

# CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD

## MEETING MINUTES

### **4<sup>th</sup> Meeting of the Racial and Identity Profiling Advisory (RIPA) Board**

**Wednesday, July 12, 2017, 10:00 a.m.**

**600 West Broadway Street**

**2<sup>nd</sup> Floor Conference Room**

**San Diego, CA 92101**

The fourth meeting of the California Racial and Identity Profiling Advisory (RIPA) Board was held on Wednesday, July 12, 2017 at 10:05 A.M. in the 2<sup>nd</sup> floor conference room at 600 West Broadway Street, San Diego, CA 92101.

**Members Present:** Micah Ali, Oscar Bobrow, Sahar Durali, Michael Durant, Jennifer Eberhardt, Joe Farrow, Andrea Guerrero, Honorable Alice Lytle, Reverend Ben McBride, Edward Medrano, Mariana Marroquin, Douglas Oden, Sheriff David Robinson, Tim Silard, Angela Sierra.

**Members Not Present:** Timothy Walker, Alex Johnson, Pastor J. Edgar Boyd

**California Department of Justice Staff Present:** Kelli Evans, Special Assistant Attorney General, Executive Office; Nancy A. Beninati, Supervising Deputy Attorney General, Civil Rights Enforcement Section (CRES); Catherine Z. Ysrael, Deputy Attorney General, CRES; Shannon K. Hovis, CRES; Jenny Reich, Chief, Bureau of Criminal Identification and Investigation Services (BCIS), California Justice Information Services (CJIS); Randie Chance, Program Manager, Bureau of Criminal Identification and Investigation Services, CJIS.

### **1. Call to Order and Welcoming Remarks**

The meeting was called to order at 10:05 A.M. by Co-Chair Edward Medrano. Co-Chair Medrano clarified to the audience that the RIPA board meetings are required to meet in various locations across the state to include that all segments of California have access to these meetings.

### **2. Approval of the January 26, 2017 Board Meeting Minutes**

**MOTION:** A motion was made to approve the minutes (inaudible by whom). The motion was seconded (inaudible by whom). No objections were raised.

**APPROVAL:** The minutes were approved with all members in attendance voting “Yes”, no “No” votes, and no abstentions. Members Walker, Johnson, Ali, Oden, and Boyd were not present for the vote.

### **3. Selection of New Co-Chair**

Co-Chair Medrano commented that Kelli Evans had begun a new position at the California Department of Justice (DOJ), leaving a vacancy on the board and for a co-chair position. Co-Chair Medrano noted that the board members were asked before the meeting if they were interested in the filling the co-chair position and received three nominations: Reverend Ben McBride, Professor Jennifer Eberhardt, and Member Micah Ali. Co-Chair Medrano called for any other nominations from board members and received no additional nominations. Professor Eberhardt declined her nomination to co-chair.

**MOTION:** Co-Chair Medrano asked for all those in favor of Reverend McBride to assume position of co-chair, and subsequently asked for all those in favor of Mr. Ali.

**APPROVAL:** Reverend McBride was selected as co-chair of the board with all members of the board in attendance voting “Yes”, no “No” votes, and no abstentions. Members Walker, Johnson, Ali, Oden, and Boyd were not present for the vote.

### **4. Welcome from Kelli Evans**

Ms. Beninati, introduced the new Special Assistant Attorney General, Kelli Evans to provide comments on behalf of the Attorney General. Ms. Evans welcomed the audience and thanked the board members, the DOJ staff, and the members of the public in attendance engaging on this important topic. While Ms. Evans is no longer a member or co-chair of the board, she noted that she is delighted to continue working on these issues on behalf of the Attorney General who is very interested in the work of this board and looks forward to attending an upcoming meeting of the board.

### **5. Training on the Bagley Keene Open Meeting Act**

Ms. Beninati introduced Deputy Attorney General Julia Zuffelato from the Government Law Section of the DOJ to give a brief refresher on the Bagley Keene Open Meeting Act to remind the board members about their obligations with regard to transparency in conducting business as a board member.

