

From: [Jesse Daniels](#)
To: [AB953](#)
Subject: AB953 Public Comment
Date: Saturday, January 28, 2017 2:07:37 PM

Re: AB953 Proposed Regulations

Dear Ms. Ysrael and Ms Radez,

I live in Los Angeles, California and I cannot thank you enough for the work you have put into organizing committee meetings and public hearings in order to ensure that the implementation of the bill properly reflects voices of the people. Adding my voice to the many who have shared at these past meetings, I've included an outline of several issues I would like to advocate for.

All data is intended to get us one step closer to capturing discretion. The closer we get to meaningful data, the closer we get to meaningful stories. We need to ensure we are capturing the right data and that a single report filed should be able to provide a comprehensive story of the stop that ensued. I support the current regulations proposed by the Department of Justice, but would like to advocate for additional items to be included. As was exemplified by many who have shared at public hearings, an elaborate narrative is tightly wound to any single stop. Unfortunately, the current format for proposed regulations, allows for much of this narrative to slip through in final reports.

For data values that reference "Other", I support mandatory open narrative fields. In terms of data fields, I want to advocate for open narrative fields for: Reason for Stop → Other, Reasonable Suspicion, and Action Taken During Stop → None of the above. "Other" and "None of the Above" are unmatched to the stories these community members have been sharing. Introducing these narratives to dialogue in data collection also introduces them in police training and climate of police departments. Considering the impact of an interaction with an officer on an individual, this is not a bad thing. Accurate data collection that represents each police stop is good and honorable. The stories shared at these public hearings capture the narrative that is missed in a short police report, but could be provided with a few additional lines of information.

For duration of stop, I support an open narrative field if "over 60 minutes" is selected allowing for exact length of time.

In special settings of schools, I support adding an additional data element of ADHD under Disability.

I support a data element that allows to indicate perceived religion if known. This is particularly important for collecting data on Muslims who may be stopped more often in today's political climate. It is important that we be proactive in capturing this data now.

I support a data element, under gender that designates "perceived LGBT". If officers check this box and/or check it often it may contribute to a story of who is being policed. Regardless, training in this area may initiate critical dialogue among departments on who may be policed for their sexuality.

I support comments made by Judge Lytle that data collected should indicate if there was consent to stop and to search and seizure, if officers making the stop were in uniform. And if those stopped had any known or perceived disability as well as any indicators of their mental state (ie. Angry, confused, scared).

I would also like to advocate for collection of officer information, when publicized, is de-identified to protect the officer. However, internally, this information regarding years of service, gender and race is critical identifying trends for departments and individual officers.

Many officers argue that the implementation of AB953 is too costly and too time consuming. Of course, this is weighed out against the lives of those stopped. What a disappointment to California citizens to be told that ensuring their safety is too costly and too time consuming to be worth it. Data collection is not a burden, but rather a pillar of transparency and accountability – things that "the people" expect from their "public servants".

This is also a chance for growth in a time where we need reassurance from our police departments and our state government that we are loved, cared for and respected as community members. Perhaps this legislation cannot create justice in itself. Simply by developing a bill and regulations, we do not end all racial profiling and we may not immediately reduce unnecessary deaths, incarceration, and trauma caught in these

stops. The fact that this data has not been collected historically is an insufficient excuse for why it cannot be collected now and collected well.

We are asking California to lead in making our public servants accountable. And we are asking California to lead in promising safe communities for its diverse populations. We cannot lead and we cannot succeed in creating safe communities without reliance on science. And we cannot effectively and scientifically research the situation without meaningful data.

Rather than meet the minimum standards of AB953, we should be striving for excellence. And our police department should be as well. Consider the many immigrants in California who have left militant countries. Consider the many Californians who have grown up in homes or communities wrought with trauma. Consider the many citizens who hear their police express resistance rather than advocacy for ensuring an end to racial profiling. We ask that the Department of Justice and the Attorney General acknowledge officers' voices and acknowledge citizens' voice and develop regulations that represent the community asking to be served. Initiated by the community and for the community, these voices should carry a far greater weight than officers. Additionally, this is not an "us versus them" moment; we need police to believe this is worth it too and that it serves as accountability and security for their own individual positions. This is a critical responsibility for officers to not only police communities, but do everything in their power to ensure safety. And a critical responsibility for DOJ to remind them of this.

Please move forward with these regulations keeping in mind the narratives shared at these public hearings from community members. And please keep in mind, that once this bill has been implemented, those who write the narrative will only be police. So, as people, this is our only opportunity to place community narrative at the forefront, ensuring responsive community policing. This is entirely new territory and while police may advocate to tread lightly and slowly, I'm imploring you to champion forward with implementation, knowing we are making history in doing so.

Sincerely,

Jesse Daniels

From: [Debra Balestino](#)
To: [AB953](#)
Subject: Sanctuary city and state
Date: Thursday, February 02, 2017 6:58:21 PM

I live in Bakersfield California. I strongly opposed to any Sanctuary city and state. I strongly opposed protecting illegal immigrants or refugees. All illegal immigrant criminal needs to be returned to their country's , including their families. You can not change the minds of people that have be brought up to hate and destroy the USA. By protecting the illegal refugees immigrants criminals you are endangering the citizens of the USA. I am a natural citizen and my protection and my family should come first! Everyone should support the president in office and abide by federal laws and the laws of the land. If those in office can't support the President and abide by the laws, they should resign their position. Financially California can not afford to loss federal funding.

Thank You, Debbie Balestino

AB953

From: Debbie Balestino <[REDACTED]>
Sent: Thursday, February 02, 2017 8:24 PM
To: AB953
Subject: Comment Regarding Proposed Regulations



State of California Department of Justice
Xavier Becerra ~ Attorney General

Social Networks

February 2, 2017



Comment Regarding Proposed Regulations

Submitted on Thursday, February 2, 2017 - 8:24pm

Submitted by anonymous user: [REDACTED]

Submitted values are:

Email: [REDACTED]

Name: Debbie Balestino

Comments/Suggestions: May be provided in the text box below or uploaded as an attachment.

I am strongly opposed to a sanctuary city or state! I am strongly opposed to protecting illegal criminals refugee immigrants and their families. You can not change the mind and behavior of those that have been brought up to hate, destroy, kill the American people. You are putting the citizen of USA at risk by protecting illegal criminal refugee immigration! Everyone should support the President of USA and abide by the laws of the land and federal laws. Those in government office that can't need to resign immediately! Once again I am strongly opposed to California sanctuary cities and State!

File



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AB953

From: Anthony Adrian Levintow <[REDACTED]>
Sent: Saturday, February 04, 2017 7:49 PM
To: AB953
Subject: Comment Regarding Proposed Regulations



State of California Department of Justice
Xavier Becerra ~ Attorney General

February 4, 2017

Social Networks



Comment Regarding Proposed Regulations

Submitted on Saturday, February 4, 2017 - 7:48pm

Submitted by anonymous user: [REDACTED]

Submitted values are:

Email: [REDACTED]

Name: Anthony Adrian Levintow

Comments/Suggestions: May be provided in the text box below or uploaded as an attachment.

Explain to me what constructive law enforcement benefits the Act provides or please register my opposition.

File



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From: [de kay](#)
To: [AB953](#); [City Attorney](#); [Herb](#)
Subject: Fwd: Evidence
Date: Tuesday, February 07, 2017 2:14:26 PM

Sent on a Sprint Samsung Galaxy Note® 3

----- Original message -----

From: Internal Affairs <InternalAffairs@sacsheriff.com>
Date: 02/07/2017 12:26 PM (GMT-08:00)
To: de kay <[\[REDACTED\]](#)>
Subject: RE: Evidence

De Kay,

We have received your series of emails about the LAPD and Los Angeles Department of Building and Safety. Please understand that the Sacramento County Sheriff's Department Internal Affairs Division investigates complaints on employees of our department. Here are links you may find helpful in your jurisdiction to forward your request for an investigation to: for Los Angeles Police Department Internal Affairs - http://www.lapdonline.org/internal_affairs_group or the Los Angeles Office of the Inspector General - <https://www.oig.lacity.org/how-to-file-a-complaint>. Thank you,

Professional Standards Division

Sacramento County Sheriff's Department

Internal Affairs

internalaffairs@sacsheriff.com

From: de kay [[mailto:\[REDACTED\]](mailto:[REDACTED])]
Sent: Tuesday, February 07, 2017 8:37 AM
To: Ethnic; Internal Affairs; Inspector General; City Attorney
Subject: Fwd: Evidence

Good morning I'm requesting a complete and transparent investigation of Los Angeles Department of Building and Safety. I can be reached at [\[REDACTED\]](#) or at [\[REDACTED\]](#). I know my life is in danger, the LAPD are hired hit men for the city of Los Angeles and private companies with the financial means to cover up their dirty deeds. So please alert the FBI ASAP. Thanks Yours Truly DeShawn W Keys a California Certified Electrician.

Sent on a Sprint Samsung Galaxy Note® 3

----- Original message -----

From: de kay [REDACTED]
Date: 02/07/2017 7:52 AM (GMT-08:00)
To: Inspector General [REDACTED] >, Sacramento Internal
[REDACTED], City Attorney [REDACTED] >, Ethnics
[REDACTED] Herb [REDACTED] >, Paul Kortez
Subject: Fwd: Evidence

Sent on a Sprint Samsung Galaxy Note® 3

----- Original message -----

From: de kay <[REDACTED]>
Date: 02/05/2017 2:08 PM (GMT-08:00)
To: [REDACTED]
Subject: Fwd: Evidence

Sent on a Sprint Samsung Galaxy Note® 3

----- Original message -----

From: de kay [REDACTED]
Date: 02/05/2017 12:31 PM (GMT-08:00)
To: City Attorney <[REDACTED]@lacity.org>
Subject: Evidence

**NEC 2011 Electrical Code: Administration and Enforcement
Informative Annex**

80.11 (A) New Construction. No newly constructed building shall be occupied in whole or in part in violation of the provisions of this Code.

80.2 Definitions. Authority Having Jurisdiction. The organization, office or individual responsible for approving equipment, materials, an installation, or a procedure.

Chief Electrical Inspector. An electrical inspector who is the authority having jurisdiction or is designed by the authority having jurisdiction and is responsible for administering the requirements of this Code.

Yours Truly DeShawn W Keys a California Certified Electrician. Lights Out Crescent Heights Management and Los Angeles Department of Building and Safety. All power and authority completely stripped ASAP. Federal Obstruction is a serious crime.

Sent on a Sprint Samsung Galaxy Note® 3

AB953

From: Chris Barker <[REDACTED]>
Sent: Monday, February 13, 2017 4:00 PM
To: AB953
Subject: Comment Regarding Proposed Regulations



State of California Department of Justice
Xavier Becerra ~ Attorney General

Social Networks

February 13, 2017



Comment Regarding Proposed Regulations

Submitted on Monday, February 13, 2017 - 4:00pm

Submitted by anonymous user: [REDACTED]

Submitted values are:

Email: [REDACTED]

Name: Chris Barker

Comments/Suggestions: May be provided in the text box below or uploaded as an attachment.

This is creating profiling not taking away. You are telling the police to profile people they contact to meet the reporting requirements. The police are not concerned about any of this information when they contact people and now you are requiring them to try and profile people to report this information. Your are overstepping the original intent of the original legislation that was passed.

Crime will rise putting more citizens in danger.

File



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AB953

From: Shesobudha MooseMyLemon <[REDACTED]>
Sent: Monday, February 27, 2017 11:16 AM
To: AB953
Subject: Sherry Clarke

I suffered discrimination due to me going into Lauras house. Legal Aid denied my x husban representation untill the following week. When he came to my home harassed me made a police report and was given legal help with a contempt of court outstanding for not attending a batters class.

His lawyer recently changed orders on my case wiped out a prior case number and took my custody rights. I am unable to find the father to bring him to court. He has a long time warrent. And when i went to the court recently there is a judgment that i was to take a batters class.

I missed a day of court yet my family madw judge renee wilson2 aware i had a heart attack and was in the hospital.

Judgw Lawson was the last jusge i seen and told Robbins untill i had representation he was not condoning Matthew Clarke Case.

Matthew isolated me years from my boys.

I want compensation for fraudulently miss handeld case. There was no such judgment of me taking batter classea. I waa just in Laura's house stl seeing therapy!

Why would a judgment of this sort be expected.

My son is confused and haa had to be away fron me over lies and deception. I go into court to pull records and the clerks office is distorting notes and documents to cover their ass.

Im pist off ans i need justice of reconciliation over this

Please pleasw look into my case

Sherry lee Deets Clarke

AB953

From: Thanks <[REDACTED]>
Sent: Tuesday, March 21, 2017 6:25 PM
To: AB953
Subject: Comment Regarding Proposed Regulations



State of California Department of Justice
Xavier Becerra ~ Attorney General

Social Networks

March 21, 2017



Comment Regarding Proposed Regulations

Submitted on Tuesday, March 21, 2017 - 6:24pm

Submitted by anonymous user: [REDACTED]

Submitted values are:

Email: [REDACTED]

Name: Thanks

Comments/Suggestions: May be provided in the text box below or uploaded as an attachment.

SUBJ1

File



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From: [Virgil Robinson III](#)
To: [AB953](#)
Subject: I'm being harassed by the Hayward ca police and a Oakland ca sheriff deputy and the CIA and president BARRACK OBAMA and they have something in my body that every black person is being used to be spied upon and en -slaved!
Date: Sunday, March 26, 2017 5:07:27 PM

Since 2012 on dec 18 th Ive been getting torchered lied to and my privacy violated and given to who ever these criminals wanted to give them to for any reason and the Presidents BARRACK OBAMA and DONALD TRUMP both are involved in this gang and they kill , torcher , conspire to kill , and they have stolen 14000 dollars from me through SSI employees a DANIELLE L WHITE and a few employees and they let the agency or place of business contacted first because they have something in your body and they are illegally spying on you and violating every civil right you have while they torcher you and let people enjoy taunting you while they violate you , I'm handicapped and they even went to the extent of letting the guy that shot me a GEORGE BRAGGS family members in my business play with me and they are the ones that gave him the time now my ex involved is the one that testified against him and is now the one that stole my 14000 with law enforcement a DANIELLE L WHITE along with HAYWARD CA POLICE AND A ALAMEDA CONTY SHERIFF DEPUTY ! This is going on right now !

From: [Ligala Manns](#)
To: [REDACTED]
Cc: [AB953](#); [REDACTED]
Subject: Homeless Verteran with child
Date: Tuesday, June 20, 2017 1:35:55 AM
Attachments: [Homeless Vet2017.bmp](#)
[homeless vet.bmp](#)

06/20/2017

Dear Mr.President Donald Trump, thank you Sir for your great service and very valued time

Hello, my name is Ligala P. Manns and I and my eleven year old son are homeless, living in and out of my car, and on different family members (that will allow us) sofas or floors. On March 27, 2017 I was served with a sixty-day notice of termination of tenancy because the owner was selling the house and the new owners wanted us out. Unfortunately, due to the lack of housing in the area where we were asked to vacate from, I was not able to secure housing in the time that was asked, so to avoid being evicted, I moved into my car, and at the time we literally became homeless. In spite of that fact that we are currently homeless, I am very confident that we will be housed soon with the out pour of help we are receiving from SSVF, and Volunteers of America, staff here at the Mather VA hospital.

I'm also doing my best to keep my son from being further affected by our untimely homeless situation, by trying to keep him in Herron Elementary school, which is the nearest and safest to our last permanent residency. However [REDACTED] [REDACTED], with the Natomas Unified School District insists that "we are not homeless", even though I provided the district office with an original copy of my letter of homelessness which was provided to me by SSVF at Mather Hospital. My son is my world, and when often times everything in my world is sometimes sad from the memories of my trauma. It's knowing that I can keep his childhood safe, and productive with the help of our great Veteran resources.

However, [REDACTED] [REDACTED], with the Natomas Unified School District, for reasons that I hope are not racial, stated that "there are already enough African-American students already enrolled from the South Natomas

area, so your son will have to attend a school from that area, not Heron ”She is completely ignoring The McKinney-Vento Act,([McKinney-Vento Act](#)) and called my phone again today (June 19, 2017 at 3:41pm) yelling to me that we are “not homeless, and that when Mr. [REDACTED] gets back from vacation on July 12, 2017, he’ll deal with me himself” What she is saying is not true, we are currently still homeless, but I am searching in North Natomas for permanent housing every day. I also went into the office and submitted a transfer to Heron on 4-20-2017 as well as enrolled my son into the 4th “R” school-age care program.

All I want is for my son to be rightfully admitted into Heron Elementary school, that’s all I’m asking for, I will keep working with the VA staff on my other concerns. But the refusal of Natomas School District allowing my son to attend school, is not something that the VA can help with other than having provided them with the letter of homelessness. Thank you for your time

Ligala P. Manns, Disabled PTSD/MST Veteran

[REDACTED]

mrsligala@gmail.com

Ligala P. Manns

From: [Richard Hylton](#)
To: [AB953](#); RHVILLA@sanidiego.gov; [Shelly Zimmerman](#); [Shirley Webber](#)
Subject: Use of the catchall "Other"
Date: Tuesday, May 09, 2017 12:49:57 AM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)

Shannon Hovis

I have spent massive amounts of time examining and evaluating Vehicle Stop Data from the City of San Diego. They boast that they are leaders on data-driven policing, I that I am the pope of Greenwich Village.

I was intrigued to see two or more comments that cautioned on the use of the term "Other" as an action descriptor. One from the ACLU, another from a University, if I am not mistaken, and the one embedded here.

[52] Faith in the Valley 1.26.17_Redacted .pdf

From: [Trena Turner](#)
To: [AB953](#); [Shannon Hovis](#)
Subject: Public Comment - RIPA Board / Proposed Text
Date: Thursday, January 26, 2017 12:31:07 PM

Good Afternoon,

I am writing in reference to the proposed text regulation from the California Racial and Identity Profiling Advisory Board.

On each of the reporting sections there is a space given for Other. (Other, none of the above, other use of force, other suspicion, etc)

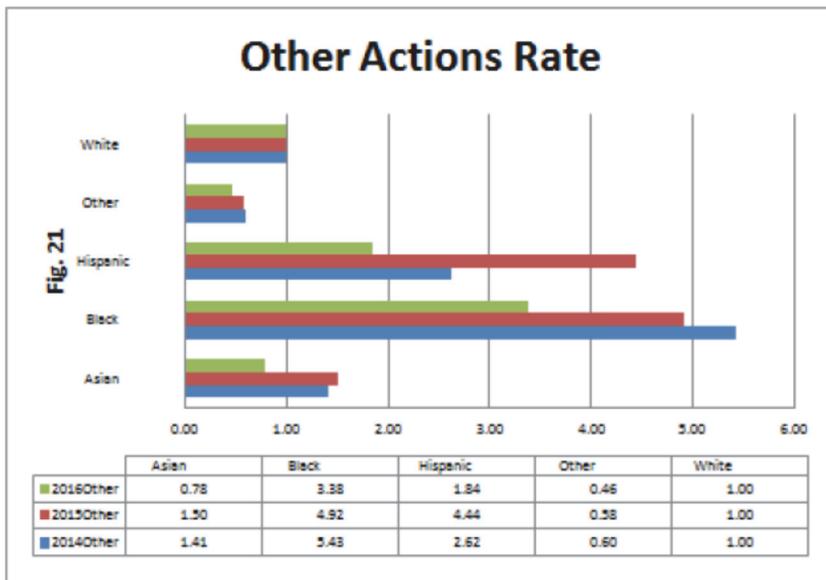
Though I am completely aware that all possible scenarios can never be imagined and space allowed to record, it is critically important that in any and every case that an 'Other' is used, there must also be a requirement to spell out exactly why the 'other' column was used.

Without the narrative, there would be too great an opportunity to use these categories as a catch all and prevent the transparency the bill was designed to provide.

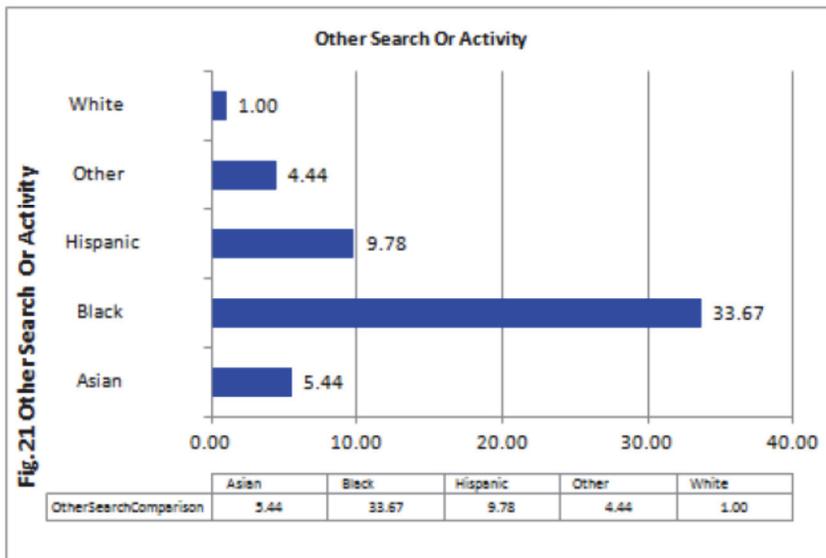
Trena Turner
Faith In The Valley, Executive Director
[Serving the counties of Kern, Fresno, Merced, Stanislaus, and San Joaquin](#)

Trena Turner's concern, and those of the others, finds fruition in an alarming change observed last week, when I examined San Diego's Stop Data for the First quarter of 2017. Two pictures are worth two thousand words.

2014-2016



1Q 2017



It seems that the use of "Other" has gained sudden favour. It tells us nothing.

Richard Hylton


Sent with [Mailtrack](#)

From: [Richard Hylton](#)
To: [AB953](#); [GREG TOYAMA](#)
Subject: Fwd: Stops Data
Date: Tuesday, May 09, 2017 3:35:00 PM
Attachments: [image.png](#)
[image.png](#)

Shannon;

Charlie Beck, a man of some presence, claims, by comment in the communication [54] LAPD 1.26.17 pdf that data has never shown "systemic" police-bias where the LAPD is concerned. I presume that he used **systemic** for a reason.

Data collection by the Los Angeles Police Department has never revealed systemic bias in public contacts. The massive amounts of data required by the proposed regulations are unlikely to change that result. The regulations are complex, while the legislation is simple, straightforward and meaningful. Implementation of the overly broad data requirements in the proposed regulations will not lead to safer communities or increased accountability of police officers and their agencies. Implementation will lead to excessive expense, administrative burdens, and communities with decreased police services.

Very truly yours,



CHARLIE BECK
Chief of Police

He is right in what he writes. Data never makes such revelations. It leads to conclusions; it shows disparities that suggests various things, some of which can be explained, others which can not. If adjudicated, as it was in New York, you may have findings based on what the disparities suggest; questions of likelihood; i.e the disparities more likely than not are the result of bias, aka discrimination, or the opposite.

In an earlier page, Chief Beck mentions that the LAP has been collecting data for 16 years. I regret that chief Beck did not disclose why data-collection has mandated by the USDOJ. I suppose it is because he knows that you know, as do I; a Consent Decree! I regret also that Chief Beck may not know that his department, the persons who attended meetings with the CA DOJ regarding these things, actively conceals data that may lend itself to the reaching of firm, if not dispositive conclusions; firm suggestions of **systemic** bias.. See below. Importunate communications to Greg Toyama and his supervisors yielded nothing that would allow computation of more granular data, despite its obvious existence in the LAPD database.

Do not allow yourself to be beguiled by what the impressive-looking man says.

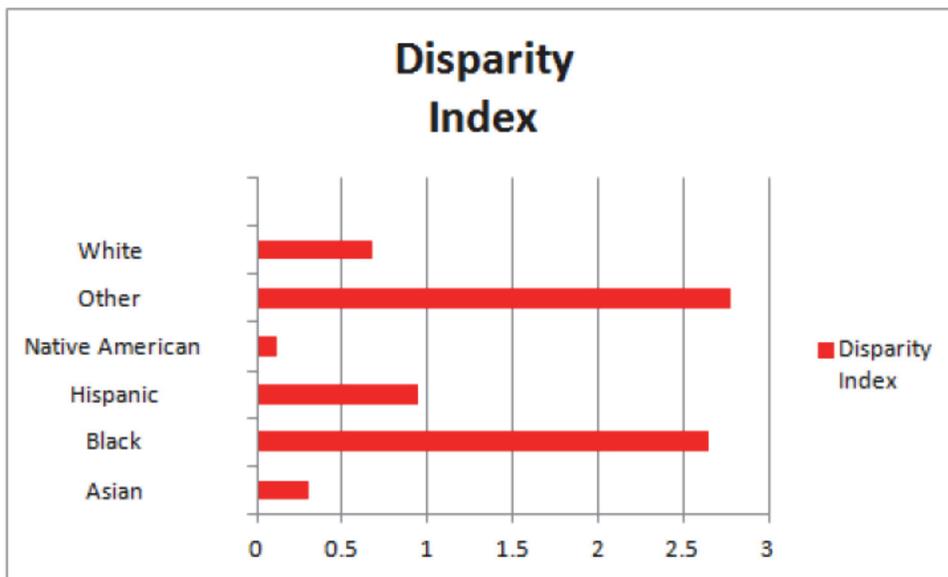
----- Forwarded message -----

From: **Richard Hylton** <[REDACTED]>
Date: Wed, May 11, 2016 at 9:52 AM
Subject: Re: Stops Data
To: GREG TOYAMA <G9034@lapd.lacity.org>

Thank you for providing the links, sir.

I downloaded the contents and am able to report these statistics

Race Category	Stop Records	Stop Records% Census	Disparity Index	Disparity Index Comparison	
Asian	19863	3.20	10.70	0.3	0.44
Black	161108	25.97	9.80	2.65	3.90
Hispanic	279592	45.07	47.50	0.95	1.40
Native American	369	0.06	0.50	0.12	0.18
Other	36155	5.83	2.10	2.78	4.09
White	123228	19.87	29.40	0.68	1.00
	620315	100.00	100.00		



These simple numbers give me pause. The Disparity indices by far exceed those of famous Ferguson, MO and are worse than those of the Mississippi Of The West, San Diego, CA.

I am, to be frank alarmed, that despite the presence of a Post-stop identifier in the dataset, no specific post-stop data is anywhere to be found. I believe that you will agree that complete evaluation of data should compel examining what happened to each individual after they were stopped. Were they searched; were they arrested; was their property seized etc. Indeed; I am persuaded that the presence of a post-stop flag points to the presence of post-stop data, elsewhere. I want that data; and by this communication I am asking you to send it or to direct me to its location.

In arriving at my conclusion, regarding missing data, I rely on my years of experience, as a developer, and on a communication between the LAPD and the SDPD from 2014. It is linked here.

 [LAPD-SDPD StopDataRequirements.pdf](#)

I have attached an Excel Spreadsheet that contains two summaries on a single worksheet. That of the department, as a whole, and of the activities individual Officers. In San Diego, a head of the police union called the existence of OfficerID, on stop records, "potentially incriminating paperwork." I agree.



LABook1.xlsx

I will call you to confirm this.

On Fri, May 6, 2016 at 9:22 AM, GREG TOYAMA <G9034@lapd.lacity.org> wrote:

Mr. Hylton - I left you a voicemail explaining that we had data from January - October 2015 and it could not be emailed due to its size. The Department has posted the same data on the Mayor's Opendata website, for the calendar year 2015. The link below will take you to the website, I've also attached a legend that explains the various fields.

<https://data.lacity.org/A-Safe-City/Stop-Data-Open-Data-2015/53pv-w96e>

Greg Toyama

SMA Greg Toyama
Los Angeles Police Department
Legal Affairs Division
Discovery Section
[\(213\) 978-2178](tel:(213)978-2178)

--

Richard Hylton



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Richard Hylton



Sent with [Mailtrack](#)

Richard Hylton 5.18.17 (1).pdf

May 18, 2017

Richard Hylton


Catherine Z. Ysrael
Deputy Attorney General
Civil Rights Enforcement Section
Ofc Attorney General
300 S Spring St Ste 1701
Los Angeles, CA 90013

By facsimile to: (213) 897-4951
And E-mail to: catherine.ysrael@doj.ca.gov

Re: AB953; Objection to the delay in the issuance of Final data-submission regulations
and to early Implementation of AB953, by the City of San Diego

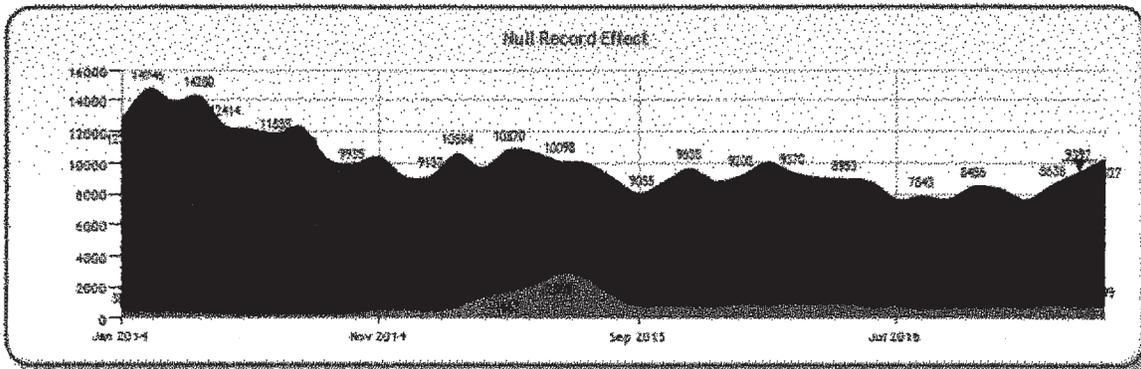
Dear Ms. Ysrael;

Not long after the killing of Michael Brown, in Ferguson Missouri, I learned that the State of Missouri had been dutifully compiling, and its AG reporting on, stop data, for years. Examining that data showed the monstrous disparities; disparities that required a USDOJ Consent Decree. San Diego's disparities are worse. And, for the Ferguson reason, and all that I have read, and all that I know, I fear that AB953 will be as effective as was Missouri law; i.e. not at all.

The first part of my objection needs no explanation; the second part would need little if you knew what I do. So I offer reasons for it here, and in the Exhibits that are attached or linked to this missive.

The San Diego Police-bias report, released November 2016 and adopted February 2017 –the basis of its penance-driven desire to begin early implementation of AB 953- is contrived and the result of “engineered” data. Many members of the San Diego city council were quite aware of the “engineering”, at the beginning of the “works”, and, I regret to say so did persons in the CA-DOJ. One or more of them asked me to cease writing about it; another sent back a CD that

contained proof of it¹. Here, as proof of my prattle, is a graph of the data that is included in the “independent analysis” of San Diego’s data. Methinks that nothing more needs be said other than that which can be told by data from the bulge of missing data²; the nulls; the green area³:



The downloadable data was produced by a primitive and exact query. The accuracy of its product may not be successfully disputed. A more sophisticated, but less exact, query yields many more records, but is open to dispute.

The independent analysts were informed of the spike in nulls, very evident in November 2014, in that very month. The possible source of some of them was, even then, self evident. They the correctable nulls, remained uncorrected when data for 2015 was added to the original commission specification (originally for 2014 only.) San Diego, through its employees and elected officials, was informed in January 2015. That may not be disputed or successfully denied either.

So, with respect to my opposition to San Diego’s early implementation of AB 953 -because as a municipal corporation its actions cannot be trusted- I respectfully demand that the CA-DOJ apply and enforce a precondition before entertaining San Diego’s request; i.e. that CA-DOJ require simultaneous submission of other stop-related data; i.e. judicial Citation files; Field Interview information; Written Warning information, and any other electronically stored data that results from stops. Doubtless; the would-be Leaders in Data-Driven policing⁴ will not be averse to providing supporting data that can be linked and, by linkage, be validated. They, however, having demonstrated data “engineering” skills, ought not to be allowed to manipulate that which is submitted to the State. Moreover; the datasets mentioned will disclose other types of disparities that are masked by other VSD data. For example, that Blacks and Hispanics have the highest citation issuance rates but the lowest citation-entry rates, into the VSD database.

¹ The file that you can download from [here](#) is of Citation records that were purged from the Vehicle Stop Data before that data was used in the SDSU Report. It is but a small sample.

² <https://drive.google.com/file/d/0B8Nfdg4rqWt9MiRCdTXOU15TUU/view?usp=sharing>

³ I have not bothered to mention the roughly 20% of citation records, for which VSD records do not exist at all.

⁴ <http://www.voiceofsandiego.org/topics/opinion/san-diego-re-take-lead-data-driven-policing/>

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If you are un-persuaded by all that I have said, have someone, with the required data skills, download and stratify the abomination that is San Diego's data for the first Quarter of 2017, from [here](#)⁵, San Diego's Open Data Portal.

My essay at understanding what San Diego's 2016 data means is linked [here](#)⁶.

If the CA-DOJ permits systems or processes that propagate or perpetuates purging or other charades or farces, as have been used by this sorry local lot, I shall sue the department over it. Moreover, the CA-DOJ shall be guilty of doing precisely what the analysts from SDSU did; practice deliberate blindness. The CA-DOJ needs to issue sensible data-submission regulations, with routines that shall make the data validatable. It needs to do so immediately, too.

Sincerely,



Richard Hylton



c.c.

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assemblymember.weber@assembly.ca.gov

⁵ <https://data.sandiego.gov/datasets/police-vehicle-stops/>

⁶ <https://drive.google.com/file/d/0B8Nfdg4rqWt9Yi10azVVUm5xMTQ/view?usp=sharing>

City of San Diego Vehicle Stop Data January 1, 2016 through, and including, December 31, 2016

Exhibit A

This exercise was undertaken as part of an ongoing series of exercises, which exercises began in or about 2014.

This examination of San Diego's data is based on vehicle stop records for 12 months (Jan 1, 2016 through December 31, 2016) but from time to time, for illustrative purposes, references will be made to, and values will be included from, other periods. Data was provided, pursuant to a CPRA request 16-2931, in early 2017¹. That data was imported into a SQL Server Database, from which summaries were created.

Richard A. ...
SQL Server Import and Export Wizard
The execution was successful

Action	Status	Message
Initializing Data Flow Task	Success	
Initializing Connections	Success	
Setting SQL Command	Success	
Setting Source Connection	Success	
Setting Destination Connection	Success	
Validating	Warning	
Prepare for Execute	Success	
Pre-execute	Success	
Executing	Success	
Copying to [dbo].[VehicleStop\$2016]	Success	113571 rows transferred
Post-execute	Success	103051 rows transferred

Summary: 12 Total, 0 Error, 1 Warning

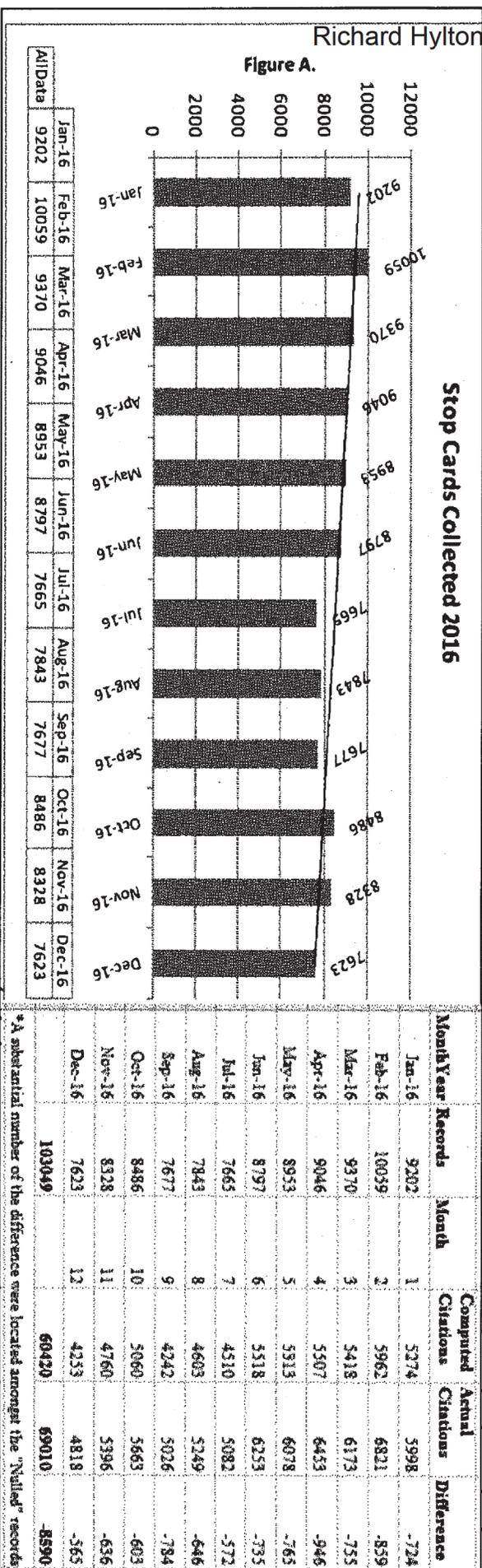
Messages: 113571 rows transferred, 103051 rows transferred

Two of the imported Vehicle Stop records were found wanting - of something that I do not remember today - and were discarded. The remaining 103049 Vehicle Stop records and the related post-stop details were summarized and analyzed, as shown in what follows.

¹ That data is available on San Diego's Open Data portal.

City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016

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The particulars are evident in Figure A; a chart of total record collections for the 12 months. The downward trend in data-collections continues. Defects in the data are significant. For example, the above shows that over 12% of citations, the most easily verified of stop actions - were not entered or were made null. The number of nulls is larger, still. With a count of 9403, they compose just over 9% of all Stop records. San Diego has always declined to offer explanations for these things; The Self-Inflicted Wounds, especially the nulls.

Table A is based on a template that I have always used to examine or summarize and to chart San Diego's Vehicle Stop records. It was composed from around the top 20 post-stop actions found in San Diego's Stop Data database; it was data driven. And while the rankings of action items change from time to time, the top 20 items seem constant.

The charts are nothing but graphic representations of the data in Table A. Table B is new. It utilizes data from judicial citations. It demonstrates that Blacks and Hispanics, the groups at the bottom of the socio-economic ladder, are more heavily cited; some, lawyers mostly, call it the poverty penalty.

**City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016**

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 Some analysts focus on stops. This writer believes that stops, while important, are not nearly as significant or indicative of bias as what happens after the stop. Moreover, the RIPA gives equal weight to the decision to stop and what happens afterward². Stop and post-stop actions are expressed as a ratio to all stops (Hit Rate excepted³). For comparisons, the experience of White persons is assigned the computed base value, 1 (one.) Experiences that are greater than that of Whites are highlighted in red (disproportion). Those that are less appear green; again disproportionate but not necessarily of the sort that can or should be ignored; as is the case with Citations and, for San Diego, Written Warnings, since these actions and their values show bias where the group values are inverted; meaning that this form of officer forbearance or lenience is less often extended to groups having low rates. The corollary is that groups with high Written Warning rates are "favoured." Citations are an odd duck are. For example, a low citation rate may be an indication of too many improper stops; as is the case in San Diego. It can also mean that data for that group may disproportionately not be entered, or were made null; also sometimes true in San Diego. See Figures 1 and 23-26.

In addition to the comments that follow, there is documentation in an abundance of narratives from affected persons who have been the victims of the practices described. Further support may be found in allegations by a member and former member of the SDPD; Sgt. Scott (37-2015-00001940-CU-OE-CTL) and former Officer Matthew Francois (37-2016-00003251-CU-OE-CTL). Francois alleges the existence of a policy and practice that encourages race-based disproportionate treatment, by training officers and supervisory personnel within the police department, and retaliation against those who oppose it. Scott alleges the use of racial stereotypes and caricatures in officer training, and retaliation against those who oppose it. This conduct should be expected in a department that -quite amazingly in 2015- indoctrinated officers in the belief that there is no racism in Racial Profiling.

Table A	Asian	Black	Hispanic	Other	White	Totals
StopRecords	7741	11845	32442	8693	42328	103049
StopRecords%	7.51	11.50	31.48	8.44	41.08	
Cited	4494	5899	18548	5382	26097	60420
CitedToStops ⁴	58.06	49.80	57.17	61.91	61.65	
CiteToComparison	0.94	0.81	0.93	1.00	1.00	Fig. 1
Arrested	71	268	477	51	373	1240
Arrests ToStops	0.92	2.26	1.47	0.59	0.88	
ArrestsComparison	1.04	2.57	1.67	0.67	1.00	Fig. 2
Searched	192	1040	1648	133	983	3996

² And, would-be, clever people can concoct theories or methodologies to explain away stop disparities. Not so with respect to how people are treated after they come face-to-face with the police. The best that can be offered is the prattle about "implicit bias".
³ Hit rates (many a policeman's measure of effective police work) are based on contraband found to searches conducted.
⁴ Citation rates would be substantially different, if the easy-to-identify "nullled-out" records, found by matching in the judicial Citation records, were repopulated.

**City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016**

Race Category	Asian	Black	Hispanic	Other	White	Totals	
Search of To Stops	248	878	508	153	232		
Search of Comparison	1.07	1.78	2.19	0.66	1.00		Fig. 3
Consent/Uninced	22	192	257	9	122	602	
Consent To Stops	0.28	1.62	0.79	0.10	0.29		
Consent Comparison	0.99	5.63	2.75	0.36	1.00		Fig. 4
Contraband Found	22	129	171	13	147	482	
Contraband To Stops	0.28	1.09	0.53	0.15	0.35		
Contraband Comparison	0.82	3.14	1.52	0.43	1.00		Fig. 5
Property Seized	20	98	251	17	149	535	
Property Seized To Stops	0.26	0.83	0.77	0.20	0.35		
Property Seized Comparison	0.73	2.33	2.20	0.56	1.00		Fig. 6
Vehicle Search	116	727	1180	85	609	2717	
Vehicle Search To Stops	1.50	6.14	3.64	0.98	1.44		
Vehicle Search Comparison	1.04	4.37	2.53	0.68	1.00		Fig. 7
Driver Search	81	452	549	32	391	1505	
Driver Search To Stops	1.05	3.82	1.69	0.37	0.92		
Driver Search Comparison	1.13	4.13	1.83	0.40	1.00		Fig. 8
Passenger Search	18	154	180	11	92	455	
Passenger Search To Stops	0.23	1.30	0.56	0.13	0.22		
Passenger Search Comparison	1.07	3.99	2.56	0.59	1.00		Fig. 9
Consent Search	21	179	227	9	111	547	
Consent Search To Stops	0.27	1.51	0.70	0.10	0.26		
Consent Search Comparison	1.03	5.77	2.67	0.40	1.00		Fig. 10
Non Consent Search	170	848	1392	124	864	3398	
Non Consent Search To Stops	2.20	7.16	4.29	1.43	2.04		
Non Consent Search Comparison	1.08	3.51	2.10	0.70	1.00		Fig. 11
Search Incident To Arrest	31	100	211	13	142	497	
Search Incident To Stops	0.40	0.84	0.65	0.15	0.34		
Search Incident Comparison	1.19	2.32	1.94	0.45	1.00		Fig. 12

**City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016**

Have Category	Asian	Black	Hispanic	Other	White	Totals	
Inventor Search	52	223	627	51	312	1265	
Inventor Search To Stops	0.67	1.88	1.93	0.59	0.74		
Inventor Search Comparison	0.91	2.55	2.62	0.90	1.00		Fig. 13
4th Waiver Search	51	357	329	14	240	991	
4th Waiver Search To Stops	0.66	3.01	1.01	0.16	0.57		
4th Waiver Search Comparison	1.16	5.39	1.79	0.28	1.00		Fig. 14
4th Waiver Search Comparison	1.44	8.33	9.54	83	434	2448	
Field Interview	144	833	954	83	434	2448	
Field Interview To Stops	1.86	7.03	2.94	0.96	1.03		
Field Interview Comparison	1.81	6.86	2.87	0.93	1.00		Fig. 15
Odor/OC on traban d Search	4	25	29	4	17	79	
Odor/OC on traban d Search To Stops	0.05	0.21	0.09	0.05	0.04		
Odor/OC on traban d Search Comparison	1.30	5.28	2.23	1.15	1.00		Fig. 16
Verbal Warning	773	1857	3681	605	3334	10250	
Verbal Warning To Stops	9.99	15.68	11.35	6.96	7.88		
Verbal Warning Comparison	1.27	1.99	1.44	0.88	1.00		Fig. 17
Written Warning	677	641	1410	718	3915	7361	
Written Warning To Stops	8.75	5.41	4.35	8.26	9.25		
Written Warning Comparison	0.95	0.59	0.47	0.89	1.00		Fig. 18
Searched	192	1040	1648	133	983	3996	
Contraban d Found	22	139	171	13	147	482	
Hit Rate	11.46	12.40	10.38	9.77	14.95		
Hit Rate Comparison	0.77	0.83	0.69	0.65	1.00		Fig. 19
Stop Rate	7.512	11.495	31.482	8.436	41.076		
Census	16.99	5.50	27.03	3.23	47.20	99.95	
Disparitiv Index	0.44	2.09	1.16	2.61	0.87		
Disparitiv Index Comparison	0.51	2.40	1.33	3.00	1.00		Fig. 20
Other Search	3	20	30	2	21	76	

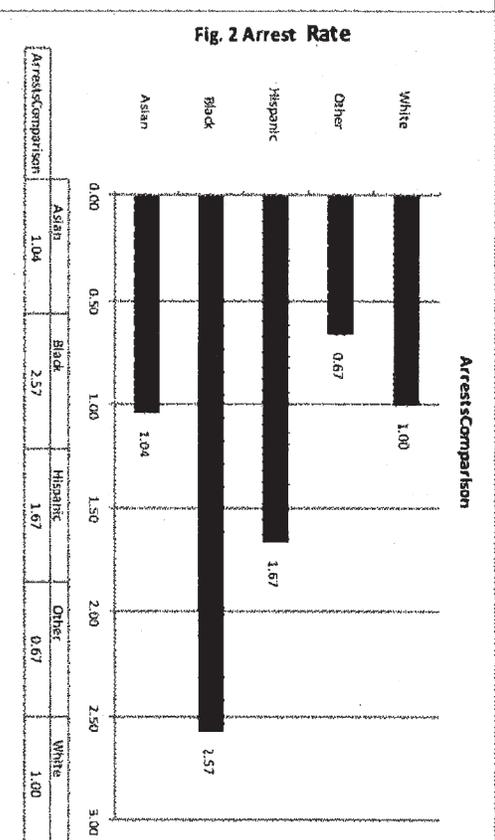
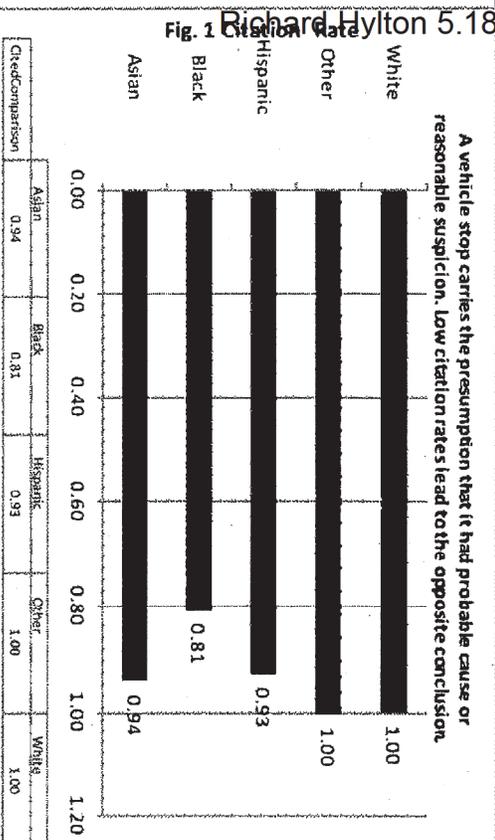
⁵ See Estimated Driving Population (EDP) values from SDSU report

**City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016**

Race/Category	Asian	Black	Hispanic	Other	White	Totals	
Other Search Totals	0.04	0.17	0.09	0.02	0.05		
Other Search Comparison	0.78	5.48	1.84	0.46	1.00		Fig. 21
Null Records	543	743	4153	935	3029		**
Null Record Totals	7.02	6.27	12.80	10.76	7.16		
Null Record Comparison	0.98	0.88	1.79	1.50	1.00		Fig. 22
<p>**These unknown Stop Actions and Dispositions occur most frequently in Service Areas that are Predominantly Black/Hispanic. They are counted as Stops, increasing the denominator but have no impact on any numerator, driving down all rates.</p> <p>At least 3416 of these records were found to be un-entered or purged citations.</p> <p>See Citations Found worksheet for 2016.</p>							

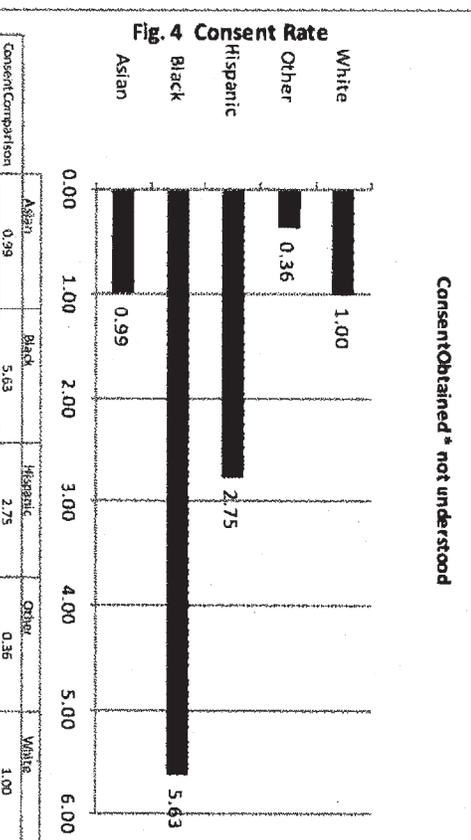
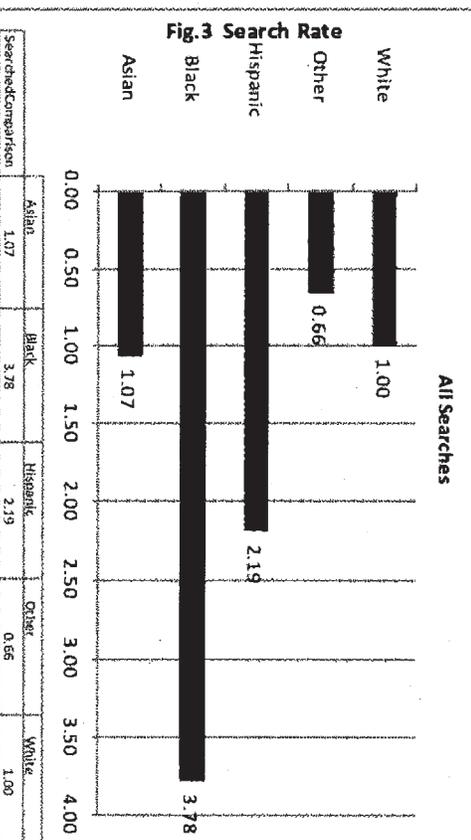
City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016

A vehicle stop carries the presumption that it had probable cause or reasonable suspicion. Low citation rates lead to the opposite conclusion.



