

CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD

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

STOP DATA ANALYSIS SUBCOMMITTEE
MEETING NOTICE AND AGENDA

February 23, 2021

2:30 pm

Via Blue Jeans video and telephone conference ONLY. The public is encouraged to join the meeting using the “Join Meeting” link below. The “Join Meeting” link will provide access to the meeting video and audio. We recommend that you log in 5-10 minutes before the start of the meeting to allow sufficient time to set up your audio/video, and to download the Blue Jeans application, if desired.

[Join Meeting](#)

(Join from computer or phone)

A phone dial-in option will also be available.

Dial (408) 317-9254

Meeting ID: 271 911 269



**Interpretive Services
Available Here**

1. INTRODUCTIONS (5 min.)
2. APPROVAL OF NOVEMBER 12, 2020 SUBCOMMITTEE MINUTES (2 min.)
3. DISCUSSION OF REPORT-SPECIFIC RESEARCH TOPICS (1 hr. 30 min)
 - Subcommittee Brainstorm
 - Consent and Supervision Stops & Searches
 - Gender Analysis of Stop Data
4. PUBLIC COMMENT (15 min.)
 - Both the Blue Jeans application and dial-in number will permit public comment
5. DISCUSSION OF NEXT STEPS (5 min.)
6. ADJOURN

Documents that will be reviewed during the meeting will be posted to the Upcoming Meeting section of the Board’s website <https://oag.ca.gov/ab953/board> in advance of the meeting.

The meeting will begin at the designated time. Other times on the agenda are approximate and may vary as the business of the Board requires. For any questions about the Board meeting, please contact Anna Rick, California Department of Justice, 1515 Clay Street, Suite 2100, Oakland, California 94612, ab953@doj.ca.gov or 510-879-3095. If you need information or assistance with accommodation or interpretation requests, please contact Ms. Rick at least five calendar days before the scheduled meeting.

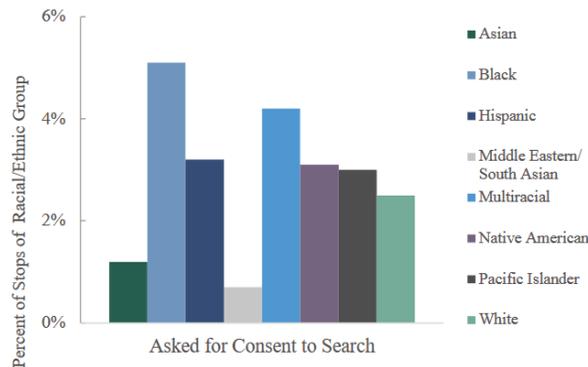
I. CONSENT SEARCHES

In 2019, Officers provided “consent given” as the sole basis for the searches they performed for 62,323 (1.6%) stops

In the RIPA data, officers may indicate whether they asked for consent to search in two separate data fields:

- “Asked for consent to search person”
- “Asked for consent to search property” and
- Officers may also indicate whether they received consent to perform a search from the stopped individual (YES/NO).

Figure 30. Stopped Individuals Asked for Consent to Search by Perceived Race/Ethnicity

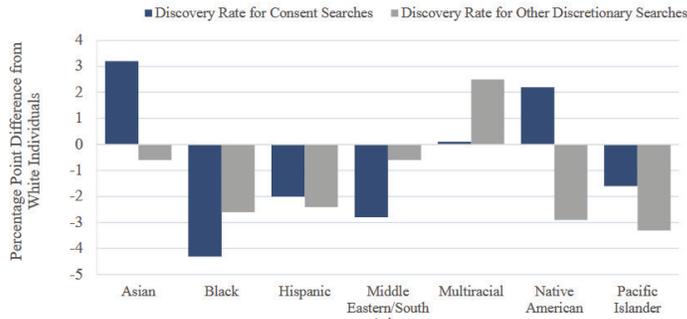


The rate at which these “consent searches” occurred varied considerably for each racial/ethnic group, ranging from 0.4 percent of Asian individuals to 2.4 percent of Black individuals who were stopped; the rate for Black individuals was almost six times the rate for Asian individuals.

