

**CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD**

<https://oag.ca.gov/ab953>

**OUTREACH SUBCOMMITTEE**  
**MEETING NOTICE AND AGENDA**

**Thursday, August 25, 2016, 11:00a.m. – 12:30p.m.**

**Teleconference Locations: California Department of Justice Offices**

**Los Angeles**

300 S. Spring Street  
13<sup>th</sup> Floor, Room 13235  
Los Angeles, CA 90013

**Sacramento**

1300 "I" Street  
Sacramento, CA 95814

**San Diego**

600 West Broadway St.,  
Suite 1800  
San Diego, CA 92101

1. Introductions (3 min.)
2. Selection of Subcommittee Chair (7 min.)
3. Discussion of advice this subcommittee wishes to provide to the Racial and Identity Profiling Advisory Board on recommendations it might make to the Attorney General's Office regarding outreach they want to engage in during the public comment period and for achieving ongoing public interest and participation. (60 min.)
4. Public Comment (10 min.)
5. Additional Discussion/Next Steps (10 min.)
6. Adjourn

The meeting will begin at the designated time. Other times on the agenda are approximate and may vary as the business of the Board requires. Access to the meeting sites are accessible to persons with disabilities. For information or assistance with accommodation requests, please contact Supervising Deputy Attorney General Nancy A. Beninati at 510-622-2194, at least five calendar days before the scheduled meeting. For all other questions about the Board meeting please contact Legal Assistant M. Luzy Ochoa, California Department of Justice, 300 S. Spring Street, Suite 1702, Los Angeles, CA 90013, (213) 897-2636.

# **CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD**

## **OUTREACH SUBCOMMITTEE MEETING MINUTES**

**Thursday, August 25, 2016, 11:00 a.m.**

**Teleconference Locations: California Department of Justice Offices**

**Los Angeles**

300 S. Spring Street  
5<sup>th</sup> Floor Conference Room  
Los Angeles, CA 90013

**Sacramento**

1300 "I" Street  
Conference Rm. 1540  
Sacramento, CA 95814

**San Diego**

600 West Broadway St.  
Suite 1800  
San Diego, CA 92101

**Subcommittee Members Present:** Andrea Guerrero, Mariana Marroquin, Joe Farrow

**Subcommittee Members Absent:** Angela Sierra

**California Department of Justice Staff Present:** Nancy A. Beninati, Shannon Hovis, Catherine Ysrael, Rebekah Fretz, John Appelbaum, Jerry Szymanski, Glenn Coffman

### **1. Call to Order and Introductions**

The meeting was called to order at 11:06 a.m. by Shannon Hovis of the California Department of Justice (DOJ). The meeting was held by teleconference with a quorum of members present. After the call to order, the subcommittee members, California DOJ staff, and members of the public present at each location introduced themselves.

### **2. Selection of Subcommittee Chair**

**MOTION:** Member Marroquin nominated Member Andrea Guerrero as Subcommittee Chair. The motion was seconded by Member Farrow.

**VOTE:** The motion passed with Member Marroquin, Member Farrow, and Member Guerrero voting "Yes", no "No" votes, and no abstentions.

### **3. Goals of the Subcommittee**

Chair Guerrero opened the discussion period by stating that the goal of the meeting is to articulate the ongoing role of the Outreach Subcommittee. Member Farrow commented that they needed to determine what the general goal of the subcommittee is and what they would deliver. Chair Guerrero suggested that the rough goal is to engage the general public, especially affected communities, and this includes ongoing communication from the community to contextualize the data received. The ultimate goals should be to be very intentional about outreach, engage communities at every step of the process, and increase the public's opportunity to participate.

Member Marroquin agreed with these goals and suggested that the committee needs to have a common message to send to the communities to facilitate communication with them and get them involved in meetings. Member Farrow suggested that they need to ensure that they invite everyone to participate, including law enforcement.

Chair Guerrero then stated that the common understanding at this point regarding the role of the Outreach Subcommittee is to (1) engage communities, particularly those most affected and including law enforcement; (2) identify the times and key moments to engage the public; and (3) advise the RIPA Board and the Attorney General's Office on how to reach out to the public and engage them effectively. There was no public comment on this topic.

