CALIFORNIA DEPARTMENT OF JUSTICE

ASSEMBLY BILL 953 STOP DATA REGULATIONS
PUBLIC HEARING

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TRANSCRIPTION OF PROCEEDINGS
FRESNO AREA HISPANIC FOUNDATION
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APPEARANCES
From the Office of the Attorney General, Civil Rights Enforcement Section (CRES):

SHANNON HOVIS, Chairperson
NANCY BENINATI, Supervising Deputy Attorney General
CATHERINE YSRAEL, Deputy Attorney General

From the California Justice Information Services Division (CJIS):

AUDRA OPDYKE
 RANDIE CHANCE

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PROCEEDINGS

MS. HOVIS: Good afternoon, everyone. So thank you all for attending today's board meeting earlier and also the public hearing right now. We very much believe that public participation in the rule-making process is really important, and we thank you for taking the time out of your day to be here. Really, very, very genuinely thank you for spending the day with us.

My name is Shannon Hovis, and I'm Senior Policy Advisor with the Attorney General's Office. And with me today are representatives in our Civil Rights Enforcement Section and our California Justice Information Services Division. And these are the two bodies that are responsible for implementing AB 953, the Racial Identity and Profiling Act at the Department of Justice.

So, specifically, to my right is Nancy Beninati, who is our Supervising Deputy Attorney General in the Civil Rights Enforcement Section. And we have Audra Opdyke and Randie Chance, who are both with the California Justice Information Services down here.

It's approximately 2:58 p.m. on Thursday, January 26th, and we are gathered here today at the Downtown Business Hub in Fresno to receive public comments on the proposed Stop Data Regulations recently
You should have received one page earlier, for "oag.ca.gov/AB953/regulations." Reasons, and fiscal impact analysis on our website at and the notice of proposed action, initial statement of Justice posted the proposed text of the regulations. On December 9th, 2016, the California Department of Justice posted the proposed text of the regulations and the notice of proposed action, initial statement of reasons, and fiscal impact analysis on our website at "oag.ca.gov/AB953/regulations." You should have received one page earlier, for those of you who have been here for the duration of the day, that basically tells you how you can participate in the public comment process and also says specifically where the regulations are posted on our website. If you search on our website, if you go to "oag.ca.gov," you can always just search for "AB 953" and also find that information.

On December 9th, we also sent a notice to interested stakeholders to let them know that the proposed regulations had been posted. This notice also outlined the ability of members of the public to submit comments regarding the proposed regulations in writing or orally at today's hearing. This is the last of three public hearings. We had one in Oakland last week and one in Los Angeles the week before.

The full rulemaking file, including the rulemaking documents, the documents we relied upon to draft the proposed regulations and also the comments we've received to date, are available at one of our offices, the DOJ in Oakland or in Los Angeles. And you can email us if you'd like to see that full file. The email is also on that piece of paper we gave you earlier. But it's "AB953@doj.ca.gov." We just repeat "AB 953" as often as possible so that you remember what we're talking about.

At the front of the room, when you came in, I think you all saw there are copies of the proposed regulations. Hopefully, you received those. There are also some copies of the statute, and I have a couple more if anybody wants those.

The format of today's hearing will be as follows: This is an opportunity for you to provide comment to us on the proposed stop data regulations. Each person will have three minutes to provide their comment. And we'll have the time card similar to how we did this morning, if you were here, showing the time you have remaining.

We ask that you provide comments that are relevant to the stop data regulations since the purpose of this hearing is to discuss those.

And this is not a question-and-answer period. So we won't actually go back and forth to say, "This is our rationale for this and this," you know. Most of you were here for the morning so you also heard some of the back and forth about how we came to some of the decisions on our -- on our regulations.

So this is our opportunity to listen to you, which we are excited to do. And all the hearing will be recorded and a transcript of the hearing and all the information presented to us during the hearing will be made part of the rulemaking record. So it will be considered by our office as we revisit the regulations to revise them. Any comments that you make here will be taken into account. Okay?

If you wish to submit written comments after you leave today, you may submit them through the Attorney General's website at that same address I gave before. You may also send them to us by email at AB953@doj.ca.gov. The deadline for submitting comments is tomorrow at 5:00 p.m. So if you know anybody who wants to submit comments on the regulations, you think would be interested in knowing what's going on, make sure to let them know that tomorrow is our deadline for receiving comments.

So as you entered the room, you received a speaker card, and we've taken those. If you do want to provide a comment anonymously, that is also an option. So if you give us a speaker card, and you're like, actually, I'd rather you not record my name or whatever, just let us know. You don't have to present it with your name. But for the rulemaking file, just in our records, it's easier if we have that information.

Let's see. We also have a sign-in sheet. We had one this morning. If you had not yet signed in, if you'd like to stay apprised of different activities of...
Our office and implementing AB 953 and the activities of the board, you can sign up. You'll become part of our distribution list and receive notifications about what we're up to.

Unless you specify otherwise, any correspondence you receive by us, you will receive by email. You can request by snail mail, if that is your preference, but you will have to let us know that.

So we will now begin.