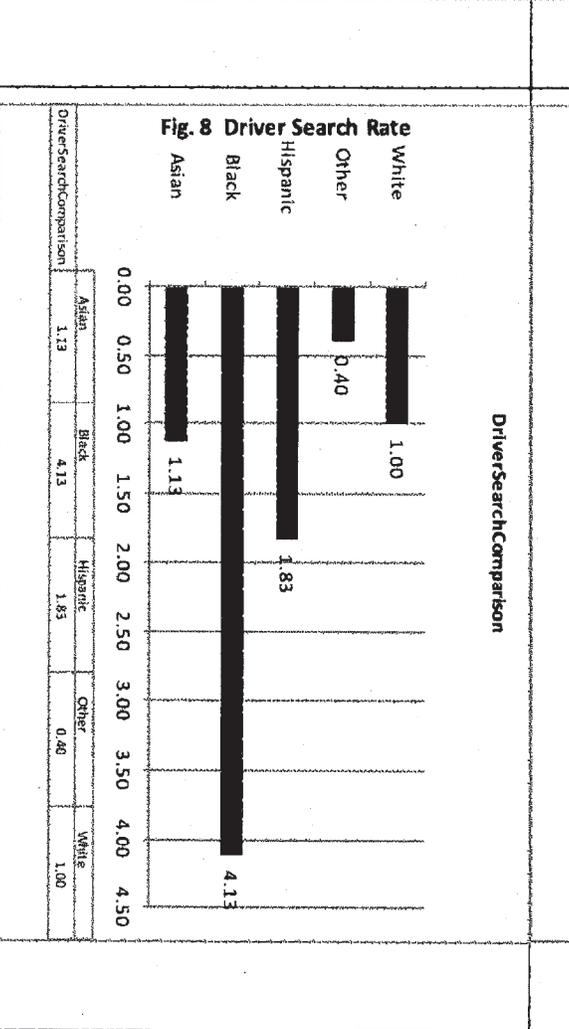
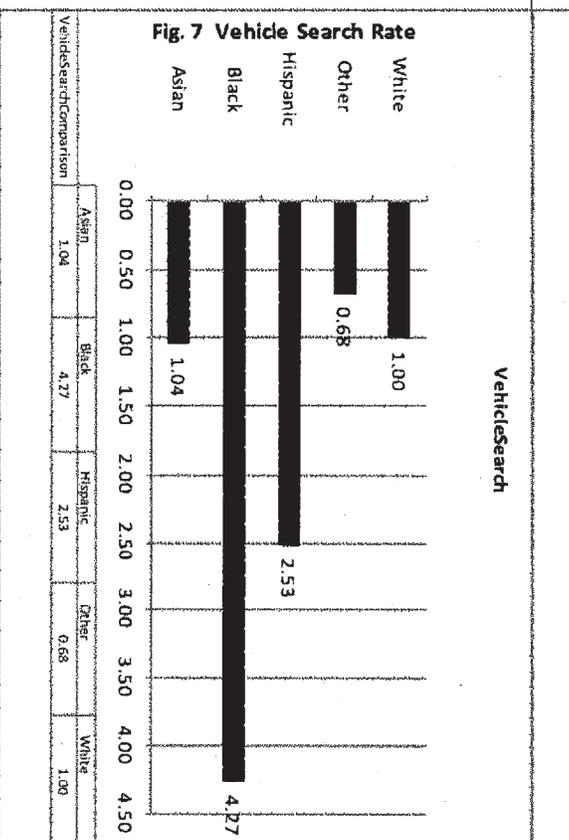
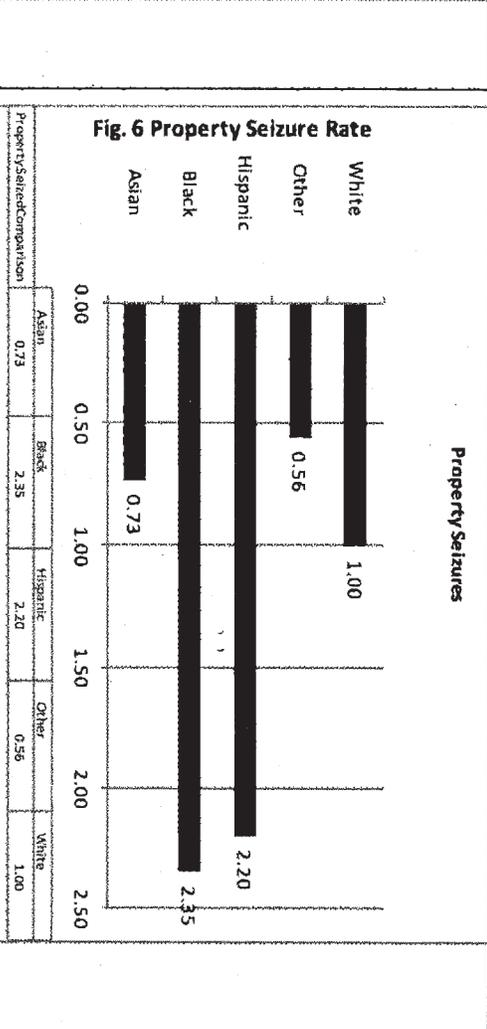
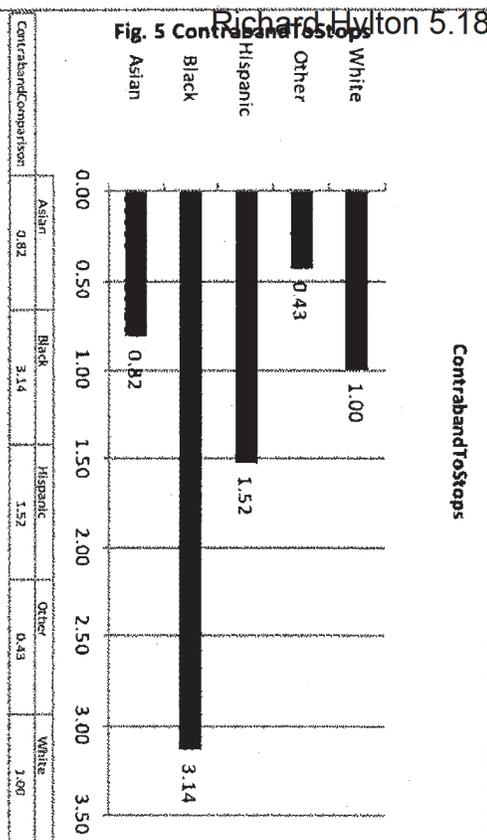
See **Tables B and C** for explanations for the paradoxically low indicated citation rates for Blacks and Latinos

ConsentObtained* not understood



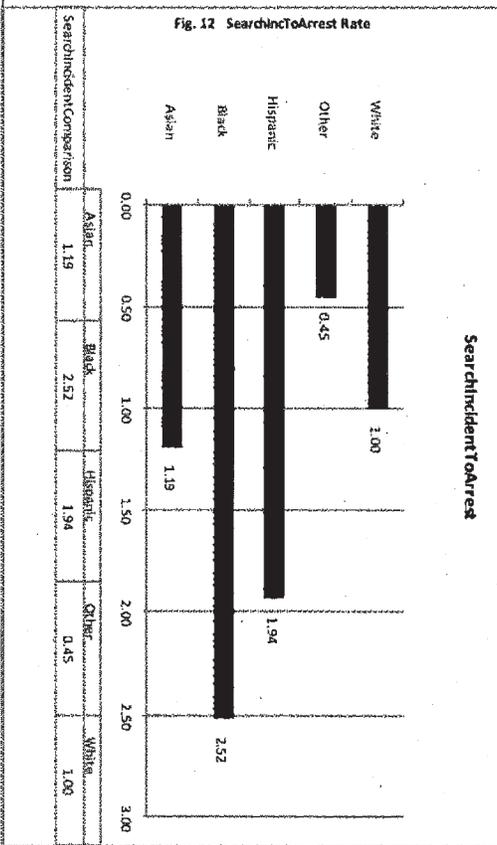
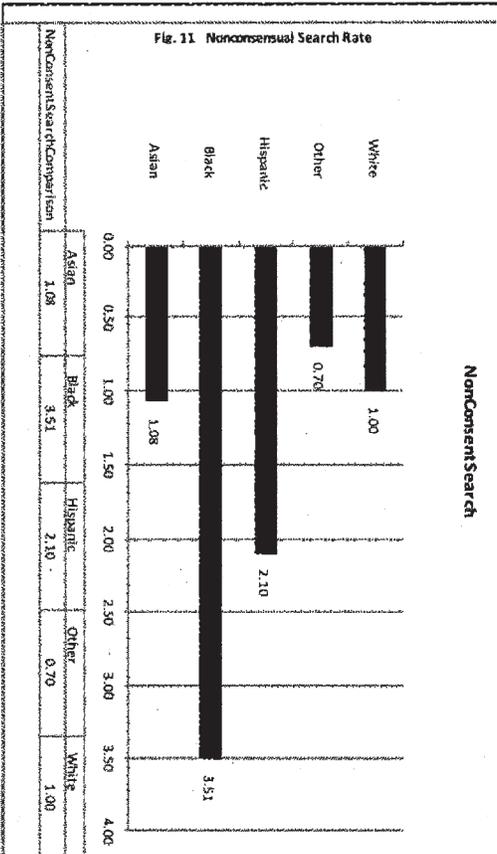
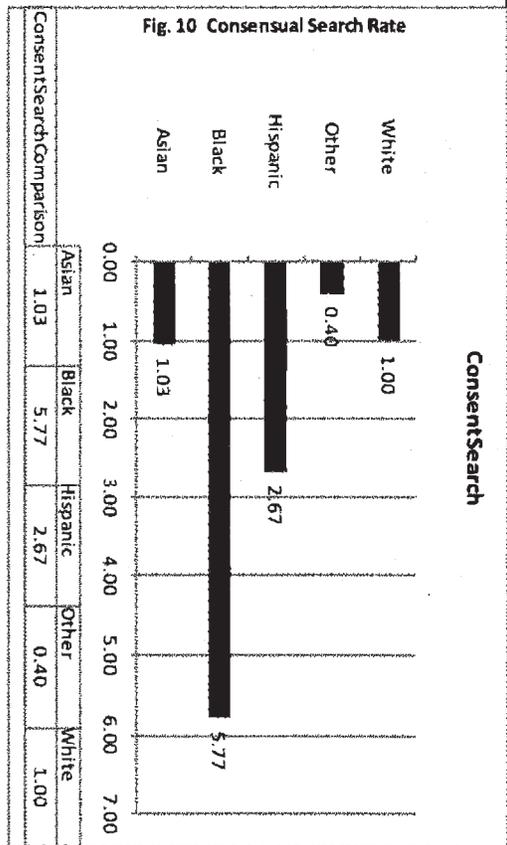
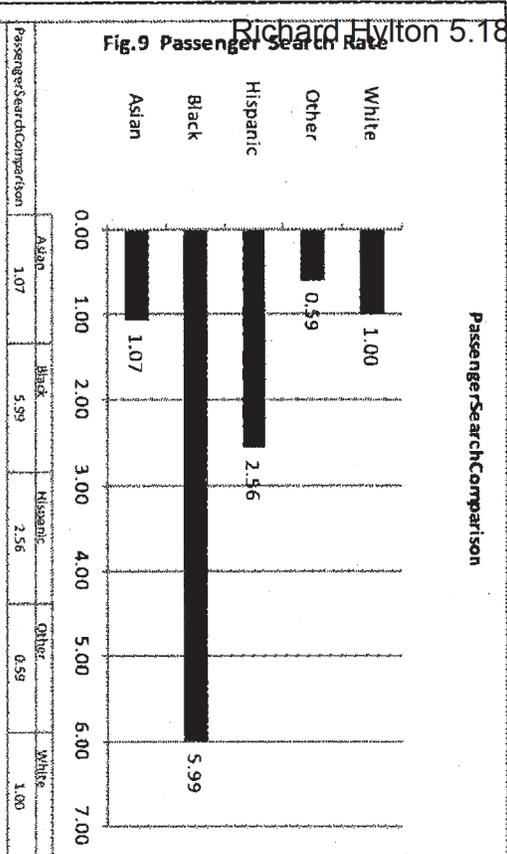
City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016

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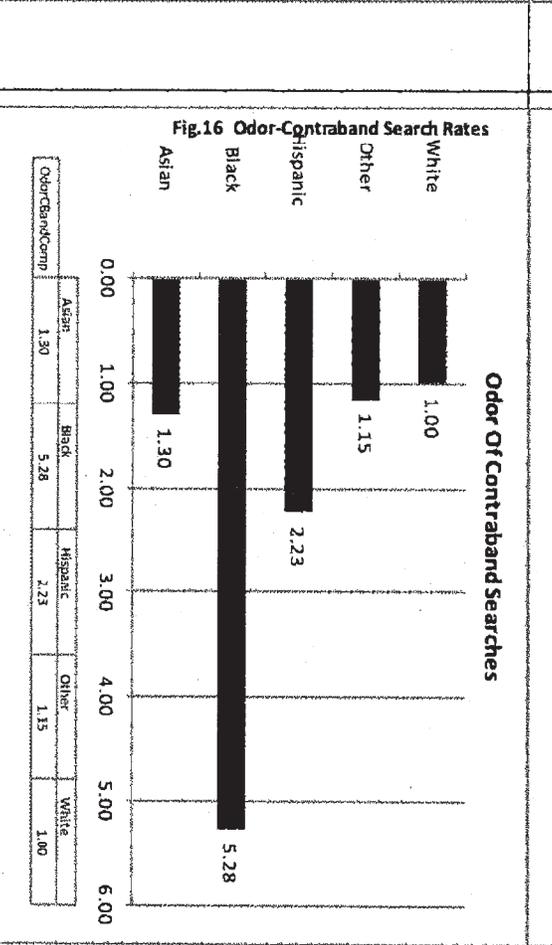
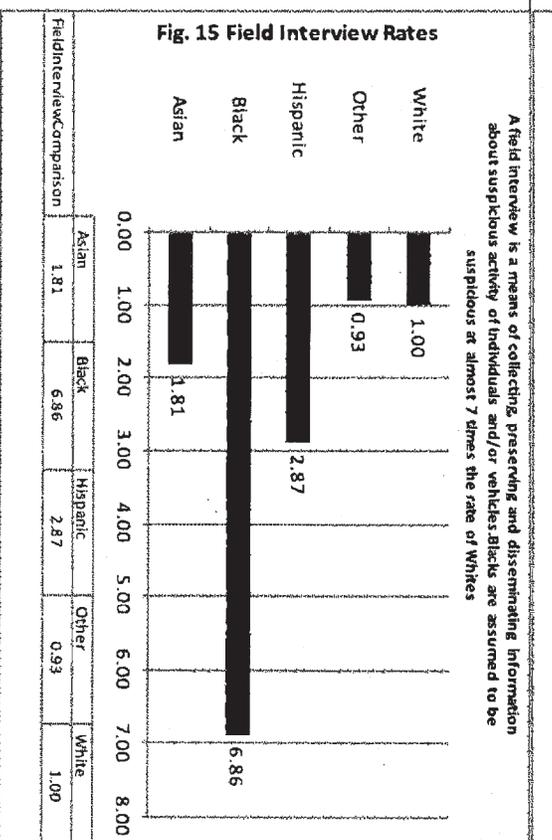
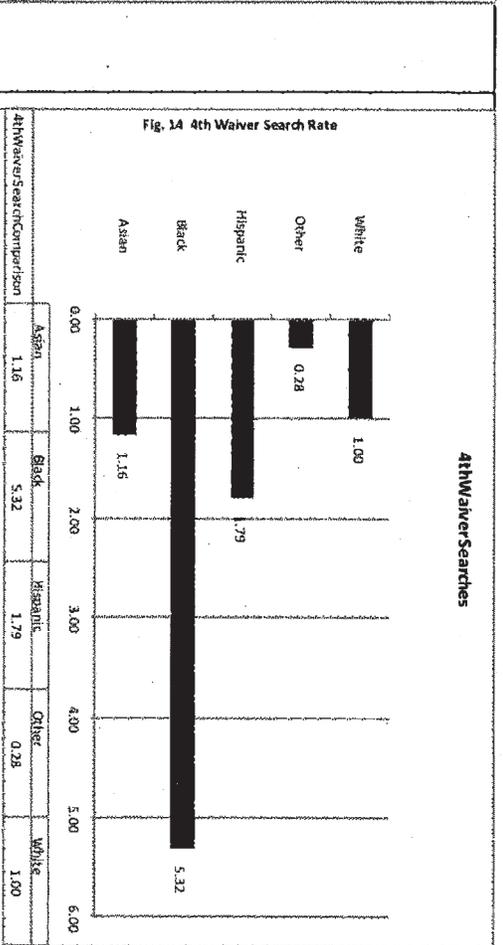
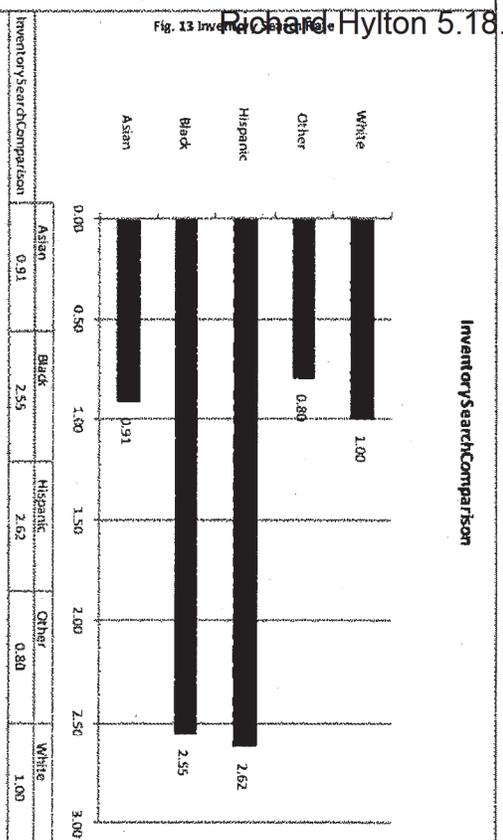


City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016

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City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016



Best practices for good policing requires that if you observe that you are stopping members of any group in disproportionate numbers on the claimed basis

City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016

“suspicious activity”, you should reexamine your procedures. Not so in San Diego, in fact two San Diego gang officers called field interviews (FI) their bread and butter” in a 2010 issue of Police Magazine. The Tommy Tuckers⁶ say that FIs allow them to gather intelligence on gang patterns or build a case for documenting individuals as gang members. The label allows prosecutors to enhance sentencing on criminal convictions.

Richard Hylton
Fig. 17 Verbal Warning Rate

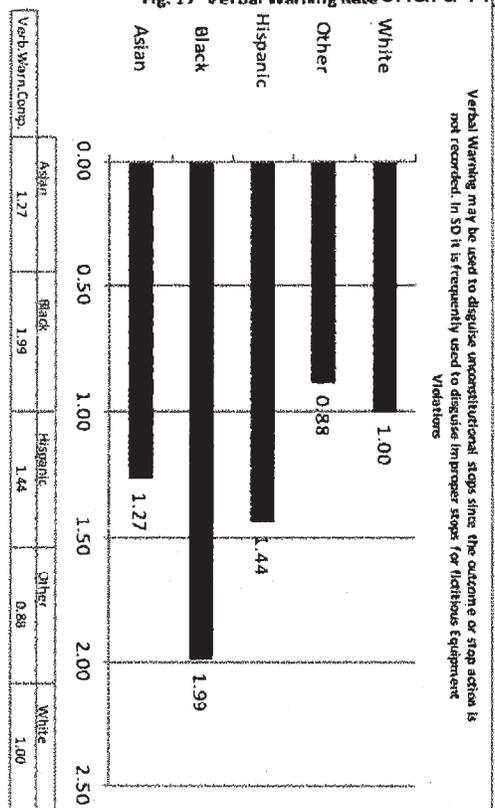
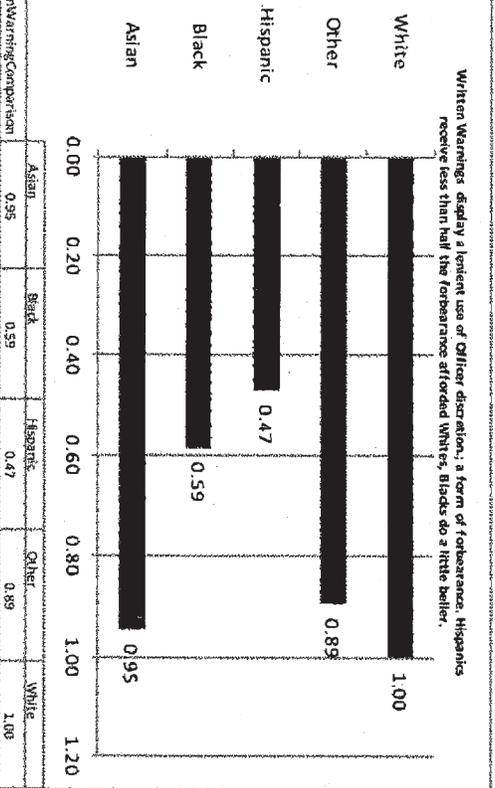


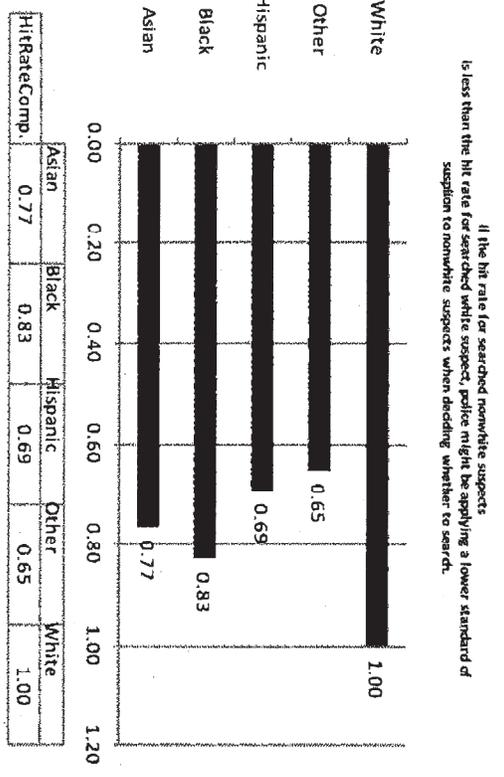
Fig. 18 Written Warning Rate



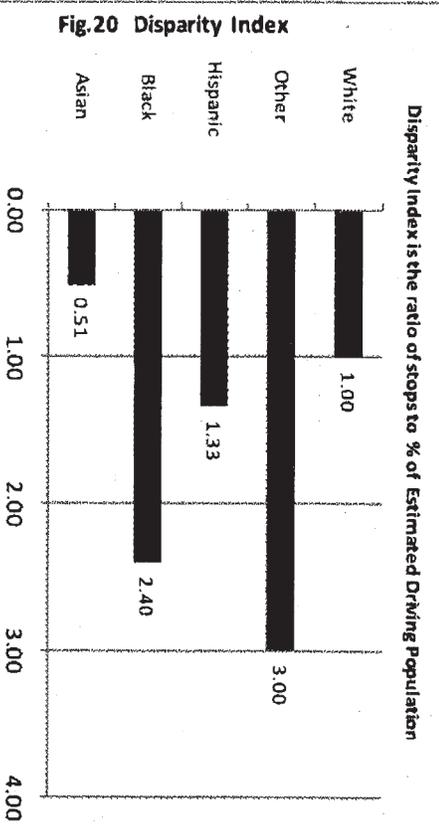
⁶ Little Tommy Tucker sings for his supper,
What shall we give him? Bro wn bread and butter.
How shall he cut it without a knife?
How shall he marry without a wife?

City of San Diego Vehicle Stop Data
 January 1, 2016 through, and including, December 31, 2016

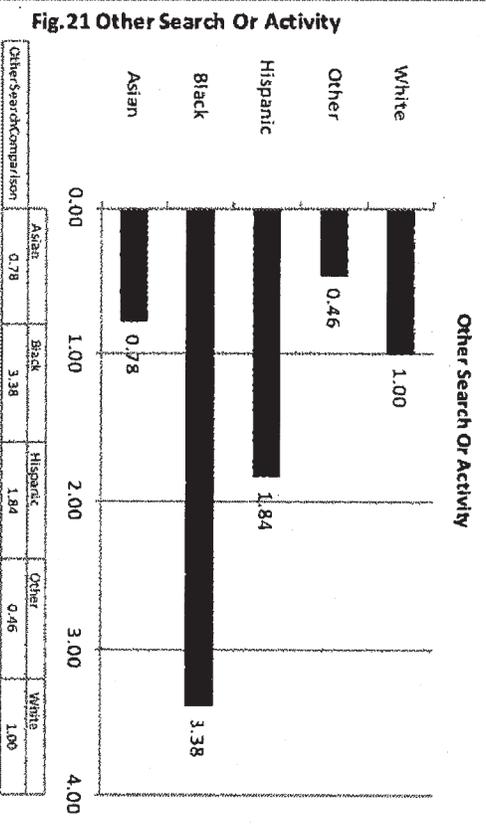
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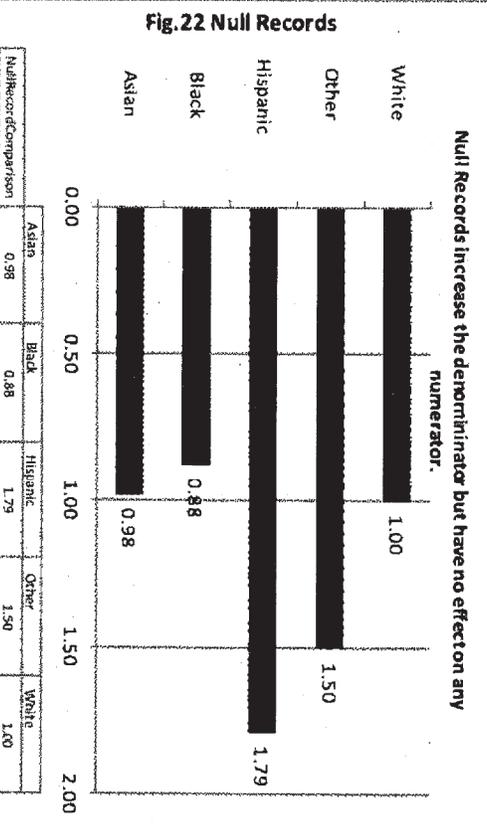
HitRateComp.	Asian	Black	Hispanic	Other	White
	0.77	0.83	0.69	0.65	1.00



D.I. Comparison	Asian	Black	Hispanic	Other	White
	0.51	2.40	1.33	3.00	1.00



OtherSearchOrComparison	Asian	Black	Hispanic	Other	White
	0.78	3.38	1.84	0.46	1.00



NullRecordsComparison	Asian	Black	Hispanic	Other	White
	0.98	0.88	1.79	1.50	1.00

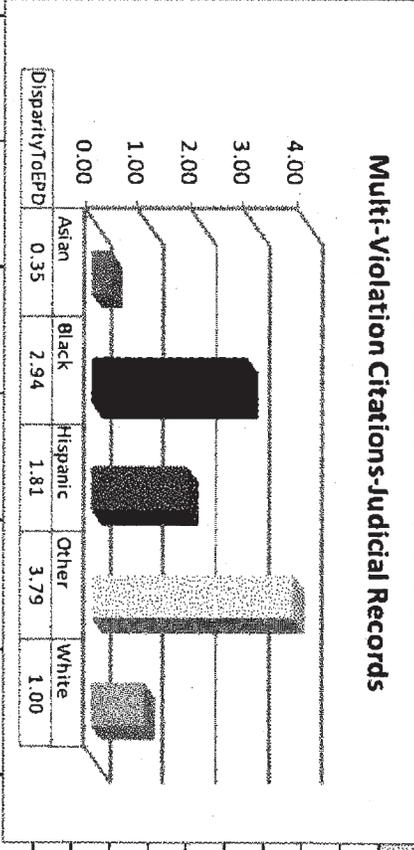
Null records are unnatural.

City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016

Table B
Multi-violation Citations

Race/Category	Number	Rate/Percent	EDP%	Disparity	Comp	Fig. 23
Asian	704	5.031	16.99	0.30	0.35	
Black	1886	13.478	5.50	2.45	2.94	
Hispanic	5706	40.778	27.03	1.51	1.81	
Other	1431	10.227	3.23	3.17	3.79	
White	4266	30.487	47.20	0.65	1.00	
Totals/Avg	13993		99.95	1.61		

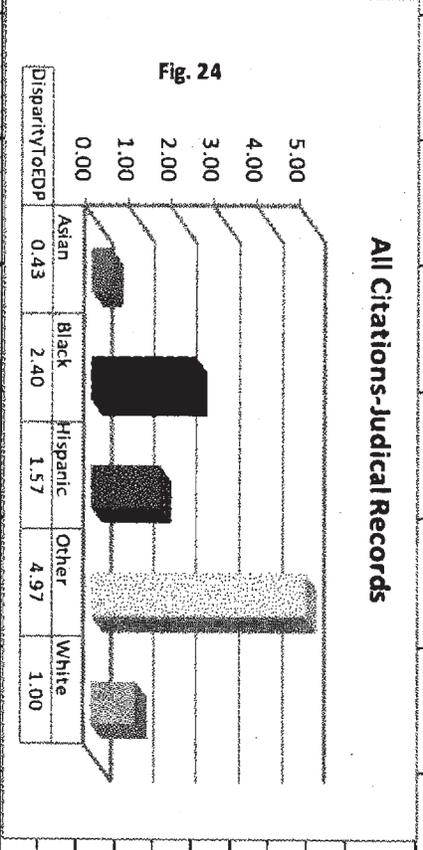
The use of "other" should cause pause. Blacks and Latinos receive tickets having multiple violations at rates above all others. "Other" is not a racial or ethnic group.



All Citations(includes citations with multiple violations Each violation is counted.)

Race/Category	Number	Rate/Percent	EDP%	Disparity	Comp	Fig. 24
Asian	5102	5.822	16.99	0.34	0.43	
Black	9166	10.459	5.50	1.90	2.40	
Hispanic	29462	33.617	27.03	1.24	1.57	
Other	11142	12.713	3.23	3.94	4.97	
White	32768	37.389	47.20	0.79	1.00	
Totals/Avg	87640		99.95	1.64		

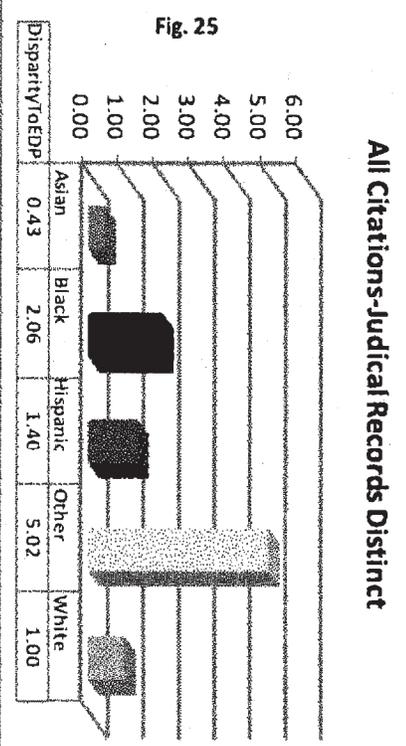
The use of "other" does cause pause. Blacks and Latinos receive tickets at rates above all others. But see Table C to see the rate at which those citations are entered into the VSD.



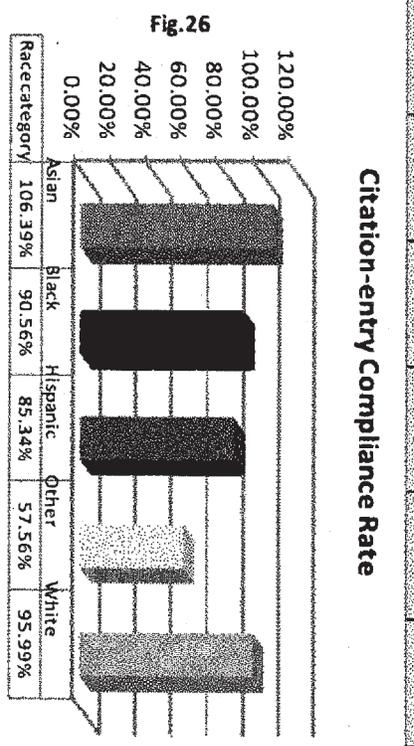
City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016

From the Citation or "judicial" records unique or distinct records

Race	Records	CiteRate	EDP%	Disparity	Comp	Fig. 25
Asian	4224	6.12%	16.99	0.36	0.43	0.00
Black	6514	9.44%	5.5	1.72	2.06	2.06
Hispanic	21734	31.49%	27.03	1.17	1.40	1.40
Other	9350	13.55%	3.23	4.20	5.02	5.02
White	27188	39.40%	47.2	0.84	1.00	1.00
Total	69010	*distinct	99.95	1.65		



Racecategory	Judicial Number	Race Percent	VSD Number	Compliance Rate	Compare	Fig. 26
Asian	4224	6.12	4494	106.39%	110.84%	106.39%
Black	6514	9.44	5899	90.56%	94.34%	90.56%
Hispanic	21734	31.49	18548	85.34%	88.91%	85.34%
Other	9350	13.55	5382	57.56%	59.97%	57.56%
White	27188	39.40	26097	95.99%	100.00%	95.99%
Total	69010	100	60420	87.17%		



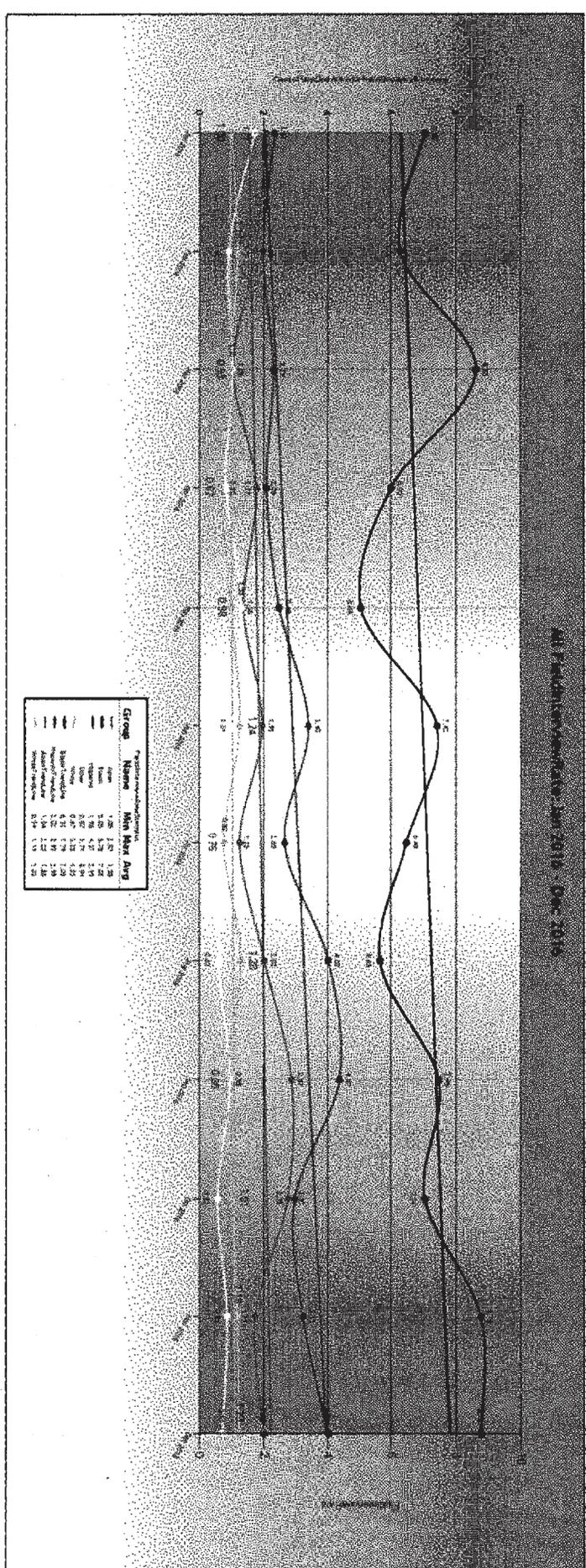
The lower compliance rate for the entry of citation data, in part, explains the lower VSD- indicated citation rates for Blacks & Latinos, despite the fact that they, Blacks & Latinos receive citations at much higher rates than others. The remainder of the explanation is that they "enjoy" much higher stop rates; a denominator problem.

City of San Diego Vehicle Stop Data January 1, 2016 through, and including, December 31, 2016

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Key points

Best-practices for good policing requires that if you observe that you are stopping members of any group in disproportionate numbers on the claimed basis of "suspicious activity", you should reexamine your procedures. Not so in San Diego, in fact two San Diego gang officers called field interviews (FI) their "bread and butter" in a 2010 issue of Police Magazine. They say that FIs allow them to gather intelligence on gang patterns or build a case for documenting individuals as gang members. The label allows prosecutors to enhance sentencing on criminal convictions. It is evident from a time-based graph for 2016 that the SDPD has an increasing appetite for bread and butter.



If the hit rate for searched nonwhite suspects is less than the hit rate for searched white suspect, police might be applying a lower standard of suspicion to nonwhite suspects when deciding whether to search. Doubtless this lack of rewarding results, for all the energy expended, is the result of

City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016

ignorance. Ignorance born of the perception that minorities are more likely to carry contraband⁷ The perception that Blacks, Hispanics, Asians, and other minorities are more likely to carry drugs than their White counterparts intensifies the complexities of police discretion in stops and searches. The escalating pressure from the war on drugs has led some police officers to target people of color whom police believe to be disproportionately involved in drug use and trafficking. Although some members of the police community, including those who train the SDPD, suggest that race-based searches are justified because more minority drivers are found with contraband, the empirical evidence amassed to date, including those compiled by Josh Chanin of SDSU, tends to discredit. But see the radical and sudden change in "Hit Rate" results for 1Q 2017⁸.

The lower citation rates for Blacks and Latinos, in part, is the result of both groups "enjoying" the lowest citation-entry rates⁹. That coupled with higher stop rates drive down the computed citation rates when values are fetched from the Vehicle Stop data table.

Written warnings are documented instances where an officer's discretion is used following a stop. It documents forbearance. Instead of an expensive ticket, the driver gets a warning. Regrettably, the occupants of the lower rungs of the socio-economic ladder get the fewest of these (Latinos get less than half as many;) the poverty penalty it is called. The SDPOA vehemently argues the opposite of what the judicial citations show.

Verbal warnings are not as innocuous as they seem. They may conceal constitutionally unsound stops since there is no documentation of what happened, other than the VSD record. These stops are the trigger for the well-known "Why do I always match the description" placards.

Citation records from the judicial database have not been made available in the Open Data Portal¹⁰, despite importunate requests. It is reasonable to surmise that their properties, which properties have the power to impeach the VSD data, argue against their publication.

The week, ended April 16, 2016, had press reports that showed that the analysis of California DMV data for San Diego indicate similar gross disproportionate effects on "people of colour."⁷ The geographical charts produced by that analysis demonstrated the North of Highway 8/ South of Highway 8 policing-bias; "the poverty penalty" observed and measured by this writer, and complained about by some members of the police force and other affected persons. Stratification analyses, by Service Area, for most of the 20 most-frequent post-stop actions are downloadable from my Google Drive, here.

⁷ USD01: A Resource Guide on Racial Profiling Data Collection Systems, page 10
⁸ <https://drive.google.com/file/d/0B8Nfdg4rqrw9a0JNfZDefBSdGs/view?usp=sharing>
⁹ The SDSU analysts state that this failure to enter data is sometimes deliberate.
¹⁰ <https://data.sandiego.gov/datasets/police-vehicle-stops/>

**City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016**

8.17 (1).pdf
Richard Hillen

In addition to the foregoing, there is documentation in an abundance of narratives from affected persons who have been the victims of the practices described. Further support may be found in allegations by a member and former member or the SDPD; Sgt. Scott (37-2015-00001940-CU-OE-CTL) and former Officer Matthew Francois (37-2016-00003251-CU-OE-CTL). Francois alleges the existence of a policy and practice that encourages race-based disproportionate treatment, by training officers and supervisory personnel within the police department, and retaliation against those who oppose it. Scott alleges the use of racial stereotypes and caricatures in officer training, and retaliation against those who oppose it. This conduct should be expected in a department that -quite amazingly- indoctrinated officers in the belief that there is no racism in Racial Profiling.

City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016

18.17 (1).pdf

APPENDIX I

use casetracker

Select top 25 count(*) Records, SearchDetail.SearchDetailDescription

FROM SearchDetail JOIN stopdata on stopdata.vehiclestopid = SearchDetail.vehiclestopid
WHERE year(stopdata.stopdate) = 2016 GROUP BY SearchDetail.SearchDetailDescription ORDER BY count(*) DESC

60425	Citation
22967	Verbal Warning
9401	NULL
7818	Written Warning
2694	Vehicle
2427	FI
1492	Driver
1223	Other
1043	Inventory Search [Prior to Impound]
944	4th Waiver Search
520	Consent Search
473	Search incident to Arrest
445	Passenger
291	ARREST
197	Inventory Search
108	ARRESTED
87	Contraband Visible
61	Odor of Contraband
51	VIMP
50	CC
30	DUI
21	TOW
20	C/C
18	
17	DL 310

43024

City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016

18.17 (1).pdf
Top 35 sample records showing parent-child relationship.
byon
the casetracker

Select top 50 stopdata.Vehiclestopid, convert(CHAR(20), stopdata.StopTime,120)StopDateTime, SearchDetail.SearchDetailType,
SearchDetail.SearchDetailID, SearchDetail.SearchDetailDescription
FROM Stopdata RIGHT Outer Join SearchDetail on stopdata.vehiclestopid = SearchDetail.vehiclestopid
WHERE year(Stopdata.Stopdate) = 2016 and Month(StopTime) = 1
ORDER BY stopdata.Vehiclestopid, SearchDetail.SearchDetailID

Vehiclestopid	StopDate Time	SearchDetailType	SearchDetailID	SearchDetailDescription
1308170	1/1/2016 0:16	ActionTaken	1489908	Verbal Warning
1308171	1/1/2016 0:14	ActionTaken	1489909	Citation
1308172	1/1/2016 0:10	ActionTaken	1489910	Citation
1308174	1/1/2016 0:35	ActionTaken	1489912	Citation
1308175	1/1/2016 1:20	ActionTaken	1489913	Verbal Warning
1308176	1/1/2016 1:39	ActionTaken	1489914	Citation
1308177	1/1/2016 1:57	ActionTaken	1489915	Citation
1308178	1/1/2016 2:00	ActionTaken	1489916	Other
1308178	1/1/2016 2:00	ActionTakenOther	1489917	DET.ARRREST
1308180	1/1/2016 3:24	ActionTaken	1489919	Written Warning
1308181	1/1/2016 6:50	NULL	NULL	NULL
1308182	1/1/2016 6:40	ActionTaken	1489920	Citation
1308183	1/1/2016 8:15	ActionTaken	1489921	Verbal Warning
1308184	1/1/2016 8:25	ActionTaken	1489922	Verbal Warning
1308185	1/1/2016 8:40	ActionTaken	1489923	Verbal Warning
1308186	1/1/2016 8:21	ActionTaken	1489924	Written Warning
1308187	1/1/2016 8:15	ActionTaken	1489925	Citation
1308187	1/1/2016 8:15	SearchType	1489926	Vehicle
1308187	1/1/2016 8:15	SearchBasis	1489927	4th. Waiver Search
1308188	1/1/2016 8:30	ActionTaken	1489928	Citation
1308189	1/1/2016 9:00	ActionTaken	1489929	Citation

City of San Diego Vehicle Stop Data
January 1, 2016 through, and including, December 31, 2016

1308190	1/1/2016 10:00	Action Taken	1489930	Verbal Warning
1308191	1/1/2016 7:52	Action Taken	1489931	Citation
1308192	1/1/2016 10:35	Action Taken	1489932	Citation
1308193	1/1/2016 11:09	Action Taken	1489933	Written Warning
1308194	1/1/2016 11:26	Action Taken	1489934	Verbal Warning
1308195	1/1/2016 11:42	Action Taken	1489935	Verbal Warning
1308196	1/1/2016 11:57	Action Taken	1489936	Citation
1308197	1/1/2016 0:30	Action Taken	1489937	Verbal Warning
1308198	1/1/2016 0:06	Action Taken	1489938	Verbal Warning
1308199	1/1/2016 0:45	Action Taken	1489939	Verbal Warning
1308200	1/1/2016 0:30	Action Taken	1489940	Citation
1308201	1/1/2016 13:00	Action Taken	1489941	Verbal Warning
1308201	1/1/2016 13:00	Search Type	1489942	Vehicle
1308201	1/1/2016 13:00	Search Basis	1489943	4th Waiver Search PAROLE
1308202	1/1/2016 13:30	Action Taken	1489944	Citation
1308203	1/1/2016 13:15	Action Taken	1489945	Citation
1308204	1/1/2016 14:30	Action Taken	1489946	Verbal Warning
1308204	1/1/2016 14:30	Action Taken	1489947	FI
1308205	1/1/2016 14:00	Action Taken	1489948	Citation
1308207	1/1/2016 14:45	Action Taken	1489950	Citation
1308208	1/1/2016 15:00	Action Taken	1489951	Verbal Warning
1308209	1/1/2016 14:53	Action Taken	1489952	Citation
1308210	1/1/2016 15:26	Action Taken	1489953	Citation
1308211	1/1/2016 15:40	Action Taken	1489954	Verbal Warning
1308212	1/1/2016 15:37	Action Taken	1489955	Written Warning
1308213	1/1/2016 15:44	Action Taken	1489956	Citation
1308214	1/1/2016 15:50	Action Taken	1489957	Verbal Warning
1308215	1/1/2016 16:05	Action Taken	1489958	Citation
1308216	1/1/2016 16:10	Action Taken	1489959	Written Warning

To view a High Resolution & Color copy of this fax:

1. Go to www.hellofax.com/HighRes

2. Enter Access Code:

977051a833

From: [Richard Hylton](#)
To: [Catherine Ysrael](#)
Subject: Opposition to early implementation of AB 953 by The City Of San Diego and San Diego's 2016 Vehicle Stop Data analysis
Date: Thursday, May 18, 2017 11:56:13 PM
Attachments: [image.png](#)

May 18, 2017

Richard Hylton

[REDACTED]

[REDACTED]

[REDACTED]

Catherine Z. Ysrael

Deputy Attorney General

Civil Rights Enforcement Section

Ofc Attorney General
300 S Spring St Ste 1701
Los Angeles, CA 90013

By facsimile to: [\(213\) 897-4951](tel:2138974951)

And E-mail to: catherine.ysrael@doj.ca.gov

Re: AB953; Objection to the delay in the issuance of Final data-submission regulations and to early Implementation of AB953, by the City of San Diego

Dear Ms. Ysrael;

Not long after the killing of Michael Brown, in Ferguson Missouri, I learned that the State of Missouri had been dutifully compiling, and its AG reporting on, stop data, for years. Examining that data showed the monstrous disparities; disparities that required a USDOJ Consent Decree. San Diego's disparities are worse. And, for the Ferguson reason, and all that I have read, and all that I know, I fear that AB953 will be as effective as was Missouri law; i.e. not at all.

The first part of my objection needs no explanation; the second part would need little if you knew what I do. So I offer reasons for it here, and in the [Exhibits](#) that are attached or linked to this missive.

The San Diego Police-bias report, released November 2016 and adopted February 2017 –the basis of its penance-driven desire to begin early implementation of AB 953- is contrived and the result of “engineered” data. Many members of the San Diego city council were quite aware of the “engineering”, at the beginning of the “works”, and, I regret to say so did persons in the CA-DOJ. One or more of them asked me to cease writing about it; another sent back a CD that contained proof of it[1]. Here, as proof of my prattle, is a graph of the data that is included in the “independent analysis” of San Diego’s data. Methinks that nothing more needs be said other than that which can be told [by data from the bulge of missing data](#)[2]; the nulls; the green area[3]:



The downloadable data was produced by a primitive and exact query. The accuracy of its product may not be successfully disputed. A more sophisticated, but less exact, query yields many more records, but is open to dispute.

The independent analysts were informed of the spike in nulls, very evident in November 2014, in that very month. The possible source of some of them was, even then, self evident. They the correctable nulls, remained uncorrected when data for 2015 was added to the original commission specification (originally for 2014 only.) San Diego, through its employees and elected officials, was informed in January 2015. That may not be disputed or successfully denied either.

So, with respect to my opposition to San Diego’s early implementation of AB 953 -because as a municipal corporation its actions cannot be trusted- I respectfully demand that the CA-DOJ apply and enforce a precondition before entertaining San Diego’s request; i.e. that CA-DOJ require simultaneous submission of other stop-related data; i.e. judicial Citation files; Field Interview information; Written Warning information, and any other electronically stored data that results from stops. Doubtless; the would-be [Leaders in Data-Driven policing](#)[4] will not be averse to providing supporting data that can be linked and, by linkage, be validated. They, however, having demonstrated data “engineering” skills, ought not to be allowed to manipulate that which is submitted to the State. Moreover; the datasets mentioned will disclose other types of disparities that are masked by other VSD data. For example, that Blacks and Hispanics have the highest citation issuance rates but the lowest citation-entry

rates, into the VSD database.

If you are un-persuaded by all that I have said, have someone, with the required data skills, download and stratify the abomination that is San Diego's data for the first Quarter of 2017, from [here](#)[5], San Diego's Open Data Portal.

My essay at understanding what San Diego's 2016 data means is linked [here](#)[6].

If the CA-DOJ permits systems or processes that propagate or perpetuates purging or other charades or farces, as have been used by this sorry local lot, I shall sue the department over it. Moreover, the CA-DOJ shall be guilty of doing precisely what the analysts from SDSU did; practice deliberate blindness. The CA-DOJ needs to issue sensible data-submission regulations, with routines that shall make the data validatable. It needs to do so immediately, too.

Sincerely;

Richard Hylton

[REDACTED]

[REDACTED]

[REDACTED]

c.c.

cityattorney@sandiego.gov

kevinfaulconer@sandiego.gov

myrtlecole@sandiego.gov

assemblymember.weber@assembly.ca.gov

[1] The file that you can download from [here](#) is of Citation records that were purged from the Vehicle Stop Data before that data was used in the SDSU Report. It is but a small sample.

[2] <https://drive.google.com/file/d/0B8Nfdg4rqWt9MjRCdTJXOU15TUU/view?usp=sharing>

[3] I have not bothered to mention the roughly 20% of citation records, for which VSD records do not exist at all.

[4] <http://www.voiceofsandiego.org/topics/opinion/san-diego-re-take-lead-data-driven-policing/>

[5] <https://data.sandiego.gov/datasets/police-vehicle-stops/>

[6] <https://drive.google.com/file/d/0B8Nfdg4rqWt9Yi10azVVUm5xMTQ/view?usp=sharing>

Sent with [Mailtrack](#)

From: [Catherine Ysrael](#)
To: [AB953](#)
Subject: FW: Hot Potato (more accurately hot fudge.) AB 953 Approved by Governor October 03, 2015. Filed with Secretary of State October 03, 2015
Date: Monday, May 22, 2017 8:29:01 PM

From: Richard Hylton [hyltonrichard@gmail.com]
Sent: Monday, May 22, 2017 7:50 PM
To: Catherine Ysrael
Subject: Fwd: Hot Potato (more accurately hot fudge.) AB 953 Approved by Governor October 03, 2015. Filed with Secretary of State October 03, 2015

----- Forwarded message -----

From: **Richard Hylton** <hyltonrichard@gmail.com>
Date: Mon, May 22, 2017 at 7:19 PM
Subject: Hot Potato (more accurately hot fudge.) AB 953 Approved by Governor October 03, 2015. Filed with Secretary of State October 03, 2015
To: Casey Hallinan <Casey.Hallinan@doj.ca.gov>

Last week, in a communication to the Deputy Attorney General Catherine Ysrael, I expressed my opposition to the City Of San Diego Being allowed to be an early implementer of AB 953. In my communication I mentioned a communication received from [Jennifer McClory](#) that asked that I not communicate with her concerning Racial abuses by the SDPD. I also mentioned [your communication returning evidence of San Diego's fudged data](#); data that I sent to you on a CD (twice.)

I had little doubt that my communication was viewed as tale recounted by a fool, but I also suspected that it was considered untrue too. I did not have your letter, but did McClory's (that I shall keep to myself, for now.) Anyway I found your communication in its normal place; my Google drive.

I hold that it does, and should, not take AB953 to trigger the CA-DOJ's duty to protect all persons from the depredations of people with badges and guns. It is evident that the CA-DOJ holds a different view. Indeed, nowadays, the CA-DOJ consults with cities like San Diego on how to collect, report and submit Vehicle Stop Data to the state; after all they were Leaders in Data-driven policing, even if they did anoint themselves as such.

I hope that you kept the CD when I returned it to you; It cost me around 6 dollars in postage for both mailings (I do have evidence of both mailings.)

In linking your letter, I hope to establish the truth of my claim, but fear that I shall remain a fool. I hope not for long.

Rass! I happen to like potatoes, hot or cold.

Please keep your threats to a minimum.

--

Richard Hylton



copies are being sent to these people and others as I shall remember them

jennifer.mcclory@doj.ca.gov

catherine.ysrael@doj.ca.gov

shannon.hovis@doj.ca.gov

cityattorney@sandiego.gov

ksteinman@sandiego.gov

rhvilla@sandiego.gov



--

Richard Hylton



Sent with [Mailtrack](#)

Kathleen Radez

Subject: FW: Question Concerning RIPA.

From: Richard Hylton [REDACTED] >
Date: May 23, 2017 at 9:09:05 PM PDT
To: Shannon Hovis <Shannon.Hovis@doj.ca.gov>
Subject: Re: Question Concerning RIPA.

Shannon;

Thank you for your prompt response.

Words are impossible. Even so, I do enjoy them, but do not now enjoy your reply to the final item, useful though it is. In reply to my question regarding the City of San Diego acting in a consulting capacity, you stated "*SDPD did not submit a **public** comment, but you can view all of the public comments received during the first comment period on our AB 953 regulations website at oag.ca.gov/ab953/regulations.*" That, of course, is not responsive to my question. Moreover, your reply can be read to imply that San Diego has made non-public, i.e. **private** comments, in a consulting capacity. I hold that all of San Diego's comments are public and I insist that in the name of decency and honesty the feckless ones ought not to have accepted input in any proper public or private deliberations, where the interests of protected members of the public are at stake.

Please clarify your response. I demand all documents that the CA-DOJ shall have received from the City Of San Diego, which documents are related to the implementation of RIPA.

I may genuflect later.

Thanks.

 Sent with [Mailtrack](#)

On Mon, May 22, 2017 at 9:09 PM, Shannon Hovis <Shannon.Hovis@doj.ca.gov> wrote:
Hi Richard,

The composition of the RIPA Board is specified in AB 953: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB953#

Attorney General Harris appointed to the Board the two representatives of human or civil rights organizations, the two representatives of community organizations, the two clergy members, and the university professor.

AB 953 also specifies the role of the Board and the content that must be included in the Board's annual reports.

The delay in issuing the regulations is complicated, but largely attributed to the fact that the timeline specified in the law was not sufficient time for our Department to undergo a full regulatory process, given that we were not able to establish the Board until July 1, 2016 and are required by the law to consult with the Board and a host of other delineated stakeholders in crafting the regulations.

San Diego PD has approximately 1,800 sworn officers, so they fall in the first report. Richard Hylton 5/23/17 (2).pdf
agency sizes: https://www.post.ca.gov/Data/Sites/1/post_docs/hiring/le-employment-stats.pdf

SDPD did not submit a public comment, but you can view all of the public comments received during the first comment period on our AB 953 regulations website at oag.ca.gov/ab953/regulations.

I hope this is helpful.

Thanks Richard,

Shannon

From: Richard Hylton <hyltonrichard@gmail.com>

Date: Monday, May 22, 2017 at 9:17 AM

To: Shannon Hovis <shannon.hovis@doj.ca.gov>

Subject: Question Concerning RIPA.



Shannon;

- How were members of the RIPA board selected or appointed?
- What will the RIPA board report on, in its first report that is due January 1, 2018?
- What is the reason for the delay in the issuance of data-submission rules or regulations, originally due Jan 1, 2017?
- The LEA First Wave Consultation, for departments with 1000+ officers would have included the City Of San Diego. The AG words it "Work with large agencies (1,000+ officers) to assist with collecting, extracting and transmitting stop data to DOJ." Please state if the City Of San Diego has been a part of First Wave Consultation, and please provide documents of their input.

I will genuflect and may be moved to perform acts of prostration, in fealty and appreciation, if I were to receive responses, to any of the above, today

--

Richard Hylton



 Sent with [Mailtrack](#)

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--

Richard Hylton



From: [Richard Hylton](#)
To: [Catherine Ysrael](#); [Shannon Hovis](#); [Shirley Webber](#)
Subject: The use of Middle Eastern is a bigot's pander, I pray that you would forsake it.
Date: Tuesday, May 23, 2017 10:45:10 AM

For the most part, Middle Eastern people are Asians. Except, of course, for the Israelis. They, the Israelis, participated in the European games held in Baku Azerbaijan, so that makes them European (I suppose that if there were Middle Eastern Games, Israel would not be invited.) That Azerbaijan, the host country, is itself in Asia, make this more deliciously ridiculous.

Middle Eastern shall become "Other", a group whose statistics tells us nothing, and clutters output; mark my words.

Lord deliver us.

--

Richard Hylton



Sent with [Mailtrack](#)

From: [Richard Hylton](#)
To: [Catherine Ysrael](#)
Subject: Alliance San Diego, A civil rights organization
Date: Wednesday, May 24, 2017 6:13:01 PM

Ms. Ysrael;

Please consider this to be a request for information under the California Public Records Act.

Alliance San Diego (info@alliancesd.org) is an organization that purports to be a Civil Rights Organization. Its members attend City Hall meetings and speak, with much eloquence and fervour, in advocacy of issues affecting protected classes. A principal in that organization was appointed to the RIPA board by AG Harris. I have leapt to the conclusion that the appointment was at the recommendation of an influential local to the San Diego area. My exercise regimen causes me to believe that a City Official or politician may have been the source of that recommendation.

Please provide all documents that are associated with the appointment of Alliance San Diego or its officers or employees to the RIPA (AB 953) board.

Thank you.

--

Richard Hylton



Sent with [Mailtrack](#)

From: [Richard Hylton](#)
To: sara.libby@voiceofsandiego.org; [Catherine Ysrael](#); [Denise Viera Esq.](#); [Joshua Chanin](#); [Stuart Henry](#); [Norma Chavez-Peterson](#); RHVILLA@sandiego.gov; [Shirley Webber](#)
Cc: [Scott Lewis](#); [Kinsee Morlan](#)
Subject: Are you a fool or just terminally stupid
Date: Tuesday, May 30, 2017 9:13:14 PM
Attachments: [image.png](#)

Is it not clear to you that Chanin and his clique are doing their hand-wringing and their revisions because Emerald and her clique prevailed upon the SDSU analysts to include the 2015 dataset that had the below engineered defects.



The jackasses in City Hall rely on your seeming stupidity to maintain their position. If you rip out the data (and selectively chose what parts of it to enter) you can create palatable thresholds, where "bias" becomes "disparity". Chanin and the ACLU were fully aware that that was being done for 2015 data and the tail-end of 2014.

--

Richard Hylton



Sent with [Mailtrack](#)

From: [Richard Hylton](#)
To: [Mara W. Elliott](#); [Steinman, Kathy](#); RHVILLA@sandiego.gov; [Fields-Bernard, Lea](#); [Catherine Ysrael](#); [Shannon Hovis](#)
Subject: Re: The pitfalls of sloth are less dangerous than those of falsehood, but nevertheless, I cast off my laziness to demonstrate the falsehood of this passage
Date: Tuesday, May 30, 2017 7:42:29 PM
Attachments: [image.png](#)

I live in Rancho Peñasquitos and am one of the Blacks who, according to Chanin, is in subject to discrimination, by the bastards. Well, bastards abound, and they are not all in the police department. They are in the AG's office too and we have a unfair number of them in the City Attorney's office.

For example, I could not get the Attorney General to concede that paying for my vehicle registration renewed it, until I provided a citation of the AG's position, on the issue, and I told her representative to send me the **fucking** decision. The response from the AG remains unread, but preserved.

Sent with [Mailtrack](#)

On Tue, May 30, 2017 at 7:00 PM, Richard Hylton <hyltonrichard@gmail.com> wrote:
Stupid sons of bitches.

These jackasses are farting about with the notion that San Diego is 10 cities rather than 1, and Joshua is leading them. (Michael Manley was called Joshua.) Consequently we see discussion of a gerrymandered report based on Service Areas, where results trigger "thresholds." As a result, the word "bias" was replaced by "disparity" in "Final Drafts." Not a frigging mention exists anywhere about the effect that over 20,000 "**nulled-out**" records had on the deceitful exercise.

As every single one of you know, by now, the number of nulls were modest and, even then, not acceptable when they numbered 4000, in 2014. With the sudden addition of 2015 data the "**nulled**" number ballooned 20 over 20,000. I say again 20, 000 is profoundly unacceptable and threshold-altering, and again as you know, by now, the nulls disproportionately affects Latinos. As you know, I warned Chanin that the tactic was afoot in November 2014. The massive failure to enter data had similar effect. There too Chanin was warned that the SDPD was manipulating its data in threshold-altering ways. Today he sounds aggrieved..

The spreadsheet that is attached deliberately does not include evaluation of Null records, at the service area level, but does for the Citywide stratification.

Most sensible people know that it is the overall result is what counts, and I invite you abandon you present company to become one of them; the sensible.

If you do not like my language, listen to my conversation with Jacob Mosteller.

Vanita Gupta is on RDMS.

----- Forwarded message -----

From: **Richard Hylton** <[REDACTED]>

Date: Tue, May 30, 2017 at 2:51 PM

Subject: The pitfalls of sloth are less dangerous than those of falsehood, but nevertheless, I cast off my laziness to demonstrate the falsehood of this passage

To: sara.libby@voiceofsandiego.org

- The final version of the study found that black drivers were more likely than white drivers to be stopped in only one of the San Diego Police Department's nine divisions, northeastern, which includes the largely white neighborhoods of Mira Mesa, Rancho Bernardo, Rancho Peñasquitos and Scripps Ranch. A draft version reached a different conclusion, finding evidence of racial disparities in three divisions, not just one, and, in aggregate, all police divisions located north of Interstate 8, often considered to be San Diego's racial and economic dividing line.

[This excel spreadsheet](#) contains stratifications for each Department (Service Area) and puts paid to the above assertion attributed to Joshua The Confessor. As a verification control is a stratification for **All**; the Combination.

The key values as appear in SDSU's Table 5.3 are almost identical to the corresponding columns in the **All** group, and the differences that do exist are the result of SDSU rounding **down** and combining "Other" with Asian/API.

Inline image 1



I know that you thank me, despite your bad manners.

Richard Hylton

[REDACTED]

--

Richard Hylton



Sent with [Mailtrack](#)

--

Richard Hylton



From: [Richard Hylton](#)
To: [Shannon Hovis](#); [Catherine Ysrael](#)
Subject: Fwd: SDSU Researchers Watered Down the Police Racial-Profilng Study
Date: Tuesday, May 30, 2017 10:29:51 AM
Attachments: [image.png](#)
[image.png](#)

----- Forwarded message -----

From: Richard Hylton <[REDACTED]>
Date: Tue, May 30, 2017 at 10:12 AM
Subject: Re: SDSU Researchers Watered Down the Police Racial-Profilng Study
To: Norma Chavez-Peterson <norma@aclusandiego.org>

The within item should have been referenced as "[Chanin Confesses](#)"; but what we have will have to do, for now.

About a year ago, I tried to get Kinsee Morlan to publish something on the issue, my opinion. About a month later she responded and displeased me by asking if I was "pitching a story." I daresay the best stories are those that journalists discover for themselves. I can call them journalists can I not?

What provokes me most nowadays is San Diego's participation as an LEA consultant in the development of policies and procedures on AB 953. I wont have it.

On Tue, May 30, 2017 at 9:38 AM, Richard Hylton <hyltonrichard@gmail.com> wrote:

In my prior it stated "And while you have his attention, be bold enough to ask why the group "Other" was **not** combined with Asians...". It should have asked why why the group "Other" **was combined with Asians**

Sent with [Mailtrack](#)

On Tue, May 30, 2017 at 9:34 AM, Richard Hylton <[REDACTED]> wrote:

Words are but the vague shadows of the volumes we mean. Little audible links, they are, chaining together great inaudible feelings and purposes."... Theodore Dreisier

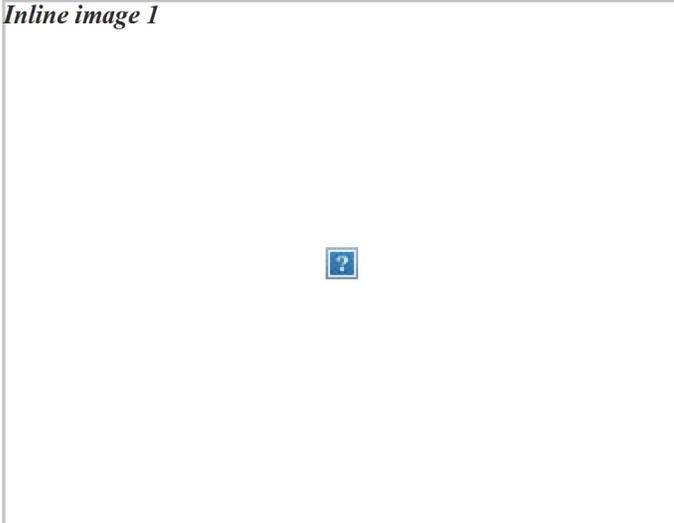
Watered down is putting it mildly. Our friend Chanin is well less than honest in what he claims and in that he is equaled by the City that commissioned his study. I daresay the professor was less than studious and is now less than candid with the remark that Blacks are more likely to be stopped in **three** Service Areas (my memory says it is all, but I am too lazy to verify it.) And, since you appear to be in communication with the dear man, perhaps you could broach the subject of the more than 84,500 written and verbal warnings that are absent from his report. Indeed, Chanin was able to claim "on page 20, as a footnote, "*Because we do not have records of warnings given, there is no way to confirm this one way or another.*" How is it possible to miss more than 84,500 records?