#### **4. Communications to the Public**

Chair Guerrero then stated that the questions for the subcommittee to discuss are (1) what do they want to do outreach on and (2) what key communities should be reached. Member Farrow commented that in terms of a timeline, there are 3 phases that the subcommittee needs to consider: the drafting of the regulations by the Attorney General's Office, implementation by law enforcement agencies, and the receiving of data from law enforcement agencies. He suggested that the subcommittee should just focus the current meeting on the drafting of the regulations and what they need to communicate to the public regarding this process.

Member Marroquin commented that there was a concern raised by members of the public during the first RIPA Board meeting about the diversity of Board members, and that the public did not have much knowledge of who the Board members are. She suggested that it would be a good idea to engage with the media to provide information and updates regarding their work.

Chair Guerrero suggested that throughout their outreach efforts, their communication to the public should include a description of AB 953, an explanation of the role of the RIPA Board, and an explanation of the general regulation process. Member Farrow commented that there appears to be some confusion with the general public about AB 953 and the task of the RIPA Board. He asked DOJ staff whether minutes were being taken at each meeting and whether they will be made public. Ms. Hovis replied that minutes are being taken and can be posted on the AB 953 webpage. Ms. Beninati replied that the minutes have to be approved by the Board or subcommittee before they can be posted, so there will be a delay before they are available online.

Member Farrow also suggested that there should be some mechanism for people that cannot attend the meeting to voice their opinions, such as by sending an email either during or after a meeting that can be read into the record. He explained that during a parole board meeting he recently attended, people not at the meeting could send in an email during the meeting, and it was read into the record. Ms. Beninati replied that the full RIPA Board meetings will be live streamed, but they have not yet considered taking emails during a meeting.

Chair Guerrero then provided a summary of the issues to communicate to the public: (1) a description of AB 953 and its purpose, (2) an explanation of the RIPA Board and its role, (3) the process for community engagement around the implementation of the regulations, (4) public input on the analysis of the stop data received from law enforcement agencies, (5)

recommendations for addressing any racial profiling the data supports, and (6) testimony from the communities regarding their ongoing experience with racial profiling to contextualize the data. Member Marroquin suggested that any language used to describe AB 953 and the role of the Board should be easy to understand and available in multiple languages for non-English speakers.

#### **a. Public Comment**

Diana Tate Vermeire from the ACLU of California commented that any increased outreach to the public should include increased education on smaller scale meetings such as subcommittee meetings, including the role of the subcommittees and how the public can engage in them.

### **5. Target Communities**

Chair Guerrero then turned the discussion to the topic of which communities should be targeted for outreach. She suggested that there should not only be general outreach but also specific outreach targeted at affected communities and stakeholders, including communities of color, immigrant communities, youth, the LGBTQ community, and law enforcement communities.

Regarding law enforcement agencies, Member Farrow suggested that in addition to individuals in management, they should also reach out to law enforcement associations. He also suggested they should consider reaching out to the Auto Club, given the rates of traffic stops and their access to articles in their magazines and other publicity. Member Farrow also suggested that they could reach out to the supporters and opponents of AB 953, as they have expressed interest in the outcome of the bill.

#### **a. Public Comment**

Kevin Vest from the Riverside County Sheriff's Department suggested that the subcommittee could reach out to the DMV which has a lot of access and ability to reach numerous drivers in California.

Diana Tate Vermeire from the ACLU suggested that two other communities the subcommittee may want to consider targeting for outreach are the disability community and religious and faith leaders.

Kristen Powell from the Center for Policing Equity commented that she was going to bring up the same point about reaching out to the disability community.

### **6. Outreach Methods**

Chair Guerrero then asked for members' comments on criteria for outreach methods. She stated that they had already discussed using plain language, multiple languages, and online communication. Member Farrow suggested that there should be a website where the public can read about past activities of the Board and the subcommittees, and that they should also use

social media to raise awareness. He commented that there is still a void in the law enforcement's knowledge of AB 953 and the RIPA Board's role. He suggested that when law enforcement associations or coalitions meet, it would be helpful for someone from the Board to attend and make a presentation to explain to law enforcement what is expected of them under AB 953.

