b), 496(d)*, 496a(a), 496c*, 496d(a), 497, 498(d), 499c(b)(1), 499c(b)(2), 499c(b)(3), 499c(b)(4), 499d, 500*, 500(a)(1)*, 500(a)(2)*, 500(a)(3)*, 502(c)(1)(a), 502(c)(1)(b), 502(c)(2), 502(c)(4), 502(c)(5), 502(c)(6)*, 502(c)(7)*, 502.5*, 502.7(a)(1)*, 502.7(a)(2)*, 502.7(a)(3)*, 502.7(a)(4)*, 502.7(a)(5)*, 502.7(b)(1)*, 502.7(b)(2), 502.7(c)*, 502.7(d)*, 502.7(g), 502.8(b)*, 502.8(d), 502.8(e), 502.8(f), 503*, 504*, 504a*, 504b*, 505*, 506*, 506b, 507*, 508*, 514*, 528, 529(a)*, 529(a)(1)*, 529(a)(2)*, 529(a)(3)*, 529a*, 530*, 530.5(a)*, 530.5(c)(2)*, 530.5(c)(3)*, 530.5(d)(1)*, 530.5(d)(2)*, 532(a)*, 532a(1)*, 532a(2)*, 532a(3)*, 532a(4)*, 532f(a)(1)*, 533, 534, 535, 537(a)(2), 537(c)(2)*, 537e(a)(3), 538*, 538.5, 548(a), 549, 550(a)(1), 550(a)(2), 550(a)(3), 550(a)(4), 550(a)(5), 550(a)(6), 550(a)(7), 550(a)(8), 550(b)(1), 550(b)(2), 550(b)(3), 560, 560.4, 566, 571(b), 577, 578, 580, 581, 593d(b), 620, 642*, 648*, 650 BP, 666(a)*, 666(b)*, 750(a) IC, 892(a) CI, 1695.6(b)(1) CI, 1733 IC, 1778 LC, 1823 FC, 1871.4(a)(1) IC, 1871.4(a)(2) IC, 1871.4(a)(3) IC, 1871.4(a)(4) IC, 2101(a)(1) UI, 2102(a) UI, 2107 UI, 2108 UI, 2109 UI, 2110 UI, 2110.5 UI, 2114 UI, 2116(a) UI, 2116(b) UI, 2121 UI, 2255(b) CC, 2945.4(a) CI, 2945.4(g) CI*, 3215 LC, 3352 FC, 3361 FC, 3531 FC, 4463(a)(1) VC, 4463(a)(2) VC, 7027.3 BP, 7028.16 BP*, 7051 HS, 10238.6(c) BP, 10250.52 BP, 10752(a) VC, 10752(b) VC, 10801 VC, 10802 VC, 10803(a) VC, 10803(b) VC, 10855 VC*, 10980(b) WI, 10980(c)(2) WI, 10980(d) WI, 10980(g)(2) WI, 11010(a) BP, 11019(a) BP, 11022(a) BP, 11320 BP, 11482.5 WI, 11483 WI*, 11483.5 WI, 11760(a) IC, 11880(a) IC, 14014(a) WI*, 14025(a) WI, 14107(b)(1) WI, 14591(b)(1)(f)(2) PR*, 17410 WI, 17414(b) FC, 17511.12(a) BP, 17551(a) FA, 17551(b) FA, 18848 FA*, 22430(a) BP, 22753(a) BP*, 25110 CC, 25401 CC, 25540 CC, 25541 CC, 27443(a) GC, 27443(b) GC, 30475(b) RT, 30480 RT, 31110 CC, 31201 CC, 31410 CC, 31411 CC, 44209 HS, 94319.14(b) EC, 94320(f) EC, 94320(g) EC, 103800 HS

Motor Vehicle Theft – 487(d)(1)*, 666.5(a), 10851(a) VC*, 10851(b) VC, 10851(e) VC

Forgery, Check, and Access Cards - 113, 114, 470(a)*, 470(b)*, 470(c), 470(d)*, 470a*, 470b, 471, 472, 475(a)*, 475(b)*, 475(c)*, 476*, 476a(a)*, 476a(b)*, 477, 478, 479, 480(a), 484e(a), 484e(b), 484e(d)*, 484f(a), 484f(b)*, 484g*, 484g(a)*, 484g(b)*, 484h(a)*, 484h(b)*, 484i(b), 484i(c)*, 617, 10980(e) WI

Arson - 451(a), 451(b), 451(c), 451(d), 451.5(a), 451.5(a)(1), 451.5(a)(2)(a), 451.5(a)(3), 452(a), 452(b), 452(c), 453(a), 454(a)(1), 454(a)(2), 455

Drug Offenses

Narcotic - 11350(a) HS, 11350(b) HS*, 11351 HS, 11351.5 HS, 11352(a) HS, 11352(b) HS, 11353(a) HS, 11353(b) HS, 11353(c) HS, 11354(a) HS