Ms. Zuffelato gave a brief overview of the responsibilities of the Government Law Section. Ms. Zuffelato reminded the board members that complying with Bagley Keene is not always intuitive and takes a conscious effort, but suggested that if the board members embrace the purposes of Bagley Keene it may be easier to comply with its requirements. Ms. Zuffelato detailed the two key philosophies behind the creation of the board as consensus building and the inclusion of the public.

Ms. Zuffelato explained the differences between the state Bagley Keene Act and the local Brown Act and reviewed state bodies that are created by statute, such as the broader RIPA board, state bodies that are advisory bodies, such as the board’s subcommittees, and impromptu advisory bodies, which can eventually grow into an advisory body if it meets regularly. Ms. Zuffelato suggested that to comply with Bagley Keene, board members should talk to no more than one

other member about board business outside of a public meeting. Ms. Zuffelato noted that all members of the board are subject to Bagley Keene from the moment they are appointed.

Ms. Zuffelato explained that the basic idea behind Bagley Keene Act is that all meetings, defined as a quorum of a state body to deliberate on a matter within the subject matter jurisdiction of the board, should be open to the public. Ms. Zuffelato emphasized that deliberation covers all phases of the decision making process from gathering information to final vote and that the public has a right to be present throughout this process.

Ms. Zuffelato detailed the prohibition of serial meetings among a quorum of members or through an intermediary through any form of communication including all technological forms. Ms. Zuffelato mentioned that staff briefings are an exception to the serial meeting prohibition, which allows individual board members and staff to exchange information, but that staff may not share the comments they receive from an individual board member with other board members.

Ms. Zuffelato detailed the allowance of board members to meet with one other person as long as those communications are not shared with other board members. Ms. Zuffelato mentioned that social events, open meetings of other public bodies, and conferences open to the public are not subject to Bagley Keene attended by a quorum of the board if board business is not discussed there. Ms. Zuffelato clarified that board members can attend meetings of subcommittees they are not members of but only as an observer.

Ms. Zuffelato detailed the rights of the public to participate at public meetings stating that the no identification of the public members is required, that meeting locations must be publicized and ADA compliant, that time limits must be reasonable, and that the public has access to public meeting records.

Ms. Zuffelato requested questions from the board. Member Bobrow commented that he believed that the current meeting room was insufficient with regards to public access and suggested that the back doors be opened and the meeting be broadcast into the hallway to allow every member of the public in attendance to participate. Ms. Evans and Co-Chair Medrano encouraged all members of the public to come into the room.

Member Silard reminded staff about his suggestion that meetings be held in the community and at different times of day to allow more members of the community to attend.

## **6. Update from the DOJ on stop data regulations and next steps**

Ms. Beninati provided a brief overview of the status of the AB 953 regulatory process. She explained that the regulations have been delayed in part because Attorney General Becerra wanted to meet specifically with the various stakeholders, including members of law enforcement, academics, and advocates. Based on the reviews of the public comments and meeting with the stakeholders and continuing to work and refine different points, a field test of proposed data elements was also conducted. The DOJ conducted more outreach and streamlining of the regulations, making the stop data report form more intuitive and easier to collect data. She expressed the hope that the next version of the regulations be released within the next few weeks.

Ms. Beninati updated the audience on legislation that would amend the racial profiling statute, detailing that the DOJ has worked with Dr. Weber's office, law enforcement, and advocacy groups to amend language in Government Code section 12525.5 that delays the data collection of the first reporters by six months, clarifies the responsibilities of law enforcement agencies reporting to the DOJ to ensure that personally identifiable information of law enforcement officers or someone who is stopped is not transmitted to the DOJ in any open text fields, and clarifies that the data reported should be available to the public except for the badge number or any other unique identifying information of the peace officer involved. AB 1518 was heard and passed through the Senate Public Safety Committee.