Do you want to call?

MS. BENINATI: I'll call people.

MS. HOVIS: Okay. So Nancy will just go ahead and call folks' names.

THE PUBLIC: We have our own order.

MS. HOVIS: Okay. So just come up and state your name.

MS. YSRAEL: Shannon, Nancy, I don't think --

MS. BENINATI: Just to kind of clarify on Shannon's point, because we are transcribing this hearing, we ask that you please be considerate of the speaker and allow that person to speak. Because if more than one voice is heard at the same time, the Court Reporter can't get that down and that person's comment might be lost or garbled. So just keep that in mind.

I do have -- we do have a public comment from the co-chair of the Racial Identity Profiling Board, Mr. Ed Medrano, who would like to read the board's recommendations.

MR. MEDRANO: Thank you. My name is Ed Medrano, and I'm one of the co-chairs for the RIPA board which just met earlier.

The board did make some recommendations for the Department of Justice to consider. Prior to making those recommendations, the board considered formal comments that were submitted by other board members, considered comments made by the public prior to the board meeting, as well as public comment that was delivered today. Many of you were here today.

Just a quick synopsis of what was voted on and what was recommended to the Department of Justice.

First off, in terms of the regulations, there was a recommendation and motion that passed for a narrative box to be included for "reason of the stop" and the "basis for the stop" and anywhere else there is an "other" box to allow the officers to fill in a narrative. That was the first recommendation.

In addition to that, a couple different items were added relative to information about the person that was stopped. The first item is to add a box that can allow officers to check LGBT in terms of gender, so that will make six gender options available.

Two, to add learning disability in the school setting. ADAH was one, hyperactivity, and others to allow officers to add additional information relative to school setting disabilities.

The third was to allow officers to check religion if known, and another box, if unknown.

And, lastly, to eliminate -- there was a recommendation in the regulations to have limited English or accent. And to delete the accent only, just to check limited English proficiency.

The board unanimously voted that we forward all of those recommendations to the Department of Justice for their consideration and any potential modifications to the regulations.

That is our report.

MS. BENINATI: Thank you.

MS. YSRAEL: Shannon, Nancy, I don't think --

MS. HOVIS: Okay. So Nancy will just go ahead and call folks' names.

STATEMENT OF PASTOR AARON PRATT

MR. PRATT: Good evening. Or should I say "afternoon"? My name is Pastor Aaron D. Pratt. I want to say thank you to the Department of Justice for your diligence in, you know, facilitating this, AB 953. It has been a diligent and very arduous road, and we're still going uphill.

So what -- I want to say a few things, but I need to frame it up right so you can know a little bit about me so when I give you these things that I feel I still want to work on you will understand where I come from.

So who am I? I am a pastor. I am a college graduate. Two universities, Syracuse, chemical engineering cum laude; and Cal Berkeley, human services degree.

Why did I choose pastory? Well, as a Navy SEAL, SEAL Team 5, graduate of Class 189, I found out that science was real. And in order to do some of the processes, running the actions on the USS Enterprise, or the Kittyhawk, riding in humvees, extracting prisoners, extracting hostages, I found that documentation was absolutely necessary. I found out that chemistry -- without me being able to measure variables, I couldn't come up with a solution.

So I'm still perplexed as to why we meet and we pondering trying to figure a way of -- you know, the new word, new vernacular, is "alternative facts." I want to know why we are still having a problem so why we are still having a problem.
about -- of explaining. I did a lot of writing. A lot of
that writing that I did in Iran was on the roof while 32
of my men, under fire, some of them died. But I had to
make a report in this handheld recorder when I was
calling for help.

I don't understand why the Rules of Engagement
that I had to follow on foreign soil, our public
servants have a problem with right here. I don't
understand anything about my beautiful country, America.

I have problems. PTSD, anxiety. I have issues.
And I come home only to find out that my war has just
begun.

So I want to know why we have the issue of
explaining. Why does the officer have a problem hitting
his camera? Why does the officer or technology, mind
you -- why can't they do what we did in humvees, make
the report and come back and file it? What is this
issue about time? Isn't life precious? Don't we as a
whole in society matter?

I never -- I promise you -- I promise you, when
I jumped out those helicopters, I didn't care what color
those people were. I didn't care what they stood for.
I had one mission, and that was to serve this country.
How about my country serve me?

MS. HOVIS: Thank you.

MS. BENINATI: The next speaker, please.

-oo-

STATEMENT OF VICTORIA CASTILLO

MS. CASTILLO: Good afternoon, members of the
DOJ and others. My name is Victoria Castillo,
County.

I am going to again read some excerpts from
citizens. And why I'm doing this is because I really
took into consideration some of the back-and-forth that
was going on between the board earlier as far as unique
identifiers for officers. And I feel, personally, that
this is important in order to review and establish a
pattern of prejudice and/or abuse. It's not something
I -- I, myself, do public records requests often, and I
never come across any personal information from
officers, other than if they were involved in a specific
situation with an individual. And I never got anything
like identifying officers' homes or any other personal
information that could put that individual in danger.
Part of these citizen complaints are from
different individual and specific officers from Merced
Police Department. Part of this says, "At one point,
Penner walked to his vehicle and pressed something. We
believe he may have disabled his dash camera. With this
and the fact that officers' weapons -- two officers --
were unbuttoned, both my friends and I had reasonable
fear of being killed or seriously injured.