Marijuana - 11358(d) HS, 11359(c) HS, 11359(d) HS 11360(a) HS*, 11361(a) HS, 11361(b) HS, 11362.4(d) HS

Dangerous Drug - 4060 BP*, 11353.5 HS, 11353.7 HS, 11370.1(a) HS, 11375(b)(1) HS*, 11377(a) HS*, 11378 HS, 11378.5 HS, 11379(a) HS, 11379(b) HS, 11379.2 HS, 11379.5(a) HS, 11379.5(b) HS, 11380(a) HS, 11550(e) HS

All Other - 4324(a) BP*, 4324(b) BP*, 4336(a) BP, 11104(a) HS, 11106(j) HS*, 11152 HS, 11153(a)(1) HS, 11154(a) HS, 11154(b) HS, 11155 HS, 11156 HS, 11157 HS, 11162.5(a) HS, 11166 HS*, 11173(a) HS*, 11173(b) HS, 11173(c) HS, 11173(d) HS, 11174 HS, 11355 HS*, 11363 HS, 11364.7(b) HS, 11366 HS*, 11366.5(a) HS, 11366.5(b) HS, 11366.6 HS, 11366.7(b) HS, 11366.8(a) HS, 11366.8(b) HS, 11368 HS*, 11370.6(a) HS, 11370.9(a) HS, 11370.9(b) HS, 11370.9(c) HS, 11371 HS, 11371.1 HS, 11379.6(a) HS, 11379.6(b) HS, 11382 HS*, 11383(a) HS, 11383(b) HS, 11383(c)(1) HS, 11383(c)(2) HS, 11383(f) HS, 11383(g) HS, 11383.5(b)(1) HS, 11383.5(e) HS, 11383.7(a) HS, 11383.7(b)(1) HS, 11390 HS, 11391 HS

Sex Offenses

Lewd or Lascivious - 220, 266j, 288(a), 288(b)(1), 288(b)(2), 288(c)(1)*, 288(c)(2)*, 288.5(a)

All Other - 243.4(a), 243.4(b), 243.4(c)*, 243.4(d)*, 243.4(j), 261.5(a), 261.5(c), 261.5(d), 265, 266*, 266a, 266b, 266d, 266e, 266f, 266g, 266h(a), 266h(b)(1), 266h(b)(2), 266i(a), 266i(a)(1), 266i(a)(2), 266i(a)(3), 266i(b)(1), 266i(b)(2), 267, 285, 288.2(a)(1)*, 288.2(a)(2)*, 288.2(b), 288.3, 288.3(a), 288.4(a)(2), 288.4(b), 289.6(a)*, 289.6(a)(2), 290(b)*, 290.002*, 290.006*, 290.010*, 290.011(a)*, 290.011(b)*, 290.011(c)*, 290.011(d)*, 290.011(f)*, 290.012(a)*, 290.012(b)*, 290.012(c)*, 290.013(a)*, 290.013(b), 290.014*, 290.015*, 290.018(b), 290.018(d)*, 290.018(f)*, 290.018(g)*, 311.1(a), 311.10(a)*, 311.11(a)*, 311.11(b), 311.11(c)(1)*, 311.11(c)(2)*, 311.2(a)*, 311.2(b), 311.2(c)*, 311.2(d), 311.3(a)*, 311.3(b)(1)*, 311.3(b)(2)*, 311.3(b)(3)*, 311.3(b)(4)*, 311.3(b)(5)*, 311.3(b)(6)*, 311.4(a)*, 311.4(b), 311.4(c), 311.5*, 311.7*, 313.1(a)*, 313.1(b)*, 313.1(c)(1)*, 313.1(c)(2)*, 314.1*, 647f, 647.6(a)(1)*, 647.6(a)(2)*, 647.6(b), 647.6(c)(1), 647.6(c)(2), 729(a)*

Driving Under the Influence - 655(f) HN, 23153(a) VC*, 23153(b) VC*, 23153(d) VC, 23153(f) VC*, 23153(g) VC*, 23550(a) VC*, 23550.5(a) VC*