Officers who asked individuals for consent to perform a search reported the highest rates of consent given for White individuals (89.4%) and the lowest rates for Black individuals (66.3%)

For consent searches, discovery rates were highest for Asian individuals (16.5%) and the lowest for Black individuals (9.0%). For discretionary searches that exclude consent given as a basis for search, discovery rates were highest for Multiracial individuals (26.4%) and lowest for Pacific Islander individuals (20.6%). These results indicate that discovery rates between racial/ethnic groups were more variable for consent searches than for other discretionary searches. Consent searches also generally had lower discovery rates than other discretionary searches.

Figure 33. Discovery Rate Differences for Consent Searches and Other Discretionary Searches by Perceived Race/Ethnicity



Given the disparities in consent only searches and discovery rates, and that neither state nor federal law requires officers to suspect any criminal wrongdoing before they request consent to search a person or their property, an obvious question is raised: should individuals be subjected to a search if, based on the officer’s perception, the individual is innocent of engaging in apparent criminal activity?

II. PAROLE/PROBATION/PRCS/MANDATORY SUPERVISION STOPS & SEARCHES

In 2019, Wave 1 and 2 agencies reported making 28,015 (0.7%) stops where the primary reason for stop was that the stopped individual was known to be on parole, probation, PRCS or mandatory supervision (hereafter collectively referred to as “known supervision”).

Only 28,015 individuals were stopped for known supervision, but 96,328 individuals were searched due to their supervision status.

Condition of supervision was the sole search basis reported for 63.5 percent of these searches while the other 36.5 percent included additional search bases in combination with condition of supervision.

Figure 34. Individuals Stopped for Known Supervision by Perceived Race/Ethnicity

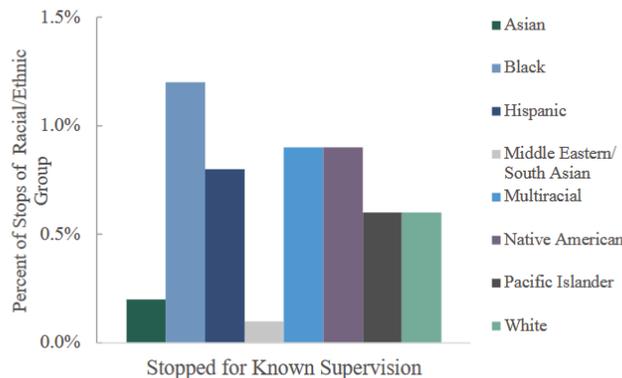
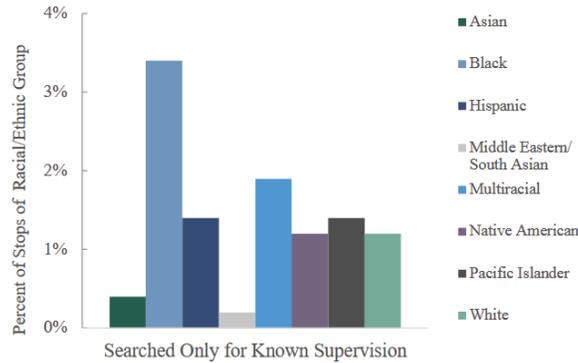
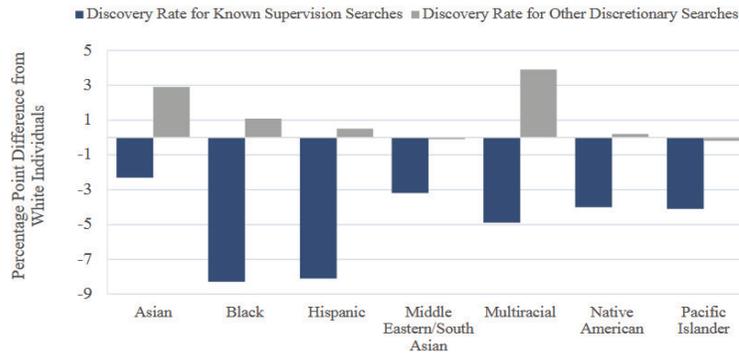