Member Marroquin suggested that in-person presentations to general audiences and interviews with media outlets would be a good way to reach the public. Chair Guerrero suggested that they should utilize ethnic media, and outreach should include television, print media, radio, and social media. Member Marroquin suggested that they should also identify key community events, as well as organizations that reach affected communities and meet with people regularly.

Chair Guerrero suggested that they could put information on a flyer to reach out to stakeholders. She cautioned that they need to be cognizant of the capacity of the Board and staff and suggested that they should consider what kinds of materials and other people they could use to help spread information.

#### **a. Public Comment**

Kristin Powell from the Center for Policing Equity suggested that college campus networks could be a valuable resource, particularly student groups that work on issues of race, gender, etc., and that presentations could be made on campuses. Chair Guerrero suggested that public high school campuses may also be a good resource.

Kevin Vest from the Riverside County Sheriff's Department commented that the state currently posts law enforcement statistics. He suggested that if there was a similar type of mechanism for the data collected by the Board, law enforcement agencies could compare it to their populations and number of officers to give them some perspective on their numbers.

### **7. Public Input on the Regulations**

Chair Guerrero then asked for comments from members regarding how they would get input from the public on the proposed regulations. She asked DOJ staff whether the regulations would be issued in September. Ms. Hovis replied that the goal was to issue a draft of the regulations by the end of September, but it may be slightly later. Chair Guerrero asked what would be the most effective ways to invite input on the regulations. Ms. Hovis answered that after the regulations are issued, there is a 45-day public comment period, in which comments must be submitted in writing. There will then be one or more public hearings at the conclusion of the comment period. However, even if the public comments at the hearings, they should still submit comments in writing.

Chair Guerrero asked whether there is a way for the Attorney General's Office to receive comments electronically or through a portal. Ms. Ysrael replied that there will be a link on the AB 953 website that will allow for comments to be submitted online. Ms. Hovis stated that they would ideally like comments to be submitted online through this portal rather than through regular mail, and the online link will go live once the regulations are published. Chair Guerrero

asked if there was any value to creating a link now so people can engage pre-regulations. Ms. Hovis replied that if comments were to be opened up now, there would be no concrete product on which to comment, as the regulations have not been finalized.

Chair Guerrero suggested that they develop a strategy for the public comment period early on to reach out to those that do not have information about the process. Member Farrow suggested that it will be easier to allow for comments once the specifics are determined, so time is not wasted on issues that do not ultimately make it into the regulations.

#### **a. Public Comment**

Diana Tate Vermeire from the ACLU urged the subcommittee to have as robust a comment period as possible and ensure that affected communities and stakeholders have an opportunity for input on the regulations.

### **8. Resources for Outreach Activities**

Chair Guerrero asked staff whether there is any budget for outreach. Ms. Hovis replied that there is no budget, so they would need to be as creative as possible. Chair Guerrero then asked whether staff could create materials that could be distributed by stakeholders. Ms. Hovis replied that the Attorney General's Office is hiring additional staff to work on AB 953 related issues, but that materials with messaging may need to be approved by the Board at the next meeting before going out to the public. She stated that the notice for the next Board meeting on October 24 would be sent out today. Chair Guerrero commented that this would be too late for outreach because it would be in the middle of the public comment period. She asked whether basic materials could be sent out by the Attorney General's Office without approval from the Board. Member Marroquin and Member Farrow agreed that outreach should begin as soon as possible. Ms. Hovis replied that staff could send out basic materials before the public comment period.

Member Farrow asked staff about the timeline for implementation of the regulations. Ms. Hovis explained that there is a lengthy internal review process for the regulations but the regulations will likely be posted by the end of September or early October in advance of the October 24 Board meeting. Member Farrow replied that it is important for the Board to see the language before this meeting because it would be difficult to deliberate on things they have not seen.

Member Marroquin suggested that, because there is no outreach budget, they need to be more aggressive with engaging the media to bring more people to the next Board meeting. Chair Guerrero asked if the Attorney General's Office had an existing infrastructure, such as a communications committee to issue a press release or create flyers in different languages. Ms. Hovis replied that they have a communications team that they could work with the team to engage in joint media projects and that they have resources to prepare outreach materials. Chair Guerrero asked if staff could prepare a outreach materials with messaging by October 24 to be approved by the Board.