Hit-and-Run - 20001(a) VC, 20001(b)(1) VC*, 20001(b)(2) VC*

Weapons - 171b(a)(1), 171b(a)(2)*, 171b(a)(3), 171b(a)(4)*, 171b(a)(5)*, 171b(a)(6)*, 171c, 171d(a)*, 171d(b)*, 186.28(a)*, 626.9(b)*, 626.9(d), 626.9(h), 626.9(i), 626.95(a)*, 626.10(a)(1)*, 626.10(b)*, 4502(a), 4574(a), 4574(b), 4502(b), 8101(a) WI, 8101(b) WI, 8103(a)(1) WI, 8103(f)(1) WI, 8103(i) WI*, 12761 HS*, 18710(a)*, 18720, 18730, 18745, 19100*, 19200(a)*, 20310*, 20410*, 20510*, 20610*, 20710*, 20910*, 21110*, 21310*, 21810*, 22011*, 22210*, 22410*, 22810(a)*, 22810(c)*, 22810(d)*, 22810(e)(1)*, 22810(g)(1)*, 22810(g)(2), 23900, 24310*, 24410*, 24510*, 24610*, 24710*, 25100(a)*, 25300(a), 25400(a)(1)*, 25400(a)(2)*, 25400(a)(3)*, 25400(c)(1), 25400(c)(2), 25400(c)(3), 25400(c)(4), 25400(c)(5)*, 25400(c)(6)*, 25400(c)(6)(b)*, 25800(a)*, 25850(a), 25850(c)(1), 25850(c)(2), 25850(c)(3), 25850(c)(4), 25850(c)(5)*, 25850(c)(6)*, 26100(b)*, 26100(c), 26100(d)*, 27500(a), 27500(b)*, 27505(a)*, 27515*, 27520*, 27545*, 28210(a)(1)*, 29610*, 29650*, 29800(a)(1), 29800(b), 29805(a)*, 29805(b)*, 29815(a)*, 29820(b)*, 29825(a)*, 29900(a)(1), 29900(b)(1), 30210(a)*, 30210(b)*, 30305(a)(1)*, 30315*, 30320, 30600(a), 30605(a)*, 30725(b), 31500*, 32310*, 32625(a), 32625(b), 32900*, 33210, 33215*, 33410, 33600*

Escape - 107, 109, 110, 836.6(a)*, 836.6(b)*, 871(b) WI, 1026.4(a), 1152(b) WI, 1768.7(a) WI, 1768.7(b) WI, 2042, 3002 WI, 4011.7*, 4530(a), 4530(b), 4530(c), 4532(a)(1), 4532(a)(2), 4532(b)(1), 4532(b)(2), 4533, 4534, 4535, 4536(a), 4550.1, 4550.2, 7326 WI

Bookmaking - 337a.1, 337a.2, 337a.3, 337a.4, 337a.5, 337a.6, 337i

All Other Felony Offenses

MISDEMEANOR-LEVEL ARREST OFFENSES

Manslaughter–Misd. - 191.5(b)*, 192(c)(1)*, 192(c)(2), 192.5(b), 192.5(c)*, 192.5(d)

Assault and Battery – 69*, 71*, 76(a)*, 140(a)*, 147, 148(a)(1), 148(b)*, 148(d)*, 148.1(a)*, 148.10(a)*, 148.2.1, 148.2.2, 148.2.3, 148.2.4, 148.3(a), 148.4(a)(1), 148.4(a)(2), 149*, 151(a)(1), 218.1*, 219.2*, 219.3, 240, 241(a), 241(b), 241(c), 241.1*, 241.2(a), 241.3(a), 241.4, 241.5(a), 241.6, 242*, 243(a), 243(b), 243(c)(1)*, 243(c)(2)*, 243(d)*, 243(e)(1), 243.10(a), 243.2(a)(1), 243.25, 243.3*, 243.35(a), 243.6*, 243.65(a), 243.8(a), 243.9(a)*, 244.5(b)*, 244.5(c)*, 245(a)(1)*, 245(a)(2)*, 245(a)(4)*, 246*, 246.3(a)*, 246.3(b), 247.5*, 248, 273a(a)*, 273a(b), 273d(a), 273.5(a)*, 273.5(f)(1)*, 273.5(f)(2)*, 368(b)(1)*, 368(c), 374c, 375(a)*, 375(b), 383, 402a, 417(a)(1), 417(a)(2), 417(b)*, 417(c)*, 417.25(a), 417.26(a), 417.4, 422(a)*, 422.6(a), 423.2(a), 423.2(b), 423.2(c), 423.2(d), 1768.85(a) WI*, 2652, 11414(a), 11414(c), 11418.1*, 11418.5(a)*, 12680 HS, 15656(b) WI, 20170(a)

Burglary–Misd. - 459*, 459.5*, 460(b)*, 490.4(a)(1)*, 490.4(a)(2)*, 490.4(a)(3)*, 490.4(a)(4)*

Petty Theft - 368(d)*, 368(e)*, 409(h), 463(c), 484(a)*, 484(b)(1)*, 484b*, 484.1(a)*, 485*, 487(a)*, 487(b)(2)*, 487(b)(3)*, 487(c)*, 487a(a)*, 487a(b)*, 487a(c)*, 487c, 487f, 487i*, 487j*, 488, 490, 490.1(a), 490.2*, 490.5(a), 490.7(b)(1), 490.7(b)(2), 490.7(b)(3), 490.7(b)(4), 496c*, 499b(b), 502.5*, 530*, 530.5(a)*, 530.5(c)(1)*, 530.5(c)(2)*, 530.5(c)(3)*, 530.5(d)(1)*, 530.5(d)(2)*, 530.5(e), 532(a)*, 538*, 565, 642*, 666(a)*, 666(b)*, 8726 HS, 22435.1 BP, 22435.2 BP, 22435.2(a) BP, 22435.2(b) BP, 22435.2(c), 22435.2(e) BP, 22435.2(f) BP, 22435.11(a) BP, 22435.12 BP, 22753(a) BP*, 41950(a) PR

Other Theft - Includes approximately 200 statute codes that can be identified upon request.