And while you have his attention, be bold enough to ask why the group "Other" was not combined with Asians, since, the [SDPD Data Dictionary](#), [Vehicle Stop Race Codes](#) instructs us as to the meaning of this category. It does **not** mean Other Pacific Islander. The use of this ruse -the adding undefined folk to Asians is obvious; it makes Asians, "the model minority" appears to be more heavily policed. [Combining](#)

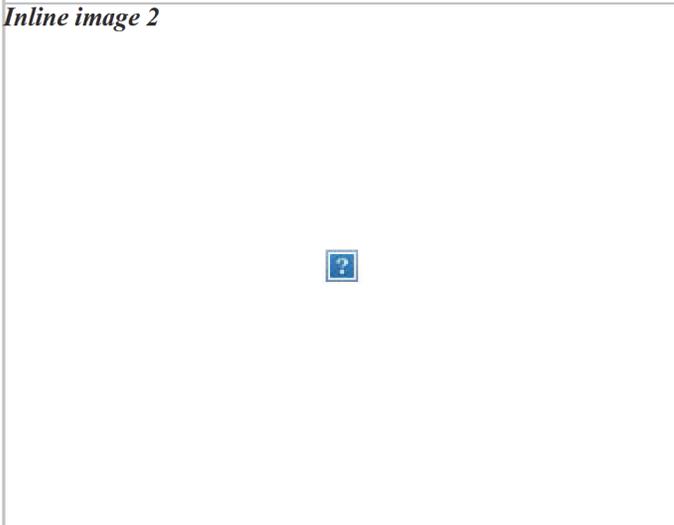
[Asians with “Other”](#)[1] creates a useful and deceitful “numerator problem” (and sometimes a denominator[2] problem) if you will.

These things came from a man who advocated early adoption of AB953, Section 12525.5 of which *requires agencies to report the warning provided or violation cited* (if any) (id., subd. (b)(4)) as well as the offense charged if an arrest was made (id., subd. (b)(4)). Accordingly, data values were included to satisfy these reporting obligations and to allow the RIPA Board to analyze, for example, *whether racial disparities exist among certain categories of warnings....*

Inline image 1



Inline image 2



[Leadership in Data Driven Policing](#) are words too. We have an abundance of local leaders who have used the preceding expression, while prattling about early adoption of the provisions of AB953; even as they complain about its onerous provisions. Yet none of them have provided input to the AG on that "onerous" law.

[1] See thread to Chris Haley of February 25, 2015 and Katie Keach February 26, 2015 discussing this form of deception. <https://drive.google.com/file/d/0B8Nfdg4rqWt9NE93czF5UIFVMDg/view?usp=sharing>

[2] The so-called [denominator problem that expert Sam Walker claims researchers do not have an accurate way to measure](#)(page 60), does not exist here, not for post-stop disparities. I regret that the SDSU analyst

avoid discussing this.

Richard Hylton

[REDACTED]

Sent with [Mailtrack](#)

--

Richard Hylton

[REDACTED]

--

Richard Hylton

[REDACTED]

--

Richard Hylton

[REDACTED]

Sent with [Mailtrack](#)

From: [Richard Hylton](#)
To: [Fields-Bernard, Lea](#)
Cc: [Mara W. Elliott](#); [Catherine Ysrael](#)
Subject: Fwd: [External Message Added] City of San Diego records request 17-118
Date: Wednesday, May 31, 2017 10:50:29 AM

Ms Fields-Bernard;

The subject of this mail is **Who Paid for the "Independent" SDSU Study. (CPRA 17-118)**

In June 2015, a few days after the city commissioned the "independent" study by SDSU, I communicated with Stuart Henry. Stuart is a Brit who leads the school from which that thing emanated. The entire threads are linked [here](#). Hylton The Prophet foresaw, what VOSD reported yesterday, that something untoward was afoot; SDSU/Chanin did not publicly disclose what I and 40+ attendees at Chanin's ACLU presentation knew. In fact, AFAIK, there was no disclosure that a study had been done (on data collections for 9 mths of 2014. You will see Stuart denying it.)

What piques my interest is Stuart's claim highlit below:

On Sun, Jun 7, 2015 at 4:34 PM, Stuart Henry <stuart.henry2@gmail.com> wrote:

Richard:

I find it offensive to be accused of being party to a scam when you know nothing about my research, other than that I am the Director of the School that has been asked to conduct the said research. To date, I have conducted no research on this topic. Furthermore, as for the accusation of the project's illegality, I should point out that governments fund all kinds of research nationwide, and the [National Institute of Justice is a state agency](#) using public funding to conduct just this kind of research.

Stuart claims that the **State of California** paid for that thing; a thing that flagrantly falsely claims all sorts of nonsense (it does get citywide Stops Arrests, Searches, and Field Interviews right; except for Asians.)

Can you verify who paid for the study? The response provided (that the study was paid out of the General Fund, Citywide Program Expenditures) is in conflict with what the man, who should know, says.

I am sending a copy of this to the CA DOJ and the City Attorney. I have also embedded it in the Next Request System

I have sister who conducts these sorts of studies, as a lecturer at UWI. She has a group that is studying the phenomenon that is the Lottery Scam. She too has a hyphenated name; Gloria Royale-Davis. Aware of this foolishness, she has exhorted me to not give up. I obey my sisters; all eight of them; so my request and importunity.

I look forward to a final determination of **Who Paid for the "Independent" SDSU Study**. It is quite important.

Finally; a pithy and completely appropriate comment: "Torture the data, and it will confess to anything." – Ronald Coase, winner of the Nobel Prize in Economics.

----- Forwarded message -----

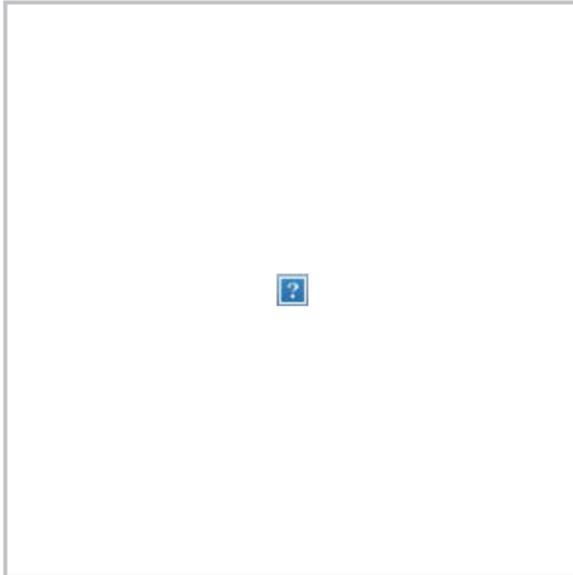
From: **City of San Diego Public Records** <sdnextrequest@sandiego.gov>

Date: Mon, Jan 30, 2017 at 3:06 PM

Subject: [External Message Added] City of San Diego records request 17-118

To: hyltonrichard@gmail.com

-- Write ABOVE THIS LINE to post a reply --



City of San Diego Public Records Requests

A message was sent to you regarding record request #17-118:

Mr. Hylton,

I apologize for the confusion. We reopened the request to verify again that there were no additional records responsive to your request. We confirmed again today that there are no documents responsive to your request, other than the information provided to you previously (that the study was paid out of the General Fund, Citywide Program Expenditures).

We will close the request again shortly. If you have any questions or would like to request other records, please let us know and we will be happy to assist you.

Kind regards,

[View Request #17-118](#)

*Too many emails? [Change your email settings here](#)
Like NextRequest? [Recommend us to another government!](#)*



Sent with [Mailtrack](#)

From: [Fields-Bernard, Lea](#)
To: [Richard Hylton](#)
Cc: [SDAT City Attorney](#); [Catherine Ysrael](#)
Subject: RE: [External Message Added] City of San Diego records request 17-118
Date: Wednesday, May 31, 2017 3:52:45 PM

Mr. Hylton,

Thank you for your email. Our response to 17-118 has not changed. Also, it appears that Mr. Henry is referring to similar studies; not this particular one.

Sincerely,

Lea Fields-Bernard, Program Manager
Public Records Administration
Human Resources Department
City of San Diego
1200 Third Avenue, Suite 1316
San Diego, CA 92101
T (619) 533-6504
M (619) 846-0681
lfbarnard@sandiego.gov



~ A world-class city for all ~

From: Richard Hylton [mailto:hyltonrichard@gmail.com]
Sent: Wednesday, May 31, 2017 10:50 AM
To: Fields-Bernard, Lea <LFBernard@sandiego.gov>
Cc: SDAT City Attorney <CityAttorney@sandiego.gov>; Catherine Z. Ysrael <Catherine.Ysrael@doj.ca.gov>
Subject: Fwd: [External Message Added] City of San Diego records request 17-118



Ms Fields-Bernard;

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Finally; a pithy and completely appropriate comment: "Torture the data, and it will confess to anything." – Ronald Coase, winner of the Nobel Prize in Economics.

----- Forwarded message -----

From: **City of San Diego Public Records** <sdnextrequest@sandiego.gov>

Date: Mon, Jan 30, 2017 at 3:06 PM

Subject: [External Message Added] City of San Diego records request 17-118

To: [REDACTED]

– Write ABOVE THIS LINE to post a reply –

City of San Diego Public Records Requests

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Kind regards,

[View Request #17-118](#)

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Like NextRequest? [Recommend us to another government!](#)*

--

Richard Hylton



Sent with [Mailtrack](#)

From: [Richard Hylton](#)
To: [Fields-Bernard, Lea](#)
Cc: [Nance Lakdawala](#); [Joshua Chanin](#); [Jessica Rentto](#); [Catherine Ysrael](#); [Shannon Hovis](#)
Subject: Re: [External Message Added] City of San Diego records request 16-2348
Date: Wednesday, May 31, 2017 12:41:57 PM

Ms. Field-Bernard;

I am making this request to the City of San Diego.
I am also making this request of Joshua Chanin, who produced and possesses the requested document.
I am also making this request of Lakdawala and Rentto who are employees of Mr. Chanin's employer; a public body or agency.

Sent with [Mailtrack](#)

On Wed, May 31, 2017 at 12:36 PM, Fields-Bernard, Lea <LFBernard@saniego.gov> wrote:

Mr. Hylton,

Are you making this request to the City of San Diego or to SDSU?

Sincerely,

Lea Fields-Bernard, Program Manager

Public Records Administration

Human Resources Department

City of San Diego

1200 Third Avenue, Suite 1316

San Diego, CA 92101

T [\(619\) 533-6504](tel:(619)533-6504)

M [\(619\) 846-0681](tel:(619)846-0681)

lfbernard@saniego.gov



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From: Richard Hylton [mailto: [REDACTED]]
Sent: Tuesday, May 30, 2017 5:48 PM
To: Fields-Bernard, Lea <LFBernard@san Diego.gov>
Cc: Nance Lakdawala < [REDACTED] >; Joshua Chanin < [REDACTED] >; Jessica Rentto [REDACTED]
Subject: Re: [External Message Added] City of San Diego records request 16-2348

My dear friends at Voice Of San Diego, who understand very little;, who have accepted a presentation of a study of police conduct by the SDPD as though it were a study of 10 cities, are useful in some respects. They have disclosed the following:

Nearly three months later, after VOSD put in a similar request with San Diego State University, Bernard-Fields followed up to say an unmarked hardcopy of a draft had been located, but releasing it “would likely increase community tension and discontent in an environment already fraught with friction over the issue of vehicle stops.”

May I have a copy of the unmarked document, and I do not give a rat's ass about any tensions that it may create; I am tense enough for the whole bloody city, and the city has been played.

This is a restatement of my demand for public documents under 16-2348 and it applies to the three people from SDSU who are on this distribution.

Sent with [Mailtrack](#)

On Tue, Nov 15, 2016 at 2:31 PM, Fields-Bernard, Lea <LFBernard@san Diego.gov> wrote:

Mr. Hylton,

As you recall, you initially asked for the “SDSU report on racial profiling.” Pursuant to the Public Records Act, there is no “public record”; hence, no responsive document.

You then updated your request for “**Report document** upon which an summary, excerpt, abstract,

fabrication etc was created and distributed to the press, and the ACLU; the thingy that I did not get.
The "report document," as you refer to it, a preliminary draft, is exempt under the Government Code sections that were cited.

As to your demand for an explanation regarding citation records, the Public Records Act is for the purpose of providing public records; not for responding to inquiries. I recommend that you contact whomever provided you with the citation records. Beyond that, I have nothing further to add.

Sincerely,

Lea Fields-Bernard, Program Manager

Public Records Administration

Human Resources Department

City of San Diego

1200 Third Avenue, Suite 1316

San Diego, CA 92101

T [\(619\) 533-6504](tel:6195336504)

M [\(619\) 846-0681](tel:6198460681)

lfbarnard@sandiego.gov



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From: Richard Hylton [mailto:]

Sent: Tuesday, November 15, 2016 2:08 PM

To: Fields-Bernard, Lea <LFBernard@sandiego.gov>

Cc: Nance Lakdawala < >; Joshua Chanin < >; Jessica Rentto

< >; Tarryn Mento < >; Stuart Henry < >;

Casey Hallinan <Casey.Hallinan@doj.ca.gov>; Denise Viera Esq. <Denise.Viera@usdoj.gov>

Subject: Re: [External Message Added] City of San Diego records request 16-2348

Well I am confused. It is so because there has been a change of story. It now seems that the City has come to align its response to bring itself into congruence with SDSU.

Before this the City claimed that it had no report. It now claims, as did SDSU, that that which it has is a Preliminary Draft. Your use of **Released – Redacted and/or Withheld;**

all contradicting terms is Trumpeque and confused me bigly as here:

02c. Released – Redacted and/or Withheld

All responsive documents have been released except those that have been withheld pursuant to:

[Preliminary draft] Government Code section 6254(a)

[preliminary draft]

[Public interest] Government Code section 6255

[Public interest served by disclosure outweighed by other factors]

about 1 hour ago by Lea Fields-Bernard

Please provide me with an answer or explanation (or the name and contact information of someone who can) as to why so many citation records are missing from the

Vehicle Stop Data dataset and I will be on my way.

On Tue, Nov 15, 2016 at 1:38 PM, Fields-Bernard, Lea <LFBernard@saniego.gov> wrote:

Mr. Hylton,

Thank you for your email and phone message. There is no confusion. The City's response remains the same.

Sincerely,

Lea Fields-Bernard, Program Manager

Public Records Administration

Human Resources Department

City of San Diego

1200 Third Avenue, Suite 1316

San Diego, CA 92101

T [\(619\) 533-6504](tel:(619)533-6504)

M (619) 846-0681

lbernard@sandiego.gov



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From: Richard Hylton [mailto: [REDACTED]]
Sent: Monday, November 14, 2016 6:04 PM
To: Fields-Bernard, Lea <LFBernard@sandiego.gov>
Subject: Re: [External Message Added] City of San Diego records request 16-2348

Ms. Fields-Bernard

We need to talk. I am just not clever enough to understand what is going on, especially not the following:

02c. Released – Redacted and/or Withheld

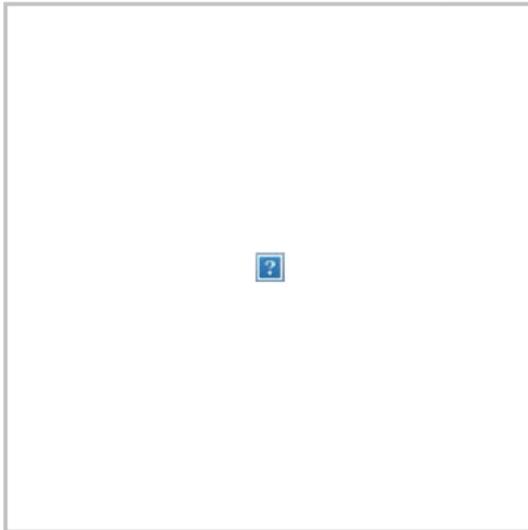
All responsive documents have been released except those that have been withheld pursuant to:
[Preliminary draft] Government Code section 6254(a)
[preliminary draft]
[Public interest] Government Code section 6255
[Public interest served by disclosure outweighed by other factors]

about 1 hour ago by Lea Fields-Bernard

Really smart people would believe that the above means that something that once was said not to exist, is now being withheld.

On Mon, Nov 14, 2016 at 4:25 PM, Nextrequest Support <support@nextrequest.com> wrote:

– Write ABOVE THIS LINE to post a reply –



City of San Diego Public Records Requests

A message was sent to you regarding record request #16-2348:

Mr. Hylton,

This will confirm your November 9, 2016, 8:09 pm email in which you clarified that you wish **Report document upon which an summary, excerpt, abstract, fabrication etc was created and distributed to the press, and the ACLU; the thingy that I did not get.**

As I informed you on November 4, 2016, responsive documents can be located here: docs.sandiego.gov/councilcomm_agendas_attach/2016/psln_161026_5ppt.pdf Any record besides what was made available to the public on October 26, 2016, at the public hearing is being withheld pursuant to Government Code sections 6254 (a) and 6255.

Sincerely,

[View Request #16-2348](#)

*Too many emails? [Change your email settings here](#)
Like NextRequest? [Recommend us to another government!](#)*

--

Richard Hylton

[REDACTED]

[REDACTED]

[REDACTED]

--

Richard Hylton

[REDACTED]

[REDACTED]

[REDACTED]

--

Richard Hylton

[REDACTED]

[REDACTED]

[REDACTED]

--

Richard Hylton

[REDACTED]

From: [Richard Hylton](#)
To: [Shannon Hovis](#); [Catherine Ysrael](#); [Shirley Webber](#)
Cc: [Haley, Chris](#); [Christopher R. Wilson](#)
Subject: New report claims that software development is being affected by a number of data-related issues.
Date: Thursday, June 01, 2017 8:01:44 AM

[Is data to blame for software defects?](#) The article is silent about deliberately falsified data.

--

Richard Hylton



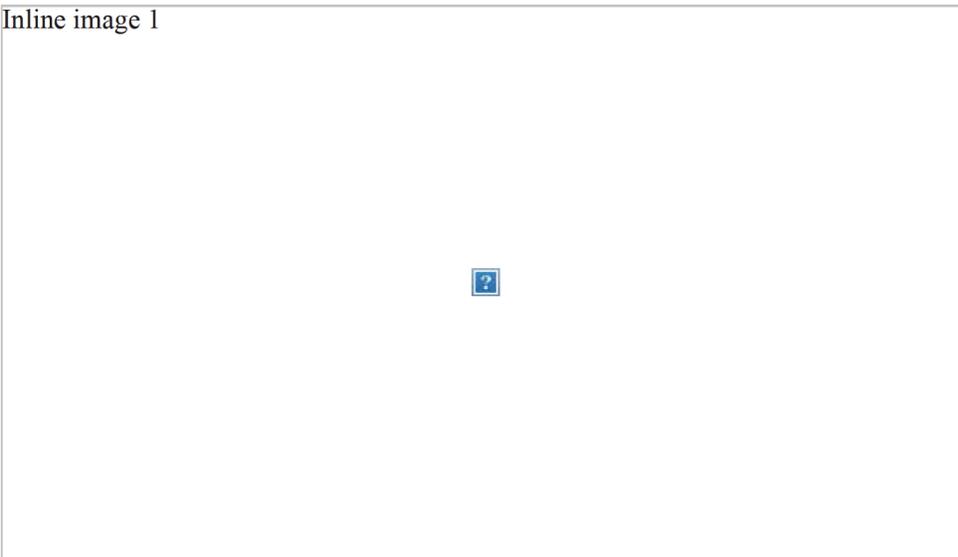
Sent with [Mailtrack](#)

From: [Richard Hylton](#)
To: Presidents.Office@sdsu.edu
Cc: [Jessica Rentto](#); [Nance Lakdawala](#); [Fields-Bernard Lea](#); [Catherine Ysrael](#)
Subject: Fwd: [External Message Added] City of San Diego records request 16-2348
Date: Thursday, June 01, 2017 8:54:28 AM
Attachments: [image.png](#)

The below needs no explanation. I found, and continue to find, some satisfaction in saying it. My satisfaction is incomplete for I do continue to need the document that I seek .It is within your power to provide it. It is your duty to provide it.

To foreclose the possibility, the likelihood that you will recite Rentto's false claim. It is false in the context of Lakdawala's request for the number of pages in a document that was itself provided in the original request. The number of pages in a PDF file appears on the first screen.

Inline image 1



As you can easily determine, after the answer and instruction was provided, I never heard from SDSU again.

Now back to this. The document that I seek is related to the above. It is draft that was "retained in the normal course of business." I do not have the document that I seek. Except for the above image, I do not know what it looks like. In fact, I am not certain that it looks like the above. And, except what is written in VOSD's article, I do not know to whom the the Document that seek was given. What I do know is that Rentto and/or Lakdawala claimed that it does not exist. Now we do know that that claim, too, was false.

What I know about the document that I seek is in [VOSD's article](#), written by By [Sara Libby](#) | May 30, 2017, titled, [Morning Report: Researchers Toned Down the SDPD Racial Profiling Study](#). The article is published [here](#). The salient passage of which is this: "**The city refused to give VOSD copies of the drafts, but San Diego State, which conducted the study, provided them.**"

Please, ignore my race (this is called playing the "race" card) and do the same for me!

Finally; I suppose that it cannot be said that either Chanin, Lakdawala or Rentto have enhanced the reputation of your university. And I suppose that I could have toned down my response to Rentto in the way that your "Researchers Toned Down the SDPD Racial Profiling Study"; no!

I have no interest in anything else that you may have to say, so keep it to yourself or say it to others. Please provide a copy of the document that is the subject of VOSD's article and I will not

bother you again; unless necessary.

Thank you.

----- Forwarded message -----

From: **Richard Hylton** <[REDACTED]>

Date: Wed, May 31, 2017 at 2:38 PM

Subject: Re: [External Message Added] City of San Diego records request 16-2348

To: Jessica Rentto <[REDACTED]>, Joshua Chanin <[REDACTED]>

Cc: Nance Lakdawala <[REDACTED]>

Here is something that needs no disambiguation. I do not give a flying fuck what you do.

On Wed, May 31, 2017 at 2:10 PM, Jessica Rentto <[REDACTED]> wrote:

Mr. Hylton,

Your request is vague and ambiguous. Ms. Lakdawala is just attempting, as she has repeatedly been required to do in the past, to clarify your request. Kelly Davis was the author of the VOSD article referenced in Ms. Libby's article that you linked to below. We did not write the article for VOSD so we have no idea what document Ms. Davis is referring to. However, if you want the documents that were provided to Ms. Davis, then you can request them specifically. However, we will not attempt to guess what documents you are asking for below, just as we do not attempt to guess what documents other requesters are seeking when they make vague and ambiguous requests. Rather, we seek clarification and provide responsive documents based on these clarified responses.

Regards,

Jessica Rentto

From: Richard Hylton <[REDACTED]>

Date: Wednesday, May 31, 2017 at 1:51 PM

To: Nance Lakdawala <[REDACTED]>

Cc: Jessica Rentto <[REDACTED]>, <[REDACTED]>

Subject: Re: [External Message Added] City of San Diego records request 16-2348

Ms. Lakdawala;

I do not understand your question, but more than that, I do not like it. You have established yourself as someone who asks question and then disappears when the answer is provided. Nevertheless, since I need the document, I am compelled to comply. So here goes. I do not know who Kelly Davis is! But, I am left wondering why a document, considered a draft, was provided to her but not to me. Is it a question of pigmentation? Is it a question of race; mine? Do this for me. Ask Chanin for the document that was referenced in [VOSD's article](#), when you get it, send me a copy. I will examine for similarities to the the document located [here](#) and for the indications of "bias" that were recast as "disparities." On completion of

that undertaking you will hear from me.

Is that clear enough?

Thank you.

Sent with [Mailtrack](#)

On Wed, May 31, 2017 at 1:33 PM, Nance Lakdawala [REDACTED] > wrote:

Hello Mr. Hylton,

I'm not sure I understand your request. Are you asking for the document that was provided to Kelly Davis from the Voice of San Diego?

Thank you.

Nance

From: Richard Hylton [mailto:[REDACTED]]
Sent: Wednesday, May 31, 2017 12:42 PM
To: Fields-Bernard, Lea
Cc: Nance Lakdawala; Joshua Chanin; Jessica Rentto; Catherine Z. Ysrael; Shannon Hovis
Subject: Re: [External Message Added] City of San Diego records request 16-2348



Ms. Field-Bernard;

I am making this request to the City of San Diego.

I am also making this request of Joshua Chanin, who produced and possesses the requested document.

I am also making this request of Lakdawala and Rentto who are employees of Mr. Chanin's employer; a public body or agency.

 Sent with [Mailtrack](#)

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Public Records Administration

Human Resources Department

City of San Diego

1200 Third Avenue, Suite 1316

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T [\(619\) 533-6504](tel:(619)533-6504)

M [\(619\) 846-0681](tel:(619)846-0681)

lfbarnard@sandiego.gov



~ A world-class city for all ~

From: Richard Hylton [mailto:

Sent: Tuesday, May 30, 2017 5:48 PM

To: Fields-Bernard, Lea <LFBernard@sandiego.gov>

Cc: Nance Lakdawala <[REDACTED]>; Joshua Chanin <[REDACTED]>; Jessica Rentto
[REDACTED]

Subject: Re: [External Message Added] City of San Diego records request 16-2348



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Mr. Hylton,

As you recall, you initially asked for the “SDSU report on racial profiling.” Pursuant to the Public Records Act, there is no “public record”; hence, no responsive document.

You then updated your request for “**Report document** upon which an summary, excerpt, abstract, fabrication etc was created and distributed to the press, and the ACLU; the thing that I did not get. The “report document,” as you refer to it, a preliminary draft, is exempt under the Government Code sections that were cited.

As to your demand for an explanation regarding citation records, the Public Records Act is for the purpose of providing public records; not for responding to inquiries. I recommend that you contact whomever provided you with the citation records. Beyond that, I have nothing further to add.

Sincerely,

Lea Fields-Bernard, Program Manager

Public Records Administration

Human Resources Department

City of San Diego

1200 Third Avenue, Suite 1316

San Diego, CA 92101

T [\(619\) 533-6504](tel:(619)533-6504)

M [\(619\) 846-0681](tel:(619)846-0681)

lbernard@sanidiego.gov



~ A world-class city for all ~

From: Richard Hylton [mailto:]

Sent: Tuesday, November 15, 2016 2:08 PM

To: Fields-Bernard, Lea <LFBernard@sanidiego.gov>

Cc: Nance Lakdawala < >; Joshua Chanin < >; Jessica Rentto < >; Tarryn Mento < >; Stuart Henry < >; Casey Hallinan <Casey.Hallinan@doj.ca.gov>; Denise Viera Esq. <Denise.Viera@usdoj.gov>

Subject: Re: [External Message Added] City of San Diego records request 16-2348

Well I am confused. It is so because there has been a change of story. It now seems that the City has come to align its response to bring itself into congruence with SDSU.

Before this the City claimed that it had no report. It now claims, as did SDSU, that that which it has is a Preliminary Draft. Your use of **Released – Redacted and/or Withheld;**

all contradicting terms is Trumpesque and confused me bigly as here:

02c. Released – Redacted and/or Withheld

All responsive documents have been released except those that have been withheld pursuant to:

[Preliminary draft] Government Code section 6254(a)

[preliminary draft]

[Public interest] Government Code section 6255

[Public interest served by disclosure outweighed by other factors]

about 1 hour ago by Lea Fields-Bernard

Please provide me with an answer or explanation (or the name and contact information of someone who can) as to why so many citation records are missing from the

Vehicle Stop Data dataset and I will be on my way.

On Tue, Nov 15, 2016 at 1:38 PM, Fields-Bernard, Lea <LFBernard@sanidiego.gov> wrote:

Mr. Hylton,

Thank you for your email and phone message. There is no confusion. The City's response remains the same.

Sincerely,

Lea Fields-Bernard, Program Manager

Public Records Administration

Human Resources Department

City of San Diego

1200 Third Avenue, Suite 1316

San Diego, CA 92101

T [\(619\) 533-6504](tel:(619)533-6504)

M [\(619\) 846-0681](tel:(619)846-0681)

lfbarnard@sanidiego.gov



~ *A world-class city for all* ~

From: Richard Hylton [mailto:]
Sent: Monday, November 14, 2016 6:04 PM
To: Fields-Bernard, Lea <LFBernard@sandiego.gov>
Subject: Re: [External Message Added] City of San Diego records request 16-2348

Ms. Fields-Bernard

We need to talk. I am just not clever enough to understand what is going on, especially not the following:

02c. Released – Redacted and/or Withheld

All responsive documents have been released except those that have been withheld pursuant to:

[Preliminary draft] Government Code section 6254(a)

[preliminary draft]

[Public interest] Government Code section 6255

[Public interest served by disclosure outweighed by other factors]

about 1 hour ago by Lea Fields-Bernard

Really smart people would believe that the above means that something that once was said not to exist, is now being withheld.

On Mon, Nov 14, 2016 at 4:25 PM, Nextrequest Support <support@nextrequest.com> wrote:

-- Write ABOVE THIS LINE to post a reply --

image removed by sender.

City of San Diego Public Records Requests

A message was sent to you regarding record request #16-2348:

Mr. Hylton,

This will confirm your November 9, 2016, 8:09 pm email in which you clarified that you wish **Report document upon which an summary, excerpt, abstract, fabrication etc was created and distributed to the press, and the ACLU; the thingy that I did not get.**

As I informed you on November 4, 2016, responsive documents can be located here: docs.sandiego.gov/councilcomm_agendas_attach/2016/psln_161026_5ppt.pdf Any record besides what was made available to the public on October 26, 2016, at the public hearing is being withheld pursuant to Government Code sections 6254 (a) and 6255.

Sincerely,

[View Request #16-2348](#)

*Too many emails? [Change your email settings here](#)
Like NextRequest? [Recommend us to another government!](#)*

--

Richard Hylton

[REDACTED]

[REDACTED]

[REDACTED]

--

Richard Hylton

[Redacted]

--

Richard Hylton

[Redacted]

--

Richard Hylton

[Redacted]

Sent with [Mailtrack](#)

From: [Richard Hylton](#)
To: [John Appelbaum](#)
Cc: [Catherine Ysrael](#); [Shannon Hovis](#)
Subject: Re: Extension to Respond to your PRA Requests
Date: Thursday, June 01, 2017 1:52:55 PM
Attachments: [image.png](#)

Mr. Appelbaum;

According to Wikipedia, a **fifth column** is any group of people who undermine a larger group from within, usually in favor of an enemy group or nation. The activities of a fifth column can be overt or clandestine. Forces gathered in secret can mobilize openly to assist an external attack. This term is also extended to organized actions by military personnel. Clandestine fifth column activities can involve acts of sabotage, disinformation, or espionage executed within defense lines by secret sympathizers with an external force.

I have every reason to believe that Alliance San Diego is a **fifth column** organization that masquerades as a civil rights organization. Forgive me of any appearance of churlishness, but your need for additional time based on the enumeration:

Inline image 1



is highly persuasive in cementing my conclusion, for I see my request as simple, needing little research. Further persuasion was found in Alliance's propagation of numerous falsehoods concerning SDSU's findings; namely, but not limited to:

- a claim of the absence of disparities in 2015 data and in the combined 2014-2015 data;
- a absence of curiosity on the sudden addition of 2015 to the study; coupled with the fact that 2015 data was the most heavily **engineered**;
- a lack of knowledge that 2015 data was engineered, and a lack of curiosity understanding a massive bulge in nulled-out records, in that regard;
- a failure to accept numerous attempts to communicate real facts, from an expert on SDPD data; me;
- a failure to communicate corrections to the falsehoods which it repeatedly communicated to the public; its network.

With nothing but the above, I have leapt to the conclusion that Alliance was nominated by one or more highly placed San Diego politicians; those of the ilk who produced this outcome: [Morning Report: Researchers Toned Down the SDPD Racial Profiling Study](#).

Take your time, sir.

A member of the Taliban is said to have remarked "Our enemies have watches, but we have time." I have neither enemies or a watch.

Sent with [Mailtrack](#)

On Thu, Jun 1, 2017 at 9:37 AM, John Appelbaum <John.Appelbaum@doj.ca.gov> wrote:

Dear Mr. Hlyton: For the reasons specified in the attached letter we will need an extension of time, until June 19, 2017, to initially respond your Public Records Act requests. We appreciate your patience in this matter.

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

--

Richard Hylton



From: [Richard Hylton](#)
To: [Catherine Ysrael](#)
Subject: Bernard-Fields followed up to say an unmarked hardcopy of a draft had been located, but releasing it "would likely increase community tension and discontent in an environment already fraught with friction over the issue of vehicle stops."
Date: Saturday, June 03, 2017 9:58:23 PM

Ms. Ysrael;

As a deputy of this state's highest ranking law-enforcement officer, engaged in your present endeavour, doubtless the matter of a [watered-down Racial Profiling report](#), produced at taxpayer expense, is of more than a little interest to you. The underlying matter has obsessed me, and for many years. I always knew that it, the watering down, would be so and my predictions in that direction are legion and well-documented. But enough boasting.

I have been after the referenced report, the draft they call it, for a very long time and it has been refused me; often through or by the use of lies Sometimes with language like "Released, redacted, withheld" (I scratched my head too.) My most recent request is under **City of San Diego records request 16-2348**, which I have restated or renewed now that I know that that which did not exist has been "**found.**"

The fine people in the City of San Diego, are not anything if not resourceful. They have tricks excuses and obstacles in abundance, are not afraid to use them, and I am running out of time, so I am calling upon you.

Please use your position and power to obtain a copy of said report, for I know that you too and/or your department must have more than a passing interest in the water-logged item. **Upon receiving it, please forward a copy to me**, or tell me why you wont do either or both of these things. I promise to do nothing that is likely to "increase community tension and discontent in an environment already fraught with friction over the issue of vehicle stops."

Thank you.

To facilitate and hasten the process I have sent a copy of this to Lea Fields-Bernard.

Please treat this as a request for Public Documents.

--

Richard Hylton



c.c. lfbarnard@sandiego.gov

Sent with [Mailtrack](#)

From: [Richard Hylton](#)
To: Presidents.Office@sdsu.edu
Cc: [Jessica Rentto](#); [Nance Lakdawala](#); [Fields-Bernard_Lea](#); [Catherine Ysrael](#)
Subject: Re: [External Message Added] City of San Diego records request 16-2348
Date: Sunday, June 04, 2017 7:59:55 AM
Attachments: [image.png](#)

It is highly possible that I misread the shiny-object article on the watered-down Racial Profiling report. Today, in using the link, I reread the piece and there appeared, at the top and at the end, the name of Kelly Davis. So, the article that I seek, the one that you did not have, the one that did not exist last year is the one given, this year, to Kelly Davis and about which she wrote. **I request a copy of the "draft" report, under the provisions of the Public Records act.**

By [Kelly Davis](#) | May 30, 2017

When a long-awaited study on whether the San Diego Police Department engages in racial profiling finally dropped in late November, the results were unsurprising: It found that black and Hispanic drivers were more likely to be searched, though they were less likely to actually have contraband items, and that minority drivers were more likely to be subjected to field interviews.

When it came to the overarching question of whether officers and SDPD as a whole showed racial bias, however, San Diego State researchers were restrained: Though they found significant differences in the way minorities and white drivers were treated, researchers were careful to point out that such differences “are by no means unique to the SDPD” and that findings only “suggest” that implicit, or unconscious, bias “may exist” among officers.

But a draft copy of the study obtained by Voice of San Diego through public records requests was far more aggressive. City officials fought to avoid releasing the drafts publicly and said their disclosure “would likely increase community tension and discontent,” but copies were provided by San Diego State University, which conducted the study.

During the process of revising the study from a draft to the final version that was presented to the City Council, harsh language was softened and some findings were taken out entirely.

Among the changes:

- In more than two-dozen instances, the word “bias” was replaced with “disparities.”

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-
- An early draft recommended the department stop making traffic stops for minor violations unrelated to public safety, and instead simply issue citations by mail — something, researchers noted, other departments are exploring.
 - Also cut from the final draft was the finding, via police survey, that the majority of officers felt they wouldn't benefit from additional training in fair and impartial policing.
 - The final version of the study found that black drivers were more likely than white drivers to be stopped in only one of the San Diego Police Department's nine divisions, northeastern, which includes the largely white neighborhoods of Mira Mesa, Rancho Bernardo, Rancho Peñasquitos and Scripps Ranch. A draft version reached a different conclusion, finding evidence of racial disparities in three divisions, not just one, and, in aggregate, all police divisions located north of Interstate 8, often considered to be San Diego's racial and economic dividing line.

On that last point, Joshua Chanin, professor of public affairs at San Diego State University and the study's lead researcher, said the final change was made because the researchers decided to use a different threshold to determine whether a finding was statistically significant.

Put simply, researchers initially considered a finding statistically significant — meaning the data showed evidence of racial profiling — if there was at least a 90 percent chance the finding was true. This was later changed to 95 percent.

Findings for southeastern and northern divisions were just a few points away from 95 percent: In the Northern division, the likelihood that racial disparities in traffic stops weren't due to chance was 93.4 percent. In the southeastern division, it was 92.3 percent, and for all divisions located above the I-8 divide, 94.2 percent. This was noted in a draft of the study provided to the city on Oct. 27:

“[O]ur analysis of combined stops from all five divisions above Interstate 8 shows that when compared to Whites, Black drivers are 15 percent more likely to be stopped during daylight hours, when driver race is visible, than after dark, when driver race is obscured,” it read.

But by the final draft the finding was the opposite: “Analysis of the aggregated data from [divisions north I-8] shows no statistically significant difference in the daylight-darkness stop patterns of Black and White drivers.”

The 95 percent threshold is considered a standard in scientific research, and Chanin said the goal was to produce a study whose findings were “unassailable” by the city and police department.

City Councilman David Alvarez said he wishes researchers had found a way to explain that some findings were on the cusp of statistical significance.

“It’s even more important when you’re dealing with the public who aren’t statisticians and who need to get a narrative and a description of what the findings were because that’s how you’re transparent about information,” he said.

Chanin said his team believed the revisions were necessary in order to persuade SDPD to take the study seriously.

“The argument that won out,” he said, “is if we want this to make any sort of meaningful impact, it needs to be something that is, to the extent possible, unassailable in terms of its orientation.”



After a tense period that included San Diego Police [admitting they stopped following their own policies to guard against racial profiling](#), sustained complaints from minority communities of [being unfairly targeted by police](#), [high-profile cases of police misconduct](#), [a Justice Department review](#) and the officer-involved [shootings deaths](#) of at least two [unarmed minority men](#), city officials in 2015 decided to act: Then-Councilwoman Marti Emerald tapped Chanin and his team to research whether people of color were really being pulled over by SDPD at a disproportionate rate.

The study employed a method called the “Veil of Darkness.” Here’s how VOSD [described it in 2015](#):

The Veil of Darkness assumes two things. First, that it’s more or less the same people driving on a given street between 5:30 and 9 p.m. They’re coming home from a 9-to-5 or heading out for the night shift. Second, it assumes that an officer can better observe a driver’s skin color when the sun is up.

So, researchers can compare traffic stop data from 5:30 to 9 p.m. in July, when it’s light out, to the same timeframe in January, when it’s dark. If more people of color are pulled over in that area during the summer, one can assume race is at play.

In addition to examining traffic stops, the researchers also looked at what happened after a car was stopped. They found that citywide, black and Hispanic drivers were more likely to be searched following a traffic stop and less likely to be found with contraband.

The study got [its first hearing](#) at a meeting of the City Council’s Public Safety and Livable Neighborhoods Committee on Dec. 7. There, members of the public raised concerns that city officials had pressured Chanin and his team to tone down their findings. On Dec. 1 we asked the city for copies of all drafts of the study. State law requires public agencies to turn over drafts that are “retained in the ordinary course of business” — meaning, if a draft exists in

electronic form, like an email attachment, it must be disclosed.

The city denied the request, and said no electronic copies existed. Lea Bernard-Fields, the city's public records administrator, said there was only one hard copy of a draft, but it had been "extensively annotated by an individual staff member" and therefore was not subject to disclosure.

Nearly three months later, after VOSD put in a similar request with San Diego State University, Bernard-Fields followed up to say an unmarked hardcopy of a draft had been located, but releasing it "would likely increase community tension and discontent in an environment already fraught with friction over the issue of vehicle stops."

San Diego State University ultimately provided emails between Chanin and city staff that included two drafts of the report.

The earliest draft of the study provided by SDSU — the version emailed to the city on Oct. 27 — is far different in tone than the final draft. Between that draft and the final draft, there are small changes, like "significantly more likely" being changed to "more likely." The line about how findings suggest that implicit bias "may exist" initially said findings "suggest that implicit bias exists" among SDPD officers "to an extent that ... is on par with other departments nationwide that have come under federal supervision for such bias." And, in more than two-dozen instances, the word "bias" was changed to "disparities." For example, the recommendation that the police department "[a]cknowledge the existence of racial/ethnic bias" became "[a]cknowledge the existence of racial/ethnic disparities."

Chanin said other academics who study policing strongly recommended changing "bias" to "disparities." Experts I spoke to agreed with the change.

"Sometimes words have a generally accepted meaning in society, but a far more specific definition in academic disciplines," said Seth Stoughton, a law professor at the University of South Carolina and former police officer.

Lorie Fridell, a criminology professor at the University of South Florida and a leading expert on racial bias in policing, said she would have made the same recommendation. "It's not difficult for social scientists to measure disparities [in traffic stops]," she said. "What's very difficult is to identify the causes of that disparity."

In an earlier draft of the study, researchers urged the police department to cut back on its use of traffic stops — specifically for equipment violations like broken brake lights or tinted windows. Doing so could improve community relations and officer safety, the draft said.

"We note that other police departments are currently in the process of reconsidering their approach to traffic stops in this way by directing officers to focus on the violations most related to safety, such as speeding and the running of red lights," the draft said.

Researchers recommended officers record the car's license plate number and that the department implement a system to issue the driver a warning or a "fix-it" ticket by mail.

But the department pushed back against the recommendation, Chanin said. He and his team were left with a choice: Keep a recommendation that would never be implemented, or cut it to "foster goodwill and enable some of the other [changes] that we felt were possibilities."

That was the only significant change due to pressure from the city, Chanin said.

But even the toned-down report had little impact. At the Dec. 7 committee meeting, Police Chief Shelly Zimmerman acknowledged the study's findings, but when asked repeatedly by Emerald whether people of color were sometimes treated differently by her police officers, Zimmerman responded only that "every human being has bias."

Zimmerman did say that her department was committed to taking a "proactive approach" to combating bias.

In February, the City Council voted to accept the report, but declined to implement any of its recommendations. Alvarez and Councilwoman Georgette Gomez, who replaced Emerald, were the only "no" votes. They both argued that the study's recommendations, particularly that the department improve its data-collection efforts, warranted further discussion. The study had recommended that the department, at the least, collect basic information on the officer making the stop. "Without these data, it is impossible to know, for example, whether black drivers were treated differently by white cops," Chanin said.

In an exchange with Alvarez at the meeting, Chanin said the department could easily collect such data under its existing system. Alvarez said he was disappointed recommendations went ignored.

"We need to have this information," Alvarez said at the meeting. "It does start with the data. It's a shame that we wasted so many people's time ... hoping to actually get real action and instead what we get is saying this report is before us — there it is — and we're not doing anything about it."

Chanin said that regardless of any changes made between the first and final drafts, "there's clear evidence in this report that there is a difference in the way that black and brown people are treated than whites."

Like Alvarez, he questions why the city asked for the study, if only to shelve it.

"Here we are, two years removed from the initiation of this process and I don't know if things have changed," he said.

This article relates to: [Police](#), [Public Safety](#), [Racial Profiling](#)



Written by [Kelly Davis](#)

Kelly Davis is a freelance journalist focusing on criminal justice and social issues. Follow her on Twitter [@kellylymndavis](#) or send an email to kellydaviswrites@gmail.com

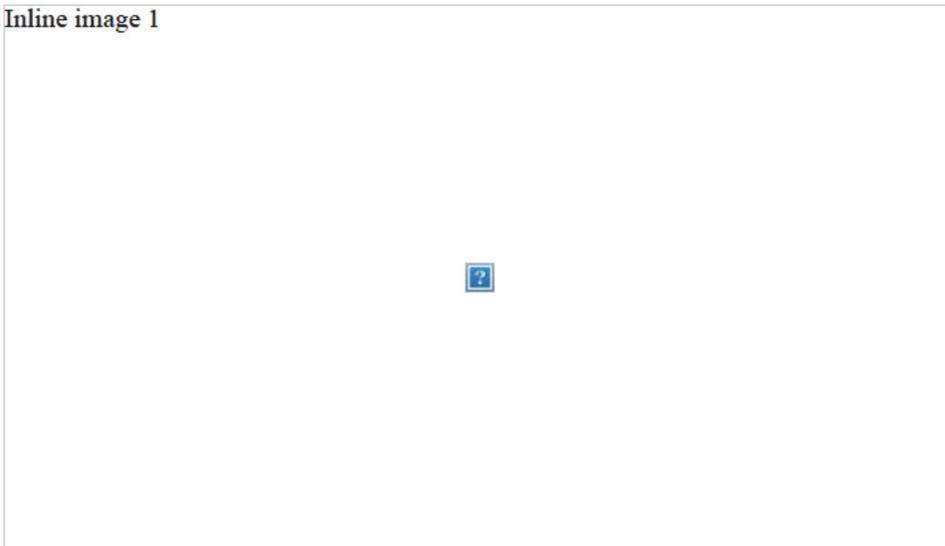
Sent with [Mailtrack](#)

On Thu, Jun 1, 2017 at 8:54 AM, Richard Hylton [REDACTED] > wrote:

The below needs no explanation. I found, and continue to find, some satisfaction in saying it. My satisfaction is incomplete for I do continue to need the document that I seek .It is within your power to provide it. It is your duty to provide it.

To foreclose the possibility, the likelihood that you will recite Rentto's false claim. It is false in the context of Lakdawala's request for the number of pages in a document that was itself provided in the original request. The number of pages in a PDF file appears on the first screen.

Inline image 1



As you can easily determine, after the answer and instruction was provided, I never heard from SDSU again.

Now back to this. The document that I seek is related to the above. It is draft that was "retained in the normal course of business." I do not have the document that I seek. Except for the above image, I do not know what it looks like. In fact, I am not certain that it looks like the above. And, except what is written in VOSD's article, I do not know to whom the the Document that seek was given. What I do know is that Rentto and/or Lakdawala claimed that it does not exist. Now we do know that that claim, too, was false.

What I know about the document that I seek is in [VOSD's article](#), written by By [Sara Libby](#) | May 30, 2017, titled, [Morning Report: Researchers Toned Down the SDPD Racial Profiling Study](#).

The article is published [here](#). The salient passage of which is this: "**The city refused to give VOSD copies of the drafts, but San Diego State, which conducted the study, provided them.**"

Please, ignore my race (this is called playing the "race" card) and do the same for me!

Finally; I suppose that it cannot be said that either Chanin, Lakdawala or Rentto have enhanced the reputation of your university. And I suppose that I could have toned down my response to Rentto in the way that your "Researchers Toned Down the SDPD Racial Profiling Study"; no!

I have no interest in anything else that you may have to say, so keep it to yourself or say it to others. Please provide a copy of the document that is the subject of VOSD's article and I will not bother you again; unless necessary.

Thank you.

----- Forwarded message -----

From: **Richard Hylton** <[REDACTED]>
Date: Wed, May 31, 2017 at 2:38 PM
Subject: Re: [External Message Added] City of San Diego records request 16-2348
To: Jessica Rentto <[REDACTED]>, Joshua Chanin <[REDACTED]>
Cc: Nance Lakdawala <[REDACTED]>

Here is something that needs no disambiguation. I do not give a flying fuck what you do.

On Wed, May 31, 2017 at 2:10 PM, Jessica Rentto <[REDACTED]> wrote:

Mr. Hylton,

Your request is vague and ambiguous. Ms. Lakdawala is just attempting, as she has repeatedly been required to do in the past, to clarify your request. Kelly Davis was the author of the VOSD article referenced in Ms. Libby's article that you linked to below. We did not write the article for VOSD so we have no idea what document Ms. Davis is referring to. However, if you want the documents that were provided to Ms. Davis, then you can request them specifically. However, we will not attempt to guess what documents you are asking for below, just as we do not attempt to guess what documents other requesters are seeking when they make vague and ambiguous requests. Rather, we seek clarification and provide responsive documents based on these clarified responses.

Regards,

Jessica Rentto

From: Richard Hylton <[REDACTED]>
Date: Wednesday, May 31, 2017 at 1:51 PM
To: Nance Lakdawala <[REDACTED]>
Cc: Jessica Rentto <[REDACTED]>, <sara.libby@voiceofsandiego.org>
Subject: Re: [External Message Added] City of San Diego records request 16-2348

Ms. Lakdawala;

I do not understand your question, but more than that, I do not like it. You have established yourself as someone who asks question and then disappears when the answer is provided. Nevertheless, since I need the document, I am compelled to comply. So here goes. I do not know who Kelly Davis is! But, I am left wondering why a document, considered a draft, was provided to her but not to me. Is it a question of pigmentation? Is it a question of race; mine? Do this for me. Ask Chanin for the document that was referenced in [VOSD's article](#), when you get it, send me a copy. I will examine for similarities to the the document located [here](#) and for the indications of "bias" that were recast as "disparities." On completion of that undertaking you will hear from me.

Is that clear enough?

Thank you.

Sent with [Mailtrack](#)

On Wed, May 31, 2017 at 1:33 PM, Nance Lakdawala <[REDACTED]> wrote:

Hello Mr. Hylton,

I'm not sure I understand your request. Are you asking for the document that was provided to Kelly Davis from the Voice of San Diego?

Thank you.

Nance

From: Richard Hylton [mailto:[REDACTED]]
Sent: Wednesday, May 31, 2017 12:42 PM
To: Fields-Bernard, Lea
Cc: Nance Lakdawala; Joshua Chanin; Jessica Rentto; Catherine Z. Ysrael; Shannon Hovis
Subject: Re: [External Message Added] City of San Diego records request 16-2348



Ms. Field-Bernard;

I am making this request to the City of San Diego.

I am also making this request of Joshua Chanin, who produced and possesses the requested document.

I am also making this request of Lakdawala and Rentto who are employees of Mr. Chanin's employer; a public body or agency.

 Sent with [Mailtrack](#)

On Wed, May 31, 2017 at 12:36 PM, Fields-Bernard, Lea <LFBernard@saniego.gov> wrote:

Mr. Hylton,

Are you making this request to the City of San Diego or to SDSU?

Sincerely,

Lea Fields-Bernard, Program Manager

Public Records Administration

Human Resources Department

City of San Diego

1200 Third Avenue, Suite 1316

San Diego, CA 92101

T [\(619\) 533-6504](tel:(619)533-6504)

M [\(619\) 846-0681](tel:(619)846-0681)

lfbernard@saniego.gov



~ A world-class city for all ~

From: Richard Hylton [mailto: [REDACTED]]
Sent: Tuesday, May 30, 2017 5:48 PM
To: Fields-Bernard, Lea <LFBernard@sandiego.gov>
Cc: Nance Lakdawala < [REDACTED] >; Joshua Chanin < [REDACTED] >; Jessica Rentto < [REDACTED] >
Subject: Re: [External Message Added] City of San Diego records request 16-2348



[REDACTED] My dear friends at Voice Of San Diego, who understand very little;, who have accepted a presentation of a study of police conduct by the SDPD as though it were a study of 10 cities, are useful in some respects. They have disclosed the following:

Nearly three months later, after VOSD put in a similar request with San Diego State University, Bernard-Fields followed up to say an unmarked hardcopy of a draft had been located, but releasing it “would likely increase community tension and discontent in an environment already fraught with friction over the issue of vehicle stops.”

May I have a copy of the unmarked document, and I do not give a rat's ass about any tensions that it may create; I am tense enough for the whole bloody city, and the city has been played.

This is a restatement of my demand for public documents under 16-2348 and it applies to the three people from SDSU who are on this distribution.

 Sent with [Mailtrack](#)

On Tue, Nov 15, 2016 at 2:31 PM, Fields-Bernard, Lea <LFBernard@sandiego.gov> wrote:

Mr. Hylton,

As you recall, you initially asked for the “SDSU report on racial profiling.” Pursuant to the Public Records Act, there is no “public record”; hence, no responsive document.

You then updated your request for “**Report document** upon which an summary, excerpt, abstract, fabrication etc was created and distributed to the press, and the ACLU; the thingy that I did not get.

The "report document," as you refer to it, a preliminary draft, is exempt under the Government Code sections that were cited.

As to your demand for an explanation regarding citation records, the Public Records Act is for the purpose of providing public records; not for responding to inquiries. I recommend that you contact whomever provided you with the citation records. Beyond that, I have nothing further to add.

Sincerely,

Lea Fields-Bernard, Program Manager

Public Records Administration

Human Resources Department

City of San Diego

1200 Third Avenue, Suite 1316

San Diego, CA 92101

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M [\(619\) 846-0681](tel:(619)846-0681)

lfbernard@saniego.gov



~ A world-class city for all ~

From: Richard Hylton [mailto:]

Sent: Tuesday, November 15, 2016 2:08 PM

To: Fields-Bernard, Lea <LFBernard@saniego.gov>

Cc: Nance Lakdawala < >; Joshua Chanin < >; Jessica Rentto < >; Tarryn Mento < >; Stuart Henry < >;

Casey Hallinan <Casey.Hallinan@doj.ca.gov>; Denise Viera Esq. <Denise.Viera@usdoj.gov>

Subject: Re: [External Message Added] City of San Diego records request 16-2348

Well I am confused. It is so because there has been a change of story. It now seems that the City has come to align its response to bring itself into congruence with SDSU.

Before this the City claimed that it had no report. It now claims, as did SDSU, that that which it has is a Preliminary Draft. Your use of **Released – Redacted and/or Withheld;**

all contradicting terms is Trumpesque and confused me bigly as here:

02c. Released – Redacted and/or Withheld

All responsive documents have been released except those that have been withheld pursuant to:

[Preliminary draft] Government Code section 6254(a)

[preliminary draft]

[Public interest] Government Code section 6255

[Public interest served by disclosure outweighed by other factors]

about 1 hour ago by Lea Fields-Bernard

Please provide me with an answer or explanation (or the name and contact information of someone who can) as to why so many citation records are missing from the

Vehicle Stop Data dataset and I will be on my way.

On Tue, Nov 15, 2016 at 1:38 PM, Fields-Bernard, Lea <LFBernard@sandiego.gov> wrote:

Mr. Hylton,

Thank you for your email and phone message. There is no confusion. The City's response remains the same.

Sincerely,

Lea Fields-Bernard, Program Manager

Public Records Administration

Human Resources Department

City of San Diego

1200 Third Avenue, Suite 1316

San Diego, CA 92101

T [\(619\) 533-6504](tel:(619)533-6504)

M [\(619\) 846-0681](tel:(619)846-0681)

lfbernard@sandiego.gov



~ A world-class city for all ~

From: Richard Hylton [mailto:]
Sent: Monday, November 14, 2016 6:04 PM
To: Fields-Bernard, Lea <LFBernard@sandiego.gov>
Subject: Re: [External Message Added] City of San Diego records request 16-2348

Ms. Fields-Bernard

We need to talk. I am just not clever enough to understand what is going on, especially not the following:

02c. Released – Redacted and/or Withheld

All responsive documents have been released except those that have been withheld pursuant to:

[Preliminary draft] Government Code section 6254(a)

[preliminary draft]

[Public interest] Government Code section 6255

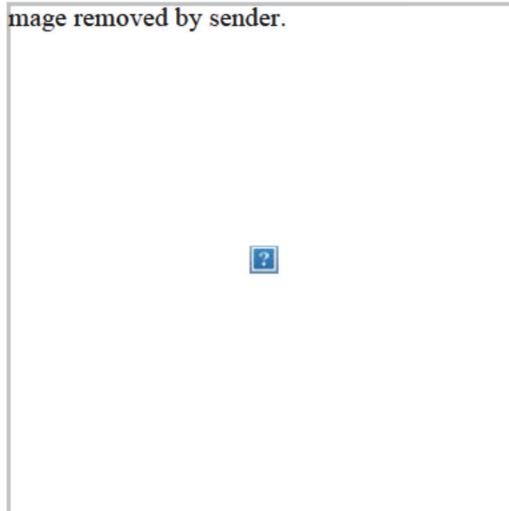
[Public interest served by disclosure outweighed by other factors]

about 1 hour ago by Lea Fields-Bernard

Really smart people would believe that the above means that something that once was said not to exist, is now being withheld.

On Mon, Nov 14, 2016 at 4:25 PM, Nextrequest Support <support@nextrequest.com> wrote:

-- Write ABOVE THIS LINE to post a reply --



City of San Diego Public Records Requests

A message was sent to you regarding record request #16-2348:

Mr. Hylton,

This will confirm your November 9, 2016, 8:09 pm email in which you clarified that you wish **Report document upon which an summary, excerpt, abstract, fabrication etc was created and distributed to the press, and the ACLU; the thingy that I did not get.**

As I informed you on November 4, 2016, responsive documents can be located here: docs.sandiego.gov/councilcomm_agendas_attach/2016/psln_161026_5ppt.pdf Any record besides what was made available to the public on October 26, 2016, at the public hearing is being withheld pursuant to Government Code sections 6254 (a) and 6255.