"The officers did tell these individuals that
they could not record. And after that, they
subsequently went to the vehicle and the light that was
on was shut off, after he pressed the button."

The response to our request to this individual
was: "The information provided is not specific enough
to our search. Could you please provide more
information, such as time and day and location of the
incident to produce the dispatcher logs of the
incident."

Now, with our local departments, they have
sophisticated software, so that's the first and last
name and date of birth of an individual or even a
license plate number can give us this information. But
yet that information was not entered in the database.

So as far as myself and -- just for background,
both of the individuals that were in this citizen
complaint that were together, they are relatives, and
they're both Mexican; they both have beautiful brown
skin.

Another citizen complaint, from a different
individual: "During the encounter I felt I was treated
like human trash, and I was in physical pain. I had to
call into my place of work and explain what took place
because after the experience, I was not the right state
of mind to work and had pressure and a swollen hand.
The incident has left me traumatized, and I feel no
matter how I attempt to better my life, Merced police
will continue to find ways to assault, harass or even
kill me. I feel I live with this fear every single day.
This is not acceptable for people in my community to be
treated so disrespectfully and without regard for their
rights. I'm not on probation or parole, even if I were,
the way I've been treated repeatedly dehumanizes, to say
the least."

And during this actual incident, I was called
by the people that were being stopped in his car. And
both of these citizen complaints did not result in
arrest, but in both incidents the people in the car
were both brown-skinned. And I went onto the scene, and
these both happened in October of 2016. And I was on
foot filming the law enforcement officers and the
situation at a reasonable distance and was given a
misdemeanor citation for reckless driving but I was not
in my vehicle. So now I'm facing a trial for that I'm
going to be facing.
So I just wanted to put that out there, that
data is crucial and unique identifiers are important.
Thank you.

MS. BENINATI: Thank you very much.

-oo-

STATEMENT OF IRENE ARMENDARIZ

MS. ARMENDARIZ: Hello. My name is Irene Armendariz, I-R-E-N-E, A-R-M-E-D-A-R-I-Z. I'm from Merced, California, and I support the unique identifier.
Like I said earlier, I have a brother who has been diagnosed with schizophrenic tendency through the harassment of the Merced Police Department, and he is now looking at several years of prison. It's been a burden on our family to come up with the money that we don't have to get a lawyer so he can get help for his mental condition. And I just believe the information on officers is needed to see if there's any specific patterns of prejudices or abuse. Thank you.

MS. BENINATI: Thank you.

MS. HOVIS: Thank you.

-oo-

STATEMENT BY DENISE FRIDAY-HALL

MS. FRIDAY-HALL: Good afternoon. My name is

Denise Friday, D-E-N-I-S-E, Friday, as in the day of the week, Hall. And I'm here because of the identity and the protocol of racial profiling, because my son was assassinated by Officer David Wells because of the color of his skin. So what I'm trying to say is that I feel like, in a police-involved shooting, are the police above the law? When they go to the -- the Article of Police, the Bill of Rights, I want to know all the laws were written in an era where things were different. Now, things are different now. How come the law can't be revisited when a police officer involved in a police shooting is not tested for drugs or alcohol after involved shooting? And what is the actual protocol when they are in an involved shooting? When the commanding officer steps on the scene, is the commanding officer -- is he surrendering his weapon to him?
And then, on the other hand, I want to know that, are they taken immediately to go get tested?
Okay. And then once they get to the office and they begin their report, if they're not verbally able to speak their report, are they able to -- I mean, write it out in a report? Do they get an opportunity to verbally say their report in a panel or something like that?
So I would like to know, what is that protocol when a police officer shoots someone in the community and something like that.

And the other thing is that, when bus drivers have an accident on the street, they're tested for drugs or alcohol. So what makes the men in blue above the law where they can't be tested for drugs or alcohol?
Because that Article in that Bill of Rights for them -- that needs to be changed, because that law is outdated.
And then, the other thing is that, when they have chance -- when they have their body camera, I feel like once the body camera is activated, then it should not be deactivated. And if it is, it should be automatically reset to turn back on, because this is to protect the officer as well as the citizen that is being engaged with the law enforcement officer.
So I feel like they should not have control of activating or deactivating the body cam when they're involved in a situation where the whole truth could be really seen and told if they not cutting their video cameras off and on.
And the third thing is that, when they approach people, they should de-escalate; they should -- okay. They should be able to have training to de-escalate situations instead of escalating them. Because, like we say, we have a lot of people out there with a lot of issues. And if they just took the time to analyze the situation, maybe they wouldn't have to shoot to kill.

MS. HOVIS: Thank you.