Ms. Hovis also explained that when the Attorney General's Office sends out press releases they go to a public subscriber's list and media contacts. The office also can tweet and post on its Facebook page. There is also a distribution list that includes the names of interested stakeholders, as well as anyone who attends RIPA Board and subcommittee meetings and signed the voluntary sign in sheet. Anyone who wants to be added to it can be included and they will receive meeting notices.

Chair Guerrero asked if there is a way that interested individuals can sign up for the distribution list through the AB 953 website. Ms. Hovis answered that they can create a way to sign up on the website. Chair Guerrero also requested that staff send an email to Board members for additional people to add to the list.

#### **a. Public Comment**

A member of the public from the Sacramento County Sheriff's Department commented that there seems to be confusion about how law enforcement agencies are contacted or notified about meetings. She explained that some individuals in her agency were not even aware that AB 953 was enacted. She asked if there is a way that meeting notices could be sent to each law enforcement agency's PIO or union associations so they could in turn send out a blast to each department.

Ms. Hovis replied that all law enforcement associations have individuals on the distribution list, including the California State Sheriffs' Association. She explained that the Attorney General's Office had sent out a survey to all law enforcement agencies in the state in May or June to solicit responses to certain questions and to let them know that AB 953 implementation was coming. The office has also been meeting with law enforcement agencies. She stated that they would need to find out if the Attorney General's Office had each agency's PIO.

### **9. Messaging for Flyer**

Chair Guerrero provided a brief summary of the topics discussed during the meeting. Ms. Hovis then commented that in order to provide a draft flyer with messaging, the subcommittee should decide what the messaging should be, including the framework and what is important to emphasize to the public. Chair Guerrero asked if staff could draft the flyer and the subcommittee could provide feedback at another meeting. Member Farrow suggested that the flyer should include just the basics that were already discussed at the beginning of the meeting—a description of AB 953, an explanation of the RIPA Board and its purpose, and an explanation of the regulation process. Member Marroquin agreed with this suggestion. Chair Guerrero suggested that the Attorney General's Office could use the basic language from the PowerPoint presentation used at the first Board meeting, condense it into plain language that is easily translatable, and make it visually interesting. Ms. Hovis commented that this was enough for staff to get started, but she suggested that it would be a good idea to get consensus from Board members on the purpose of AB 953. There was no public comment on this topic.

### **10. Next Steps**

Chair Guerrero proposed that they reconvene the subcommittee before the next Board meeting. Member Farrow suggested that it would be beneficial before going to the Board with recommendations to know if anything on the list cannot be done. Ms. Hovis suggested that the subcommittee reconvene, possibly in September, before the October 24 meeting to go over any materials generated by staff.

Ms. Hovis also stated that the Attorney General's Office would continue to hold outreach meetings with law enforcement agencies, and they would be open to receiving additional contacts to add to the distribution list.

## **11. Adjournment**

The meeting adjourned at 12:30 p.m.



**CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD**

<https://oag.ca.gov/ab953>

**OUTREACH SUBCOMMITTEE**  
**MEETING NOTICE AND AGENDA**

**Tuesday, September 27, 2016, 1:00p.m. – 2:30p.m.**

**Teleconference Locations: California Department of Justice Offices**

**Los Angeles**

300 S. Spring Street  
1<sup>st</sup> Floor Reception  
Los Angeles, CA 90013

**Sacramento**

1300 "I" Street  
Sacramento, CA 95814

**San Diego**

600 West Broadway St.,  
Suite 1800  
San Diego, CA 92101

1. Introductions (5 min.)
2. Approve minutes from prior meeting (5 min.)
3. Follow up from prior meeting regarding (45 min.)
  - a. Review materials drafted by DOJ staff
  - b. Discuss messaging regarding AB 953
  - c. Discuss outreach regarding public input on the regulations
4. Public comment (10 min.)
5. Additional discussion of advice this subcommittee wishes to provide to the Racial and Identity Profiling Advisory Board on recommendations it might make to the Attorney General's Office regarding outreach they want to engage in during the next phases of AB 953, including implementation by law enforcement agencies and the receipt of data from law enforcement agencies (45 min.)
6. Public comment (10 min.)
7. Next steps (10 min.)
8. Adjourn