Sincerely,

[View Request #16-2348](#)

*Too many emails? [Change your email settings here](#)
Like NextRequest? [Recommend us to another government!](#)*

--

Richard Hylton

[REDACTED]

[REDACTED]

[REDACTED]

--

Richard Hylton

[REDACTED]

--

Richard Hylton

[REDACTED]

--

Richard Hylton

[REDACTED]

Sent with [Mailtrack](#)

--

Richard Hylton

[REDACTED]

From: Catherine Ysrael
To: Kathleen Bader
Subject: FW: Actual Citations Issued. A Request that Public documents be made available on a Public Portal CPRA 17-542
Date: Friday, July 07, 2017 4:18:28 PM
Attachments: image.png

From: Richard Hylton [mailto:]
Sent: Tuesday, June 13, 2017 9:13 PM
To: ; Scott Lewis <scott.lewis@voiceofsandiego.org>
Cc: Denise Viera Esq. <Denise.Viera@usdoj.gov>; Catherine Ysrael <Catherine.Ysrael@doj.ca.gov>; Mara W. Elliott <cityattorney@sandiego.gov>; Steinman, Kathy <KSteinman@sandiego.gov>
Subject: Fwd: Actual Citations Issued. A Request that Public documents be made available on a Public Portal CPRA 17-542

Kelly Davis;

You have written stuff that is mostly horse-shit, mostly pissing in the ocean; mostly things that do not get at the essence of the deceit foisted upon the citizenry of this Mississippi of The West, by the stewards of public welfare; the PSLN committee members who knew that the late 2014 and 2015 data was being purged or otherwise manipulated to produce a palatable result

With your watering-down article, you have tried to build something out of making a distinction between bias and disparity, while not noting that the latter is the measure of magnitude of the former

I dare you to do something productive; something with meat on it; something that raises water levels. Ask questions about the watering down of the data upon which the report was based or relieve us of your folly that equates to farting in the wind

----- Forwarded message -----

From: Richard Hylton
Date: Tue, Jun 13, 2017 at 8:16 PM
Subject: Fwd: Actual Citations Issued A Request that Public documents be made available on a Public Portal CPRA 17-542
To: RHVILLA@sandiego.gov
Cc: "Steinman, Kathy" <KSteinman@sandiego.gov>, SDAT City Attorney <cityattorney@sandiego.gov>, "Denise Viera Esq" <Denise.Viera@usdoj.gov>

Hi Ron;

The below, supported by data, shows how the SDSU report was watered-down by purging data. Data that massively disproportionately affected Latinos; four times more so than others. Purged records, affecting the Blacks @2.15 the rate of Whites, shows that the Blacks were not spared either. In spite of this tripe, the City of San Diego arrogates a claim of being The Gold Standard. Please set aside the self-congratulations and put your house in order. The below is disorder of the most opprobrious kind.

Number	Race	% Null	EDP	Disparity	Comparison To Majority
103	Asian	2.41	16.99	0.14	0.25
283	Black	6.61	5.50	1.20	2.15
2573	Hispanic	60.12	27.03	2.22	3.98
192	Other	4.49	3.23	1.39	2.49
1129	White	26.38	47.20	0.56	1.00
4280		100.00	99.95		

The 4280 purged records, from 2014-2015, that were easily located in the judicial file are here. For now, I will keep the others, located by more sophisticated means, to myself.

Villa is a Latino name is it not, so how do you live with yourself Mr. Villa?

----- Forwarded message -----

From: Richard Hylton
Date: Tue, Jun 13, 2017 at 6:55 PM
Subject: Actual Citations Issued A Request that Public documents be made available on a Public Portal CPRA 17-542
To: "Fields-Bernard, Lea" <LFBernard@sandiego.gov>
Cc: "Catherine Z. Ysrael" <Catherine.Ysrael@doj.ca.gov>, Shannon Hovis <shannon.hovis@doj.ca.gov>, Joshua Chanin < >, "Mara W. Elliott" <cityattorney@sandiego.gov>

Ms. Fields-Bernard;

The SDSU analysts, on page 20 of their report on racial bias:

Traffic enforcement in San Diego, California
An analysis of SDPD vehicle stops in 2014 and 2015 said the following:

We do note that the racial/ethnic composition of the stop card citation records largely reflects the composition of the actual citations issued, which suggests that the under-reporting was not race-determinative.

Chief Shelly Zimmerman, in her remarks to the city council, on February 17, 2017, represented that all data that was used in the preparation of the subject report is on San Diego's Open Data Portal.

We both know that Chief Zimmerman's representation is not true (although I believe that she did not intend to mislead anyone.)

Doubtless under-reporting includes purged records, and the purged records according to a primitive and unsophisticated query, to find exact matches, shows that purged records massively disproportionately impinge upon the Latino and Black communities like so:

Number	Race	% Null	EDP	Disparity	Comparison To Majority
103	Asian	2.41	16.99	0.14	0.25
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4280		100.00	99.95		

I would say the above seems race-determinative, but I, a man of little self-confidence, need bolstering from the public.

< Request #17-542 >

CLOSED

Please add citation records to the Open Data Portal. This will allow the public to have access to this public data without having to go through the process of making PRA requests. Please begin the process by adding records for 2014, 2015 and 2016

Received March 5, 2017 via web

Departments None Assigned

Documents

(none)

Staff

Point of Contact Lea Fields-Bernard

Please set aside your anti-transparency objection and publish the judicial or actual citation records on San Diego's Open Data Portal

Cheers

--
Richard Hylton

[Redacted signature]

--
Richard Hylton

[Redacted signature]

--
Richard Hylton

[Redacted signature]

Sent with [Mailtrack](#)

Request Published
March 8, 2017, 3:29pm Public

Request Closed
Not a PRA request
This is not a request that falls within the scope of the Public Records Act.
March 5, 2017, 3:20pm by Lea Fields-Bernard, Public Records Administration Manager, PRA Program Manager Public

Request Opened
Request received via web
March 5, 2017, 2:39pm Public

From: Catherine Ysrael
 To: Kathleen Bader
 Subject: FW: Actual Citations Issued. A Request that Public documents be made available on a Public Portal CPRA 17-542
 Date: Friday, July 07, 2017 4:18:39 PM
 Attachments: image.png

From: Richard Hylton [mailto:]
 Sent: Tuesday, June 13, 2017 6:56 PM
 To: Fields-Bernard, Lea <LFBernard@sandiego.gov>
 Cc: Catherine Ysrael <Catherine.Ysrael@doj.ca.gov>; Shannon Hovis <Shannon.Hovis@doj.ca.gov>; Joshua Chanin [mailto:]; Mara W. Elliott <cityattorney@sandiego.gov>
 Subject: Actual Citations Issued. A Request that Public documents be made available on a Public Portal CPRA 17-542

Ms. Fields-Bernard,

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I would say the above seems race-determinative, but I, a man of little self-confidence, need bolstering from the public.

< Request #17-542 >

CLOSED

Please add citation records to the Open Data Portal. This will allow the public to have access to this public data without having to go through the process of making PRA requests. Please begin the process by adding records for 2014, 2015 and 2016.

Received: **March 5, 2017** via web
 Departments: **None Assigned**

Documents

(none)

Staff

Point of Contact: **Lea Fields-Bernard**

Please set aside your anti-transparency objection and publish the judicial or actual citation records on San Diego's Open Data Portal.

Cheers

--
 Richard Hylton

Sent with Mailtrack

Request Published Public
 March 8, 2017, 3:29pm

Request Closed Public
 Not a PRA request
 This is not a request that falls within the scope of the Public Records Act.
 March 5, 2017, 3:20pm by Lea Fields-Bernard, Public Records Administration Manager, PRA Program Manager

Request Opened Public
 Request received via web
 March 5, 2017, 2:39pm

Kathleen Radez

Subject: FW: Correspondence to the Department of Justice

From: Richard Hylton [REDACTED]
Sent: Thursday, June 15, 2017 2:42 PM
To: Catherine Ysrael; Shannon Hovis; Mara W. Elliott; RHVILLA@saniego.gov
Cc: PIU; AB953
Subject: Re: Correspondence to the Department of Justice

Your correspondence misstates the nature of my communications. To be precise, and to involve myself in a pissing contest that you are sure to win, but precision matters. So to be precise, I have claimed that Zimmerman uses your failure to promulgate data submission regulations as an excuse for not going forward in implementing or preparing to implement the provisions of AB 953. To put it another way, my issue and Zimmerman's is that there are no Department of Justice's AB 953 Regulations.

I will continue to write to each of you and although I have placed but three calls to your offices -none answered- I will do so again if I feel the need to do so. I challenge you to take action to prevent me from doing so; from petitioning government for the redress of wrongs. Come to think of it, there are other methods of doing that and that is what I sought to avoid.

Today; I will write to every attorney in the CA-DOJ, as exists in my mailing list. Perhaps there is someone there who can get your lot to do what the law, long ago, required. I is as it always has been clear to me that since this law benefits Blacks, actions necessary for its implementation have been held on the back-burner. I shall not allow that to continue, unchallenged.

Thank you for writing.

Block my e-mails.

 Sent with [Mailtrack](#)

On Thu, Jun 15, 2017 at 12:43 PM, AB953 <AB953@doj.ca.gov> wrote:

Dear Mr. Hylton:

Thank you for your recent email correspondence and telephone calls to the Office of the Attorney General expressing concern about the City of San Diego's Police Chief and the Department of Justice's AB 953 Regulations. In that correspondence you state generally that you "need information and asking for it is the best way to get it."

We request that if you wish to submit a Public Records Act request to our Office regarding specific information, please contact our Public Records Ombudsperson at PublicRecords@doj.ca.gov The purpose of the Public

Records Act (Act) is to provide access to government records so that members of the public can monitor the performance of government agencies. In recognition of individual rights of privacy and the need of government agencies to maintain the confidentiality of certain records, the Act provides several exemptions that permit government agencies to withhold specified information involving, for example, personnel, investigations, and litigation.

General correspondence and inquiries may be sent to our Public Inquiry Unit at PIU@doj.ca.gov.

If you have public comment you would like to submit regarding the AB 953 regulations, that can be submitted during any open public comment period on the regulations to this email address, AB953@doj.ca.gov

Please discontinue telephoning and sending e-mails to individual staff members, and instead please utilize the PublicRecords@doj.ca.gov or PIU@doj.ca.gov e-mail boxes as appropriate. This will ensure that your correspondence is appropriately reviewed and handled.

Thank you again for writing.

The AB 953 Team.

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--

Richard Hylton



From: [Catherine Ysrael](#)
To: [Kathleen Radez](#)
Subject: FW: The Rime of the Ancient Mariner
Date: Friday, July 07, 2017 4:18:13 PM
Attachments: [CatherineYsraelNoOneHome.m4a](#)

From: Richard Hylton [mailto:████████████████████]
Sent: Thursday, June 15, 2017 10:35 AM
To: Catherine Ysrael <Catherine.Ysrael@doj.ca.gov>
Cc: Mara W. Elliott <cityattorney@sandiego.gov>; RHVILLA@sandiego.gov
Subject: The Rime of the Ancient Mariner



Deputy Attorney General Ysrael;

I left you another message several minutes ago. As you will note, my ebbing patience almost matches that displayed by San Diego's police chief Zimmerman; she of the public and pharisaic display. Water-can in hand, she asserted, repeatedly, that her department is biting at the bit to right its racial-bias wrongs, but is impeded by the foot-dragging of the CA-DOJ. She is at least half-right.

Half-right for I am unconvinced by the rest of her charade. A charade, because foot-dragging from the DOJ, in publishing data requirements (now almost six months overdue) is quite an effective way of nullifying or watering-down the effectiveness of AB-953; an outcome near and dear to racists; a group that we have in abundance.

I will try again, around this time tomorrow, if my spirit persuades me. I pray that it will, because I need information and asking for it is the best way to get it.

A copy of my message is attached here for all to hear.

Water, water everywhere, even in the CA-DOJ.

--

Richard Hylton
████████████████████
████████████████████

Sent with [Mailtrack](#)

From: [Richard Hylton](#)
To: [PIU](#)
Cc: [Catherine Ysrael](#); [Mara W. Elliott](#); [AB953](#); [Shannon Hovis](#); [RHVILLA@sandiego.gov](#)
Subject: Re: Correspondence to the Department of Justice
Date: Sunday, June 18, 2017 8:53:03 PM

In viewing correspondence sent to the DOJ, in connection to AB953, I noticed significant numbers of items sent to individuals including the arrogant Deputy Attorney General Ysrael, the instigator of the thread to which this response is written. From their names, stations and titles, I have concluded that none are Black; that is what they call me although I am not an African American.

Let me be clear. The CA-DOJ is hearing from me and shall continue to hear from me for the following reasons:

1. Even though I registered for notification on the matters at issue, the CA-DOJ failed to notify me of the public comment period or to send me proposed regulations. As a result I was unable to comment (even though there is no certainty that I would have.)
2. Had the CA-DOJ examined the data sent them, over a year ago, concerning City Of San Diego's data operations, my comments on those operations would be unnecessary. As you know Casey, Hallahan of your department returned that data.
3. I will not permit the City of San Diego to be seen as a valuable consultant on anything related to data; except on the contamination of it (or to use your representatives words the **fudging** of it.)
4. If your department had performed as the law required, my comments would not be subject to being disregarded as doubtless they are, they would be moot.
5. The separate standard that you seek to apply to me is particularly offensive and is a spur that is inimical to the goals expressed in you communications.

I reject Satan and all his works. Do the same.

Where are the final data-submission regulations?

On Thu, Jun 15, 2017 at 12:43 PM, AB953 <AB953@doj.ca.gov> wrote:

Dear Mr. Hylton:

Thank you for your recent email correspondence and telephone calls to the Office of the Attorney General expressing concern about the City of San Diego's Police Chief and the Department of Justice's AB 953 Regulations. In that correspondence you state generally that you "need information and asking for it is the best way to get it."

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government agencies to maintain the confidentiality of certain records, the Act provides several exemptions that permit government agencies to withhold specified information involving, for example, personnel, investigations, and litigation.

General correspondence and inquiries may be sent to our Public Inquiry Unit at PIU@doj.ca.gov.

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Please discontinue telephoning and sending e-mails to individual staff members, and instead please utilize the PublicRecords@doj.ca.gov or PIU@doj.ca.gov e-mail boxes as appropriate. This will ensure that your correspondence is appropriately reviewed and handled.

Thank you again for writing.

The AB 953 Team.

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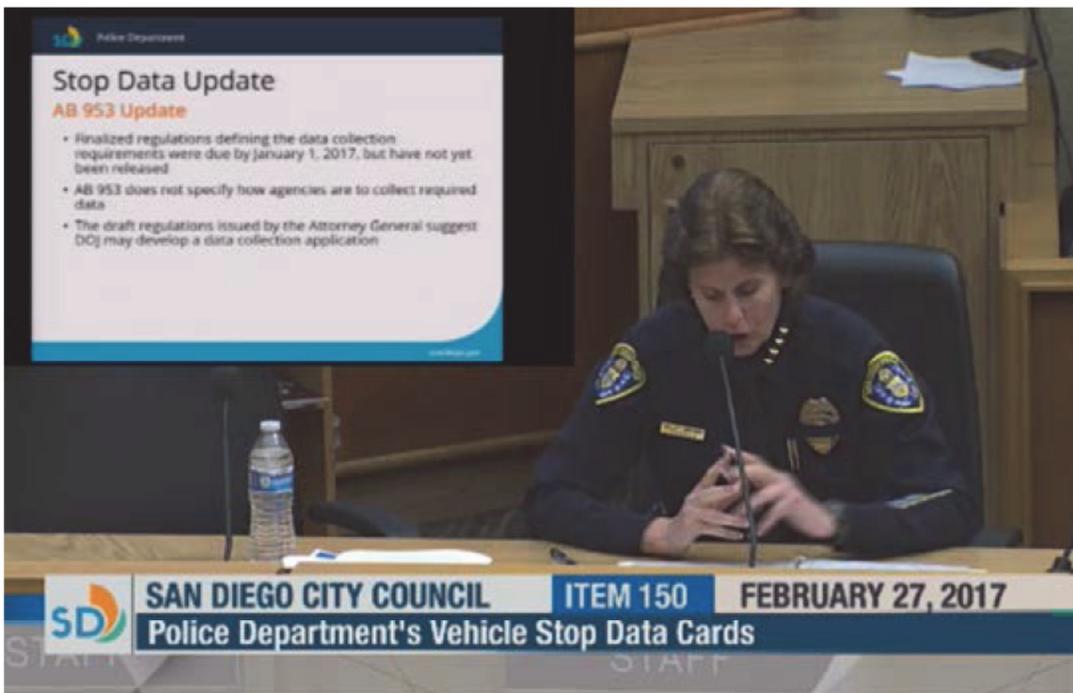
Richard Hylton



From: [Catherine Ysrael](#)
To: [Kathleen Radez](#)
Subject: FW: The excuse
Date: Friday, July 07, 2017 4:18:53 PM
Attachments: [image001.png](#)

From: Richard Hylton [mailto:]
Sent: Thursday, June 08, 2017 4:23 PM
To: Shannon Hovis <Shannon.Hovis@doj.ca.gov>; Catherine Ysrael <Catherine.Ysrael@doj.ca.gov>
Subject: The excuse

 The failure to issue data collection regulations has been used by the SDPD (and will be used in future) to weasel out of their various obligations.



If you have nothing better to do listen to [this](#). It is found on the city's website @ http://granicus.sandiego.gov/ViewPublisher.php?view_id=3

It is quite impressive and persuasive. I would believe it if I did not know better.

Also quite impressive is Shelly Zimmerman's contentious, but accurate, put-down of the analyst's woeful misapprehension of the nature of the data.

Richard Hylton


Sent with [Mailtrack](#)

From: [Catherine Ysrael](#)
To: [Kathleen Radez](#)
Subject: FW: FW: Thoroughness counts. San Diego's EIS unveiled
Date: Friday, July 07, 2017 4:20:21 PM

-----Original Message-----

From: Richard Hylton [<mailto:hyltonrichard@gmail.com>]
Sent: Thursday, June 29, 2017 1:17 PM
To: Catherine Ysrael <Catherine.Ysrael@doj.ca.gov>
Cc: Mara W. Elliott <cityattorney@sandiego.gov>; RHVILLA@sandiego.gov
Subject: Fwd: FW: Thoroughness counts. San Diego's EIS unveiled

<<https://mailtrack.io/trace/mail/64173beaff624cccf389df6ab255f94cbae460ce.png?u=1376317>> FYI ;

The early warning system that was deployed by the state's LEA consultant.

----- Forwarded message -----

From: Richard Hylton [REDACTED]
Date: Thu, Jun 29, 2017 at 1:11 PM
Subject: FW: Thoroughness counts. San Diego's EIS unveiled
To: [REDACTED]
Cc: Richard Hylton <[REDACTED]>

This is directly in your wheelhouse.

And just in case you remain unaware of this, we can use the Citation records, Field Interview Records and Written Warning records to identify the individual officers. Lea-Fields Bernard has figured that out.

From: Richard Hylton [REDACTED]
Sent: Thursday, June 29, 2017 1:03 PM
To: 'LFBernard@sandiego.gov' <<mailto:LFBernard@sandiego.gov>> '
Subject: FW: Thoroughness counts. San Diego's EIS unveiled

At the thread that appears at Wednesday, June 28, 2017 12:14 PM, I thought I was look at something from Fair and Balanced Fox "News."

Anyway, these people are promoting and propagating the wonders of a system
<<http://www.sandiegouniontribune.com/news/public-safety/sd-me-intervention-reforms-20170612-story.html>> that is engineered to fail.

From: Richard Hylton [REDACTED]
Sent: Thursday, June 29, 2017 12:24 PM
To: 'Winkley, Lyndsay'
Subject: RE: Thoroughness counts

1

Lyndsay;

Thanks for your response.

Just now, I received a reply to my CPRA request, which request is directly related to the subject of your piece. Let me elaborate. The EIS is supposed to allow supervisory personnel to identify potential troublemakers.

It, allegedly, is supposed to use data from various sources to spot them. Vehicle stops are the primary source of complaints. The often repeated complaint is that pretexts are used for stops. When the person disputes

or proves that "the taillight is not broken" or that the windshield is "factory tinted," the person is often released with a Verbal Warning.

These are complaints that should be visible to the EIS. The police union, so far, ensures that they are not. They are part of the "potentially incriminating paperwork." Ask Brian Marvel.

You are also probably aware that SDSU analysts claimed that the Vehicle Stop Data had no information on such warnings (see page 20 footnote 36) Zimmerman, in appearing before the City Council repeated those falsehoods.

The weasel-worded reply to PRA 17-1520 <<https://sandiego.nextrequest.com/requests/17-1520>> (<https://sandiego.nextrequest.com/requests/17-1520> <<https://sandiego.nextrequest.com/requests/17-1520>>) seeks to perpetuate those falsehoods. The facts are these.

1. Traffic Warnings are not distinct or different from Verbal Warnings and/or Written Warnings. It is the generic name.
2. At the time of the data analysis there were just over 84,000 warning records in the data sets.

This is what those warnings show:

Unless and until the EIS incorporates the source of the lion's share of complaints the public is being deceived, and we, who know better or ought to, are indulging in self-deception.

From: Winkley, Lyndsay [<mailto:lyndsay.winkley@sduniontribune.com>
<<mailto:lyndsay.winkley@sduniontribune.com>>]
Sent: Wednesday, June 28, 2017 12:14 PM
To: Richard Hylton
Subject: RE: Thoroughness counts

Hi Richard,

First, thank you for caring about this issue – it's an important one.

In this story, I tried to balance what led to the new system, and what that system is designed to do. I did try to explain, without pulling any punches, the department's history with misconduct, but I can appreciate the opinion that I should have provided more specific examples.

Thank you for the note.

From: Richard Hylton [REDACTED]
Sent: Tuesday, June 27, 2017 9:07 AM
To: Winkley, Lyndsay <lyndsay.winkley@sduniontribune.com <<mailto:lyndsay.winkley@sduniontribune.com>> >
Cc: 'Richard Hylton' <[REDACTED]>
Subject: Thoroughness counts

Lyndsay;

The single and solitary claim “One former officer, Anthony Arevalos, was convicted of soliciting sexual favors from women during traffic stops” betrays a lack of thoroughness.

On the basis of memory I can recall :

- One other officer , Christopher “The Groper” Hays who was convicted of sexual crimes against females who came into his clutches.
- One who would have been convicted of raping a prostitute -who had the metal fortitude to leave DNA evidence on the seat of the squad car- had he not resigned.

Some in that department hold that prostitutes cannot be raped, and so gave that prostitute hell.

· And who can forget the family, The Charpentiers? <<http://www.nbcsandiego.com/news/local/Married-SDPD-Officers-Sentenced-in-Drug-Sales-Case-Bryce-Jennifer-Charpentier-290374101.html>> Not their neighbours who saw the steady stream of the cars of their customers.

And, I regret to say that I am increasingly of the opinion that the pabulum stories seem indicative of fear of being denied access by those who are sworn to protect and serve.

Why say one when several will suffice.

<https://www.avast.com/sig-email?utm_medium=email&utm_source=link&utm_campaign=sig-email&utm_content=emailclient&utm_term=icon>

Virus-free. www.avast.com <https://www.avast.com/sig-email?utm_medium=email&utm_source=link&utm_campaign=sig-email&utm_content=emailclient&utm_term=link>

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Richard Hylton



<<https://mailtrack.io/>> Sent with Mailtrack <<https://mailtrack.io/install?source=signature&lang=en&referral=>

Table of Contents

The California Statute	3
BACKGROUND	3
PURGED RECORDS	5
DATA RELATIONSHIPS	6
ALL THAT APPLY	6
TABLE 1. STOPS, SEARCHES, HIT RATES, ARRESTS FIELD INTERVIEWS, CITATIONS ETC.	9
Citations	10
Chart 1	11
TABLE 2. DATA-ENTRY COMPLIANCE	13
Key take-away- Citations:	14
WARNINGS	14
TABLE 3.	14
FAILURE TO UNDERSTAND THE CONCEPT OF “ALL THAT APPLY”	15
TABLE 4 (DISPARITIES OR BIASES IN THE TOP 20 POST-STOP ACTIONS AND THEIR DERIVATIVES)	16
Findings Based on Measurements	18
FINDINGS: TRAFFIC STOPS	18
FINDINGS: SEARCH	19
FINDINGS: HIT RATE	20
FINDINGS: CITATION, ARREST, FIELD INTERVIEW	21
Key take-away- Field Interviews:	23
FINDINGS: ARREST RATE	23
FINDINGS: 4TH WAIVER SEARCH	24
FINDINGS: DRIVER SEARCH	24
FINDINGS: PASSENGER SEARCH	24
FINDINGS: VERBAL WARNINGS	24
FINDINGS: WRITTEN WARNINGS	25
SUMMARY OF FINDINGS	26
CHART FIGURES AS IDENTIFIED	29
All Vehicle Code Citations	33
Unique V.C. Citations	33

Multi-violation V.C. Citations	33
A historical look at the top 5 (and more)	35
FIGURE 32 (display of master-detail relationship)	38
FIGURE 33 (display of master-detail relationship of a typical “nulled-out” record)	38
PAIR MATCHING	40
Glossary of terms	41
Appendix 2 (Vehicle Stop Card)	42
Appendix 3	43
LINE CHART FIGURES AS IDENTIFIED	44

DRAFT

“Words are but the vague shadows of the volumes we mean. Little audible links, they are, chaining together great inaudible feelings and purposes.” – Theodore Dreiser

The California Statute that defines Racial Profiling is not bound to the limited, the idiotic, notion of persons being stopped because of DWB, where B is “Black” or “Brown”. It is more expansive and sensible. It states that:

(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.

And

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

Occam’s razor: Among competing hypotheses, the one with the fewest assumptions should be selected.

In spite of the abundant clarity of this law, enacted in 2015, we have a frame of reference defined by an elaborate exercise, using an experimental hypothesis, focused on the decision to stop from which other decisions are derived based on a system of odds; likelihoods rather than measurements; gambling with the lives and welfare of protected classes. The elaborate hypothetical thing undergirded by a failure to understand the data, begat an indecipherable mouse. I daresay that not even the persons who produced the November 2016 report can claim to understand it. That is because when challenged they could not explain it. Perhaps, that explains all.

These comments include numerous references to the benchmark that has been established by the SDSU report; the mouse.

Much of what follows are arithmetic computations of law enforcement activities **following a stop**. The notion that police cannot tell or discern the race of the person being stopped is not outright rejected —even though it should be — rather it is dismissed as unsound because it failed this writer’s tests, just as the SDSU analysts failed to include adjustments for the segregated housing patterns that are so evident; are so well documented in the SDSU analyst’s report.

BACKGROUND

In 2015 or earlier, officials of the City of San Diego determined to foist a fraud upon the citizens of San Diego by way of a manufactured or contrived Vehicle Stop Report.

The records of the City of San Diego show that the commission to SDSU was for the analysis of 2014 data. The report of the analysis was to be presented in two parts. The data-analysis in the summer of 2016, and the complete report towards year end. When the date arrived for release of the data-analysis, a sudden change of heart and mind gripped city officials.

They, our city fathers and mothers, decided to add data for 2015¹ to the analysis and to wait until year end to release the complete report. The data for 2015 is grotesquely abridged and adulterated, and is the basis for the “brink” and “threshold” talk; talk about watered-down reporting. It is the foundation of the claims and talk about the difference between bias and disparity that have been mentioned and written about widely, of late. That talk is a red herring; a stalking horse intended to distract us. The water was applied to the data.

The use of 2015 data is, in a word, scandalous. **The analysts, most city officials and others, those who are associated with the report’s production, knew that the 2015 data was being “engineered” so as to moderate results, since, at least, early 2015.**

Data for 2014 was obtained in the first quarter of 2015. The contents of that 2014 dataset essentially matched data that was obtained and analyzed during 2014. When data for 2015 was suddenly, deceitfully, unwisely² and unexpectedly added to the SDSU analysis in 2016, data for that year was likewise obtained under the public records act.

My attempt to verify key documented³ data elements, i.e. **Written Warningsⁱ** and **Field Interviewsⁱⁱ**, was frustrated – some would say rebuffed— by an illegal denial of access to electronically stored data for either or both of those data elements⁴. See PRA 17-935. For that reason, limited verification was made using “judicial” citation records, and, as has always been the case, the picture is not pretty. Massive numbers⁵ of these citations were either not entered or purged from the Vehicle Stop records. Since no proper legal reason exists for the denial of disclosable FI data, I fear that the data requested under PRA 17-935, relative to Field Interviews, would have disclosed something similar.

My analysis is of 259,585 is about **measurements**, as opposed to forecasting: measurements of Stop records that are supported by even larger number of Detail records, of actions taken. The relationship is described by **Figure 32**. The stop record has one or more detail records that identify **applicable** post-stop actions/resolutions. As Chief Zimmerman said the details are of “all that apply” actions. Chief Zimmerman means that the only items of actions that apply to a stop are those selected/checked. SDSU hold that an item that is neither Yes nor No; i.e. unselected, is indicative of missing data. That misapprehension permeates and mars its report.

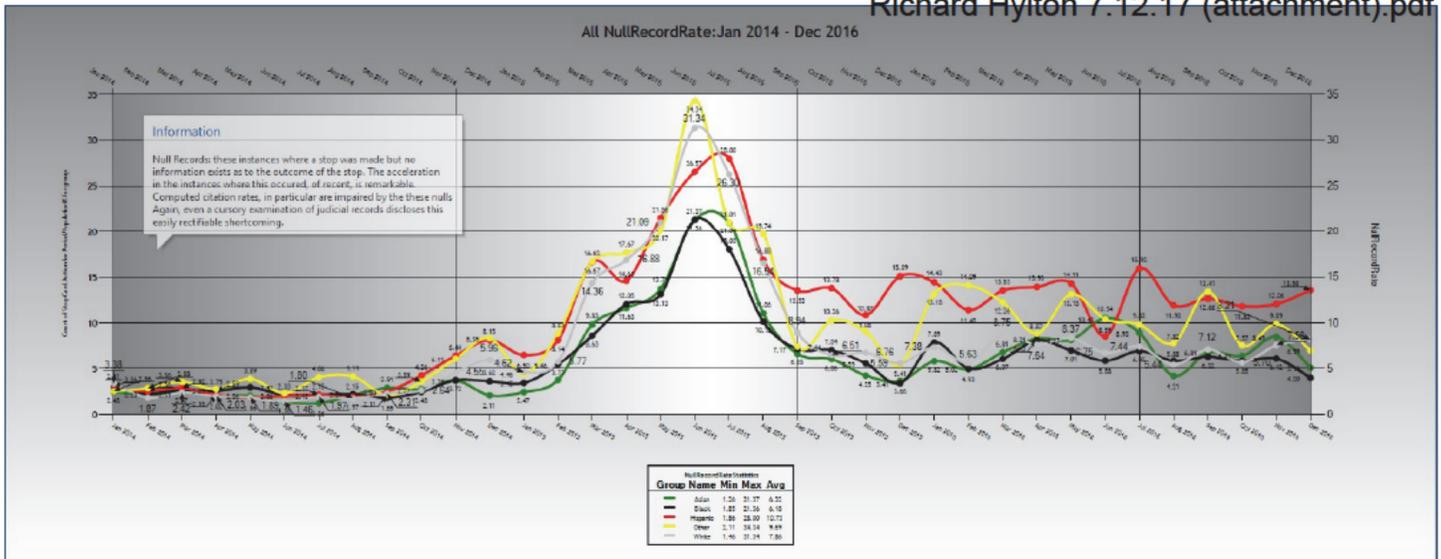
¹ It is the 2015 data that displays the massive data-wound visible in Charts 1, 2 and SDSU’s **Figure 3.1**

² Deceitfully, unwisely and unexpectedly because the SDSU chief analyst, Mayor, Police Chief, City Attorney, USDOJ, CA-DOJ and others knew that 2015 data records were being purged or otherwise “engineered” to produce favourable and unreliable results.

³ Like citations, these documented encounters exist, and are recorded, in discrete files, separate from Vehicle Stop records.

⁴ It is indisputable that it is so with respect to Field Interviews. It is difficult to accept that Written Warnings are stored only on paper.

⁵ 35.79% (692 of 1933) is massive. 4.2% (692 of 16348) is substantial. See Table 2.



All else that can be said about these null records is what the demographic stratification shows; i.e. that such records are predominantly Latino. This goes to explain the claim (false) that there are no citation disparities between Whites and Latinos⁷. Quite surprisingly, this “nulling” affects and continues to affect more Whites than it does Blacks.

Just under a third of all null records (31%) were located in Judicial Citation records, by a simple match algorithm. Since these “found” records obviously resulted from vehicle stops, it remains unclear why this “fix-up” process was not undertaken before the data was provided to the analysts and to the public. In future, it must be a natural part of data-validation, irrespective of AB-953 regulations. Moreover, as the [Rose Memorandum](#) shows, a similar process was already a part of San Diego’s processes—a misguided cynic may suggest that the foregoing diligence became inconvenient. The remaining approximately 2/3rd of the null records include unlocated citations and any of the more than 20 other predominant stop outcomes. The, the top 20 post-stop outcomes, are identified in Appendix 2.

And, for the record, Chief Zimmerman is mistaken in her public representation on February 27, 2017 that the data used by the SDSU analyst is available on San Diego’s Open Data Portal. Judicial Citation records, the basis of **Table 3.4** are not; deliberately so. And, this analyst’s attempt to have them appear in the Open Data Portal was unceremoniously refused.

DATA RELATIONSHIPS

Stop records are related to Stop-detail records through the Vehicle Stop Id. This relationship has a physical representation in the Vehicle Stop card, and is described in the Data Dictionary.

ALL THAT APPLY

In February while defending her department, Chief Zimmerman’s explanation of the relationship and how the stop card information translates to the digital medium was succinct and accurate: the officer must select only items that apply. Accordingly, the labored representations of claimed data-defects -where all items are allegedly not accounted-for- are

⁷ See The [Cordner Report](#) At page 1 “Officers completed 121,013 vehicle stop forms in 2001, a 28% decrease from the previous year. This very substantial decrease raises serious questions about the validity of the vehicle stop data.” See also The [Cordner Report](#) At page 2. “One division did have 3,000 more stops than citations, but another had 7,000 fewer stop forms than citations. Of particular concern, it would appear from the data that non-compliance in completing stop forms was a bigger problem in more ethnically-diverse and less-affluent divisions, possibly skewing the data.” And, again in the [Cordner Report](#) At page 2

wrong-headed and misguided⁸. Indeed, the SDSU product is peppered with ridiculous such as: "Of the poorest quality" were data associated with the discovery of contraband and the seizure of property, where over 93 percent were either left blank or ambiguously labeled, 'null' ". Such misapprehensions mar much of SDSU's record-matching analyses and so misguides readers of the SDSU report. At least in part as a result of the foregoing, I hold that the "matched groups" that appear throughout the report, use flawed or fudged numbers. Moreover, the lead analyst, Professor Joshua Chanin knew that the 2015 data was being engineered so as to produce "good" or unreliable results more than a year before the 2015 data was added to SDSU's receiving the modified commission, to add that data. Accordingly, each and every claim that the data or results are unreliable are hypocritical, even fraudulent.

I will attempt to limit most of my comments and presentation to SDSU's **Table 5.3** that I placed just below, for reference purposes, and because it is the only SDSU artifact that is based on **measurements of real values**. All else, from SDSU, even though cast as "Findings", are based on odds and hypothetical likelihoods or probabilities.

A picture may be worth a thousand words but tables are not pictures. They need help in saying what they mean.

In the below table, which table was prepared by SDSU, massive disparities are all hiding in plain sight; a little mental arithmetic reveals all. Blacks are stopped almost twice, their demographic presence; searched more than three times as often; have contraband 31% less often; are arrested 48% more frequently; and are assumed to be suspicious 5.33⁹ times as frequently. But if the summary of findings or first part¹⁰ of the oral [November 30, 2016](#) presentation and press reports - claiming absence of disparities in 2015 and when 2014 and 2015 were combined- were your only source of information, you would never know it. Both SDSU and the press, purveyors of propaganda omit (or rarely use) a keyword from their presentations: "likelihood." And so they, SDSU and the press, present likelihoods as though they are measurements, and invariably the "likelihoods" are less than are the measurements. e.g.; on page 68 the report says "For Black drivers, 8.78 percent of stops involved a field interview, some 2.43 times higher than the rate at which matched White drivers were interviewed (3.61 percent)." As we can see, the analysts, using rounding **down**, measured field interview rates of 8.0% for Blacks and 1.5% for Whites. That computes into Black field interview rates $8/1.5 = 5.33$ times higher than Whites.

Do the maths on the measurements yourself. In Table 5.3, SDSU provided us with a stub to do so; a path to all possible measurements! I will provide the rest.

Table 5.3.
Traffic stops and post-stop outcomes, by driver race/ethnicity

Driver race	Stops	Search (%)	Hit rate (%)	Arrest (%)	FI (%)	Citation (%)
Asian/PI	41,021	4.5	5.2	0.8	2.0	57.2
Black	28,535	9.3	7.7	1.8	8.0	46.1
Hispanic	77,934	5.9	7.4	1.5	3.0	56.7
White	111,855	2.9	11.2	1.2	1.5	57.8
Total	259,345	4.4	8.5	1.3	2.7	56.1

⁸ <https://youtu.be/xPA9ZKd3nxk>

⁹ Later, in the report of "Findings: Field Interview, arrest, and citation" we will see the disparity for Field Interviews represented at 2.4 (page 71.) There is no support for that bald representation.

¹⁰ Professor Chanin, in the Q&A part of the [February 27, 2017](#) presentation, speaks eloquently of "significant" disparities, while he speaks of the complex difference or distinction between "bias" and "disparity." There is no complexity. Disparity is a means of measuring the magnitude of bias.

If you torture the data, long enough, it will confess to anything --Ronald Coase, British economist & Nobel Laureate.

But the presentation of this tortured data, in Table 5.3, begins with a lie. There are **not** 41, 021 records of Asians& Other Pacific Islanders in the dataset. The number is 21,445¹¹ about 19,500 less¹²; almost 50% less, yielding a 54% citation rate, and the analysts knew it, yet there we have it, this false thing. So the *torture* included a little sleight of hand; a little math-magic. The cynic would say that the undertaking was done to make “the model minority” appear to be more heavily policed, and I would agree. Accordingly, the presentations of results on [November 30, 2016](#) and February 2017 are marred by this falsity and others; the most recent of which is a false press report on how the watered-down report was itself watered-down¹³. In fact, if the [November 30, 2016](#) presentation and that of the final report of [February 27, 2017](#), were examined one will notice that the clear and massive disparities shown in **Table 5.3**, was directly mentioned; not a part of the oral presentations¹⁴. Indeed, in spite of all the forgoing, the analysts from SDSU chose to disgrace the university that they represent by claiming this thing below:

No visible means of support

Traffic stop records, by driver race

Analysis of citywide stop patterns

- Disparities between Black and White drivers evident in 2014 traffic stop records, but not in 2015 data or the combined dataset
- No such disparities found between Hispanic and White drivers over same periods

Analysis of stop patterns in SDPD's five northern divisions

- Disparities between Black and White drivers evident in 2014 data and in the combined dataset, but not in 2015
- No such disparities found between Hispanic and White drivers over same periods

The statements in the second panel are contradicted by the graph in the first. Even the visually impaired can discern that SDSU has presented data (a graph) showing that Blacks are stopped at twice their rate in the population. And when asked to provide data to support the statement in the third panel, neither SDSU nor the City of San Diego could. See CPRA 17-316. The non-responses are because the statements in the third panel are false. See Addendum 3.

The head of the school, at SDSU, that wrought the contradictory things, leaning to falsehoods, all of them, no longer heads that school.

I present below, the not-so-hidden disparities, using SDSU values. They are large; in all directions:

Race	Stop	%	EDP	Disp Idx.	Search	Search Disp.	Hit	Hit Rate Disp.	Arrest	Arrest Disp.	Fi%	FI Disp.	Citation Rate	Citation Disparity To Maj.
Asian/PI	41,021	15.82	20.02	0.79	4.50	1.55	5.20	0.46	0.80	0.67	2.00	1.33	57.20	0.99
Black	28,535	11.00	5.50	2.00	9.30	3.21	7.70	0.69	1.80	1.50	8.00	5.33	46.10	0.80
Hispanic	77,934	30.05	27.03	1.11	5.90	2.03	7.40	0.66	1.50	1.25	3.00	2.00	56.70	0.98
White	111,855	43.13	47.20	0.91	2.90	1.00	11.20	1.00	1.20	1.00	1.50	1.00	57.80	1.00

¹¹ The Citation rate for Asians is accurately around 54%, since around 99% of citations (Fig 28) issued to Asians were entered into the VSD. Asians are under-policed.

¹² All things considered, the absent or irrelevant/inapplicable checkmarks pales in comparison to including “others” with Asians.

¹³ And now we have a self-serving expression of umbrage from the [President of the City Council](#); who must be implicated in the watering-down of the report, for she, the president, knew it was afoot at least as in early 2015.

¹⁴ In all this silently sits the bizarre 46.1% citation rate of the Blacks. No one dares mention the denominator; the massive disparity of shops that produced it. Well there it is!

Indeed, the absence of disparities that were carefully worded on [November 30, 2016](#), in the *Analysis of citywide stop patterns*, is not evident in the above. It is not readily apparent in the presentation of [February 27, 2017](#) either; one has to dig. I will not; not now. Disparities are not absent in my analysis and Tables of the same data either. And, the difference between my measurements and those in Table 5.3 are insignificant; Asians/API excepted.

The PSLN committee on [November 30, 2016](#) and the full city council, on [February 27, 2017](#), were misled; misled by careful conflation-inducing words. “Findings” were presented as if they were measurements, when in fact they were expressions of *likelihoods*, of *odds* or *possibilities*; the products of a hypothesis; a hypothesis where non-existent records were matched. That is how the measured experience of Blacks in Field interview of $8/1.5 = 5.33$ became transformed into a finding that Blacks are 2.4 times as likely to be field interviewed. It is the stuff of magic. All “Findings” are presented this way; no “finding” is an actual measurement. Each is a statement of what is *likely* to happen, using *odds-ratios*.

To put it another way, the experiences of dehumanized humanity are reduced to expressions of likelihoods and odds. These are my experiences, my fate and my safety. All are reduced to gambler’s terminology; a fact concealed in turgid and cryptic text; like so:

1. *“Black and Hispanic drivers were more **likely** than White drivers to be searched following a traffic stop, and despite facing far greater search rates, were less likely to be found with contraband;”*

And;

2. *“when aggregated at the city level, the **odds** of a stop involving a Hispanic driver is not affected by the change from daylight to darkness, regardless of when the stop occurred or the comparison group used, as indicated by **odds ratios** that align so closely to 1.0.”*

And;

3. *“To account for the **possibility** that those factors that led to a search may affect the **likelihood** that a driver will receive a citation.”*

And;

4. *“Propensity score matching allows researchers to pair drivers of different races across the various other factors known to affect the **likelihood** of receiving a citation, being searched, arrested, subject to a field interview, or being found with contraband. In other words, this technique”*

If you want to know what actually happened in 2014-2015, you will have to use SDSU’s Table 5.3; and it is slim pickings or you may use my Table 4. Table 4, way below, is comprehensive and uses neither magic nor sooth-saying.

The SDSU analysts adroitly avoided any and all of mention the stop disparity (Disparity Index¹⁵), I will not, since it is at the heart of the public complaint; the notion that Blacks and Hispanics are disproportionately stopped¹⁶, often on [pretexts or for falsehoods](#). Yolanda Reyes, on YouTube, expresses the problem quite eloquently. <https://www.youtube.com/watch?v=aPFEQ3mJ6M0&t=29s>.

TABLE 1. STOPS, SEARCHES, HIT RATES, ARRESTS FIELD INTERVIEWS, CITATIONS ETC.

¹⁵ It is the ratio of Stops to Estimated Driving Population (EDP).

¹⁶ But while they do show the base disproportion, they hid the means for the Disparity Index’ computation; “The dreaded denominator”, except in Table 2.1; City Demographic profile. It is the fourth column in Table 1 that appears above.

Driver Race	Stops	Stop %	EDP	Disp Idx	Search Count	Search %	Srch Disp.	Hit %	Arrst Count	Arrst %	Arrst Disp.	FI	FI %	FI Disp.	Cited	Cite %	Cite Disp.
Asian	21,445	8.26	16.99	0.49	664	3.10	1.05	9.49	207	0.98	0.80	585	2.73	1.84	11621	54.19	0.92
Black	28,537	10.99	5.5	2.00	2679	9.39	3.17	7.73	518	1.81	1.48	2290	8.03	5.42	13731	48.12	0.82
Hispanic	77,942	30.03	27.03	1.11	4629	5.94	2.01	7.3	1155	1.48	1.21	2335	3.00	2.02	45737	58.68	1.00
Other	19,799	7.63	3.23	2.36	370	1.87	0.63	9.73	134	0.69	0.57	228	1.15	0.78	12223	61.74	1.05
White	111,862	43.09	47.2	0.91	3310	2.96	1.00	11.21	1369	1.22	1.00	1655	1.48	1.00	65592	58.64	1.00
	259,585				11,652				3,383			7,093			148,904		

For obvious reasons, the group “Other” was not combined with Asians and (57.20-54.19) 3.01% of the Asian citation rate disappeared. Moreover, the [SDPD Data Dictionary, Vehicle Stop Race Codes](#) instructs us as to the meaning of this “Other” category, and it does **not** mean Other Pacific Islander. The use of this ruse —the adding of undefined “Other” folk to Asians— is obvious; it makes Asians, “the model minority” appears to be more heavily policed. Moreover, categorizing persons as “other” is one of the practices of some officers who act to sabotage data-collection efforts¹⁷ by “*mislabeling the driver’s race/ethnicity on the stop card.*” Combining Asians with “Other”, despite [numerous warnings and objections](#)¹⁸, creates a useful and deceitful “numerator problem” (and sometimes a “denominator problem”) if you will. The SDPD, SDSU and the City of San Diego did. I won’t. You shouldn’t.

With the noted exception of “Hit Rates”, these Stop and post-stop rates, for all groups, are within expected ranges; meaning there is not at much that is at significant variance with rates observed over the years 2014-2015 and for other years. The values in **Table 1** are rather similar to those computed (and rounded **down**) by SDSU, in the unheralded **Table 5.3**. And, except for the foolish trick applied to Asian/API, there is little to choose between them.

Citations

Citations deserve special mention and attention, because their numbers confound. I begin by showing the nature of citation-related data elements, 2014-2015. The impossible-to-miss; the spectacular; the contrived; the engineered data-wound of 2015; the bases of the (false) claims:

- Disparities between Black and White drivers evident in 2014 traffic stop records, but not in 2015 data or the combined dataset
- No such disparities found between Hispanic and White drivers over same periods

As demonstrated by the abundance of linked items, the genesis and evolution of the data-wounds were known to most of the city council and many of you, beforehand.

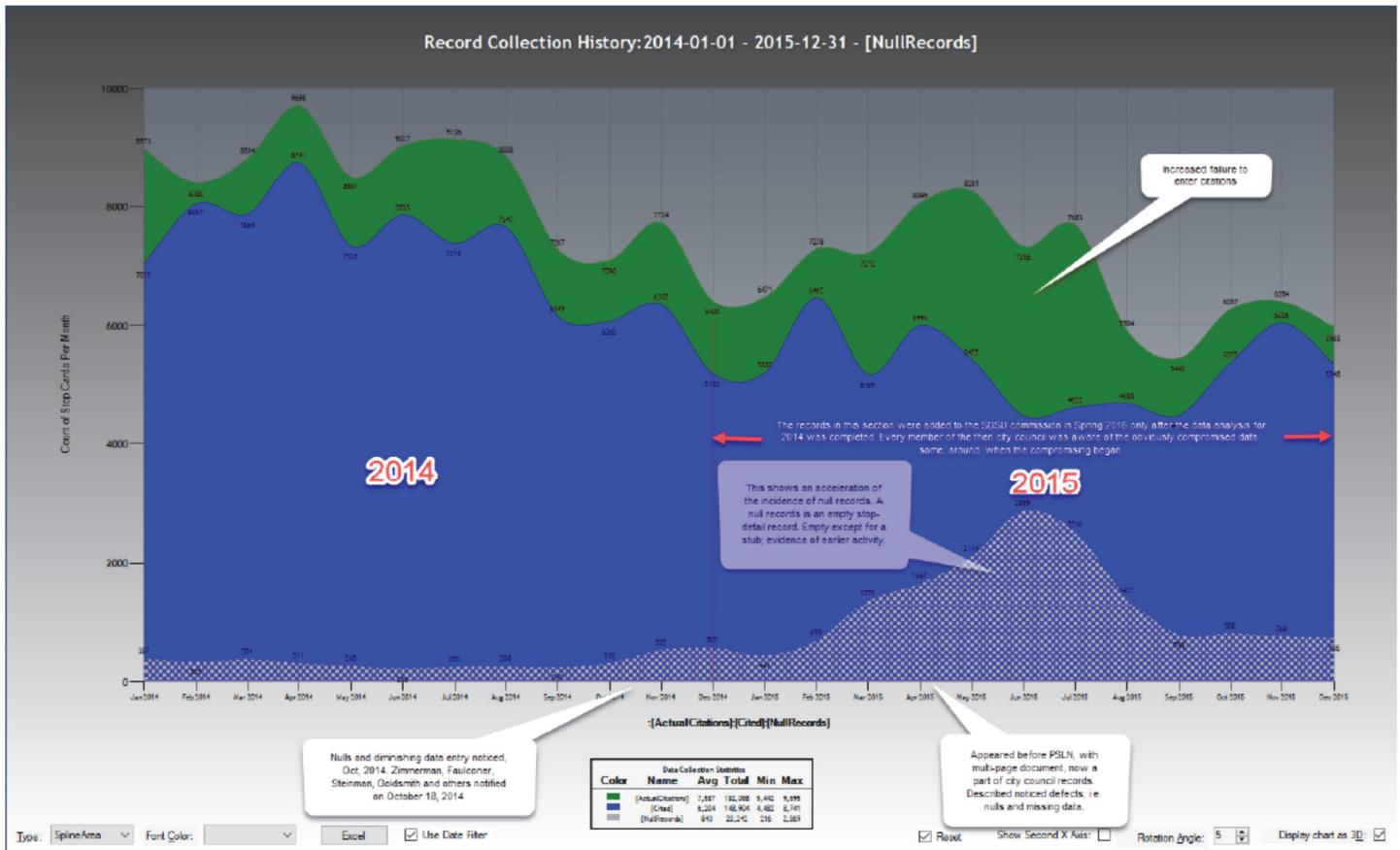
A picture is worth a thousand words. But sometimes pictures need assistance

¹⁷ See page 86 of the SDSU report. “Other” disproportionately found amongst purged but “found” citations.

¹⁸ From: Richard Hylton [<mailto:hyltonrichard@gmail.com>] Sent: Wednesday, February 25, 2015 5:45 PM

To: Haley, Chris; Shelly Zimmerman; Councilmember Todd Gloria; Councilmember Myrtle Cole; CouncilMember Chris Cate; CouncilMember Marti Emerald
Subject: Fwd: Missing Stop Records <https://drive.google.com/file/d/0B8Nfdg4rqWt9dENmUWFUTTk0U3M/view?usp=sharing>

Chart 1



It is not clear why San Diego’s city executives, officials, lawyers and others believed that the flagrant criminality, the falsification of records, should be allowed to stand.

A primitive and unsophisticated routine quickly (1.474 seconds) located 4280 of these null records in the judicial citation file. The profile of those “found” records is as follows:

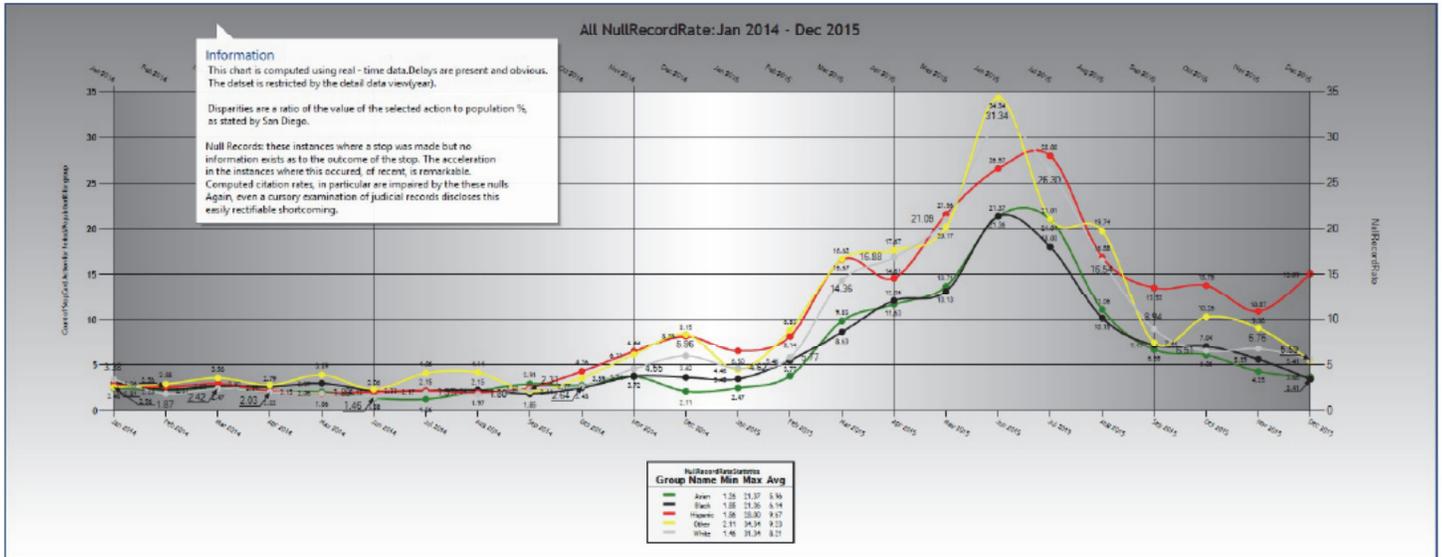
Number	Race	% Null	EDP	Disparity	Comparison To Majority
103	Asian	2.41	16.99	0.14	0.25
283	Black	6.61	5.50	1.20	2.15
2573	Hispanic	60.12	27.03	2.22	3.98
192	Other	4.49	3.23	1.39	2.49
1129	White	26.38	47.20	0.56	1.00
4280		100.00	99.95		

The above shows that purged records of citations, issued to Blacks, were located in judicial records more than twice as often (2.15) as those affecting Whites; those affecting Latinos almost 4 times as often (3.98) as those affecting Whites. Again, these records were removed from the database of Vehicle Stops.

The graph below, Chart 2, a race-grouped representation of the Null records shown above in Chart 1, shows that Hispanic records are, on average, around 18%, more affected by NULLS than Whites. Accordingly that group should and does

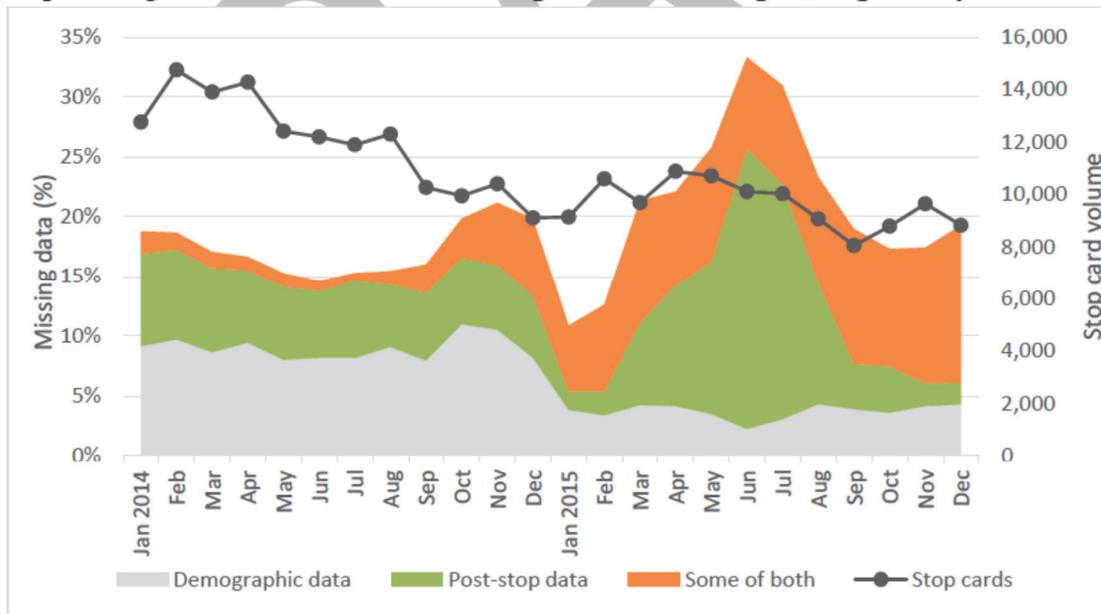
have a lower compliance rate -i.e. citations issued vs. citations entered into the Vehicle Stop Database. The foregoing is a race-determinative¹⁹ fact, despite SDSU’s assertion to the contrary. See **Table 2**. And, as should also be expected, the low compliance rate impinges upon computed citations rates. Accordingly, but for this management failure, a disparity for Latinos would have been shown, rather than the false claim of the SDSU analysts and others.

Chart 2



A lower citation-entry compliance rate (which is affected by citation records being purged) reduces the indicated VSD citation rate²⁰. See SDSU’s **Table 5.3** and **Table 1**, especially the values for the Blacks.

Chart 2, like all preceding Charts, is similar to SDSU’s **Figure 3.1., Tracking missing data by month**



This SDSU-produced Figure 3.1 is accurate in some respects, but is marred by the inclusion of unrelated data —chaff— and misapprehension of the Vehicle Stop Data. Indeed, as Chief Zimmerman implied with her “select all that apply

¹⁹ “We do note that the racial/ethnic composition of the stop card citation records largely reflects the composition of the actual citations issued, which suggests that the under-reporting was not race-determinative.”

²⁰ Number of entered citations divided by number of stops.

remark;” natural nulls are not problems. Moreover, as regards unnatural nulls, the chief SDSU analyst, Prof. Chanin, was pre-warned and aware of the pending and ongoing manufacture of them, the nulls; the presence of which is hypocritically decried and abhorred within the body of the SDSU report²¹, especially the remonstrations that appear on page 86. The SDSU analysts became whores, in that they were paid additional sums to include 2015 data, data that they knew was rigged, and knew was being rigged even before the rigging started.

Finally, with respect to demographic data, substantial numbers had to be coded as “O” for other and a good number carried no age and accordingly were coded with zero. This latter action is particularly appropriate since the race of persons is held to be unrecognizable at certain times of day; doubtless age ought to be viewed as equally obscured.