-oo-

STATEMENT BY MARIA LOPEZ

MS. LOPEZ: Maria Lopez from Long Beach. Maria, M-A-R-I-A, and Lopez, L-O-P-E-Z.
I'm very glad to see that everyone on this table appears to be -- may not identify but appears to be a woman. I also stand here as a woman, a brown Latin woman, a queer, gender nonconforming one, an undocumented, documented woman, a woman in poverty, a first generation woman, a (words spoken in Spanish.) I do not choose which one to be a day. I'm all of them every single day. All of this cannot fill in blocks but can be described in a small narrative if you took the time to see the importance in all that makes me who I am.
When I hear people say they want to be a police officer because they want to make a difference, I say, "You have a chance with AB 953 to make a difference."
I commend the RIPA board on their recommendations that will impact the lives of the most vulnerable in our communities. Today is a day that will go down in our people's history as a day we took a step
towards justice. Thank you.

MS. BENINATI: Do you do poetry? You're very poetic.

MS. LOPEZ: No, I don't.

-oOo-

STATEMENT OF NICOLE REMBLE

MS. REMBLE: Hello, Board. My name is Nicole Remble, N-I-C-O-L-E, R-E-M-B-L-E.

I'll just start off with this. I've seen racial profiling. They told me to go to school. "No one will harass you." I'm gay. I don't look like a fem all the time. There's been times where cops looked at me and thought I was a man. It could have went another way, sometimes my partner say, when we're pulled over in the car 'cause I like to speed sometime. Sometimes I'm scared of the police. We shouldn't be scared at all.

All we ask for is accountability. That's it.

Write down what happened; tell us why. And we'll trust you more; you can trust us more, and we'll be in peace.

I'm all about peace, love, and happiness. That's all you need; right? This is the first step. That's it.

MS. HOVIS: Thank you.

-oOo-

STATEMENT OF GENEVA NICHOLSON


And I usually don't tell my story. But today, hearing everyone's story, made me think about the times I had felt discriminated against and how I was profiled.

And growing up, I grew up in an abusive home, and there were times when my dad would beat the shit out of us, but we were too afraid to call the police because we didn't want anything to happen to him because we loved him. So as you hear your mom screaming and begging for help, there was nothing I can do to save her. I couldn't save her, because I was risking him.

And to live with the trauma of that, knowing that even though he's abusing all of us, and he does deserve some type of punishment, to have him killed I knew wasn't the punishment.

So instead we endeavored years of abuse from him, because we were too afraid to call the police. And so often, whenever we would try to reach out for help, the community would tell us that we couldn't.

And I don't ever want anybody to have to grow up like that. You have no idea what it does to you, to constantly have to be perfect in order to fit in a system that's never going to respect, never going to love you. And no matter how much you change yourself, it still isn't enough.

So I would like the board to take into account all the stories you've heard today, all the things you heard, because the community is crying for help and no one is listening to us. Thank you.

MS. HOVIS: Thank you.

-oOo-

STATEMENT OF ANDREA DONADO


I'm with the Greater Long Beach Interfaith Community Organization, and we also are here representing ICO organization, which is made up 60 organizations. And we applaud the recommendations from the RIPA board. And we ask you to consider them and actually take them.

In Long Beach, actually some time ago, we had a case in which a white police officer was stopping an undocumented woman and impounded their cars, because he knew that most likely they won't have any papers.

So this woman that come normally from very poor communities were facing all the economic challenges that comes when a car is impounded for them. A lot of them, they couldn't even take the car back. They couldn't fight anything because they were undocumented and they were in fear of the police. And this was just happening to very brown, Mexican-looking woman. I myself can drive there, because I have lighter skin and wouldn't stop me.

We need also a narrative, because there's a lot of times in which (unintelligible); how can we include "other" when there's so many rights of options. So we are in favor of the narrative, instead of the other part.

And also we need to know what is the race of the police that's stopping these people. Because we need to know whether or not it's Latinos going against Latinos, or is whites going for anybody else -- or blacks. Or how is the interaction going? And it can be that there's also black/brown police officers that are racially bias, but we need a for-sure confirmation.

So to prevent all these situations to happen, the police situations, we ask you to please take into consideration. Thank you.

MS. HOVIS: Thank you.
STATEMENT OF ROSA AQUEEL

MS. AQUEEL: Hi, again. Rosa Aqueel, first name R-O-S-A; last name A-Q-E-E-L, with Policy Link.

Again, just want to thank all of you for your incredible work today. I want to say that I really appreciate that the previous public comment hearings were held in the evening. It's something I know PL has raised repeatedly. So we really appreciate that you accommodate that. That was very, very meaningful.

In terms of the regulations, I just want to bring your attention to the letter that you had received that was signed by the ACLU, Policy Link, and others, that does -- definitely encompasses all of the concerns that we have.

And I just wanted to draw your attention, in particular, to Page 4 that focuses on the duration of stats. It was mentioned briefly in the board meeting, but I just wanted to make the case for why we think it's really important that we include more accurate, specific information. Where there is a stop that is 60 minutes or longer, for example, the regulations currently would only capture that it was over 60 minutes. But we think there is a big difference between someone who is stopped for 60 minutes and three hours or four hours. Right.