The meeting will begin at the designated time. Other times on the agenda are approximate and may vary as the business of the Board requires. Access to the meeting sites are accessible to persons with disabilities. For information or assistance with accommodation requests, please contact Supervising Deputy Attorney General Nancy A. Beninati at 510-622-2194, at least five calendar days before the scheduled meeting. For all other questions about the Board meeting please contact Legal Assistant M. Luzy Ochoa, California Department of Justice, 300 S. Spring Street, Suite 1702, Los Angeles, CA 90013, (213) 897-2636.

**CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD**

**OUTREACH SUBCOMMITTEE MEETING MINUTES**

**Tuesday, September 27, 2016**

**Teleconference Locations: California Department of Justice Offices**

**Los Angeles**

300 S. Spring Street  
5<sup>th</sup> Floor Conference Room  
Los Angeles, CA 90013

**Sacramento**

1300 "T" Street  
Conference Rm. 1540  
Sacramento, CA 95814

**San Diego**

600 West Broadway St.  
Suite 1800  
San Diego, CA 92101

**Subcommittee Members Present:** Subcommittee Chair Andrea Guerrero, Mariana Marroquin, Angela Sierra

**Subcommittee Members Absent:** Joe Farrow

**California Department of Justice Staff Present:** Nancy A. Beninati, Shannon Hovis, Rebekah Fretz, John Appelbaum, Kathy Radez, Glenn Coffman, CJIS

**1. Call to Order and Introductions**

The meeting was called to order at 1:06 p.m. by Subcommittee Chair Andrea Guerrero. The meeting was held by teleconference with a quorum of members present. After the call to order, the subcommittee members, California DOJ staff, and members of the public present at each location introduced themselves.

**2. Approve Minutes from Prior Meeting**

**MOTION:** Member Marroquin moved to approve the minutes from the prior subcommittee meeting. The motion was seconded by Member Sierra.

**VOTE:** The motion passed with Chair Guerrero and Members Marroquin and Sierra voting "Yes", no "No" votes, and no abstentions.

**3. Follow up from Prior Meeting**

**a. Review Materials Drafted by DOJ Staff.**

Chair Guerrero opened the discussion by describe the one-page flyer prepared by the DOJ staff and opening the floor to comments.

In response to a question from Member Marroquin, DOJ Staff confirmed that the flyer would be available in both Spanish and English, and also noted that the AB 953 web site

includes a Spanish version and will include copies of future agendas in both English and Spanish.

Chair Guerrero suggested that the portion of the flyer explaining how members of the public could get involved might be strengthened by including bullet points explaining that the public can get involved by attending RIPA Board and Subcommittee meetings and by providing comment on the proposed regulation through the DOJ website portal. Noting that the Board does not have an outreach budget, Member Marroquin suggested that the flyer be distributed so that other organizations and coalitions can reproduce it to inform targeted communities. Member Sierra observed that it is effective having all of the information on a single piece of paper, and suggested that the information about the six subcommittees on the back of the flyer could be condensed, if necessary, in order to expand the explanation of how the public can get involved.

In response to a question about timing, Shannon Hovis/DOJ confirmed that both the English- and Spanish-language versions of the flyer should be available by next week. Chair Guerrero encouraged the DOJ to circulate the English-language version as soon as it is available without waiting for the Spanish translation; Ms. Hovis confirmed DOJ staff would do so.

Public Comment: Brian Peele/Orange County Sheriff's Department asked whether the statement on the flyer regarding the "collection of data regarding citizens complaints" referred to data collection by law enforcement agencies or the State. Member Sierra clarified that this bullet referred to a component of AB 953 that expands the information LEAs already provide to DOJ, and does not refer to the regulations under development

Kevin Vest/Riverside County Sheriff's Office commented that the term "traffic stops" seems to be law enforcement jargon that might require further definition, and suggested replacing the term "stop" with either "Vehicle Code enforcement" or "contact." Ms. Hovis agreed that the language should be clarified to refer to "stops" as defined in RIPA statute.