Checks and Access Cards - 112(a), 470(a)*, 470(b)*, 470(d)*, 470a*, 472, 475(a)*, 475(b)*, 475(c)*, 476*, 476a(a)*, 476a(b)*, 484e(a), 484e(c), 484e(d)*, 484f(b)*, 484g, 484g(a)*, 484g(b)*, 484h(a)*, 484h(b)*, 484i(a), 484i(c)*, 484j

Drug Offenses

Marijuana - 11357(b) HS, 11357(c) HS, 11357.5(a) HS, 11358(c) HS, 11359(b) HS, 11360(a) HS*, 11362.4(c) HS, 11362.77(a) HS, 34014(a) BP, 34016(b) BP, 34016(d) BP, 34016(e) BP

Other Drugs - 377, 379, 647(f), 2241 BP, 2242.1(a) BP, 2762(e) BP, 2878.5(a) BP, 4051 BP, 4059(a) BP, 4060 BP*, 4077(a) BP, 4141 BP, 4142 BP, 4148 BP, 4149 BP, 4163 BP, 4323 BP, 4324(a) BP*, 4324(b) BP*, 4325(a) BP, 4326(a) BP, 4326(b) BP, 4331(a) BP, 4332 BP, 11100(g)(1) HS, 11100(g)(2) HS, 11100(g)(3) HS, 11100.1(a) HS, 11104(c) HS, 11104.5 HS, 11106(j) HS*, 11150 HS, 11151 HS, 11157 HS*, 11159 HS, 11161(a) HS, 11162.5(b), 11162.6(c) HS, 11166 HS*, 11170 HS, 11171 HS, 11172 HS, 11173(a) HS*, 11173(d) HS, 11175 HS, 11180 HS, 11190 HS, 11207 HS, 11217 HS, 11350(a) HS*, 11350(b) HS*, 11352.1(b) HS, 11355 HS*, 11364(a) HS, 11364.5(a) HS, 11364.5(b) HS, 11364.7(a) HS, 11364.7(c) HS, 11365(a) HS, 11366 HS*, 11366.5 (a) HS, 11368 HS*, 11375(b)(l) HS*, 11375(b)(2) HS, 11375.5(a) HS, 11377(a) HS*, 11382 HS*, 11391 HS, 11473.5 HS, 11532(a) HS, 11550(a) HS, 11594 HS, 109575 HS, 109580 HS

Indecent Exposure - 314.1*, 314.2

Annoying Children - 261.5(b), 261.5(c), 261.5(d), 286(b)(1)*, 288(c)(1)*, 288.4(a)(1), 289(h)*, 647.6(a)(1), 647.6(a)(2)

Obscene Matter – 288.2(a)(1)*, 288.2(a)(2)*, 311.1(a)*, 311.10(a)*, 311.11(a), 311.11(c)(1)*, 311.11(c)(2)*, 311.2(a)*, 311.2(c)*, 311.3(a)*, 311.3(b), 311.3(b)(1)*, 311.3(b)(2)*, 311.3(b)(3)*, 311.3(b)(4)*, 311.3(b)(5)*, 311.3(b)(6)*, 311.4(a)*, 311.5*, 311.6, 311.7*, 313.1(a)*, 313.1(b)*, 313.1(c)(1)*, 313.1(c)(2), 313.1(e)

Lewd Conduct - 288(c)(2)*, 647(a), 647(d), 647(i), 647(j)(1), 647(j)(2), 647(j)(3)(a), 647(j)(4)(a), 647(j)(4)(b), 647(l)(1), 647(l)(2), 653b(a)

Prostitution - 266*, 315, 316, 647(b), 653.22(a), 653.23(a)(1), 653.23(a)(2), 25601 BP

Contribute to Delinquency of Minor - 272, 272(a)(1), 272(b)(1), 273i(a)

Drunk - 647(f)

Liquor Laws - 172a, 172b.1, 172d.1, 172g.1, 172l, 303, 303a, 307, 347b, 397, 11200, 23224(a) VC, 23224(b) VC, 23300 BP, 23301 BP, 25177 BP, 25351 BP, 25602(a) BP, 25604 BP, 25606 BP, 25607(a) BP, 25608 BP, 25609 BP, 25612.5(c)(3) BP, 25631 BP, 25632 BP, 25657(a) BP, 25657(b) BP, 25658(a) BP, 25658(b) BP, 25658(c) BP, 25659.5(a) BP, 25659.5(c) BP, 25659.5(d) BP, 25660.5 BP, 25661(a) BP, 25662(a) BP, 25663(a) BP, 25663(b) BP, 25664 BP, 25665 BP, 120305 HS