I had a conversation with a young woman who was stopped for two hours, face down on the concrete. She was a young girl. She was coming home from school, being harassed by the police, terrified, 12 years old, for two hours.

And so those kinds of data points I think are really important to making sure that we're really understanding the full meaning of the data being collected.

Finally, I would just say again that I think all of the stories that have been shared, while not directly about a specific regulation, they're all about the regulations; right? And that I think having the stories and the actual testimonies of folks helps build humanity into regulations that can at times seem dry.

And so really just appreciate the work you have in front of you and just really want to thank you for that.

MS. HOVIS: Thank you.

MS. BENINATI: Thank you.

STATEMENT OF ALFREDO AGUERO

MR. AGUERO: My name is Alfredo Aguero. And I want to start with something I read this morning.

"There's a reason why we change. One, either because we learn a lot and we decide change or we been hurt so much that we have to change."

I like to say thanks, though, for taking in consideration for recommendation you made for Prop AB 953.

But I'd like to say that -- like I mentioned before, we need help in a special location because our kids, the kids with the special needs, a lot of times they don't even talk. They get home with scratches, bruises, and the schools, they don't know why. Nobody say anything.

And sometimes people said, you know what, they was scared and in crisis and the officers come and try to restrain them. They can't say anything.

So really we have to do something. Like I said, if we train our officers how to deal with these issues, that's going to help a lot. We don't got to see these kids get in all these kinds of situations because depression, anxiety, mental illness is one of the strongest parts in special ed kids.

I have one. My son is -- he got special needs.

And we know how it feels to see your kid getting home and can't tell you what happened because they been bullied. All this kind of stuff happen to them on the schools.

We supposed to get our schools (sic) to the schools to be protected, from the teachers who teach them. And sometimes they get the bullying even from them, from the same people, from the same school, from the same teachers.

So if we don't do something for them, our society is crooked. Everybody is crooked. If I don't offer them and I know what happened there, I'm doing something wrong. Because we are the voice. Our community is tired. We have to start working. And the only way we can do this is the officers have to be more response -- responsible for what they doing if they doing something wrong and get a congratulations if they do something right.

But we, as a community, I think we deserve respect. Because we like to trust the officers. But if they don't help us, impossible. It's all I want to say. Thank you.

MS. HOVIS: Thank you.
STATEMENT OF TERRANCE STEWART

I kind of highlighted this earlier. There's two things I really want to highlight. The first is that I was racial profiled a lot as a youth. And every time it happened -- I was racially profiled to a lot to the point where, like I said, I could tell the different shifts, like what police worked on what shift. I knew the whole police force because every time they pulled me over, there's police in the car, and slowly you get to knowing everybody.
I watched rookies become lieutenants over the course of time, you know. And every time I was stopped by the police, I was -- put a gun on one. But the other thing was I was touched in a way in which I didn't find appropriate. You know, they touched my genitals. They touched, like, my buttocks area because they were looking for something on me. So they'd bring me to the point where I was stopped a whole lot of times but I only went to jail a few times.
So I hear the argument of "wasting time" and "too much time" to go to fill out a piece of paper. But it was a whole lot of time that they wasted pulling me over when they only arrested me like once or twice. And they pulled me over many of times, you know. And I think if they stop racially profiling, they'll have more time. You know, that's one thing.
And then the other thing is -- is that I work with Alfredo, and we do work with special education, you know. And it's a growing -- everybody knows it. Mental health is that -- a lot of people being arrested and profiled and type of stuff, they do have mental illnesses.
So I'd like to highlight the part that you all said before, about putting a box there about the mental illnesses, because I believe that has a lot to do -- and now the jail is starting to become the biggest mental health provider for people with mental illnesses. And I believe that it should be some type of mechanism that we can help people that are mentally ill before they go to jail.
And I say -- that's all I have to say. But every life has a value, you know. And like it's happening real fast. The first -- what is it? -- three minutes, two minutes is where people are being killed.
And if it's people being racially profiled and people are mentally ill are the people that are catching the end -- the excessive force or the violence, then it's something we have to try to do to put a stop to it. I don't honestly believe that AB 953 will be the complete answer, but I do believe it will be a step in the right way. Thank you.

STATEMENT OF BRANDON STURDIVANT

So first, I hope folks really appreciate the level of trauma that the people in this audience are doing right now, to recount stories that seriously impacted us in our development and in our lives. Imagine having to interact with a person who abused you consistently. That is what we have to do. And even being in the space with law enforcement officers who are saying it's too much to collect data, to me it's an abuser telling me I'm not gonna stop and I don't actually want to take negativisms (sic) to stop, I'm fine with what I'm doing.
So a lot of trauma in this room. That's the first thing.
Second thing is, there's a duel line here. And I don't want to misstate AB 953, about what the board issue brought up. But the thing is, folks in this room and so many folks outside mobilized, over a thousand people, and sat on the lawn outside the Capitol to make sure that this thing is passed, right, to bring our work to fruition, to make sure we have the opportunity to collect this data. So the folks here are directly responsible for this legislation, for this effort. And we're proud to see what happened with the recommendations today. We want to see that continue forward implementation.
I was not a part of AB 953. I actually sat out. The reason why I sat out was because my uncle was beaten to death by the Oakland police. Not shot, not tased. Like billy clubs. Nine officers beat him until he expired.
My cousin was shot in the back, killed by the Oakland police. I got something on it, but it was just weak narrative, weak-ass narrative, that didn't explain exactly what happened.
So for me, and knowing other folks who experienced police brutality, I thought what the hell are we doing. But the folks in this audience inspired
me to step off the sidelines over the last year and work. I've been throwing myself into it actually and confronted something that has caused trauma to my entire family.