Brian Peele/Orange County Sheriff's Department asked whether questions about definitions be cleared up before or at October 24 meeting. Member Sierra acknowledged that there is a lot of activity happening at the same time, and that the RIPA Board's primary attention at its next meeting will be on proposed regulations and RIPA Board recommendations to the Attorney General, while the Outreach subcommittee will need to figure out timing for the flyer, etc.

**RECOMMENDATION:** The subcommittee directed DOJ staff to revise the flyer to include specific bullet points explaining how the public can get involved while still maintaining a single-sheet format. Further approval from the subcommittee is not necessary to implement those changes.

**NEXT STEPS:** DOJ staff will revise the flyers and circulate the revised copy for distribution as possible via email to the DOJ's distribution list (including RIPA board members). The email will include a message encouraging recipients to distribute the flyer widely to their own networks.

## **b. Messaging Regarding AB 953**

Chair Guerrero began the discussion by noting two concerns: first, that people do not yet understand what the RIPA Board is trying to do; and second, that the Board does not yet have buy-in from all relevant stakeholders. The Board needs compelling messaging explaining why both community stakeholders and law enforcement stakeholders need to care, and proposed that the Subcommittee consider some statements for why we should all move forward on this together, pulling together law enforcement and community stakeholders.

Member Sierra agreed, emphasizing that building lines of communication and trust between community and law enforcement is important and is good for public safety as well. The information that will be generated by RIPA can help all of California assess things and look for ways to improve practices or counter misconceptions. Messaging should also show that a lot of stakeholders are putting a lot of thought and attention into this effort.

Member Marroquin noted that the quotes in the flyer from the Attorney General are effective and that she would like to see similar quotes from board members and other people to encourage a diversity in messaging. The other members agreed, and discussed various ways to accomplish this objective.

**MOTION:** Member Sierra moved for DOJ staff to email all RIPA Board members soliciting statements about “what AB 953 means to them,” with the intent to use this as outreach material for different communities; DOJ staff will then compile those statements and include them in the report from the subcommittee to the RIPA board. Chair Guerrero amended the motion to include the question of “why is it important to successfully implement AB 953?” The amended motion was seconded by Member Marroquin.

**VOTE:** The motion passed with Chair Guerrero and Members Marroquin and Sierra voting “Yes”, no “No” votes, and no abstentions.

**NEXT STEPS:** DOJ Staff will email all RIPA Board members to solicit comments per the motion above, compile those statements, and include them in the Subcommittee’s report to the RIPA Board.

## **c. Outreach Regarding Public Comment on the Proposed Regulations**

In response to a question about timing, Nancy Beninati explained that the Attorney General’s proposed regulations must first go to Office of Administrative Law before then can be posted for public comment. Once the regulations are ready, they will be posted for public comment along with a notice of the comment period and the date for any public hearings. Notice will be provided at that time to all interested stakeholders through the DOJ’s distribution list. It is possible that the proposed regulations may not be ready for RIPA Board review by October 24.

Chair Guerrero commented that the DOJ will distribute the flyer as soon as it is ready, and will encourage RIPA Board members to do the same, and then asked whether the

Subcommittee wanted to provide other recommendations to the RIPA Board concerning outreach.

Member Sierra asked whether the DOJ could ask recipients on the DOJ's distribution list to please forward the flyer to their own distribution lists and anyone who may be interested in this important information. Member Marroquin asked whether the DOJ intended to issue a press release either in advance of the public comment period or when the regulations are posted for comment. Ms. Beninati confirmed that the DOJ is considering a press release when the regulations are posted.

Public comment: Diana Vermeire/ACLU encouraged the subcommittee and DOJ staff to be sure the language in the announcement is accessible—including lay language, translations, etc.—so people understand their opportunity to engage in the regulations process. Member Guerrero suggested that any DOJ communication should put an invitation up top for the public to provide feedback during that window of opportunity.