Ms. Beninati described the field test conducted by the DOJ in April 2017. The DOJ asked 14 agencies to participate, of which the following agencies participated: the California Highway Patrol, Los Angeles County Sheriff's Office, San Diego County Sheriff's Office, San Bernardino County Sheriff's Office, Orange County Sheriff's Office, Los Angeles Police Department, San Diego Police Department, Ventura City Police Department, and Gardena Police Department. Ms. Beninati thanked all agencies who participated. This field test involved 2,809 stops and recorded the length of time it took to collect the data. The field test included two open explanatory text boxes for reason for the stop and basis for the search. The proposed regulations version of the form took approximately two and a half minutes to complete. The median time it took to complete the reason for stop narrative was 16 seconds; the median time for the basis for search narrative was 22 seconds, and the completion of those search sections occurred in only one out of every five stops.

Ms. Beninati explained that there are 13 data elements that are required under AB953 and currently the ones that have been proposed in addition to the statute include: 1) other actions taken by the officer during the stop, 2) person stopped was perceived to have limited or no English fluency, 3) perceived or known disability of the person stopped, 4) officer's years of experiences, and 5) type of assignment.

Co-chair Medrano commented that the field test examined the type of technology that would be required to collect the data and noted that it was helpful to understand the different forms officers could collect data in the field.

Ms. Beninati mentioned that the DOJ also field tested reason for presence at the scene and is now evaluating whether that should be included or whether it should rather only ask if the stop was made in response to a call for service.

Member Silard asked Ms. Beninati for a red-lined version of the regulations as compared to the recommendations that came from the advisory board.

Ms. Beninati mentioned that it is possible to do this but that the new version of the regulations will include the red-lines from the prior version. Shannon Hovis from the Department of Justice commented that she would be able to do this in template form.

Co-Chair Medrano clarified for the public that the board made recommendations to the released draft of the regulations and there is now another version coming out.

➤ **Questions from Members**

Member Guerrero asked if there would be another comment period for the regulations that come out. Ms. Hovis said that there will be a 15-day public comment period once the newest version of the regulations is posted online and depending on any changes made following that public period it is possible that a second public comment period will be opened up, but it will depend on the comments received.

Member Guerrero asked what communication the DOJ will be engaging in to ensure that the public knows that the revised regulations are out and that there is a 15-day comment period.

Ms. Hovis noted that it will be disseminated to the 1,200 people on the AB 953 mailing list, there will be a press release announcing the new regulations, it will be posted on the DOJ website including the supporting rulemaking documents, and all board members are encouraged to share the information as well.

Member Eberhardt asked when the revised regulations will be posted and Ms. Beninati responded saying very shortly.

Co-Chair McBride expressed appreciation to the DOJ for conducting the field test and asked if there is any data that addresses how long the average stop was and if not if that information is available in other law enforcement agencies that the board could acquire.

Ms. Beninati responded that the start and the stop time of the stop were field tested.

Member Oden asked if the form used in the field test would be made available to the public. Ms. Beninati responded that the field test documents would be made available to the public as a part of the rulemaking record. Ms. Beninati clarified that a template was not field tested, but rather there was an online interactive SurveyGizmo and that DOJ is hopeful that once CJIS creates its own application, the time to complete a form will go down. Ms. Hovis added that as an officer completed more stops and became more familiar with the form, the time it took to complete the form diminished.

Member Oden asked if there would be additional field testing before it is released to the public. Ms. Beninati responded that there is no plan for additional field testing before the next iteration of the regulations is posted. Ms. Reich noted that once CJIS has developed this tool it will be contacting the first wave of law enforcement agencies who will be reporting and further testing will occur with them.

Member Durant asked if DOJ's IT personnel are going to have the ability to create a system that is compatible with those that the various agencies throughout CA currently have in place for their record management systems. Ms. Reich responded that CJIS IT personnel will be working

with the different law enforcement agencies and their IT vendors to incorporate a stand-alone application being developed by CJIS.