No evaluation of citation records would be complete without examining the natural control that is the database that holds the judicial records for Vehicle Code citations. A comparison for the two years, 2014-2015 shows this:

TABLE 2. DATA-ENTRY COMPLIANCE

Observation: The higher the citation rate, the lower the entry-rate of those citations.

Race Category	Jud. Number	VSD Number	Diff.	Race Percent	Race Percent	Compliance Rate	Adj. To Maj. Rate	Cited %	Adj. Cite Rate	Stop Year	EDP	Disp. Act	Disp. VSD
Asian	6450	6624	-174	6.46	7.74	102.70	12.65	54.06	41.41	2014	16.99	0.38	0.46
Black	9195	7754	1441	9.21	9.06	84.33	-5.72	48.04	53.76	2014	5.50	1.67	1.65
Hispanic	30097	26631	3466	30.14	31.10	88.48	-1.57	61.23	62.80	2014	27.03	1.12	1.15
Other	11946	6639	5307	11.96	7.75	55.58	-34.47	64.51	98.98	2014	3.23	3.70	2.40
White	42166	37972	4194	42.23	44.35	90.05	0.00	61.26	61.26	2014	47.20	0.89	0.94
Asian	5215	4997	218	6.34	7.90	95.82	14.98	54.37	39.39	2015	16.99	0.37	0.46
Black	7643	5977	1666	9.29	9.44	78.20	-2.64	48.21	50.85	2015	5.50	1.69	1.72
Hispanic	25186	19106	6080	30.63	30.19	75.86	-4.98	55.47	60.45	2015	27.03	1.13	1.12
Other	10023	5584	4439	12.19	8.82	55.71	-25.13	58.74	83.87	2015	3.23	3.77	2.73
White	34167	27620	6547	41.55	43.64	80.84	0.00	55.37	55.37	2015	47.20	0.88	0.92
	182088	148904	33184										

In the above table (ignoring “Other”) we see that Blacks and Hispanics, respectively, are ticketed at rates that, by far, exceed ticketing-rates for other groups (2014 @1.67 and 1.12 of EDP and 2015 @ 1.69 and 1.13 of EDP.) The Data-entry rates (Compliance rate) for Blacks and Hispanics, bring up the rear (2014 @84.33 and 88.48% of EDP and 2015 @ 78.20 and 75.86% of EDP.) Having lower data-entry rates lowers computed citation rates.

Accordingly, this seeming paradox of having the highest issuance of citations but the lowest VSD-computed citation rates; 48.04% and 48.21%.is explained by the deflated data-entry or compliance rates combined with the inflated stop rates. See **Table 1**. When the differences in data-entry rates between Whites and Latinos and Blacks are made equal, the claim of no difference in citations for Latinos evaporates and since the analysts were in possession of the judicial citation data, the claim that “We found that Black drivers were cited at lower rates (49.6 percent) than White drivers (56.1 percent) who were stopped by the SDPD under similar circumstances” is false and should have been known to be false. Nevertheless, the inflated stop rates for Blacks, the almighty denominator, produces a computation that still leaves their citation rates far behind. On average, they are over 9% behind.

Some would call it a “numerator/denominator problem”; a reduced number of indicated or entered citations coupled with a large number of stops. It is a problem created by poor management; the failure to monitor data integrity, to ensure

²¹ Chanin was informed when the count was less than 4000. That count “blossomed” to almost 21,000 in the following 12+ months.

compliance with SDPD Policy, coupled with systemic [bias](#). *“Words are but the vague shadows of the volumes we mean. Little audible links, they are, chaining together great inaudible feelings and purposes.” – Theodore Dreiser*

Once again, it is not clear why San Diego’s city executives, officials, lawyers and others believed that the flagrant criminality, **the falsification of records**, should be allowed to stand.

Finally, on this post-stop action: there is zero reason for any daylight to exist between Citations issued and those that appear in the VSD data base. Massive synergies exist here to not only increase accuracy of data collection but to save money too. Since just fewer than 60% of stops are resolved by a citation, alone, adding a VSD record in such instance is duplicative. Such a suggestion was put to the SDPD, and its vendor, in a series of communications which began on or around October 30, 2014²². Moreover, the judicial Citation record is far more robust and comprehensive.

Key take-away- Citations: no technical reason exists to prevent a virtual 100% data-entry compliance ratio for citations. Smart implementation is a money-saver too.

WARNINGS

Despite having more than 84,500 warning recordsⁱⁱⁱ for 2014-2015 (63,494 Verbal, 21,106 Written) and having anecdotal evidence on complaints of stops based on fabricated reasons; stops made to determine gang membership or probation or parole status; stops made because people “matched the description”; stops often resolved by verbal warnings, the SDSU analysts managed to neglect analyses of warning records from their November 2016 report. The SDSU analysts claimed that the examined data did not contain warning information²³ for Vehicle Stops. Since I provided the first set of data to the SDSU analysts and received identical sets to them, I know that the analyst’s claim is untrue. The warning data “shining plain”, exists in abundance; I analyzed them so I will mention them here:

TABLE 3.

Driver Race	Stops	Stop Records%	EDP	Verbal Warning	Verbal Warning Rate	Verbal Warning Disp	Written Warning	Written Warning Rate	Written Warning Disp	4th Waiver Search	4th Waiver Rate	4th Waiver Disp
Asian	21445	8.26	16.99	5838	27.223	1.25	2286	10.66	1.07	176	0.82	1.34
Black	28537	10.99	5.50	9680	33.921	1.56	1665	5.835	0.59	962	3.37	5.49
Hispanic	77942	30.03	27.03	19121	24.532	1.13	3896	4.999	0.50	842	1.08	1.76
Other	19799	7.63	3.23	3773	19.057	0.88	1765	8.915	0.90	68	0.34	0.56
White	111862	43.09	47.20	24344	21.763	1.00	11101	9.924	1.00	687	0.61	1.00
	259585			62756			20713			2735		

The disparities for undocumented “verbal” warnings support the anecdotes, which anecdotes, peculiar to this city, exist in abundance on [YouTube](#)²⁴, and in the City of San Diego’s video archives.

²² <https://drive.google.com/file/d/0B8Nfde4rqWt9cNFWTNIcIB1Qms/view?usp=sharing>, <https://drive.google.com/file/d/0B8Nfde4rqWt9ZDJYgGmRFNVcUU/view?usp=sharing> and <https://drive.google.com/file/d/0B8Nfde4rqWt9NTRmRHMtY1pfUmC/view?usp=sharing>

²³ See note 36 on page 20 of the SDSU November, 2016 report, and be amazed: “ These calculations reflect at least one major assumption. We are forced to assume that the SDPD underreported citation stops at the same rate as non-citation stops. *Because we do not have records of warnings given, there is no way to confirm this one way or another.* ” I hold that (62,756 Verbal Warnings and 20,713 Written Warnings) almost **84,000 records are hard to miss.**

²⁴ <https://www.youtube.com/watch?v=aPfeQ3mJ6M0&t=1s>; <https://www.youtube.com/watch?v=LTGsNt3gAj8&t=56s>

The sums, in Table 3, for documented or Written Warnings, show that Hispanics and Blacks receive the least discretionary forbearance, Asians even more than Whites. The disparities that exist for 4th Waiver searches supports the anecdotes which necessitated the issuance of Chief Zimmerman’s directive; [TB 14-02, April 9, 2014](#).²⁵ Untold numbers of people, as many as 5.49 times as many Blacks as Whites were stopped to determine their Parole or Probation Status. Stops for that reason alone, are illegal.

Using the strange pusillanimous vernacular of the SDSU analysts, we could say that the disparities for 4th Waiver searches soars over all thresholds and is firmly footed in the realm of **bias**; **Fig. 14**. *“Words are but the vague shadows of the volumes we mean. Little audible links, they are, chaining together great inaudible feelings and purposes.”-- Theodore Dreiser*

FAILURE TO UNDERSTAND THE CONCEPT OF “ALL THAT APPLY”

Little or no reason exists to comment on the SDSU analysts’ evaluation of these criteria because in an “all that apply” universe as accurately described by Chief Zimmerman, and defined in the Data Dictionary, the matched pairs²⁶ are impossible; viz.

Table 5.7.

Comparing hit rates among matched Black and White drivers

	Matched Black drivers (%)	Matched White drivers (%)	Difference (%)	p-value
All searches	7.9	12.4	-44.2	<0.001
Consent	7.2	14.8	-68.6	0.013
Fourth waiver	7.4	14.3	-63.2	0.002
Inventory	3.4	4.8	-34.6	0.368
Incident to arrest	14.0	13.5	3.5	0.897
Other (uncategorized)	11.6	17.5	-41.0	0.069

Note: The analysis is based on a total of 19,948 Black drivers and 19,948 matched White drivers. Missing and null cases coded as no contraband.

The final statement “Missing and null cases coded as no contraband” is wrong-headed, It displays, at best, the misunderstanding of the nature of the data. And the entire universe of searches, in the selected dataset, numbers well less than 19,948, irrespective of race. In fact there were 11, 652 records for which searches can be analyzed. See **Table 4**.

Driver Race	Stops	Stop Records%	EDP	Searched	Search Rate	Search Rate Disp
Asian	21445	8.261	16.99	664	3.096	1.05
Black	28537	10.993	5.50	2679	9.388	3.17

²⁵ The failure to assess [TB 14-02, April 9, 2014](#) in the context of 4th waiver searches and with regard to both types of warnings undermines the SDSU report. Moreover, on page 20, as a footnote, the SDSU analysts claim: *“Because we do not have records of warnings given, there is no way to confirm this one way or another.”* Aside from being patently and flagrantly false, the quoted text is alarming given the fact that today there were around 84,000 such records. It does take a certain perversion to miss them. This perfidious shortcoming is exacerbated by SDSU’s misunderstanding of the nature of the data; a failure to understand what constitutes a complete record; a condition that permeates every aspect of the SDSU report, especially the gymnastics of matching records for groups, and adjustments for nulls when no such adjustment is necessary. Because of this, I hold that the researcher’s definition of Incomplete Stop Cards is faulty, and that makes much of its report meaningless. A distinction must be made between “NULLED” out data and data which is naturally and innocuously NULL. The SDSU analysts failed to do this, and so they misled many, as on page 17 where they wrote *“In 2015, 21.1 percent of stop cards were missing at least one piece of information, with nearly half of those missing both demographic and post-stop information.”* Again, this and other observations render much of the analysis, including group pairings, unsound; wrong.

²⁶ Defined or describes as: “Put another way, matching allows the analyst to compare the likelihood that two drivers who share gender, age, stop reason, stop location, and so on, but differ by race, will be searched, ticketed, or found with contraband. “

Hispanic	77942	30.026	27.03	4629	5.939	2.01
Other	19799	7.627	3.23	370	1.869	0.63
White	111862	43.093	47.20	3310	2.959	1.00
	259585			11652		

We, accordingly, should dismiss all matched pair ~~“search”~~ analyses,²⁷ from the SDSU analysts, for the nonsense that they are: the product of the misapprehension of the data. To be blunt, the matched pairs, as are used in all analyses, are **fudged** as is the much of the data that underlies it. **See Appendix B.**

A possibility exists that the analysts forsook measuring results and instead became prognosticators; something much worse, for soothsaying may not be argued against. Indeed, except for one time, Table 5.3, the SDSU analysts moved away from measuring and reporting metrics —to forecasting *likelihoods* or *odds-ratios* or *probabilities* of outcomes. When that which is measurable, and is measured produces unpalatable measurements, they moved to forecasting. Forecasting produced odious results too, just less odious than those produced by measurements.

As illustration, use the SDSU report to compare table SDSU’s Table 5.3, which measures 4 outcomes, to tables 5.7, et seq. that deal with the same values, but are based on likelihoods.

If you have an interest in more granular data, including arithmetic analyses at the Service Area level, and much more, [download the worksheet located here](#) or view it as a Google Doc. I expect that viewing it in situ comes with limited or reduced functionality.

TABLE 4 (DISPARITIES OR BIASES IN THE TOP 20 POST-STOP ACTIONS AND THEIR DERIVATIVES)

It should be noted that the independent analysts had some difficulty in deciding on the total number of records. At some places they show 259, 569 (page 68, 79 & 86) 259,578 (Table 5.7) at another and, finally, at others 259,345. The value 259, 569 is closest to the below.

RaceCategory	Asian	Black	Hispanic	Other	White	Totals	
StopRecords	21445	28537	77942	19799	111862	259585	
StopRecords%	8.26	10.99	30.03	7.63	43.09		
Cited	11621	13731	45737	12223	65592	148904	
CitedToStops	54.19	48.12	58.68	61.74	58.64		
CitedComparison	0.92	0.82	1.00	1.05	1.00		Fig. 1
Arrested	209	516	1156	137	1369	3387	
ArrestsToStops	0.98	1.81	1.48	0.69	1.22		
ArrestsComparison	0.80	1.48	1.21	0.57	1.00		Fig. 2
Searched	664	2679	4629	370	3310	11652	
SearchedToStops	3.10	9.39	5.94	1.87	2.96		

²⁷ These are two examples of “matchings” that could have come from the 1960 presidential elections, where more votes were cast than residents in some Illinois precincts. Table 5.8 (Searches of Hispanics) Note: The analysis is based on a total of 39,252 Hispanic drivers and 39,252 matched White drivers. Missing and null cases coded as no contraband. **There are but 11,652 searches in this universe of records, for all groups combined.**

Table 5.9 (Arrests of Hispanics) Note: The analysis of arrests is based on a total of 20,872 Black drivers and 20,872 matched White drivers. Missing and null data considered as ‘no arrest’. **There are but 3387 arrests in this universe of records, for all groups combined.**

City Of San Diego Vehicle Stop Data – 2014-2015 @ June 2017

Richard Hylton 7.12.17 (attachment).pdf

SearchedComparison	1.05	3.17	2.01	0.63	1.00		Fig. 3
ConsentObtained	152	537	799	53	515	2056	
ConsentToStops	0.71	1.88	1.03	0.27	0.46		
ConsentComparison	1.54	4.09	2.23	0.58	1.00		Fig. 4
ContrabandFound	63	207	338	36	371	1015	
ContrabandToStops	0.29	0.73	0.43	0.18	0.33		
ContrabandComparison	0.89	2.18	1.31	0.55	1.00		Fig. 5
PropertySeized	61	204	578	38	383	1264	
PropertySeizedToStops	0.28	0.72	0.74	0.19	0.34		
PropertySeizedComparison	0.83	2.09	2.17	0.56	1.00		Fig. 6
VehicleSearch	380	1600	2985	210	1838	7013	
VehicleSearchToStops	1.77	5.61	3.83	1.06	1.64		
VehicleSearchComparison	1.08	3.41	2.33	0.65	1.00		Fig. 7
DriverSearch	314	1215	1751	132	1336	4748	
DriverSearchToStops	1.46	4.26	2.25	0.67	1.19		
DriverSearchComparison	1.23	3.57	1.88	0.56	1.00		Fig. 8
PassengerSearch	68	336	435	37	307	1183	
PassengerSearchToStops	0.32	1.18	0.56	0.19	0.27		
PassengerSearchComparison	1.16	4.30	2.04	0.68	1.00		Fig. 9
ConsentSearch	145	498	732	47	450	1872	
ConsentSearchToStops	0.68	1.75	0.94	0.24	0.40		
ConsentSearchComparison	1.68	4.34	2.34	0.59	1.00		Fig. 10
NonConsentSearch	513	2144	3832	317	2799	9605	
NonConsentSearchToStops	2.39	7.51	4.92	1.60	2.50		
NonConsentSearchComparison	0.96	3.00	1.96	0.64	1.00		Fig. 11
SearchIncidentToArrest	82	231	524	47	589	1473	
SearchIncidentToStops	0.38	0.81	0.67	0.24	0.53		
SearchIncidentComparison	0.72	1.54	1.28	0.45	1.00		Fig. 12
InventorySearch	128	502	1701	128	890	3349	
InventorySearchToStops	0.60	1.76	2.18	0.65	0.80		
InventorySearchComparison	0.75	2.21	2.74	0.81	1.00		Fig. 13
4th Waiver Search	176	962	842	68	687	2735	
4thWaiverSearchToStops	0.82	3.37	1.08	0.34	0.61		
4thWaiverSearchComparison	1.34	5.49	1.76	0.56	1.00		Fig. 14
FieldInterview	585	2290	2335	228	1655	7093	
FieldInterviewToStops	2.73	8.03	3.00	1.15	1.48		
FieldInterviewComparison	1.84	5.42	2.02	0.78	1.00		Fig. 15
OdorOfContrabandSearch	14	91	76	9	79	269	
OdorOfContrabandSearchToStops	0.07	0.32	0.10	0.05	0.07		
OdorOfContrabandComparison	0.92	4.49	1.38	0.63	1.00		Fig. 16
VerbalWarning	5838	9680	19121	3773	24344	62756	

VerbalWarningToStops	27.22	33.92	24.53	19.06	21.76		
VerbalWarningComparison	1.25	1.56	1.13	0.88	1.00		Fig. 17
WrittenWarning	2286	1665	3896	1765	11101	20713	
WrittenWarningToStops	10.66	5.84	5.00	8.92	9.92		
WrittenWarningComparison	1.07	0.59	0.50	0.90	1.00		Fig. 18
Searched	664	2679	4629	370	3310	11652	
ContrabandFound	63	207	338	36	371	1015	
HitRate	9.49	7.73	7.30	9.73	11.21		
HitRateComparison	0.85	0.69	0.65	0.87	1.00		Fig. 19
StopRecords%	8.261	10.993	30.026	7.627	43.093		
Census	16.99	5.50	27.03	3.23	47.20	99.95	
DisparityIndex	0.49	2.00	1.11	2.36	0.91		
DisparityIndexComparison	0.54	2.20	1.22	2.59	1.00		Fig. 20
OtherSearch	19	93	147	7	68	334	
OtherSearchToStops	0.09	0.33	0.19	0.04	0.06		
OtherSearchComparison	1.46	5.34	3.10	0.57	1.00		Fig. 21
NullRecords	1176	1628	6881	1815	8742	20242	
NullRecordsToStops	5.48	5.71	8.83	9.17	7.82		
NullRecordComparison	0.70	0.73	1.13	1.17	1.00		Fig. 22

I choose to plagiarize the expressions (even the footnotes) and style of analysts but not their methods or maths. The findings are the same but the numbers are different. It is a massive matter of degree. The numbers from the SDSU analysts are wrong; massively wrong. Perhaps as a result of misapprehending the nature of the data, but that explanation is far too simple, for there is something sinister afoot. Nevertheless, what is clear is that the analysts disregarded the “all that apply” rule, which is illustrated by the graphic labeled Appendix 2; the Vehicle Stop Card:

As a result, the pair-matching uses impossible-to-reach counts and that exercise make all such exercises appear silly. It is a foolishness that permeates every prognosis of likelihoods. Measurements would have been better.

Findings Based on Measurements

FINDINGS: TRAFFIC STOPS

Comparative analysis of discretionary traffic stops involving Black and White drivers revealed an inconsistent pattern of results. Our review of the 2014 data (aggregated at the city level) indicated that Black drivers were nearly 20 percent more likely to be stopped during daylight hours, when driver race was visible, than after sundown, when driver race was obscured by darkness, compared to similarly situated White drivers. Though the 2014 disparities were more pronounced when the sample was limited to drivers under the age of 25, they were not present in the 2015 data or in the combined 2014/2015 data. Similarly, our analysis of citywide data revealed no indication that officers’ decision to stop Hispanic drivers was affected by the change from daylight to darkness, regardless of when the stop occurred or the comparison group used.

Another comment on the SDSU work is compelled by the deception, the bald unsupported lies, used to influence public perception. In October, 2016, summaries were provided to the press and their contents took root. They continue to be cited even by local “civil rights” organizations.

Analysis of citywide stop patterns

- Disparities between Black and White drivers evident in 2014 traffic stop records, but not in 2015 data or the combined dataset
- No such disparities found between Hispanic and White drivers over same periods



Those summaries are false and that falsity comes to the fore when the final report is examined.

The above bold and bald statement is supported by nothing. It is disputed by the very findings of the report, and the SDPD and City’s acknowledgement of disparities, and it is most vigorously disputed by table 5.3. Yet there it is²⁸.

~~The above is a condensation of the below, from around page 69 of SDSU’s final report. Its intention deception shines plain when the omitted text, the salient sections of which are highlight, is examined.~~

~~The highlight text, had it been included, would have communicated a less favourable message of SDPD’s operations and trends.~~ As it stands, the data that produced the not so favourable results were heavily doctored. And it is quite curious that a report premised on the notion of nighttime blindness, to race, would give weight or consideration to age. I suppose that it is held that even though race may not be visible at night, age is.

FINDINGS: SEARCH

There is no accounting for search disparities, no possible explanatory factors —for none have been offered— beyond what the demonstrably-ignored [TB 14-02, April 9, 2014](#), pretended to attempt to curb. And the SDSU analysts, all five of them conjured none. I found that Black drivers were searched by the SDPD following a stop, 9.39 percent of traffic stops, while Whites were searched 2.96 percent of the time; a 317% disparity. Latinos “escaped” with searches 5.94 percent of the time a ratio that is a “mere” 201% disparity to Whites. Analysis of specific search types revealed similar levels of disparity. Black drivers submitted to consent searches 4.34 times more often search and were subjected to inventory searches more than twice as often 2.21 times more often. As all can see, Hispanics fared worse,²⁹ they had police rummaging about their vehicles 2.74 times as often as their White counterparts. The differences were most extreme in the administration of Fourth waiver searches, where Black drivers were searched more than 5.49 times more often than Whites. Latinos were given a break, police officers found that they had surrendered their constitutional rights and were subject to searches 1.76 times as often as Whites. In this category Asians were not underrepresented. They were 4th Waiver-searched 1.34 times as often as Whites.

²⁸ When this writer sought documentation of the bold and bald and false assertion, the city of San Diego declined to furnish same. SDSU chose to violate the law by ignoring the request.

²⁹ The results are driven, at least in part, by the fact that Hispanics, as a group, are perceived to be legal-entanglements averse —the question of immigration documentation- and seizing their vehicles feeds the Vehicle Towing cash-cow.

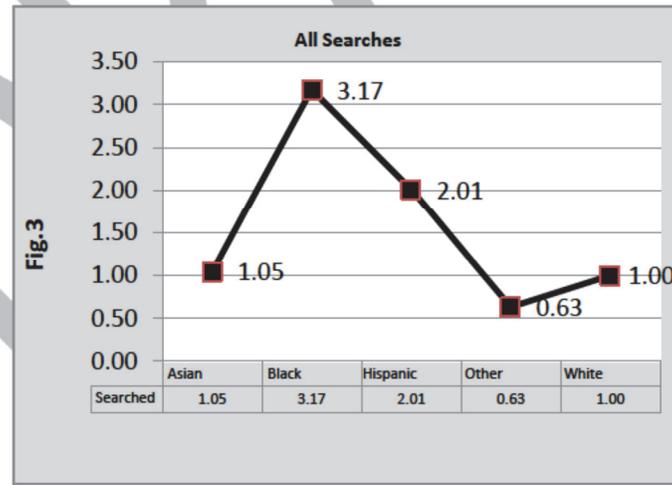
The data also show significant differences in the search rates involving Hispanic drivers. In fact, depending on the nature of the search, Hispanic drivers were searched more often —between 28 and 310 percent more often—following a routine traffic stop, than were their White counterparts.

In an effort to put some of these data into context, I have highlight the substantial race-based disparities in the search rate data.

In San Diego, Black drivers were searched 3.17 times more often, and – despite being searched far more frequently – were found with contraband nearly 30 percent less than Whites, and 15 percent less than Asians. Similarly, SDPD officers searched Hispanic drivers at 2.01 times the rate of Whites, yet found 35 percent less contraband following searches of Hispanic drivers compared to Whites, and around 18 percent less than Asians. Despite the fallowness of the fields that they plow, the search conduct remains unchanged, to date. (But see the [“remarkable” or more accurate implausible Hit Rate turnaround for 1Q 2017](#); Fig. 19.)

Driver Race	Srch	Src %	Src Rte Dsp	Cons Srch	Cons Rate	Con Sch Dsp	4th Wvr Sch	4th Wvr Rte	4th. Sch Dsp	Inv Src	Inv Srch Rate	Inv. Wvr Disp	Srch Inc	Srch Inc. Rate	Srch Inc. Disp	Odor Srch	Odor Srch Rate	Odor Srch Disp	Oth Srch	Oth Srch Rate	Oth Src Dsp
Asian	664	3.10	1.05	145	0.68	1.68	176	0.82	1.34	128	0.60	0.75	82	0.38	0.72	14	0.07	0.92	19	0.09	1.46
Black	2679	9.39	3.17	498	1.75	4.34	962	3.37	5.49	502	1.76	2.21	231	0.81	1.54	91	0.32	4.49	93	0.33	5.34
Hispanic	4629	5.94	2.01	732	0.94	2.34	842	1.08	1.76	1701	2.18	2.74	524	0.67	1.28	76	0.10	1.38	147	0.19	3.10
Other	370	1.87	0.63	47	0.24	0.59	68	0.34	0.56	128	0.65	0.81	47	0.24	0.45	9	0.05	0.63	7	0.04	0.57
White	3310	2.96	1.00	450	0.40	1.00	687	0.61	1.00	890	0.80	1.00	589	0.53	1.00	79	0.07	1.00	68	0.06	1.00
	11652			1872			2735			3349			1473			269			334		

See Table 5.3

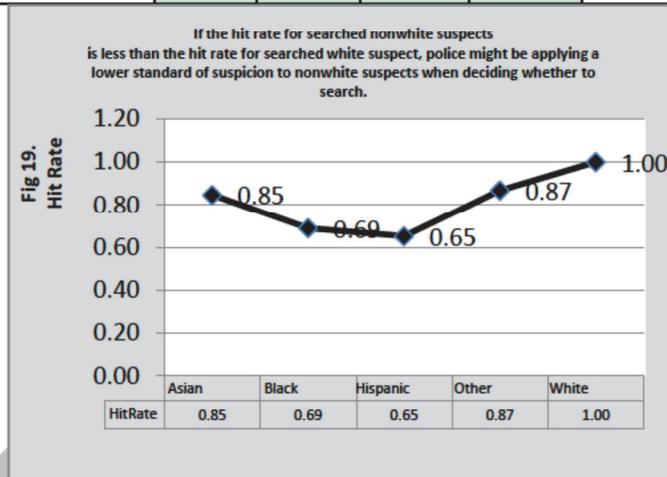


FINDINGS: HIT RATE

In San Diego, Black drivers were searched 3.17 times more likely to be searched, and – despite being searched far more frequently – were nearly 30 percent less likely to be found with contraband than Whites, and 15 percent less than Asians. Similarly, SDPD officers searched Hispanic drivers at 2.01 times the rate of ~~matched~~ Whites, yet were 35 percent less likely to discover contraband following searches of Hispanic drivers compared to ~~matched~~ Whites, and around 18 percent less than Asians.

Despite being subject to substantially higher search rates (317% more) Black drivers were less likely to be found with contraband than were ~~matched~~ White drivers. Hispanic drivers were also much less likely –less likely than all others– to be found holding contraband, again despite being subject to much more aggressive search protocols (201% more.) Again, measured facts show that contraband discovery rates were significantly lower for searches involving Hispanic drivers. For both of these groups, the statistical strength of the differences or disparities with ~~paired~~ White drivers varied by search type, i.e. they were always higher. See **Tables 1, 4 and Fig 19.**

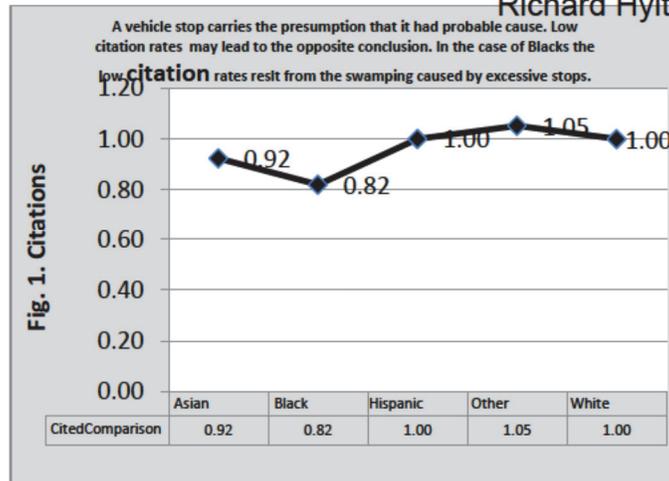
RaceCategory	Asian	Black	Hispanic	Other	White	Totals	
HitRate	9.49	7.73	7.30	9.73	11.21		
HitRateComparison	0.85	0.69	0.65	0.87	1.00		Fig. 19



FINDINGS: CITATION, ARREST, FIELD INTERVIEW

The disparity in treatment between Hispanics and ~~matched~~ Whites did ~~not~~ extend to either arrest or the decision to issue a citation. Hispanic drivers ~~seem as if they were~~ were given citations at almost exactly the same rate as ~~matched~~ White drivers but that appearance is, at least in part, the result of lower data-entry rates for citations given to Hispanics. The low citation rates for Blacks are the result of inflated stops and the lowest data-entry rates for citation records into the VSD.

RaceCategory	Asian	Black	Hispanic	Other	White	Totals	
Cited	11621	13731	45737	12223	65592	148904	
CitedToStops	54.19	48.12	58.68	61.74	58.64		
CitedComparison	0.92	0.82	1.00	1.05	1.00		Fig. 1

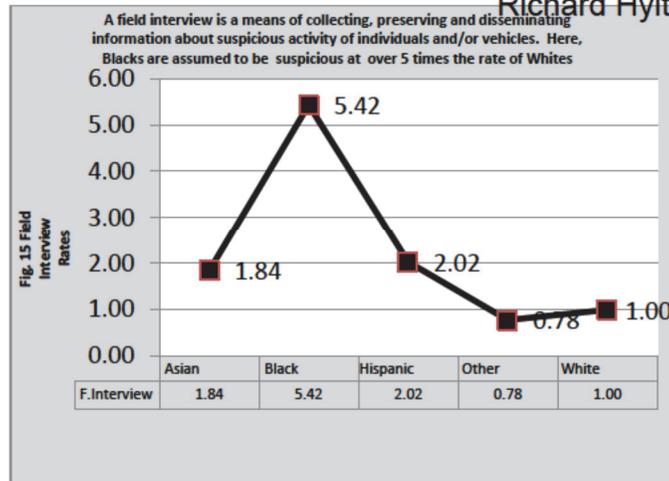


I found significant disparities in the field interview rates of minority drivers, and mixed results regarding the citation and arrest rates of Black and Hispanic drivers compared to matched Whites. For Black drivers, 8.78 8.03 percent of stops involved a field interview, some 2.42³⁰ 5.42 times higher than the rate at which matched White drivers were interviewed (3.61 1.48 percent). The arrest rate of Black drivers @1.815% was not meaningfully different from that of matched Whites, 1.224% which is somewhat surprising unsurprising in light of the Department’s more aggressive approach to searching and interviewing Black drivers. Interestingly, ~~we~~ I found that the Vehicle Stop Data suggests that Black drivers were cited far less (48.116 49.60 percent) than similarly situated White drivers (58.637 56.1 percent), but I quickly learned that the suggestion is not as it seems. It is deceptive. As demonstrated in Table 2, the disparity in citation rates would be narrower had the citation records that affect Black Drivers been entered into the VSD database at the same rate as those for White drivers. And while data-entry for citations for all minority groups holds below 85 percent, on average, those for Asians are at an impressive 99.26 percent.

My analysis showed that Hispanic drivers were subject to field interviews more often than matched White drivers, though the disparity was much less pronounced than was the case with Black drivers; massively so, 1.84 more versus 5.42 more.

RaceCategory	Asian	Black	Hispanic	Other	White	Totals	
FieldInterview	585	2290	2335	228	1655	7093	
FieldInterviewToStops	2.73	8.03	3.00	1.15	1.48		
FieldInterviewComparison	1.84	5.42	2.02	0.78	1.00		Fig. 15

³⁰ The values in Table 5.3 show FI rates for Blacks at 8%, and those for Whites at 1.5%. That computes to 5.33 times the rate of Blacks.



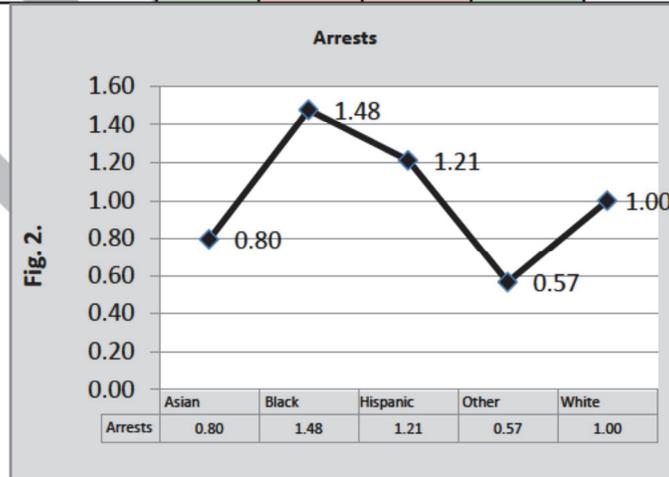
Key take-away- Field Interviews: no technical reason exists to prevent a virtual 100% data-entry compliance ratio for Field Interviews that are the result of vehicle stops, since these post-stop records are in a database. Smart implementation is a money-saver too. I have encouraged the City of San Diego to do so, repeatedly.

FINDINGS: ARREST RATE

I found statistical differences in the arrest rates of the Blacks and Whites the practical difference (48%) was **substantial** 1.81 percent arrest rate for Blacks compared to 1.22 percent for Whites.

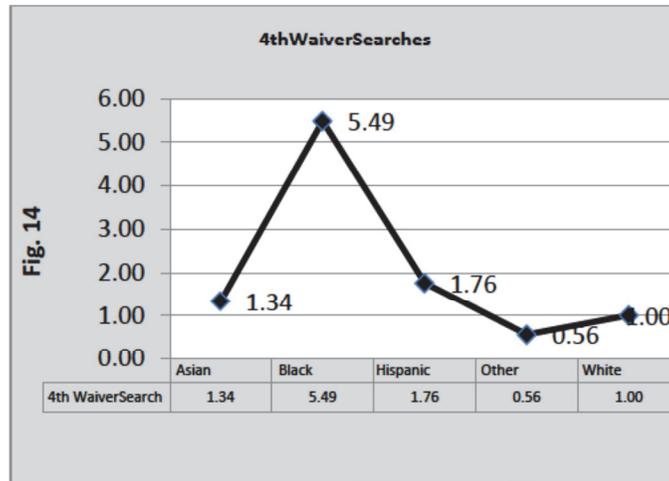
I found statistical differences in the arrest rates of the two ~~matched~~ groups, the practical difference (21%) was **not** very small (~~1.71~~ 1.48 percent arrest rate for Hispanics compared to ~~1.41~~ 1.22 percent for Whites).

RaceCategory	Asian	Black	Hispanic	Other	White	Totals	
Arrested	209	516	1156	137	1369	3387	
ArrestsToStops	0.98	1.81	1.48	0.69	1.22		
ArrestsComparison	0.80	1.48	1.21	0.57	1.00		Fig. 2



FINDINGS: 4TH WAIVER SEARCH

This category of searches has special resonance because the SDPD has a written “targeting” policy that covers this category, [Rose Memorandum](#), and a directive that ostensibly is intended to curb it; [TB 14-02](#). Furthermore, the disparities in this category are truly spectacular. They surpass the amazing disparities on Field Interviews.



FINDINGS: DRIVER SEARCH

When searches were limited to cases where the Driver was searched, the disparities to similarly situated Whites are as follows Asians =1.23, Black = 3.57, Hispanic = 1.88.

RaceCategory	Asian	Black	Hispanic	Other	White	Totals	
DriverSearch	314	1215	1751	132	1336	4748	
DriverSearchToStops	1.46	4.26	2.25	0.67	1.19		
DriverSearchComparison	1.23	3.57	1.88	0.56	1.00		Fig. 8

FINDINGS: PASSENGER SEARCH

When searches were limited to cases where the Passenger was searched, the disparities to similarly situated Whites are as follows Asians =1.16, Black = 4.30, Hispanic = 2.04.

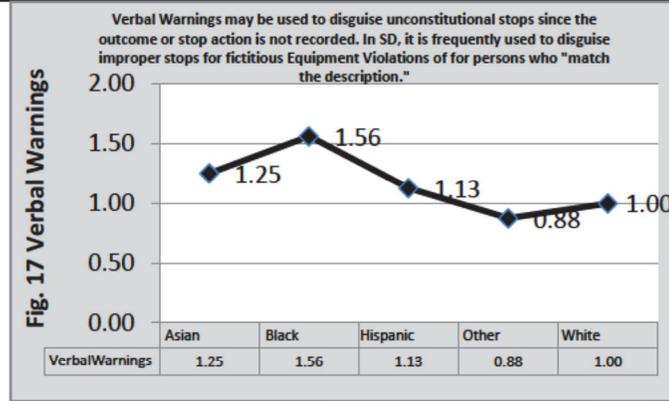
RaceCategory	Asian	Black	Hispanic	Other	White	Totals	
PassengerSearch	68	336	435	37	307	1183	
PassengerSearchToStops	0.32	1.18	0.56	0.19	0.27		
PassengerSearchComparison	1.16	4.30	2.04	0.68	1.00		Fig. 9

FINDINGS: VERBAL WARNINGS

The measured findings illustrate the narratives that are preserved in San Diego’s Video archives. Disproportionate numbers of Blacks and Latinos have their stops, premised [on pretexts](#)³¹, resolved by nothing other than a “Verbal” warning.

³¹ David Muhammad and others <https://www.youtube.com/watch?v=LTGsNt3gAj8&t=1300s> and <https://www.youtube.com/watch?v=aPffEO3mJ6M0&feature=youtu.be>

RaceCategory	Asian	Black	Hispanic	Other	White	Totals	
VerbalWarning	5838	9680	19121	3773	24344	62756	
VerbalWarningToStops	27.22	33.92	24.53	19.06	21.76		
VerbalWarningComparison	1.25	1.56	1.13	0.88	1.00		Fig. 17



The above 62,756 Verbal Warnings—a category mandated for analysis by AB953³²—were not analyzed by SDSU. They falsely claimed that they did not have the data.

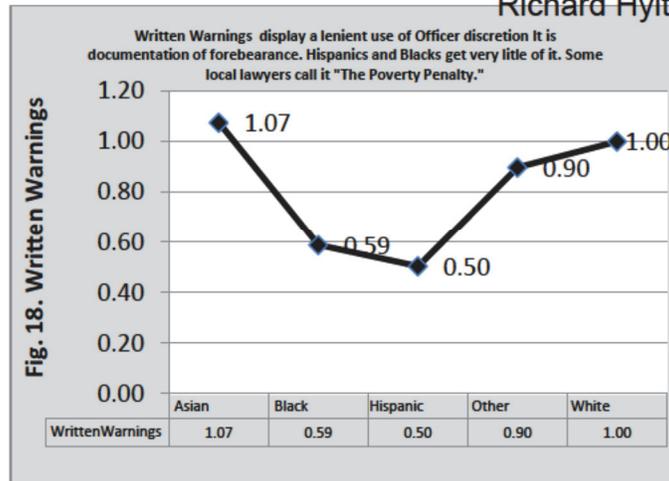
FINDINGS: WRITTEN WARNINGS

For example, in Written Warnings, the single category **where forbearance** may be directly measured, Asians receive more of it, 10.66 percent for Asians versus 9.92 percent for Whites. Blacks and Hispanics “enjoy” 5.84 and 5.00 percent, respectively. The real-world significance of this category is that the people who receive the fewest Written Warnings are those who receive the most cost or fine-connected citations. They are the people; the groups (Hispanics and Blacks) at the bottom of the socio-economic ladder, and they are those who are treated with contempt in traffic-court. They are the people who, as a result of that contemptuous treatment, are denied state-law-mandated forbearance in the courts, if press reports are to be believed³³.

RaceCategory	Asian	Black	Hispanic	Other	White	Totals	
WrittenWarning	2286	1665	3896	1765	11101	20713	
WrittenWarningToStops	10.66	5.84	5.00	8.92	9.92		
WrittenWarningComparison	1.07	0.59	0.50	0.90	1.00		Fig. 18

³² RIPA Section 12525.5 requires LEAs to report whether the stop resulted in no action or a warning. Section 12525.5 further requires agencies to report the warning provided and for the RIPA Board to analyze, for example, whether racial disparities exist among certain categories of warnings. We have ample evidence of such disparities here.

³³ <http://www.kpbs.org/news/2017/apr/03/last-day-gain-amnesty-unpaid-traffic-tickets-calif/> and <http://www.kpbs.org/news/2017/jan/30/lawyer-calls-traffic-fines-punishment-poor/> and <http://www.kpbs.org/news/2017/jan/31/lawyer-alleges-sd-traffic-court-allowing-collectio/>; all retrieved 6/20/2017



As said before, the above 20, 713 Written Warnings—a category mandated for analysis by AB953—were not analyzed by SDSU. On page 20, of its report, SDSU falsely claimed that they did not have the data: “Because we do not have records of warnings given, there is no way to confirm this one way or another.”

SUMMARY OF FINDINGS

In sum, I found statistically significant and meaningful differences in the post-stop treatment of Black and Hispanic and Asian drivers (Asians inversely or more favoured) compared to similarly situated White drivers across ~~several~~ all important metrics. What is clear and what refutes recent claims is that there are no measured results that are “on the brink” of anything; nothing that sits at any threshold is in sight.

What is also clear, in many metrics, is that Asians seem to enjoy special favour, a fact unmentioned by the SDSU analysts. It appears that they hold that disparities are unidirectional; i.e., greater. Even then, the inconsistency with respect to Asians remains. For example, in the single category where forbearance may be directly measured, Written Warnings, Asians receive more of it, 10.66 percent for Asians versus 9.92 percent for Whites. Blacks and Hispanics “enjoy” 5.84 and 5.00 percent, respectively.

Again, as regards citations issued, the favouring of Asians is again marked. The indicated³⁴ citation rate for Asians is 54.19 percent, a figure massively lower than all others, except for Blacks. As said earlier, for reasons that remain unknown, odious negative disparities to the majority received no mention.

The failure to make meaningful mention of the experience of Asian Drivers in the SDSU report is as gross and transparent an omission as is the attempt to boost the rates for their interactions with the police, by combining them with “Other.” An objective and discerning reader would see this failure as a statement, in its own right. The facts, in the measured data, shows that Asians are woefully under-policed: favoured.

These findings must be examined in two contexts; the first is how they would be assimilated in the regime dictated by AB953. They would not. The 20,000 null records would be rejected.

The second is a comparison of these measured findings, these rates, to those of two cities recently investigated by the [Department of Justice](#). In [Ferguson, Missouri](#), the U.S. Department of Justice found that Black drivers were 2.07 times more likely to be searched, yet 26 percent less likely to be found with contraband than were White drivers.³⁵ These

³⁴ Asians received 6.406% of the 182,088 citation issued in 2014-2015. That ratio to EDP (16.99%) is 37.70%. See Fig. 25.

³⁵ United States Department of Justice, Civil Rights Division. (2015, Mar. 4). Investigation of the Ferguson Police Department, p. 65. Retrieved Sept. 8, 2016, from https://www.justice.gov/sites/default/files/crt/legacy/2015/03/04/ferguson_findings_3-4-15.pdf.

disparities contributed to the DOJ's conclusion that the Ferguson Police Department engaged in systematic bias against the city's Black population.³⁶ In Baltimore, another city recently found by the DOJ to have engaged in a pattern or practice of "discriminatory policing against African Americans,"³⁷ Black drivers were 23 percent more likely than Whites to be searched following a traffic stop, yet 74 percent less likely to be found with contraband.³⁸

In assimilating the Ferguson and Baltimore findings it should be noted that the Federal Government did not measure likelihoods; did not employ arcane hypotheses, but instead measured results, much as the SDSU analysts did in Table 5.3, which results were down-played to the point of appearing to having been discarded.

While the above Ferguson and Baltimore experiences had impact on the DOJ, under the prior administration, these demonstrably worse numbers are unlikely to influence a U.S. Department of Justice that is led by General Jefferson Beauregard Sessions.

A similar drear litany exists for the analysis of SDPD data for 2016.

All the foregoing exists in the regime of manufactured NULLs, particularly where applicable un-entered citations or purged citations were easily located in the Judicial Citation files.

San Diego's own data establish clear racial disparities that adversely impact African Americans. The evidence (especially the manipulation of data affecting Latinos and Blacks) shows that discriminatory intent is part of the reason for these disparities. Over time, now measured at 16 years, San Diego's police practices have sown deep mistrust between parts of the community and the police department, undermining law enforcement legitimacy among African Americans in particular and Latinos secondarily.

I fear that the City/SDPD must not now be allowed to submit VSD to the State, pursuant to AB953. It is not to be trusted. Moreover, under the regulations, a significant number of its records would be rejected by the state. [The results for 2016 are no better; I daresay they are often worse.](#)

The Gang Database, and matters related to its maintenance or use, is a similar kettle of rotted fish.

Finally; for personal reasons, known to many, the following section of SDSU's data collection recommendation, found on page 87, is intriguing.

Additional data collection

In addition to the data currently collected, we recommend the SDPD capture and incorporate the following information into the new database:

- Police officer race, gender, unit (e.g., Gang Unit, Auto Theft Unit, etc.) and division (e.g., Traffic division)
- Specific stop location (address, intersection, and/or landmark)
- Vehicle make, model, and condition

³⁶ United States Department of Justice, Civil Rights Division. (2015, Mar. 4). Investigation of the Ferguson Police Department. Retrieved Sept. 8, 2016, from https://www.justice.gov/sites/default/files/crt/legacy/2015/03/04/ferguson_findings_3-4-15.pdf.

³⁷ United States Department of Justice, Civil Rights Division. (2016, Aug. 10). Investigation of the Baltimore City Police Department, p. 47. Retrieved Sept. 8, 2016, from <https://www.justice.gov/crt/file/883296/download>.

³⁸ United States Department of Justice, Civil Rights Division. (2016, Aug. 10). Investigation of the Baltimore City Police Department. Retrieved Sept. 8, 2016, from <https://www.justice.gov/crt/file/883296/download>.

- It is well established, by numerous studies, that race of the officer has no effect on stop or post-stop outcomes.
- I was driving an old (1989 Honda Accord with duct tape residue on the windows. Vehicle make and condition are a proxy for poverty, are a proxy for race and the comments from the officer's in my encounter, seared into my memory, confirms it.

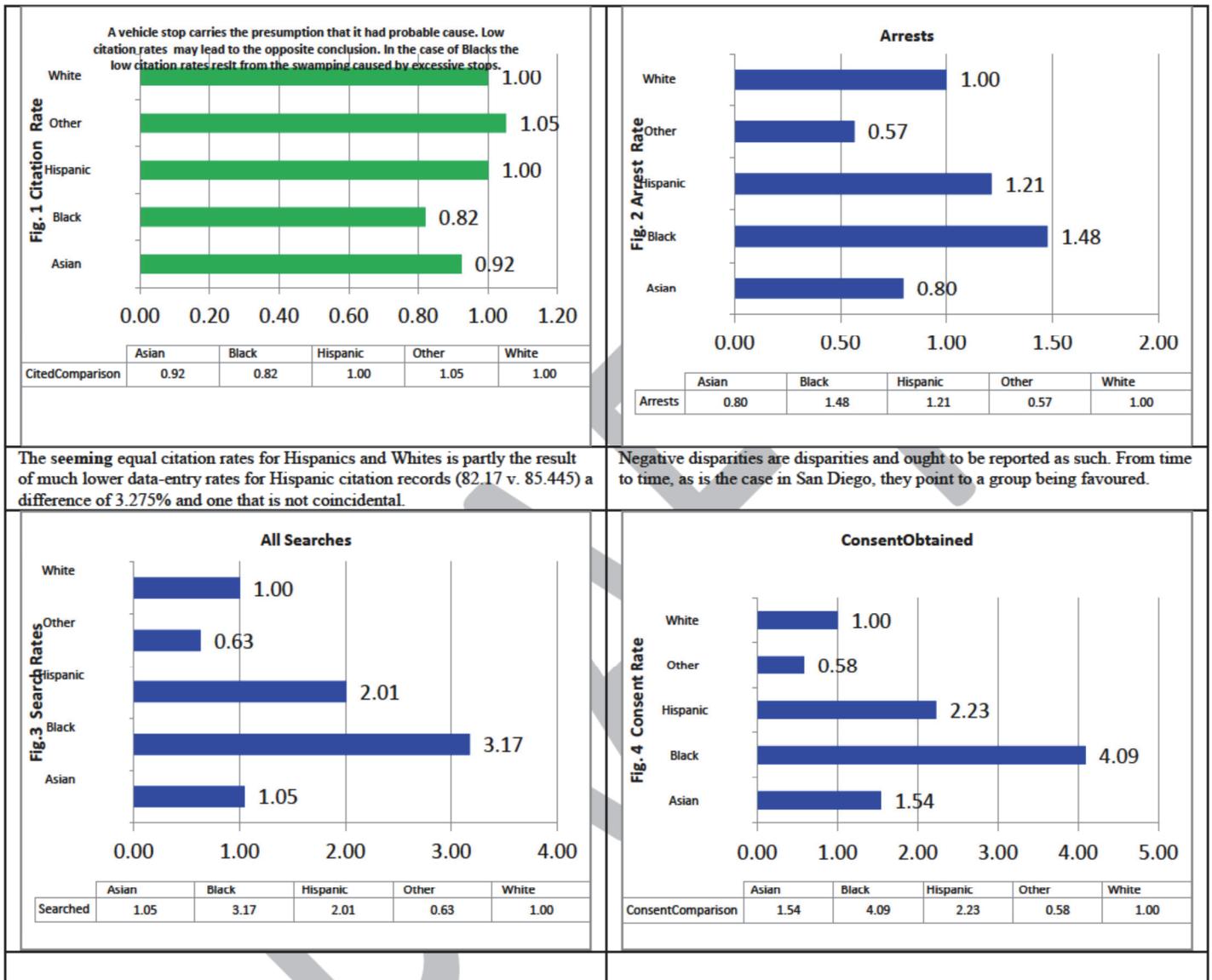
Carry on.