Chair Guerrero asked for further recommendations to the full board regarding outreach once the public comment period commences. Member Sierra recommended that RIPA Board members do outreach to their own networks to supplement what the DOJ is doing; Chair Guerrero suggested that should specifically include stakeholder communities discussed by the Subcommittee in its last meeting, including communities of color, immigrants, youth, the LGBT community, and law enforcement communities.

Public comment: Diana Vermeire/ACLU asked whether the DOJ is considering holding separate public hearings on the regulations, or whether those meetings would be conflated with the RIPA Board meetings. Ms. Beninati clarified that the public notice of the posted regulations would include notice of the period for public comment and of the scheduled public hearings, which must be held at least 45 days from the date of public notice. Member Sierra commented that the DOJ has not fully decided the timing or locations of public hearings. A member of the public from San Diego asked whether RIPA messaging and outreach will be centered around proposed flyer for consistency sake. Chair Guerrero confirmed that the flyer would be used as a pivot point for all communications.

**RECOMMENDATIONS:** DOJ Staff should ensure that, when the flyer is circulated to the DOJ distribution list, it is accompanied by language encouraging recipients on the DOJ's distribution list to please forward the flyer to their own distribution lists and anyone who may be interested in this important information. The Subcommittee will reinforce that message by recommending to the Board that all members actively promote the public comment period in their own networks.

**NEXT STEPS:** DOJ Staff will circulate the flyers as soon as possible with the recommended message. In addition, DOJ Staff will check with the press office about issuing a press release when the regulations are posted for public comment, and possibly before. In the event the next RIPA Board meeting needs to be rescheduled, DOJ staff will correct the date on the flyer.

Public comment: Chris Wenzinger/Tulare County Sheriff's Office suggested either the RIPA Board or DOJ should contact chiefs and agencies to post on their web sites. Chair Guerrero agreed that this was an excellent idea.

#### **4. Adjournment**

The meeting adjourned at 2:26 p.m.

# The Racial and Identity Profiling Act of 2015

## What is the Racial and Identity Profiling Act of 2015?

The Racial and Identity Profiling Act of 2015 (AB 953) took effect on January 1, 2016 and requires:

- Collection of Data Regarding Citizen Complaints Alleging Racial and Identity Profiling
- Collection of Data Regarding Law Enforcement Stops
- Creation of the Racial and Identity Profiling Advisory (RIPA) Board

AB 953 requires California city and county law enforcement agencies, the California Highway Patrol, and peace officers of California state and university educational institutions to collect and report to the California Attorney General detailed data regarding all stops, which AB 953 defines as a detention or search, and includes a consensual search. The Attorney General must draft and issue regulations to govern this data collection.

The data to be collected on each stop by law enforcement includes, among other things:

- Time, date, location, reason for and result of the stop
- Perceived race or ethnicity, gender and approximate age of the person stopped
- Actions taken by the officer during the stop, including whether the officer asked for consent to search; whether a search was conducted; and whether any evidence or contraband was discovered or seized

## What is the Role of the Racial and Identity Profiling Advisory (RIPA) Board?

The Attorney General, beginning July 1, 2016 established the Racial and Identity Profiling Advisory (RIPA) Board, a 19-member board made up of law enforcement, attorneys, community and spiritual leaders, and a university professor, for the purpose of eliminating racial and identity profiling, and improving diversity and racial and identity sensitivity in law enforcement. AB 953 requires the board to, among other things:

- Advise the Attorney General in developing the regulations for the stop data collection and reporting
- Annually review and analyze stop data and citizen complaint data submitted by law enforcement
- Work with law enforcement to review and analyze racial and identity profiling policies and practices
- Issue an annual report that details the past and current status of racial and identity profiling and provides policy recommendations for eliminating profiling in California

The board will meet at least three times annually in Southern, Northern and Central California. The next RIPA Board meeting is December 14, 2016 at 10:00 a.m. at the Downtown Business Hub (Fresno Area Hispanic Foundation) in Fresno (1444 Fulton Street).

## When will the regulations be made public?

The Attorney General's Office will issue draft regulations for the collection and reporting of stop data after receiving input from the RIPA Board at the October 24 meeting.

