



San Diego County Sheriff's Department

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William D. Gore, Sheriff

September 27, 2019

RECEIVED
September 27, 2019

**Commission on
State Mandates**

LATE FILING

Heather Halsey, Executive Director
California Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

*RE: Support of City of San Diego's Test Claim on the Racial and Identity Profiling Act (RIPA)
2015 18-TC-02*

Dear Ms. Halsey


The Racial and Identity Profiling Act (AB953) mandates all law enforcement agencies with more than 1000 officers participate in the collection and reporting of "stop" data related to specific interactions with the public. This state requirement of local government to provide data to the State Attorney General's Office is an unfunded state-mandated program, as such the affected law enforcement agencies are entitled to reimbursement under Article XIII B, Section 6, of the California Constitution and Government Code 17514.

The San Diego Sheriff's Department supports the City of San Diego's Test Claim (18-TC-02) that is before the State Commission on Unfunded Mandates. The City of San Diego, along with the other Tier 1 agencies, have complied with the state mandate which have led to both one-time and reoccurring costs. These costs are a financial burden to the San Diego Sheriff's Department and the other Tier 1 agencies.

In addition to the time spent by each deputy/ officer filling out RIPA forms, which currently is about 7422 hours of time spent by San Diego County Sheriff's Deputies, the state mandate also requires departments to provide ongoing training of personnel, computer hardware and software, along with ongoing administrative oversight, auditing and review of the data before submission to the Attorney General's Office. All of these tasks require reassigning and/ or additional staffing and funding.

We request the California Commission on State Mandates approve the test claim by the City of San Diego and find that the costs associated with AB953 are reimbursable to all affected law enforcement agencies throughout the state. Acceptance of the test claim, and state funding of this state mandate, will allow law enforcement agencies to continue with their primary task, law enforcement.

Thank you for your consideration.


Commander Harold Turner

HFT: WBG

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 October 3, 2019, I served the:

- **Interested Person's (County of San Diego Sheriff's Department) Late Comments on the Test Claim filed September 27, 2019**

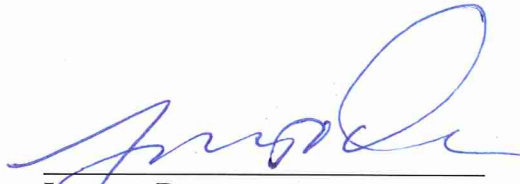
Racial and Identity Profiling, 18-TC-02

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 October 3, 2019 at Sacramento, California.



Lorenzo Duran
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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: 10/3/19

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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