Figure 35. Stopped Individuals Searched Only for Condition of Supervision by Perceived Race/Ethnicity

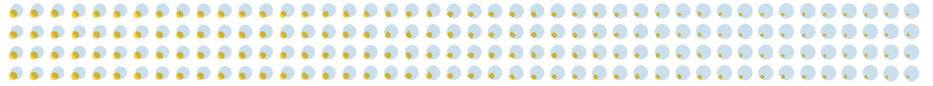


For discretionary searches that exclude condition of supervision as a basis for search, Multiracial individuals (23.2%) had the highest discovery rates while Pacific Islander individuals (19.1%) had the lowest rates, a range of 4.1 percent. These results show that discovery rates between racial/ethnic groups were more variable for known supervision searches than for other discretionary searches.

Figure 36. Discovery Rates for Condition of Supervision Searches and Other Discretionary Searches by Perceived Race/Ethnicity



Known supervision searches generally had lower discovery rates than other discretionary searches. The rates are also presented for each racial/ethnic group as differences from White individuals in the following figure; White individuals had a discovery rate of 23.4 percent for condition of supervision searches and 19.3 percent for other discretionary searches.



Violence and Law Enforcement Interactions with LGBT People in the US

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FACT SHEET / MARCH 2020

Research shows that transgender people in the United States face persistent and pervasive discrimination and violence. According to the 2015 U.S. Transgender Survey—the largest national survey of transgender persons in the United States, with over 27,000 respondents—46% of respondents had been verbally harassed in the previous year, and 9% had been physically attacked as a result of being transgender (James et al., 2016). Nearly half (47%) had been sexually assaulted at least once during their lifetime. At work, 30% of respondents reported being fired, denied a promotion, or experiencing harassment including physical or sexual assault. And 40% of respondents had attempted suicide in their lifetime, which is nine times the rate within the general U.S. population.

Transgender African Americans, according to research, are disproportionately impacted by violence among LGBT people. Among respondents to the 2015 U.S. Transgender Survey, 44% of Black respondents reported being verbally harassed, and more than half (53%) were sexually assaulted at least once in their life (James et al., 2016). Another study of anti-LGBTQ violence found that 71% of reported homicides were people of color, 52% were transgender or gender nonconforming, and 40% were transgender women of color (National Coalition of Anti-Violence Programs, 2018).

LGBT people in the United States are particularly susceptible to violence and discrimination by law enforcement. LGBT people have historically been subject to heightened surveillance and victimization by law enforcement, and a study by the Williams Institute found substantial evidence that “LGBT individuals and communities [continue to] face profiling, discrimination, and harassment at the hands of law enforcement officers” (Mallory et al., 2015). For example, a 2014 report on a national survey of LGBT people and people living with HIV found that 73% of respondents had experienced in-person contact with police in the past five years, and of those, 21% experienced hostile attitudes from officers, 14% reported verbal assault by the police, 3% reported sexual harassment, and 2% reported physical assault (Lambda Legal, 2014). In the same survey, victims of crime reported inadequate police response to their reports of violence, with 205 respondents noting that they had filed formal complaints about

police misconduct. Notably, police abuse and misconduct were reported at higher rates by respondents of color and transgender and gender non-conforming respondents.

This experience is echoed in data from the U.S. Transgender Survey, in which 61% of Black respondents experienced some form of mistreatment by police, including being verbally harassed, or physically or sexually assaulted (James et al., 2016). Likewise, an earlier study of Latina transgender women in Los Angeles by the Williams Institute found that two-thirds of participants reported experiencing verbal harassment, 21% reported physical assault, and 24% reported sexual assault—all at the hands of law enforcement (Blair Woods et al., 2013).

Research also shows that transgender people are more likely to experience violence at the hands of law enforcement while incarcerated. A Williams Institute study of data from the National Inmate Survey, 2011-2012 (NIS-3) found that transgender people in jails/prisons are at increased risk of sexual victimization and are more likely than cisgender inmates to experience assault or injury from assault by prison staff (Herman et al., 2016).

Research shows that transgender people in the U.S. face persistent and pervasive discrimination and violence.

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