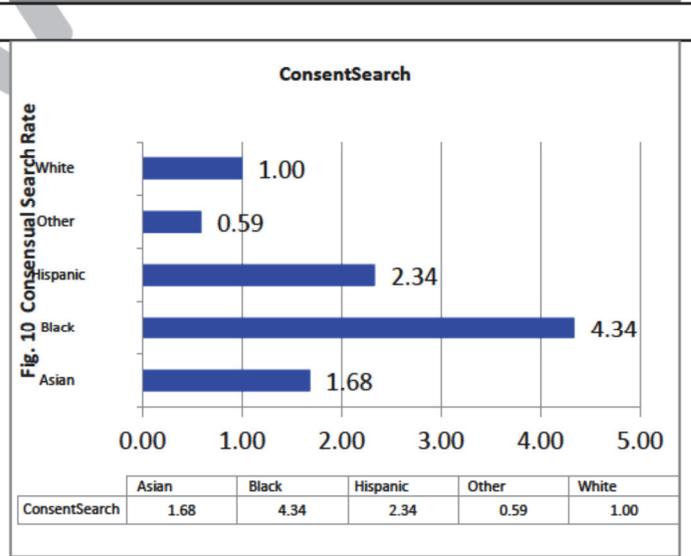
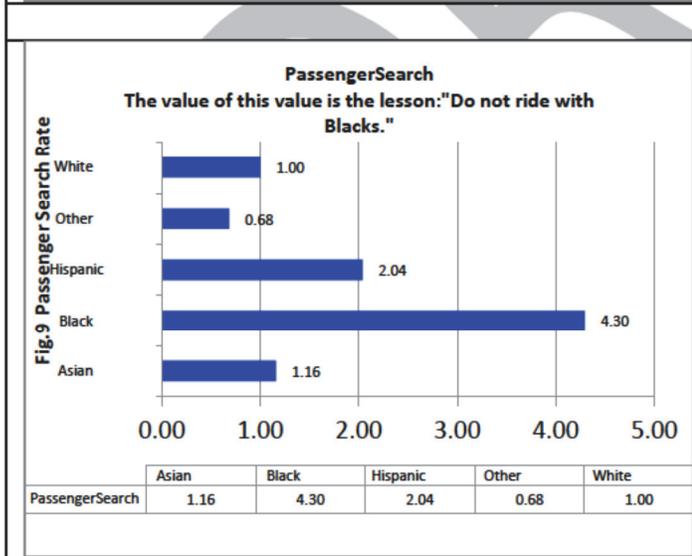
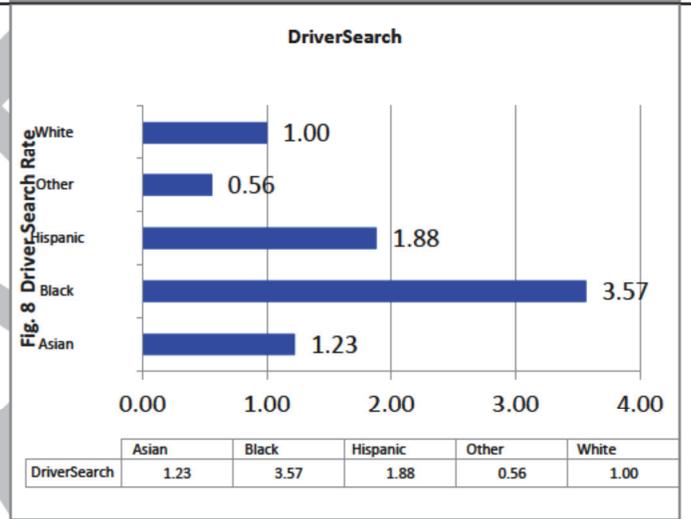
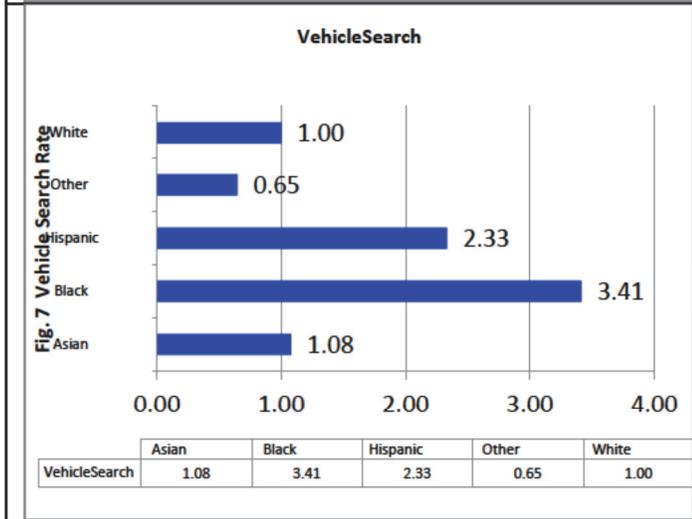
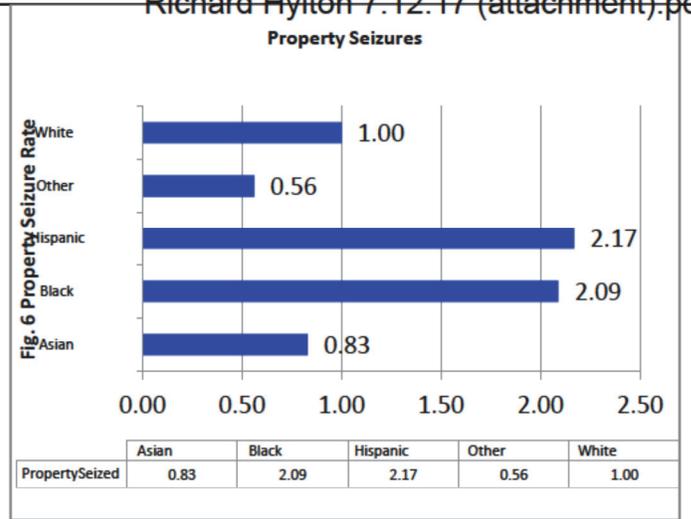
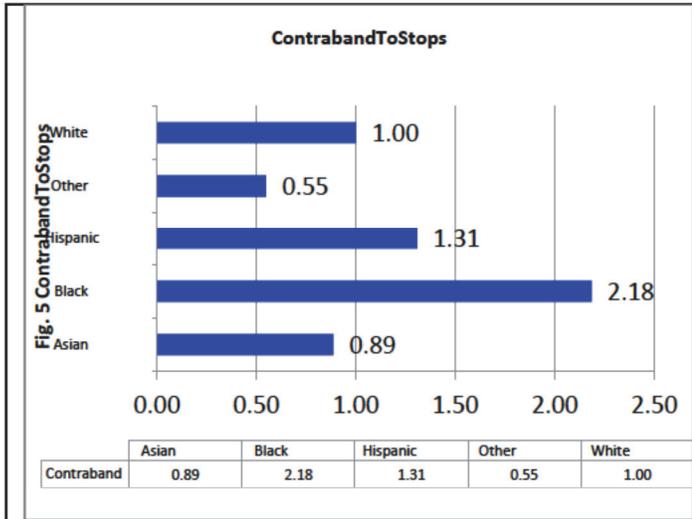
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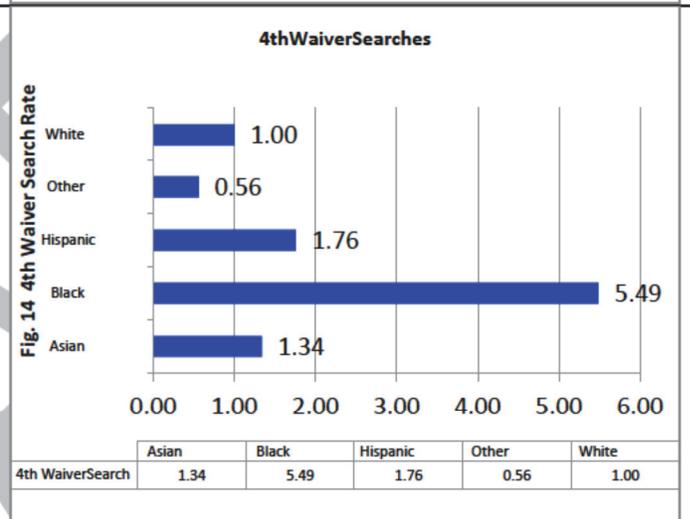
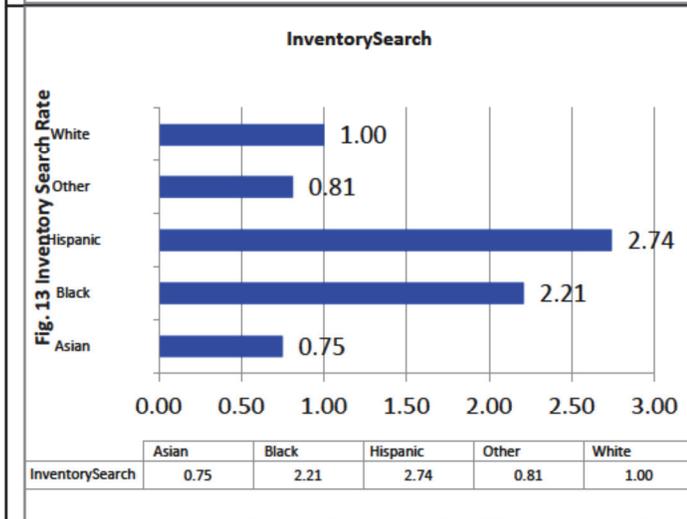
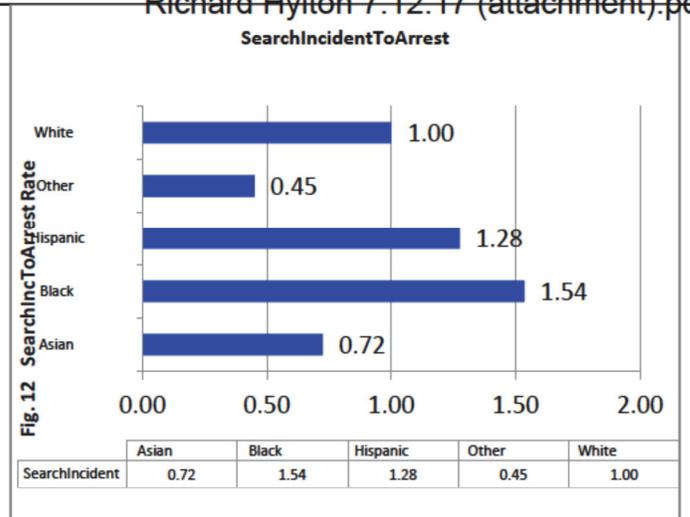
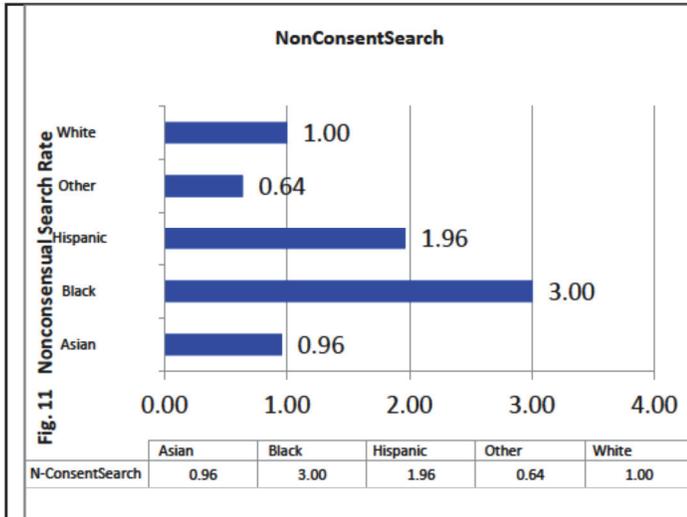
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EXHIBIT A

CHART FIGURES AS IDENTIFIED

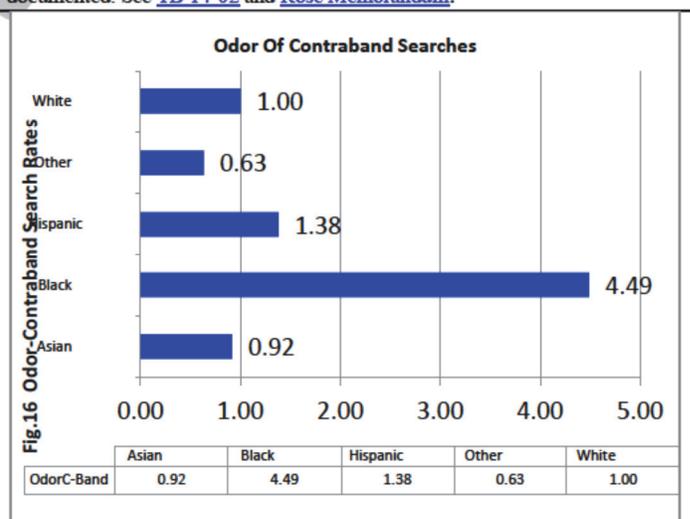
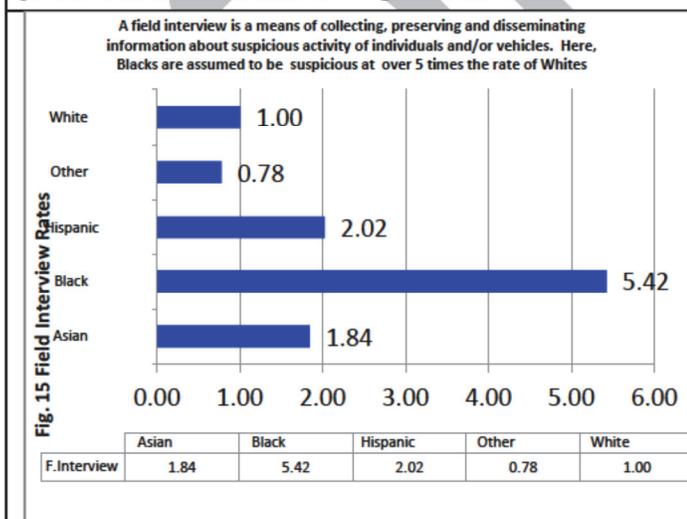




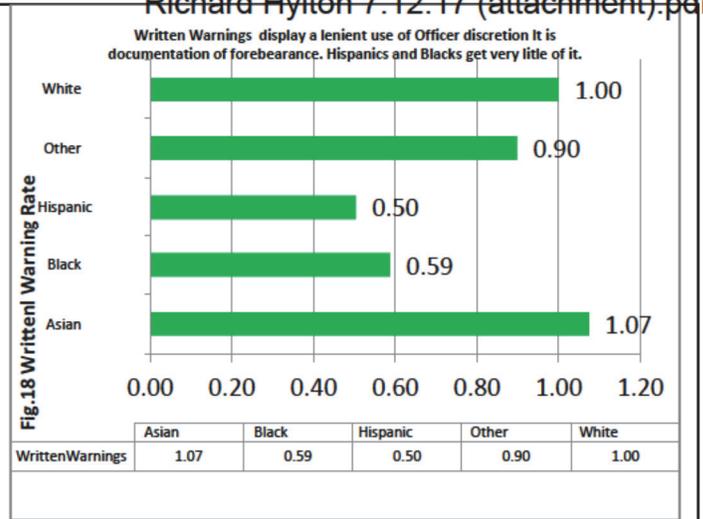
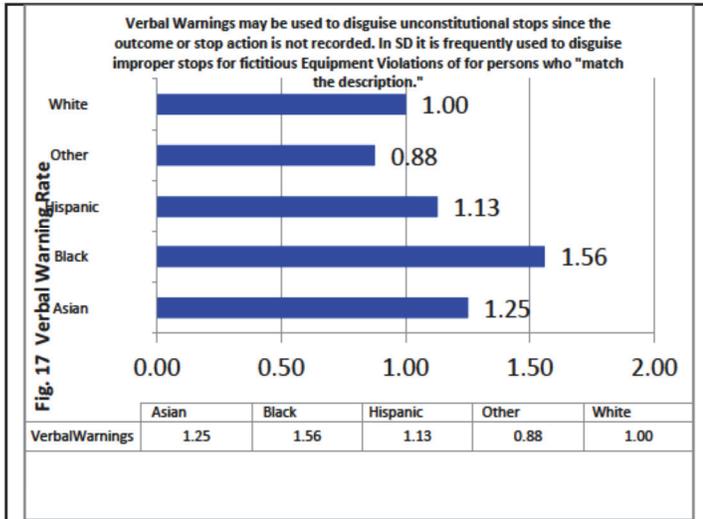


The experience of Latinos, elsewhere, is reflected here. Towing cars is a cash cow and the scuttlebutt is that Latinos, especially, fear being embroiled in legal processes. It is said to be a matter of immigration documentation.

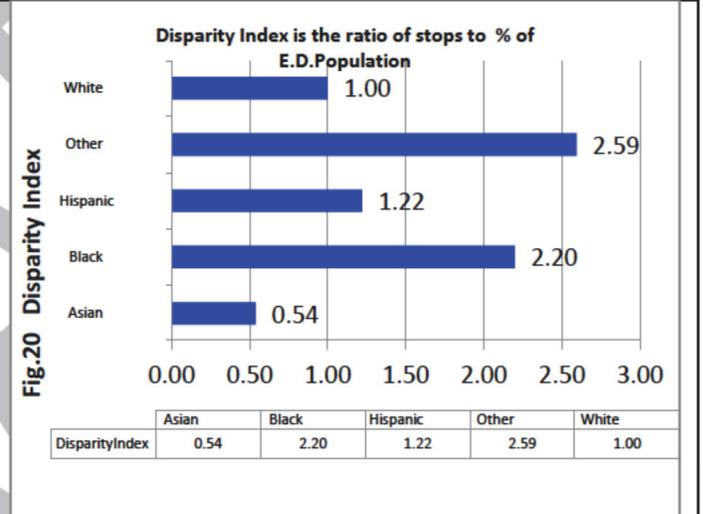
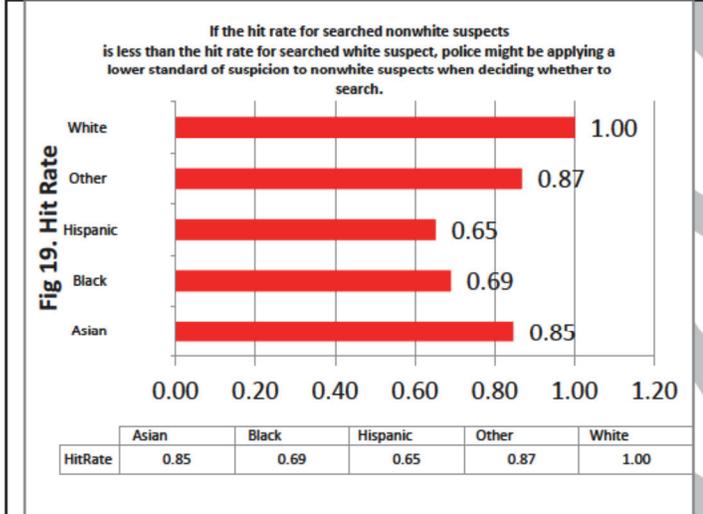
The deliberate use of traffic stops to determine (by Field Interviewing the "stopped") the parole or probation status of drivers, by the SDPD, is well-documented. See [TB 14-02](#) and [Rose Memorandum](#).



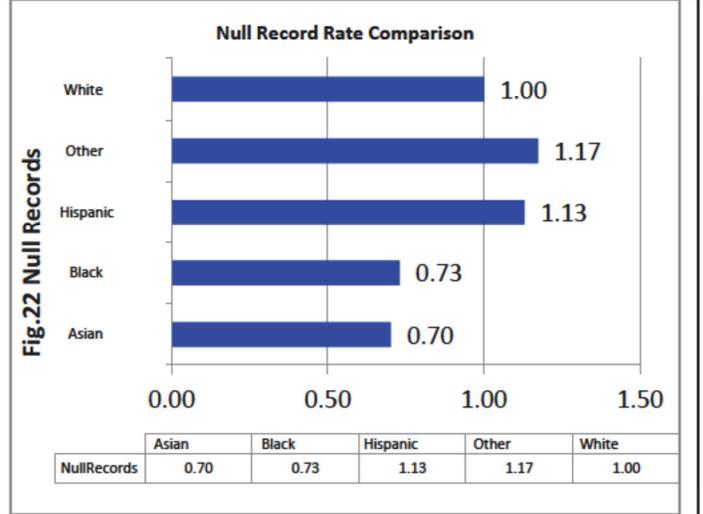
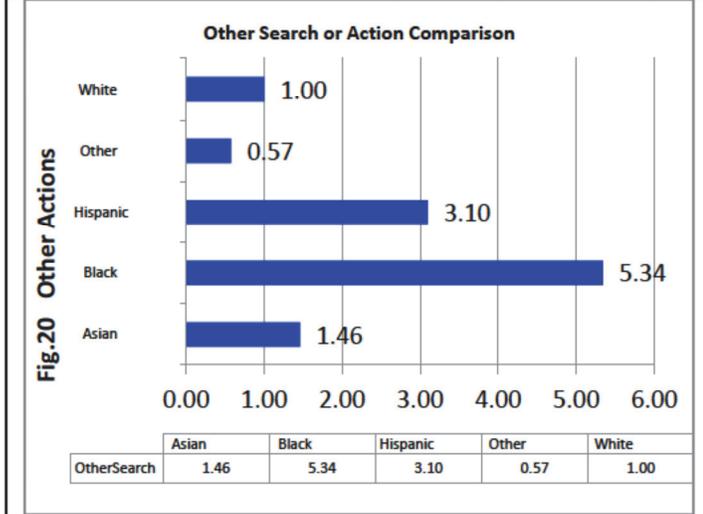
Quite curiously, this "Bread and Butter" category (Field Interviews) the third most frequent Reason For Stop, and most abused by the SDPD, is not mentioned with specificity, in the AB 953 regulations (or loudly in the SDSU report; the outrageous 5.33 may be the cause of silence.) The DOJ is required to work with large agencies (1,000+ officers) to assist with collecting, extracting and transmitting stop^{iv} data to DOJ. Since The S.D.P.D. is one such large agency (LEA Consultant) this omission is gross.



RIPA Section 12525.5 requires LEAs to report whether the stop resulted in no action or a warning. Section 12525.5 further requires agencies to report the warning provided and for the RIPA Board to analyze, for example, whether racial disparities exist among certain categories of warnings. We have ample evidence of such disparities here. The SDSU analysts could not find the approximately 84,000 such warnings that produced these results.



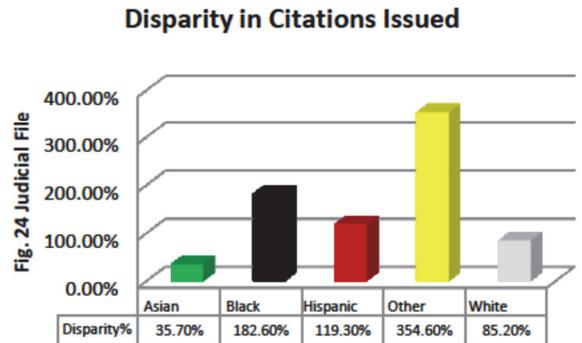
Some consider Hit Rate to be a measure of good policing. The results suggest a deficiency in the SDPD.



A growing category, this "Other." It camouflages real information.

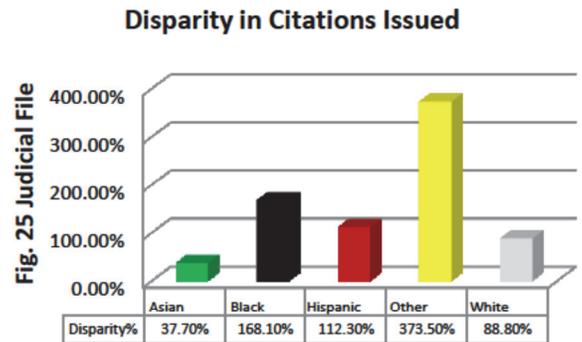
This graph is built from 20,242 records, each of which would be rejected under the requirements of RIPA (Gov. Code, § 12525.5, subd. (b)(3)-(5).) They compose 8% of all records, and are mostly Hispanic.

All Vehicle Code Citations					
Race Category	Number	Race %	Disp. Index	EDP	Comp. To Majority
Asian	13829	6.073	35.70%	16.99	41.90%
Black	22865	10.042	182.60%	5.5	214.32%
Hispanic	73409	32.24	119.30%	27.03	140.02%
Other	26076	11.452	354.60%	3.23	416.20%
White	91516	40.192	85.20%	47.2	100.00%
Total/Avg.	227695				



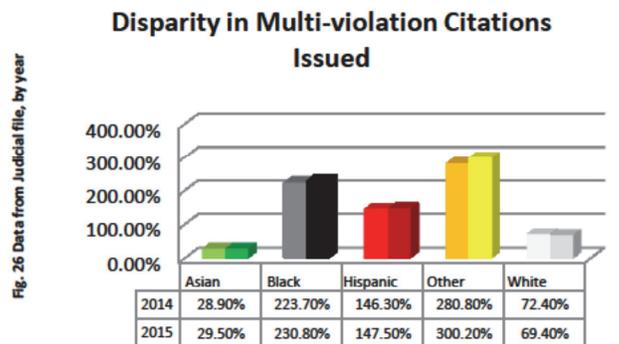
All Vehicle code citation records, including multi-violation citations as here, for 2014-2014 indicate that Black are cited at more than twice the rate of Whites, Latinos over 40% more often, Asians less than half as often as Whites. Despite having the judicial records for this period, the analysts failed to use words to describe the disparities shown in their Table 3.4

Unique V.C. Citations						
Race Category	Number	Race %	Disp. Index	EDP	Start ToEnd	Comp. To Majority
Asian	11665	6.406	37.70%	16.99	2014-2015	42.45%
Black	16838	9.247	168.10%	5.5	2014-2015	189.30%
Hispanic	55283	30.361	112.30%	27.03	2014-2015	126.46%
Other	21969	12.065	373.50%	3.23	2014-2015	420.61%
White	76333	41.921	88.80%	47.2	2014-2015	100.00%
Total	182088	100				



Unique judicial citations (Activity Number counted once) for Vehicle Code violations are issued to Blacks at a rate 89% higher than Whites. As part of the watering-down that was not mentioned in recent press reports, this huge disparity was presented in SDSU's table 3.4., but without elaboration, computation or explanation. Blacks get over 89% more tickets, Latinos over 26%. Asians, on the other hand less than half as much. This disparity in ticket issuance is well-offset by the failure to enter-citation data or the purging of that data. It is another way the data -and so the report- was watered-down; a watering-down not seen or reported by the press, but one that occurred in plain sight.

Multi-violation V.C. Citations						
Race Category	Number	Race %	Disp. Index	EDP	Start ToEnd	Comp. To Majority
Asian	969	4.915	28.90%	16.99	2014-2014	39.92%
Black	2426	12.305	223.70%	5.5	2014-2014	308.98%
Hispanic	7797	39.547	146.30%	27.03	2014-2014	202.07%
Other	1788	9.069	280.80%	3.23	2014-2014	387.85%
White	6736	34.165	72.40%	47.2	2014-2014	100.00%
Asian	776	5.006	29.50%	16.99	2015-2015	42.51%
Black	1968	12.695	230.80%	5.5	2015-2015	332.56%
Hispanic	6179	39.859	147.50%	27.03	2015-2015	212.54%
Other	1503	9.696	300.20%	3.23	2015-2015	432.56%
White	5076	32.744	69.40%	47.2	2015-2015	100.00%
Total/Avg	35218					



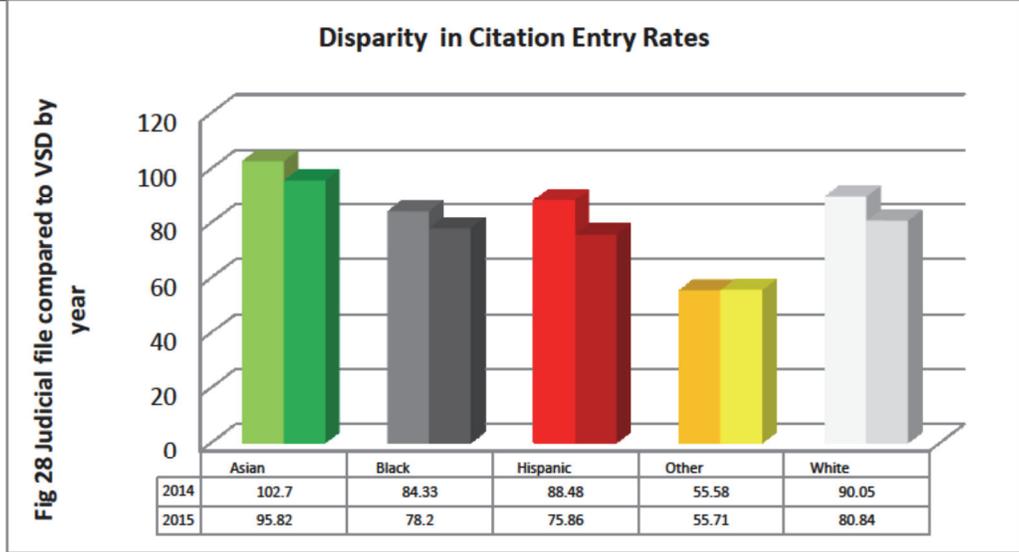
Here too, when multi-violation citations are issued, Blacks and Hispanics are in for "special" treatment. The values speak for themselves, since the SDSU analysts failed to speak of or for them. Sometimes SDSU tells us that citation issuance rates are similar to stop rates, when elaboration of the obvious disproportion, the dread "disparity" is required. When compared to Stops, the "disparity" for the issuance of citations is greater for Blacks and Hispanics and lower for Whites and Asians.

City Of San Diego Vehicle Stop Data – 2014-2015 @ June 2017

Richard Hylton 7.12.17 (attachment).pdf

Race Category	Stops	Ann. Tots.	Cites Issued	Race %	Stop Number	Citation Rate	Stop Year	Compl. Rate	Avg.	E.D.P.	% Stops	Disp. %	Jun. To EDP	Diff.
Asian	12254		6450	6.46	6624	54.056	2014	102.70	99.26	16.99	8.50	0.50	0.38	0.12
Black	16140		9195	9.21	7754	48.042	2014	84.33	81.27	5.50	11.20	2.04	1.67	0.36
Hispanic	43497		30097	30.14	26631	61.225	2014	88.48	82.17	27.03	30.17	1.12	1.12	0.00
Other	10292		11946	11.96	6639	64.506	2014	55.58	55.65	3.23	7.14	2.21	3.70	-1.49
White	61981	144164	42166	42.23	37972	61.264	2014	90.05	85.45	47.20	42.99	0.91	0.89	0.02
Asian	9191		5215	6.34	4997	54.368	2015	95.82	99.26	16.99	7.96	0.47	0.37	0.10
Black	12397		7643	9.29	5977	48.213	2015	78.20	81.27	5.50	10.74	1.95	1.69	0.26
Hispanic	34445		25186	30.63	19106	55.468	2015	75.86	82.17	27.03	29.84	1.10	1.13	-0.03
Other	9507		10023	12.19	5584	58.736	2015	55.71	55.65	3.23	8.24	2.55	3.77	-1.22
White	49881	115421	34167	41.55	27620	55.372	2015	80.84	85.45	47.20	43.22	0.92	0.88	0.04
	259585		182088		148904									

The data-entry rates for citations issued (to EDP) are inversely related to citation issuance rates. The fall-off in data-entry rates are quite spectacular and correlate to, and are caused by, the equally spectacular data-wound that appears in the heart of 2015. See Chart 1.

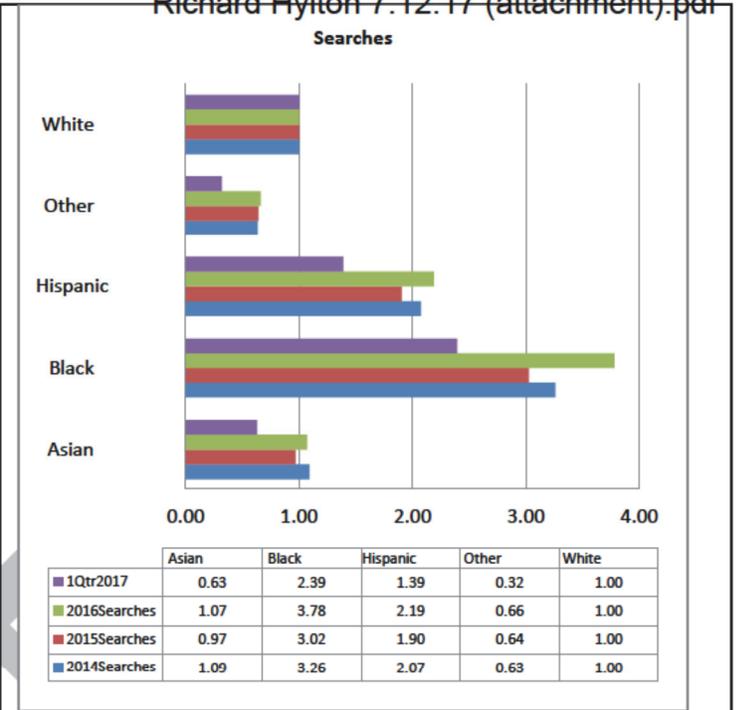
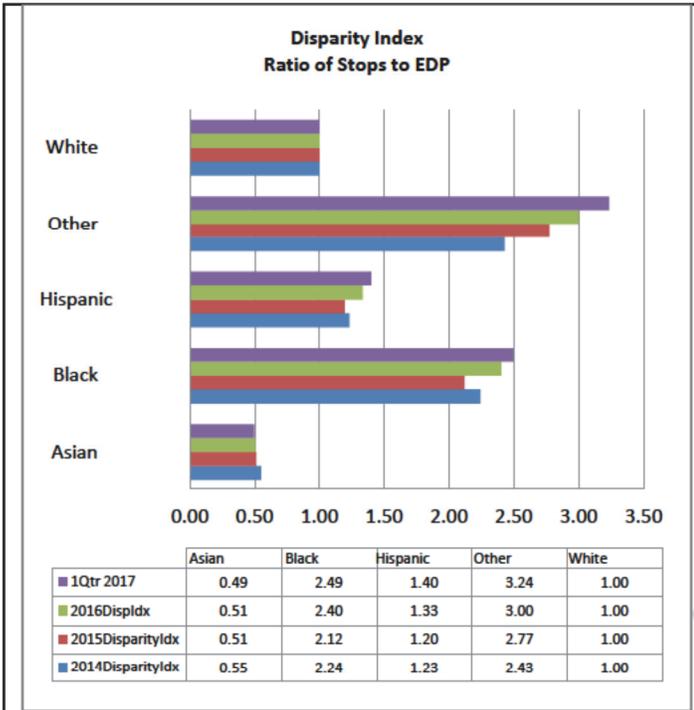


If Chart 1 is insufficiently persuasive, we have this unexplained “falling-off-the-cliff” set of citation data-entry rates to help us.

A historical look at the top 5³⁹ (and more)

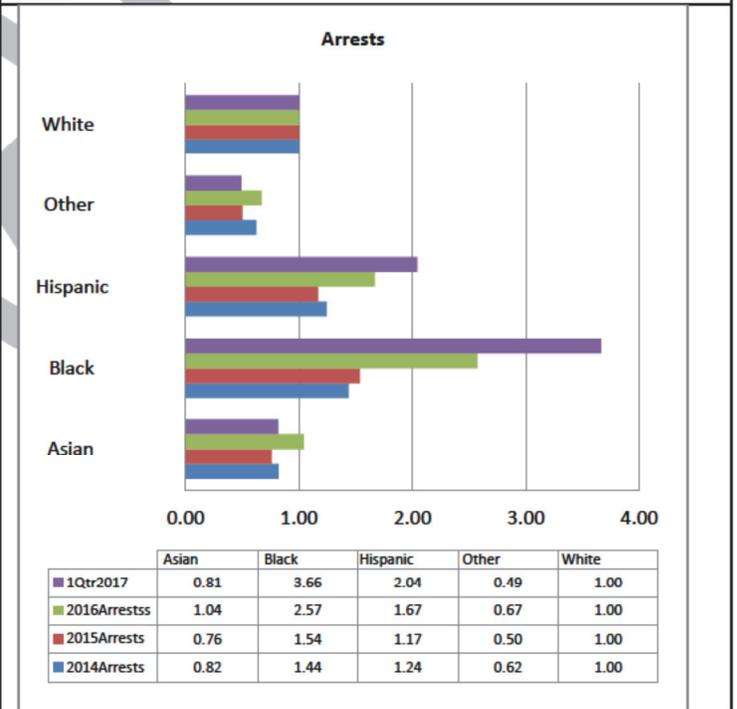
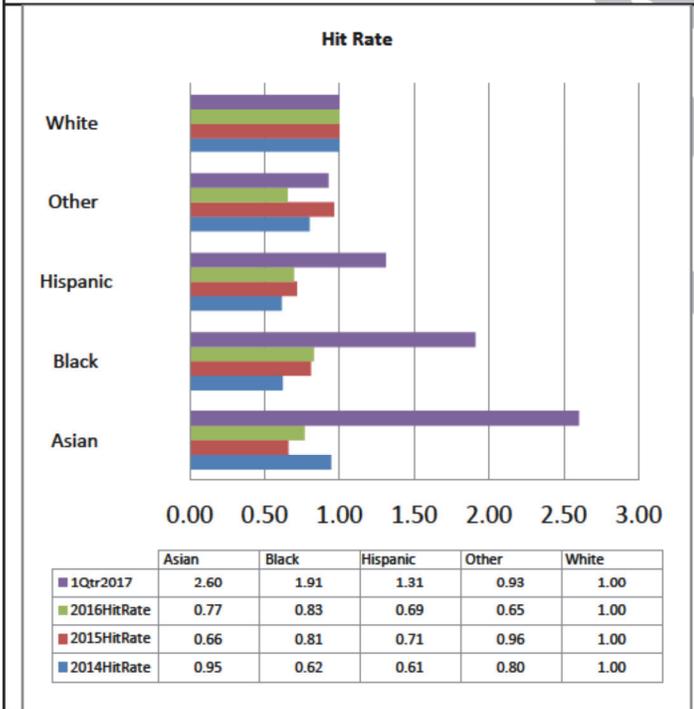
Race Category	Stops	Annual Totals	Stop %	Jud. Count	Year Count	Race %	Citation Rate	Stop Year	Disp To EDP	Compare To Maj. Rate	Data Entry Rate	EDP	Avg Yearly Comp %
Asian	12254	144164	8.5	6450	99854	6.46	54.06	2014	0.38	0.43	102.70	16.99	102.71
Black	16140	144164	11.2	9195	99854	9.21	48.04	2014	1.67	1.88	84.33	5.50	86.52
Hispanic	43497	144164	30.17	30097	99854	30.14	61.23	2014	1.12	1.26	88.48	27.03	85.35
Other	10292	144164	7.14	11946	99854	11.96	64.51	2014	3.70	4.16	55.58	3.23	56.78
White	61981	144164	42.99	42166	99854	42.23	61.26	2014	0.89	1.00	90.05	47.20	90.97
Asian	9191	115421	7.96	5215	82234	6.34	54.37	2015	0.37	0.42	95.82	16.99	102.71
Black	12397	115421	10.74	7643	82234	9.29	48.21	2015	1.69	1.92	78.20	5.50	86.52
Hispanic	34445	115421	29.84	25186	82234	30.63	55.47	2015	1.13	1.28	75.86	27.03	85.35
Other	9507	115421	8.24	10023	82234	12.19	58.74	2015	3.77	4.28	55.71	3.23	56.78
White	49881	115421	43.22	34167	82234	41.55	55.37	2015	0.88	1.00	80.84	47.20	90.97
Asian	7741	103049	7.51	4224	69010	6.12	58.06	2016	0.36	0.43	106.39	16.99	102.71
Black	11845	103049	11.49	6514	69010	9.44	49.80	2016	1.72	2.07	90.56	5.50	86.52
Hispanic	32442	103049	31.48	21734	69010	31.49	57.17	2016	1.17	1.41	85.34	27.03	85.35
Other	8693	103049	8.44	9350	69010	13.55	61.91	2016	4.20	5.06	57.56	3.23	56.78
White	42328	103049	41.08	27188	69010	39.4	61.65	2016	0.83	1.00	95.99	47.20	90.97
Asian	2030	28362	7.16	1111	18281	6.08	57.98	2017	0.36	0.44	105.94	16.99	102.71
Black	3305	28362	11.65	1715	18281	9.38	48.26	2017	1.71	2.09	93.00	5.50	86.52
Hispanic	9094	28362	32.06	5449	18281	29.81	54.95	2017	1.10	1.34	91.70	27.03	85.35
Other	2522	28362	8.89	2906	18281	15.9	67.13	2017	4.92	6.00	58.26	3.23	56.78
White	11411	28362	40.23	7100	18281	38.84	60.35	2017	0.82	1.00	96.99	47.20	90.97
	390996	1954980		269379									

³⁹ The top 5 post-stop outcomes are, the commonly recited Stops, Arrests, Searches, Field Interviews and Hit Rate.



The disproportion in Black and Hispanic stop rates, accelerates apace. As always, 2015, the year of “the purge,” is an aberration.

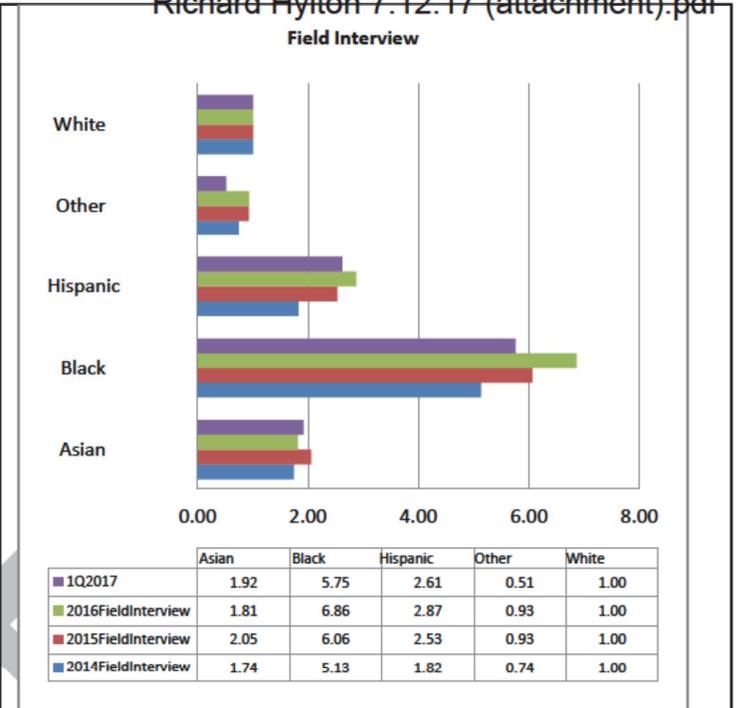
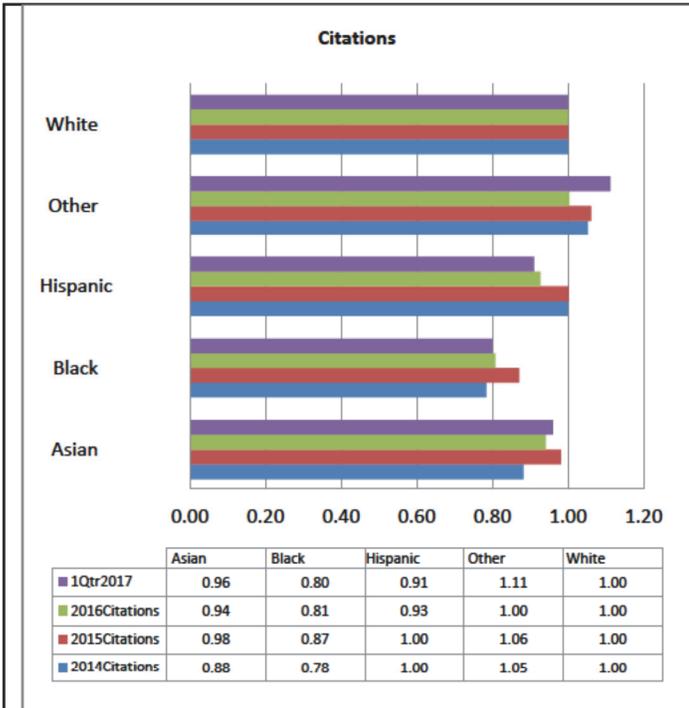
Despite being next-to-last in contraband-discovery rates, Black lead in searches. The 1st Q 2017 suggests that the lessons of November 2016 may have had some effect.



Asians, who reside at the top of the socio-economic heap, now obey the Robin Williams Hypothesis⁴⁰. The lessons of November 2016 may have had some effect. All of a sudden Asians have rocketed in “Hit Rates.” Blacks, all of a sudden, have begun to acquit themselves well. And Hispanics have surpassed Whites!

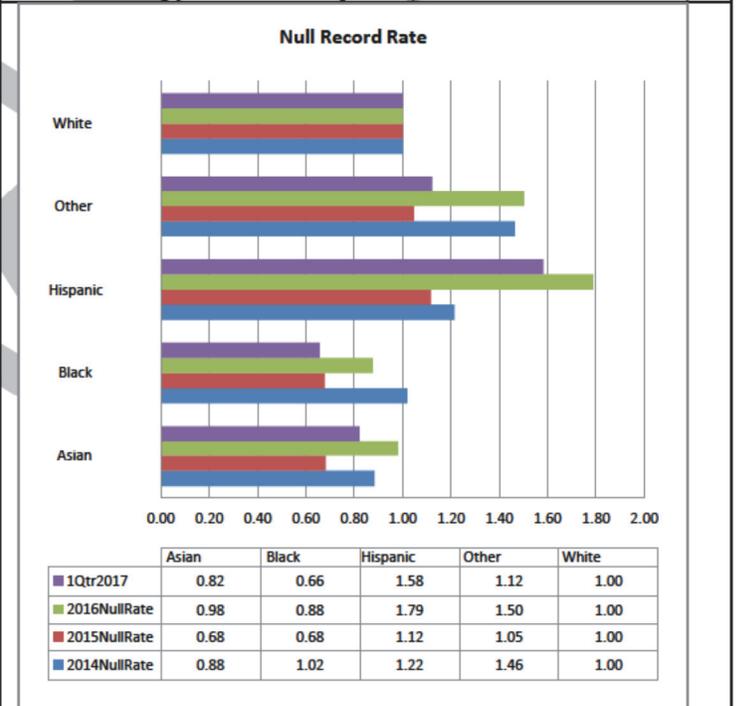
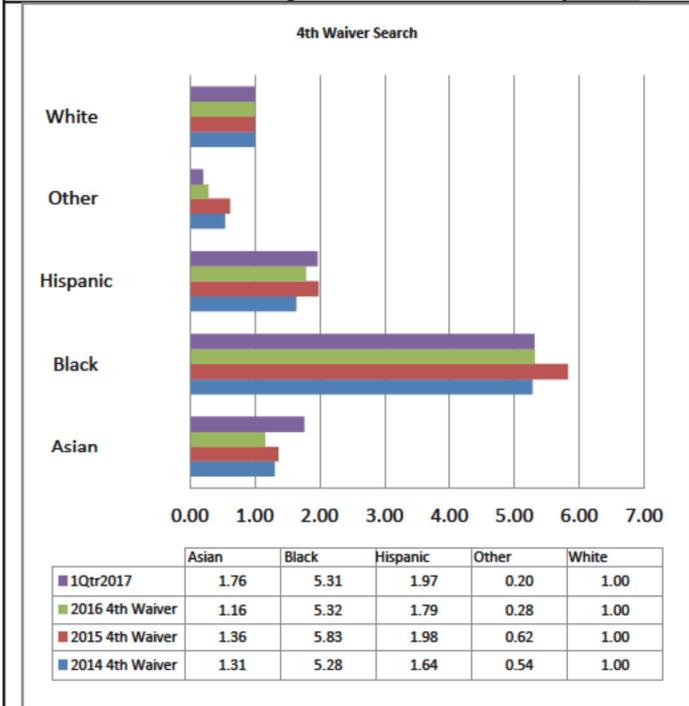
Year-over-year, the arrest rates for Blacks have increased, relative to Whites. The same is true for Hispanics

⁴⁰ “Cocaine is God’s way of telling you you are making too much money.”



Assessment of Citation rates require examination of data-entry rates.

Blacks, increasingly are viewed as suspicious (see definition of Feld Interview.)



TB 14-02 is ineffectual. The policy and practice enunciated by Stephanie Rose, she of the [Rose Memorandum](#), rules.

People of indeterminate racial origin increase (as the do in the real world.) The nulling-out of Latino records do the same. All 29,645 such records are invalid under AB-953

FIGURE 32 (display of master-detail relationship)

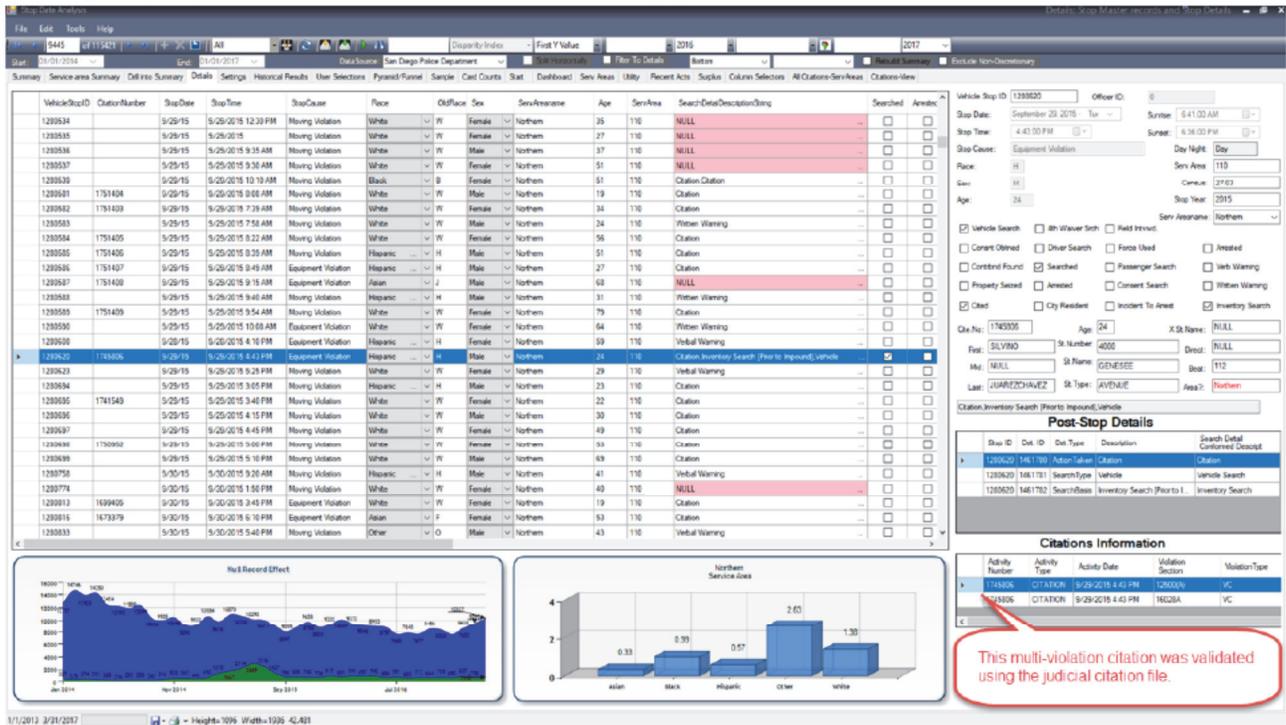
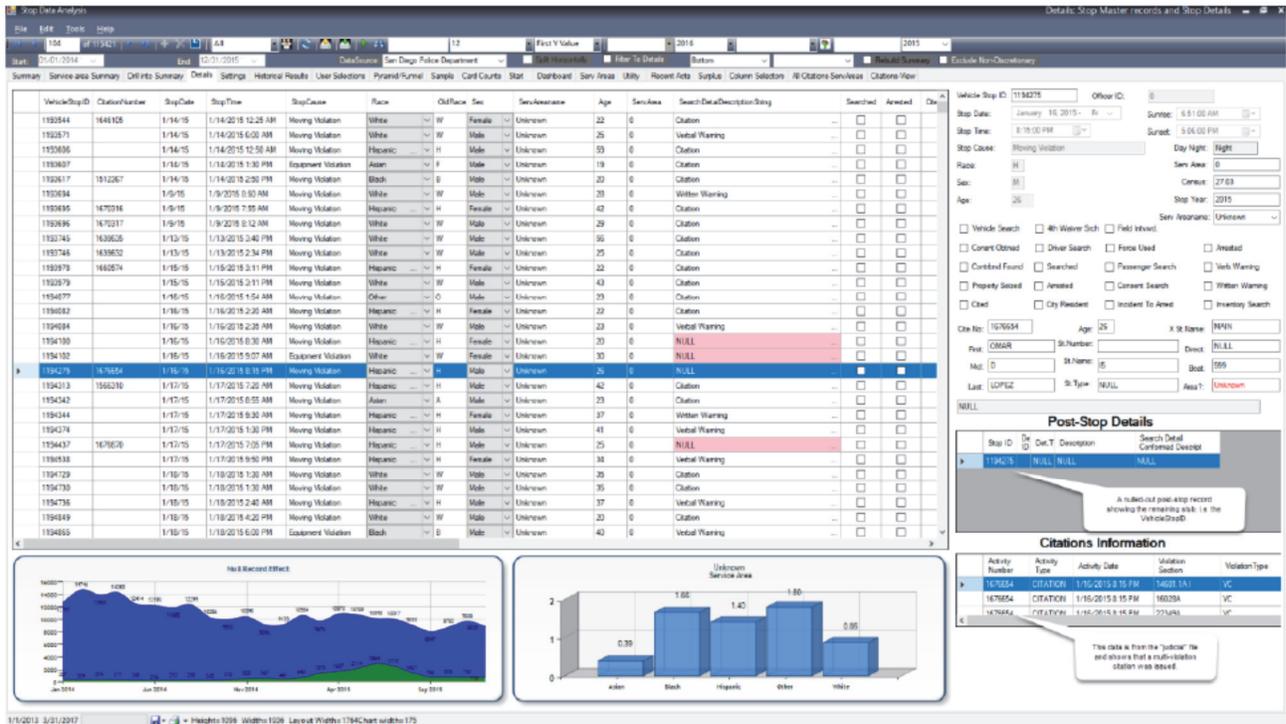


FIGURE 33 (display of master-detail relationship of a typical “nulled-out” record)



APPENDIX B

PAIR MATCHING

```

USE CaseTracker;
GO
SELECT DISTINCT
stp.[VehicleStopID] , stp.[StopDate] , stp.[StopTime], stp.[StopCause], stp.[Race] , stp.[Sex] , stp.[age]
, stp.[ServArea], stp.[StopYear] , stp.[ServAreaname], stp.[Month], stp.[MonthYear] , stp.[Searched]
, stp.[Arrested], stp.[ConsentObtained], stp.[ContrabandFound], stp.[PropertySeized] , stp.[SDResident]
, stp.[VehicleSearch], stp.[DriverSearch], stp.[PassengerSearch], stp.[ConsentSearch]
, stp.[SearchIncidentToArrest] , stp.[InventorySearch] , stp.[4th Waiver Search] , stp.[FieldInterviewed]
, stp.[NonConsentSearch] , stp.[VerbalWarning] , stp.[WrittenWarning] , stp.[OdorOfContrabandSearch] ,
, stp.[OtherSearch] , stp.[Cited] , stp.[ForceUsed] , stp.[SearchDetailDescriptionString] , stp.[OfficerID]
, stp.[RaceCategory] , stp.[DayNight] , stp.[Sunrise] ,
, stp.[Sunset] , stp.[CivilTwilightStart] , stp.[CivilTwilightEnd]

```

```

FROM Stopdata stp
INNER JOIN StopData pv2
ON stp.StopDate = pv2.StopDate
AND stp.AGE = pv2.AGE
AND stp.RaceCategory <> pv2.RaceCategory
WHERE stp.RaceCategory = 'BLACK'
AND pv2.RaceCategory = 'WHITE'
AND stp.StopCause = 'Moving Violation'
AND (YEAR(stp.[StopDate]) BETWEEN 2014 AND 2015)
ORDER BY stp.vehiclestopid

```

```

USE CaseTracker;
GO
SELECT COUNT(DISTINCT
stp.[VehicleStopID] )

```

```

FROM Stopdata stp
INNER JOIN StopData pv2
ON stp.StopDate = pv2.StopDate
AND stp.AGE = pv2.AGE
AND stp.RaceCategory <> pv2.RaceCategory
WHERE stp.RaceCategory = 'BLACK'
AND pv2.RaceCategory = 'WHITE'
AND stp.StopCause = 'Moving Violation'
AND stp.Cited =1
AND (YEAR(stp.[StopDate]) BETWEEN 2014 AND 2015)
ORDER BY stp.vehiclestopid

```

```

MovingViolations
8481

```

Glossary of terms

DRAFT

Appendix D

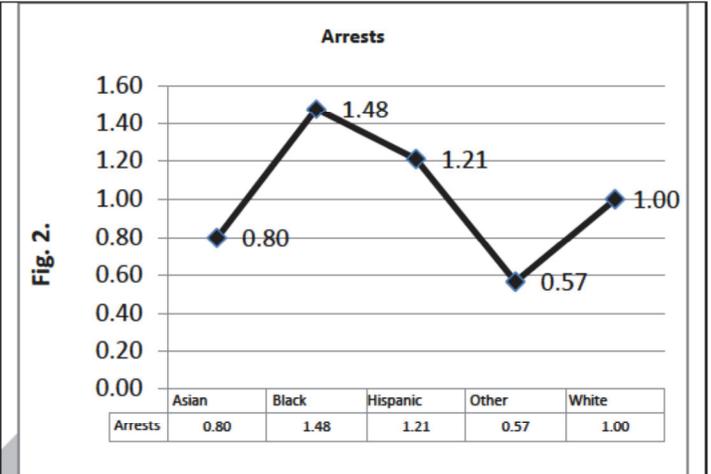
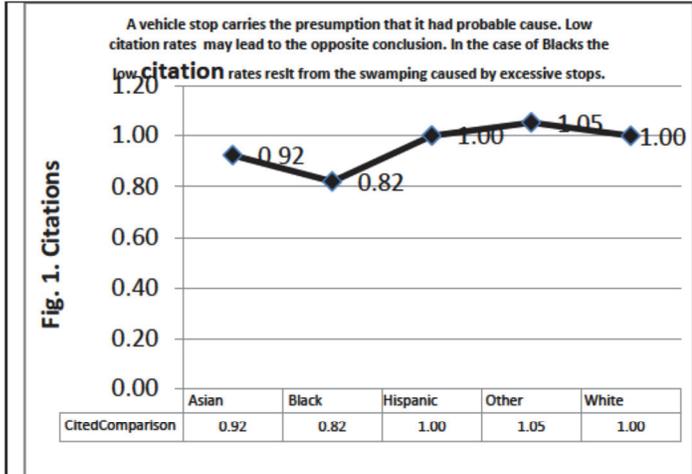
```
SELECT TOP 20 count(*) Records, SearchDetail.SearchDetailDescription
FROM SearchDetail Join stopdata ON stopdata.vehiclestopid = SearchDetail.vehicleStopID
WHERE year(Stopdata.Stopdate) Between 2014 and 2015 GROUP BY SearchDetail.SearchDetailDescription
ORDER BY count(*) DESC
```

Records	SearchDetailDescription
151135	Citation
63494	Verbal Warning
21106	Written Warning
16513	NULL
7125	FI
7052	Vehicle
4758	Driver
4396	Other
4047	Unknown
2832	Inventory Search [Prior to Impound]
2399	4th Waiver Search
1788	Consent Search
1437	Search incident to Arrest
1069	Passenger
778	ARREST
502	Inventory Search
445	ARRESTED
363	no age
233	Odor of Contraband
203	CC

The City of San Diego has more than 1, 000 officers. As such it is one of those that qualifies for the LEA First Wave⁴¹ consultancy. That its voice carries the imprimatur of a city government might have serious consequences for the city's minority community and those in the State at large. That makes them, the City of San Diego’s Police Department, a particular and peculiar hazard in an environment that requires the RIPA board 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.” California Penal code section 13519.4(j) (3).

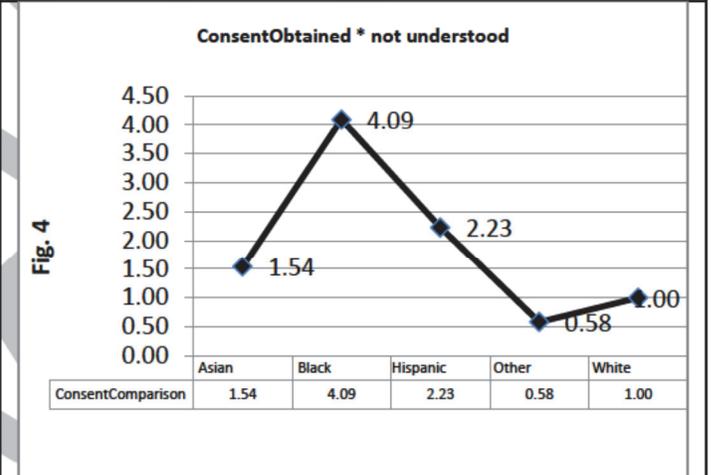
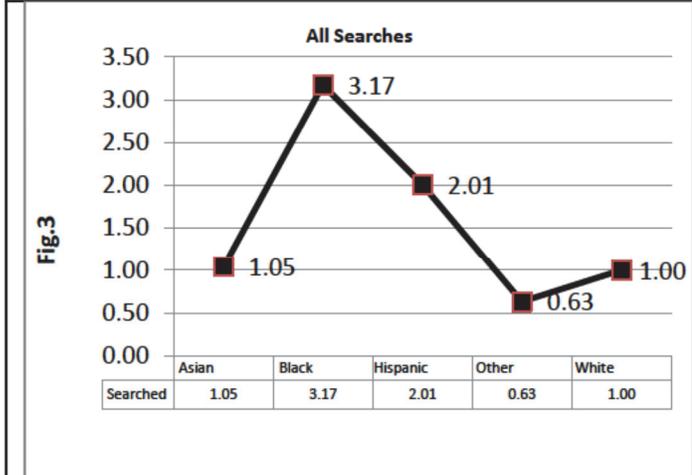
⁴¹ <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-070816.pdf>? At page 45.

LINE CHART FIGURES AS IDENTIFIED



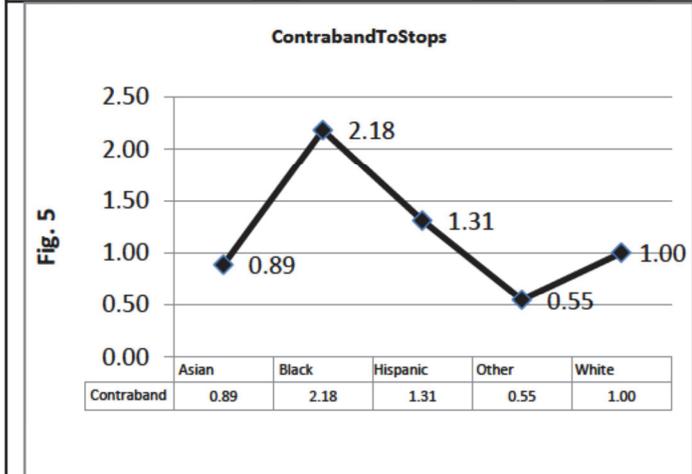
The seeming equal citation rates for Hispanics and Whites is partly the result of much lower data-entry rates for Hispanic citation records (82.17 v. 85.445) a difference of 3.275% and one that is not coincidental.