So we want to see the recommendations move forward as we saw fit. We want to see over this next period that you're not going to (unintelligible). We want to see more data, as much as possible, especially -- especially around -- the data around the minutes that folks are being held. We don't want to see checkboxes. If you hold somebody for 60 minutes, put 60. If you hold them for five hours, put five hours. We need to know down to a "T".

Last thing, I'm really, really concerned about the implementation of this. So what happens when law enforcement doesn't do it? What happens when we get back crappy data? We've done public records requests for the Sheriff's Department in Alameda County and gotten back crap, like receipts for coffee, stuff like that, just paper. So I'm really concerned, and I'm wondering, how do we make sure these regulations move forward and hit the ground.

And the last thing is, for me, this is about an ark. This moment is about public safety transformation.

We can't get it without the data. But this is the

beginning. So we have to start off on a good foot and push back on the law enforcement officers who are consistently sending a message that they want to do as little as possible. Thank you.

MS. HOVIS: Thank you.

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STATEMENT OF KENA CADOR


I want to start by saying that I think the stories today demonstrate the undeniable human element involved in police interactions. It also highlights the need for effective data.

The ACLU commends DOJ and AOG for their consideration and adoption of recommendations made by advocacy organizations over the past several months.

The proposed regulations reflect recommendations related to perceived identities and any stops of youth, particularly of youth on and around school grounds or in the school setting. However, the ACLU and many other advocacy organizations are very concerned in certain aspects of proposed recommendations and have submitted written comments to the DOJ and AOG as part of the

rule-making process. I also have copies if anybody needs it.

In particular, we support the RIPA board recommendations to require use of open text fields with respect to data elements of reason for stop, basis for search, and any data value that refers to "other." The proposed regulations must require data collection that captures actual law enforcement practices by including these open field texts where officers provide factual detail and context for their stops.

We also believe that the regulation should require officers to provide a description of the actual location of the stop, such as sidewalk, public transportation, public housing or building, to provide context about where these stops are taking place and what that might mean. Moreover, there are several data elements that we believe the data value is offered use time periods that do not allow for sufficient detail to echo the duration of the stop that others have mentioned, the perceived age of person stopped and officers' years of experience.

Finally, we think there needs to be multiple data values added in response to data element for actions taken by officer during stop. The -- we might -- we suggest additional values such as other

agency called to the scene or unit, unbuttoning the holster or grabbing the weapon.

I think that the importance of AB 953 cannot be overstated, especially as evidenced by the public participation here today, making sure police are acting fairly and lawfully and that burdens of being stopped and searched are not falling on some racial groups more than others is crucial and is part of the job. Thank you.

MS. HOVIS: Thank you.

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STATEMENT OF CRISANTEMA GALLARDO


As I spoke earlier, I'm from Merced, and I really want to lift up the importance of ensuring that we have individual and personal identifications for peace officers.

You can go into any (speaking in Spanish) -- any hood, and people in the community, well, they know what streets, what police officers are stopping our community members.

In my community, on Winway near a church,
there's a white police officer that will park his
vehicle there and stop brown and dark-skinned people for
no reason. I think it's really important for us to be
able to identify which law enforcement officers are the
ones doing this.
Again, I'm really happy to be here today,
because we were there in 2015 pushing AB 953, because we
know it's the beginning to any (unintelligible) in our
community. And I say "beginning" because it's not going
to end all the injustice that we're living as people of
color in this state, but it is going to ensure that we
hold law enforcement officers, individual folks,
accountable so that they can do the job they're supposed
to be doing, so they can really build trust with our
communities.
Again, I also think it's really important for
our community groups to have access to the data. And
not just community groups, but myself as an individual
who has a brother that is in and out of prison and dad
who was formerly incarcerated, I want to have access to
all the data. So we need to create, like, a clear plan
of how we as community members can know no who -- which
officers are stopping who in our community and what
ethnicities are being stopped the most. Thank you.
MS. HOVIS: Thank you.

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STATEMENT OF BOBBI BUTTS

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MS. BUTTS: First of all, I'd like to give our
praises to God. He's the love of my life.
My name is Bobbi Butts, B-O-B-B-I, B-U-T-T-S.
I'm with a lot of different organizations. I was at the
legislators office making sure the Transparency Bill
came through.
I just know that being as dark skinned as I am,
I have witnessed and been part of a lot of racial
profiling, especially living in Tennessee and out here
in California as well.
I'm raising a son who wants to be a
cardiologist and he plays instruments. But I know
he'll grow up and be a big, black guy. So I know if I
don't put my feet to the ground today and tomorrow, I'm
probably not giving my son the chance that he deserves.
So I just want to thank you all in the
Department of Justice for just having our back and
continuing to work with us with regards to this system
that is so injustice to people of color. Thank you.
MS. HOVIS: Thank you.
THE PUBLIC: One people, one fight. One people.
One fight.