## How can I get involved?

- Visit the AB 953 website at <https://oag.ca.gov/AB953> for key dates and information
- Subscribe to the AB 953 mailing list to receive electronic notifications on the AB 953 website
- Attend RIPA Board meetings and provide public comment or watch via live stream available on the Attorney General's homepage (<https://oag.ca.gov>)
- Provide comments once the draft regulations have been posted and during the 45-day public comment period, and/or attend a public hearing at the conclusion of the comment period

# LEY DE PERFILES RACIALES Y DE IDENTIDAD DEL 2015

## ¿Que es la Ley de Perfiles Raciales y de Identidad del 2015?

La Ley de Perfiles Raciales y de Identidad (AB 953) tomo efecto el primero de enero de 2016 y requiere:

- Recopilación de datos relacionados con quejas de ciudadanos en las cuales se alega el uso de perfiles raciales y de identidad;
- Recopilación de datos de detenciones por parte de agentes del orden público;
- Creación de la Junta Asesora de Perfiles Raciales y de Identidad (RIPA).

AB 953 requiere que todos los organismos del orden público municipal y regional de California, así como también los patrulleros de carreteras de California y las instituciones educativas universitarias, recopilen datos referentes a detenciones, que AB 953 define como detenciones o inspecciones, incluyendo inspecciones consensuales. La Oficina del Procurador General debe desarrollar y promulgar reglamentaciones que gobernarán la recopilación de datos.

Los datos que se recopilarán incluyen, entre otras cosas, detenciones por parte de agentes del orden público incluyendo:

- Hora, fecha, ubicación, razón, y resultado de la detención
- Raza o etnicidad percibida, identidad de género, y edad aproximada de la persona detenida
- Acción que el oficial tomo durante la detención, incluyendo si el oficial pidió una inspección consensual, si hubo una inspección, y si evidencia de contrabando fue encontrada o confiscada

## ¿Cuál es el Papel de la Junta Asesora de Perfiles Raciales y de Identidad (Junta RIPA)?

Desde el primero de julio de 2016, la Oficina del Procurador General estableció la Junta Asesora de Perfiles Raciales y de Identidad (Junta RIPA) compuesta por 19 miembros, que incluyen miembros del orden público, abogados, miembros de la comunidad, líderes espirituales, y profesores universitarios con el propósito de eliminar el uso de perfiles raciales e identidad y mejorar la diversidad y sensibilidad de identidad racial en agentes del orden público. AB 953 requiere entre otras cosas que la Junta:

- Asesore al Procurador General en desarrollar las reglamentaciones que gobernarán la recopilación de datos y la publicación de reportes
- Revise y analice anualmente los datos y las quejas de ciudadanos en las cuales se alega el uso de perfiles raciales y de identidad
- Trabaje con oficiales del orden público para revisar y analizar políticas y prácticas que utilizan cuando consideran perfiles raciales y de identidad
- Desarrollar un reporte anual que detalla el estado pasado y el estado actual del uso de perfiles raciales y de identidad y proporcionar recomendaciones para eliminar el uso de estos perfiles en California

La Junta Asesora se reunirá tres veces al año en el sur, norte, y centro de California. La próxima reunión de la Junta Asesora RIPA es el 14 de diciembre de 2016 a las 10 a.m. en el área de Negocios del Centro de la Ciudad de Fresno (“La Fundación Hispana de Fresno”) (1444 Fulton Street).

## ¿Cuándo se van a publicar las reglamentaciones?

La Oficina del Procurador General emitirá el borrador de las reglamentaciones para la colección y el reportaje de datos después de recibir las aportaciones de la Junta Asesora RIPA en la reunión del 24 de Octubre.

## ¿Cómo puedo participar?

- Visita el sitio web de AB 953 en <https://oag.ca.gov/AB953> para las fechas y los datos claves
- Suscríbete a la lista de correo electrónico a través del sitio web AB 953 para recibir notificaciones electrónicas
- Asiste reuniones de la Junta Asesora RIPA y comparte tus comentarios o ve la transmisión en vivo que está disponible a través de la página de la Oficina del Procurador General (<https://oag.ca.gov>)
- Comparte tus comentarios durante el período de comentarios públicos de 45 días una vez que el borrador de reglamentaciones sea publicado, y/o asiste una audiencia pública en la conclusión del período de comentarios