Co-Chair Medrano clarified for the public that this application would address issues raised about the amount of time it would take to fill out the forms and the ability to potentially pre-fill some of elements on the forms. Co-Chair McBride commented that based on the results of the field tests it appears that the time allotment will increase public safety.

Member Bobrow voiced concern that the board members just found out that there was legislation to delay the implementation and asked why certain agencies are delayed from collecting for an additional six months and why board members were not included in that decision making process.

Ms. Evans responded that the Attorney General was ensuring that he was up to speed on this topic and had heard from members of the public, law enforcement agencies, advocacy groups, and academics, which took longer than the original deadline. The Attorney General also felt that it was important to allow time to get the regulations right and to develop the data gathering system by pushing all deadlines by at least six months; there was no intermediary board meeting in that time to discuss these developments. Ms. Beninati further clarified that the meetings that occurred with stakeholders could not include other board members because the Attorney General is a member of the board himself and thus the meetings would violate the Bagley Keene Act. Ms. Beninati noted that because the regulations were delayed, the creation of the technology system was also delayed and would not have been in place in time for the first wave of agencies to report their data using the system. Dr. Weber was comfortable with the six-month delay.

Member Silard expressed that moving forward the board should understand how it can participate more nimbly and effectively.

## **7. Presentation by the Commission of Peace Officer Standards and Training (POST) on Cultural and Racial Profiling Training in California**

Co-Chair Medrano introduced Ralph Brown, the Bureau Chief at POST to give an overview of what POST's responsibilities are and what is being done to advance racial profiling training for law enforcement in California. Mr. Brown detailed the mission of POST, what POST is, the role of educational training, their constituency (approximately 93,5000 peace officers and public safety dispatchers), the number of training courses (approximately 4,000 total), their authority to manage these programs, their structure and procedures, the Commission oversight, and POST's primary responsibilities, including selection standards, course certification, officer and dispatcher training, distant learning, and leadership development among others.

Mr. Brown reviewed the history of racial profiling training with POST and the history of procedural justice with POST, which were both initiated in the early to mid-1990s. Recently POST began putting together a roadmap working with DOJ on rolling out a procedural justice and implicit bias training and currently have three professional entities that are using the training – CSU long beach, South Bay Regional Training Center, and Stockton Police Department.

Mr. Brown laid out the future of procedural justice in POST including imbedding voice, neutrality, respect, and trustworthiness into the basic academy at various learning domains and all training curricular including the supervisor and manager courses. POST staff will provide regular updates on how the well the curriculum is being pushed out and how many officers are being trained. Mr. Brown then showed a video on procedural justice created by POST. Mr. Brown concluded by reiterating that peace officers have been receiving this type of training for many years but POST is dedicated to working with the board in any way possible.

➤ **Questions from Members**

Member Oden asked if there is any training regarding how to deescalate stops or a situation so an officer does not have any fear that may prompt him or her to use force unnecessarily. Mr. Brown responded that there are trainings that cover de-escalation but there are situations that cause an officer to enter an escalation and must respond professionally.

Member Silard asked how much POST training delivers on an annual basis and of that how much is dedicated to racial and identity profiling training, de-escalation training, and the basics of the legal requirements of a stop, search or arrest. Member Silard also asked Mr. Brown how POST knows if the training is effective. Mr. Brown responded that officers are required to complete 24 hours of training every 24 months, but most go over that. Mr. Brown noted that POST is moving way from the term “de-escalation” and that it is taught every five years, but the content is brought into other trainings such as arrested control training that are given every few years. Mr. Brown responded that these trainings appear to be working because the events within that realm are substantially smaller per capita per officer than they are in other states. Mr. Brown said that search, seizure, stop and frisk training is not legislatively mandated for annual professional training outside of the academy, but high risk skills such as use of force are. Co-chair Medrano clarified that what was laid out is the minimum requirements by the statute, but many agencies have many other layers to this training.

Member Lytle commented that the POST video shown displayed an officer and a young black man being pulled over who both displayed legitimate assertions of nervousness but failed to note that those two assertions are not equivalent, as the officer has a gun, is in a position of power, and there is a widespread perception that if the black man is harmed, the officer gets the benefit of the doubt. Member Lytle also asked for a contact at POST to send her comments on POST’s training outline provided to the board members.