Disorderly Conduct - 647(c), 647(e), 647(h), 647b, 653b(a)

Disturbing the Peace - 171f.2, 302(a), 403, 404(a), 404.6(a), 404.6(c)*, 405, 406, 407, 408, 409, 415(1), 415(2), 415(3), 415.5(a)(1), 415.5(a)(2), 415.5(a)(3), 416(a), 602.10, 602.11(a), 626.2, 626.4(d), 626.6(a), 626.7(a), 626.8(a)(1), 626.8(a)(2), 626.8(a)(3), 626.81(a), 626.85(a)(1), 640(d)(1), 653c(a), 653c(b), 653m(a), 653m(b), 653x(a), 727, 9051 GC, 11460(a)

Malicious Mischief - 625b(a), 10750(a) VC, 10851.5 VC, 10852 VC, 10853 VC, 10854 VC, 28051 VC, 28051.5 VC

Vandalism - 422.6(b), 423.2(e), 423.2(f), 555.1, 587a, 587.1(a), 588b, 590, 591.5, 592(a), 594(a)(1)*, 594(a)(2)*, 594(a)(3)*, 594(b)(1)*, 594(b)(2)(a), 594(b)(2)(b), 594.3(a)*, 594.35(a)*, 594.4(a)*, 603, 604, 605.1, 605.2, 605.3, 607, 615, 616, 618, 621*, 622, 622 1/2, 623(a), 623(a)(1), 640(d)(5), 640.5(b)(1), 640.5(c)(1), 640.7, 640.8, 11411(a), 11411(b), 11411(c)*, 11411(d)*, 23110(a) VC, 27491.3 GC, 38318(a) VC, 38319 VC

Trespassing - 171f.1, 369g(a), 369i(a), 369i(b), 398 MV, 409.5(c), 554(a), 554(b), 554(c), 554(d), 554(e), 554(f), 554(g), 554(h), 554(i), 555, 558, 587b, 593b, 602, 602(a), 602(b), 602(c), 602(d), 602(e), 602(f), 602(g), 602(h)(1), 602(i), 602(j), 602(k), 602(l)(1), 602(l)(2), 602(l)(3), 602(l)(4), 602(m), 602(n), 602(o), 602(o)(1), 602(o)(2), 602(p), 602(q), 602(r), 602(s), 602(t)(1), 602(u)(1), 602(v)(1), 602.1(a), 602.1(b), 602.4, 602.5, 602.5(a), 602.5(b), 602.6, 602.8(a), 602.9(a), 602.9(b), 627.2, 627.7(a)(1), 627.8, 634*, 1583 FG, 27174.2 SH, 32210 EC, 32211 EC

Weapons - 136.2(a)(7)(b)2, 171b(a)(2)*, 171b(a)(4)*, 171b(a)(5)*, 171b(a)(6)*, 171d(a)*, 171d(b)*, 171.5(c)(1), 171.5(c)(2), 171.5(c)(3), 171.5(c)(4), 171.5(c)(5), 171.5(c)(6), 171.5(c)(7), 171.5(c)(8), 171.5(c)(9), 171.5(c)(10), 171.5(c)(11), 171.5(c)(12), 186.28(a)*, 468, 626.10(a)(1)*, 626.10(a)(2), 626.10(b)*, 626.10(i), 626.9(b)*, 626.95(a)*, 4574(c), 8103(i) WI*, 12761 HS*, 17500, 17505, 17510(a)(1), 17510(a)(2), 17510(a)(3), 17512, 18205, 18710(a)*, 19100*, 19200(a)*, 19910, 19915, 20010, 20160(a), 20165, 20310*, 20410*, 20510*, 20610*, 20710*, 20810(a), 20910*, 21110*, 21310*, 21510(a), 21510(b), 21510(c), 21710, 21810*, 22011*, 22210*, 22410*, 22610(a), 22610(b), 22610(c)(1), 22610(d), 22615(a), 22615(b), 22810(a)*, 22810(b), 22810(c)*, 22810(d)*, 22810(e)(1)*, 22810(e)(3), 22810(g)(1)*, 22815(a), 22900, 22910(a), 23920, 24310*, 24410*, 24510*, 24610*, 24710*, 25100(a)*, 25100(b), 25100(c), 25135, 25200(a), 25200(b), 25400(a)(1)*, 25400(a)(2)*, 25400(a)(3)*, 25400(c)(5)*, 25400(c)(6)*, 25400(c)(6)(b)*, 25400(f), 25800(a)*, 25850(a), 25850(c)(5)*, 25850(c)(6)*, 26100(a), 26100(b)*, 26100(d)*, 26180(a), 26350(a)(2), 26400(a), 26500(a), 27500(b)*, 27505(a)*, 27515*, 27520*, 27545*, 28050, 28210(a)(1)*, 29010(a), 29180(b), 29180(c), 29180(d)(1), 29180(e), 29180(f), 29610*, 29650*, 29805(a)*, 29805(b)*, 29815(a)*, 29820(b)*, 29825(a)*, 29825(b), 30210(a)*, 30210(b)*, 30300(a)(1), 30300(a)(3), 30305(a)(1)*, 30305(b)(1), 30306(a), 30310(a), 30315*, 30342, 30605(a)*, 30610(a), 31500*, 31615(a)(1), 31620, 32310*, 32900*, 33215*, 33600*