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STATEMENT OF GREG JONES

MR. JONES: Good afternoon. I'm going to take
this thing off. I'm sorry. My name is Greg Jones. I'm
within the Congregation out for Change. And there are a
couple things that really -- that really resonated with me.

One of them is, you know, how can a group of
individuals who don't want there to be transparency
decide how transparency is going to be implemented. I
cannot get past that in my mind to understand how a
group of -- a group of individuals who we're trying to
hold accountable, as a society, as taxpayers, as
citizens, sometimes it's victims, how we want to correct
the system that has been flawed since its inception.
We all know that police officers were founded on
the slave patrol. They would capture runaway slaves
and, to tell the truth, they pretty much operate the
same way today.
When slavery ended -- before slavery ended,
excuse me, the prison system was 95 percent white.
Afterwards, it was 97 percent black. That's no mistake.
The prison system was put in and perpetrated on
African Americans in order to keep free labor going.

And today it operates the same exact way. Please, if
you don't believe me, do your research.
The problem is that I myself don't consider
myself a free man because I have to do things that I
don't want to do. I don't any adult that has to do
goings they don't want to do.
But the problem is, when you have a system
that's breathing over you and it has individuals who are
equal to you, equal to you, equal to you, are telling
you -- are making you feel that the system no longer
applies to them, the rules no longer apply to them, and
all they have to do is claim to feel fear and they can
take your life, take your life with zero accountability.
And we sit here and act as if that's the norm. We sit
here and act as if that's necessary in order for America
to be great again. Like that's what it has to be like.
My children tremble in fear. They've seen me
become a victim of police brutality. They still talk
about it to this day, every time it comes up. It
doesn't come up in conversations with family. It comes
up in society. It's one of those things we talk about.
It's one of those things that we live. It's normal.
Just like the space landing or the comet -- whatever is
the norm.
Police brutality is the norm. And for people
who have the privilege to not be personally affected by it or not have a family member affected by it and someone that looks like them to not be affected by it, it's asinine to me to understand how you can say their experiences are less valued than yours just because you were put in the position to make that decision amongst those who don't know how to get to where you're at, who don't think that you belong where you belong, who may not have the resource that you have to get to where you're at.

So what I'm asking is that you all take a look outside of yourselves, take a look outside of your experiences, outside your responsibilities as you see them and take a look at the society that you live in.

THE PUBLIC: My God.

MR. JONES: It's a wasteland. We're in a disgusting movie. This is a movie from the '80s that we're living in today, with this -- with this -- I don't even know what kind of -- this Commander-In-Chief, this CEO -- I don't know.

I don't know what we're going to do. But it's up to you guys to make something happen in California that's not happening anywhere else in America. We're way behind so many other countries. It's going to take at least 40, 50 years to make America great again.

And just to note on a local level, I live here in Fresno, our chief of police actually ordered an internal study review of his department, and what came back was that two-thirds of the officers didn't trust the chief and a third of officers complained about officers that falsified evidence or falsified police reports. And what we're talking about is years on someone's life; right? When you falsify --

We have a brother right now that we're trying to help out who went to rescue his brothers from a shooting at a party, and he's -- now he's facing jail time because he was resisting arrest. Even though he showed up way after the cops did and he was drug through the mud physically, literally, and now he's facing jail time. And he's young. He's a young man.

And so -- again, thank you guys for being here. We just want to continue to hold up these -- these stories and these experiences.

MS. HOVIS: Thank you.

STATEMENT BY SUKAINA HUSSAIN


I shared some comments with the board this morning, but I wanted to reiterate to you all. Thank you again for the time to hear us out. I know some people had to take off but they're with us in spirit. They're from all over California. They're making their way back.

I wanted to highlight what was brought up before, the significance of the stories that my black and brown brothers and sisters have shared and how much of themselves they're putting out there so that all of us can live in a better community.

And I'm speaking on behalf of immigrant families who are communities of color who have come from militarized states, who have come from environments where they're being targeted for the way they look, who are daily met with tanks in the street with automatic weapons in their face, whose children have to walk by army and militants just on the way to school or to the grocery store.

And they came here. My family is from an immigrant background (unintelligible). And unfortunately we know it's going to be difficult for families coming from other countries in the future. But for those who are here, came here seeking that safe
havent and seeking a way to provide a better opportunity for their families.

So I know that the role of law enforcement is to provide that peace, to serve and protect. And if we're continuing to militarize, we're not serving that purpose. So I hope the investment in this regulation really provides them education and training into making our community safer instead of more militarized.

I also wanted to speak to the piece around religion. I know there was some discussion with the board on what the identifier looks like. I do agree it's important to be able to collect data to name their specific religion, backgrounds and ethnicities.

Nationalities are being targeted.