Member Guerrero asked how POST is incorporating national best practices into its work, specifically regarding the de-escalation training. Mr. Brown explained that POST reaches out to subject matter experts in the field, including law enforcement experts and community members and they engage in a multi-day workshop to discuss current standards, the current trainings, and changes that should be made. Mr. Brown mentioned that they are working with Stanford University’s Social Psychological Answers to Real-world Questions to collect data on people who have completed the procedural justice training that informs adjustments to the curricula.

Member Marroquin commented that gender identity and LGBT sensitivity training is also important and should be pulled out into the training outline. Mr. Brown responded that POST has

Learning Domain 42 in the Academy on cultural awareness but it will be pulled out into the curricula outline.

Member Bobrow asked if the curricula are available online to the public and asked what the two implicit bias trainings that have been incorporated into the POST trainings are. Mr. Brown responded that the course title is “Procedural Justice/Implicit Bias” and the learning domains are available online.

Co-chair McBride asked what POST is doing around building competency for law enforcement officers and asked if POST is re-thinking its ideas around use of force training considering the massive outcries from the communities in response to officer shootings. Mr. Brown responded that use of force is learning domain 210 but was unsure of when it was last updated. He said that use of force is a part of the 24 hours of training required every 24 months. Mr. Brown noted that cultural awareness is included in learning domain 3 and 42 of the Academy and is in the racial profiling refresher course given every five years.

Co-chair McBride asked if there is anything POST is working on with regard to local law enforcement agencies to elevate the impact of local community organizations. Mr. Brown mentioned that there is a module in the procedural justice training that encourages the attendees to engage a local community member to gain information about community history and get local input to help facilitate the course.

Member Durali asked what percentage of agencies participate in POST trainings. Mr. Brown said a recent audit revealed nearly all agencies that have powers of arrest in California use POST trainings. Member Durali asked about the statistics for race, gender, and sexual orientation of the presenters in POST trainings and if there are efforts by POST to ensure that the presenters reflect the communities the agencies serve. Mr. Brown agreed this is important.

Member Eberhardt commented on the evaluation of the trainings and noted that data on the effectiveness of the training is necessary to build on what the subject matter experts consider beneficial to include in the training. Member Eberhardt mentioned that many trainings across the country are evaluated after the training has occurred but emphasized that it would be more effective to get data to understand if it will actually change police and community relations and behavior.

Member Durant commented that there is a continual amount of trainings on a daily basis in agencies that receive the POST training outlines.

Member Silard commented that the data on what is the change in behavior will be necessary in all of the subcommittees.

## **8. Break**

The Board recessed for a break, reconvening with a quorum of members present at 12:15 PM.

## **9. Discussion of RIPA Board Annual Report Contents**



Ms. Hovis outlined the board's responsibilities with regard to its annual reports as specified in the statute. The annual report is due every January and the first report is due January 1, 2018. Each report required the board to analyze both the stop data that will be collected, analyze the citizen complaint data, including complaints alleging racial and identity profiling that has been collected, analyze the law enforcement training under that section which refers to the POST training around racial profiling. The board is responsible for working in partnership with state and local law enforcement agencies to analyze local policies and practices and for conducting and consulting evidence-based research on intention and implicit biases, and law enforcement stops, among other topics.

Ms. Hovis suggested that the board divide into five subcommittees that would follow the requirements for the report.

Ms. Hovis emphasized that while the DOJ can provide some guidance with regards to the report, it is ultimately up to the board what the end report will look like. Ms. Hovis commented that the board's main required task according to the statute is to provide the current and historical state of racial and identity profiling in California, outline the best policies and practices, and provide recommendations for eradicating profiling in policing.

Member Silard suggested hiring and promotions beyond just training.