Driving Under the Influence - 655(b) HN, 655(c) HN, 655(d) HN, 655(e) HN, 655(f) HN, 23152(a) VC, 23152(b) VC, 23152(c) VC, 23152(d) VC, 23152(e) VC, 23152(f) VC, 23152(g) VC, 23153(a) VC*, 23153(b) VC*, 23153(f) VC*, 23153(g) VC*, 23247(a) VC, 23247(b) VC, 23247(c) VC, 23247(d) VC, 23247(e) VS, 23546(a) VC, 23550(a) VC*, 23550.5(a) VC*, 23573(i) VC

Glue Sniffing - 380(a), 381(a), 381(b), 381b, 381c(b), 647(f)

Hit-and-Run - 20001(b)(1) VC*, 20001(b)(2) VC*, 20002(a)(1) VC, 20002(a)(2) VC, 20002(b) VC

Joy Riding - 487(d)(1)*, 499b(a), 10851(a) VC*

Selected Traffic Violations - 23103(a) VC, 23103(b) VC, 23104(a) VC, 23105(a) VC*, 23109(a) VC*, 23109(b) VC, 23109(c) VC, 23109(d) VC, 23109.1 VC*, 38316 VC, 38317 VC, 40508(a) VC, 40508(b) VC, 40508(c) VC, 40519 VC, 42005(e) VC

Gambling - 318, 319, 320, 321, 322, 323, 324, 326, 326.5(b), 326.5(n), 330, 330a, 330b(a), 330b(1), 330c, 330.1, 330.4, 331, 335, 336, 337s(b), 337.1, 337.2, 337.5, 11300, 19921(a) BP, 19940 BP, 19941(a)(1) BP

Nonsupport - 270*, 270a, 270c, 270.5(a), 270.6, 271a

All Other Misdemeanor Offenses

Notes: These codes are valid for 2019 data and may not be applicable for prior years.

"All Other Felony Offenses" also includes sections in the Election Code and Water Code.

"All Other Misdemeanor Offenses" also includes sections in the California Code of Regulations, City or County Ordinances, Civil Procedure Code, Election Code, Public Utilities Code, Uniform Fire Code, and Water Code.

Arrests for attempted offenses are reported in their respective categories with the exception of homicide and manslaughter, which are captured in the felony assault category.


*These code sections can be either a felony or a misdemeanor.

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Rates and Patterns of Law Enforcement Turnover: A Research Note

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Abstract

Law enforcement agencies invest substantial resources to recruit, hire, and train new police officers. Reducing officer turnover can save significant resources, yet little is known about the rates and patterns of turnover in law enforcement. Using data from the Law Enforcement Management and Administrative Statistics (LEMAS) survey in 2003 and the Census of State and Local Law Enforcement Agencies (CSLLEA) in 2008, this study establishes baseline rates of employee turnover for sworn police officers. In addition to national rates, variations in turnover were compared across states, regions, urbanity, agency size, and agency type. Nationally, the total turnover rate was 10.8% in both 2003 and 2008. There was much consistency in turnover rates between survey years. Turnover rates, however, were higher in smaller agencies, municipal agencies, those in southern regions, and those in rural areas. The turnover rate benchmarks reported here serve to inform future research on law enforcement turnover and retention.

Keywords

law enforcement, turnover, retention, police officers

The success of virtually any organization depends upon its employees, perhaps even more so in the human service fields. Agencies often invest a great deal of resources in recruitment efforts to attract a diversity of qualified applicants (Doerner, 1995). This is especially true for law enforcement agencies, which not only invest significant resources in recruiting, but also in screening and training of potential police officers