However, it may be visible what religion I am but may not be for another person of color. So I think in order to make sure we're not falling into the trap of continually stereotyping and going down this rabbit hole of stereotyping by filling the box, but there should even still be a narrative space for why the officer chose to identify the person of that religion. Was it a cross or symbol or something specific they were wearing that caused them to feel they were of religious background. And maybe use that to identify if there are wrongful assumptions being made, if there are stereotypes that are being mislabeled. And put those learnings into trainings on how we're miscategorizing individually or how we're correctly or incorrectly identifying backgrounds to have more accurate information and learning ahead. Thank you.

MS. HOVIS: Thank you.

STATEMENT OF TAYMAH JAHSI

MS. JAHSI: Hello. My name is Taymah JaHSi, spelled T-A-Y-M-A-H, last name, J-A-H-S-I. I'm with PICO, specifically Faith in the Valley here in Fresno. We represent over 120 congregations here in the Valley. Many of them went with us to the Capitol to make sure AB 953 passed.

And we went there with the expectation with racial profiling not ending tomorrow but sometime in the future. Maybe our grandchildren wouldn't have to face some of the pain we face.

So when I hear officers say it's too time-consuming, I view that as an excuse. Because what's more time-consuming is burying your child. I've done that before. We heard from Mrs. Friday who's done that.

And if we have the opportunity to collect sufficient descriptive data in order to compile it and interpret in a way that can identify how these officers may be profiling folks, then that extra five or ten minutes that it's costing them right now could save an extra 500 lives in a couple years, and it will all be worth it then.

So I'm asking you all, when you hear that argument about time consumption that you let it bounce off your ears because we're looking towards the future. And in doing that, we have to spend the necessary time focusing on those variables that are causing so many of our people to suffer here.

I appreciate you all for hearing us out today. I ask that you keep in mind the stories you heard and the pain you heard when you're making those decisions and finalizing the regulations.

MS. HOVIS: Thank you.

STATEMENT OF JULIA DUDLEY

MS. DUDLEY: Afternoon, to you. I definitely wasn't slated to speak but I felt compelled to do so. My name is Julia, J-U-L-I-A, D-U-D-L-E-Y. And I have been a long time resident of Fresno, but my roots are actually in San Jose. And I think today is so important because my family has continually had to go through racial profiling, even in front of my house where we lived in a very affluent neighborhood and we might have been one or two black families.

I watched my brother get beat up by nine or ten cops because they didn't believe that was his house. And I had to testify and watch these cops lie in court, and it was traumatizing. Because he was in a car with another non-black person, so they pulled him over and assumed it wasn't his car. So that was my first unfortunate incident with the police. And then it continued, where I was always pulled over because of who I was, because of being black and driving in a car down a street where they felt I didn't belong.

Now we fast-forward here to Fresno, California, where I live now. I'm a business owner. I'm an entrepreneur. I'm also part of the African American media. So I came here today, and we wanted to make sure to have a story.

But I think it's also important I share my story. And just last year, at the end of the year, we were pulled over coming from my shop. We were terrified. Me and my husband were very terrified. We were in our car, which was a Mustang. The officer asked what were we doing in a Mustang, why were we there,
where were we coming from. I was asked these -- this myriad of questions as if I didn't even belong being a business owner or even in my car.

So that is not just happening to me but a whole bunch of people that look like me, a whole bunch of other black and brown folks that look like me. And I was shaking and I was terrified. And I shared it on Facebook. I couldn't get over it for weeks. And every time I saw an officer, all I could do was be fearful and look forward. And even when I was pulled over, I didn't know if we were going to be shot. No one was around. I'm looking around to see where I could -- who's watching and what I can do.

No one should feel that terrified when they're pulled over by an officer. And loudly I remember speaking to the officer, letting him know, "Officer, I can't -- my license. It's in the back in my purse." And I was very scared to reach back. I'd already watched the Sandra Bland. Myself being a part of the media, it was a very terrifying experience for me.

I've been stopped, my son's been stopped, my husband has been stopped, everyone's been stopped in my family. For what?

And also being 15 years as an educator, as a state-mandated reporter, it was very important for me to write out paperwork. And when something happens in the classroom, you had to write it out. Time is nothing. Time is of the essence. And it's very important for us to take our time when we must write that report. When we must be a part of the solution versus the problem.

If I didn't write about things that happened to my students, and they would tell me about stuff going on at home, should I be that teacher that says, heck, I don't have time to write that out? Should I have done that?

So that's why it's so important for us to look at time as not an issue but part of it, to take the time to write that information down so we can see where the problem is and look forward to solutions.

MS. HOVIS: Thank you.

So since the public hearing is slated to go until 4:30, we sit and stay here until 4:30. That's how it works. So we will be here.

Thank you for being here everybody who came, honestly. I'm just really pleased to see that -- the energy and commitment to ensure that AB 953 is effectively implemented because it's certainly consuming our lives. And it's just really great to have members of the public so participatory. So thank you so much.

And if you want to speak and haven't done so, we have an open mic.

(Whereupon the meeting concluded at 4:30 p.m.)