

**CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD**

**OUTREACH SUBCOMMITTEE MEETING MINUTES**

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

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

**Los Angeles**

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

**Sacramento**

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

**San Diego**

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

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

**Subcommittee Members Absent:** Angela Sierra

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

**1. Call to Order and Introductions**

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

**2. Selection of Subcommittee Chair**

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

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

**3. Goals of the Subcommittee**

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

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

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

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

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

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

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

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

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

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

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

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

### **5. Target Communities**

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

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

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

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

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

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

### **6. Outreach Methods**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **10. Next Steps**

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

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

## **11. Adjournment**

The meeting adjourned at 12:30 p.m.