## **10. Public Comment Period**

Jaled Alexander/San Diego City College and Pillars of the Community commented that what the POST video showed was not accurate of the situation in his community. Mr. Alexander commented that community members are dismissed when racial profiling is discussed. Mr. Alexander cited concerns over the "Gang Suppression Unit" in his neighborhood, and commented that the board has the opportunity to ensure that the trainings impact the way that police interact with community members on a daily basis.

Edith Smith/San Diego Organizing Project (SDOP), an educational advocate in the community, commented that profiling is experienced rather than perceived. Ms. Smith commented that unless daily implementation and evaluation of what is taught in training is required, there will be no effect. Ms. Smith disagreed that the data should not be identified with who is being charged with misconduct and who is charging. Ms. Smith noted that this data should be available and allow the community to discuss the issues with the police chiefs.

Brooks Asishbe/United Domestic Workers of America commented that the issue is excessive use of force and different types of procedures must be utilized to stop profiling.

Colleen Kusak, a criminal defense attorney, requested that data collection continue in the superior court in terms of the case outcomes that happen as a result of these stops. Ms. Kusak suggested that those who are being pulled over should be allowed to fill out a form to voice why they felt they were being pulled over to compare it to the data collected on why police officers think they should have been pulled over. Ms. Kusak voiced concern that body worn camera

footage is only being used in situations that help police and is not made available to the motorists. Ms. Kusak requested a way to contact the members of the board directly.

Co-chair Medrano clarified that stakeholders may contact the board members through letters sent to the Department of Justice.

Navar Perry/People Power requested that the annual report does not just provide statewide numbers but also provide full reports for the sheriff's offices and police departments in every county and provide recommendations, analysis, and training suggestions for each of those law enforcement agencies that may vary by community.

Karen Villa/San Diego Community College District detailed a personal story about police profiling.

An unnamed member of the public suggested that the board incorporate accountability into its discussions.

Erme Glass/PICO California commented that if police have been training for years in areas that we have issues in and the issues still exist, that is a problem. Ms. Glass asked the board to fight for the members of the community and be their voice.

Leah Blake/PICO California and SDOP commented that there cannot be rogue cops because they are perpetuating systemic injustice of the agency. Ms. Blake requested better and more efficient training in de-escalation and cultural understanding and a system of accountability to ensure that the police officers are implementing their training. Ms. Blake commented that the system, thought process, and hearts of the police officers must be transformed.

Kyle Brandon detailed a personal history with police profiling. Mr. Brandon commented that the community is angry because nothing is being done and the members of the community want to see real change.

Karen Glover/Cal State San Marcos commented that there is a lot of literature on data collection and racial disparities. Ms. Glover suggested that when the disparity is found, the board should suggest serious accountability issues departmentally. Ms. Glover commented that the basis of implicit bias and procedural justice is problematic because it is based on a micro-level issue of how police officers interact one-on-one, when the issue is more structural and deals with police officers not being held accountable. Ms. Glover suggested that the work of the board be related to larger justice actions related to education, housing, employment, and political voice and commented that the laws that allow cops to get off must be changed.

Tasha Williamson played a video on her phone of a San Diego man who was attacked by a dog while handcuffed by police. Ms. Williamson commented that community-oriented policing is not being implemented appropriately.

Umar Farook commented that the video shared by POST was inaccurate and requested real change from the board.

Terrance Stewart/Inland Congregations United for Change commented that the system is not broken but is doing what it was built to do from the start.

Brian Marvel/San Diego Police Officers Association suggested that the board urge the Attorney General to be a public advocate for ensuring funds for police trainings are not cut and are rather expanded. Mr. Marvel cited a program in San Diego called Game Changers that brings cops and community members together that has been effective and could potentially be transplanted elsewhere in the state. Mr. Marvel also requested that the board look into the entire length of the stop, not just how long it takes to fill out the data collection form as well as suggest that the DMV auto-populate forms with information from the driver's license.

Edith Smith commented that a member of the public was not waiting in line to provide public comment.