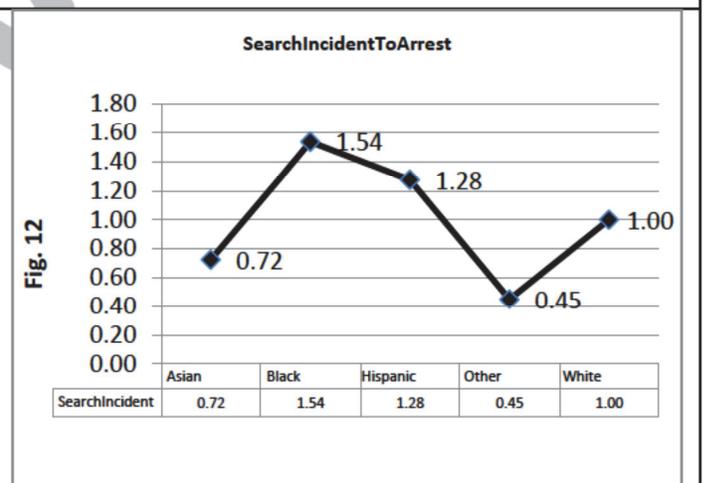
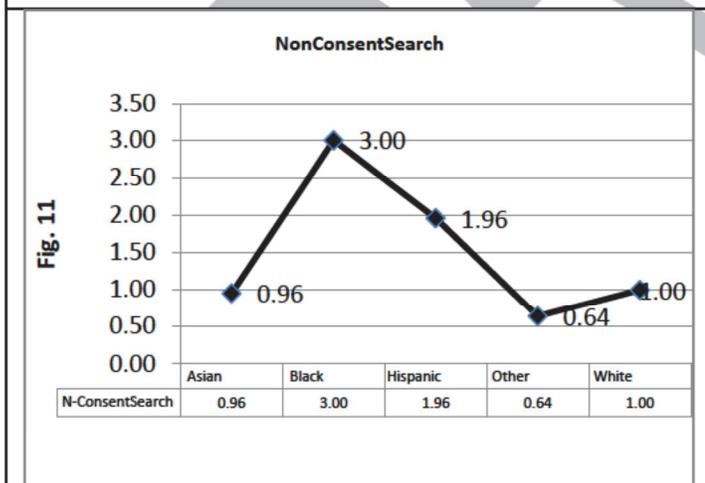
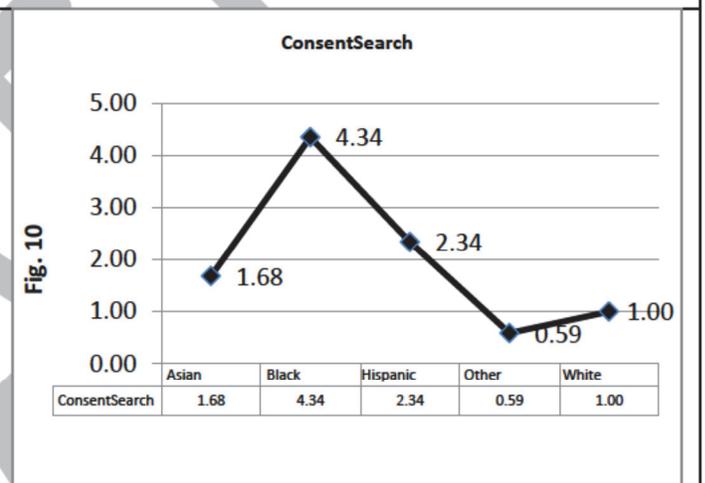
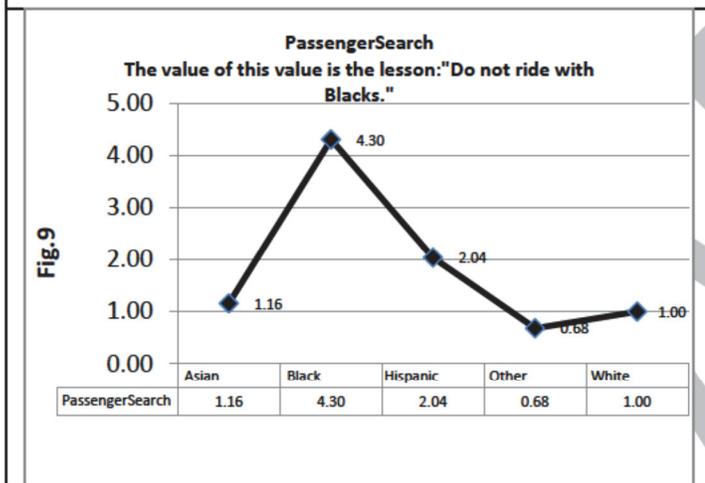
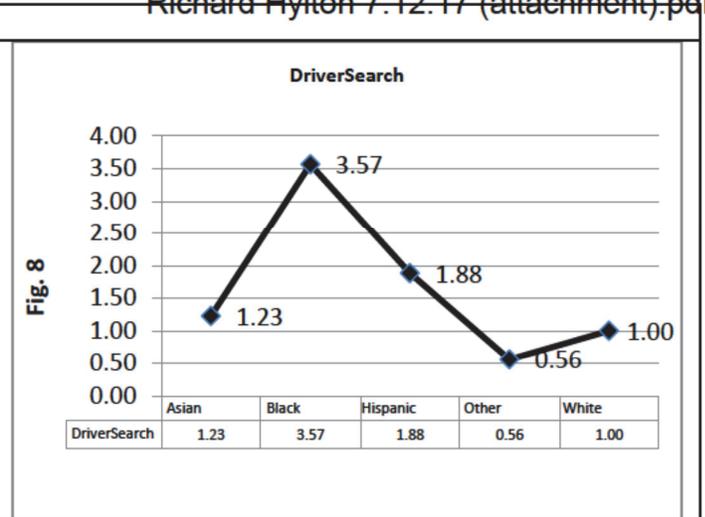
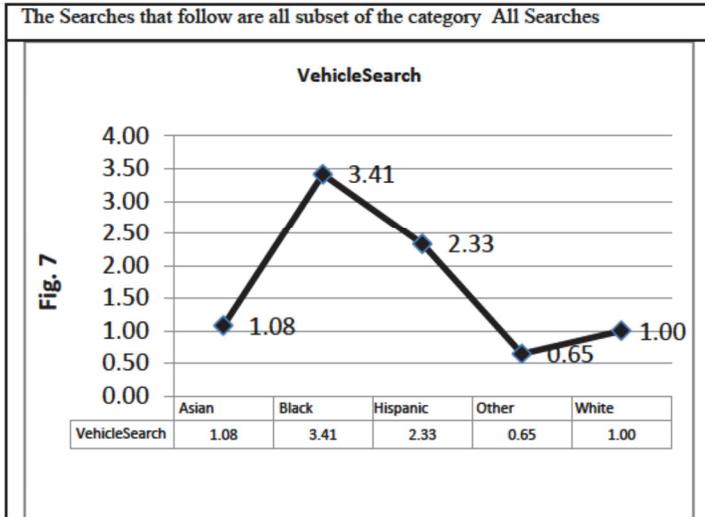
Negative disparities are disparities and ought to be reported as such. From time to time, as is the case in San Diego, they point to a group being favoured.

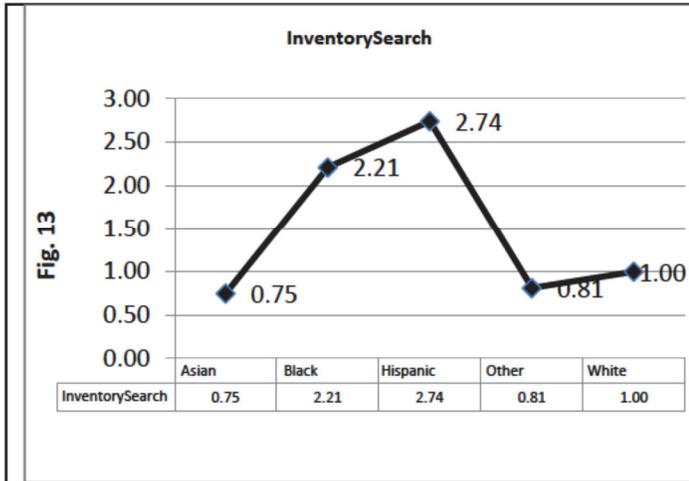


The "Bread and Butter" metric, the "Hit Rates" show that the massively disproportionate searches of Blacks and Latinos are unproductive.

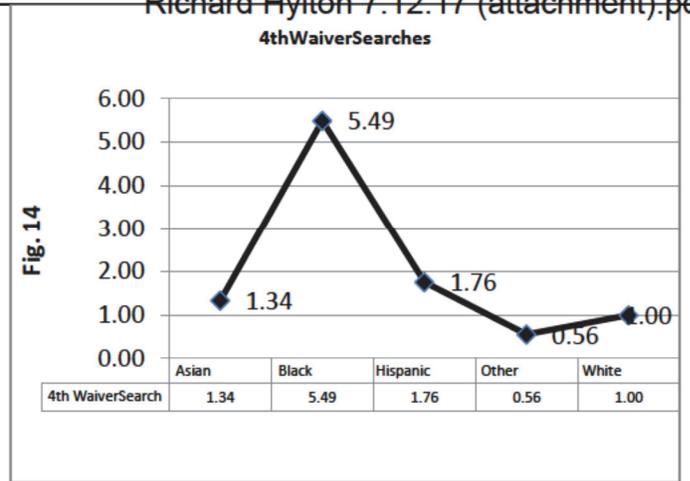
I do not understand this category for it is not identical to consent searches.



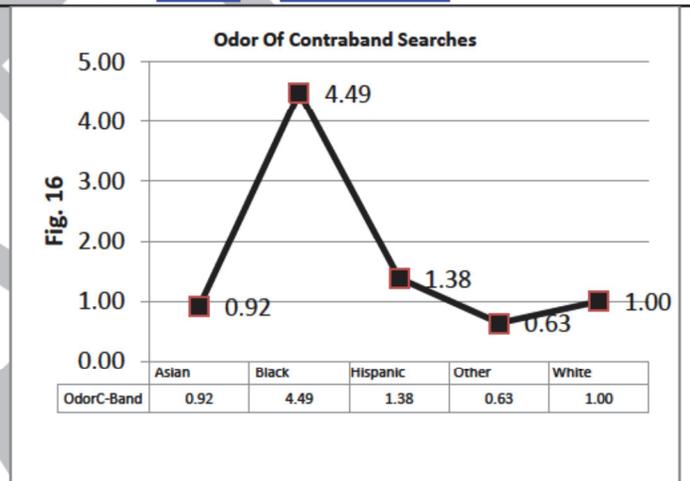
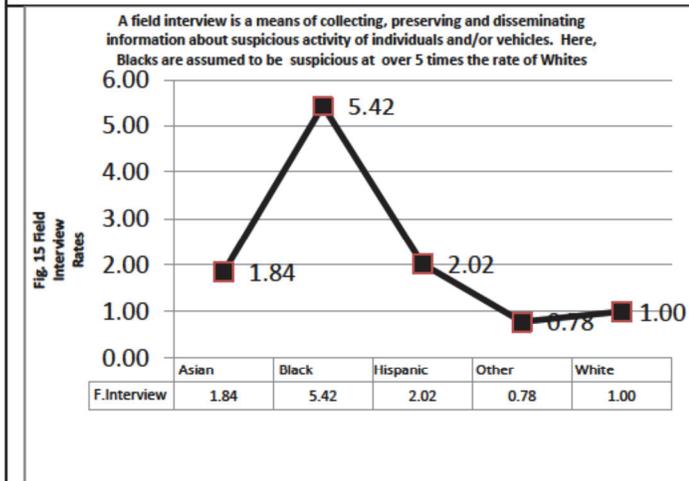




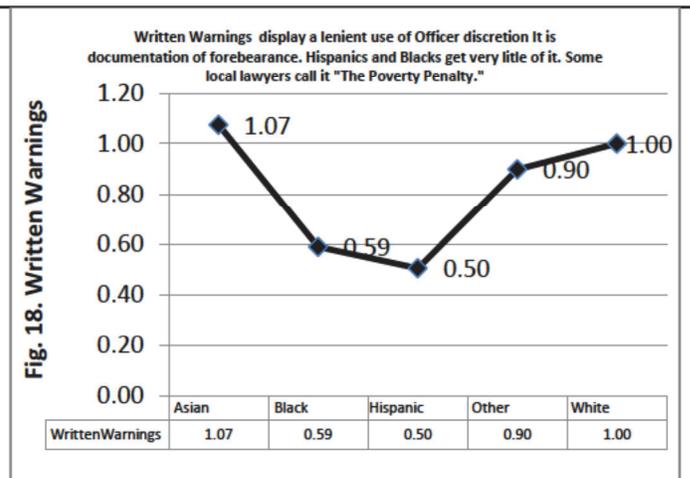
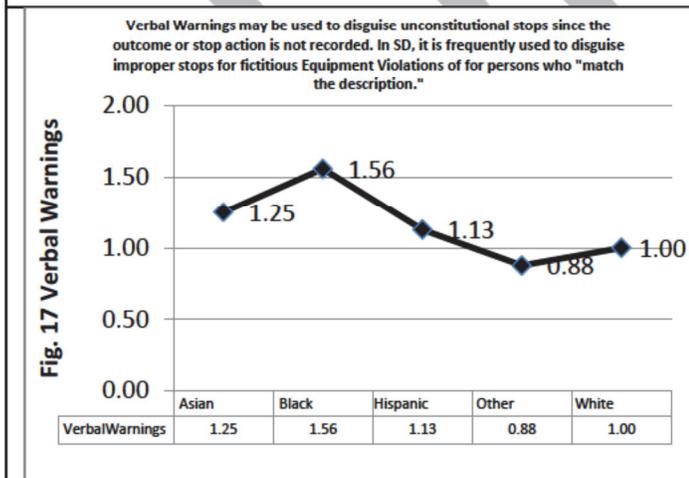
The experience of Latinos, elsewhere, is reflected here. Towing cars is a cash cow and the scuttlebutt is that Latinos, especially, fear being embroiled in legal processes. It is said to be a matter of immigration documentation.



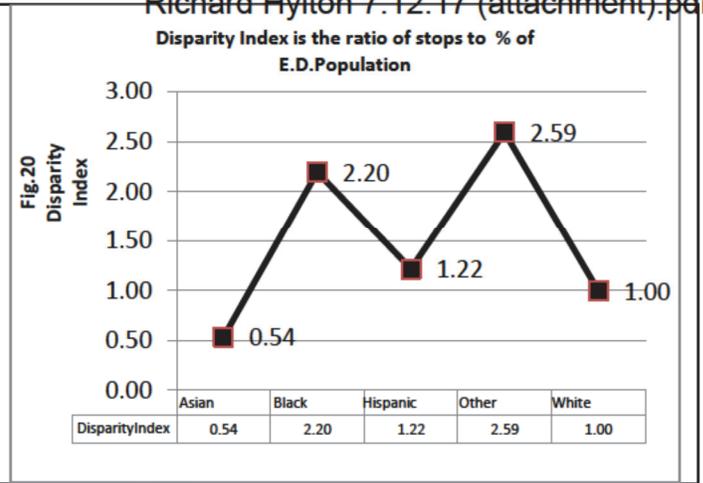
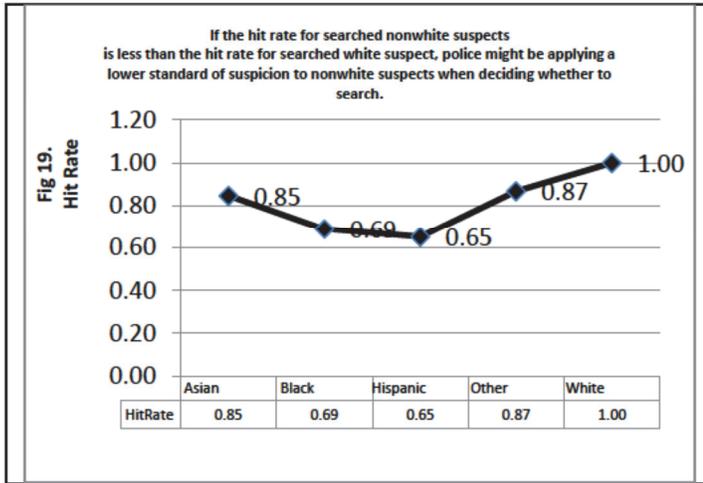
The deliberate use of traffic stops to determine (by Field Interviewing the "stopped") the parole or probation status of drivers, by the SDPD, is well-documented. See [TB 14-02](#) and [Rose Memorandum](#).



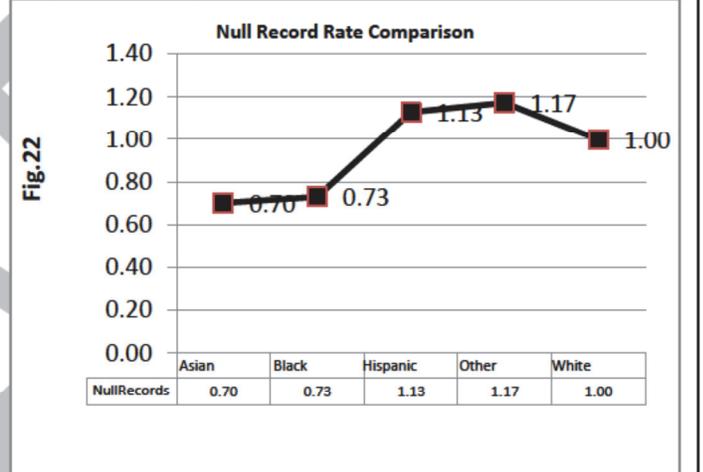
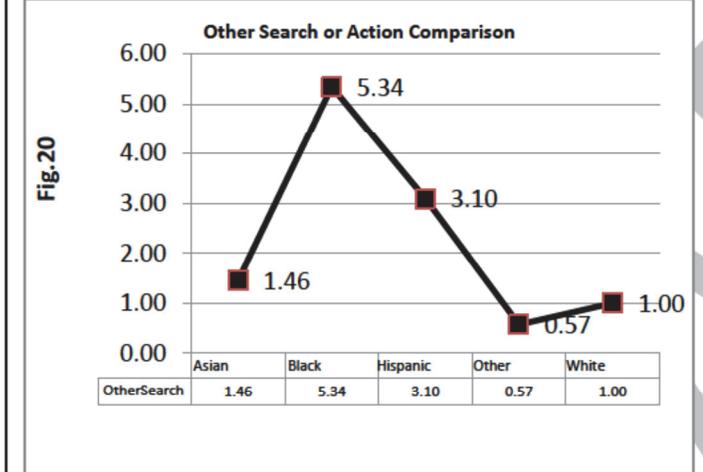
Quite curiously, this "Bread and Butter" category (Field Interviews) the third most frequent Reason For Stop, and most abused by the SDPD, is not mentioned with specificity, in the AB 953 regulations (or loudly in the SDSU report; the outrageous 5.33 may be the cause of silence.) The DOJ is required to work with large agencies (1,000+ officers) to assist with collecting, extracting and transmitting stop data to DOJ. Since The S.D.P.D. is one such large agency (LEA Consultant) this omission is gross.



RIPA Section 12525.5 requires LEAs to report whether the stop resulted in no action or a warning. Section 12525.5 further requires agencies to report the warning provided and for the RIPA Board to analyze, for example, whether racial disparities exist among certain categories of warnings. We have ample evidence of such disparities here. The SDSU analysts could not find the approximately 84, 000 such warnings that produced these results.



Some consider Hit Rate to be a measure of good policing. These Hit Rate results suggest a deficiency in the SDPD. See Search Rates



A growing category, this "Other." It camouflages real information and could be the concealment category of choice; viz. "The effects of officer cynicism over use of the stop cards appears to stretch beyond morale. In an effort to avoid being characterized as biased several officers discussed instances where they chose not to submit a stop card following a stop involving minority drivers, or mislabeling the driver's race/ethnicity on the stop card. Others acknowledged choosing not to stop minority drivers altogether in hopes of avoiding the possible ramifications of the encounter. That the data collection regime is contributing to what scholars refer to as depolicing suggests strongly that there is need for reform." See SDSU report at page 86.

This graph is built from 20,242 records, each of which would be rejected under the requirements of RIPA (Gov. Code, § 12525.5, subd. (b)(3)-(5).) They compose 8% of all records, and are mostly Hispanic.

Addendum 4
North of Highway 8

Serv. Area Name	Race Category	Stop Recs.	Stop Rec %	Cited	Cite Rate	Cite Rate Cmp.	Loc. EDP	Cty-wide Disp. To EDP	Loc. Disp. To Maj.							
Northern	Asian	2145	5.77	1268	59.11	0.94	19.00	0.30	0.31	<p>The local EDP values are taken from SDSU's Table 2. 2 (page 7.) Asian values are incorrect, as are "Other."</p> <table border="1"> <tr><td>Disparity</td><td>0.31</td><td>3.37</td><td>1.21</td><td>2.57</td><td>1.00</td></tr> </table>	Disparity	0.31	3.37	1.21	2.57	1.00
Disparity	0.31	3.37	1.21	2.57	1.00											
Northern	Black	2097	5.64	1161	55.37	0.88	1.70	3.32	3.37							
Northern	Hispanic	5728	15.40	3642	63.58	1.01	13.00	1.18	1.21							
Northern	Other	3039	8.17	1990	65.48	1.04	3.23	2.53	2.57							
Northern	White	24199	65.04	15209	62.85	1.00	66.20	0.98	1.00							
	Totals	37208		23270												
N-western	Asian	2019	12.38	854	42.30	0.97	27.10	0.46	0.55	<table border="1"> <tr><td>Disparity</td><td>0.55</td><td>6.68</td><td>2.97</td><td>4.25</td><td>1.00</td></tr> </table>	Disparity	0.55	6.68	2.97	4.25	1.00
Disparity	0.55	6.68	2.97	4.25	1.00											
N-western	Black	815	5.00	318	39.02	0.90	0.90	5.55	6.68							
N-western	Hispanic	2780	17.05	1224	44.03	1.01	6.90	2.47	2.97							
N-western	Other	1863	11.43	948	50.89	1.17	3.23	3.54	4.25							
N-western	White	8829	54.15	3837	43.46	1.00	65.10	0.83	1.00							
	Totals	16306		7181												
Eastern	Asian	2986	9.39	1887	63.20	0.99	14.90	0.63	0.78	<table border="1"> <tr><td>Disparity</td><td>0.78</td><td>2.44</td><td>1.54</td><td>3.31</td><td>1.00</td></tr> </table>	Disparity	0.78	2.44	1.54	3.31	1.00
Disparity	0.78	2.44	1.54	3.31	1.00											
Eastern	Black	3277	10.31	1921	58.62	0.92	5.20	1.98	2.44							
Eastern	Hispanic	6104	19.20	4042	66.22	1.04	15.30	1.26	1.54							
Eastern	Other	2764	8.70	1926	69.68	1.09	3.23	2.69	3.31							
Eastern	White	16658	52.40	10615	63.72	1.00	64.50	0.81	1.00							
	Totals	31789		20391												
N-eastern	Asian	5833	18.41	3111	53.33	1.00	35.60	0.52	0.57	<table border="1"> <tr><td>Disparity</td><td>0.57</td><td>2.38</td><td>1.51</td><td>4.97</td><td>1.00</td></tr> </table>	Disparity	0.57	2.38	1.51	4.97	1.00
Disparity	0.57	2.38	1.51	4.97	1.00											
N-eastern	Black	1993	6.29	1023	51.33	0.96	2.90	2.17	2.38							
N-eastern	Hispanic	4438	14.00	2613	58.88	1.10	10.20	1.37	1.51							
N-eastern	Other	4628	14.60	2928	63.27	1.18	3.23	4.52	4.97							
N-eastern	White	14800	46.70	7905	53.41	1.00	51.30	0.91	1.00							
	Totals	31692		17580												
Western	Asian	1759	5.85	996	56.62	0.93	11.50	0.51	0.56	<table border="1"> <tr><td>Disparity</td><td>0.56</td><td>2.52</td><td>1.27</td><td>1.83</td><td>1.00</td></tr> </table>	Disparity	0.56	2.52	1.27	1.83	1.00
Disparity	0.56	2.52	1.27	1.83	1.00											
Western	Black	2455	8.16	1288	52.46	0.86	3.60	2.27	2.52							
Western	Hispanic	5976	19.87	3556	59.51	0.97	17.40	1.14	1.27							
Western	Other	1605	5.34	996	62.06	1.01	3.23	1.65	1.83							
Western	White	18285	60.79	11191	61.20	1.00	67.50	0.90	1.00							
	Totals	30080		18027												

South of Highway 8

Serv. Area Name	Race Category	Stop Recs.	Stop Rec. %	Cited	Cite Rate	Cite Rate Comp.	Loc. EDP	Cty-wide Disp. To EDP	Loc. Disp. To Maj.						
Central	Asian	1252	4.22	698	55.75	0.96	8.20	0.51	0.53						
Central	Black	4084	13.75	2106	51.57	0.89	7.70	1.79	1.83						
Central	Hispanic	9185	30.93	5027	54.73	0.94	40.90	0.76	0.77						
Central	Other	2632	8.86	1495	56.80	0.98	3.23	2.74	2.81						
Central	White	12544	42.24	7277	58.01	1.00	43.20	0.98	1.00						
	Totals	29697		16603											
<table border="1"> <tr> <th>Disparity</th> <td>0.53</td> <td>1.83</td> <td>0.77</td> <td>2.81</td> <td>1.00</td> </tr> </table>										Disparity	0.53	1.83	0.77	2.81	1.00
Disparity	0.53	1.83	0.77	2.81	1.00										
S-eastern	Asian	1534	7.95	669	43.61	0.79	25.80	0.31	0.29						
S-eastern	Black	6056	31.39	2331	38.49	0.70	17.30	1.81	1.73						
S-eastern	Hispanic	8738	45.29	4357	49.86	0.90	46.50	0.97	0.93						
S-eastern	Other	836	4.33	444	53.11	0.96	3.23	1.34	1.28						
S-eastern	White	2128	11.03	1173	55.12	1.00	10.50	1.05	1.00						
	Totals	19292		8974											
<table border="1"> <tr> <th>Disparity</th> <td>0.29</td> <td>1.73</td> <td>0.93</td> <td>1.28</td> <td>1.00</td> </tr> </table>										Disparity	0.29	1.73	0.93	1.28	1.00
Disparity	0.29	1.73	0.93	1.28	1.00										
Southern	Asian	931	3.17	595	63.91	1.08	13.00	0.24	0.21						
Southern	Black	1214	4.14	643	52.97	0.90	3.70	1.12	0.96						
Southern	Hispanic	22985	78.31	14520	63.17	1.07	72.60	1.08	0.92						
Southern	Other	552	1.88	372	67.39	1.14	3.23	0.58	0.50						
Southern	White	3671	12.51	2168	59.06	1.00	10.70	1.17	1.00						
	Totals	29353		18298											
<table border="1"> <tr> <th>Disparity</th> <td>0.21</td> <td>0.96</td> <td>0.92</td> <td>0.50</td> <td>1.00</td> </tr> </table>										Disparity	0.21	0.96	0.92	0.50	1.00
Disparity	0.21	0.96	0.92	0.50	1.00										
Mid-City	Asian	2518	9.09	1250	49.64	0.87	15.50	0.59	0.71						
Mid-City	Black	5900	21.30	2567	43.51	0.76	9.70	2.20	2.64						
Mid-City	Hispanic	9585	34.61	5122	53.44	0.94	39.20	0.88	1.06						
Mid-City	Other	1491	5.38	860	57.68	1.01	3.23	1.67	2.00						
Mid-City	White	8202	29.61	4673	56.97	1.00	35.60	0.83	1.00						
	Totals	27696		14472											
<table border="1"> <tr> <th>Disparity</th> <td>0.71</td> <td>2.64</td> <td>1.06</td> <td>2.00</td> <td>1.00</td> </tr> </table>										Disparity	0.71	2.64	1.06	2.00	1.00
Disparity	0.71	2.64	1.06	2.00	1.00										
Unknown	Asian	468	7.23	293	62.61	1.03									
Unknown	Black	646	9.98	373	57.74	0.95									
Unknown	Hispanic	2423	37.44	1634	67.44	1.11									
Unknown	Other	389	6.01	264	67.87	1.12									
Unknown	White	2546	39.34	1544	60.64	1.00									
	Totals	6472		4108											
<table border="1"> <tr> <th>Citations</th> <td>1.03</td> <td>0.95</td> <td>1.11</td> <td>1.12</td> <td>1.00</td> </tr> </table>										Citations	1.03	0.95	1.11	1.12	1.00
Citations	1.03	0.95	1.11	1.12	1.00										
	G.Totals	112510		62455											
	Validate	259585		148904											

DRAFT

ⁱ (7) Result of Stop. Requiring agencies to report the result of the stop is necessary to fulfill the reporting agencies' obligations under AB 953 to report this data. (Gov. Code, § 12525.5, subd. (b)(3)-(5).) This data will also enable the RIPA Board to analyze whether racial disparities exist in stop results. Page 17 of 41 Certain data values were selected to satisfy agencies' reporting requirements under Section 12525.5, to report whether the stop resulted in no action or a warning, citation, property seizure, or arrest. (Gov. Code, § 12525.5, subd. (b)(3)-(5).) Section 12525.5 further requires agencies to report the *warning provided or violation cited* (if any) (id., subd. (b)(4)) as well as the offense charged if an arrest was made (id., subd. (b)(4)). Accordingly, data values were included to satisfy these reporting obligations and to allow the RIPA Board to analyze, for example, *whether racial disparities exist among certain categories of warnings, citations, or arrests.*

ⁱⁱ The closest that RIPA come to mentioning Field Interviews is: (E) Witness interviews. These interactions will only be reported where the *individual is detained based upon individualized suspicion or personal characteristics* and/or the officer engages in any of the "Actions Taken by Officer During Stop" data elements set forth in section 999.226, subdivision (a)(6)(A). See interviewing witness to crime/suspected criminal activity/vehicle accident. See also Definition of Racial Profiling that alludes to stops based on suspicion: "an officer may consider or rely on characteristics listed in a specific suspect description . . . (Pen. Code, § 13519.4, subd. (e).)" See also (5) Reason for Stop

ⁱⁱⁱ . (Gov. Code, § 12525.5, subd. (b)(3)-(5).) Section 12525.5 further requires agencies to report the *warning provided or violation cited* (if any) (id., subd. (b)(4)) as well as the offense charged if an arrest was made (id., subd. (b)(4)). Accordingly, data values were included to satisfy these reporting obligations and to allow the RIPA Board to analyze, for example, *whether racial disparities exist among certain categories of warnings*

^{iv} Technology Subcommittee, Meeting Minutes (Aug. 19, 2016) at <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/mm-technology-081916.pdf>; id. (Sept. 27, 2016) at <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/mmtechnology-092716.pdf>. None of these minutes are available.

^v Technology Subcommittee, Meeting Minutes (Aug. 19, 2016) at <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/mm-technology-081916.pdf>; id. (Sept. 27, 2016) at <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/mmtechnology-092716.pdf>. None of these minutes are available.

From: [Richard Hylton](#)
To: [AB953](#)
Subject: Re: Reminder: Racial and Identity Profiling Advisory Board Meeting - Wednesday, July 12 in San Diego
Date: Wednesday, July 12, 2017 9:26:12 AM
Attachments: [Vehicle Stop Data 2014-2015 Exhibit A Annotated.pdf](#)

Unless I am mistaken, the RIPA meeting, that shall be held in San Diego today, has a session for public comments or participation. This member of the public seeks to participate and shall.

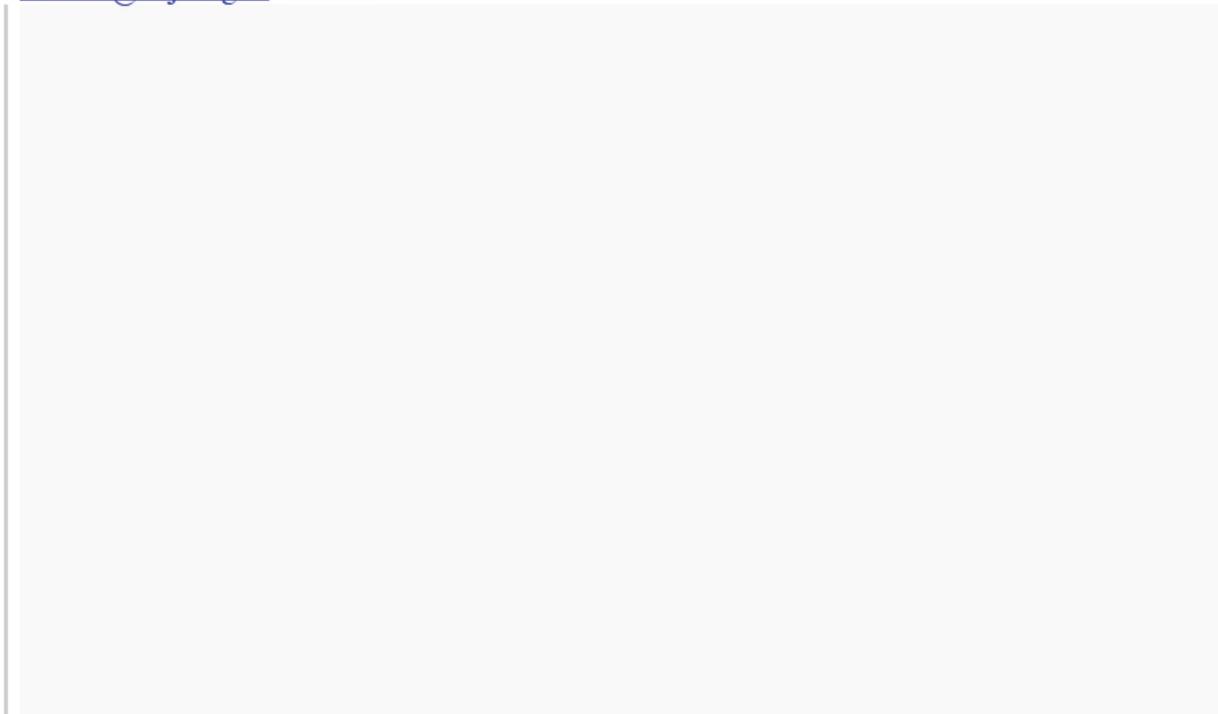
Accordingly; I have included, as my comments, what is a work-in-progress on vehicle stops in the city of San Diego. To be clear, I expect my comments, as they exists today, to be given the attention and dignity of any other public comments. I adjure those amongst you, who have received comments directed to your persons; to your names, from Whites, but have sought to restrict my ability to do similar communications to reconsider. If you do restrict or discard my written comments, I shall seek legal sanctions against you.

My obvious "attitude" is molded by the DOJ's failure to notify me of prior communications, despite the fact that I was one of the first registrants, for same, and by your officious comments as are referenced above.

Please place the attached and linked document, [City Of San Diego Vehicle Stop Data – 2014-2015 @ June 2017.PDF](#) into the record so that members of the public may have access to it.

Sent with [Mailtrack](#)

On Thu, Jul 6, 2017 at 2:02 PM, Attorney General's Office: AB 953 Mailing List <AB953@doj.ca.gov> wrote:



AB 953 ALERTS & NOTIFICATIONS
July 6, 2017

Reminder: Racial and Identity Profiling Advisory Board Meeting - Wednesday, July 12 in San Diego

Dear Colleagues and Stakeholders:

This is a reminder that the next meeting of the Racial and Identity Profiling Advisory Board will be held on:

Wednesday, July 12, 2017 at 10:00 a.m.
600 West Broadway Street

-- 2nd Floor Conference Room

Richard Hylton, CA 92101



is open to the public. The meeting will also be live streamed on
bbsite at: <https://oag.ca.gov>.

The Meeting Notice/Agenda for the July 12, 2017 meeting is available for your viewing:

- [July 12, 2017 Meeting Notice/Agenda / \(Spanish\)](#)

The Meeting Notice/Agenda has also been posted to our AB 953 website at: <https://oag.ca.gov/ab953>. Additional information about AB 953 and its implementation can also be found on this site. We look forward to seeing you next week.

Sincerely,
Shannon

Shannon K. Hovis, MPP, MST
Senior Policy Advisor
Civil Rights Enforcement Section
California Department of Justice
1515 Clay Street, Suite 2000
Oakland, CA 94612

Office [510-879-1976](tel:510-879-1976)
shannon.hovis@doj.ca.gov

###

You may find more information about AB 953 on our website at: <http://oag.ca.gov/ab953>

Please visit the remainder of the Attorney General's site at: <http://oag.ca.gov/>

[Unsubscribe](#) from this list

From: [Catherine Ysrael](#)
To: [Nancy Beninati](#)
Cc: [Kathleen Radez](#); [Angela Sierra](#); [Shannon Hovis](#)
Subject: FW: Question Concerning RIPA.
Date: Sunday, July 16, 2017 4:06:23 PM

The latest public records act request from IHylton (sent also to Shannon and PIU, with a cc to Weber and me.

-----Original Message-----

From: Richard Hylton [REDACTED]
Sent: Sunday, July 16, 2017 10:36 AM
To: Shannon Hovis <Shannon.Hovis@doj.ca.gov>; PIU <PIU.PIU@doj.ca.gov>; PublicRecords <PublicRecords@doj.ca.gov>
Cc: Shirley Webber <assemblymember.weber@assembly.ca.gov>; Catherine Ysrael <Catherine.Ysrael@doj.ca.gov>
Subject: Re: Question Concerning RIPA.

<<https://mailtrack.io/trace/mail/16704971c330af1371436b8d58e9fe6b5cdbcd2d.png?u=1376317>> In response to my third question in the thread of May 22, 2017, you stated: "The delay in issuing the regulations is complicated, but largely attributed to the fact that the timeline specified in the law was not sufficient time for our Department to undergo a full regulatory process, given that we were not able to establish the Board until July 1, 2016 and are required by the law to consult with the Board and a host of other delineated stakeholders in crafting the regulations."
"

At the RIPA meeting that was held, here in San Diego, on July 12, 2017, the Special Assistant Attorney General, assigned to this business stated, without ambiguity, that the reason for the delay in the issuance of final data submission regulations was because AG Becerra wanted to have direct involvement; wanted to get it right; considered the matter important, and on and on; the usual palliative pabulum; the stuff that exists in abundance in cow-pastures. It goes without saying that both answers, yours and that of the Special Attorney General, cannot be right; I daresay neither may be right since the final regulations were due on January, 1, 2017, and the records of the State indicate that: "On January 24, 2017, Xavier Becerra was sworn in as the 33rd Attorney General of the State of California, and is the first Latino to hold the office in the history of the state <<https://oag.ca.gov/about>> ."

I will now consider your response in the thread of May 22, 2017 to have be incorrect or superseded by preceding the assertions of the Special Attorney General.

Please provide me with all documents that authorizes the Attorney General(or anyone for that matter including the author of the act, Shirley Webber) to postpone the implementation of AB 953, as the Special Attorney General has claimed. Any document that would show that Becerra was authorized to wield the power to delay implementation of any aspect of law, before he took office, will be ignored.

Please consider this communication to be more than a tongue-in-cheek tweaking for it is intended to be also as a Request for Public Documents, as stated in the preceding paragraph, that is in bold-faced sentence.

<<https://mailtrack.io/>> Sent with Mailtrack <[https://mailtrack.io/install?source=signature&lang=en&referral=\[REDACTED\]](https://mailtrack.io/install?source=signature&lang=en&referral=[REDACTED])>

On Mon, May 22, 2017 at 9:09 PM, Shannon Hovis <Shannon.Hovis@doj.ca.gov>
<<mailto:Shannon.Hovis@doj.ca.gov>> > wrote:

Hi Richard,

The composition of the RIPA Board is specified in AB 953:
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB953#
<https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB953#>

Attorney General Harris appointed to the Board the two representatives of human or civil rights organizations, the two representatives of community organizations, the two clergy members, and the university professor.

AB 953 also specifies the role of the Board and the content that must be included in the Board's annual reports.

The delay in issuing the regulations is complicated, but largely attributed to the fact that the timeline specified in the law was not sufficient time for our Department to undergo a full regulatory process, given that we were not able to establish the Board until July 1, 2016 and are required by the law to consult with the Board and a host of other delineated stakeholders in crafting the regulations.

San Diego PD has approximately 1,800 sworn officers, so they fall in the first reporting tier. See this source for agency sizes: https://www.post.ca.gov/Data/Sites/1/post_docs/hiring/le-employment-stats.pdf
<https://www.post.ca.gov/Data/Sites/1/post_docs/hiring/le-employment-stats.pdf>

SDPD did not submit a public comment, but you can view all of the public comments received during the first comment period on our AB 953 regulations website at oag.ca.gov/ab953/regulations
<<http://oag.ca.gov/ab953/regulations>> .

I hope this is helpful.

Thanks Richard,
Shannon

From: Richard Hylton <hyltonrichard@gmail.com <[REDACTED]>>
Date: Monday, May 22, 2017 at 9:17 AM
To: Shannon Hovis <shannon.hovis@doj.ca.gov <<mailto:shannon.hovis@doj.ca.gov>>>
Subject: Question Concerning RIPA.

<data:image/gif;base64,R0lGODlhAQABAIAAAAAAAP///yH5BAEAAAAALAAAAAABAAEAAAIBRAA7>

Shannon;

- * How were members of the RIPA board selected or appointed?
- * What will the RIPA board report on, in its first report that is due January 1, 2018?
- * What is the reason for the delay in the issuance of data-submission rules or regulations, originally due Jan 1, 2017?
- * The LEA First Wave Consultation, for departments with 1000+ officers would have included the City Of San Diego. The AG words it "Work with large agencies (1,000+ officers) to assist with collecting, extracting and transmitting stop data to DOJ." Please state if the City Of San Diego has been a part of First Wave Consultation, and please provide documents of their input.

I will genuflect and may be moved to perform acts of prostration, in fealty and appreciation, if I were to receive responses, to any of the above, today

--

Richard Hylton

[REDACTED]

<<https://mailtrack.io/>> Sent with Mailtrack <[https://mailtrack.io/install?source=signature&lang=en&referral=\[REDACTED\]](https://mailtrack.io/install?source=signature&lang=en&referral=[REDACTED])>

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

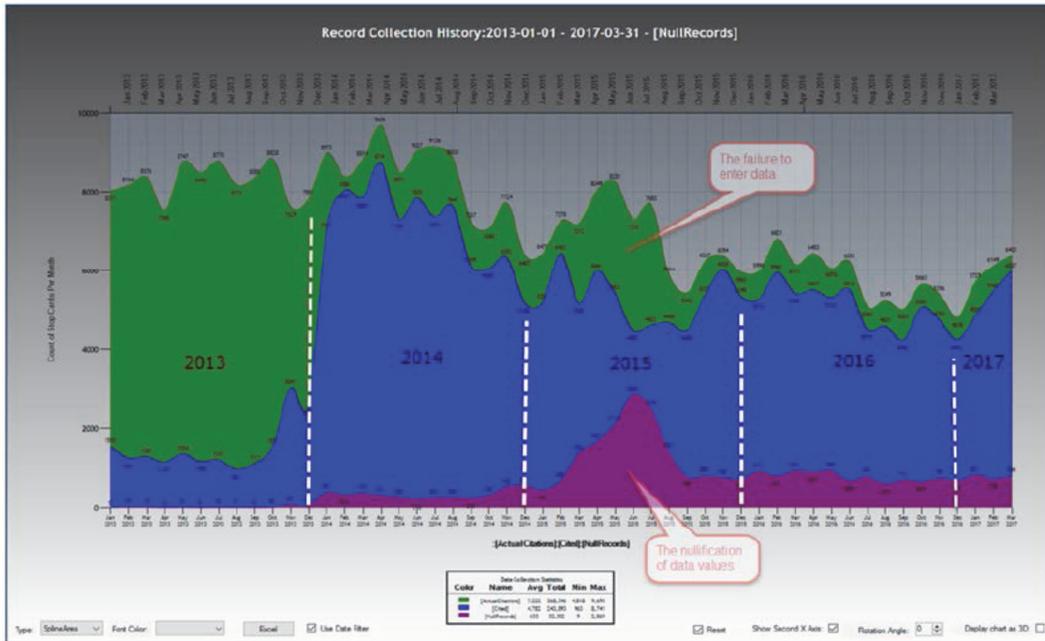
--

Richard Hylton

[REDACTED]

From: [Richard Hylton](#)
To: sandiego_17-1889-requester-notes@inbound.nextrequest.com
Cc: [Mara W. Elliott](#); [AB953](#); [Shirley Webber](#); [Shannon Hovis](#); [Catherine Ysrael](#)
Subject: Re: [External Message Added] City of San Diego public records request 17-1889
Date: Friday, July 21, 2017 11:55:32 AM
Attachments: [image.png](#)

As I recall, in or around April 2015, I stood before that policeman's son and told him, Emerald, Cole and Gloria that the data was being watered down; being made unreliable, by it being purged, not being entered, and by items being missing and unaccounted for. It was around the third time that said facts were communicated to that feckless lot. Those are the reasons why the data, when graphed, looks like this:



Despite all that and more, the feckless comedian and the holdovers on the city council, voted to accept a report based on adulterated data (why the newbies were not aware of all this is testament to the lie-telling abilities of many.)

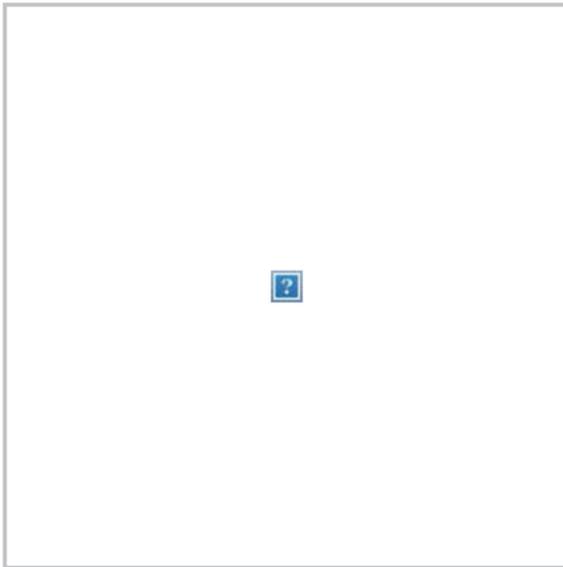
I have a sense that you are too intelligent to accept the rot that emanates from the policeman's son's offices. I was wise not to field the call from Mr. Young.

Carry on

Sent with [Mailtrack](#)

On Fri, Jul 21, 2017 at 11:00 AM, City of San Diego Public Records <sdnextrequest@sandiego.gov> wrote:

– Write ABOVE THIS LINE to post a reply –



City of San Diego Public Records Requests

A message was sent to you regarding record request #17-1889:

Mr. Hylton,

The response provided to this request came directly from the office of the Chair of the PS&LN Committee.

Sincerely,

[View Request #17-1889](#)

*Too many emails? [Change your email settings here](#)
Like NextRequest? [Recommend us to another government!](#)*

--
Richard Hylton



From: [Richard Hylton](#)
To: sandiego_17-1889-requester-notes@inbound.nextrequest.com; [Fields-Bernard, Lea](#)
Cc: [Mara W. Elliott](#); [AB953](#); [Shannon Hovis](#); [Catherine Ysrael](#)
Subject: Re: [External Message Added] City of San Diego public records request 17-1889
Date: Friday, July 21, 2017 10:54:24 AM
Attachments: [image.png](#)

I reject your interpretation of the meaning of the motion, especially in the context of the assertions attributed to Zimmerman at last week's RIPA hearing. As for your invitation, with regret, I shall have to reject that too for I intend to do better than what your invitation offers (but need data to do it.)

Now can you please provide the 2017 stop data (**CPRA 17-1719**) which data was not attached, as you represented, or posted on the Open Data website, but is required for me to do **the better** that is mentioned above. It is now 20 days.

< Request #17-1719 > OPEN

This request for Public Documents is for three discrete sets of data, each is for data that was created as the result of a Vehicle Stop by the SDPD.

1. Please provide Vehicle Stop Data, for the period April 1, 2017 through June 30, 2017, in the format previously provided (except for ForceUsed and OfficerID) The format previously provided by the City of San Diego is an Excel workbook that contains two spreadsheets.

The first spreadsheet (VehicleStop) must contain the following columns of data:
VehicleStopID, StopDate, StopTime, StopCause, Race, Sex, Age, Arrested, Searched, ObtainedConsent, ContrabandFound, PropertySeized, SDResident, ServArea, ForceUsed, OfficerID

[Read more](#)

Received July 2, 2017 via web

Departments **Police**

Requester **Richard Hylton**
 hyltonrctar@gmail.com
 13146 Jane Court, San Diego, CA 92129
 858-484-6330
 Self

[View email status](#)

Documents

Public (none)

Requester Only (none)

Staff

Point of Contact **Lea Fields-Bernard**

Visible to REQUESTER and STAFF

I have since visited the Open Data Portal, and just like this document, there is nothing there. There are no data sets that are responsive to my request.

I shall have to start my stopwatch later.

External Message Requester + Staff

Please note that the Gold Standard (a real one that is not an idle boast) for vehicle stop studies is that done by Stanford University on vehicle stop data. It uses stop data as is defined below. [Image: inline image 2] I seek to emulate the best, even as I plagiarize their work. The failure to allow me access to FI data, which is most obviously stop data, to verify even the raw counts, impinges on my ability to boast of having used best-practices or to do really reliable work. Again, I have no interest in what is written about the investigation, only about the demographics, date, time place etc. of the interview (BTW, the cowboys of the garg unit take care to instruct the uninitiated on the importance of stop time.) Please reconsider. Finally, it is approaching two months now since I asked Oakland for their data. Artless dodgers, they are. Sent with Mailtrack

July 16, 2017, 5:42pm by the requester via email

External Message Requester + Staff

Mr. Hylton,

Attached please find a portion of records (to #2 of your request) that are responsive to your Public Records Act request.

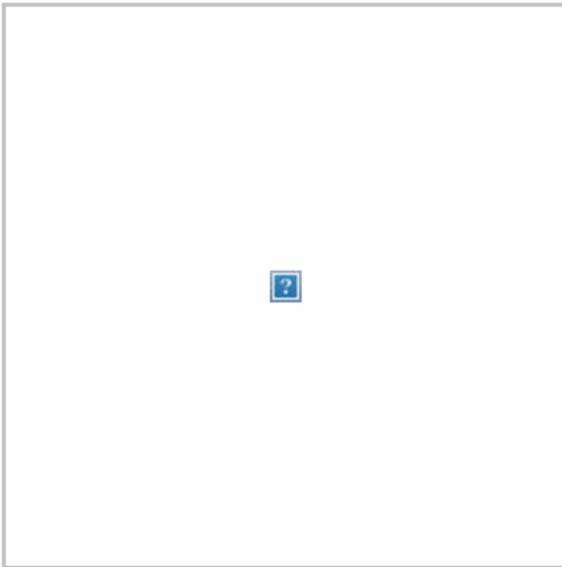
As to #3 of your request, the City is withholding any responsive documents pursuant Government Code section 6254(f) (records of investigation, intelligence information). Further, FIs in the STOP database are assigned numbers which will not cross-reference to incident numbers assigned to department documents. Please note that we are still in the process of reviewing other potentially responsive documents. Assuming other responsive documents exist, we will get them to you as soon they are available. We reserve the right to withhold and/or redact any records or information that may be exempt from disclosure under the Public Records Act, and/or other applicable legal privileges including, but not limited to, attorney work product and attorney client privileges.

Thank you.

Sent with [Mailtrack](#)

On Fri, Jul 21, 2017 at 10:09 AM, City of San Diego Public Records <sdnextrequest@sandiego.gov> wrote:

– Write ABOVE THIS LINE to post a reply –



City of San Diego Public Records Requests

A message was sent to you regarding record request #17-1889:

Mr. Hylton,

There are no responsive documents.

The motion that was passed at City Council on February 27, 2017 included a request to bring the topic of vehicle stops to the Public Safety and Livable Neighborhood's Committee on an annual basis. It did not include direction to produce or commission a new vehicle stop card study or analysis. The Committee on Public Safety and Livable Neighborhoods will be bringing forward an update item regarding vehicle stops and relating policies on an annual basis but it is still at least seven to eight months away from doing so. The San Diego Police Department will be taking the lead on preparing a report to the Committee and I welcome you to re-submit a Public Records Act request as we get closer to the one year mark.

Sincerely,

[View Request #17-1889](#)

--
Richard Hylton
[REDACTED]

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Like NextRequest? [Recommend us to another government!](#)*



AB953

From: AB953
Sent: Tuesday, May 02, 2017 3:37 PM
To: 'Richard Hylton'
Subject: RE: Please advise if the formal rules have been published

Hello Richard,

Apologies for the delayed reply; it appears that a previous reply did not in fact go through to you. The formal regulations have not yet been published. The first public comment period closed on January 27, and our office is in the process of revising the regulations. For a copy of the rulemaking documents, you may visit our website at oag.ca.gov/ab953/regulations. If you are subscribed to the AB 953 mailing list, you will also receive a notification when the next version of the regulations is posted.

Thank you for your interest in the stop data regulations.
AB 953 Team

From: Richard Hylton [mailto: [REDACTED]]
Sent: Friday, April 21, 2017 9:35 AM
To: AB953; 'Richard Hylton'
Subject: RE: Please advise if the formal rules have been published

This is my second request

From: Richard Hylton [mailto: [REDACTED]]
Sent: Tuesday, April 11, 2017 8:34 AM
To: 'AB953@doj.ca.gov'
Subject: Please advise if the formal rules have been published

If they have been published, please reply with a copy or a link to where I may find them.



Virus-free. www.avast.com

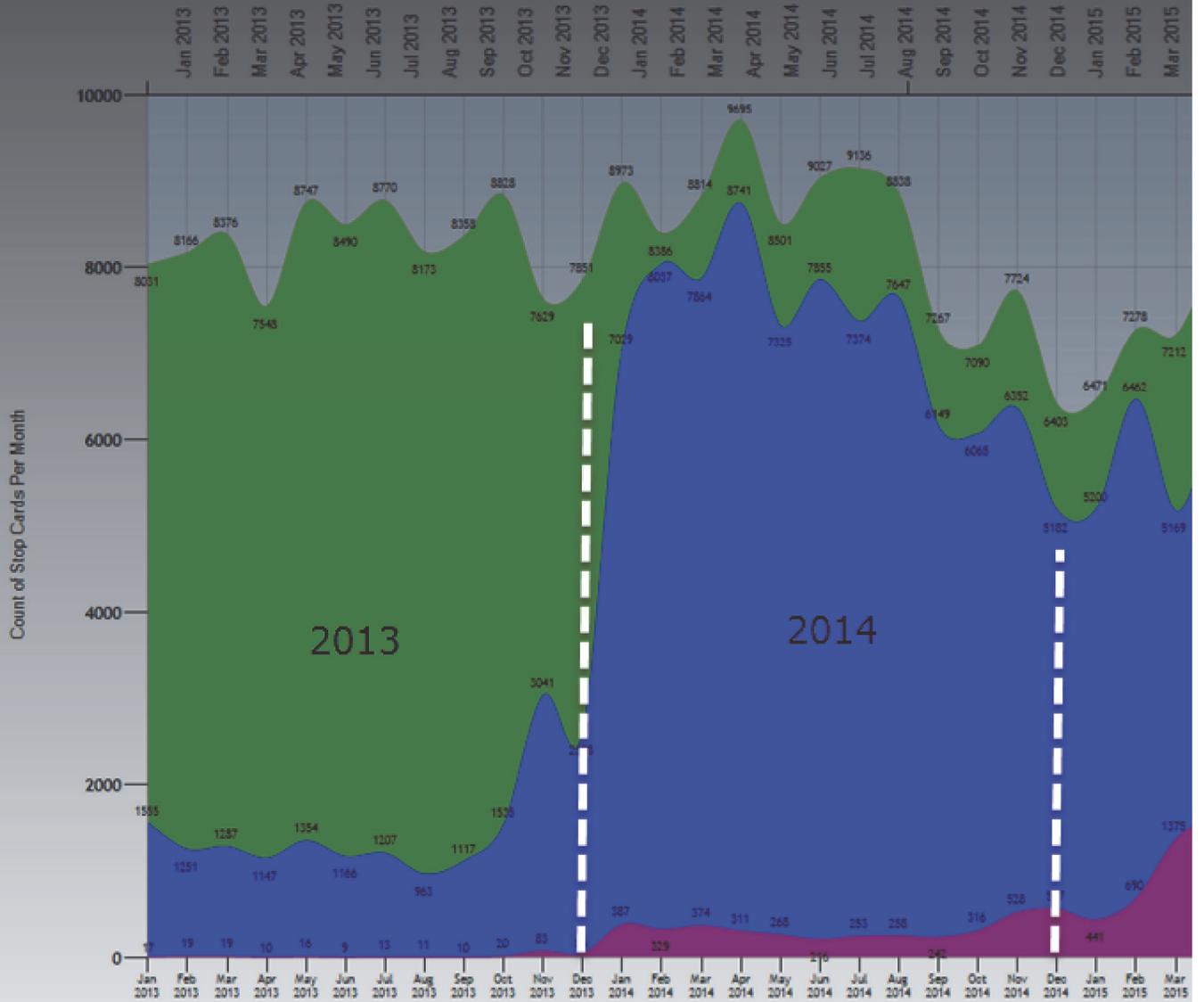
Kathleen Radez

From: Richard Hylton <[REDACTED]>
Sent: Wednesday, May 10, 2017 5:26 PM
To: Shannon Hovis
Subject: Opposition to the early implementation of the provisions of AB953 by the City Of San Diego

I wish to confirm my comments where I stated my opposition to any early implementation of AB953, by this fine city. Early implementation is the city's stated goal and is part of the "penance" recommendation by the analysts from San Diego State University. Indeed, this goal goes well beyond San Diego State's suggestion. Several members of the City Council are advocates of it, and in that effort are joined by Assembly member Shirley Weber, the law's author. Weber has written an Opinion Piece advocating that initiative. With early implementation, Weber postulates, San Diego may gain absolution and regain its self-proclaimed "[Leadership in data-driven policing](#)"; arrogant nonsense.

I know better. Because of my superior knowledge, I oppose any attempt to so-easily rehabilitate the fine ladies and fellows who have wrought the abomination that is San Diego's Vehicle Stop Data and/or the policies and practices which created it. Things are considerably worse than have been portrayed; because San Diego's data is "fudged." Noting shows the claimed fact more that this extraordinary graph.

Record Collection History:2013-01-01 - 20

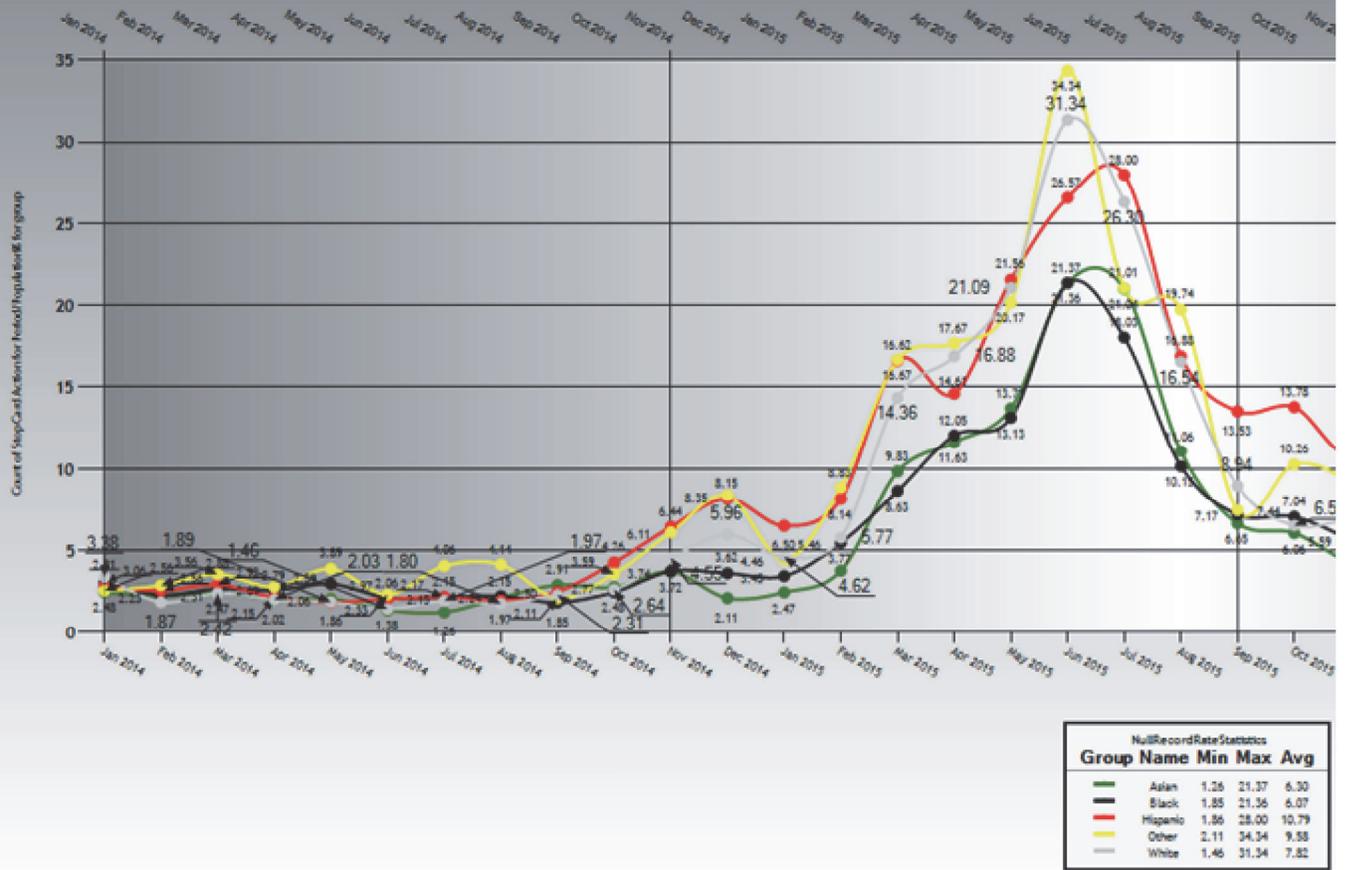


:[ActualCitations]:[Cited]:[NullRecords]

Data Collection Statistics				
Color	Name	Avg	Total	Min
Green	[ActualCitations]	7,222	368,346	4,818
Blue	[Cited]	4,782	243,893	963
Purple	[NullRecords]	653	32,302	9

Type: SplineArea Font Color: Excel Use Date Filter

and if you wish to know which race/ethnicity this data-wound affects most, it is Hispanics.