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Third, turnover rates were compared across states. Table 3 reports the weighted mean turnover rates for each of the 50 states and the District of Columbia by sample year. Overall, the average resignation (7.79% for 2003; 7.31% for 2008), retirement (0.92% for 2003; 0.90% for 2008), voluntary separation (8.72% for 2003; 8.21% for 2008), and total (10.82% for 2003; 10.76% for 2008) turnover rates appear to be consistent in the two samples; however, there is a great variability across the states. Rhode Island, Delaware, and Massachusetts are among the states with the lowest resignation, voluntary separation, and total turnover rates in both 2003 and 2008; while Vermont, West Virginia, and Wyoming are among the states with the higher of these rates. For total turnover, the average rates ranged from 1.87% (Rhode Island) to 24.13% (Wyoming) in 2003 and from 3.08% (Rhode Island) to 31.83% (Alaska) in 2008. It should be noted that there is great variability in the turnover rates reported within each state, which may not be easily detected when simply looking at the averages in 2003 and 2008. For example, there were 153 agencies (weighted) reporting turnover data in the 2008 CSLLEA in Colorado. The average total turnover rate was 17.19%, but the range of rates went from 0.00% to 62.50%. While *t*-tests were not conducted at the state level due to small sample sizes within states, examination of the rates reported reveals much variation. Most of this variation was minor, with percentages increasing or decreasing only slightly; but some variation was substantial. For example, in North Dakota the rates of resignation, voluntary separations, and total turnover doubled between 2003 and 2008. Wyoming experienced substantial decreases in resignation and increases in retirements in 2008, compared with 2003. The causes of state-level turnover changes are not investigated in this study, but the findings reported here highlight the need to examine such causes in detail at the state level.

Finally, in a geographical context, turnover rates were compared across the location of the agency in terms of being urban, suburban, and rural. As shown in Table 4, agencies located in rural areas, which are smaller in size and likely more influenced by the loss of one employee, reported the highest rates of resignations, voluntary separations, and total turnovers. Agencies located in predominately urban areas reported statistically significantly higher rates of non-medical retirements and lower rates of resignations, voluntary separations, and total turnover. There appears to be consistency in turnover trends when comparing 2003 LEMAS and 2008 CSLLEA rates. Mean comparisons within the urbanity categories across the two samples revealed significant temporal changes in the mean turnover rates (see the appendix). Among rural agencies, resignations and voluntary separations decreased significantly from 2003 to 2008. Among suburban agencies, all four turnover rates reported were statistically higher in 2008 than in 2003. Among urban agencies, all four turnover rates were significantly lower in 2008 than in 2003. Therefore, the turnover trends among law enforcement agencies appeared to be fairly consistent, but statistically different in magnitude between 2003 and 2008.

Mean differences, using ANOVAs, in turnover rates for law enforcement agencies were examined across two classifications of agencies, agency type and size of agency. Table 5 reports the mean comparisons across different types of law enforcement agencies (i.e., municipal, county, and state). The turnover trends appear to be consistent between 2003 and 2008 when looking at law enforcement agency type. Municipal agencies reported significantly higher resignations than state and county agencies in both 2003 and 2008. County agencies also reported significantly higher resignation rates than

Table 3. Mean Law Enforcement Turnover Rates by State.

State	n		Resignations (%)		Retirements (%)		Voluntary (%)		Total (%)	
	2003	2008	2003	2008	2003	2008	2003	2008	2003	2008
Alabama	345	321	10.36	9.98	1.49	0.28	11.85	10.26	18.09	12.87
Alaska	48	38	7.55	2.29	0.23	0.10	7.78	2.39	10.68	31.83
Arizona	129	81	4.67	6.73	0.42	1.90	5.10	8.63	6.06	11.25
Arkansas	278	361	10.23	7.81	0.09	0.00	10.32	7.81	12.37	11.91
California	394	369	3.88	3.99	1.28	1.50	5.16	5.48	9.19	8.28
Colorado	253	153	13.57	8.11	0.21	1.02	13.78	9.13	15.48	17.19
Connecticut	105	98	5.07	3.67	1.32	2.00	6.39	5.67	7.39	6.64
Delaware	33	42	1.43	1.05	0.16	3.10	1.59	4.15	2.98	4.17
District of Columbia	1	1	1.26	1.85	0.56	1.46	1.83	3.31	2.50	3.90
Florida	308	320	7.24	7.92	1.11	0.85	8.35	8.77	11.39	10.22
Georgia	451	511	11.62	10.77	0.27	0.29	11.89	11.06	15.33	14.35
Hawaii	4	4	2.88	4.38	2.10	1.18	4.98	5.56	6.98	6.60
Idaho	207	116	7.73	8.38	0.80	0.96	8.53	9.34	10.55	11.14
Illinois	969	781	7.11	8.10	1.08	0.80	8.19	8.90	10.05	9.94
Indiana	421	284	7.13	5.16	0.62	0.95	7.75	6.11	8.97	8.37
Iowa	466	487	11.42	8.20	1.99	1.67	13.41	9.88	15.59	11.79
Kansas	299	322	8.76	8.76	0.55	0.22	9.31	8.99	10.20	10.71
Kentucky	298	457	6.45	6.45	0.33	0.12	6.78	6.67	8.83	8.15
Louisiana	266	383	9.87	10.29	0.41	1.95	10.28	12.24	11.21	14.97
Maine	162	112	7.49	3.79	0.10	0.51	7.58	4.31	11.19	4.71
Maryland	150	79	5.94	12.41	0.47	0.59	6.41	13.00	7.88	14.97
Massachusetts	282	289	1.73	0.74	3.56	0.47	5.29	1.21	6.49	2.32
Michigan	513	514	1.29	6.11	2.60	1.58	3.89	7.69	5.65	8.70
Minnesota	573	490	6.07	3.02	0.27	0.52	6.33	3.55	7.45	4.08
Mississippi	208	257	8.33	8.05	0.40	0.09	8.74	8.14	9.47	14.89
Missouri	657	473	12.01	9.80	0.44	1.25	12.44	11.05	13.94	14.42
Montana	136	124	8.61	13.74	0.51	0.37	9.12	14.11	20.60	16.20