Riley Avilla, a graduate of USD, detailed a personal story of police profiling and requested that the board make sure that the regulations are implemented and that when the data is collected that the police are held accountable for any instances of profiling.

Jamie Wilson detailed a personal story of police profiling and encouraged the board to move forward with AB 953 to encourage police officers to stop making stops based on race or to get the information necessary to create a plan to eliminate racial profiling.

Mikail Hussein/United Taxi Workers of San Diego detailed a personal story of police profiling.

Peter Bibring/ACLU of Southern California emphasized the importance of getting out the regulations as soon as possible. With regards to the board and the annual report, Mr. Bibring echoed the call for increased evidence-based practices to change actual behaviors and urged the board to include perceived gender identity bias in the report as well as community experiences as qualitative data in addition to quantitative data.

Pastor Cornelius Bowser/Charity Apostolic Church of San Diego/SDOP/Community Assistance Support Team detailed a personal story of police profiling. Pastor Bowser requested that the board create policies that are clear and reveal whether or not there is racial profiling and to come up with accountability for those who perpetuate racial profiling.

Rosa Aqeel/PolicyLink/Alliance for Boys and Men of Color commented that trying to fix a system that is rooted in white supremacy is not possible and won't be until the existing system is completely dismantled. Ms. Aqeel commented that asking police officers what they think is working in trainings is not effective but that rather the communities of color should be asked if it is working and if the communities feel respected. Ms. Aqeel commented that trainings will not diminish the white supremacy rooted in the system and in the country and encouraged the board to look at international models. Ms. Aqeel voiced concern over lack of training regarding de-escalation.

Fayaz Nawabi/Council of American-Islamic Relations of San Diego/San Diego Community College District emphasized the importance of community relations and engagement.

Ismahan Abdullahi/Partnership for the Advancement of New Americans detailed a personal story of racial profiling. Ms. Abdullahi commented that the issue is not about individuals, but rather about the institution and how it can be shaped to be a system that is reflective of community policing and being able to trust police officers. Ms. Abdullahi urged the board to take community perspectives into consideration.

Emily Hao detailed personal stories of police profiling. Ms. Hao urged the board to create the necessary change it has the opportunity to do.

Brittney (last name unknown) echoed the call for accountability, particularly regarding police officer's initial approaches and called for a focus on professionalism. Brittney suggested that for programs such as Game Changers that allow cops and community members to interact, that the police authorities be included as well to enable accountability.

## **11. Discussion and Selection of New Subcommittees**

Co-Chair Medrano explained that the suggested five subcommittees were divided to ensure that all of the elements the board is required to include in the report are thoroughly vetted and that board member and stakeholder opinions are solicited. Co-Chair Medrano asked if the board members had any comments on the subcommittee structure.

Member Silard suggested that the state and local policies subcommittee be divided into two committees to allow for a focus on hiring, screening, recruitment, and promotions as well as training. Member Silard also mentioned that de-escalation should be specifically pulled out as well as the importance of changing the culture within police departments, accountability and oversight. Member Silard commented that it would be helpful if the board was provided time for deep reflection in this report production rather than a regimented production process and voiced concern of this occurring given the tight timeline.

Co-Chair Medrano commented that moving forward to the second year's report is where the board will be able to expand further and suggested that the board focus on what can be realistically accomplished for the first report.

Member Sierra commented that the reports are annual and the board could have a slightly different focus for each of the reports to allow the board to focus on a topic more deeply.

Co-Chair Medrano agreed with taking 2-4 of the large issues such as de-escalation, accountability, and others to make those priorities of the report.

Member Oden questioned how the board could incorporate more local reports that would reflect the communities in which most people live as opposed to a state survey that may be too broad to have relevance.

Co-Chair Medrano commented that how the data is to be reported is still to be determined but counties would be able to dive down into their county level data.

Ms. Evans clarified that once the data is reported to the DOJ the statute requires that it be disaggregated by department, which correspond to different geographies and jurisdictions.