The analysts claim that there is no disparity for citation rates for Hispanics. Doubtless, you can see why

A reading of the SDSU report discloses the nature of the data's shortcomings, but does not disclose that the members of the city council and the [data's analysts knew that the data was being "fudged"](#); was adulterated, evidently, so as to report disparities that are less severe than they actual were[1]. A bold and severe charge I know, but [I do have acknowledgements](#)[2], from some of them, of [my numerous warnings on the subject](#). Moreover, my claim shall have no denials from unimpeachable sources.

As additional support to my seemingly outlandish claim, I have [linked a communication](#) that I sent to the other than honourable City Council, which communication was delivered today.

To see another demonstration of the City's indifference to its obligation to provide accurate data, select [this link](#)[3]. Rather than follow the simple procedure to fix its data, the city provided 692 “nulled-out” Vehicle Stop

records where, in fact, a matching citation record was present in its files. According to [Richard Hylton's 5/10/17.pdf](#) indicated, for all ethnicities, for the first Quarter of 2017.

Finally; I am encouraged to learn that the State shall include algorithms to ensure that submitted data is logically consistent. I do hope that in addition to basic primary key sequence verification, external, non-stop data datasets, common to all encounters[4], will be used in those endeavours.

RH Villa is the Deputy Chief Operations Officer for the City of San Diego. He knows everything, almost as much as I do, and for that reason he is copied on this.

[1] And, at that they were inept too. While the data did show reduced disparities, the SDSU analysts were prevailed upon or induced to falsely claim an absence of disparities.

[2] AFAIK, apart from the addressee, [I have not sent this linked item to anyone before](#) (for now, I shall keep the rest to myself.) *"6952 Search Detail Records have nothing. This points to a poorly constructed system, poor data extraction or data purging. In any event, despite having brought this matter to the SDPD's and the Vendor's attention, the empty (null) data remains unexplained. The unexplained gaps in ID sequence pointing to Missing Stop and Search records is probably as before. I did not bother to look."*

In addition to the lack of Primary Key sequence, 6952 records were "nulled-out. By the end of 2015 over 25,000 records were "nulled-out."

[3] I direct attention to: *"I take this opportunity to encourage those responsible to perform a fix-up, using the judicial records, so that "matchable" VSD records that show ActionTaken as NULL are made not NULL, when they are found in the judicial records. The people who would do those things should be able to find a sizable number of fixable items and doing as I suggest ought to be a standard part of the validation process. Indeed, it is but an active extension of the analysis that used to be done by Lieut. Stephanie Rose and others"*

[4] Field Interviews, Written Warnings, Judicial file of citations etc.--

Richard Hylton



Kathleen Radez

From: Richard Hylton <[REDACTED]>
Sent: Thursday, May 11, 2017 3:39 PM
To: Shannon Hovis; Andrea Guerrero, Esq.
Subject: Re: My three late cents on data submission.

A parent without one or more child records is invalid and parents must have children, otherwise they too are invalid.

should have read:

A parent without one or more child records is invalid and **children** must have **parents**, otherwise they too are invalid.

 Sent with [Mailtrack](#)

On Thu, May 11, 2017 at 3:23 PM, Richard Hylton <hyltonrichard@gmail.com> wrote:



Since ethnicity and/or race is collected on the basis of visual observation or surname, the standard aggregate categories: Ethnicity (Hispanic or Latino; not Hispanic or Latino); and race (American Indian or Alaska Native; Asian; Black or African American; Native Hawaiian or Other Pacific Islander; White should be the basis of collection and reporting; six discrete groups. This is somewhat similar to [12 CFR Part 1003 \(Regulation C\)](#).

1. Hispanic or Latino
2. Asian
3. Black or African American
4. White
5. American Indian or Alaska Native
6. Native Hawaiian or Other Pacific Islander
7. Unknown or Other.

Unknown or Other is not a racial or ethnic group. and this basis for selection is supported by the Census categories.

Data submission and validation.

The structure as is used by the City of San Diego is standard; i.e. a Parent/child structure. Each parent carries stop and demographic information and is made unique by a sequential Primary Key. This parent **must** be supported by one or more detail records of post-stop actions or the basis for said action. Detail (child) records are held in a separate table. Each detail record **must** carry the Primary Key, from the parent. This is Foreign Key to the Detail record, and it allows it to be related to the parent. Each detail record should have its own discrete sequential Primary Key. A parent without one or more

child records is invalid and parents must have children, otherwise they too Richard (This file is a pdf validation could occur at the source and repeated at the CA DOJ)

Fields, in all records, must have single contents. Information must not be separated or concatenated using commas or other characters. The foregoing facilitates counts and summaries. [The linked excel file](#), based on about 362,000 stop records, includes a tab or two that shows the mayhem that occurs when fields do not contain single values.

I am intrigued and mildly amused by the use of “Other” for various things. Most times, there is a suggestion for the accompanying use of free-form explanatory text. I urge against the State's use of text fields of indeterminate length: **performance!**

The concern over time-cost is overblown. It is callous too. One commenter addressed that canard by stating that the lives and welfare of citizens ought not be measured by time or money. I concur. And, it is clear to me, and should be so to others, that some 60% of all stops are completely resolved by a single action; a citation. Citation records are robust records since each is subject to judicial scrutiny and is a revenue generator. In San Diego, where a citation is the sole resolving action, the citation record is superior, in all respects, to the Vehicle Stop Record. A well constructed system should take advantage of this. It is therefore reasonable to conclude that the estimates that have peppered the state, can reasonably be cut in half. As for costs, I refer to the costs of police abuse in Charlie Beck's city. Charlie Beck complains about time too. His efforts are misplaced.

Many people, cops mostly, seem fearful of Officer ID being present in, or derivable from, this information; a worthwhile concern perhaps. I reject the concern, since State law holds that officer names are discloseable information. In the killing of Douglas Zerby, the court said the [California Public Records Act](#) does not permit police agencies to cite general concerns about officer safety to justify withholding names.

“If it is essential to protect an officer's anonymity for safety reasons or for reasons peculiar to the officer's duties — as, for example, in the case of an undercover officer — then the public interest in disclosure of the officer's name may need to give way,” Justice Joyce L. Kennard wrote for the majority. “That determination, however, would need to be based on a particularized showing.”

Please ensure that final regulations conform to State law. Include Officer ID and make me happy.

Finally, San Diego appears not to have made any comments regarding the regulations. I suppose that they are waiting for them to be finalized. Only then shall come the showers of complaints. They are already complaining that they do not have the requirements.

--

Richard Hylton



Sent with [Mailtrack](#)

--

Richard Hylton



Kathleen Radez

From: Richard Hylton <[REDACTED]>
Sent: Monday, May 15, 2017 1:39 PM
To: Norma Chavez-Peterson
Cc: Shannon Hovis
Subject: The Great White Hit Rate Dive, should not be allow to stand

I suppose that that which was made known to us; those forty-odd souls who gathered in the office of the ACLU, on that December night in 2014, was shattering to those who want to protect how the SDPD is perceived. Chanin stated that Blacks and Hispanics, although searched at significantly higher rates were found to have the lowest "Hit Rates" (Contraband found div. Searches conducted.) Last November, Chanin and his posse, Megan Welsh, Dana Nurge, and Stuart Henry, informed members of the city council and the press -so the public- of that fact. Said fact is the salient or most powerful, alarming, attention-getting point in your oral presentation and written communications on the Racial Profiling report. I embed the supporting report table an excerpt from your written comment here.

Table 5.3.**Traffic stops and post-stop outcomes, by driver race/ethnicity**

Driver race	Stops	Search (%)	Hit rate (%)	Arrest (%)	FI (%)	Citation (%)
Asian/PI	41,021	4.5	5.2	0.8	2.0	57.2
Black	28,535	9.3	7.7	1.8	8.0	46.1
Hispanic	77,934	5.9	7.4	1.5	3.0	56.7
White	111,855	2.9	11.2	1.2	1.5	57.8
Total	259,345	4.4	8.5	1.3	2.7	56.1

Published: February 28, 2017

**ACLU Statement by
 Norma Chavez-Peterson
 Executive Director ACLU of San Diego and Imperial Counties:**

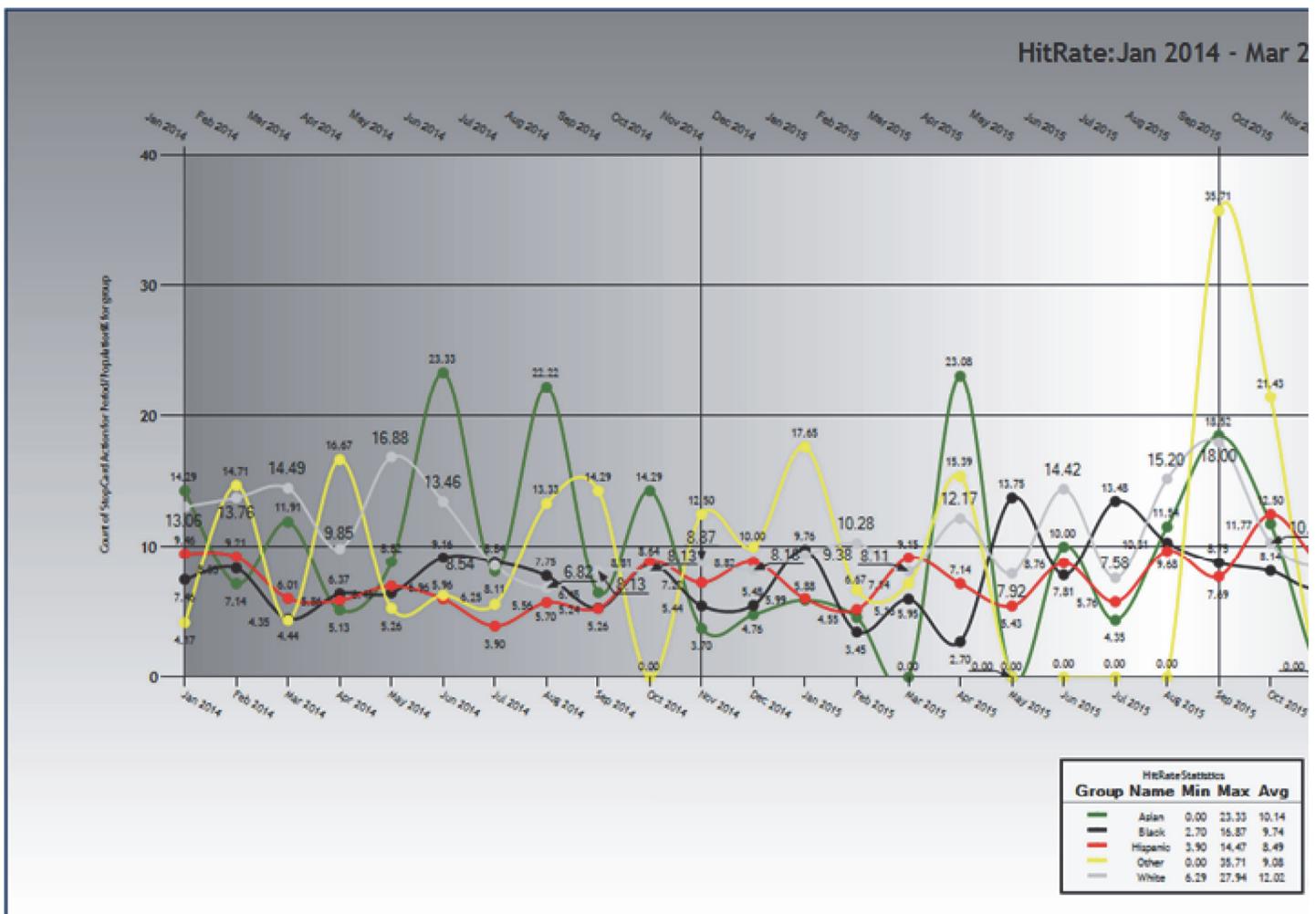
The majority of the San Diego City Council demonstrated an inexcusable failure in leadership yesterday in their decision to accept the 2-year independent study of police traffic stop data, but disregard its recommendations.

The Council had before them the results of an SDSU study, requested by former Councilmember Marti Emerald in 2015 to address community concerns about racial profiling by San Diego Police Department officers, wherein researchers independently examined more than 200,000 records of police traffic stops over two

years. Among their findings was clear evidence of racial disparity in what happens when a driver is stopped. For example, Black and Latino drivers are nearly twice as likely to be searched, but significantly less likely to have contraband than White drivers; and Black drivers are three times more likely to be subjected to a field interview and have their information kept in police databases for some unknown future purpose.

Your observation is powerful because it strips SDPD police officers of the standard hackneyed and false rationale that is usually put forward as justification for abusive, humiliating stop and search conduct. Indeed, police Best Practices requires that stop and search practices be adjusted when Hit Rates from targeted groups prove to be unrewarding. Hit Rates disparities, as we have in this fine city argue that it is more likely than not that race/ethnicity is a motivating factor behind stop and search conduct.

Doubtless, the data engineers were alarmed too, because the data since November is markedly different from that to which I had become used to. Last week, I sent data on accumulations for 2017. Today the accumulations are per-month for the period Jan 2014 through March 31, 2017. Accordingly; it shows the crossover of values; i.e. where hit rates for Whites fall below those for other groups. Behold what the data-engineers have wrought. It is impressive; transparent too. **The last quarter ended with hit rates for Whites being the lowest of all.** Very nice!



And showed the rates whom the engineers had blest,
And lo! The Whites trailed all the rest.

see.... Abou Ben Adhem

Meanwhile, the State's chief law-enforcement officer is dragging his feet on publishing the data submission regulations for AB953; which delay I expect shall be milked by Zimmerman's gang; a bunch of [Leaders in](#)

[Data-driven policing](#) who could not find time to comment on the **proposed** AB953 regulations.

Carry on.

--

Richard Hylton

[REDACTED]

[REDACTED]

[REDACTED]

copies by email to RHVilla, Chris Haney, Shelly Zimmerman, Mara Elliott, Shannon Hovis

shannon.hovis@doj.ca.gov;
rhvilla@sandiego.gov;
sdpdpolicechief@pd.sandiego.gov;
cityattorney@sandiego.gov;
chaley@pd.sandiego.gov

[1] SDSU's table 5.3 shows that Blacks are $8.00/1.5 = 5.33$ times as likely to be Field Interviewed as Whites; my computation says 5.43; i.e. no significant difference

 Sent with [Mailtrack](#)

Kathleen Radez

From: Richard Hylton <[REDACTED]>
Sent: Tuesday, May 16, 2017 9:55 PM
To: RHVILLA@sandiego.gov; Mara W. Elliott; Shannon Hovis
Subject: Re: San Jose's Vehicle Stop Data

Further to my earlier, I read some of the linked documents and watched some of the videos. A passage from the SDPD's **Bread and Butter** comments in Police Magazine confirms what I had written before It was this admonition:

*If you're conducting a large field interview of multiple people at once, make sure the same interview location and time appear on every related field interview card. This will help in linking them together in later investigations and **computer checks.***

The SDPD officers are aware onto this, this linking, or so they think, because they mess with the stoptime, race age, sex to throw you off. You have to overcome that tactic with deductive algorithms; the application of probabilities; degrees of confidence on matches. Even with this, I am not able to reach 90%. For that you need supervision of officers, the sort of thing that used to be done by Rose, Cohen and others, until they learned that ignoring that task would be productive for ulterior purposes.

For that reason, I advocate using the money-maker, the citation, to populate time race and sex. That would obviate some concerns around 60% of the time and will produce close to 100% compliance for stops resolved by citations only. The other post-stop data that is stored in databases should have similar timestamp requirements for matching or should be kicked back to the officer who generated the records for correction.

Only on writing this, did it become clear to me why Lea Fields-Bernard does not wish me to have the FI database records under CPRA 17-935. [This request for public documents was denied.](#) I do not find it possible to allow that to stand.

I am sending Fields-Barnard a copy of this; the City Attorney and the CADOJ too.

lfbernard@sandiego.gov
cityattorney@sandiego.gov
shannon.hovis@doj.ca.gov

 Sent with [Mailtrack](#)

On Tue, May 16, 2017 at 6:26 PM, Richard Hylton <hyltonrichard@gmail.com> wrote:



----- Forwarded message -----

From: **Richard Hylton** <[REDACTED]>
Date: Tue, May 16, 2017 at 6:16 PM
Subject: San Jose's Vehicle Stop Data
To: Shannon Hovis <shannon.hovis@doj.ca.gov>

Error! Filename not specified.

What San Diego does for Blacks, San Jose does to Latinos. The San Jose dataset is far less comprehensive than that which San Diego collects.

San Jose Racial Profiling.pdf

It too argues for the inclusion of post-stop data from other post-stop databases, and a well-written system can leverage and so auto-populate and auto-verify from those databases.

The following six external data tables certainly do exist in some database.

Citations

Arrests

Inventory Searches [towing records]

Field Interviews

Contraband information

Written Warnings

And others from this list, but not limited to it.

- 4th Waiver Search
- Arrested
- Cited
- ConsentObtained
- ConsentSearch
- ContrabandFound
- DriverSearch
- FieldInterviewed
- InventorySearch
- NonConsensualSearch
- OdorOfContrabandSearch
- OtherSearch
- PassengerSearch
- PropertySeized
- Stops
- MultiViolations
- ActualCitations
- NullRecords
- SDResident
- SearchIncidentToArrest
- VehicleSearch
- VerbalWarning
- WrittenWarning

--
Richard Hylton



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Richard Hylton



 Sent with [Mailtrack](#)

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Richard Hylton



Kathleen Radez

From: Richard Hylton <[REDACTED]>
Sent: Friday, May 19, 2017 2:31 PM
To: RHVILLA@sandiego.gov; Shannon Hovis
Subject: Everybody is a joker

< Request #17-1158 >

 OPEN

Documents, in PDF format, of comments regarding the proposed stop data regulations on AB653 that may have been submitted to the California Department Of Justice, before, during or after the first public comment period, closed on January 27, 2017.

I have searched the CA DOJ documents for the public comments from The City Of San Diego, a would-be leader in Data-driven Policing, and have found nothing.

Received **May 10, 2017** via web

Departments **Public Records Administration**

Requester **Richard Hylton**
 hyltonrichard@gmail.com
 13166 Jane Court, San Diego, CA 92129
 858-484-6330
 Self

[View email status](#) ⓘ

Documents

<i>Public</i>	(none)
<i>Requester Only</i>	(none)

Staff

Point of Contact **Lea Fields-Bernard**

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May 15

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Richard Hylton



Richard Hylton 5.19.17.pdf



Sent with [Mailtrack](#)

AB953

From: Shannon Hovis
Sent: Thursday, May 25, 2017 11:33 AM
To: AB953
Subject: FW: In the name of clarity on Public Records request 17-1158

From: Richard Hylton [REDACTED]
Date: Thursday, May 25, 2017 at 11:30 AM
To: "Fields-Bernard, Lea" <LFBernard@sandiego.gov>, Shannon Hovis <shannon.hovis@doj.ca.gov>
Subject: In the name of clarity on Public Records request 17-1158

In my attempt to be comprehensive I worded my request as below:

Documents, in PDF format, of comments regarding the proposed stop data regulations on AB653 that may have been submitted to the California Department Of Justice, before, during or after the first public comment period, closed on January 27, 2017.

Your decision to close my request, based on my informational update that relates only to items sent before or during the comment period, ended January 27, 2017, give me pause. For that reason, I am compelled to clarify.

Please work on the documents that may have been sent after the first public comment period. I am after documents that the City Of San Diego may have submitted in its capacity as a **LEA Consultant**. The AG states in the ‘**The LEA First Wave Consultation**’, the AG will "Work with large agencies (1,000+ officers) to assist with collecting, extracting and transmitting stop data to DOJ."

And, as much as I will allow that comments, as would come from the City of San Diego, should have equal standing to the principles that underlie Sutton's law, I continue to reject the idea that this City Of San Diego, like Willie Sutton^[1], is a leader in anything that is not abominable.

[\[1\]Frank Abagnale](#) the note criminal, con man, imposter and fraudster was a consultant to the [Richard Hilton](#) 5.25.17.pdf



Sent with [Mailtrack](#)

Kathleen Radez

From: Richard Hylton <[REDACTED]>
Sent: Saturday, June 17, 2017 8:48 AM
To: Catherine Ysrael; Shannon Hovis; Mara W. Elliott
Subject: Fwd: The Rime of The Ancient Mariner

I am disobedient. You may be incompetent. You are certainly lacking in capacity; judging from your (your department's) failure to deliver; failure to follow the law that protects me.

Keep your officious comment to yourself.

----- Forwarded message -----

From: Richard Hylton <[REDACTED]>
Date: Sat, Jun 17, 2017 at 8:26 AM
Subject: The Rime of The Ancient Mariner
To: "Peter Brownell Ph.D" [REDACTED]
Cc: Joshua Chanin [REDACTED], Stuart Henry [REDACTED], "Christopher R. Wilson" <chris@alliancesd.org>, Norma Chavez-Peterson <norma@aclusandiego.org>

Error! Filename not specified.Peter;

Around two weeks ago VOSD published a piece that asserted that the SDSU-produced report was **watered-down**. The piece claimed that there were several places where analysts had made findings of "bias" but had changed those findings to findings of "disparity." All that water evoked remembrance of The Rime of The Ancient Mariner.

It is a [~~an ancient Mariner~~]-racist policeman,

And he stoppeth one of three.

'By thy long grey beard and glittering eye,

Now wherefore stopp'st thou me?

Following that **watering-down** revelation, Myrtle Cole, full of fury, had her say, as did the ACLU. They both know better and so their remonstrations signify little or nothing, for either or both saw the concealed water can(s) as early as fall 2014.

Do not allow yourself to be beguiled by stalking horses; horses placed in the public pasture for persons with influence, by media flacks.

The SDSU report was **watered-down**, all right, but not by the change of the word **Richard Hyton** to **Disparity**; pdf what is disparity if not the measure of the degree or magnitude of bias? The difference in both terms is the same as the difference between speed and miles-per-hour. The latter is the unit of measurement of the former (if you disagree, I invite you to view the exchange between Professor Chanin and Scott Sherman @ February 27, 2017[1].) No, the watering down is in the watering-down of data, and in how the report's "findings" were presented. They were presented to mislead, to deceive.

The data was **watered-down** by not being entered and/or by being ripped out; i.e. purged from the database. And, prognostications were presented as though they were measurements of actual disparities. Here are examples:

1. Citation data for Asians was entered, on average 99.26% of the time; Whites 85.45%; Latinos 82.17% and Blacks 81.27%.

Observation: The higher the actual citation rate, the lower the entry-rate of those citations, by SDPD.

Race Category	Jud. Number	VSD Number	VSD Diff.	Race %	Jud. %	Data-entry Compl. Rate	Adj. To Maj. Rate	Cited %	Adj. Cite Rate	Stop Year	EDP	Disp. Act	Disp. VSD
Asian	6450	6624	-174	6.46	7.74	102.70	12.65	54.06	41.41	2014	16.99	0.38	0.46
Black	9195	7754	1441	9.21	9.06	84.33	-5.72	48.04	53.76	2014	5.50	1.67	1.65
Hispanic	30097	26631	3466	30.14	31.10	88.48	-1.57	61.23	62.80	2014	27.03	1.12	1.15
Other	11946	6639	5307	11.96	7.75	55.58	-34.47	64.51	98.98	2014	3.23	3.70	2.40
White	42166	37972	4194	42.23	44.35	90.05	0.00	61.26	61.26	2014	47.20	0.89	0.94
Asian	5215	4997	218	6.34	7.90	95.82	14.98	54.37	39.39	2015	16.99	0.37	0.46
Black	7643	5977	1666	9.29	9.44	78.20	-2.64	48.21	50.85	2015	5.50	1.69	1.72
Hispanic	25186	19106	6080	30.63	30.19	75.86	-4.98	55.47	60.45	2015	27.03	1.13	1.12
Other	10023	5584	4439	12.19	8.82	55.71	-25.13	58.74	83.87	2015	3.23	3.77	2.73
White	34167	27620	6547	41.55	43.64	80.84	0.00	55.37	55.37	2015	47.20	0.88	0.92
	182088	148904	33184										

2. By locating records in the judicial citation database, it was determined that records affecting Latinos were purged at almost 4 times the rate of Whites (3.98); those for Blacks, over twice as often(2.15.)

This is what the information on purged items looks like:

VSD Null Records that were found in Judicial Citation tables					
Number	Race	% Null	EDP	Disparity	Comparison To Majority
103	Asian	2.41	16.99	0.14	0.25
283	Black	6.61	5.50	1.20	2.15
2573	Hispanic	60.12	27.03	2.22	3.98
192	Other	4.49	3.23	1.39	2.49
1129	White	26.38	47.20	0.56	1.00
4280		100.00	99.95		

To summarize the above, the SDPD failed to enter data in a biased or disproportionate manner. Why? Blacks and Browns were involved.

3. The SDSU Table 5.3[2], which I hold to be highly accurate (except for the ruse concerning Asians) is the only place in the SDSU report where actual measurements are represented **(I am sure that you saw this.)**

Table 5.3.
Traffic stops and post-stop outcomes, by driver race/ethnicity

Driver race	Stops	Search (%)	Hit rate (%)	Arrest (%)	FI (%)	Citation (%)
Asian/PI	41,021	4.5	5.2	0.8	2.0	57.2
Black	28,535	9.3	7.7	1.8	8.0	46.1
Hispanic	77,934	5.9	7.4	1.5	3.0	56.7
White	111,855	2.9	11.2	1.2	1.5	57.8
Total	259,345	4.4	8.5	1.3	2.7	56.1

All else are expressions of *likelihoods* and *odds*. So my experiences, my fate and my safety are reduced to gambler’s terminology or jargon; facts are further concealed in turgid and cryptic text; like so:

1. “Black and Hispanic drivers were more *likely* than White drivers to be searched following a traffic stop, and despite facing far greater search rates, were less likely to be found with contraband;”

And;

2. “when aggregated at the city level, the *odds* of a stop involving a Hispanic driver is not affected by the change from daylight to darkness, regardless of when the stop occurred or the comparison group used, as indicated by *odds ratios* that align so closely to 1.0.”

And;

3. “To account for the *possibility* that those factors that led to a search may affect the *likelihood* that a driver will receive a citation.”

And;

4. “Propensity score matching allows researchers to pair drivers of different races across the various other factors known to affect the *likelihood* of receiving a citation, being searched, arrested, subject to a field interview, or being found with contraband. In other words, this technique”

None of the above four items are about actual measurements.

Declarative statements would have been better, because it is such conflation-inducing mealy-mouthedness as we have above, that has caused the ACLU, Alliance San Diego and others to claim that Blacks are subject to field interviews (only) over twice as often as Whites; a watering-down. The actual measured numbers “shine plain,” after mental arithmetic, in Table 5.3. The number 8 divided by 1.5 = 5.33. Blacks are field interviewed over 5 times as often as Whites, and it is this *real* fact rather than *odds-based* likelihood that made [TB 14-02, April 9,](#)

[2014](#) necessary. This disparity number, 5.33, is much more often than the odds predicted by the 6:17.5:1 ratio of divisions for Arrests, Searches, Hit Rates and Citations to satisfy yourself.[3]

84,000 Verbal and Written Warnings

The failure to analyze the use of verbal warnings to conceal constitutionally infirm stops, and the forbearance given Whites and Asians, in the form of written warnings rather than expensive citations, is massively troubling, even scandalous. This is so for obvious reasons but particularly so because analysis of these items are a specific requirement of AB953[4]. This omission, by the analysts, lies behind a false claim that these records do not exist[5]. And Zimmerman’s equally false statement to that effect, and in support of that falsehood, is at best, a cover-up or, at worst, more watering-down.

Finally; the CA-DOJ, specifically the AG, despite the duty and obligation of ensuring that the rights of all citizens are protected and that all laws are obeyed, has asked me not to bring these matters to the attention of individuals employed there. I have chosen to ignore them, because they have failed to follow the law themselves, and shall hear from me in a formal way sooner than they think.

Water, water, every where,

And all the disparities [~~boards~~] did shrink;

Water, water, every where,

Nor any drop to drink.

Coleridge rolls.

[1] Professor Chanin, in the Q&A part of the [February 27, 2017](#) presentation speaks eloquently of “significant” disparities, while he speaks of the complex difference or distinction between bias and disparity. There is no complexity. Disparity is a means of measuring the magnitude of bias.

[2] The number of Asian/API records is around 19,000 records less than appears in [Richard Hylton 6-17-17.pdf](#) Asians, “the model minority”, to appear to be more heavily policed.

[3] Compared to Whites: Searches Blacks 3.17, Hispanics 2.03 times more. Hit Rate: Black 31%, Latino 34% less. Arrests: 1.5, Hispanics 1.25 times more, Field Interviews: Black 5.33, Hispanic 2.00 times more. Citations: Blacks 20%, Hispanic 2% less. The numbers presented for Asians are invalid.

[4] Section 12525.5 further requires agencies to report the *warning provided or violation cited* (if any) (id., subd. (b)(4)) as well as the offense charged if an arrest was made (id., subd. (b)(4)). Accordingly, data values were included to satisfy these reporting obligations and to allow the RIPA Board to analyze, for example, *whether racial disparities exist among certain categories of warnings...*

[5] At page 20, as a footnote, the SDSU analysts falsely claim: *“Because we do not have records of warnings given, there is no way to confirm this one way or another.”*

--

Richard Hylton



--

Richard Hylton



Sent with [Mailtrack](#)

From: [Richard Hylton](#)
To: [Catherine Ysrael](#)
Subject: Re: Confidential Report
Date: Tuesday, June 06, 2017 6:03:41 PM

Correct.
Thanks.

Sent with [Mailtrack](#)

On Tue, Jun 6, 2017 at 4:53 PM, Catherine Ysrael <Catherine.Ysrael@doj.ca.gov> wrote:

Dear Mr. Hylton,

Thank you for informing our office that you were able to obtain the report that you reference below, which was the subject of an email to me dated June 3, 2017, in which you sought our office's assistance in obtaining this document.

As a result, we assume you are withdrawing your request for our office's assistance in obtaining this document. Thank you.

From: Richard Hylton [REDACTED]
Sent: Tuesday, June 06, 2017 10:35 AM
To: Catherine Ysrael; Shannon Hovis; Fields-Bernard, Lea
Subject: Fwd: Confidential Report

I had sought your intervention in obtaining the attached.

Water is one thing, falsification is a separate and distinct. Misapprehension of the nature of the data, quite another.

The SDSU Racial Profiling report is all of those things.

----- Forwarded message -----

From: Nance Lakdawala <[REDACTED]>
Date: Tue, Jun 6, 2017 at 10:17 AM
Subject: Confidential Report
To: Richard Hylton <[REDACTED]>

Mr. Hylton,

I believe this is the version that you were looking for.

Thank you.

Nance

From: Nance Lakdawala [mailto: [REDACTED]]
Sent: Friday, March 03, 2017 9:08 AM
To: 'Kelly Davis'
Subject: FW: Confidential Report

From: Joshua Chanin [mailto: [REDACTED]]
Sent: Wednesday, February 01, 2017 9:25 AM
To: Nance Lakdawala
Subject: Fwd: Confidential Report

----- Forwarded message -----

From: Joshua Chanin [REDACTED]
Date: Thu, Oct 27, 2016 at 12:14 PM
Subject: Re: Confidential Report
To: "Santillan, Patricia" <PSantillan@sanidiego.gov>

Hi. A word file of the draft report is attached.

Josh

On Thu, Oct 27, 2016 at 10:26 AM, Santillan, Patricia <PSantillan@sanidiego.gov> wrote:

Good Morning!

Ron's wondering if you have the word version of the above report and if you can email it to me, please?

Thank you!

Tricia Santillan

Executive Secretary

City of San Diego

Office of the Deputy Chief Operating Officer

Internal Operations/Neighborhood Services

T [\(619\) 236-7080](tel:(619)236-7080)

psantillan@sandiego.gov



CONFIDENTIAL COMMUNICATION

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--

Joshua Chanin

School of Public Affairs

San Diego State University

[REDACTED]

--

Joshua Chanin

School of Public Affairs

San Diego State University

[REDACTED]

--

Richard Hylton

[REDACTED]

Sent with [Mailtrack](#)

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--

Richard Hylton

[REDACTED]

From: [Richard Hylton](#)
To: [Catherine Ysrael](#); [Shannon Hovis](#); [Fields-Bernard, Lea](#)
Subject: Fwd: Confidential Report
Date: Tuesday, June 06, 2017 10:37:21 AM
Attachments: [SDPD Vehicle Stops - FINAL DRAFT.docx](#)

I had sought your intervention in obtaining the attached.

Water is one thing, falsification is a separate and distinct. Misapprehension of the nature of the data, quite another.

The SDSU Racial Profiling report is all of those things.

----- Forwarded message -----

From: Nance Lakdawala <[REDACTED]>
Date: Tue, Jun 6, 2017 at 10:17 AM
Subject: Confidential Report
To: Richard Hylton [REDACTED]

Mr. Hylton,

I believe this is the version that you were looking for.

Thank you.

Nance

From: Nance Lakdawala [mailto:[REDACTED]]
Sent: Friday, March 03, 2017 9:08 AM
To: 'Kelly Davis'
Subject: FW: Confidential Report

From: Joshua Chanin [mailto:[REDACTED]]
Sent: Wednesday, February 01, 2017 9:25 AM
To: Nance Lakdawala
Subject: Fwd: Confidential Report

----- Forwarded message -----

From: **Joshua Chanin** <[REDACTED]>
Date: Thu, Oct 27, 2016 at 12:14 PM
Subject: Re: Confidential Report
To: "Santillan, Patricia" <PSantillan@san Diego.gov>

Hi. A word file of the draft report is attached.

Josh

On Thu, Oct 27, 2016 at 10:26 AM, Santillan, Patricia <PSantillan@san Diego.gov> wrote:

Good Morning!

Ron's wondering if you have the word version of the above report and if you can email it to me, please?

Thank you!

Tricia Santillan

Executive Secretary

City of San Diego

Office of the Deputy Chief Operating Officer

Internal Operations/Neighborhood Services

T [\(619\) 236-7080](tel:(619)236-7080)

psantillan@san Diego.gov



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--

Joshua Chanin

School of Public Affairs

San Diego State University



--

Joshua Chanin

School of Public Affairs

San Diego State University



--

Richard Hylton



Sent with [Mailtrack](#)

From: [Richard Hylton](#)
To: [Catherine Ysrael](#); [Shannon Hovis](#)
Subject: Within a minute of my last message, a call came from a masked number.
Date: Thursday, June 15, 2017 3:49:28 PM

If you call my number make sure that a Calling Line Identifier is presented.

--

Richard Hylton



Sent with [Mailtrack](#)

6/26/2017

Gmail - Fwd: Warnings by any other name

Hylton 6.26.17 fax.pdf



Richard Hylton [redacted]

Fwd: Warnings by any other name

Richard Hylton [redacted]
To: RHVILLA@sandiego.gov

Mon, Jun 26, 2017 at 1:50 PM

----- Forwarded message -----

From: Richard Hylton [redacted]
Date: Mon, Jun 26, 2017 at 1:39 PM
Subject: Warnings by any other name
To: "Fields-Bernard, Lea" <LFBernard@sandiego.gov>
Cc: "Mara W. Elliott" <cityattomey@sandiego.gov>, "Catherine Z. Ysrael" <Catherine.Ysrael@doj.ca.gov>

The first part of the reply below suggests that I am after warning records, I am not, for I am in possession for more than 114,000 such records, courtesy of your department and the SDPD.

A message was sent to you regarding record request #17-1520:

Mr. Hylton,

The San Diego Police Department does not have records of traffic warnings given since that information is not maintained in the ARJIS database. However, there are a series of checks boxes on each stop card regarding the outcome of the vehicle stop, including whether a verbal or written warning was given.

As to your request for a document defining "traffic warning," I am releasing Department 7.01 - Traffic (IV - page 10-11).

Sincerely,

As I have stated, ad nauseam, I see warnings "shining plain" in Vehicle Stop Data.

Again, as you have recognized in the final sentence, I am after the **definition** of the term **Traffic Warning**, as was used by Chief Zimmerman in her testimony before the City Council.

In the presence of the document titled TRAFFIC ENFORCEMENT AND CITATIONPROCEDURES, I am buttressed in my belief that the dear Chief misled the City Council with the claim or implication that there are no Traffic Warnings in the VSD database.

If I were less uncouth, I would describe the Chief's comment to the council as a lie. I have no such reservation with respect to the foolishness that exists in the more than \$64,000 "study," for those fools who spawned it did not use the generic qualifying term "Traffic."

Accordingly, after distillation of the provided document, I can again confidently claim that Blacks and Latinos, when subjected to San Diego's Traffic Enforcement And Citation Procedures, receive the most expensive means of resolving their alleged violations.

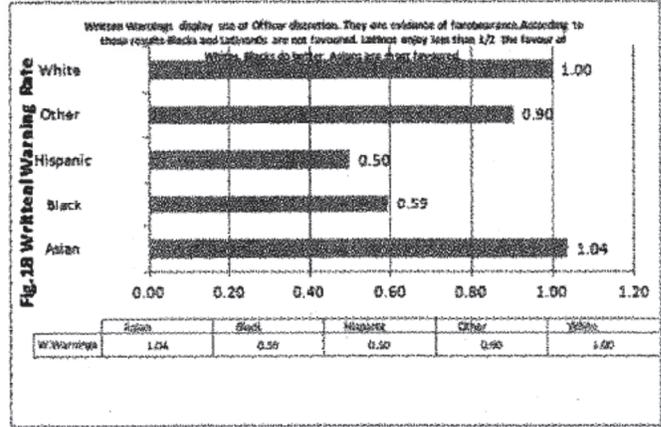
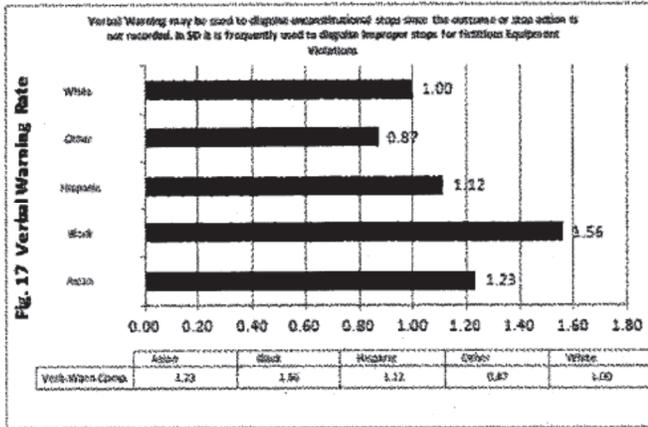
Race Category	Asian	Black	Hispanic	Other	White	
StopRecords	29186	40382	110384	28492	154190	362634
StopRecords%	8.05	11.14	30.44	7.86	42.52	
VerbalWarning	7686	13472	26311	5297	32947	85713
VerbalWarningToStops	26.34	33.36	23.84	18.59	21.37	
VerbalWarningComparison	1.23	1.56	1.12	0.87	1.00	
WrittenWarning	2990	2362	5425	2534	15218	28529
WrittenWarningToStops	10.25	5.85	4.92	8.89	9.87	
WrittenWarningComparison	1.04	0.59	0.50	0.90	1.00	

6/26/2017

Gmail - Fwd: Warnings by any other name

Hylton 6.26.17 fax.pdf

rh



I strongly recommend that the City demand a corrective revision from the SDSU analysts, since these are precisely the records referenced in RIPA Section 12525.5, which requires LEAs to report whether the stop resulted in no action or a warning. Section 12525.5 further requires agencies to report the warning provided and for the RIPA Board to analyze, for example, whether racial disparities exist among certain categories of warnings. We have ample evidence of such disparities here; even the inverse kind.

The SDSU analysts could not find the approximately 84,000 such warnings, in the 2014-2015 dataset, that produced substantially similar results.

I thank God that I am better than other men are.

As you can see The Deputy Attorney General for Civil Rights Enforcement is copied on this, despite her asking not to be addressed directly. Reminds me of Sly Stallone's maid being told not to look him in the eye.

I intend to fax it to her too.

Richard Hylton

Richard Hylton

Sent with Mailtrack

To view a High Resolution & Color copy of this fax:

1. Go to www.hellofax.com/HighRes

2. Enter Access Code:

f22673516c

From: [Richard Hylton](#)
To: [Amita Sharma](#); [Tarryn Mento](#)
Cc: [Elizabeth Aronson](#); [Catherine Ysrael](#); [Mara W. Elliott](#)
Subject: Re: "If you torture the data long enough, it will confess." -Ronald Coase
Date: Wednesday, June 28, 2017 8:48:17 PM
Attachments: [image.png](#)

With slight satisfaction I noted an article on your website today

<http://www.kpbs.org/news/2017/jun/28/california-stop-suspending-licenses-traffic-fines/>

What remains is the targeting of poor people, the fines imposed on them and the contempt with which they are treated in the courts.

As stated before, the persons at the bottom of the economic ladder are [targeted most and ticketed most](#); the result of city policy.

The below is from **unique** judicial citations, for violations of the vehicle code, and Vehicle Stop data for 2014-1Q2017

Race Category	Stop Count	Annual Totals	Stop %	Jud. Count	Year Count	Race %	Citation Rate	Stop Year	Disp To EDP	Comp Rate	EDP
Asian	12254	144164	8.5	6450	99854	6.46	54.06	2014	0.38	102.70	16.99
Black	16140	144164	11.2	9195	99854	9.21	48.04	2014	1.67	84.33	5.50
Hispanic	43497	144164	30.17	30097	99854	30.14	61.23	2014	1.12	88.48	27.03
Other	10292	144164	7.14	11946	99854	11.96	64.51	2014	3.70	55.58	3.23
White	61981	144164	42.99	42166	99854	42.23	61.26	2014	0.89	90.05	47.20
Asian	9191	115421	7.96	5215	82234	6.34	54.37	2015	0.37	95.82	16.99
Black	12397	115421	10.74	7643	82234	9.29	48.21	2015	1.69	78.20	5.50
Hispanic	34445	115421	29.84	25186	82234	30.63	55.47	2015	1.13	75.86	27.03
Other	9507	115421	8.24	10023	82234	12.19	58.74	2015	3.77	55.71	3.23
White	49881	115421	43.22	34167	82234	41.55	55.37	2015	0.88	80.84	47.20
Asian	7741	103049	7.51	4224	69010	6.12	58.06	2016	0.36	106.39	16.99
Black	11845	103049	11.49	6514	69010	9.44	49.80	2016	1.72	90.56	5.50
Hispanic	32442	103049	31.48	21734	69010	31.49	57.17	2016	1.17	85.34	27.03
Other	8693	103049	8.44	9350	69010	13.55	61.91	2016	4.20	57.56	3.23
White	42328	103049	41.08	27188	69010	39.4	61.65	2016	0.83	95.99	47.20
Asian	2030	28362	7.16	1111	18281	6.08	57.98	2017	0.36	105.94	16.99
Black	3305	28362	11.65	1715	18281	9.38	48.26	2017	1.71	93.00	5.50
Hispanic	9094	28362	32.06	5449	18281	29.81	54.95	2017	1.10	91.70	27.03
Other	2522	28362	8.89	2906	18281	15.9	67.13	2017	4.92	58.26	3.23
White	11411	28362	40.23	7100	18281	38.84	60.35	2017	0.82	96.99	47.20
	390996	1954980		269379							

The confounding citation rates -especially for Blacks- for the lower-rung groups are, in part explained by the lower data-entry (compliance) rates for these particular post-stop actions. It is what permits San Diego to claim an absence of disparities, as your organization and others have repeatedly reported. Curiously, disparities well below demographic presence, those that suggests being favoured, have not been reported upon. Quite extraordinary.

Investigative reporters should investigate, and so I continue to encourage you to fetch the data and to do your own analysis.

Sent with [Mailtrack](#)

On Fri, Jun 2, 2017 at 12:59 PM, Richard Hylton <hyltonrichard@gmail.com> wrote:

[It was in April, that I responded directly to you on a piece that dealt with how the poorer people in San Diego were dealt with by the courts](#), in the context of the "poverty penalty"; a lawyer's expression; Elizabeth Aronson if I am not mistaken.

You may recall that I invited you, an investigative reporter, to investigate the matter for yourself. I have seen no new pieces on the subject and I fear that you may have forgotten; so a friendly reminder. I say again, Blacks and Latinos have the highest Citation rates and the only reliable place to verify it is from judicial record of citation; the revenue generating records. It is so because the city somehow fails to enter records affecting Blacks and Latinos at an unusually high rate, in the Vehicle Stop database tables. That causes mayhem and more. Nowadays, it causes embarrassment. It causes visits to the confessional.

The below graph and table are about Citation data-entry rates. It does not directly show citation issuance rate (but clever people can infer them.)



Race Category	Judicial Number	Race Percent	StopData Number	Diff.	Stop Year	Source	Compliance Rate	YrYDiff
Asian	6450	6.46	6624	-174	2014	ActualCitations	102.7	
Asian	5215	6.34	4997	218	2015	ActualCitations	95.82	6.88
Black	9195	9.21	7754	1441	2014	ActualCitations	84.33	
Black	7643	9.29	5977	1666	2015	ActualCitations	78.2	6.13
Hispanic	30097	30.14	26631	3466	2014	ActualCitations	88.48	
Hispanic	25186	30.63	19106	6080	2015	ActualCitations	75.86	12.62
Other	11946	11.96	6639	5307	2014	ActualCitations	55.58	
Other	10023	12.19	5584	4439	2015	ActualCitations	55.71	-0.13
White	42166	42.23	37972	4194	2014	ActualCitations	90.05	
White	34167	41.55	27620	6547	2015	ActualCitations	80.84	9.21
	182088		148904	33184				

These are year-over-year figures. Judicial numbers is a count of unique "ActivityNumber" from the file used by the courts. Stopdata Number is a count of "Cited" from the Vehicle Stop data table. These numbers vary with those from SDSU. These numbers are correct, the strangeness of the data notwithstanding.

Most people would be alarmed at the massive change in compliance rates 2014-2015, especially as affects Latinos. Others would wonder about the 99.26% average for Asians.

SDSU's analysts, instead, published summaries claiming the absence of disparities for 2015 and when 2014 and 2015 are combined. RHVilla, the city of San Diego's point man, appeared on TV, expounding on the above especially the absence of stop and post-stop disparities for Asians. And dutifully, KPBS propagated the unqualified misinformation that came from the holder of its broadcast license. No one bothered to question anything.

No mention of how the data was tortured by not-entering it (or in the purging of it).

Now, this week we see that it is not the data that confesses, it is SDSU's chief analyst, Joshua Chanin. His confession is distilled to having [watered-down](#) the report's findings. That is not the half of it.

Please investigate this mess.

I would give you my worksheets of disparity in citation rates, but believe that your own work is always more persuasive.

Finally; I hope that you did not find my admonishment of Dana Littlefield unnecessarily harsh. This Jamaican does not believe that the Blacks should be enlisted to act against their own interests.

--

Richard Hylton



[Redacted]

Sent with [Mailtrack](#)

--

Richard Hylton

[Redacted]

From: [Richard Hylton](#)
To: [PIU](#)
Cc: [Catherine Ysrael](#); [Mara W. Elliott](#); [AB953](#); [Shannon Hovis](#); [RHVILLA@sandiego.gov](#)
Subject: Re: Correspondence to the Department of Justice
Date: Sunday, June 18, 2017 8:53:03 PM

In viewing correspondence sent to the DOJ, in connection to AB953, I noticed significant numbers of items sent to individuals including the arrogant Deputy Attorney General Ysrael, the instigator of the thread to which this response is written. From their names, stations and titles, I have concluded that none are Black; that is what they call me although I am not an African American.

Let me be clear. The CA-DOJ is hearing from me and shall continue to hear from me for the following reasons:

1. Even though I registered for notification on the matters at issue, the CA-DOJ failed to notify me of the public comment period or to send me proposed regulations. As a result I was unable to comment (even though there is no certainty that I would have.)
2. Had the CA-DOJ examined the data sent them, over a year ago, concerning City Of San Diego's data operations, my comments on those operations would be unnecessary. As you know Casey, Hallahan of your department returned that data.
3. I will not permit the City of San Diego to be seen as a valuable consultant on anything related to data; except on the contamination of it (or to use your representatives words the **fudging** of it.)
4. If your department had performed as the law required, my comments would not be subject to being disregarded as doubtless they are, they would be moot.
5. The separate standard that you seek to apply to me is particularly offensive and is a spur that is inimical to the goals expressed in you communications.

I reject Satan and all his works. Do the same.

Where are the final data-submission regulations?

On Thu, Jun 15, 2017 at 12:43 PM, AB953 <AB953@doj.ca.gov> wrote:

Dear Mr. Hylton:

Thank you for your recent email correspondence and telephone calls to the Office of the Attorney General expressing concern about the City of San Diego's Police Chief and the Department of Justice's AB 953 Regulations. In that correspondence you state generally that you "need information and asking for it is the best way to get it."

We request that if you wish to submit a Public Records Act request to our Office regarding specific information, please contact our Public Records Ombudsperson at PublicRecords@doj.ca.gov The purpose of the Public Records Act (Act) is to provide access to government records so that members of the public can monitor the performance of government agencies. In recognition of individual rights of privacy and the need of

government agencies to maintain the confidentiality of certain records, the Act provides several exemptions that permit government agencies to withhold specified information involving, for example, personnel, investigations, and litigation.

General correspondence and inquiries may be sent to our Public Inquiry Unit at PIU@doj.ca.gov.

If you have public comment you would like to submit regarding the AB 953 regulations, that can be submitted during any open public comment period on the regulations to this email address, AB953@doj.ca.gov

Please discontinue telephoning and sending e-mails to individual staff members, and instead please utilize the PublicRecords@doj.ca.gov or PIU@doj.ca.gov e-mail boxes as appropriate. This will ensure that your correspondence is appropriately reviewed and handled.

Thank you again for writing.

The AB 953 Team.

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--

Richard Hylton



From: [Richard Hylton](#)
To: [Catherine Ysrael](#)
Cc: [Mara W. Elliott](#); RHVILLA@sandiego.gov
Subject: The Rime of the Ancient Mariner
Date: Thursday, June 15, 2017 10:35:03 AM
Attachments: [CatherineYsraelNoOneHome.m4a](#)

Deputy Attorney General Ysrael;

I left you another message several minutes ago. As you will note, my ebbing patience almost matches that displayed by San Diego's police chief Zimmerman; she of the public and pharisaic display. Water-can in hand, she asserted, repeatedly, that her department is biting at the bit to right its racial-bias wrongs, but is impeded by the foot-dragging of the CA-DOJ. She is at least half-right.

Half-right for I am unconvinced by the rest of her charade. A charade, because foot-dragging from the DOJ, in publishing data requirements (now almost six months overdue) is quite an effective way of nullifying or watering-down the effectiveness of AB-953; an outcome near and dear to racists; a group that we have in abundance.

I will try again, around this time tomorrow, if my spirit persuades me. I pray that it will, because I need information and asking for it is the best way to get it.

A copy of my message is attached here for all to hear.

Water, water everywhere, even in the CA-DOJ.

--

Richard Hylton



Sent with [Mailtrack](#)

From: [Richard Hylton](#)
To: [citizens review board reform](#); [ACLU of San Diego & Imperial Counties](#); [Anthony D. Romero, ACLU Action](#)
Cc: [Catherine Ysrael](#); [Chuck Wexler](#); [Mara W. Elliott](#); [Alliance San Diego](#)
Subject: Fwd: Your City of San Diego public records request 17-1663 has been published.
Date: Sunday, July 09, 2017 11:14:07 AM

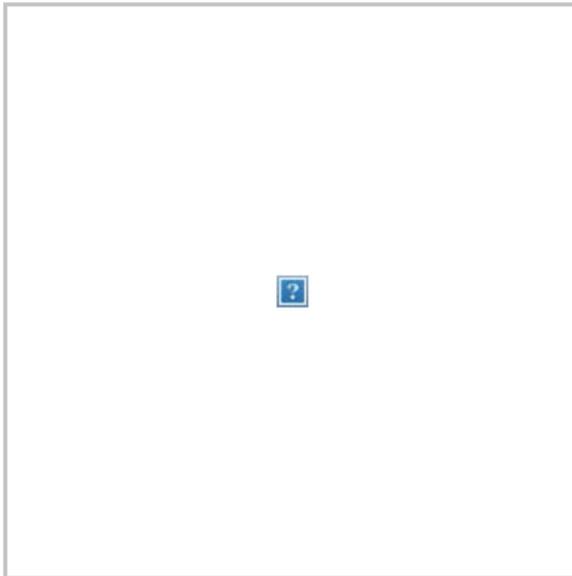
According to the City of San Diego, the long awaited EIIS or early warning system has no documentation of its data elements, and has no data fields. Despite these impossible shortcomings, the documentation of its data sources show that manual input of data is being performed.

I am not clever enough to understand this.

----- Forwarded message -----

From: **City of San Diego Public Records** <sdnextrequest@sandiego.gov>
Date: Sun, Jul 9, 2017 at 11:00 AM
Subject: Your City of San Diego public records request 17-1663 has been published.
To: [REDACTED]

– Write ABOVE THIS LINE to post a reply –

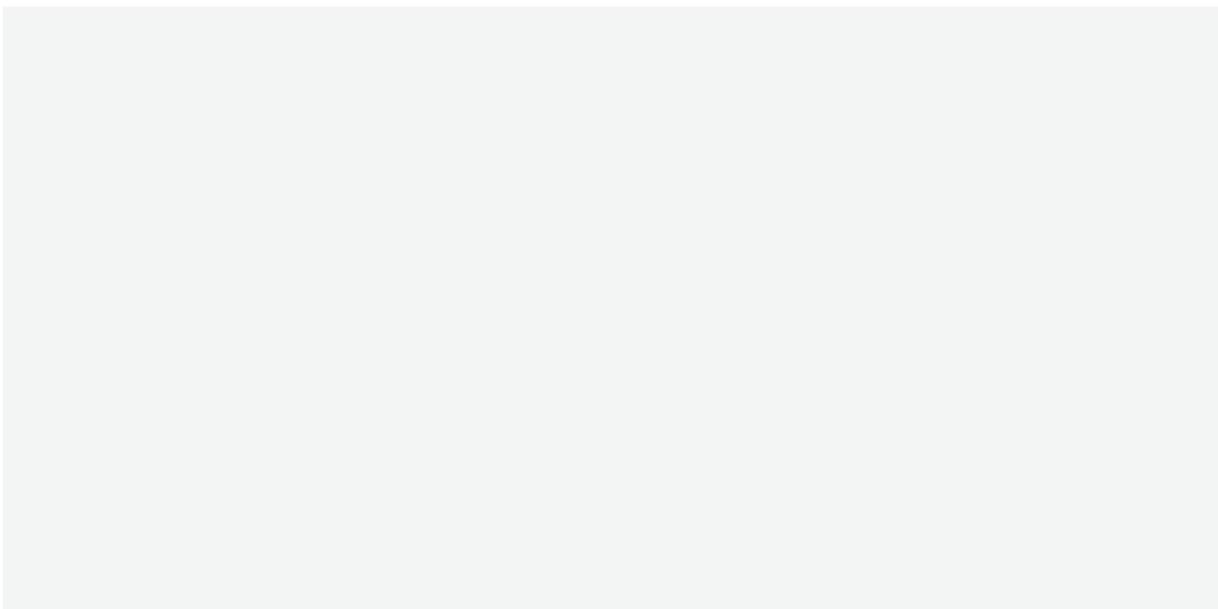


City of San Diego Public Records Requests

Record request #17-1663 has been published and is now available for public view.

[View Request #17-1663](#)

*Too many emails? [Change your email settings here](#)
Like NextRequest? [Recommend us to another government!](#)*



--

Richard Hylton



Sent with [Mailtrack](#)

From: [Richard Hylton](#)
To: [PIU](#)
Cc: [Catherine Ysrael](#); [Norma Chavez-Peterson](#)
Subject: Vehicle stop data regulations. This
Date: Wednesday, July 12, 2017 10:51:23 AM

The RIPA meeting held in San Diego today (still going on now), taught me that the data provision that addresses identification of officers has been stricken to conform to Officer-involved shooting laws.

I regret that. Please verify that Officer identification information will not be required in data submissions and please inform me how those changes, to the proposed regulations, can be held to conform to California Supreme Court decisions, **to the contrary**, on the matter.

I intend to fight you on this, if your regulations do not conform to law.

--

Richard Hylton



Sent with [Mailtrack](#)

From: [Richard Hylton](#)
To: [PublicRecords](#)
Cc: [Shannon Hovis](#); [Catherine Ysrael](#); [PIU](#); [Shirley Webber](#)
Subject: Questions concerning RIPA
Date: Wednesday, July 26, 2017 12:31:21 PM
Attachments: [image.png](#)

According to GMAIL it is now 10 days since my request for information (public documents) was presented for fulfillment. I do not wish for it to fall through the numerous cracks at the CA-DOJ, so I am writing to you to remind you of the following pending item:

Inline image 2



Carry on

Richard Hylton



Sent with [Mailtrack](#)