(continued)

Table 4. Mean Comparison of Law Enforcement Turnover Rates Across Urban Status (Standard Deviations in Parentheses).

Variable	Rural [1]	Suburban [2]	Urban [3]	Statistic	Scheffe comparisons
LEMAS 2003	<i>n</i> = 6,347	<i>n</i> = 3,829	<i>n</i> = 5,202	<i>n</i> = 15,373	
Resignations	10.62 (15.80)	7.38 (8.89)	4.84 (8.98)	$F(2, 15371) = 322.94^{**}$	1>2, 1>3, 2>3
Retirements	0.76 (4.01)	0.67 (2.58)	1.31 (3.30)	$F(2, 15371) = 50.28^{**}$	1<3, 2<3
Voluntary separations	11.38 (16.03)	8.05 (9.12)	6.15 (9.56)	$F(2, 15371) = 256.34^{**}$	1>2, 1>3, 2>3
Total turnover	14.11 (18.41)	9.89 (10.36)	7.57 (10.21)	$F(2, 15371) = 314.35^{**}$	1>2, 1>3, 2>3
CSLLEA 2008	<i>n</i> = 5,552	<i>n</i> = 4,096	<i>n</i> = 4,748	<i>n</i> = 14,396	
Resignations	9.76 (14.54)	8.01 (10.62)	4.00 (6.11)	$F(2, 14395) = 347.42^{**}$	1>2, 1>3, 2>3
Retirements	0.78 (4.16)	0.82 (2.58)	1.16 (2.34)	$F(2, 14395) = 20.09^{**}$	1<3, 2<3
Voluntary separations	10.54 (14.98)	8.83 (10.67)	5.15 (6.28)	$F(2, 14395) = 288.23^{**}$	1>2, 1>3, 2>3
Total turnover	14.16 (17.55)	10.98 (12.29)	6.94 (7.53)	$F(2, 14395) = 369.03^{**}$	1>2, 1>3, 2>3

Note. Results reflect weighted samples. Analyses do not include state or tribal agencies. Scheffe pairwise mean comparisons are between groups identified in brackets and are significant at $p < .05$ level.

* $p < .01$. ** $p < .001$.

Table 5. Mean Comparison of Law Enforcement Turnover Rates Across Agency Type (Standard Deviations in Parentheses).

Variable	Municipal [1]	County [2]	State [3]	Statistic	Scheffe comparisons
LEMAS 2003	<i>n</i> = 12,259	<i>n</i> = 3,114	<i>n</i> = 49	<i>n</i> = 15,422	
Resignations	8.45 (13.36)	5.51 (7.87)	2.20 (1.96)	$F(2, 15420) = 74.77^{**}$	>2, >3
Retirements	0.92 (3.67)	0.94 (2.57)	2.83 (1.98)	$F(2, 15420) = 7.40^*$	<3, 2<3
Voluntary separations	9.38 (13.65)	6.45 (8.04)	5.03 (2.89)	$F(2, 15420) = 68.16^{**}$	>2
Total turnover	11.59 (15.51)	7.94 (8.94)	5.90 (3.25)	$F(2, 15420) = 82.59^{**}$	>2, >3
CSLLEA 2008	<i>n</i> = 12,127	<i>n</i> = 2,795	<i>n</i> = 46	<i>n</i> = 14,969	
Resignations	7.52 (12.05)	6.48 (8.70)	1.84 (1.47)	$F(2, 14967) = 14.49^{**}$	>2, >3, 2>3
Retirements	0.92 (3.34)	0.83 (2.38)	2.13 (1.37)	$F(2, 14967) = 4.24^*$	<3, 2<3
Voluntary separations	8.44 (12.28)	7.32 (8.88)	3.97 (1.89)	$F(2, 14967) = 13.45^{**}$	>2, >3
Total turnover	11.14 (14.43)	9.23 (9.95)	4.91 (2.27)	$F(2, 14967) = 26.38^{**}$	>2, >3

Note. Results reflect weighted samples. Scheffe pairwise mean comparisons are between groups identified in brackets and are significant at $p < .05$ level. * $p < .01$. ** $p < .001$.