Ms. Hovis encouraged the board and the audience to look at the DOJ's OpenJustice website, which includes a lot of data analysis on the data that is in existence and gives an understanding of what the data analysis can look like.

Ms. Guerrero commented that this first report is a good opportunity to lay a baseline for the public and asked if the board could conduct a baseline community survey to get a community understanding of how they feel about police before we embark on data collection that could be used as a template to measure over time how the board is making an impact on the ground.

Member Farrow thanked all of the public members for their comments and noted that many of the comments revolved around training. Member Farrow encouraged the board to focus more on transparency and make a recommendation in the report that a member of the RIPA board be a part of the Commission on POST and serve as a voice in the creation of new trainings.

Member Lytle agreed with that idea and commented that training cannot be discussed globally without discussing recruitment.

Co-chair McBride commented that the community is depending on this board to play a significant role in moving this conversation forward and asked the DOJ to encourage Attorney General Becerra to be in attendance at the next RIPA board meeting.

Ms. Evans commented that Attorney General Becerra is devoted to this cause and will be in attendance at the next board meeting.

Member Silard voiced concern over a public comment that referenced that a local study was going to be ended because of the work of AB 953 and questioned if there was a way to let the public know that no studies should be stopped because this board will not see data for a year and do not know what it will look like when the analysis efforts begin.

Co-chair Medrano urged the board to agree on subcommittees. Co-chair Medrano commented that the stop data and citizen complaints subcommittees are straightforward but the outline did not include everything the subcommittees will cover. Co-chair Medrano suggested changing the POST Training subcommittee to the POST Training and Recruitment Subcommittee and changing the State and Local Policies subcommittee to the State and Local Policies and Accountability subcommittee, leaving room for this subcommittee to be divided if needed. Co-chair Medrano suggested keeping the Evidence-Based Research and Best Practices Subcommittee the same. Co-chair Medrano noted that the subcommittees will identify their own co-chairs and develop their scope of responsibility with regard to the report.

Member Robinson suggested that the state and local policies committees focus on the first wave of agencies required to report data to narrow the scope some, but also cover a large geographic region of California.

Member Durali cautioned against that warning that such an approach may exclude rural California.

**MOTION:** Member Guerrero made a motion to adopt the following subcommittees: Stop Data Subcommittee, Citizen Complaints Subcommittee, POST Training and Recruitment Subcommittee, State and Local Policies and Accountability Subcommittee, and Evidence-Based Research and Best Practices Subcommittee, (to include information on agency culture). Member Sierra seconded the motion.

**APPROVAL:** The subcommittees were adopted with all members of the board in attendance voting “Yes”, no “No” votes, and no abstentions. Members Walker, Johnson, Eberhardt, Ali, and Boyd were not present for the vote.

Member Guerrero commented that there is no community survey involved in this plan and questioned if there was enough consensus within the board around the value of a community survey.

**MOTION:** Member Guerrero made a motion that the board make a recommendation to the DOJ that they initiate a baseline community survey around police profiling. Co-chair McBride seconded the motion.

### ➤ **Comments from Members**

Member Sierra commented that the idea of survey is great but asked whether it should be a survey through this board or a research university. Member Guerrero commented that a survey would be necessary to gauge effectiveness and to the extent that the DOJ can partner with an academic institution it should do so, but a survey should still be pursued that can be replicated down the line. Co-chair McBride suggested that the board focus on the community the law enforcement officer has the most contact with. Member Guerrero agreed with looking at hotspots. Member Sierra questioned if the survey should be developed by a subcommittee working with the DOJ and any other partners. Member Guerrero said ideally yes with contribution from the evidence-based research subcommittee. Co-chair Medrano recommended that the board find the other studies published that will help the board formulate the best approaches with the largest impact on the ground.

**APPROVAL:** The motion was approved with all members of the board in attendance voting “Yes”, no “No” votes, and no abstentions. Members Walker, Johnson, Eberhardt, Ali, and Boyd were not present for the vote.

## **12. Adjournment:**

The meeting was adjourned by Co-chair Medrano at 2:15 PM